

RESOLUTION 94-3

RESOLUTION OF THE CHINO BASIN WATERMASTER ACCEPTING  
ABANDONMENT OF WATER BY KAISER RESOURCES, INC.

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WHEREAS on January 24, 1978, the Chino Basin Watermaster ("Watermaster") was appointed by the Superior Court of the State of California in and for the County of San Bernardino ("Court") to administer and enforce the provisions of the Judgment in Case Number WCV 51010 (formerly Case Number SCV 164327.),

NOW, THEREFORE, Watermaster does hereby RESOLVE, DETERMINE AND ADOPT as follows:

Section 1.           Declaration. That Watermaster does hereby declare:

A.           The Judgment provides that water and water rights may be abandoned by written election by the owner of the right filed with Watermaster.

B.           Water and water rights may be abandoned by members of the Overlying (Non-Agricultural) Pool. The Judgment does not specify how such abandoned water or water rights must be used.

C.           Kaiser Resources, Inc. ("Kaiser") is a member of the Overlying (Non-Agricultural) Pool. Pursuant to the terms of the Judgment Kaiser has annual production rights and has accumulated water in storage. Kaiser wishes to abandon part of such water as part of its contribution to the SAWPA Chino Basin Desalter Project ("Project") in accordance with Resolution No. 93-72 of the California Regional Water Quality Control Board. Kaiser has executed a written abandonment in the form attached hereto as Exhibit A. Pursuant to the written abandonment, Kaiser has agreed to abandon 1,000 acre-feet per year for 25 years.

D.           Pursuant to approval of the Court, Watermaster wishes to apply the abandoned water as replenishment for water removed in connection with the Project.

Section 2.           Findings and Determination. That, based upon the above declaration, Watermaster does hereby find and determine:

A.           That the abandonment by Kaiser is in accordance with the terms and conditions of the Judgment.

B. That application of the water abandoned by Kaiser as replenishment for water removed in connection with the Project will promote the principles and objectives of the Physical Solution contained in the Judgment.

C. That application of the water abandoned by Kaiser as replenishment for water removed in connection with the Project is consistent with and in furtherance of the findings and objectives stated in Resolution No. 93-10-1 of the Chino Basin Watermaster.

D. That Watermaster accepts the abandonment by Kaiser.


E. That Watermaster will, pursuant to approval of the Court, apply such abandoned water as replenishment for water removed in connection with the Project.

Section 3. Filing. That the Secretary is hereby authorized and directed to file certified copies of Resolution 94-3, to the appropriate agencies.

ADOPTED this 2nd day of November, 1994.

  
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Bill Hill, Chairman

ATTEST:

  
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John L. Anderson, Secretary

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Chino Basin Watermaster

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

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SS

I, John L. Anderson, Secretary of the Chino Basin Watermaster, DO HEREBY CERTIFY, that the foregoing Resolution being No. 94-3, was adopted at a regular meeting of the Watermaster by the following vote:

AYES: Bill Hill, George Borba, John Anderson, Anne Dunihue,  
Wyatt Troxel

NOES: None

ABSENT: None

  
Secretary