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## State Water Resources Control Board

### **NOTICE OF PUBLIC HEARING AND PRE-HEARING CONFERENCE**

The State Water Resources Control Board  
Administrative Hearings Office  
will hold a Pre-Hearing Conference and a Public Hearing on  
the pending petitions of

**Consolidated Irrigation District, Fresno Irrigation District,  
and Alta Irrigation District,  
and  
Semitropic Improvement District of Semitropic Water Storage District**

to revoke or revise the Declaration of Fully Appropriated Stream Systems  
with respect to the Kings River System;

on a potential revocation of

**Water-Right Licenses 11517 and 11521;**

and on a proposed cease and desist order against

**the Kings River Water Association and its member units**

for the alleged unauthorized diversion  
or threat of an unauthorized diversion of water from the Kings River System,  
as alleged in the complaint filed by

**Semitropic Improvement District of Semitropic Water Storage District.**

**The Pre-Hearing Conference will begin on  
January 26, 2021, at 9:00 a.m.**  
via Zoom teleconference.

**The Public Hearing will be held on  
April 15, 2021, from 9:00 a.m. to 5 p.m.**  
via Zoom teleconference.

**The Public Hearing will continue as necessary on  
April 16 and April 19-22, 2021, from 9:00 a.m. to 5 p.m.,  
and additional dates as necessary,**  
via Zoom teleconference.

Please access Zoom by using the link:

<https://waterboards.zoom.us/j/92075262531?pwd=ei9COHhOSUUwR3FJdDhGWfZ2Q21LUT09> with Meeting ID: 920 7526 2531 and Passcode: 506696

Or by calling in at:

+16699009128,,92075262531#,,,,,0#,,506696# US (San Jose)

**Interested members of the public who would like to watch this hearing without participating may do so through the Administrative Hearings Office YouTube channel at:**

[https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8l-C7Nig/videos?view=2&live\\_view=502&view\\_as=subscriber](https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8l-C7Nig/videos?view=2&live_view=502&view_as=subscriber)

## **BACKGROUND**

### **Petitions to Revise the Declaration of Fully Appropriated Stream Systems**

On May 9, 2017, Consolidated Irrigation District, joined by Alta Irrigation District and Fresno Irrigation District (collectively, Kings River Irrigation Districts), filed with the State Water Resources Control Board (State Water Board or Board) a joint water-right application (A032810) and a petition (Joint Kings River Petition) to revoke or revise the Declaration of Fully Appropriated Stream Systems (Fully Appropriated Streams Declaration). The Kings River Irrigation Districts request that the Board consider and approve their application if the Board revises the Fully Appropriated Streams Declaration to allow the Division of Water Rights (Division) to accept and process applications for permits to appropriate water from the Kings River System.

On May 25, 2017, Semitropic submitted a water-right application (A032815) and a petition (Semitropic Petition). The Semitropic Petition requests that the State Water Board revoke or revise the Fully Appropriated Streams Declaration to allow the Division to accept and process Semitropic's application for a permit to appropriate water from the Kings River System. Semitropic submitted hydrologic and water usage data with its

petition in support of its argument that water is available for appropriation in the Kings River System.

The Division provided public notice of the petitions on August 1, 2018. The Division received timely comments from 35 interested persons and entities in response to the notice.

### Semitropic's Complaint

On July 2, 2018, Semitropic filed a complaint with the State Water Board in support of its petition to revoke or revise the Fully Appropriated Streams Declaration with respect to the Kings River (Semitropic Complaint). The Semitropic Complaint alleges that the Kings River Water Association (KRWA) and its member units:<sup>1</sup> (1) forfeited, abandoned, or failed to perfect their water rights under Licenses 11517 and 11521 and any pre-1914 water rights that cover the same points of diversion, purposes of use, and places of use described in the licenses; and (2) are diverting water in violation of Water Code section 1052 and the terms and conditions of Licenses 11517 and 11521. Among other requested relief, Semitropic asks that the State Water Board issue a cease and desist order to KRWA and other water users to prevent the unauthorized diversion of water and revoke Licenses 11517 and 11521.

### Assignment of Petitions and Complaint to Administrative Hearings Office

Water Code section 1110 established the Administrative Hearings Office (AHO) within the State Water Board, effective July 1, 2019. Water Code section 1112, subdivision (c)(2), provides that the Board may assign an adjudicative hearing, in whole or in part, to the AHO. Water Code section 1114 provides that, after such a hearing is held and the matter is submitted to the AHO, the AHO hearing officer shall prepare a proposed order and provide it to the Board for the Board's consideration.

On May 26, 2020, Erik Ekdahl, Deputy Director of the Division of Water Rights, transmitted a memorandum to Eileen Sobeck, the State Water Board's Executive Director, which concluded that hydrologic and water usage data submitted by the

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<sup>1</sup> The 28 member units of the Kings River Water Association are: Fresno Irrigation District, Consolidated Irrigation District, Alta Irrigation District, Kings River Water District, People's Ditch Company, Corcoran Irrigation Company, Laguna Irrigation District, Liberty Mill Race Company, Burrel Ditch Company, Liberty Canal Company, Reed Ditch Company, Riverdale Irrigation District, The Last Chance Water Ditch Company, Lemoore Canal and Irrigation Company, John Heinlen Mutual Water Company, Stratford Irrigation District, Clark's Fork Reclamation District No. 2069, Upper San Jose Water Company, Tulare Lake Basin Water Storage District, Lovelace Water Corporation, Empire West Side Irrigation District, Tulare Lake Reclamation District No. 761, Tulare Lake Canal Company, Southeast Lake Water Company, James Irrigation District, Crescent Canal Company, Stinson Canal and Irrigation Company, and Tranquility Irrigation District.

petitioners and other information contained in the record presented a possibility that Kings River water may be available for appropriation. In accordance with California Code of Regulations, title 23, section 871, subdivision (c)(4), Mr. Ekdahl determined that there was reasonable cause to conduct a hearing on the question of whether the fully appropriated status of the Kings River System should be revoked or revised and recommended that the Board assign the matter to the AHO for hearing. On May 29, 2020, Ms. Sobeck transmitted a memorandum to Alan Lilly, Presiding Hearing Officer of the Administrative Hearings Office, assigning the petitions to the AHO.

Mr. Ekdahl transmitted a memorandum to Ms. Sobeck dated October 29, 2020, recommending that the Board assign the Semitropic Complaint to the AHO for further proceedings because of the common and interrelated factual and legal issues raised by the Semitropic Petition, the Joint Kings River Petition, and the Semitropic Complaint. Ms. Sobeck transmitted a memorandum to the AHO, also dated October 29, 2020, assigning the Semitropic Complaint to the AHO.

Additional background information about this proceeding, including the petitions, the complaint, and the Kings River System, is available in the memorandum issued by the AHO titled "Public Hearing on Petitions to Revise the Declaration of Fully Appropriated Stream Systems with Respect to the Kings River System; Related Complaint by Semitropic," dated November 30, 2020. The memo is available on the AHO webpage: [https://www.waterboards.ca.gov/water\\_issues/programs/administrative\\_hearings\\_office/kings\\_river.html](https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/kings_river.html).

## **APPLICABLE STATUTES AND REGULATIONS**

### *Petitions to Revoke or Revise the Fully Appropriated Streams Declaration*

Pursuant to Water Code sections 1205 through 1207, the State Water Board has adopted and periodically revised a Declaration of Fully Appropriated Stream Systems. The Fully Appropriated Streams Declaration includes a list of stream systems and their reaches that are determined to be fully appropriated either year-round or during specific months. Because the Fully Appropriated Streams Declaration includes the entire Kings River System from January 1 through December 31, the Board may not, subject to exceptions that do not apply here, accept applications for permits to appropriate water from the Kings River System.

The Board may revoke or revise the Fully Appropriated Streams Declaration upon its own motion or upon petition of any interested person. (Cal. Code Regs., tit. 23, § 871, subd. (a).) If the Deputy Director of Water Rights determines that a petition shows "reasonable cause to conduct a hearing on the question of whether the declaration should be changed," the Deputy Director shall notice a hearing on the issue. (*Id.*, subd. (c)(4).) The Board may adopt an order revoking or revising the declaration following notice and hearing. (*Id.*, subd. (b).)

### *Cease and Desist Orders*

California Water Code section 1831 authorizes the State Water Board to issue a cease and desist order when the Board determines any person is violating, or threatening to violate, any of the requirements listed in subdivision (d) of section 1831. These requirements include the prohibition in Water Code section 1052 against the unauthorized diversion or use of water subject to Division 2 (which includes sections 1000-5976) of the Water Code and the violation of any term or condition of a water-right permit or license. The Board may issue a cease and desist order that requires the person to comply immediately or to comply in accordance with a time schedule.

### *Revocation of a License*

Pursuant to Water Code sections 1241, 1675 and 1675.1, the Board may revoke a water-right license and declare the water previously subject to the license to be subject to appropriation if the Board finds that the licensee has not used, or has ceased to use, the water granted under the license for beneficial use, or that the licensee has failed to observe any of the terms and conditions in the license. The Board may revoke the license only after notice and hearing, if the licensee requests a hearing.

### **STATEMENT OF FACTS AND INFORMATION AND REQUEST FOR HEARING**

Water Code sections 1834 and 1675.1 require that notice of a proposed cease and desist order and notice of potential revocation of a license contain a statement of facts and information. The Semitropic Complaint is attached to this notice and incorporated by reference as the statement of facts and information upon which the Board's consideration of a proposed cease and desist order and the potential revocation of Licenses 11517 and 11521 is based. (Wat. Code, § 1834, subd. (a); Wat. Code, § 1675.1.)

The Board may adopt a cease and desist order or revoke a license only after a hearing, if a hearing is requested by the party against whom the cease and desist order is directed or the licensee, respectively. (Wat. Code, § 1834, subd. (b); Wat. Code, § 1675.1.) The AHO will treat a Notice of Intent (NOI) filed by KRWA or its member units, by the deadline set forth in this notice, as a request for hearing that satisfies the requirements for requests for hearing under Water Code section 1834, subdivision (b), and Water Code section 1675.1. If KRWA does not file an NOI or a written request for hearing by the deadline to submit an NOI set forth in this notice, then the State Water Board may issue a cease and desist order or an order revoking Licenses 11517 and 11521 without a hearing. Any request for a hearing may be made by delivering, mailing, or e-mailing the request or an NOI to the AHO at the appropriate address given in this notice.

### **PURPOSE OF HEARING AND HEARING ISSUES**

The purpose of this hearing is to receive evidence to be considered by the AHO and the State Water Board in determining whether and how to act on the Semitropic Petition, the Joint Kings River Petition, and related issues in the Semitropic Complaint.

Parties may submit exhibits and testimony relevant to the following issues:

- 1. Should the State Water Board revoke Licenses 11517 or 11521 under Water Code sections 1241 and 1675, and California Code of Regulations, title 23, sections 850 to 852?**
  - a. Has the licensee ceased to put the water authorized to be diverted and used under the licenses to useful or beneficial purposes?
  - b. Has the licensee failed to observe any of the terms or conditions of the licenses?
  - c. What were the historical diversions and use under each of these licenses during any relevant period?
  - d. During any period when no water was diverted or used under these licenses, was there any competing or conflicting claim to the water that could have been diverted and used under these licenses?
  - e. Are there any other bases for revocation of the licenses that the Board should consider?
  
- 2. Should the State Water Board issue a cease and desist order against KRWA or any of its member units under Water Code section 1831 to prevent the unauthorized diversion, or threat of an unauthorized diversion, of water as alleged in the Semitropic Complaint?**
  - a. Is KRWA or any of its member units violating, or threatening to violate, the prohibition in Water Code section 1052, subdivision (a), against the unauthorized diversion or use of water subject to Division 2 of the Water Code?
  - b. Is KRWA or any of its member units violating, or threatening to violate, any term or condition of Licenses 11517 or 11521?
  - c. If any such violations or threatened violations are occurring, should the State Water Board issue a cease and desist order against KRWA or any of its member units under Water Code section 1831?
  - d. If the State Water Board issues a cease and desist order against KRWA or any of its member units under Water Code section 1831, what provisions should be in the order?
  
- 3. Should the State Water Board revise or revoke the Declaration of Fully Appropriated Streams under Water Code section 1205, subdivision (c), and California Code of Regulations, title 23, section 871, to allow the Division of Water Rights to accept applications to appropriate water from the Kings River System?**

- a. Is water available for appropriation in the Kings River System? Is the supply of water in the Kings River System being fully applied to beneficial uses?
- b. How would revocation of Licenses 11517 or 11521 or issuance of a cease and desist order against KRWA or its member units affect whether water is available for appropriation in the Kings River System?
- c. Should the State Water Board revise the Fully Appropriated Streams Declaration to allow the Division of Water Rights to accept applications to appropriate water from the Kings River System?
- d. If so, what revisions should the Board make to the Declaration?

After the hearing, the AHO will prepare a proposed order for submission to and consideration by the State Water Board under Water Code section 1114, subdivision (c)(1). The AHO's proposed order will be based upon evidence in the administrative record developed before and during the hearing. After the AHO submits this proposed order to the Board, the Board may take any of the actions specified in Water Code section 1114, subdivision (c)(2).

The applications to appropriate water from the Kings River System submitted by the Kings River Irrigation Districts (A032810) and Semitropic (A032815) have not, at this time, been assigned to the AHO for a hearing. The Division has retained both applications pending Board action on the petitions, as provided by California Code of Regulations, title 23, section 871, subdivision (c)(3). The AHO will not consider these applications during this proceeding.

Evidence that is not relevant to the above-listed hearing issues will not be admitted in this proceeding.

### **HEARING OFFICER AND HEARING TEAM**

Nicole Kuenzi, a hearing officer in the State Water Board's Administrative Hearings Office, will preside during the pre-hearing conference and the hearing. Other AHO staff members may be present and may assist the hearing officer during the pre-hearing conference and the hearing and throughout these proceedings.

### **PRE-HEARING CONFERENCE STATEMENTS AND PROPOSED SCHEDULING ORDER**

On or before the deadline listed below, **Kings River Water Association, Consolidated Irrigation District, Fresno Irrigation District, Alta Irrigation District, and Semitropic Improvement District** are directed to meet and confer, and to file and serve a joint pre-hearing conference statement that separately addresses each of the pre-hearing conference issues listed below and includes a proposed scheduling order for this proceeding. The pre-hearing conference statement should explain any proposed changes to the deadlines listed below and list any points of disagreement among the parties.

Any other party or interested person may submit a pre-hearing conference statement and a proposed scheduling order by the deadline listed below. The party or interested person may include discussions of any other issues they believe are relevant in their pre-hearing conference statements. The AHO encourages other parties and interested persons to submit joint pre-hearing conference statements.

### **PRE-HEARING CONFERENCE**

The hearing officer will hold a pre-hearing conference on the date and at the time specified on the first page of this notice. Because of the current COVID-19 crisis, no in-person appearances will be allowed for this pre-hearing conference. The pre-hearing conference will be electronically recorded by Zoom teleconference. The hearing officer will prepare a pre-hearing conference order after the conference.

The AHO will circulate the Zoom teleconference information to each person or entity that has filed a Notice of Intent to Appear (or NOI, discussed below) or pre-hearing conference statement. The AHO will also post a notice with the call-in information on the AHO's public webpage and will circulate this notice to the **Kings River FAS Hearing** LYRIS e-mail list.

During the conference call, the hearing officer will discuss the following issues with the participants:

1. The proposed hearing issues are listed above. Should the hearing officer amend any of these hearing issues or add any additional hearing issues?
2. The deadlines for submitting exhibits and testimony, and the hearing dates, are listed below. Should the hearing officer change any of these deadlines or hearing dates or make other changes to the hearing schedule?
3. Should the AHO conduct the hearing in phases by hearing issue or some other division of issues, or should each party present its case-in-chief for all hearing issues at one time?
4. Are there any other issues concerning the hearing or applicable procedures that anyone would like to discuss?

### **SEPARATION OF FUNCTIONS; PROHIBITION ON EX PARTE COMMUNICATIONS**

All parties and interested persons are prohibited from having any *ex parte* communications with any members of the AHO hearing team. (See Wat. Code, § 1110, subd. (c); Gov. Code, §§ 11430.10-11430.80.) For a discussion of *ex parte* communications regarding State Water Board members, see "Ex Parte Questions and Answers," available on the State Water Board's website at:



[http://www.waterboards.ca.gov/laws\\_regulations/docs/exparte.pdf](http://www.waterboards.ca.gov/laws_regulations/docs/exparte.pdf). These rules regarding *ex parte* communications apply to all members of the AHO hearing team.

If any party or interested person wants to communicate with the AHO at any time regarding any procedural or substantive issue related to these proceedings, including the pre-hearing conference, hearing procedures or filing of documents, then that party or interested person shall make such communication to the AHO by e-mail or letter. The party or interested person shall serve all other parties on the service list with copies of the communication and include a proof of service demonstrating such service with the written communication to the AHO. A party or interested person may provide this proof of service through a formal proof of service or by other verification. For e-mails, the verification shall be a list of the e-mail addresses of the persons or entities listed on the service list in an electronic-mail "cc" (carbon copy) list. For letters, the verification shall be a list of the names and mailing addresses of the other parties or entities listed on the service list in the cc portion of the letter. (These requirements do not apply to parties' submissions of exhibits. The requirements for such submissions are discussed below.)

The service list for this proceeding is attached to this notice. The AHO will provide an updated service list after the deadline to file NOIs has passed.

Please do not attempt to communicate by telephone or in person with any AHO hearing team member regarding any procedural or substantive issue concerning this hearing. If oral communications with any members of the AHO hearing team are necessary to discuss any procedural or substantive issue, then the AHO will set up a conference call in which representatives of all parties may participate. Any party may request such a conference call at any time using the written communications protocols described above.

### **HEARING PARTICIPATION PROCEDURES; NOTICES OF INTENT TO APPEAR**

**Any person or entity who wants to participate in the hearing in this matter must file a Notice of Intent to Appear (NOI) with the AHO, using the form in this notice, before the deadline listed below.**

The AHO encourages parties to agree to accept electronic service (by e-mail) of all documents regarding this hearing. If a party is not willing to do this, then the party may check the appropriate box on the NOI form. If this box is not checked, then the AHO will assume that the party agrees to accept electronic service.

**NOI and Exhibit Filing Deadlines**  
**Pre-Hearing Conference Call and Hearing Schedule**

<b>Deadlines / Schedule</b>	<b>Date and Time</b>
Deadline for filing pre-hearing conference statements.	<b>January 19, 2021, 4:00 p.m.</b>
Pre-hearing conference.	<b>January 26, 2021, 9:00 a.m.</b>
Deadline for any party who wants to participate in the hearing to file an NOI with AHO, including proof of service.	<b>February 15, 2021, 4:00 p.m.</b>
Deadline for all parties to file exhibits and exhibit identification indices with AHO and serve copies on all other parties (except for rebuttal exhibits to be filed by the next deadline).	<b>March 1, 2021, 4:00 p.m.</b>
Deadline for parties to file their exhibits and exhibit identification indices for rebuttal and serve copies on all other parties.	<b>April 1, 2021, 4:00 p.m.</b>
Hearing begins.	<b>April 15, 2021, 9:00 a.m.</b>
Additional hearing days (as necessary)	<b>April 16 and April 19-22, 2021, 9:00 a.m., and additional dates as necessary.</b>

## **SUBMITTALS OF EXHIBITS TO AHO AND OTHER PARTIES**

Parties may file their exhibits and exhibit identification indices by one of the following methods:

**Table 2: Methods of Submitting Exhibits and Exhibit Identificaiotn Indices**

<b>Method</b>	<b>Address</b>
By Uploading to AHO-FTP2 <b>(preferred method for filing exhibits and exhibit identification indices):</b>	<a href="https://ftp.waterboards.ca.gov">https://ftp.waterboards.ca.gov</a> Username: AHO-FTP2 Password: Please email EXEC-AdminHrgOffice@Waterboards.ca.gov with "Request for AHO ftp password" in the subject line
By Mail:	State Water Resources Control Board Administrative Hearings Office P. O. Box 100 Sacramento, CA 95812-0100
By Hand Delivery (see note below):	Joe Serna Jr. CalEPA Building Administrative Hearings Office c/o Water Rights Records Unit 1001 I Street, 2 <sup>nd</sup> Floor, Room 114 Sacramento, CA 95814

Service of exhibits and exhibit identification indices by hand-delivery may be more difficult or delayed due to closures during the COVID-19 pandemic. Please plan ahead if you wish to hand deliver exhibits. Any hand-delivered submittals must be date- and time-stamped by the Division of Water Rights Records Unit personnel before the submittal deadline. Please check in with CalEPA Building lobby security personnel on the first floor of the CalEPA Building and obtain authorization to go to the Water Rights Records Unit on the second floor. Parties do not need to serve copies of their exhibits on the other parties. After each exhibit filing deadline, the AHO will post all exhibits that have been filed with the AHO on the AHO-FTP site described below in section 8 of "Information for Water-Rights Hearings." Please refer to the part of this Notice titled "Information Concerning Water-Right Hearings" for additional information about the requirements and process for filing exhibits and exhibit identification indices.

Please see the enclosed Information Concerning Water Right Hearings for more details regarding hearing procedures and requirements for submittals of exhibits, including submittals of electronic files that exceed the capacities for e-mail attachments.

## **DIVISION OF WATER RIGHTS PUBLIC RECORDS**

The AHO has copied documents from the public records maintained by the State Water Board's Division of Water Rights relevant to this proceeding and has included them in the initial administrative record for this hearing. The AHO will post files of these documents to its FTP site. Instructions to access the FTP site are on the AHO's webpage. The parties may review the Board's public files and submit copies of other relevant documents maintained in these public files as exhibits.

## **AHO WEBPAGE AND NOTICES**

Subject to legal limitations, including the requirements for internet website accessibility in Government Code section 11546.7, the AHO will post all notices and other documents regarding these proceedings on the AHO's Internet webpage at [https://www.waterboards.ca.gov/water\\_issues/programs/administrative\\_hearings\\_office/](https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/)

## **TRAVEL TO AND ACCESSIBILITY AND SECURITY AT THE CALEPA BUILDING**

A map to the Joe Serna Jr.-CalEPA Building (CalEPA Building) and parking information are available at <http://www.calepa.ca.gov/headquarters-sacramento/location/>. The CalEPA Building is accessible to people with disabilities. Individuals who require special accommodations at the CalEPA Building are requested to contact Moises Moreno-Rivera at (916) 341-5261 or [moises.moreno-rivera@waterboards.ca.gov](mailto:moises.moreno-rivera@waterboards.ca.gov).

Due to enhanced security precautions at the CalEPA Building, all visitors are required to register with security staff prior to attending any meeting or hearing. To register, visitors must go to the Visitor and Environmental Services Center, located just inside and to the left of the building's public entrance, sign in and receive a visitor's badge. Depending on their destination and the building's security level, visitors may be asked to show valid picture identification. Valid picture identification can take the form of a current driver's license, military identification card, or state or federal identification card. Depending on the size and number of meetings scheduled on any given day, the security check-in could take up to fifteen minutes. Please allow adequate time to sign in.

## **HEARING LIVE-STREAM AND RECORDING**

The pre-hearing conference and hearing will be live-streamed through the Administrative Hearings Office YouTube channel, accessible by clicking on the link provided below. The live-stream will consist of a morning session and an afternoon session. Each session may be accessed through the appropriate link on the Administrative Hearings Office YouTube channel. To view the morning session, click the link identified as "morning." The morning session will conclude at the lunch break. To view the afternoon session, click the link identified as "afternoon." The afternoon session will begin after the lunch break.

After the conclusion of the hearing, a recording of the morning and afternoon YouTube live-stream sessions will be available on the Administrative Hearings Office YouTube channel. These recordings will include automatic captions for accessibility.

The live-stream and recordings may be accessed at the following link:

[https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8lC7Nig/videos?view=2&live\\_view=502&view\\_as=subscriber](https://www.youtube.com/channel/UCM-gmipRyd7Nw-g8lC7Nig/videos?view=2&live_view=502&view_as=subscriber).

### **AMENDMENTS TO THIS HEARING NOTICE**

This hearing notice may be amended by the AHO. Amendments may include changes to the times and dates of the hearing days, the hearing issues, and procedural deadlines. To ensure that you receive important updates about this hearing, you should subscribe to the **Kings River FAS Hearing** LYRIS e-mail list. To subscribe, please use the following link:

[https://www.waterboards.ca.gov/resources/email\\_subscriptions/swrcb\\_subscribe.html](https://www.waterboards.ca.gov/resources/email_subscriptions/swrcb_subscribe.html).

Provide your full name, entity affiliation, if any, and e-mail address; click the box beneath the Administrative Hearings Office tab for the **Kings River FAS Hearing** list; and click the Subscribe button. Future notices and communications related to this matter issued by the AHO will be sent to all e-mail addresses on this e-mail list.

Date: December 2, 2020

SIGNATURE ON FILE  
Nicole L. Kuenzi  
Hearing Officer, Administrative Hearings Office

Date: December 2, 2020

SIGNATURE ON FILE  
Erik Ekdahl  
Deputy Director, Division of Water Rights

- Enclosures:
- Information Concerning Appearances at Water-Right Hearings
  - Notice of Intent to Appear Form
  - Exhibit Identification Index Form
  - Service List
  - Semitropic Complaint

## INFORMATION CONCERNING WATER-RIGHT HEARINGS

The Administrative Hearings Office (“AHO”) applies and strictly enforces the following procedural requirements:

- 1. HEARING PROCEDURES GENERALLY:** The AHO conducts hearings in accordance with the procedures for hearings set forth at California Code of Regulations, title 23, sections 648-648.8, 649.6 and 760. A copy of the current regulations and the underlying statutes governing adjudicative proceedings before the State Water Resources Control Board (“State Water Board” or “Board”) is available upon request or at the State Water Board’s website:

[http://www.waterboards.ca.gov/laws\\_regulations](http://www.waterboards.ca.gov/laws_regulations)

Unless the hearing officer determines otherwise, each party may make an opening statement, call and examine witnesses, introduce exhibits, cross-examine opposing witnesses on any matter relevant to the issues even if that matter was not covered in the direct examination, impeach any witness, rebut adverse evidence, and subpoena, call and examine an adverse party or witness as if under cross-examination. At the discretion of the hearing officer, parties may present closing arguments or submit closing briefs. The AHO encourages parties with common interests to work together to make unified presentations and to make the hearing process more efficient. The hearing officer reserves the right to issue further rulings clarifying or limiting the rights of any party, where authorized under applicable statutes and regulations.

Parties must file any requests for exceptions to procedural requirements in writing with the AHO and must serve such requests on the other parties. To provide time for parties to respond, the hearing officer normally will not rule on procedural requests filed in writing until at least 10 days after receiving the request, to give other parties an opportunity to respond, unless the hearing schedule requires an earlier ruling.

- 2. SETTLEMENTS:** In water-right enforcement hearings, a State Water Board Prosecution Team prosecutes an alleged violation. In such enforcement cases, the Prosecution Team and the party that is the subject of the proposed enforcement action (Respondent) may engage in private settlement discussions, and may, or may not, include any other persons in those discussions. Although the AHO may authorize other persons to participate in the hearing as parties, such authorizations do not necessarily allow those persons to participate in any settlement discussions between the Prosecution Team and the Respondent.

Other parties do not need to consent before the State Water Board, or the Executive Director under State Water Board [Resolution No. 2012-0061](#), may approve a proposed settlement agreement between the Prosecution Team and the Respondent. However, the hearing officer normally will give all parties opportunities to comment on any settlement agreement submitted to the State Water Board or the

Executive Director for approval unless all parties are signatories to the settlement agreement.

In hearings involving an unresolved protest or protests to a water-right application or petition, the parties whose dispute originated the action may meet privately to engage in settlement discussions, and they may, or may not, include other persons in such discussions. If the original parties resolve the dispute, the hearing officer will determine whether to continue to hold the hearing, after allowing all remaining parties the opportunity to comment on any proposed settlement. The Executive Director or the State Water Board may approve a settlement in the absence of a hearing, notwithstanding the lack of consent of parties besides the protestants and the applicant or petitioner.

3. **PARTIES:** Besides the Prosecution Team and the Respondent in enforcement matters, and besides the applicant or petitioner and protestants with pending protests in application or petition matters, the hearing officer may authorize additional people and entities to participate as parties. (See Cal. Code Regs., tit. 23, § 648.1, subd. (a) & (b).) Except as the hearing officer specifically rules, the hearing officer normally will allow any person or entity who timely files a Notice of Intent to Appear indicating the desire to participate as a party to do so and not to just present a policy statement. The hearing officer may impose limitations on any party's participation. (See Gov. Code, § 11440.50, subd. (c).) The hearing officer may designate persons or entities that do not file a timely Notice of Intent to Appear as parties at the hearing officer's discretion, for good cause shown and subject to appropriate conditions the hearing officer determines. Except as specifically provided in this notice or by ruling of the hearing officer, only parties will be allowed to present evidence, make objections, and examine witnesses.
4. **POLICY STATEMENTS BY INTERESTED PERSONS:** Pursuant to California Code of Regulations, title 23, section 648.1, subdivision (d), the hearing officer normally will provide opportunities for interested persons who are not designated as parties to present non-evidentiary policy statements. The hearing officer will not permit a person or entity that appears and presents only a policy statement to make objections, offer evidence, conduct cross-examination, make legal arguments, or otherwise participate in the evidentiary hearing because that person or entity is not a party. The AHO will not add such interested persons and entities to the service list. Interested persons may be able to access some hearing documents from the AHO website or the AHO-FTP site.

Policy statements are subject to the following provisions in addition to the requirements specified in California Code of Regulations, title 23, section 648.1, subdivision (d).

- a. Policy statements are not subject to the pre-hearing requirements for testimony or exhibits, except that interested persons are requested to file a Notice of Intent to Appear, indicating an intent to make only a policy statement.

b. The AHO requests that interested persons and entities present policy statements to the AHO and serve copies on all parties before such statements are presented at the hearing. Please see section 8 for details regarding electronic submittals of documents.

**5. NOTICE OF INTENT TO APPEAR:** Persons and entities who seek to participate as parties in this hearing must file either an electronic copy or a paper copy of the Notice of Intent to Appear with the AHO no later than the deadline specified in the Hearing Notice. The AHO may interpret a failure to file a Notice of Intent to Appear by this deadline as an intent not to appear.

The AHO requests that interested persons who will not be participating as parties, but instead will be presenting only non-evidentiary policy statements to file Notices of Intent to Appear by the specified deadline.

The Notice of Intent to Appear must state the name and address of the participant. Except for interested persons who will not participate as parties, the Notice of Intent to Appear also must include: (1) the name of each witness who will testify on the party's behalf; (2) a brief description of each witness's proposed testimony; and (3) an estimate of the time (not to exceed the total time limit for oral testimony described in section 10, below) that the witness will need to present a brief oral summary of his or her written testimony. (See section 6, below, for requirements that apply to written testimony.) Parties who do not intend to present cases-in-chief but wish to cross-examine witnesses or present rebuttal should so indicate on the Notice of Intent to Appear.<sup>2</sup> Parties who decide not to present a case-in-chief after having submitted a Notice of Intent to Appear should notify the AHO and the other parties as soon as possible.

Parties who are not willing to accept electronic service of hearing documents should check the appropriate box on the Notice of Intent to Appear. (See section 8, below.)

The AHO will e-mail a service list of parties to each person or entity that has submitted a Notice of Intent to Appear. The service list will indicate if any party is unwilling to accept electronic service. If there is any change in the hearing schedule, the hearing office will send notice to those parties on the service list and interested persons that have filed Notices of Intent to Appear expressing their intentions to present only policy statements.

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<sup>2</sup> A party is not required to present evidence as part of a case-in-chief. The hearing officer will allow parties not presenting evidence as part of a case-in-chief to participate through opening statements, cross-examination, and rebuttal, and may also present closing statements or briefs, if the hearing officer allows these in the hearing.



**6. WRITTEN TESTIMONY AND OTHER EXHIBITS:** Exhibits include all written proposed testimony, statements of qualifications of expert witnesses, and other documents to be submitted as evidence. Each party proposing to offer testimony into evidence shall submit all of the party's proposed written testimony by the deadline for filing exhibits.<sup>3</sup> Each party shall designate each of its witness's written proposed testimony as an exhibit (with one exhibit for each witness). Each party must submit all its witnesses' written proposed testimony with the party's other exhibits by the exhibit filing deadline. The hearing officer normally will not permit oral testimony that goes beyond the scope of the witness's written proposed testimony. A party who proposes to offer expert testimony must submit an exhibit containing a statement of the expert witness's qualifications, in addition to a separate exhibit with the expert witness's written proposed testimony.

The AHO encourages all parties to prepare and submit a separate set of slides that summarize each of their witnesses' testimony, which the parties then can use to facilitate the witnesses' summaries of their testimony. The parties must label each set of such slides as a separate exhibit and submit it by the exhibit submittal deadline.

**7. EXHIBIT FORMATTING AND ORGANIZATION:** A party submitting evidence must file both the exhibits and an Exhibit Identification Index (a list of exhibits in Word or Excel format) with the AHO.

The AHO maintains two File Transfer Protocol (FTP) sites for the purpose of making Administrative Record files available to the public and allowing parties to transmit files to the AHO and to each other. (Please see section 8, below).

Please label each exhibit with a short version of your party name and sequential numbers. For example, Kings River Water Association's exhibits should be numbered KRWA-1, KRWA-2, etc., Semitropic Water Storage District's exhibits should be numbered Semitropic-1, Semitropic-2, etc. Do not use any sub-letters like 1a, 1b, etc. for exhibit numbers.

Each party shall number each paragraph of each witness's proposed written testimony sequentially, 1, 2, 3, etc. Do not use any sub-paragraph letters like 1a, 1b, etc. A party may include headings like "Background," "Introduction," etc. for different sections of a witness's proposed written testimony but should not number or letter these headings and should not re-start the paragraph numbering in each section.

**Each party must submit to the AHO the exhibits and indices for this hearing no later than the deadline specified in the Hearing Notice, above.** The AHO

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<sup>3</sup> The hearing officer may make an exception to this rule if the witness is adverse to the party presenting the testimony and is willing to testify only in response to a subpoena or alternative arrangement.

may interpret a party's failure to timely submit exhibits as a waiver of the party's right to submit exhibits and waiver of the party's status as a party.

The following requirements apply to exhibits:

- a. Parties submitting exhibits based on complex technical analyses must also submit sufficient information so that a qualified independent expert could reproduce the results.

Parties submitting exhibits based on models or technical studies (such as reports, recommendations, or requirements) must also submit sufficient information to clearly identify and explain the logic, assumptions, development, and operation of the models or studies so that a qualified independent expert could reproduce the model or technical study and use it to obtain the same results.

- b. The hearing officer has discretion to receive into evidence by reference any relevant, otherwise admissible, public records of the State Water Board and documents or other evidence that a public agency has prepared or published, provided that the original or a copy was in the possession of the State Water Board before the hearing officer issued this Notice. (See Cal. Code Regs., tit. 23, § 648.3.) A party offering an exhibit by reference shall advise the other parties and the AHO of the titles of the documents, the particular portions, including page and paragraph numbers, on which the party relies, the nature of the contents, the purpose for which the party will use the exhibit when offered in evidence, and the specific file folder or other exact location in the State Water Board's files where the document may be found.
- c. The hearing officer will exclude exhibits that rely on unpublished technical documents unless the unpublished technical documents also are admitted as exhibits.
- d. Parties submitting large-format exhibits such as maps, charts, and other graphics shall provide the originals for the hearing record in a form that can be folded to 8 ½ x 11 inches. Alternatively, parties may supply, for the hearing record, a reduced copy of a large-format original exhibit if it is readable.

- 8. ELECTRONIC SUBMISSIONS:** To expedite the exchange of information, reduce paper use, and lower the cost of participating in the hearing, all participants must submit hearing documents to the AHO in electronic form (in addition to two paper copies) unless the hearing officer authorizes submission of exhibits in a different format. A party's uploading of hearing documents to the FTP site will constitute service on the other parties.

Documents must be in Adobe Portable Document Format (PDF) except where a reasonable exception may be made for a Microsoft Office-supported format, such as

Microsoft Excel for spreadsheets, Microsoft PowerPoint for slide presentations, and Microsoft Excel or Word for Exhibit Identification Indexes.

The following AHO FTP sites are available at <https://ftp.waterboards.ca.gov/>:

**a. Username: AHO-FTP**

Anyone may download from this FTP site the Administrative Record documents the AHO has uploaded for the pending proceedings listed on the AHO website. Only AHO personnel may upload files to this FTP site. The AHO's normal practice is to post on this FTP site all Administrative Record documents for each pending proceeding. These documents will include documents AHO personnel have copied from the Division of Water Rights Records Unit's public files and exhibits and Exhibit Identification Indices the parties to pending proceedings have filed. The AHO will post exhibits and indices promptly after each filing deadline for such documents.

**b. Username: AHO-FTP2**

Any party to a proceeding pending before the AHO may upload documents for the proceeding (primarily exhibits and Exhibit Identification Indices) to this FTP site. No one besides AHO personnel may download or delete any files from this FTP site.

To obtain authorization to access either of these FTP sites, please submit an email request to the AHO at [EXEC-AdminHrgOffice@Waterboards.ca.gov](mailto:EXEC-AdminHrgOffice@Waterboards.ca.gov) with "Request for AHO ftp password" in the subject line. After receiving an e-mail request, the AHO will provide a password to access these FTP sites. It is not necessary to include other parties in the cc line for these email requests.

Each party shall upload its exhibits and Exhibit Identification Index to the AHO-FTP2 site before the exhibit filing deadline. The parties do not need to serve exhibits or Exhibit Identification Indices on the other parties.

After the exhibit filing deadline, the AHO will move all filed exhibits and Exhibit Identification Indices to the AHO-FTP site and advise the parties that these documents are available to download from that site.

The AHO may rename exhibits that do not have proper exhibit names or numbers. The AHO will create a folder of documents the party has submitted, and a folder of documents the AHO has properly re-named, both of which will be available on the AHO-FTP site.

Each party also shall mail or hand-deliver two paper copies of its exhibits and Exhibit Identification Index to either of the AHO's two addresses below, along with a proof of service of these paper copies. A party may provide this proof of service of these paper copies by sending an e-mail or letter to the AHO, with the transmittal of copies of the e-mail or letter to the other parties shown in the e-mail "cc" (carbon copy) list or the cc portion of the letter.

If a party cannot upload exhibits to the AHO-FTP2 site, then the party may mail its exhibits to the AHO at:

State Water Resources Control Board  
Administrative Hearings Office  
P. O. Box 100  
Sacramento, CA 95812-0100

Alternatively, a party may send exhibits to the AHO by overnight delivery to:

Joe Serna Jr. CalEPA Building  
State Water Resources Control Board  
Administrative Hearings Office  
c/o Water Rights Records Unit  
1001 I Street, 2<sup>nd</sup> Floor, Room 114  
Sacramento, CA 95814

- 9. PRE-HEARING CONFERENCE:** At the hearing officer's discretion, the hearing officer may conduct one or more pre-hearing conferences before the hearing to discuss the pre-hearing and hearing schedules, the scope of the hearing, the status of any protests, the formats of exhibits, opening statements and policy statements, methods of service, and any other appropriate procedural issues. If the hearing officer decides to hold a pre-hearing conference, then the Hearing Notice will state the date, time, and location of the pre-hearing conference. The AHO may issue additional notices of subsequent pre-hearing conferences.
- 10. ORDER OF PROCEEDING:** The hearing officer normally will follow the order of proceedings specified in California Code of Regulations, title 23, section 648.5. During the pre-hearing conference or hearing, the hearing officer for good cause may change the time limits specified below. For example, the hearing officer may allow additional time for the oral direct testimony of the witness if the witness is adverse to the party presenting the testimony and the hearing officer is satisfied that the party could not produce written direct testimony for the witness.
  - a. **Policy Statements:** The hearing officer will normally hear policy statements at the start of the hearing before the presentations of cases-in-chief. **Oral summaries of policy statements normally will be limited to 5 minutes.**

- b. **Presentation of Cases-In-Chief:** Each party who so indicates on a Notice of Intent to Appear may present a case-in-chief addressing the key issues in the hearing notice. Each case-in-chief will consist of any opening statement, oral testimony, introduction of exhibits, and cross-examination of the party's witnesses. The hearing officer may allow re-direct examination and re-cross examination. The hearing officer will decide whether to accept the party's exhibits into evidence upon a request or motion of the party after completion of the party's case-in-chief. Rebuttal evidence is limited to evidence that is responsive to evidence presented with another party's case-in-chief, and it does not include evidence that should have been presented during the case-in-chief of the party offering rebuttal evidence. Rebuttal evidence does not include repetitive evidence.
- i. **Opening Statements:** At the beginning of each party's case-in-chief, the party or the party's attorney may make an opening statement that briefly and concisely states the objectives of the case-in-chief, the major points that the proposed evidence is intended to establish, and the relationship between the major points and the key issues. **Oral opening statements normally will be limited to 5 minutes per party.** A party may submit a written opening statement before the hearing or during the hearing, prior to the party's case-in-chief. A party should include any policy-oriented statements in the party's opening statement.
- ii. **Oral Testimony:** All witnesses presenting testimony shall appear at the hearing. Before testifying, all witnesses shall swear or affirm that the written and oral testimony they will present will be true and correct. A witness shall not read written testimony into the record. A witness provides direct testimony when he or she affirms his or her written testimony. **Each party will be allowed a maximum of 30 minutes total to summarize the party's written testimony on direct examination.** The hearing officer may allow additional time for oral testimony, and the parties may discuss the need for additional time during a pre-hearing conference.
- iii. **Cross-Examination:** The hearing officer will permit cross-examination of a witness on the party's written submittals, the witnesses' oral testimony, and other relevant matters not covered in the direct testimony. (Gov. Code, § 11513, subd. (b).) If a party presents multiple witnesses, the hearing officer will decide whether the party's witnesses will be cross-examined individually or as a panel. **Cross-examinations initially will be limited to 15 minutes per witness or panel of witnesses.** The hearing officer has discretion to allow additional time for cross-examination if the cross-examining party demonstrates in an offer of proof good cause to take additional time for cross-examination. Ordinarily, only a party or the party's representative will be permitted to cross-examine a witness, but the hearing officer may allow a

party to designate a person technically qualified in the subject being considered to cross-examine a witness.

- iv. **Re-Direct and Re-Cross Examination:** The hearing officer may allow at his or her discretion re-direct and re-cross examination. Any re-direct examination and re-cross examination permitted may not exceed the scope of the cross-examination and the re-direct examination, respectively. The hearing officer may establish time limits for any permitted re-direct and re-cross examination.
- v. **Questions by Hearing Officer:** The hearing officer may ask questions at any time and may cross-examine any witness.
- c. **Rebuttal:** After all parties have presented their cases-in-chief and their witnesses have been cross-examined, the hearing officer may allow parties to present rebuttal evidence. Rebuttal evidence is new evidence used to rebut evidence another party has presented in its case-in-chief.

Parties need not submit rebuttal testimony and exhibits before the hearing unless the hearing officer requires such submittals. The hearing officer may set a schedule for submittal of rebuttal evidence after the parties have presented their cases-in-chief. Cross-examination of witnesses offering rebuttal evidence will be limited to the scope of the rebuttal evidence.

- d. **Closing Statements and Legal Arguments:** At the close of the hearing or at another time, the hearing officer may allow oral closing arguments or may set a schedule for the parties to file written closing briefs. The parties shall follow the procedures described above for uploading closing briefs to the AHO-FTP site and filing two paper copies with the AHO. A party shall not attach any documents of evidentiary nature to the party's closing brief unless the document is already in the evidentiary hearing record or is the subject of an offer of proof made during the hearing. After the deadline filing closing briefs, the AHO will post all closing briefs to the AHO-FTP site.

**11. RULES OF EVIDENCE:** The hearing officer will admit evidence in accordance with Government Code section 11513. A party may use hearsay evidence to supplement or explain other evidence, but over timely objection such evidence will not be sufficient by itself to support a finding unless the evidence would be admissible over objection in a civil action.

**12. TELECONFERENCE HEARINGS DURING COVID-19 PANDEMIC:** Due to the on-going COVID-19 pandemic and the associated closure of the Joe Serna Jr. CalEPA Building to the public, the AHO currently is conducting all hearings via Zoom teleconference.

To participate in this teleconference hearing, please use the Zoom meeting link listed on page 1 of this notice. To facilitate a clear understanding of who is speaking, the hearing officer will ask each person to identify himself or herself as necessary during the teleconference hearing.

The hearing officer prefers that parties participate by both audio and video through the Zoom meeting link. If this is not possible, then the hearing officer will accept audio-only participations.

The AHO will not order a court reporter for videoconference hearings. Any interested party may order a court reporter at its own expense. The AHO will record the teleconference hearing and post audio-only and audio-plus-video files of the hearing on the AHO-FTP site. Anyone may watch past or present hearings by clicking "Watch AHO Hearings" on [https://www.waterboards.ca.gov/water\\_issues/programs/administrative\\_hearings\\_office/](https://www.waterboards.ca.gov/water_issues/programs/administrative_hearings_office/)

Please test your device's video and/or audio functions before the start of the meeting. At the lower left-hand side of the Zoom window is a microphone and a video camera symbol. If there is a red line across the symbols, your microphone is on mute and video camera is off.

Please plan to call into the video conference at least 10 minutes before the scheduled hearing time to ensure you can resolve any technical issues before the hearing begins. You will initially be in a virtual waiting room and will be admitted to the hearing by a member of the AHO office.

When you speak, please turn your video on and unmute your microphone by clicking on the symbols in the lower left-hand side of the Zoom window. During the hearing, please be respectful and patient, raising your hand on-screen to get the hearing officer's attention.

If the device you are using freezes, please notify staff at EXEC-AdminHrgOffice@Waterboards.ca.gov, restart the device, and if that does not work, try calling into the hearing using the phone number provided.

To reduce acoustic background noise, please remain on mute if you are not speaking. If you have other devices that are tuned into the meeting, please turn off the speaker volume of those devices.

Other participants will be able to see your name, depending on your Zoom account settings. Other participants may also see the last three digits of your phone number unless you have called in anonymously.



# State Water Resources Control Board

## NOTICE OF INTENT TO APPEAR FORM

(Name of Participant or Party) \_\_\_\_\_ plans to participate in the water right hearing regarding the Kings River FAS Hearing,

**Scheduled to begin on April 15, 2021**

**1) Check only one of the following boxes:**

- Option 1:** I/we intend to present a policy statement only and, therefore, not to participate as a party in this hearing.
- Option 2:** I/we intend to participate as a party by presenting any of the following: an opening statement, direct testimony, cross-examination or rebuttal, and intend to participate as a party in this hearing.

**2) If you selected Option 2 above and intend to provide direct testimony, complete the witness table below.** If not, skip to item 3 below.

Witness Name	Expert Witness?		Subject of Proposed Testimony	Estimated Length of Oral Direct Testimony (minutes)
	Yes	No		
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		

(If more space is required, please attach additional pages.)

**3) Fill in the following information of the participant, party, attorney, or other representative:**

Name (type or print): \_\_\_\_\_

Represented party (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_



Optional:

I/we decline electronic service of hearing-related materials.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## SERVICE LIST

### **By Mail:**

Semitropic Improvement District of  
Semitropic Water Storage District  
1101 Central Avenue  
Wasco, CA 93280

Kings River Water Association  
4888 East Jensen Avenue  
Fresno, CA 93725

Fresno Irrigation District  
2907 S. Maple Avenue  
Fresno, CA 93725

Consolidated Irrigation District  
2255 Chandler Street  
Selma, CA 93662

Alta Irrigation District  
289 North L Street  
Dinuba, CA 93618

Kings River Water District  
15142 E. Goodfellow Ave.  
Sanger, CA 93657

Peoples Ditch Company  
c/o Andrew Hemans  
870 Greenfield Ave.  
Hanford, CA 93230

Corcoran Irrigation Company  
c/o Misty Vasquez  
1150 6 ½ Ave.  
Corcoran, CA 93212

Laguna Irrigation District  
5065 19 ½ Ave.  
Riverdale, CA 93656

Liberty Mill Race Company  
c/o Brad Harlan  
2870 W. Harlan  
Riverdale, CA 93656

Burrel Ditch Company  
c/o Stephen Maddox  
12863 West Kamm Avenue  
Riverdale, CA 93656

Liberty Canal Company  
c/o John A. Coelho  
1615 Wood  
Laton, CA 93242

Reed Ditch Company  
c/o Mark C. McKean  
9830 W. Mt. Whitney Ave.  
Riverdale, CA 93656

Riverdale Irrigation District  
21027 S. Brawley Ave.  
Riverdale, CA 93656

The Last Chance Water Ditch Company  
c/o Neil Bellamy  
870 Greenfield Ave.  
Hanford, CA 93230

Lemoore Canal and Irrigation Company  
c/o Ronnie J. Silva  
877 W. Iona Ave.  
Lemoore, CA 93245

John Heinlen Mutual Water Company  
c/o Danny Newton  
877 W. Iona Ave.  
Lemoore, CA 93245

Stratford Irrigation District  
877 W. Iona Ave.  
Lemoore, CA 93245

Clark's Fork  
Reclamation District No. 2069  
P.O. Box 874  
Lemoore, CA 93245

Upper San Jose Water Company  
c/o Michael N. Nordstrom  
222 W. Lacey Blvd.  
Hanford, CA 93230

Tulare Lake Basin  
Water Storage District  
1001 Chase Ave.  
Corcoran, CA 93212

Lovelace Water Corporation  
c/o Vickie Martinez  
27922 S. Dairy Ave.  
Corcoran, CA 93212

Empire West Side Irrigation District  
21990 Laurel Ave.  
Stratford, CA 93266

Tulare Lake  
Reclamation District No. 761  
23311 Newton Ave.  
Stratford, CA 93266

Tulare Lake Canal Company  
c/o Martin C. Garcia  
620 N. Douty St., Suite 101  
Hanford, CA 93212

Southeast Lake Water Company  
c/o Martin Garcia  
620 N. Douty St., Suite 101  
Hanford, CA 93230

James Irrigation District  
P.O. Box 757  
San Joaquin, CA 93660

Crescent Canal Company  
c/o Jean Errotabere  
22895 S. Dickenson Ave.  
Riverdale, CA 93656

Stinson Canal and Irrigation Company  
c/o Stephen Heintz  
1100 W. Shaw Ave., Suite 148  
Fresno, CA 93711

Tranquility Irrigation District  
25390 W. Silveira St.  
Tranquility, CA 93668

**By E-Mail:**

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annette.tenneboe@wildlife.ca.gov  
apeltzer@prlawcorp.com  
bhauss@wgimglobal.com  
billw@warmerdampacking.com  
bjimenez@fresnocountyca.gov  
bob\_gore@gualcogroup.com  
bstretch@fresnoirrigation.com  
bsanders@kerncfb.com  
btaube@wrnwdsd.com  
cac@eslawfirm.com  
carlson@griswoldlasalle.com  
ccreel@kcwa.com  
cgallock@krccd.org  
chowe@sprfarms.com  
cityclerk@cityofavenal.com  
cmclaughlin@krccd.org  
cms@eslawfirm.com

countyclerk@co.monterey.ca.us  
csloand@blm.gov  
ctyclerk@co.kern.ca.us  
cw@altaid.org  
d6.public.info@dot.ca.gov  
datwater@mwdh2o.com  
dennis.kingsc wd@outlook.com  
district4@co.kern.ca.us  
dmelville@ppeng.com  
dmerritt@krccd.org  
dmunn@swid.org  
eaverett@rrbwsd.com  
elimas@ltrid.org  
erin.strange@noaa.gov  
fmorrissey@orangecoveid.org  
ghammett@bmwd.org  
greg@wegisandyoung.com  
gserrato@fresnoirrigation.com  
info@fresnofloodcontrol.org  
info@kingsrivereast.org  
info@kingsriverwater.org  
info@tularebasinwildlifepartners.org  
jdoyel@cityofhanfordca.com  
jean@errotabereranches.com  
jennifer.lucchesi@slc.ca.gov  
jgianquinto@semitropic.com  
jgutierrez@wwd.ca.gov  
jharriger@mwdh2o.com  
jhughes@kleinlaw.com  
jimmaciel66@gmail.com  
jkrattiger@eslawfirm.com  
jmartinez2@co.tulare.ca.us  
jon.reiter@maricopaorchards.com  
joseph.yun@water.ca.gov  
jrogers@yhmail.com  
julie.vance@wildlife.ca.gov  
jullianne.phillips@co.kings.ca.us  
jweiner@rosettelaw.com  
jwestra@tlbwsd.com  
jwooner@mcfarlandcity.org  
jwyrick@jgboswell.com  
kdoyle.mgt@gmail.com  
kevin.tromborg@cityofcorcoran.com

kimberly.brown@wonderful.com  
kjfahey@sbcglobal.net  
kmoore@cityofkerman.org  
kobrien@downeybrand.com  
krwdh2o@sbcglobal.net  
lcic1902@yahoo.com  
llayne@bakermanock.com  
lmr@altaid.org  
lswizer@cncda.org  
maurice@bvh2o.com  
mchester@somachlaw.com  
mgilkey@tlbwsd.com  
mhurley@angiolawd.org  
michael.fitzpatrick@cdcr.ca.gov  
mkaminski@ducks.org  
mmirelez@tmdci.org  
mulkay@kerndelta.org  
nancy.murray@wildlife.ca.gov  
nick\_stanley@fws.gov  
njacobs@somachlaw.com  
nortiz@bakersfieldchamber.org  
orosipud@sbcglobal.net  
papolis@ci.wasco.ca.us  
pdesatoff@cidwater.com  
phil@portwoodfarms.com  
phyllisormonde@yahoo.com  
planning@co.kern.ca.us  
ploiesti@aol.com  
pnixon@lhwd.org  
ppeschel@krcd.org  
rcollella@usbr.gov  
rdiamond@northkernwsd.com  
red@eslawfirm.com  
reynar@cityofselma.com  
richard.valle@co.kings.ca.us  
riverdaleirrig@gmail.com  
rkunde@wrmwsd.com  
rmapublicrequest@co.tulare.ca.us  
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