



State Water Resources Control Board

March 13, 2019

Richard L. Jennings
PO Box 595
Maxwell, CA 95955

ADMINISTRATIVE CIVIL LIABILITY ORDERS ISSUED DECEMBER 6, 2018

The State Water Resources Control Board ("State Water Board" or "Board"), Division of Water Rights ("Division") Prosecution Team informs you that the administrative civil liability orders issued to you on December 6, 2018 should be disregarded. These orders were erroneously issued.

On October 19, 2018 the Division mailed: 3 Administrative Civil Liability Complaints (ACLC) to "Richard Jennings" in Canby, CA, 17 ACLCs to "Richard L Jennings" in Maxwell, CA and 1 ACLC to "M.J.M. Partnership" (Richard L. Jennings, Agent) in Maxwell, CA for failure to file annual diversion and use reports. The Division relied upon the contact information you provided to the State Water Board in your Statements of Diversion and Use.

The ACLC's stated,

"You may request a hearing on this matter before the State Water Board. Any such request for hearing must be received or postmarked within 20 days of the date that this notice is received as required by Water Code section 1055, subdivision (b). If you do not request a hearing within 20 days, then the right to a hearing on the matter is waived. The Assistant Deputy Director for the Division of Water Rights may then issue a final Administrative Civil Liability Order assessing the Proposed Liability."

On November 15, 2018, the Hearings Unit received a Hearing Request from "Richard Jennings" with a Canby, CA return address. No identifying information was provided with the Hearing Request indicating that Mr. Jennings was requesting a Hearing on a particular ACLC

On December 6, 2018, having not received a hearing request from "Richard L Jennings" located in Maxwell, CA or from "M.J.M Partnership" within 20 days from the receipt of the ACLCs, the Assistant Deputy Director for the Division of Water Rights issued 18 final Administrative Civil Liability Orders assessing the Proposed Liability in the Complaint. A table of these Orders is enclosed with this letter for your reference as Attachment A.

We later learned that your Hearing Request submitted on November 15, 2018 was intended as a blanket hearing request that would cover the ACLCs issued to "Richard L Jennings" as well as M.J.M. Partnership. Thus, you requested a hearing within 20 days after we issued the ACLC's.

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

Since you timely requested a hearing, the Administrative Civil Liability Orders dated on December 6, 2018 were issued erroneously.

The Administrative Civil Liability Orders have no force an effect, as a hearing request was received within 20 days from receipt of the ACL Orders. Please consider those Orders as rescinded.

If you have any questions, please contact John Prager, Staff Counsel, by telephone at (916) 341-5542, or by email at John.Prager@waterboards.ca.gov

Sincerely,

ORIGINAL SIGNED BY

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Attachment

ATTACHMENT A

Water Right ID	Owner	ACL Order No.	File Name
A000135	RICHARD L JENNINGS	WR 2018-0119-DWR	wro2018_0119_dwr.pdf
A000486	RICHARD L JENNINGS	WR 2018-0120-DWR	wro2018_0120_dwr.pdf
A010835	RICHARD L JENNINGS	WR 2018-0139-DWR	wro2018_0139_dwr.pdf
S014780	RICHARD L JENNINGS	WR 2018-0252-DWR	wro2018_0252_dwr.pdf
S014781	RICHARD L JENNINGS	WR 2018-0253-DWR	wro2018_0253_dwr.pdf
S014782	RICHARD L JENNINGS	WR 2018-0254-DWR	wro2018_0254_dwr.pdf
S014783	RICHARD L JENNINGS	WR 2018-0255-DWR	wro2018_0255_dwr.pdf
S014784	RICHARD L JENNINGS	WR 2018-0256-DWR	wro2018_0256_dwr.pdf
S014785	RICHARD L JENNINGS	WR 2018-0257-DWR	wro2018_0257_dwr.pdf
S014786	RICHARD L JENNINGS	WR 2018-0258-DWR	wro2018_0258_dwr.pdf
S014787	RICHARD L JENNINGS	WR 2018-0259-DWR	wro2018_0259_dwr.pdf
S014788	RICHARD L JENNINGS	WR 2018-0260-DWR	wro2018_0260_dwr.pdf
S014789	RICHARD L JENNINGS	WR 2018-0261-DWR	wro2018_0261_dwr.pdf
S014790	RICHARD L JENNINGS	WR 2018-0262-DWR	wro2018_0262_dwr.pdf
S014791	RICHARD L JENNINGS	WR 2018-0263-DWR	wro2018_0263_dwr.pdf
S014792	RICHARD L JENNINGS	WR 2018-0264-DWR	wro2018_0264_dwr.pdf
S014793	RICHARD L JENNINGS	WR 2018-0265-DWR	wro2018_0265_dwr.pdf
S018642	M.J.M. PARTNERSHIP	WR 2018-0283-DWR	wro2018_0283_dwr.pdf