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May 23, 2019

State Water Resources Control Board Division of Water Rights  
Mr. Mitchell Moody  
P.O. Box 2000  
Sacramento, CA 95812-2000  
[mitchell.moody@waterboards.ca.gov](mailto:mitchell.moody@waterboards.ca.gov)

Re: Petition of Semitropic Improvement District of the Semitropic Water Storage District to Revoke and/or Revise the Declaration that the Kings River System (Tributary to Tulare Lake Basin) is a Fully Appropriated Stream System, and Proposed Application to Appropriate Unappropriated Water (Water Code § 1205; Title 23; California Code of Regulations ("CCR"), § 871)

Dear Chairman Esquivel and Honorable Board Members:

South Fork Kings Groundwater Sustainability Agency (SFKGSA) hereby submits its **opposition** to Semitropic Water Storage District's ("Semitropic") Petition to revoke and/or revise the Kings River Fully Appropriated Stream Declaration. No reasonable cause exists to conduct a hearing on the question whether the fully appropriated status of the stream system should be revoked or revised. As a result, NFKGSA respectfully requests the Chief, Division of Water Rights, deny a hearing on the matter.

SFKGSA is a special act district formed for purposes of fulfilling the mandates of the 2014 Sustainable Groundwater Management Act. The SFKGSA is located within the Tulare Lake Subbasin (5-22.12) pursuant to Bulletin 118, which is ranked as a "high" priority basin by the Department of Water Resources and is a critically overdrafted subbasin. The Kings River is the main source of surface water supply to the SFKGSA. The Kings River Service Area encompasses three counties, and four subbasins pursuant to Bulletin 118, all of which are critically overdrafted and ranked "high" priority.

Semitropic's FAS petition is submitted in an attempt to secure a right to divert Kings River waters for use in Kern County, outside the watershed of origin, to another critically overdrafted subbasin, the Kern County Subbasin (5-22.14). By exporting water from four critically overdrafted groundwater subbasins to a non-hydraulically

connected subbasin, the *Semitropic project would significantly exacerbate overdraft conditions in the Kings River watershed making it more challenging if not nearly impossible to reach sustainability goals and avoid undesirable results.*

Based on Bulletin 118 alone, the demand for all of the waters of the Kings has been objectively proven. ***Bulletin 118 demonstrates that not enough waters exist in the Kings, Tulare Lake, Kaweah, and Delta-Mendota Subbasins.*** It is therefore patently false to suggest there are unappropriated waters available on the Kings River. Every ounce of water is needed in the Kings River watershed to ensure sustainability goals are met and to ensure the avoidance of undesirable results.

In conclusion, Semitropic has failed to set forth any facts to show changed circumstances or that reasonable cause exists to hold a hearing on the Kings River FAS Declaration. Based on the status of the subbasins overlying the Kings River Service Area as "high" priority and critically overdrafted, it is clear no unappropriated waters exist. As a result of the foregoing, SFKGSa respectfully requests the Chief, Division of Water Rights, deny a hearing on the Kings River FAS Declaration.

Sincerely,



Joe Neves,  
Chair

JN/CG/sjs

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