



May 20, 2024

Barry McCutcheon, President
Kings County Water District
200 Campus Drive
Hanford, CA 93230

RE: Resignation

Dear Chair McCutcheon,

The undersigned water users of the Kings County Water District (KCWD) urgently demand your immediate resignation from the KCWD Board of Directors, along with all members of the KCWD Board of Directors. In addition, the undersigned demands the resignation of KCWD's General Manager Dennis Mills.

The KCWD holds three seats on the Mid-Kings River Groundwater Sustainability Agency (MKRGSA), and Dennis Mills serves as the General Manager of both agencies. The MKRGSA and KCWD have failed the landowners in their service area. The most critical breakdown was the failure to submit a Groundwater Sustainability Plan (GSP) to the Department of Water Resources (DWR), which resulted in the State Water Resources Control Board (SWRCB) placing the Tulare Lake Subbasin on probation as of April 16, 2024.

The MKRGSA's Proposition 218 election highlights the GSA's second-largest failure. Ineffective communication from the MKRGSA, last-minute policy changes, and decision-making in a vacuum left voters in the GSA with more questions than answers, filling them with doubt. Proposing a budget of \$11.5 million dollars paid by landowners and water users in the district is inconceivable and unjustifiable. Agriculture is Kings County's sole economic driver. Limiting access to groundwater and charging exorbitant fees for the water that is consumed is the single largest threat the community of Kings County has experienced since the adoption of SGMA.

A third failure of the MKRGSA is the failure to challenge the State Water Resources Control Board's designation of the Tulare Lake Subbasin as probationary. This designation was fraught with errors and unlawful expansion of the state authority. However, the MKRGSA did not even consider challenging the designation in an effort to continue local management and protect landowners.

Finally, the MKRGSA operates outside of the rules and structure of its own authorizing agreement. A Joint Powers Agreement (JPA) was entered into on November 11, 2016, by the County of Kings, the City of Hanford, and the Kings County Water District to form the MKRGSA. The MKRGSA violated that JPA multiple times, including but not limited to; not appointing alternate directors, failing to create a stakeholder advisory committee, not appointing a member of the stakeholder advisory committee to the Board of Directors, and violating the two-thirds requirement for specific votes as described in Section 3.05 of the JPA.

Operating within the authority of the JPA protects the public's interest and helps maintain their trust. Your failures have violated the law and the trust of your constituents, friends, and neighbors.

Your resignation is demanded effective immediately. It is time for new representation that is transparent, responsive to landowners, and able to take back local management of the Tulare Lake subbasin from state overreach.

Sincerely,

Dusty Ference