

3. The Board has reviewed the subject report and finds the following:

a. Kern River drains a watershed of more than 3,000 square miles in Kern, Kings and Tulare Counties. It flows directly into a closed basin known as the Tulare Sink.

b. Rights to the water of the Kern River have been the subject of dispute since prior to 1880.

c. Controversies over rights to the use of water of the Kern River have often been settled by negotiated agreement.

d. Litigation has been initiated which, if pursued to completion, would accomplish basically the same result as a statutory adjudication.

e. Facts and conditions in the Kern River watershed are such that the public interest and necessity will not be served at this time by a determination of the water rights in a statutory adjudication. Denial of this petition without prejudice does not prohibit the petitioners from filing a future petition when conditions become such that the public interest and necessity would be served by approval of any such petition.

NOW, THEREFORE, IT IS ORDERED that said petition be denied without prejudice.

CERTIFICATION

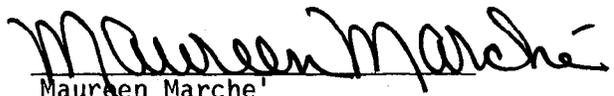
The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of an order/decision/resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 18, 1987.

AYE: W. Don Maughan
D. E. Ruiz
D. Walsh
E. H. Finster
E. M. Samaniego

NO: None

ABSENT: None

ABSTAIN None


Maureen Marche
Administrative Assistant to the Board