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FILED-Rancho Cucamonga District
SUPERIOR COURT
SAN BERNARDINO COUNTY

JUL 14 2003
By Wanda Lewis Deputy

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION

12 CHINO BASIN MUNICIPAL WATER
13 DISTRICT,

14 Plaintiff,

15 vs.

16 CITY OF CHINO, et al.,

17 Defendants.

Case No. RCV 51010

[Assigned for All Purposes to the Hon. J. Michael
Gunn]

NOTICE OF EX PARTE MOTION FOR
AN ORDER SHORTENING TIME TO
FILE A MOTION TO CONTINUE JULY
17, 2003 WORKSHOP RE MZ1 INTERIM
SUBSIDENCE PLAN

Hearing Date: July 16, 2003
Hearing Time: 11:30 a.m.
Dept: R8

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19 By this Notice and the accompanying Points and Authorities, Watermaster requests this
20 Court to issue an order shortening time for the filing of a motion to continue the Workshop
21 previously ordered to be held on July 17, 2003 until August 7, 2003.

22
23 HATCH & PARENT, A LAW CORPORATION

24
25 Date: 7/14/03

26
27 By Michael Fife

28 Scott S. Slater
Michael T. Fife
Attorneys for
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11 FOR THE COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION

12 CHINO BASIN MUNICIPAL WATER
13 DISTRICT,

14 Plaintiff,

15 vs.

16 CITY OF CHINO, et al.,

17 Defendants.

Case No. RCV 51010

[Assigned for All Purposes to the Hon. J. Michael
Gunn]

POINTS AND AUTHORITIES IN
SUPPORT OF EX PARTE MOTION FOR
AN ORDER SHORTENING TIME FOR
THE FILING OF A MOTION TO
CONTINUE JULY 17, 2003 WORKSHOP
RE MZ1 INTERIM SUBSIDENCE PLAN

Hearing Date: July 16, 2003
Hearing Time: 11:30 a.m.
Dept: R8

I.

BACKGROUND

In its October 17, 2002, *Order Concerning Watermaster's Interim Plan for Management of Subsidence*, the Court ordered Watermaster to schedule a follow-up workshop for July 17, 2003, to present to the Court through the Special Referee the progress made on implementation of the Interim Plan. (Order, p.10.) As detailed in Watermaster's Motion for Continuance, scheduling has indicated that the workshop would be more informative for the Referee and her assistants if it were held at a later date. Watermaster would therefore like to request the workshop to be continued to August 7, 2003.

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Watermaster has sought the concurrence of the relevant parties prior to asking to continue the workshop to a later date, and this has resulted in a delay in filing the Motion. The parties, however, have been made aware of the desire to continue the workshop, and no party has indicated any opposition.

At the July 10, 2003 Joint Appropriative Pool and Non-Agricultural Pool meeting, Watermaster counsel notified the parties in attendance of the intention to request a continuance of the workshop and there was no opposition.

Watermaster therefore respectfully requests that the Court issue an Order shortening the time required for the filing of a Motion for a Continuance of the July 17, 2003 workshop.

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7/14/03

By: 

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Michael T. Fife
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FILED-Rancho Cucamonga District
SUPERIOR COURT
SAN BERNARDINO COUNTY

JUL 14 2003
By *Wanda Lewis*
Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION

11 CHINO BASIN MUNICIPAL WATER
12 DISTRICT,

13 Plaintiff,

14 vs.

15 CITY OF CHINO, et al.,

16 Defendants.

Case No. RCV 51010

[Assigned for All Purposes to the Hon. J. Michael
Gunn]

DECLARATION OF MICHAEL T. FIFE
IN SUPPORT OF EX PARTE MOTION
FOR AN ORDER SHORTENING TIME
FOR THE FILING OF A MOTION TO
CONTINUE JULY 17, 2003 WORKSHOP
RE MZI INTERIM SUBSIDENCE PLAN

Hearing Date: July 16, 2003
Hearing Time: 11:30 a.m.
Dept: R8

- 19
- 20 1. My name is Michael Fife and I am an attorney with the law firm of Hatch &
 - 21 Parent.
 - 22 2. Hatch & Parent is the General Counsel for the Chino Basin Watermaster.
 - 23 3. In my capacity as General Counsel for the Chino Basin Watermaster I have
 - 24 participated in the process regarding the implementation of Watermaster's Interim
 - 25 Plan for the Management of Subsidence.
 - 26 4. I have discussed the continuance of the July 17, 2003 workshop with
 - 27 representatives from both Chino and Chino Hills, and neither objects to the
 - 28 continuance.

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5. At the July 10, 2003 Joint Appropriative and Non-Agricultural Pool meetings I announced Watermaster's intention to request a continuance and there were no objections from any parties.

6. I swear under penalty of perjury that the foregoing is true to the best of my knowledge.

HATCH & PARENT, A LAW CORPORATION

7/14/03

By: Michael T. Fife

Michael T. Fife
Attorney for
CHINO BASIN WATERMASTER

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION**

**CHINO BASIN MUNICIPAL WATER
DISTRICT,**

Plaintiff,

vs.

CITY OF CHINO, et al,

Defendants.

Case No. RCV 51010

**[Assigned for All Purposes to the Hon. J. Michael
Gunn]**

**[PROPOSED] ORDER GRANTING EX
PARTE MOTION FOR AN ORDER
SHORTENING TIME**

**Hearing Date: July 16, 2003
Hearing Time: 11:30 a.m.
Dept: R8**

**GOOD CAUSE SHOWING, IT IS HEREBY ORDERED that Chino Basin
Watermaster's Ex Parte Motion for an Order Shortening Time for the Filing of a Motion to
Continue July 17, 2003 Workshop re MZ1 Interim Subsidence Plan is GRANTED.**

Hon. J. Michael Gunn

CHINO BASIN WATERMASTER

Case No. RCV 51010

Chino Basin Municipal Water District v. The City of Chino

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 July 14, 2003 I served the following to be heard on: July 17, 2003, 1:30 a.m., Dept. R8

- A. **Notice of Ex Parte Motion for an Order Shortening Time to File a Motion to Continue July 17, 2003 Workshop re MZ1 Interim Subsidence Plan; Points and Authorities in Support of Ex Parte Motion for an Order Shortening Time for the Filing of a Motion to Continue July 17, 2003 Workshop re MZ1 Interim Subsidence Plan; Declaration of Michael T. Fife in Support of Ex Parte Motion for an Order Shortening Time for the Filing of a Motion to Continue July 17, 2003 Workshop re MZ1 Interim Subsidence Plan**
- B. **Notice of Motion to Continue July 17, 2003 Workshop re MZ1 Interim Subsidence Plan; Points and Authorities in Support of Motion to Continue July 17, 2003 Workshop re MZ1 Interim Subsidence Plan; Declaration of Michael T. Fife in Support of Motion to Continue July 17, 2003 Workshop re MZ1 Interim Subsidence Plan**

BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:

See attached service list:

Attorney Service List
Mailing List 1

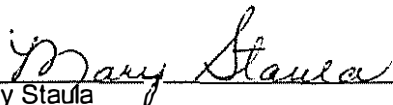
BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

BY FACSIMILE: I transmitted said document by fax transmission from (909) 484-3890 to the fax number(s) indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting fax machine.

BY ELECTRONIC MAIL: I transmitted notice of availability of electronic documents by electronic transmission to the email address indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting electronic mail device.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on July 14, 2003 in Rancho Cucamonga, California.



Mary Staula
Chino Basin Watermaster

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Updated 6/11/03

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