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11 SEMITROPIC IMPROVEMENT DISTRICT OF  
12 SEMITROPIC WATER STORAGE DISTRICT

13 STATE OF CALIFORNIA

14 STATE WATER RESOURCES CONTROL BOARD

15 SEMITROPIC IMPROVEMENT  
16 DISTRICT OF SEMITROPIC WATER  
17 STORAGE DISTRICT,

18 Petitioner,

19 v.

20 KINGS RIVER WATER ASSOCIATION,  
21 FRESNO IRRIGATION DISTRICT,  
22 CONSOLIDATED IRRIGATION  
23 DISTRICT, ALTA IRRIGATION  
24 DISTRICT, and DOES 1 through 100,  
25 inclusive,

26 Respondents.

**COMPLAINT IN SUPPORT OF PETITION  
TO REVISE AND/OR REVOKE  
DECLARATION OF FULLY  
APPROPRIATED STREAM SYSTEM FOR  
THE KINGS RIVER**

- 1. Forfeiture of Water Rights
- 2. Abandonment of Water Rights
- 3. Failure to Perfect Water Rights
- 4. Unauthorized Diversion of Water

27 Petitioner SEMITROPIC IMPROVEMENT DISTRICT OF SEMITROPIC WATER  
28 STORAGE DISTRICT ("Petitioner" or "Semitropic"), for its Complaint against Respondents  
KINGS RIVER WATER ASSOCIATION, FRESNO IRRIGATION DISTRICT,  
CONSOLIDATED IRRIGATION DISTRICT, ALTA IRRIGATION DISTRICT, and DOES 1  
through 100, inclusive (collectively, "Respondents"), hereby alleges as follows:

**INTRODUCTION**

1. For years, the Kings River Water Association ("KRWA") and its member units  
have purported to hold the water rights to essentially all of the flow of the Kings River. Pursuant  
to appropriate water rights License Nos. 11517 – 11522, issued in 1984 by the State Water

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1 Resources Control Board (“State Water Board”), KRWA currently holds appropriative water  
2 rights as trustee for the benefit of its member units, including Fresno Irrigation District,  
3 Consolidated Irrigation District, and Alta Irrigation District. KRWA allocates Kings River water  
4 to its member units based on a “settlement schedule” last modified in 1949.

5         2. Water Rights Decision D 1290, issued by the State Water Board in 1967, granted  
6 appropriative water right permits to KRWA’s predecessor based upon its representation that  
7 KRWA and its member units could and would store up to one million acre-feet of Kings River  
8 flood water in a so-called “cellular dike system” maintained in the bed of Tulare Lake. But rather  
9 than exercising the appropriative water right permits authorized under Decision D 1290 as  
10 intended by the State Water Board, Respondents instead have historically diverted substantial  
11 volumes of water out of the Kings River and into the James Bypass, a flood control channel that  
12 conveys water out of the Kings River watershed. The diversion of such substantial volumes  
13 water into the James Bypass is inconsistent with Article X, section 2 of the California  
14 Constitution, the terms of KRWA’s water rights, and the representations made to the State Water  
15 Board by KRWA’s predecessor during the process that resulted in the issuance of Decision D  
16 1290. The unauthorized diversion of Kings River water into the James Bypass has been  
17 undertaken by Respondents because Kings River flows threaten agricultural operations within the  
18 bed of Tulare Lake.

19         3. Ultimately, only six of the eight permits issued pursuant to D-1290 were converted  
20 to licenses. Appropriative water right License Nos. 11517 and 11521 (the “Tulare Lake  
21 Licenses”) were issued by the State Water Board in 1984. The Tulare Lake Licenses authorize  
22 KRWA to divert, store, and beneficially use Kings River water in the bed of Tulare Lake.  
23 However, as alleged in paragraph 2 of this Complaint, Respondents have failed to put Kings  
24 River water to beneficial use in accordance with the terms and conditions of the Tulare Lake  
25 Licenses. Consequently, Respondents have forfeited, abandoned, and failed to perfect the right to  
26 divert and use Kings River water under the Tulare Lake Licenses.

### 27 **JURISDICTION**

28         4. The State Water Board has jurisdiction over this proceeding under California

1 Water Code sections 1240, 1241, 1675, 1831, and under sections 820, 850, 856, and 871 of Title  
2 23 of the California Code of Regulations.

### 3 THE PARTIES

4 5. Petitioner SEMITROPIC IMPROVEMENT DISTRICT OF SEMITROPIC  
5 WATER STORAGE DISTRICT was formed in 1991 as authorized by the California Water  
6 Storage District Law, Water Code sections 39000 *et seq.*

7 6. Respondent KINGS RIVER WATER ASSOCIATION is an unincorporated  
8 association consisting of 28 member units. KRWA's member units include public irrigation  
9 districts, public water districts, public reclamation districts, a public water storage district and  
10 private water companies. KRWA's offices are located at 4888 E. Jensen Ave, Fresno, CA 93725.  
11 Fresno Irrigation District assigned License Nos. 11517-11522 to the KRWA in 1988, and the  
12 KRWA has acted as the trustee of those Licenses on behalf of its members ever since. The  
13 KRWA manages the diversions and entitlements of its member units under various agreements  
14 and water schedules.

15 7. Respondent FRESNO IRRIGATION DISTRICT ("FID") is a public agency  
16 formed under the California Irrigation District Law (Water Code § 20500 *et seq.*) as the successor  
17 to the privately owned Fresno Canal and Land Company. FID lies entirely within Fresno County,  
18 and its offices are located at 2907 S Maple Ave, Fresno, CA 93725. FID acted as the trustee of  
19 License Nos. 11517-11522 until 1988, and is a member of KRWA.

20 8. Respondent CONSOLIDATED IRRIGATION DISTRICT ("Consolidated") is a  
21 public agency formed under the California Irrigation District Law (Water Code § 20500 *et seq.*).  
22 Consolidated supplies Kings River water to lands in Fresno, Kings, and Tulare Counties, and its  
23 offices are located at 2255 Chandler St, Selma, CA 93662. Consolidated is a member of KRWA.

24 9. Respondent ALTA IRRIGATION DISTRICT ("AID") is a public agency formed  
25 under the California Irrigation District Law (Water Code § 20500 *et seq.*). AID supplies Kings  
26 River water to lands in Fresno, Kings, and Tulare Counties, and its offices are located at 289 N L  
27 St, Dinuba, CA 93618. AID is a member of KRWA.

28 10. Each of the respondents identified as DOES 1 through 100, inclusive ("DOES 1-

1 100”) are persons other than the named respondents who, whether as individuals, corporations,  
2 unincorporated associations partnerships, trustees, executors, guardians, or otherwise, claim some  
3 right, title, estate, lien, or interest in beneficially using Kings River water within the scope of  
4 License Nos. 11517 and 11521 and overlapping pre-1914 appropriative rights. Petitioner is  
5 unaware of the true names and identities of DOES 1-100 and, therefore, sues DOES 1-100 by  
6 fictitious names. Petitioner will amend this pleading to reflect the true identities and capacities of  
7 DOES 1-50 once ascertained.

### 8 GENERAL ALLEGATIONS

#### 9 **A. Geographical Background**

10 11. The Kings River originates near the crest of the Sierra Nevada, with the  
11 headwaters of its Middle and South Forks located within Kings Canyon National Park and the  
12 headwaters of its North Fork located within the John Muir Wilderness. The three forks of the  
13 Kings River join in the Sierra Nevada foothills in Fresno County, where they are impounded at  
14 Pine Flat Dam.

15 12. Pine Flat Dam, constructed by the federal government in 1954, is the largest  
16 reservoir and principal control structure on the Kings River. Its reservoir holds approximately 1  
17 million acre-feet (“AF”) of storage and is owned and operated by the United States Army Corps  
18 of Engineers (“Corps”) for flood control and water supply purposes.

19 13. Below Pine Flat Dam, the Kings River traverses southwesterly into the San  
20 Joaquin Valley, crossing both the Friant-Kern Canal and Highway 99. North of the City of  
21 Lemoore, the River splits into two forks. The South Fork drains to the Tulare Lake Bed, which  
22 was the historical outlet for the Kings River. The North Fork drains to the James Bypass.

23 14. The hydrology of the Kings River is highly variable. Average annual runoff is  
24 approximately 1.7 million AF, but ranges from 392,000 AF in Water Year (“WY”) 1924 to 4.5  
25 million AF in WY 1983.

26 15. Because one of Pine Flat Dam’s functions is to provide flood protection for the  
27 Kings River, Pine Flat Reservoir has defined conservation and flood pools. The reservoir  
28 conservation pool ranges from 0.5 million to 1.0 million AF, depending on the time of year.

1 Once reservoir levels exceed the conservation pool and encroach into the flood pool, the Corps  
2 makes flood releases until the water level in the reservoir is brought back down to the  
3 conservation pool.

4 16. Flood releases from Pine Flat Reservoir are first diverted by KRWA to James  
5 Bypass via the North Fork Kings River. When conditions require flood releases greater than  
6 4,750 cubic feet per second (“CFS”)—the approximate capacity of the James Bypass—flows are  
7 also diverted to the former Tulare Lake Bed via the South Fork of the Kings River.

8 **B. Kings River Water Rights**

9 17. KRWA holds the following water rights in trust for its member units: License No.  
10 11517 (Application No. 353/Permit No. 15713), License No. 11518 (Application No. 360/Permit  
11 No. 15714), License No. 11519 (Application No. 5640/Permit No. 15715), License No. 11520  
12 (Application No. 10979/Permit No. 15716), License No. 11521 (Application No. 15231/Permit  
13 No. 15719), and License No. 11522 (Application No. 16469/Permit No. 15720). A map showing  
14 the points of diversion and redirection, and the places of storage under License Nos. 11517 –  
15 11522 is attached hereto as **Exhibit A**. Petitioner is informed and believes and based thereon  
16 alleges that said licenses are inclusive of any pre-1914 rights owned by KRWA’s member units.

17 18. The Tulare Lake Licenses permit KRWA to divert water at Empire Weir # 2 and to  
18 store water within the Tulare Lake Sump Reservoir as described in the licenses. License No.  
19 11517 permits the direct diversion of 613 CFS from June 1 to June 30 of each year, and the  
20 collection to storage of 188,000 AF from January 1 to June 30 of each year. The maximum  
21 amount of water to be taken from the Kings River under License No. 11517 (direct diversion plus  
22 collection to storage) cannot exceed 224,500 AF per year. License No. 11521 allows for the direct  
23 diversion of 1,096 CFS from January 1 to December 31 of each year, and the collection to storage  
24 of 796,000 AF between January 1 and June 30 of each year. The maximum amount of water to  
25 be placed to beneficial use under the Tulare Lake Licenses cannot exceed 569,600 AF per year.

26 19. License No. 11517 has a priority date of May 24, 1916. License No. 11518 has a  
27 priority date of May 31, 1916. License No. 11519 has a priority date of July 30, 1927. License  
28 No. 11520 has a priority date of February 10, 1945. License No. 11521 has a priority date of

1 March 9, 1953. License No. 11522 has a priority date of July 18, 1955.

2 20. On November 30, 1967, the State Water Board issued Decision D 1290 (“D-  
3 1290”) approving eight water right applications for which FID served as trustee, including  
4 Application Nos. 353, 360, 5640, 11023, 11075. D-1290 also approved Application No. 10979 in  
5 part. In approving those applications, the State Water Board found that they would “appropriate  
6 essentially all of the available unappropriated water of the Kings River.” (D-1290 at 37-38.) D-  
7 1290 also determined that all direct diversion and storage allowed under these appropriative water  
8 rights would include all consumptive use claimed under pre-1914 appropriative and riparian  
9 water rights.

10 21. Application Nos. 353 and 15231 were licensed on May 18, 1984. In considering  
11 whether to license Application No. 353 (Permit 15713) and 15231 (Permit No. 15719) for the  
12 storage of water at Tulare Lake, State Water Board staff expressed concern that such storage  
13 never should have been permitted in the first instance, since water stored under those permits was  
14 received on an “involuntary” basis and the Tulare Lake Sump Reservoir had a capacity of only  
15 450,000 AF, compared to a storage right of 984,000 AF under the permits. Contemporaneously,  
16 FID’s engineer also conceded that water is stored in Tulare Lake “unwillingly” and is generally  
17 not put to beneficial use.

18 **C. KRWA’s Management of the Kings River**

19 22. Petitioner is informed and believes and based thereon alleges that water diverted  
20 from the Kings River is governed by a monthly schedule of water rights and entitlements  
21 developed by the KRWA. The documents attached hereto as **Exhibit B** are true and correct  
22 copies of the monthly schedules governing Kings River diversions.

23 23. Kings River water is not diverted to Tulare Lake in years when water is available  
24 to satisfy the Tulare Lake Licenses. Indeed, because License No. 11517 is the highest priority  
25 right held by KRWA, water is always available under that License. But in its Reports of  
26 Licensee from 2012-2016, KRWA did not report using any water under License No. 11517.

27 24. Water was available for storage and use under License No. 11521 in 2011, 2010,  
28 2006, 2005, and 1998. KRWA’s reports of licensee, however, admit that it failed to beneficially

1 use all water available under License No. 11521 in those years. The following sub-paragraphs  
2 detail the specific amount of water available and the amount of water KRWA reported as  
3 beneficially used under License No. 11521:

4 a. In 2011, KRWA had the paper right to divert and store 807,718 AF under  
5 License No. 11521, and to beneficially use 569,000 AF of such water, but reported using only  
6 89,114 AF under that License.

7 b. In 2010, KRWA had the paper right to divert, store, and use 172,172 AF  
8 under License No. 11521, but reported using only 45,376 AF under that License.

9 c. In 2006, KRWA had the paper right to divert and store 713,141 AF under  
10 License No. 11521, and to beneficially use 569,000 AF of such water, but reported using only  
11 147,800 AF under that License.

12 d. In 2005, KRWA had the paper right to divert, store, and use 420,118 AF  
13 under License No. 11521, but did not report using any water under that License.

14 e. In 1998, KRWA had the paper right to divert and store 629,528 AF under  
15 License No. 11521, and to beneficially use 569,000 AF of such water, but only reported using  
16 2,800 AF under that License.

17 25. Plaintiff is informed and believes and based thereon alleges that Kings River flood  
18 releases have been consistently and repeatedly directed by Respondents to areas outside of the  
19 places of use and storage authorized by the Tulare Lake Licenses, in lieu of being stored and  
20 beneficially used within Tulare Lake to prevent flooding of farmland in Tulare Lake. For  
21 example, during years when water was available for diversion and collection to storage under the  
22 Tulare Lake Licenses, Respondents have consistently and repeatedly diverted water from the  
23 Kings River and Pine Flat Reservoir into the James Bypass and to other areas outside the Kings  
24 River Service Area whenever the Corps makes flood releases from Pine Flat Reservoir.  
25 Furthermore, KRWA's member units are parties to a floodwater agreement that expressly  
26 contemplates the diversion and delivery of water to non-members of KRWA located outside the  
27 places of use identified in the Tulare Lake Licenses. Respondents do not hold water rights  
28 authorizing such diversions, nor was the Kings River water diverted to the James Bypass and

1 other areas put to beneficial use by KRWA or any of its members. It is only when flood releases  
2 exceed 4,750 CFS—the approximate capacity of James Bypass— that flood water is allowed by  
3 KRWA to flow to storage in Tulare Lake. Such storage is temporary in character and Semitropic  
4 is informed and believes that, despite representations made in hearings leading to the issuance of  
5 D 1290 that Kings River flood water would be stored and used in a cellular dike system within  
6 the bed of Tulare Lake, Respondents have never done so. Instead, rather than storing water in the  
7 bed of Tulare Lake and beneficially using water within the designated places of use under the  
8 Tulare Lake Licenses, Respondents treat such water as a nuisance and make no beneficial use of  
9 it.

10 26. Respondents divert water to the James Bypass and other unauthorized areas to  
11 avoid delivering water available for diversion, storage, and use under the Tulare Lake Licenses to  
12 prevent flooding of farmland in Tulare Lake. The result of this pattern and practice of  
13 unauthorized diversion by Respondents is that substantial volumes of water are diverted out of the  
14 Kings River and into the James Bypass without any legal basis. Semitropic is informed and  
15 believes, and based thereon alleges, that Respondents caused the following amounts of water to  
16 be diverted from the River to the James Bypass between 1967 and 2017:

- 17 a. 485,000 AF in 1967.
- 18 b. 1,551,000 AF in 1969.
- 19 c. 86,000 AF in 1964.
- 20 d. 551,000 AF in 1978.
- 21 e. 11,800 AF in 1979.
- 22 f. 580,000 AF in 1980.
- 23 g. 453,000 AF in 1982.
- 24 h. 2,309,000 AF in 1983.
- 25 i. 569,000 AF in 1984.
- 26 j. 668,000 AF in 1986.
- 27 k. 587,000 AF in 1995.
- 28 l. 75,000 AF in 1996.



- 1 m. 437,000 AF in 1997.
- 2 n. 986,000 AF in 1998.
- 3 o. 20,000 AF in 1999.
- 4 p. 63,000 AF in 2005.
- 5 q. 612,000 AF in 2006.
- 6 r. 637,000 AF in 2011.
- 7 s. 709,000 AF in 2017.

8 27. Semitropic is informed and believes, and based thereon alleges, that Respondents  
9 cannot make full use of water available under the Tulare Lake Licenses without either flooding  
10 farmland in the Tulare Lakebed or constructing new facilities for water storage.

11 28. Semitropic is informed and believes, and based thereon alleges, that Respondents  
12 have never intended to construct the water storage facilities necessary to make full use of the  
13 Tulare Lake Licenses.

14 **D. Petitions to Modify the Fully Appropriated Stream Designation for the**  
15 **Kings River**

16 29. In D-1290, the State Water Board determined that the amounts of water applied for  
17 by FID would utilize the entire flow of the Kings River, including flood flows. The State Water  
18 Board further stated that “only in years of exceptionally high runoff would any water be allowed  
19 to leave the Kings River service area through Fresno Slough.” The State Water Board also noted  
20 that outflow through Fresno Slough has occurred in less than one-third of the years since Pine  
21 Flat Dam began storing water. The State Water Board concluded that under these circumstances,  
22 “essentially all of the available unappropriated water of the Kings River” would be appropriated  
23 by its approval of FID’s applications.

24 30. In 1989, the State Water Board declared the Kings River to be a fully appropriated  
25 stream. (*See* Order WR 89-25 at 15.) The State Water Board’s declaration that the Kings River  
26 is a fully appropriated stream (“Kings River FAS Declaration”) was expressly based on State  
27 Water Board staff’s representation that D-1290 determined that the Kings River is fully  
28

1 appropriated year-round. (*See id.*)

2 31. On May 9, 2017, FID, Consolidated, and AID filed a “Petition for Reconsideration  
3 Fully Appropriated Stream Kings River System, Tributary to Tulare Lake Basin” (“FID  
4 Petition”). The FID Petition expressly admits that Respondents and other KRWA member units  
5 “have not historically been able to beneficially use all licensed floodwater.” The FID Petition  
6 was accompanied by Application No. 32810, which seeks to appropriate 1 million AF of Kings  
7 River water annually. True and correct copies of the FID Petition and Application No. 32810 are  
8 attached hereto as **Exhibit C** and **Exhibit D**, respectively.

9 32. The FID Petition fails to satisfy the requirements of the State Water Board’s  
10 regulations governing petitions to revoke or revise a fully appropriated stream declaration. First,  
11 the FID Petition does not seek revocation or revision of the Kings River FAS Declaration, as  
12 required by the Water Code and the State Water Board’s regulations. (*See* Water Code § 1205(c);  
13 Cal. Code Regs., tit. 23, §§ 870-871.) In fact, it does not ask the State Water Board to take *any*  
14 action at this time. Instead, it seeks only to establish the highest priority for Application No.  
15 32810 *in the event* that the Board changes its determination that the Kings River is a fully  
16 appropriated stream. Contingent requests for “reconsideration” are not permitted by the Board’s  
17 regulations governing revocation or revision of fully appropriated stream declarations. Second,  
18 the FID Petition fails to demonstrate reasonable cause to revoke or revise the Kings River FAS  
19 Declaration because FID, AID, and Consolidated expressly contend that the Kings River remains  
20 a fully appropriated stream. (*See* Exhibit C at p. 1; Cal. Code Regs., tit. 23, § 871(b)-(c).)  
21 Accordingly, State Water Board’s Division of Water Rights should reject and dismiss the FID  
22 Petition and Application No. 32810.

23 33. On May 9, 2017, KRWA filed a Petition to Change the Points of Diversion,  
24 Rediversion, Place of Use, Purpose of Use and Distribution of Storage for License No. 11521  
25 (“KRWA Change Petition”). The KRWA Change Petition seeks to substitute License No.  
26 11521’s Tulare Lake bed storage right for storage in Pine Flat Reservoir. It also seeks to vastly  
27 expand the authorized place of use for License No. 11521.

28 34. On May 25, 2017, Semitropic filed a petition to revoke or revise the fully

1 appropriated stream declaration for the Kings River (“FAS Petition”) pursuant to Water Code  
2 section 1205 and section 871 of Title 23 of the California Code of Regulations. In conjunction  
3 with the FAS Petition, Semitropic filed Application No. 32815 to appropriate up to 1.6 million  
4 acre-feet AF of water from the Kings River. A true and correct copy of the FAS Petition and  
5 Application No. 32815 is attached hereto as **Exhibit E**.

6 **FIRST CAUSE OF ACTION**

7 **(Forfeiture of Pre- and Post-1914 Appropriative Water Rights – Against All Respondents)**

8 35. Petitioner incorporates by reference the allegations in paragraphs 1 through 34  
9 above as though fully set forth herein.

10 36. Semitropic’s FAS Petition, which was filed with the State Water Board on May  
11 25, 2017, constitutes a competing claim for Kings River water covered by License Nos. 11517  
12 and 11521.

13 37. Water is always available for diversion, use, and collection to storage under  
14 License No. 11517 because it is KRWA’s highest priority right.

15 38. KRWA and its member units have reported using water under License No. 11517  
16 only in 1985 and 1986. KRWA reported using 16.8 and 29.6 AF of water in 1985 and 1986,  
17 respectively. In all other years, KRWA reported that it used no water under License No. 11517.  
18 Respondents have therefore forfeited their rights under License No. 11517, including any pre-  
19 1914 rights that cover the same diversion, purpose of use, and place of use described in that  
20 license.

21 39. Since 1984, water has been available to KRWA under License No. 11521 in the  
22 following years: 2011, 2010, 2006, 2005, 1998, 1997, 1996, 1995, 1993, 1986, and 1984.

23 40. In those years, KRWA reported that it beneficially used a fraction of the water  
24 available under License No. 11521, thereby forfeiting its rights under that license, including any  
25 pre-1914 rights held by Respondents that cover the same diversions, purposes of use, and place of  
26 use described in that license.

27 41. In every year when the Corps has made flood releases from Pine Flat Reservoir  
28 that could have been collected to storage in Tulare Lake, Respondents have instead diverted water

1 to the James Bypass until the Bypass' capacity was reached. Respondents have therefore  
2 forfeited their rights to store and use Kings River flood flows.

3 **SECOND CAUSE OF ACTION**

4 **(Abandonment of Pre- and Post-1914 Appropriative Water Rights – Against All**  
5 **Respondents)**

6 42. Petitioner incorporates by reference the allegations in paragraphs 1 through 41  
7 above as though fully set forth herein.

8 43. Respondents never intended to make full beneficial use of Kings River flows  
9 within the scope of the Tulare Lake Licenses. Instead of allowing water to reach Tulare Lake for  
10 storage or beneficial use within the boundaries of the Tulare Lake Basin Water Storage District as  
11 authorized by Licenses 11517 and 11521, Respondents have instead caused Kings River water to  
12 be diverted into unauthorized areas including the James Bypass where it cannot be used within  
13 the place of use described in the Tulare Lake Licenses.

14 44. Water is collected to storage under the Tulare Lake Licenses on an involuntary  
15 basis, only when the James Bypass has reached capacity. Such water is not put to beneficial use,  
16 but instead is treated as a nuisance and evacuated as soon as possible so that agricultural  
17 production in the Lakebed can be resumed.

18 45. At the time the Tulare Lake Licenses were issued or at some time thereafter,  
19 Respondents intended to not utilize or otherwise abandon some, or all, of the rights they received,  
20 including any pre-1914 rights that cover the same diversions, purposes of use, and places of use  
21 described in those licenses. At the time such rights were issued, Semitropic is informed and  
22 believes, and based thereon alleges that the Tulare Lake Sump Reservoir had a capacity of  
23 450,000 AF and that Respondents have never intended to take or have taken any steps to  
24 construct facilities that would permit storage of the full amount of the Tulare Lake Licenses.

25 46. By diverting Kings River flows to the James Bypass and other unauthorized areas,  
26 thereby preventing Kings River flows from reaching Tulare Lake except on an involuntary basis;  
27 by evacuating Kings River flows that do occasionally reach Tulare Lake before they are put to  
28 beneficial use; by failing to construct storage facilities necessary to make full beneficial use of its

1 rights under License Nos. 11517 and 11521; and by failing to make beneficial use of Kings River  
2 water that would have otherwise reached Tulare Lake, Respondents have abandoned their rights  
3 to store and use Kings River water under License Nos. 11517 and 11521, including any pre-1914  
4 water rights held by Respondents that cover the same diversions, purposes of use, and places of  
5 use as described in those licenses.

### 6 **THIRD CAUSE OF ACTION**

#### 7 **(Failure to Perfect Post-1914 Appropriative Water Rights – Against All Respondents)**

8 47. Petitioner incorporates by reference the allegations in paragraphs 1 through 46  
9 above as though fully set forth herein.

10 48. At the time License Nos. 11517 and 11521 were issued, FID and its agents  
11 admitted to State Water Board staff that Kings River water received in Tulare Lake was not being  
12 put to beneficial use; instead, it was treated as a nuisance and evacuated from Tulare Lake as soon  
13 as possible without being put to beneficial use.

14 49. During the licensing process, State Water Board staff suggested that Permit Nos.  
15 15713 and 15719 should never have been issued because the storage of water in the Tulare  
16 Lakebed was “involuntary” and because such water was not put to a beneficial irrigation use.

17 50. Following the issuance of License Nos. 11517 and 11521, Respondents continued  
18 to regularly divert substantial flows of Kings River water to the James Bypass rather than  
19 allowing such flows to reach the bed of Tulare Lake for beneficial use as anticipated by those  
20 licenses. Indeed, rather than allowing Kings River water to reach the bed of Tulare Lake and be  
21 put to beneficial use, Respondents have consistently diverted Kings River water to the James  
22 Bypass whenever the Corps makes flood releases from Pine Flat Reservoir and involuntarily  
23 allowed Kings River water to flow into Tulare Lake only when the capacity of the James Bypass  
24 was exceeded.

25 51. Accordingly, Respondents failed to perfect the appropriative water rights covered  
26 by License Nos. 11517 and 11521, including any pre-1914 rights that cover the same diversions,  
27 purposes of use, and places of use described in those licenses.

28



1           3.       A declaration and final determination that Respondents failed to perfect the water  
2 rights associated with License Nos. 11517 and 11521, and any pre-1914 water rights that cover  
3 the same diversions, purposes of use, and places of use described in those licenses;

4           4.       A declaration and final determination that Respondents' diversions of water into  
5 James Bypass and other areas are not authorized by the California Water Code or KRWA's  
6 Tulare Lake Licenses, and any pre-1914 water rights that cover the same diversions, purposes of  
7 use, and places of use described in those licenses;

8           5.       An order that Respondents cease and desist diverting Kings River water into James  
9 Bypass and any other areas not authorized by the Kings River licenses held and administered by  
10 KRWA;

11           6.       An order revoking License Nos. 11517 and 11521;

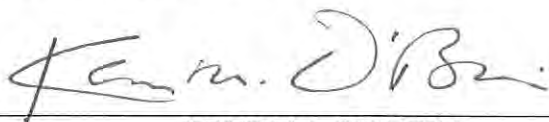
12           7.       An order revoking or revising the fully appropriated stream declaration for the  
13 Kings River;

14           8.       An order declaring that the water covered by the Tulare Lake Licenses, and any  
15 pre-1914 water rights that cover the same diversions, purposes of use, and places of use described  
16 in those licenses, is available for appropriation by Semitropic under Application No. 32815; and

17           9.       Such other relief as the Board deems just and proper.

18 DATED: July 2, 2018

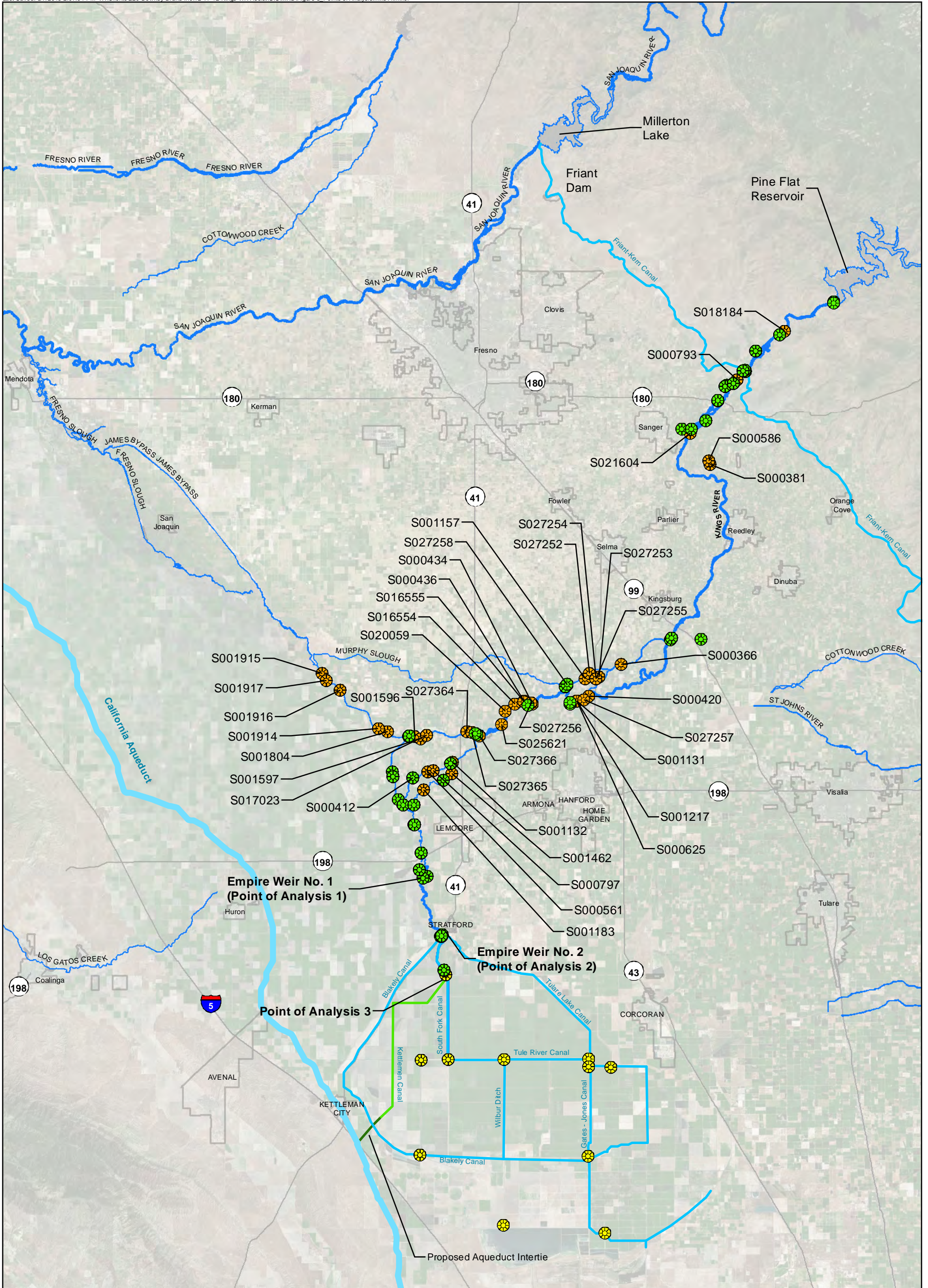
DOWNEY BRAND LLP

19  
20 By: 

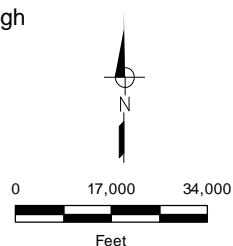
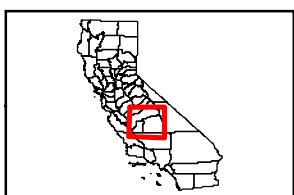
21 KEVIN M. O'BRIEN  
22 Attorney for Plaintiff  
23 SEMITROPIC IMPROVEMENT DISTRICT OF  
24 SEMITROPIC WATER STORAGE DISTRICT  
25  
26  
27  
28

Exhibit A





- Kings River POD - A360 and A5640
- Tulare Lake Bed POD - A353 and A1523
- Statements of Diversion
- Fresno/Kings/San Joaquin River
- River/Creek/Slough
- City Limits
- California Aqueduct
- Canal
- Proposed Kettleman Canal
- Proposed Aqueduct Intertie



**Figure 4**  
**Points of Analysis**

Semitropic Improvement District of  
Semitropic Water Storage District  
Water Availability Analysis

## Exhibit B







AMENDED KINGS RIVER NO. DIVERSION SCHEDULE

- April -

River at Piedra	Main River and North Fork	Murphy Slough	Pranso Dist.	Lenore Canal	Peoples Canal	Last Chance Canal	Consolidated Canal	Alta Canal	Liberty Canal	Crescent Canal	Stinson Canal	Burrell Ranch	James Main Canal	Beta Main Canal	Lake-Lands Canal	South Fork	Clark's Fork	Upper San Jose	Heinlein Canal	Empire No. 1	Empire No. 2	Lower-Lands	Water at Piedra	River at Piedra
100	100	15	15	70																				100
200	200	15	15	100																				200
300	300	15	15	100	85																			300
400	400	15	15	100	90	180																		400
450	450	15	15	100	91	183	48																	450
500	500	15	15	100	91	183	48																	500
600	600	15	15	250	91	183	48																	600
700	700	15	15	350	91	183	48																	700
800	800	15	15	450	91	183	48																	800
900	900	15	15	550	91	183	48																	900
1000	1000	15	15	650	91	183	48																	1000
1100	1100	15	15	750	91	183	48																	1100
1200	1200	15	15	850	91	183	48																	1200
1300	1300	15	15	950	91	183	48																	1300
1400	1400	15	15	1050	91	183	48																	1400
1500	1500	15	15	1150	91	183	48																	1500
1600	1600	15	15	1250	93	185	92																	1600
1700	1700	15	15	1350	116	235	117																	1700
1800	1800	15	15	1450	240	240	240																	1800
1900	1900	15	15	1500	143	285	142																	1900
2000	2000	15	15	1500	148	336	167																	2000
2100	2100	15	15	1550	158	385	177	50																2100
2200	2200	15	15	1550	168	435	187	50																2200
2300	2300	15	15	1550	168	485	197	50																2300
2400	2400	15	15	1550	168	535	207	50																2400
2500	2500	15	15	1550	168	585	217	50																2500
2600	2600	15	15	1550	168	635	227	50																2600
2700	2700	15	15	1550	168	685	237	50																2700
2800	2800	15	15	1550	168	735	247	50																2800
2900	2900	15	15	1550	168	785	257	50																2900
3000	3000	50	50	1550	178	835	267	50																3000
3100	3100	50	50	1550	178	885	277	50																3100
3200	3200	50	50	1550	178	935	287	50																3200
3300	3300	50	50	1550	178	985	297	50																3300
3400	3400	50	50	1550	178	1035	307	50																3400
3500	3500	50	50	1550	200	1085	317	50																3500
3600	3600	50	50	1550	200	1135	327	50																3600
3700	3700	50	50	1550	200	1185	337	50																3700
3800	3800	50	50	1550	200	1235	347	50																3800
3900	3900	50	50	1550	200	1285	357	50																3900
4000	4000	50	50	1550	215	1335	367	50																4000
4100	4100	50	50	1550	225	1385	377	50																4100
4200	4200	50	50	1550	225	1435	387	50																4200
4300	4300	50	50	1550	225	1485	397	50																4300
4400	4400	50	50	1550	250	1535	407	50																4400
4500	4500	50	50	1550	250	1585	417	50																4500
4600	4600	100	100	1550	250	1635	427	50																4600
4700	4700	150	150	1550	250	1685	437	50																4700
4800	4800	200	200	1550	250	1735	447	50																4800
4900	4900	300	300	1550	250	1785	457	50																4900
5000	5000	400	400	1550	250	1835	467	50																5000
5100	5100	500	500	1550	250	1885	477	50																5100
5200	5200	600	600	1550	250	1935	487	50																5200
5300	5300	700	700	1550	250	1985	497	50																5300
5400	5400	800	800	1550	250	2035	507	50																5400
5500	5500	900	900	1550	250	2085	517	50																5500
5600	5600	1000	1000	1550	250	2135	527	50																5600
5700	5700	1100	1100	1550	250	2185	537	50																5700
5800	5800	1200	1200	1550	250	2235	547	50																5800
5900	5900	1300	1300	1550	250	2285	557	50																5900
6000	6000	1400	1400	1550	250	2335	567	50																6000
6100	6100	1500	1500	1550	250	2385	577	50																6100
6200	6200	1600	1600	1550	250	2435	587	50																6200
6300	6300	1700	1700	1550	250	2485	597	50																6300
6400	6400	1800	1800	1550	250	2535	607	50																6400
6500	6500	1900	1900	1550	250	2585	617	50																6500
6600	6600	2000	2000	1550	250	2635	627	50																6600
6700	6700	2100	2100	1550	250	2685	637	50																6700
6800	6800	2200	2200	1550	250	2735	647	50																6800
6900	6900	2300	2300	1550	250	2785	657	50																6900
7000	7000	2400	2400	1550	250	2835	667	50																7000
7100	7100	2500	2500	1550	250	2885	677	50																7100
7200	7200	2600	2600	1550	250	2935	687	50																7200
7300	7300	2700	2700	1550	250	2985	697	50																7300
7400	7400	2800	2800	1550	250	3035	707	50																7400
7500	7500	2900	2900	1550	250	3085	717	50																7500
7600	7600	3000	3000	1550	250	3135	727	50																7600
7700	7700	3100	3100	1550	250	3185	737	50																7700
7800	7800	3200	3200	1550	250	3235	747	50																7800
7900	7900	3300	3300	1550	250	3285	757	50																7900
8000	8000	3400	3400	1550	250	3335	767	50																8000
8100	8100	3500	3500	1550	250	3385	777	50																8100
8200	8200	3600	3600																					



ARMED KING RIVER MONTHLY DIVERSION SCHEDULE

River at Piedra	Main River at North Fork	Laguna Div.	Murphy Div.	Presno Div.	Leona Div.	People Canal	Lea Canal	Consolidated Canal	Alta Canal	Liberty Canal	Crescent Canal	Stinson Canal	Burrell Branch	James Main Canal	Edna Main Canal	Lake-Lands Canal	South Fork	Clark's Fork	Upper San Jose	Baldwin Canal	Empire No. 1	Empire No. 2	Low-Land	Water at Empire W. No. 2	River at Piedra
100	100	15	15	70																					100
1200	1700	15	15	1200	218	235	117																		200
300	300	15	15	100	80																				300
400	400	15	15	100	90	180																			400
450	450	15	15	100	91	185	46																		450
500	500	15	15	100	91	185	46																		500
600	600	15	15	250	91	183	46																		600
700	700	15	15	350	91	183	46																		700
800	800	15	15	450	91	183	46																		800
900	900	15	15	550	91	183	46																		900
1000	1000	15	15	650	91	183	46																		1000
1100	1100	15	15	750	91	183	46																		1100
1200	1200	15	15	850	91	183	46																		1200
1300	1300	15	15	950	91	183	46																		1300
1400	1400	15	15	1050	91	183	46																		1400
1500	1500	15	15	1150	91	183	46																		1500
1600	1600	15	15	1200	93	185	42																		1600
1700	1700	15	15	1200	118	235	117																		1700
1800	1800	15	15	1250	100	260	130																		1800
1900	1900	15	15	1300	143	288	142																		1900
2000	2000	15	15	1300	155	310	159	50																	2000
2100	2100	15	15	1350	168	335	167	50																	2100
2200	2200	15	15	1350	188	355	167	150																	2200
2300	2300	15	15	1350	167	335	167	200	50																2300
2400	2400	15	15	1350	168	335	167	200	150																2400
2500	2500	15	15	1350	168	335	167	225	225																2500
2600	2600	15	15	1350	167	335	167	200	150																2600
2700	2700	15	15	1350	168	335	167	200	150																2700
2800	2800	15	15	1350	168	335	167	200	150																2800
2900	2900	15	15	1350	168	335	167	200	150																2900
3000	3000	25	25	1450	178	350	175	200	150																3000
3100	3100	25	25	1400	178	350	175	200	150																3100
3200	3200	25	25	1400	178	350	175	200	150																3200
3300	3300	25	25	1400	178	350	175	200	150																3300
3400	3400	25	25	1400	178	350	175	200	150																3400
3500	3500	25	25	1400	178	350	175	200	150																3500
3600	3600	25	25	1400	178	350	175	200	150																3600
3700	3700	25	25	1400	178	350	175	200	150																3700
3800	3800	25	25	1400	178	350	175	200	150																3800
3900	3900	25	25	1400	178	350	175	200	150																3900
4000	4000	50	50	1450	200	350	200	200	200																4000
4100	4100	50	50	1450	200	350	200	200	200																4100
4200	4200	50	50	1450	200	350	200	200	200																4200
4300	4300	50	50	1450	200	350	200	200	200																4300
4400	4400	50	50	1450	200	350	200	200	200																4400
4500	4500	75	75	1450	223	450	225	1100	200																4500
4600	4600	125	125	1450	223	450	225	1100	200																4600
4700	4700	125	125	1450	223	450	225	1100	200																4700
4800	4800	200	200	1450	275	450	225	1100	200																4800
4900	4900	200	200	1450	275	450	225	1100	200																4900
5000	5000	200	200	1450	275	450	225	1100	200																5000
5100	5100	300	300	1450	275	450	225	1100	200																5100
5200	5200	300	300	1450	275	450	225	1100	200																5200
5300	5300	300	300	1450	275	450	225	1100	200																5300
5400	5400	350	350	1450	300	475	250	1300	1025																5400
5500	5500	350	350	1450	300	475	250	1300	1025																5500
5600	5600	350	350	1450	300	475	250	1300	1025																5600
5700	5700	350	350	1450	300	475	250	1300	1025																5700
5800	5800	350	350	1450	300	475	250	1300	1025																5800
5900	5900	350	350	1450	300	475	250	1300	1025																5900
6000	6000	405	284	1450	335	482	254	1300	1025																6000
6100	6100	405	284	1450	335	482	254	1300	1025																6100
6200	6200	405	284	1450	335	482	254	1300	1025																6200
6300	6300	405	284	1450	335	482	254	1300	1025																6300
6400	6400	405	284	1450	335	482	254	1300	1025																6400
6500	6500	405	284	1450	335	482	254	1300	1025																6500
6600	6600	400	300	1450	375	500	325	1425	1100																6600
6700	6700	400	300	1450	375	500	325	1425	1100																6700
6800	6800	400	300	1450	375	500	325	1425	1100																6800
6900	6900	400	300	1450	375	500	325	1425	1100																6900
7000	7000	400	300	1450	375	500	325	1425	1100																7000
7100	6750	400	325	1450	378	500	325	1425	1100																7100
7200	6750	400	325	1450	378	500	325	1425	1100																7200
7300	6850	400	325	1450	378	500	325	1425	1100																7300
7400	6850	400	325	1450	378	500	325	1425	1100																7400
7500	7250	425	325	1450	428	500	325	1425	1100																7500
7600	7250	425	325	1450	428	500	325	1425	1100																7600
7700	7250	425	325	1450	428	500	325	1425	1100																7700
7800	7100	425	325	1475	425	500	325	1425	1100																





ANDREWS RIVER MONTHLY DIVERSION SCHEDULE  
- August -

River at Pledge	Main River and North Fork	Laguna Dist.	Murphy Slough Assn.	Presno Dist.	Lemoore Canal	Peoples Canal	Last Chance Canal	Consolidated Canal	Alta Canal	Liberty Canal	Crescent Canal	Stinson Canal	Burrell Ranch	James Main Canal	Edna Main Canal	Lake-Lands Canal	South Fork	Clark's Fork	Upper Joe	Steinlan Canal	Empire No. 1	Empire No. 2	Lava-Less	Water at River Pledge
100	100	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	100
200	200	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	200
300	300	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	300
400	400	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	400
500	500	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	500
600	600	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	600
700	700	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	700
800	800	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	800
900	900	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	900
1000	1000	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1000
1100	1100	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1100
1200	1200	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1200
1300	1300	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1300
1400	1400	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1400
1500	1500	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1500
1600	1600	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1600
1700	1700	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1700
1800	1800	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1800
1900	1900	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	1900
2000	2000	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	2000
2100	2100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2100
2200	2200	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2200
2300	2300	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2300
2400	2400	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2400
2500	2500	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2500
2600	2600	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2600
2700	2700	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2700
2800	2800	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2800
2900	2900	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	2900
3000	3000	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	3000
3100	3100	180	116	1345	563	387	168	816	46	8	12	1	2	8	1	490	30	50	70	100	100	100	100	3100
3200	3200	180	112	1300	564	376	171	822	54	7	11	2	3	99	4	530	30	50	70	100	100	100	100	3200
3300	3300	195	125	1368	584	388	173	842	73	7	10	1	4	101	6	570	30	50	70	100	100	100	100	3300
3400	3400	200	138	1376	385	395	176	852	81	8	10	1	5	102	8	610	30	50	70	100	100	100	100	3400
3500	3500	200	142	1400	405	405	178	862	89	8	10	1	5	103	10	650	30	50	70	100	100	100	100	3500
3600	3600	200	146	1424	425	415	180	872	97	10	10	1	5	104	12	690	30	50	70	100	100	100	100	3600
3700	3680	206	140	1408	357	425	187	897	116	11	11	1	5	107	14	730	30	50	70	100	100	100	100	3700
3800	3660	206	144	1432	358	425	189	917	132	11	11	1	5	108	16	770	30	50	70	100	100	100	100	3800
3900	3630	206	140	1427	359	425	198	937	148	16	12	1	5	110	18	810	30	50	70	100	100	100	100	3900
4000	3700	206	147	1444	350	426	203	950	165	17	12	1	5	111	20	850	30	50	70	100	100	100	100	4000
4100	3770	206	1470	1466	352	426	210	966	182	17	12	1	5	112	22	890	30	50	70	100	100	100	100	4100
4200	3840	206	1470	1444	343	425	216	976	200	20	12	1	5	113	24	930	30	50	70	100	100	100	100	4200
4300	3910	206	1477	1444	344	425	223	977	220	23	12	1	5	114	26	970	30	50	70	100	100	100	100	4300
4400	3980	206	148	1445	344	425	229	986	240	26	12	1	5	115	28	1010	30	50	70	100	100	100	100	4400
4500	4050	207	143	1447	343	424	231	987	247	27	12	1	5	116	30	1050	30	50	70	100	100	100	100	4500
4600	4110	211	148	1485	397	429	244	994	266	31	13	1	5	118	32	1090	30	50	70	100	100	100	100	4600
4700	4170	214	140	1454	397	435	247	1000	284	34	13	1	5	119	34	1130	30	50	70	100	100	100	100	4700
4800	4230	218	143	1473	396	436	250	1007	303	37	13	1	5	120	36	1170	30	50	70	100	100	100	100	4800
4900	4290	222	146	1492	401	440	253	1014	322	40	13	1	5	121	38	1210	30	50	70	100	100	100	100	4900
5000	4350	226	149	1497	405	445	257	1021	341	43	13	1	5	122	40	1250	30	50	70	100	100	100	100	5000
5100	4410	230	149	1499	410	447	260	1028	360	46	13	1	5	123	42	1290	30	50	70	100	100	100	100	5100
5200	4470	234	150	1508	414	450	263	1036	379	49	13	1	5	124	44	1330	30	50	70	100	100	100	100	5200
5300	4530	237	150	1516	419	453	266	1044	398	52	13	1	5	125	46	1370	30	50	70	100	100	100	100	5300
5400	4590	241	151	1525	423	457	269	1052	417	55	13	1	5	126	48	1410	30	50	70	100	100	100	100	5400
5500	4650	245	151	1534	428	461	272	1060	436	58	13	1	5	127	50	1450	30	50	70	100	100	100	100	5500
5600	4710	249	151	1543	432	465	275	1068	455	61	13	1	5	128	52	1490	30	50	70	100	100	100	100	5600
5700	4770	252	151	1552	437	469	278	1076	474	64	13	1	5	129	54	1530	30	50	70	100	100	100	100	5700
5800	4830	256	151	1561	441	473	281	1084	493	67	13	1	5	130	56	1570	30	50	70	100	100	100	100	5800
5900	4890	260	151	1570	445	477	284	1092	512	70	13	1	5	131	58	1610	30	50	70	100	100	100	100	5900
6000	4950	264	151	1579	450	481	287	1100	531	73	13	1	5	132	60	1650	30	50	70	100	100	100	100	6000
6100	5010	267	151	1588	454	485	290	1108	550	76	13	1	5	133	62	1690	30	50	70	100	100	100	100	6100
6200	5070	271	151	1597	458	489	293	1116																





ANNEXED KING RIVER MONTHLY FLOW SCHEDULE  
- November -

River at Pledra	Main River and Peoples Fork	River at Peoples Fork	Laguna Div.	Murphy Slough	Presno Div.	Leocore Canal	Peoples Canal	Last Canal	Consolidated Canal	Alta Canal	Liberty Canal	Crescent Canal	Stinson Canal	Burrell Ranch	James Canal	Beta Canal	Lake-Lands Canal	South Fork	Clark's Fork	Upper San Jose	Heinen Canal	Empire No. 1	Empire No. 2	Lower-Lands	Water at Empire No. 1	River at Empire No. 2		
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The following exhibits to this complaint are available at:

[https://www.waterboards.ca.gov/waterrights/water\\_issues/programs/applications/petitions/fas\\_kings.html](https://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/petitions/fas_kings.html)

**Exhibit C**

Consolidated Irrigation District, Fresno Irrigation District, and Alta Irrigation District Petition to Revise FAS

**Exhibit D**

Consolidated Irrigation District, Fresno Irrigation District, and Alta Irrigation District Application to Appropriate Water

**Exhibit E**

Semitropic Water Storage District Petition to Revise FAS and Application to Appropriate Water