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BEFORE THE
STATE WATER RESOURCES CONTROL BOARD

San Bernardino Valley Municipal Water District, Western Municipal Water District of Riverside County, Orange County Water District, Chino Basin Watermaster, San Bernardino Valley Water Conservation District, and City of Riverside,

Applicants.

WATER RIGHT HEARING ON
APPLICATION NOS. 31165, 31370, 31174,
31369, 31371, 31372

STIPULATION OF APPLICANTS

Date: May 2, 2007
Time: 9:00 a.m.
Dept: Cal EPA Building, Coastal Hearing Room

Applicants San Bernardino Valley Municipal Water District ("Muni") and Western Municipal Water District of Riverside County ("Western") (Application Nos. 31165 and 31370), Orange County Water District ("OCWD") (Application No. 31174), Chino Basin Watermaster (Application No. 31369), San Bernardino Valley Water Conservation District ("Conservation District") (Application No. 31371), and City of Riverside (Application No. 31372 and Wastewater Change Petition WW-0045) (collectively, the "Parties"), hereby enter the following Stipulation to resolve Issue Numbers 4 and 5, as set forth on page 10 of the February 16, 2007 Notice of Public Hearing and Pre-hearing Conference on Water Right Applications and Wastewater Change Petition:

1. The priority of rights as among all legal users of water from the Santa Ana River, including all applicants in the current proceedings, was the subject of several cases, all litigated and resolved as set forth below.
2. The first such case was *Orange County Water District v. City of Chino et al.* (Orange County Superior Court No. 117628) (the "*Orange County Judgment*"), in which judgment was entered on April 17, 1969. A general description of the case and the key elements

1 of that judgment, which is excerpted from the 35th Annual Report of the Santa Ana River
2 Watermaster dated April 30, 2006, is attached hereto as Exhibit A; reference should be made to
3 the actual *Orange County* Judgment on file with the Orange County Superior Court for particular
4 details of the case and rights and obligations of the parties thereunder.

5 3. The continuing vitality of the *Orange County* Judgment has been recognized and
6 reaffirmed in various documents which also served as the vehicles by which any upstream
7 diverters which had concerns over OCWD's application either agreed not to protest or dismissed
8 their protests against OCWD's application. Those agreements are:

9 (a) *Memorandum of Understanding to Affirm and Preserve Existing Rights in*
10 *the Santa Ana River Watershed*, between and among Inland Empire Utilities Agency, Orange
11 County Water District, San Bernardino Valley Municipal Water District and Western Municipal
12 Water District of Riverside County, November 16, 1999;

13 (b) *Santa Ana River and Chino Basin Water Right Accord*, September 15,
14 2000.

15 (c) *Agreement Between Orange County Water District and City of San*
16 *Bernardino Concerning Water Rights*, September 1, 2004;

17 (d) *Agreement Between Orange County Water District and East Valley Water*
18 *District Concerning Water Rights*, June 23, 2006; and

19 (e) *Agreement Between Orange County Water District and City of Riverside*
20 *Concerning Water Rights*, July 24, 2006.

21 4. The second such case was *Western Municipal Water District of Riverside County*
22 *et al. v. East San Bernardino County Water District, et al.* (Riverside County Superior Court
23 No. 78426) (the "*Western Judgment*"), in which judgment was also entered on April 17, 1969,
24 simultaneously and in conjunction with the *Orange County* Judgment. A general description of
25 the case and the key elements of that judgment is attached hereto as Exhibit B; reference should
26 be made to the actual *Western Judgment* on file with the Riverside County Superior Court for
27 particular details of the case and rights and obligations of the parties thereunder.
28

1 5. The third such case was *Big Bear Municipal Water District v. North Fork Water*
2 *Company*, et al. (San Bernardino County Superior Court No. 165493) (the “*Big Bear Judgment*”),
3 in which judgment was entered on February 7, 1977.

4 6. Certain of the Parties have also entered into settlement agreements to clarify their
5 respective priorities to use the waters of the Santa Ana River:

6 (a) *Settlement Agreement Relating to the Diversion of Water from the Santa*
7 *Ana River System*, dated July 21, 2004 (the “*Seven Oaks Accord*”); and

8 (b) *Settlement Agreement Among San Bernardino Valley Water Conservation*
9 *District, San Bernardino Valley Municipal Water District and Western Municipal Water District*
10 *of Riverside County*, dated August 2005 (the “*Conservation District Agreement*”).

11 7. The fourth such case was *Chino Basin Municipal Water District v. City of Chino et*
12 *al.* (San Bernardino County Superior Court Case No. RCV 51010) (the “*Chino Basin Judgment*”),
13 in which judgment was entered on January 30, 1978.

14 8. The effect of the *Orange County Judgment* was to divide the waters of the Santa
15 Ana River between the Lower Area and the Upper Area, as those areas were defined in the
16 *Orange County Judgment*, in the manner set forth in that judgment.

17 9. The effect of the *Western Judgment* was to allocate the waters of the San
18 Bernardino Basin, Colton Basin and Riverside Basin Areas, i.e., the “Upper Area” except for
19 Chino Basin, consistent with the requirements of the *Orange County Judgment*.

20 10. The effect of the *Big Bear Judgment* was to implement a physical solution that
21 allows for the maintenance of high levels of water in Big Bear Lake for recreational purposes
22 without interfering with downstream water rights..

23 11. The effect of the *Chino Basin Judgment* was to allocate the waters of the Chino
24 Basin among the parties to that judgment, which are all located within that basin, consistent with
25 the requirements of the *Orange County Judgment*.

1 12. The relative priority of OCWD to divert water from the Santa Ana River is
2 established by the *Orange County* Judgment and affirmed in the agreements identified in
3 paragraph 3 above.

4 13. The relative priority of Chino Basin Watermaster to divert water from the Chino
5 Basin is established by Inland Empire Utilities Agency's rights and obligations under the *Orange*
6 *County* Judgment, the *Chino Basin* Judgment, and the agreements identified in paragraphs 3(a)
7 and 3(b) above.

8 14. The relative priority of the City of Riverside to change the point of discharge,
9 place of use and purpose of use of its wastewater discharge is established by the *Orange County*
10 Judgment, the *Western* Judgment, and the agreement identified in paragraph 3(e) above.

11 15. The effect of the judgments and agreements identified in paragraphs 2, 3(a), 4, 5
12 and 6 above has been to create, upon action by the State Water Resources Control Board to
13 approve Application Nos. 31165, 31370 and 31371, the following relative priorities among the
14 Parties that divert and use water from the mainstem of the Santa Ana River in the Upper Area,
15 consistent with the requirements of the *Orange County*, *Western*, and *Big Bear* Judgments:

16 (a) The City of Redlands, East Valley Water District, Bear Valley Mutual
17 Water Company, Lugonia Water Company, North Fork Water Company and Redlands Water
18 Company would have first priority to divert up to 88 cubic feet per second.

19 (b) The Conservation District would have a second priority to divert and
20 spread pursuant to License Nos. 2831 and 2832.

21 (c) Muni/Western's diversion and storage of water that is the subject of
22 Application No. 31165 would have a third priority.

23 (d) The Conservation District's diversion of water that is the subject of
24 Application No. 31371 would have a fourth priority.

25 (e) Muni/Western's diversion and storage of water that is the subject of
26 Application No. 31370 would have a fifth priority.

27 The priorities described in paragraphs 14(c) through 14(e) above are subject to the provisions of
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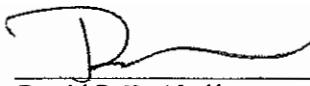
paragraphs 5(e) and 5(f) of Exhibit A of the Conservation District Agreement.

16. The Parties do not intend this Stipulation to modify or amend the terms of any of the judgments or agreements referenced above. In the event that there is any inconsistency between the terms of those judgments or agreements and the descriptions of those judgments or agreements in this Stipulation, the terms of the judgments or agreements shall control.

17. Given that the foregoing proceedings have included all legal users of water in the Santa Ana River, the above constitutes a full resolution of the water right priorities among the Parties and is fully protective of other legal users of water. Accordingly, the Parties request that the SWRCB accept this stipulation as a full resolution of Issues 4 and 5 concerning relative water rights priorities and protection of other legal users of water at the April 5, 2007 Pre-Hearing Conference.

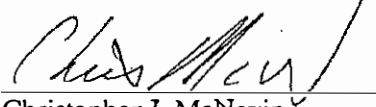
DATED: April 5, 2007

DOWNEY BRAND LLP

By: 
David R.E. Aladjem
Attorneys for Applicants
San Bernardino Valley Municipal Water
District and Western Municipal Water District
of Riverside County

DATED: April 5, 2007

PILLSBURY WINTHROP SHAW PITTMAN LLP

By: 
Christopher J. McNevin
Attorneys for Applicant
Orange County Water District

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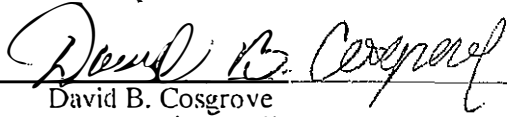
DATED: April 5, 2007

HATCH & PARENT

By: 
Michael T. Fife
Attorneys for Applicant
Chino Basin Watermaster

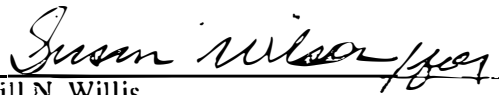
DATED: April 5, 2007

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Attorneys for Applicant
San Bernardino Valley Water Conservation
District

DATED: April 5, 2007

BEST BEST & KRIEGER LLP

By: 
Jill N. Willis
Attorneys for Applicant
City of Riverside

ORDER

IT IS SO ORDERED:

April __, 2007.

Arthur G. Baggett, Jr.
Hearing Officer

EXHIBIT A

CHAPTER IV
HISTORY AND SUMMARY OF THE JUDGMENT
in the case of
Orange County Water District v City of Chino, et al.
(Case No. 117628-County of Orange)

History of Litigation

The complaint in the case was filed by Orange County Water District on October 18, 1963, seeking an adjudication of water rights against substantially all water users in the area tributary to Prado Dam within the Santa Ana River Watershed, but excluding the area tributary to Lake Elsinore. Thirteen cross-complaints were filed in 1968, extending the adjudication to include substantially all water users in the area downstream from Prado Dam. With some 4,000 parties involved in the case (2,500 from the Upper Area and 1,500 from the Lower Area), it became obvious that every effort should be made to arrive at a settlement and physical solution in order to avoid enormous and unwieldy litigation.

Efforts to arrive at a settlement and physical solution were pursued by public officials, individuals, attorneys, and engineers. Attorneys for the parties organized in order to facilitate settlement discussions and, among other things, provided guidance for the formation and activities of an engineering committee to provide information on the physical facts.

An initial meeting of the engineers representing the parties was held on January 10, 1964. Agreement was reached that it would be beneficial to undertake jointly the compilation of basic data. Liaison was established with the Department of Water Resources, State of California, to expedite the acquisition of data. Engineers representing the parties were divided into subcommittees which were given the responsibility of investigating such things as the boundary of the Santa Ana River Watershed and its subareas, standardization of the terminology, the location and description of wells and diversion facilities, waste disposal and transfer of water between subareas.

In response to a request from the attorneys' committee at a meeting held April 17, 1964, on April 30, 1964, the joint engineering committee prepared a list of preliminary engineering studies directed toward settlement of the Santa Ana River water rights litigation. Special assignments were made to individual engineers on selected items requested by the attorneys' committee.

The attorneys and engineers for the defendants then commenced a series of meetings separate from the representatives of the plaintiffs in order to consolidate their positions and to determine a course of action. On October 7, 1964, engineers for the defendants presented the results of the studies made by the joint engineering committee. The defendants' attorneys requested that additional information be provided on the methods

of measuring flow at Prado Dam, the historical supply and disposal of water passing Prado Dam, segregation of flow into components, and determination of the amount of supply which was usable by the downstream area. On December 11, 1964, the supplemental information was presented to the defendants' attorneys.

During 1965, engineers and attorneys for the defendants held numerous conferences and conducted additional studies in an attempt to determine their respective positions in the case. Early in 1966, the plaintiff and defendants exchanged drafts of possible principles for settlement. Commencing March 22 and ending April 13, 1966, four meetings were held by the engineers to discuss the draft of principles for settlement.

On February 25, 1968, the defendants submitted a request to the Court that the Order of Reference be issued requesting the California Department of Water Resources to determine the physical facts. On May 9, 1968, the plaintiffs' attorney submitted motions opposing the Order of Reference and requested that a preliminary injunction be issued. In the meantime, every effort was being made to come to an agreement on the Stipulated Judgment. Commencing on February 28, 1968 and extending until May 14, 1968, six meetings were held to determine the scope of physical facts on which agreement could be reached so that if an Order of Reference were to be approved by the Court, the work under the proposed reference would not repeat the extensive basic data collection and compilation which had already been completed and on which engineers for both plaintiffs and defendants had reached substantial agreement. Such basic data were compiled and published in two volumes under date of May 14, 1968 entitled "Appendix A, Basic Data."

On May 21, 1968, an outline of a proposal for settlement of the case was prepared and a committee of attorneys and engineers for the parties commenced preparation of the settlement documents. On June 16, 1968, the Court held a hearing on the motions it had received requesting a preliminary injunction and an Order of Reference. The parties requested that the Court delay the preliminary hearings on these motions in view of the efforts toward settlement that were underway. The plaintiff, however, was concerned regarding the necessity of bringing the case to trial within the statutory limitation and, accordingly, on July 15, 1968, submitted a motion to set the complaint in the case for trial. On October 15, 1968, the trial was commenced and was adjourned after one-half day of testimony on behalf of the plaintiff. Thereafter, the parties filed with the Court the necessary Settlement Documents including a Stipulation for Judgment. The Court entered the Judgment on April 17, 1969, along with Stipulations and Orders dismissing all defendants and cross-defendants except for the four major public water districts overlying, in aggregate, substantially all of the major areas of water use in the watershed. The districts, the locations of which are shown on Plate 1, "Santa Ana River Watershed", are as follows:

- (1) Orange County Water District (OCWD), representing all lower basin entities located within Orange County downstream of Prado Dam.

- (2) Western Municipal Water District (WMWD), representing middle basin entities located within Riverside County on both sides of the Santa Ana River primarily upstream from Prado Dam.
- (3) Inland Empire Utilities Agency (IEUA), formerly Chino Basin Municipal Water District (CBMWD), located in the San Bernardino County Chino Basin area, representing middle basin entities within its boundaries and located primarily upstream from Prado Dam.
- (4) San Bernardino Valley Municipal Water District (SBVMWD), representing all entities within its boundaries, and embraced within the upper portion of the Riverside Basin area, the Colton Basin area (being an upstream portion of the middle basin) and the San Bernardino Basin area, being essentially the upper basin.

Summary of Judgment

Declaration of Rights. The Judgment sets forth a declaration of rights. Briefly stated, the Judgment provides that the water users in the Lower Area have rights, as against the water users in the Upper Area, to receive certain average and minimum annual amounts of non-storm flow ("base flow") at Prado Dam, together with the right to all storm flow reaching Prado Dam. The amount of the Lower Area entitlement is variable based on the quality of the water received by the Lower Area. Water users in the Upper Area have the right as against the water users in the Lower Area to divert, pump, extract, conserve, store and use all surface and groundwater supplies originating within the Upper Area, so long as the Lower Area receives the water to which it is entitled under the Judgment and there is compliance with all of its provisions.

Physical Solution. The Judgment also sets forth a comprehensive "physical solution" for satisfying the rights of the Lower Area. To understand the physical solution it is necessary to understand the following terms that are used in the Judgment:

Storm Flow – That portion of the total flow which originates from precipitation and runoff and which passes a point of measurement (either Riverside Narrows or Prado Dam) without having first percolated to groundwater storage in the zone of saturation, calculated in accordance with procedures referred to in the Judgment.

Base Flow - That portion of the total surface flow passing a point of measurement (either Riverside Narrows or Prado Dam) which remains after deduction of storm flow, nontributary flows, exchange water purchased by OCWD, and certain other flows as determined by the Watermaster.

Adjusted Base Flow - Actual base flow in each year adjusted for water quality pursuant to formulas specified in the Judgment. The adjustment of Base Flow for water quality is intended to provide an incentive to the Upper Area to maintain a

better quality of water in the river. When the total dissolved solids (TDS) is lower than a specified value at one of the measuring points, the water quantity obligation is lower. When the TDS is higher than a specified value, the water quantity obligation is higher. This is the first comprehensive adjudication in Southern California in which the quality of water is taken into consideration in the quantification of water rights.

Credits and Debits - Under the accounting procedures provided for in the Judgment, credits accrue to SBVMWD in any year when the Adjusted Base Flow exceeds 15,250 acre-feet at Riverside Narrows and jointly to IEUA and WMWD when the Adjusted Base Flow exceeds 42,000 acre-feet at Prado Dam. Debits accrue in any year when the Adjusted Base Flows falls below those levels. Credits or debits accumulate year to year.

Obligation at Riverside Narrows. SBVMWD has an obligation to assure an average annual Adjusted Base Flow of 15,250 acre-feet at Riverside Narrows, subject to the following:

- (1) A minimum Base Flow of 13,420 acre-feet plus one-third of any cumulative debit.
- (2) After October 1, 1986, if no cumulative debit exists, the minimum Base Flow shall be 12,420 acre-feet.
- (3) Prior to 1986, if the cumulative credits exceed 10,000 acre-feet, the minimum Base Flow shall be 12,420 acre-feet.
- (4) All cumulative debits shall be removed by the discharge of a sufficient Base Flow at Riverside Narrows at least once in any ten consecutive years following October 1, 1976. Any cumulative credits shall remain on the books of account until used to offset any subsequent debits or until otherwise disposed of by SBVMWD.
- (5) The Base Flow at Riverside Narrows shall be adjusted using weighted average annual TDS in such Base Flow in accordance with the formula set forth in the Judgment.

Obligation at Prado Dam. IEUA and WMWD have a joint obligation to assure an average annual Adjusted Base Flow of 42,000 acre-feet at Prado Dam, subject to the following:

- (1) Minimum Base Flow at Prado shall not be less than 37,000 acre-feet plus one-third of any cumulative debit.
- (2) After October 1, 1986, if no cumulative debit exists, the minimum Base Flow quantity shall be 34,000 acre-feet.

- (3) Prior to 1986, if the cumulative credit exceeds 30,000 acre-feet, the minimum Base Flow shall be 34,000 acre-feet.
- (4) Sufficient quantities of Base Flow shall be provided at Prado to discharge completely any cumulative debits at least once in any ten consecutive years following October 1, 1976. Any cumulative credits shall remain on the books of account until used to offset any debits, or until otherwise disposed of by IEUA and WMWD.
- (5) The Base Flow at Prado during any year shall be adjusted using the weighted average annual TDS in the total flow at Prado (Base Flow plus Storm Flow) in accordance with the formula set forth in the Judgment.

Other Provisions. SBVMWD, IEUA and WMWD are enjoined from exporting water from the Lower Area to the Upper Area, directly or indirectly. OCWD is enjoined from exporting or "directly or indirectly causing water to flow" from the Upper Area to the Lower Area. Any inter-basin acquisition of water rights will have no effect on Lower Area entitlements. OCWD is prohibited from enforcing two prior judgments so long as the Upper Area Districts are in compliance with the physical solution. The composition of the Watermaster and the nomination and appointment process for members are described along with a definition of the Watermaster's duties and a formula for sharing its costs. The court retains continuing jurisdiction over the case. There are provisions for appointment of successor parties and rules for dealing with future actions that might conflict with the physical solution.

History of the Watermaster Committee Membership

The Santa Ana River Watermaster is a committee composed of five members nominated by the parties and appointed by the court. SBVMWD, IEUA (formerly CBMWD), and WMWD nominate one member each and OCWD nominates two. The Watermaster members annually elect a Chairman, Secretary, and Treasurer.

The original five members were appointed at the time of entry of the judgment. They prepared a *pro forma* annual report for the 1969-70 Water Year. The first annual report required by the judgment was prepared for the 1970-71 Water Year and reports have been prepared annually since then.

The membership of the Watermaster has changed over the years. The historical listing of members and officers shown in Table 8 reflects the signatories to each annual report.

TABLE 8

HISTORY OF THE WATERMASTER COMMITTEE MEMBERSHIP

| Water Year | SBVMWD | IEUA | WMWD | OCWD | OCWD |
|-------------------------|--|---------------------------------|---------------------------------|------------------------------|-------------------------------------|
| 1969-70 | Clinton O. Henning | William J. Carroll | Albert A. Webb, Secretary | Max Bookman, Chairman | John M. Toups |
| 1970-71 through 1973-74 | James C. Hanson | William J. Carroll | Albert A. Webb, Secretary | Max Bookman, Chairman | John M. Toups |
| 1974-75 through 1977-78 | James C. Hanson | William J. Carroll | Donald L. Harriger | Max Bookman, Chairman | John M. Toups, Secretary |
| 1978-79 through 1981-82 | James C. Hanson | William J. Carroll | Donald L. Harriger | Max Bookman, Chairman | William R. Mills, Jr., Secretary |
| 1982-83 through 1983-84 | James C. Hanson | William J. Carroll | Donald L. Harriger | Harvey O. Banks, Chairman | William R. Mills, Jr., Secretary |
| 1984-85 through 1988-89 | Robert L. Reiter | William J. Carroll | Donald L. Harriger | Harvey O. Banks, Chairman | William R. Mills, Jr., Secretary |
| 1989-90 through 1994-95 | Robert L. Reiter, Secretary/Treasurer | William J. Carroll | Donald L. Harriger | Harvey O. Banks, Chairman | William R. Mills, Jr. |
| 1995-96 | Robert L. Reiter, Secretary/Treasurer | William J. Carroll, Chairman | Donald L. Harriger | Bill B. Dendy | William R. Mills, Jr. |
| 1996-97 | Robert L. Reiter, Secretary/Treasurer | William J. Carroll | Donald L. Harriger | Bill B. Dendy | William R. Mills, Jr., Chairman |
| 1997-98 | Robert L. Reiter, Secretary/Treasurer | Robb D. Quincey | Donald L. Harriger | Bill B. Dendy | William R. Mills, Jr., Chairman |
| 1998-99 through 2000-01 | Robert L. Reiter, Secretary/Treasurer | Richard W. Atwater | Donald L. Harriger | Bill B. Dendy | William R. Mills, Jr., Chairman |
| 2001-02 through 2002-03 | Robert L. Reiter, Secretary/Treasurer | Richard W. Atwater | Donald L. Harriger, Chairman | Bill B. Dendy | Virginia L. Grebbien |
| 2003-04 through 2004-05 | Robert L. Reiter, Chairman/Treasurer | Richard W. Atwater | John V. Rossi | Bill B. Dendy, Secretary | Virginia L. Grebbien |

EXHIBIT B

EXHIBIT B

The *Western* Judgment, entered simultaneously with the *Orange County* Judgment, settled rights within the upper SAR watershed in part to ensure that those resources upstream of Riverside Narrows would be sufficient to meet the flow obligations of the *Orange County* Judgment at Riverside Narrows (*Western Municipal Water District of Riverside County v. East San Bernardino County Water District*, Superior Court of Riverside County, Case No. 78426 [April 17, 1969]). Toward this end, the *Western* Judgment generally provides for:

- A determination of safe yield of the San Bernardino Basin Area (SBBA);
- Establishment of specific amounts that can be extracted from the SBBA by plaintiff parties equal in aggregate to 27.95 percent of safe yield;
- An obligation of Muni to provide replenishment for any extractions from the SBBA by non-plaintiffs in aggregate in excess of 72.05 percent of safe yield;
- An obligation of Western to replenish the Colton and Riverside basins if extractions for use in Riverside County in aggregate exceed certain specific amounts; and
- An obligation of Muni to replenish the Colton and Riverside basins if water levels are lower than certain specific water level elevations in specified wells.

Like the *Orange County* Judgment, the *Western* Judgment identifies regional representative agencies to be responsible, on behalf of the numerous parties bound thereby, for implementing the replenishment obligations and other requirements of the judgment. The representative entities for the *Western* Judgment are Muni and Western. Muni and Western are principally responsible for providing replenishment of the groundwater basins if extractions exceed amounts specified in the Judgment or as determined by the Watermaster. For purposes of this replenishment obligation, Muni acts on behalf of all defendants dismissed from the *Western* Judgment, and similarly, Western acts on behalf of the Plaintiffs and other dismissed parties within Western. Plaintiff parties with specific rights to produce 27.95 percent of the safe yield from the SBBA are the City of Riverside, Riverside Highland Water Company, Meeks & Daley Water Company, and the Regents of the University of California. The *Western* Judgment is administered by the two-person Western-San Bernardino Watermaster Committee: one person nominated each by Muni and Western, and both appointed by the court.

Like the *Orange County* Judgment, the *Western* Judgment contemplates that the parties to the Judgment will undertake "new conservation" which is defined as any increase in replenishment from natural precipitation which results from operation of works and facilities not in existence as of 1969. The *Western* Judgment specifies that the parties to the Judgment have the right to participate in any new conservation projects and, provided their appropriate shares of costs are paid, rights under the Judgment are increased by the respective shares in new conservation, in proportion to each party's share of the safe yield under the *Western* Judgment.

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PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Downey Brand LLP, 555 Capitol Mall, Tenth Floor, Sacramento, California, 95814-4686. On April 5, 2007, I served the within document(s):

STIPULATION OF APPLICANTS

- BY ELECTRONIC MAIL:** by transmitting via electronic mail the document(s) listed above to the electronic notification address(es) set forth in the attached service list on this date. Parties whose e-mail addresses are listed on the attached agreed to accept electronic service, pursuant to the rules specified in the hearing notice issued by the Board.
- BY HAND:** by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- BY MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Sacramento, California addressed as set forth below.
- BY OVERNIGHT MAIL:** by causing document(s) to be picked up by an overnight delivery service company for delivery to the addressee(s) on the next business day.
- BY PERSONAL DELIVERY:** by causing personal delivery by _____ of the document(s) listed above to the person(s) at the address(es) set forth below.

SEE ATTACHED SERVICE LIST

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

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

Executed on April 5, 2007, at Sacramento, California.



 Terri D. Kuntz

SERVICE LIST

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