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FILED-Rancho Cucamonga District
SUPERIOR COURT
SAN BERNARDINO COUNTY

JUL 14 2003

By Wanda Lewis Deputy

8 Attorneys For
9 CHINO BASIN WATERMASTER

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 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

HATCH & PARENT, A LAW CORPORATION
21 East Carrillo Street
Santa Barbara, CA 93101

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19 By this Notice and the accompanying Points and Authorities, Watermaster requests this
20 Court to continue the Workshop previously ordered to be held on July 17, 2003 until August 7,
21 2003.

22 HATCH & PARENT, A LAW CORPORATION

23 7/14/03

24 By Scott S. Slater

25 Scott S. Slater
26 Michael T. Fife
27 Attorneys for
28 CHINO BASIN WATERMASTER

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9 FOR THE COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION

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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]

POINTS AND AUTHORITIES IN
SUPPORT OF 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

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19 BACKGROUND

20 In its October 17, 2002, *Order Concerning Watermaster's Interim Plan for Management*
21 *of Subsidence*, the Court ordered Watermaster to schedule a follow-up workshop for July 17,
22 2003, to present to the Court through the Special Referee the progress made on implementation
23 of the Interim Plan. (Order, p.10.)

24 The Court also approved the motion by the City of Chino to continue its Paragraph 15
25 Motion until September 18, 2003 with the provision that if Chino Hills elects to participate in the
26 forbearance portion of the Interim Plan for a second year, Chino will request a further
27 continuance of its motion until August 13, 2004.
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II.

PROGRESS UNDER INTERIM PLAN

The Management Zone I ("MZ1") Technical Committee has met several times since the October 17, 2002 Hearing. A monitoring plan has been formulated and is currently being set-up. Construction of the extensometer facility in Ayala Park is complete and data gathering from this facility may now commence. Technical staff believes that completion of installation of the measuring benchmark monuments will occur this summer.

Both Chino and Chino Hills have met their forbearance goals. Watermaster has no reason to believe at this time that Chino and Chino Hills will not both participate for a second year under the forbearance plan.

III.

MOTION FOR CONTINUANCE OF JULY 17, 2003 WORKSHOP

The MZ1 Technical Committee has successfully developed a subsidence monitoring plan and this plan is in the early stages of implementation. Data gathering from the extensometer facility will now commence. Commitments to forbear from Chino and Chino Hills are expected to be received by August 1, 2003, and Chino will then request the Court to continue its Paragraph 15 Motion. Once these events have occurred may be a more valuable time for a workshop. Watermaster therefore requests the Court to continue the Workshop previously ordered to be held on July 17, 2002 until August 7, 2003.

HATCH & PARENT, A LAW CORPORATION

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
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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 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

- 18
- 19 1. My name is Michael Fife and I am an attorney with the law firm of Hatch &
 - 20 Parent.
 - 21 2. Hatch & Parent is the General Counsel for the Chino Basin Watermaster.
 - 22 3. In my capacity as General Counsel for the Chino Basin Watermaster I have
 - 23 participated in the process regarding the implementation of Watermaster's Interim
 - 24 Plan for the Management of Subsidence.
 - 25 4. The Management Zone I ("MZ1") Technical Committee has met several times
 - 26 since the October 17, 2002 Hearing.
 - 27 5. A monitoring plan has been formulated and is currently being set-up.
 - 28

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- 6. Construction of the extensometer facility has been completed. The gathering of data from this facility will now commence. Technical staff believes that completion of installation of the measuring benchmark monuments will occur this summer.
- 7. Both Chino and Chino Hills have met their forbearance goals.
- 8. 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
Attorney for
CHINO BASIN WATERMASTER

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:

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Mailing List 1

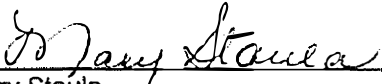
BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

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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