

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

v.

CITY OF CHINO, ET AL.,

Defendant.

Case No. RCV 51010

~~PROPOSED~~ ORDER ADOPTING
RESTATED JUDGMENT, APPROVING
INTERVENTION OF TAD NAKASE (TDN
LAND COMPANY) INTO THE CHINO BASIN
JUDGMENT

At the Court's October 28, 2011 hearing, the Court considered Watermaster's submission of a restated version of the 1978 Judgment, incorporating all previously ordered amendments, as a document for the Court's reference. The Court requested that, at some time in the future, Watermaster move the Court to adopt the Restated Judgment as the official and legally operative version of the Judgment.

Prior to the hearing and consistently thereafter, concern has been expressed by counsel to some of the Parties to the Judgment that the Court's entry of the Restated Judgment as proposed may be prejudicial and even defective. This concern is predicated upon the notion that despite the good faith intention of Watermaster and its staff and counsel, an Order or Ruling pertinent to the Judgment, or that an approved amendment has not been discovered. Consequently, Watermaster counsel has prepared the attached version of the Judgment, ^(Exhibit A) which represents Watermaster's good

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

faith effort to incorporate all previously ordered amendments to the Judgment.


Accordingly, IT IS HEREBY ORDERED THAT:
(Exhibit A)


The attached Restated Judgment shall serve as the official and legally operative copy of the Judgment in the case *Chino Basin Municipal Water District v. City of Chino*, San Bernardino Superior Court Case No. RCV 51010. This Order is expressly subject to the ~~extent~~ *condition* that any Orders or Ruling pertinent to the Judgment, or any amendments to the Judgment omitted from the Restated Judgment, retain their effect independent of the Restated Judgment.

Good cause appearing therefore, IT IS HEREBY FURTHER ORDERED that

The intervention of Tad Nakase (TDN Land Company) into the Overlying (Agricultural) Pool is approved.

Dated: September 27, 2012


HON. STANFORD E. REICHERT
JUDGE OF THE SUPERIOR COURT



038350\0001\621190.7