



Enforcement News

West Side Irrigation District Issued Draft Cease and Desist Order for Unauthorized Diversion

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SACRAMENTO – The State Water Resources Control Board (State Water Board) has issued a draft Cease and Desist Order against the West Side Irrigation District of Tracy for the unauthorized diversion or use of water. This is the first water right enforcement action related to drought conditions in 2015.

West Side Irrigation District has a Post-1914 water right that authorizes direct diversion from Old River in San Joaquin County from April 1 to Oct. 31 of each year for irrigation, municipal, domestic and industrial uses. On May 1, 2015, the State Water Board notified all holders of Post-1914 water rights in the Sacramento River watershed and the Sacramento-San Joaquin Delta that there was insufficient supply available to serve those water rights. During a May 18 inspection, the District was observed to be pumping water out of Old River.

The West Side Irrigation District may request a hearing before the State Water Board within 20 days of receiving the draft Cease and Desist Order. If the district does not come into compliance, or timely request a hearing, the State Water Board will adopt the order. If the district refuses to comply with the Cease and Desist Order as adopted, it may be subject to penalties of up to \$10,000 for each day of noncompliance, and may be referred to the Office of the Attorney General for further action.

The State Water Board has committed significant resources to ensuring the water rights priority system is maintained during the drought. In 2014 it conducted roughly 950 field inspections to determine compliance with the 5,063 water unavailability notices issued. In 2015, with 9,329 water unavailability notices already sent out, the State Water Board has committed staff resources to field inspections once again.

For more on West Side Irrigation District's Cease and Desist Order, see the documents on the Division of Water Rights [webpage](#).

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