

For Immediate Release:

May 25, 2021

Contact:

Ian Anderson

(818) 268-6488

ianderson@fionahuttonassoc.com

Court Affirms North Kern Water Storage District’s “First Priority” Rights to Kern River Water, Finds Bakersfield Took Water Illegally

Bakersfield Ordered to deliver 20,000 acre-feet and repay North Kern for the \$2.8 million in additional pumping costs incurred as a result of Bakersfield’s illegal taking of Kern River water

Bakersfield, Calif. — The Superior Court of Ventura County has ruled in the matter of [North Kern Water Storage District v. City of Bakersfield \(Case No. 56-2011-00408712\)](#). The Court found that Bakersfield violated longstanding legal agreements and the Court’s 2014 Judgment secured by North Kern Water Storage District (North Kern) when Bakersfield withheld Kern River water to which the District was entitled. The ruling requires Bakersfield to deliver 20,000 acre-feet of water to North Kern and reimburse the District for the \$2.8 million additional pumping costs it incurred to make up for the lost water that Bakersfield illegally took from the Kern River.

The Court’s judgment is unambiguous: North Kern has a first priority right established long before Bakersfield’s water right, and Bakersfield broke their agreement to North Kern and the families, farmers, businesses and local communities they serve with this latest illegal taking of Kern River water.

“This is the Ventura Court’s third decision that has consistently ruled that Bakersfield may not arbitrarily ignore the law and disregard prior legal agreements and the Court’s judgment,” **said David Hampton, North Kern General Manager.** “All we ask is for Bakersfield to honor its agreements, recognize North Kern’s long-standing priority rights to use Kern River water and allow us to keep providing water to the farmers and families who have relied on us for decades.”

“Bakersfield would be better off working cooperatively with North Kern and other water rights holders to find mutually beneficial solutions to routine water shortages. Instead, the City has repeatedly violated court orders and tried to re-write the rules we all have to follow. Bakersfield is wasting time and taxpayer money pursuing these frivolous attempts to break their agreements and court orders in the hopes of attaining

more Kern River water at the expense of North Kern and the rest of the region's more senior water rights users.”

###

About the North Kern Water Storage District:

For more than 85 years, the [North Kern Water Storage District](#) (North Kern) has provided affordable, high quality water from the Kern River to farmers and underserved communities as one of the most senior water rights users in the region – supporting a thriving agricultural industry that is the backbone of the Kern County economy. A responsible steward of this precious resource, North Kern has been implementing sustainable water management and farming practices for decades — ensuring every drop it receives is used to support people, farms and business in Kern County.
