

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WR 98 - 08

**In the Matter of the
Declaration of Fully Appropriated Stream Systems
in California**

SOURCES: Various Stream Systems, Statewide

COUNTY: All Counties Except Imperial and San Francisco

**ORDER REVISING
DECLARATION OF FULLY APPROPRIATED STREAM SYSTEMS**

BY THE BOARD:

1.0 BACKGROUND

Water Code sections 1205 through 1207 establish a procedure for the State Water Resources Control Board (SWRCB) to adopt a declaration designating stream systems which are determined to be fully appropriated either year-round or during specified months. The SWRCB may act on its own motion or on petition of any interested person. On November 16, 1989, the SWRCB adopted the "Order Adopting Declaration of Fully Appropriated Stream Systems and Specifying Conditions for Acceptance of Applications and Registrations." (Order WR 89-25.¹) The SWRCB adopted an updated and revised order by the same name on August 22, 1991. (Order WR 91-07.) Orders WR 89-25 and WR 91-07 were based upon previous water right decisions or orders which determined that no water remains available for appropriation from the specified sources during particular months. The Declaration of Fully Appropriated Streams (Declaration) adopted by this order includes additions and revisions to the provisions of the Declarations previously adopted in Order WR 89-25 and Order WR 91-07.

¹ In response to a petition to reconsider Order WR 89-25, the SWRCB adopted Order WR 90-2 on February 15, 1990. Order WR 90-2 modified and affirmed Order WR 89-25 as modified.

DECLARATION OF FULLY APPROPRIATED STREAM SYSTEMS

County		November 19, 1998		
Decision No.	Stream	Tributary	Season Begin-End	Critical Reach
Kern ***	North Fork Kern River	Kern River	01/01-12/31 (3)	the segment of the main stem from the Tulare-Kern County line to its headwaters in Sequoia National Park
Kern 0479	Unnamed Spring (NE¼ SW¼, Sec 25, T9N, R21W, SBB&M)	Cuddy Creek thence Buena Vista Lake	01/01-12/31	at the spring source
Kern 0959	Poso Creek	Tulare Lake Basin	06/15-10/31	the termination of Poso Creek located within T26S, R24E, MDB&M near McFarland and upstream. Poso Creek goes intermittent just below the confluence of Poso Creek and Little Poso Creek located within T27S, R30E, MDB&M at Pine Mountain
Kern 1196	Kern River System	Buena Vista Sink	01/01-12/31	from the Buena Vista Sink upstream (1)
Kern 1594	Sacramento-San Joaquin Delta	Delta above Collinsville	06/15-08/31 (a)	from the Delta upstream (1)

(a) For diversions less than one cfs or less than 100 afa of storage, no diversion is allowed from June 16 through August 31.