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FILED-West District
San Bernardino County Clerk

AUG 27 2007

By — *Lionel T. Lee* —
Deputy

SUPERIOR COURT FOR 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 ON EX PARTE APPLICATION
FOR CONTINUANCE OF HEARING
ON MOTION FOR APPROVAL OF
LONG TERM PLAN
FOR SUBSIDENCE IN MZ 1

Date: Aug. 27, 2007

Dept: 8

Time: 8:30 a.m.

Good cause appearing,

IT IS HEREBY ORDERED that:

1. The hearing on the Motion for Approval of Watermaster's Long Term Plan for the Management of Subsidence is continued to November 15, 2007. (See Order Concerning OBMP Status Report 2006-02, Future Desalting Plans, and MZ-1 Long-Term Plan, p. 4, Ins. 13-15 [Watermaster encouraged to request a court date for conditional approval of Peace II before November 3, 2007.]) Any request to

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present oral testimony at the hearing is to be made by October 25, 2007.

2. Watermaster is to schedule a Special Referee Workshop on October 3, 2007, for Special Referee Anne Schneider and Technical Expert Joe Scalmanini to receive evidence on the issue of whether or not Watermaster's proposed long-term plan for the management of subsidence is a reasonable long-term approach to the issue of subsidence in MZ1.


3. The Motion for Approval of Watermaster's Long Term Plan for the Management of Subsidence will not be treated as a complaint for declaratory relief. Chino Hills' remedy is to file opposition to Watermaster's requested findings. All briefs in support or opposition to Watermaster's requested findings, particularly findings nos. 4 & 5, are to be filed by October 19, 2007. Reply briefs are to be filed by November 2, 2007.

4. Special Referee Anne Schneider is to file a report on the October 3, 2007 evidentiary workshop by October 12, 2007. Comments or objections to the report are to be filed by October 25, 2007.

5. Breach of confidentiality issues will not be considered at this time, given Chino Hills' statement that it intends to file a separate action by August 31, 2007.

///

Dated: August 27, 2007



J. Michael Gunn, Judge

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 August 27, 2007, I served the following:

- 1) **ORDER ON EX PARTE APPLICATION FOR CONTINUANCE OF HEARING ON MOTION FOR APPROVAL OF LONG TERM PLAN FOR SUBSIDENCE IN MZ1**

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 August 27, 2007 in Rancho Cucamonga, California.



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