



OFFICE OF COUNTY COUNSEL  
COUNTY OF RIVERSIDE

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January 13, 2017

Greg Reed  
44100 Ginger Circle  
Hemet, CA 92554

Re: Your Email dated December 19, 2016  
Letter from Counsel dated December 12, 2016

Dear Mr. Reed:

This office represents the Riverside County Department of Environmental Health (DEH). We are in receipt of your email to Steve Van Stockum, the Director of Environmental Health, dated December 19, 2016 and the related letter from Justin G. Robinson, dated December 12, 2016. Collectively, the email and letter demand DEH take four separate actions related to a well that is on your property located at 44100 Ginger Circle, which is part of the Weber Valley Heights Water Association (WVHWA).

Please be advised that DEH cannot take any of the actions that you demand. With respect to your first demand, DEH completed the permitting process for the well on your property in 1990. The permitting process pursuant to Riverside County Ordinance number 682, which governs the construction of wells only, was then completed. As such, there is no current permit required for the well. While we understand your issues regarding the address listed on the permit, based on the information that DEH has reviewed it appears that the 1990 permit address was erroneously entered as Perryman at that time; however, the permit was intended for the well that was constructed on your property. This is based on the following: the well on your property was completed in 1990, corresponding to when the permit was issued; (2) there is an easement on your property, from the previous owner of the property to a group of people who would ultimately form the WVHWA, allowing for the construction and maintenance of a well; (3) there have been annual inspections of the well on your property since the state small water system permit was issued to WVHWA; and (4) the fact that there is no known well on the property located at the Perryman address.

DEH now monitors the well pursuant to Title 22 of the California Code of Regulations section 64211 et seq. To date there are no known violations warranting action on the well. Therefore,

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regarding your second demand, that DEH require you to disconnect the electricity to the water supply, there is no reason to deactivate, or otherwise shut down the well. Further, DEH has reviewed the easement for the well on your property which was provided for the "drilling, construction, installation, equipping, operation, and use" of a well. DEH does not have the legal authority to take action against, what appears to be, a valid easement.

Your third demand is that DEH revoke the WVHWA permit, number 1790, and the 1990 permit, number 16245, for the well construction. As noted above, the well was properly constructed and completed in 1990 so permit number 16245 can no longer be revoked. Permit number 1790, the state small water system permit for the WVHWA, is regulated pursuant to the same regulations listed above, Title 22 of the California Code of Regulations section 64211 et seq. To date, there are no known violations that would require DEH to take any regulatory action, including revocation of permit number 1790.

As a result of the foregoing, DEH is also unable to comply with the fourth demand regarding confirmation that your well is no longer part of the WVHWA system.

Sincerely,

GREGORY P. PRIAMOS  
County Counsel



ERIC STOPHER  
Deputy County Counsel

ES:nh  
cc: Client