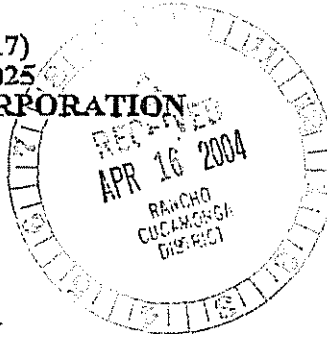


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9 CHINO BASIN WATERMASTER



FEE EXEMPT

FILED-Rancho Cucamonga District
SUPERIOR COURT
SAN BERNARDINO COUNTY
APR 19 2004
By *[Signature]*
Deputy

10
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA DISTRICT

13 CHINO BASIN MUNICIPAL WATER DISTRICT,
14 Plaintiff,

15 v.

16 THE CITY OF CHINO,
17 Defendants.

18
19
20 AND RELATED CROSS-ACTIONS.

) CASE NO. RCV 51010
) Assigned for All Purposes to
) Honorable J. MICHAEL GUNN
) Department R8
)
) JOINT REQUEST FOR ORDER TO
) CONTINUE DATE OF HEARING ON
) MONTE VISTA WATER DISTRICT
) MOTION TO COMPEL
) WATERMASTER TO ESTABLISH A
) PROGRAM TO EQUITABLY
) ALLOCATE BENEFITS FROM
) WATER QUALITY MITIGATION
) MEASURES UNDER THE PHYSICAL
) SOLUTION
)
) Original Hearing Date
) DATE: April 22, 2004
)
) New Hearing Date:
) DATE: June 24, 2004
) TIME: ~~8:30 a.m.~~ 1:30 pm
) DEPT: R8

21
22
23
24
25 Moving party Monte Vista Water District ("Monte Vista") and responding party Chino
26 Basin Watermaster ("Watermaster") hereby jointly request that this Court order the hearing on the
27 above-referenced matter continued to June 24, 2004, based on the following facts:
28

1 1. Monte Vista filed its "Motion for an Order Compelling Watermaster to Establish a
2 Program to Equitably Allocate Benefits from Water Quality Mitigation Measures Under the
3 Physical Solution" on March 11, 2004.

4 2. At its March 25, 2004 meeting, the Watermaster Board directed staff and legal
5 counsel to convene a process that would be responsive to the relief requested by the Motion.

6 3. On April 7, 2004, the attorney/manager group met to discuss a process for resolving
7 the subject matter raised by the Motion. At that meeting, the parties agreed to meet and confer on
8 the subject matter raised by the Motion. The parties agreed that the hearing on the Motion will be
9 continued to a date certain 60 days from the April 22, 2004 hearing date.

10 4. The Court Clerk has indicated that the date of June 24, 2004 is available for a
11 continued hearing date on this motion. Watermaster is serving this Request on all parties of record
12 in this case concurrent with its filing of this Request.

13 DATED: April 15, 2004

MCCORMICK, KIDMAN & BEHRENS, LLP

14
15 By: 

ARTHUR G. KIDMAN

BOYD L. HILL

Attorneys for Defendant

MONTE VISTA WATER DISTRICT

16
17
18
19 DATED: April 15, 2004

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21 By: 

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CHINO BASIN WATERMASTER

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ORDER

GOOD CAUSE APPEARING;

IT IS HEREBY ORDERED THAT the hearing on the Monte Vista Motion is continued to
the date of June 24, 2004. @ 1:30pm Dept R8

DATED: April 19, 2004

J. Michael Gunn

HONORABLE J. MICHAEL GUNN,
JUDGE PRESIDING

Z:\Users\Datatbhill\monte vista\Request for Order to Continue Monte Vista Motion.doc

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, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On April 21, 2004 I served the following:

JOINT REQUEST FOR ORDER TO CONTINUE DATE OF HEARING ON MONTE VISTA WATER DISTRICT MOTION TO COMPEL WATERMASTER TO ESTABLISH A PROGRAM TO EQUITABLY ALLOCATE BENEFITS FROM WATER QUALITY MITIGATION MEASURES UNDER THE PHYSICAL SOLUTION

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:
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 April 21, 2004 in Rancho Cucamonga, California.



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