

CLARK'S FORK RECLAMATION DISTRICT #2069  
P.O. Box 874  
LEMOORE, CA 93245

Governing Board: Ron Allvin President, Gary Triguero Vice President, Travis Lopes, Clay Groefsema, Bill Miguel

September 25, 2018

Mitchell Moody  
Division of Water Rights  
State Water Resources Control Board  
P.O. Box 2000  
Sacramento, CA 95812-2000

Re: Response to the "Notice of Petitions to Revise Declaration of Fully Appropriated Stream Systems".

Dear Mitchell,

Clark's Fork Reclamation District #2069 is located near the bottom of the South Fork of the Kings River. Part of the historic Laguna de Tache Spanish land grant, we are a very small district of approximately 2000 acres and surrounded by river channels that under natural conditions flowed year around.

Our location presents many challenges with upstream diversions, ponding activities (ie water banks), transfers, and discorded interpretations regarding our "Blue Book" of Kings River Water Association agreements. We experienced devastating environment consequences during the recent five year drought with no water to our area. Please review our enclosed enumerated proposals to the issue of Kings River fully appropriated status.

1. The original status of our water rights were established by California Supreme Court decision of 1882 declaring the Laguna de Tache Land Grant riparian to the Kings River and ordered up stream diverters to stop their diversions. Mr. LA. Nares designed the appropriation "schedule" in the late 1800's, mindful that the lower river had riparian water rights. Water delivery to our area was thus taken for granted and reflected in the "schedule". Subsequently, the Kings River Water Association has intimidated and outspent local land owners in litigation to remove their riparian rights. Currently that same policy is demonstrated by ongoing litigation against Mr. Jim Verboon. We believe it is a concerted effort to

accumulate additional water for upstream users. Restoration of those riparian rights would most certainly utilize contested water, thereby advancing the fully appropriated status for Kings River and contribute to environmental restoration as required in the SGMA regulations for riparian corridors.

2. Decision 1290 recognizes the possibility that the construction of Pine Flat Dam may cause water delivery restrictions as opposed to the former natural flow of yearly water, injurious to the environment and water recharge to our area. Decision 1290 stated that potential downstream damages need to be demonstrated before litigation could be enjoined. We believe current SGMA requirements, adherence to the "Blue Book", recent environmental damages, and practices regarding ponding basin activities, changes in points of diversion, and transfers, affect water delivery to our area. thereby Increased water delivery will utilize any perceived unappropriated water.

3. One of our 28 members of KRWA has a license to store water in an amount similar to the storage behind Pine Flat Dam. During the 2017 flood release, this option was not used, causing the North Fork levee system to be endangered with resulting emergency construction. Utilization of their license will negate any claim to unappropriated water available for outside the Kings River Service area when properly administered.

4. Clark's Fork recently designated the "Little South Fork" tributary of the main channel as a natural recharge facility, which in our opinion is superior to a manmade ponding basin. The environment component in SGMA regarding Riparian Corridors #3 serves the function of "providing storage area for flood control". Water delivery to our natural recharge location would additionally extend recharge via the sandy river bottom between us and the Lemoore Weir, thereby again utilizing appropriated water while also satisfying SGMA.

5. The historic riparian flows produce universal "channel losses". These losses extended throughout the Kings River system as recharge, this would again utilize any perceived unappropriated water and assist in negating further claims regarding unappropriated water and also contribute to SGMA.

6.. Do to the critically overdraft condition of our groundwater basin, Clarks Fork supports the many KRWA projects are in progress to recharge flood water and will

further remove any doubt regarding fully appropriated water status in the Kings River service area. Water transported beyond our service area for commercial "outside" uses for sale or storage is contrary to existing history and license agreements. We are cognizant of existing pumped ground water is likewise being transported, circumventing these same protocols and needs to be curtailed in the interest of SGMA. Increasing surface water availability will fully utilize appropriated water and result in decreased pumped ground water depletion.

Clark's Fork is in an untenable position of being devoid of financial assets, legal resources, and political influence. It is with limited capabilities that we utilize any and all means such as SGMA, requests for state assistance, challenging the status quo as indicated, and contribute to the advantage of KRWA while representing our constituents. We have additional pertinent information under current review by DWR. Please consider the many items enumerated herein as possible elements from our standpoint to ameliorate challenges to the current designation of KRWA being fully appropriated.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ron Allvin".

Ron Allvin, President on behalf of and approval of the Clark's Fork Governing Board

Cc: Kevin O'Brien, Semitropic Storage District; Phil Desatoff, Consolidated Irrigation District, Fresno Irrigation District, Alta Irrigation District