

*OBMP Book
Settlement Negotiation
re. Legal Issues*

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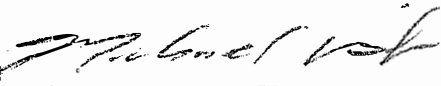
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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **COUNTY OF SAN BERNARDINO**

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11 CHINO BASIN MUNICIPAL) **CASE NO. RCV 51010**
WATER DISTRICT,)
12)
Plaintiff,)
13)
v.) **NOTICE OF ENTRY OF ORDER**
14) **CONCERNING OBMP STATUS**
CITY OF CHINO, et al.,) **HEARING HELD ON MARCH 16,**
15) **2000**
16)
Defendants.)
17)

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19 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

20 Please take notice that on March 16, 2000, the court entered its order concerning OBMP
21 Status hearing held on March 16, 2000. A true copy of the order is attached hereto as Exhibit "A"
22 and made a part hereof by this reference.

23 Dated: March 17, 2000 **HATCH AND PARENT**
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25 By: 
26 **Michael Fife**
Attorneys for Chino Basin Watermaster

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL
WATER DISTRICT,

Plaintiff,

vs.

CITY OF CHINO, et al.,

Defendants.

CASE NO. RCV 51010

Order Concerning OBMP Status
Hearing Held on March 16, 2000


The Court congratulates the parties on the preparation of, and timely release for comment, the Draft Implementation Plan for the Optimum Basin Management Program ("OBMP") for the Chino Basin. The Court recognizes the efforts of all those involved in having achieved the substantial progress made to date on the OBMP. Such progress would be impossible but for the diligence of all who are involved.

The Court also commends the Watermaster in its efforts to inform the public about the OBMP and to maintain open lines of communication with such related public agencies such as the Flood Control District, the Regional Water Quality Control Board, the Association of Groundwater Agencies, and the Santa Ana Rivershed Group. Most importantly, the Court appreciates the Watermaster's efforts to build consensus for the adoption and implementation of the OBMP. The Court takes an interest in the Watermaster's meeting and workshop schedule and requests that it be posted on its website as soon as possible.

1 The Court is pleased to see that Watermaster is aggressively approaching
2 funding issues related to the adoption and implementation of the OBMP. The funding
3 issues are crucial to the success of the plan. The Court shares the Watermaster's
4 hope that the delay in preparation of the draft Environmental Impact Report will not
5 affect the timely completion of the final version.

6
7 From the paperwork submitted, the Court sees that there may be some
8 outstanding legal issues, which, if left unresolved, might inhibit further progress in the
9 adoption of a Final OBMP. In view of the commitment of the parties and the Court to
10 adherence to the time schedule adopted in the Final Ruling on the September 30,
11 1999, hearing, the Court believes it is desirable to set a further status conference on
12 the OBMP. The Court hereby schedules a further status hearing at 1:30 p.m. on
13 Thursday, April 6, 2000, to determine whether there are any outstanding legal issues
14 that need to be addressed, and if so, to define such issues. Interested parties are
15 requested to submit briefs by no later than Thursday, March 30, 2000. Should the
16 Court determine on April 6 that a determination of legal issues is necessary to ensure
17 the timely adoption of the Final OBMP, interested parties will be invited to submit initial
18 briefs no later than Tuesday, April 18, 2000, responding briefs no later than Tuesday,
19 April 25, 2000, and fax-filing of reply briefs (909-948-4569—this brief only number) no
20 later than April 27, 2000. A hearing for a determination on the legal issues will be set
21 for Thursday, May 4, 2000.

22
23 DATED: 3/16/00

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25 J. MICHAEL GUNN, Judge
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AMENDED TIMELINE*

DUE DATE	DESCRIPTION
July, 1999 to May, 2000	Throughout the process, subcommittees on Artificial Recharge and Basin Yield Maintenance are meeting on a regular basis regarding recharge, basin yield maintenance, and conjunctive use.
Oct. 28, 1999, 1:30 P.M.	CEQA/NEPA Brief Submitted to Court.
Nov. 18, 1999, 1:30 P.M.	Hearing on CEQA/NEPA & Proposed Timeline.
Feb. 15, 2000	Submit Draft Implementation Plan (comment period begins). Complete initial draft of MOA's re: Recharge, Yield Maintenance (including treatment), and Conjunctive Use.
Feb. 29, 2000	Draft Environmental Impact Report (DEIR) completed (public comment period begins).
Mar. 02, 2000	Interim Watermaster submits its contingency plan for transfer of operations to DWR.
Mar. 03, 2000 to May 17, 2000	Joint Pool & Advisory Committees meetings to discuss MOA's, DEIR, and Draft Implementation Plan.
Mar. 16, 2000, 1:30 P.M.	Status Hearing OBMP and related CEQA matters.
Apr. 6, 2000, 1:30 P.M.	Status Hearing to determine whether there are outstanding legal issues that need to be resolved.
Apr. 27, 2000	DWR submits response to Interim Watermaster contingency plan for transfer of operations.
May 4, 2000, 1:30 P.M.	Tentative hearing date for determination of outstanding legal issues.
May 11, 2000	Joint Pool & Advisory Committees final discussions to complete MOA's, and Implementation Plan.
May 17, 2000	IEUA Hearing to certify Final EIR.
May 25, 2000	Watermaster Board hearing to consider final EIR, MOA's, and Implementation Plan for submission to Court.
June 15, 2000	Final OBMP (Final Phase One, Final Phase Two comprised of Final Implementation Plan and Final MOA's) and Resolution by agencies indicating readiness to participate in OBMP, subject to Court approval, filed with the Court.
June 23, 2000	Comments to Final OBMP filed with the Court (Final Phase One, Final Phase Two (Final Implementation Plan and Final MOAs).
June 29, 2000, 1:30 P.M.	Hearing on OBMP & Final EIR.
July 13, 2000, 1:30 P.M.	Hearing on continuance of nine-member Board.

***Notes:**

1. This timeline does not reflect deadlines for comments, hearings, etc. planned in compliance with the CEQA process.

PROOF OF SERVICE


I declare that:

I am employed in the County of San Bernardino, California. I am over the age of 18 years and not a party to the within action. My business address is Chino Basin Watermaster, 8632 Archibald Avenue, Suite 109, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On March 21, 2000 I served the documents identified below by placing a true and correct copy of same in sealed envelopes for overnight delivery by United States Postal Service mail at Rancho Cucamonga, California, to each of the addresses listed on the attached Attorneys Service List and Mailing List 1:

- A. LETTER DATED MARCH 17, 2000 FROM J. MICHAEL GUNN, JUDGE OF THE SUPERIOR COURT, TO WATERMASTER LEGAL COUNSEL, SCOTTS. SLATER, ESQ, HATCH AND PARENT, REGARDING THE PROPOSED LEGISLATION CONCERNING WATERMASTER AND THE ADDITION OF SENATOR SOTO TO WATERMASTER'S PROOF OF SERVICE LIST.**
- B. NOTICE OF ENTRY OF ORDER CONCERNING OBMP STATUS HEARING HELD ON MARCH 16, 2000.**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Rancho Cucamonga, California, on March 21, 2000.


Mary L. Staula

List updated 03/02/2000

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