



2005

URBAN WATER MANAGEMENT PLAN



December 31, 2005



Cucamonga Valley
Water District

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Urban Water Management Plan

Law

10620 (a) Every urban water supplier shall prepare and adopt an urban water management plan in the manner set forth in Article 3 (Section 10640)

Cucamonga Valley Water District provides more than 3,000 acre feet of water annually for municipal purposes and is therefore required to prepare an updated Urban Water Management Plan every 5 years. A map of CVWD's service area is shown in APPENDIX A.

Date plan submitted to the Department of Water Resources: 12/13/05

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The Water supplier is a: **Water District**

The Water supplier is a: **Retailer**

Utility services provided by the water supplier include: **Water/Wastewater**

Is This Agency a Bureau of Reclamation Contractor? **No**

Is This Agency a State Water Project Contractor? **No**

Agency Coordination

Law

10620 (d) (2) Each urban water supplier shall coordinate the preparation of its plan with other appropriate agencies in the area, including other water suppliers that share a common source, water management agencies, and relevant public agencies, to the extent practicable.

The Agencies listed below were sent a letter of invitation to participate in the preparation of the District’s 2005 Urban Water Management Plan. City of Rancho Cucamonga and City of Upland staff indicated they would be willing to provide any information that would be relevant to the Plan. The District also relied on information from the Inland Empire Utilities Agency (IEUA) and the Metropolitan Water District of Southern California District (MWD). District staff attended a workshop sponsored by the State of California, Department of Water Resources and the California Urban Water Conservation Council to help in the preparation of the Plan. Metropolitan Water District also held a workshop on their Plan. Table 1 summarizes the efforts CVWD has taken to include various agencies in the preparation of this document.

Table 1							
Coordination with Appropriate Agencies							
Check at least one box on each row	Participated in UWMP development	Commented on the draft	Attended public meetings	Contacted for assistance	Sent copy of draft	Sent a notice of intention to adopt	Not Involved / No Information
Building Ind. Assn.					✓	✓	
IEUA	✓			✓	✓	✓	
Chino Basin Watermaster					✓	✓	
City of Rancho Cucamonga	✓			✓	✓	✓	
City of Fontana					✓	✓	
City of Montclair					✓	✓	
City of Chino					✓	✓	
City of Chino Hills					✓	✓	
City of Upland					✓	✓	
City of Ontario					✓	✓	
Monte Vista Wtr. District					✓	✓	
County of San Bernardino	✓			✓	✓	✓	

Water Management Tools and Options

Law

10620 (f) An urban water supplier shall describe in the plan water management tools and options that is used that will maximize resources and minimize the need to import water from other regions.

The Cucamonga Valley Water District completed a Water Supply Planning Strategy report which was adopted by the Board of Directors in November 2004 (APPENDIX B). This Plan detailed each of the challenges that have been and will be of significant concern to the District. The Plan details strategies for addressing increasing population and demand, identifying needed infrastructure for meeting this demand and implementing security measures to protect facilities and resources. Included in the plan is a strategy for meeting CVWD's future demands through various resources such as imported water, groundwater, local supplies, recycled water and conservation. An important component of the Plan is to ensure these supply obligations be met in a financially responsible manner.

Construction of new wells and reservoirs, conservation and drought planning programs and the use of recycled water will help to decrease dependence on imported water and are part of the overall strategy the District has developed for meeting future water supply challenges.

To keep CVWD's Board of Directors informed, a Bi-Annual Water Supply Report is prepared. Included in this report are production figures for the past six months, historical well levels as they relate to nitrate and DBCP contamination, historical and current well levels, annual rainfall to date, and regional updates.

Historic Information

Law

10630 Certain specific provisions of the Act require inclusion of historic information “if available.”

The Cucamonga County Water District was organized in March 1955 under the provisions of Division 12 of the State Water Code. The impetus for the District’s formation was to provide adequate water supplies for the growing Cucamonga Valley. Prior to the District’s formation, water was served through the efforts of some 24 privately owned mutual water companies and a few individually owned wells. The growth of the area and the continuing dry precipitation cycles convinced the stockholders of the Cucamonga Water Company and the Cucamonga Basin Protective Association to push for the creation of a public agency to manage these issues. In 1956 the basic system construction was completed and in 1957, the District’s first Water System Development Plan was adopted. A subsequent \$3.7 million bond issue was approved by the voters to fund a series of acquisitions, by the District, of approximately 24 local mutual water companies to consolidate the region’s water supply efforts.

At the time drought conditions were plaguing the various water companies, a complaint was filed in the Superior Court by San Antonio Water Company to determine the water rights of all Cucamonga Basin users. This act had the effect of solidifying the various local interests into a common defense, and resulted in the annexations into the Chino Basin Municipal Water District (now known as Inland Empire Utilities Agency) and Metropolitan Water District and the creation of the Cucamonga County Water District.

Following the District's organization, engineering studies were authorized to determine the most feasible method of supplementing local water supplies. As a result, the construction of the basic infrastructure system was completed and became operational in September of 1956.

After the initial construction program, the District adopted a Water System Development Plan in 1957 and the voters of the District approved the subsequent bond issue in the amount of \$3.7 million dollars the same year. Implementation of the plan was commenced almost immediately, and a series of private water company acquisitions which included approximately fourteen companies, was concluded over the following few years.

In 1963 the District instituted a successful \$1.5 million bond issue for the purpose of providing a community sewer system. This service has expanded rapidly and is now available to about three-fourths of the District's inhabitants.

Historic Information (continued)

During the early years of the District it has seen a growth of both service area and number of services. In the 1970's and 1980's the service area extended eastward to include the Etiwanda area through the acquisition of the Rochester Water Company and into a portion of Fontana through the acquisition of the Southwest Suburban Water Company service area and finally the Etiwanda Water Company.

To service the expanded area and growing population additional sources of water had to be developed and to that end the gravity sources in Deer Canyon and Cucamonga Canyon were utilized through the improvement of collection and piping systems.

In the late 1970's a connection was made to the MWD's Foothill Feeder line. The Royer-Nesbit Water Treatment Plant was built to accept and treat State Project water and surface water collected from Day and East Etiwanda Canyons.

It was during the 1980's that the District constructed new deep wells in both the Cucamonga Basin and the Chino Basin in order to meet the growing demand for water. By 1987 it was determined that another water treatment plant was needed in order to meet growing water demands. As a result, the Lloyd W. Michael Water Treatment Plant became operational in June 1989 and had the capacity to treat 35 million gallons of water per day.

In 1993 the State of California Department of Health Services (DOHS) instructed the District that they could no longer use its Cucamonga Canyon water source without installing an approved treatment process prior to the water entering the District's distribution system. This was a requirement of the Surface Water Filtration and Treatment Disinfection Regulations. The District determined that the canyon waters were a reliable, good quality source of water, and as such warranted the effort to construct a treatment facility that would enable the District to comply with water quality regulations.

On October 1, 1997, the District dedicated its third treatment facility, the Arthur H. Bridge Water Treatment Plant. The facility has the capacity to treat up to 4.0 million gallons per day (mgd), and is expandable to 5.0 mgd. The treatment plant utilizes a micro filtration using an ultra low-pressure membrane process for removing impurities in the water.

In order to keep up with the rapid growth in the area, in 2002, the Lloyd Michael Water Treatment Plant capacity was increased to treat 60 million gallons/day. Since that time, the District has focused on construction of new wells increasing its capability to produce more groundwater and thereby reducing its dependence on imported water supplies as outlined in its Water Supply Planning Strategy.

In 2004, Cucamonga County Water District's name was changed to Cucamonga Valley Water District. One of the reasons for the change was that many of the District's inland empire partners are located in the Cucamonga Valley, a term that dates back to the region's wine-making roots. CVWD's area of influence covers the former viticultural boundaries of the Cucamonga Valley, which is an established geographical area.

Service Area Information with 20 Year Projections

Law

10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:

10631. (a) Describe the service area of the supplier, including current and projected population, climate, and other demographic factors affecting the supplier's water management planning. The projected population estimates shall be based upon data from the state, regional, or local service agency population projections within the service area of the urban water supplier and shall be in five-year increments to 20 years or as far as data is available.

Population Projections

The present service boundaries of the District include the City of Rancho Cucamonga and extend east into the City of Fontana, south into the City of Ontario, west into the City of Upland and north into the unincorporated areas of San Bernardino County. CVWD's service area presently covers 47 square miles. The District provides water service to approximately 170,000 people through 47,000 service connections. The source for population growth is based on information obtained from the California State Department of Finance data, which is shown in Table 2.

Table 2 Population - Current and Projected						
	2005	2010	2015	2020	2025	2030/opt
Service Area Population	169,855	203,870	220,180	233,400	242,700	248,000

Source: CVWD Water Supply Planning Strategy Report 11/04 based on 2004 California State Department of Finance data.

Climate

CVWD's service area is located within a desert climate zone of Southern California similar to a Mediterranean climate. This special type of climate is characterized by hot dry summers and rain during the winter months.

Service Area Information with 20 Year Projections (continued)

Climate (continued)

Table 3 Climate						
	January	February	March	April	May	June
Standard Avg ETo	2.00	2.28	3.43	4.62	4.99	6.04
Average Rainfall	3.65	2.85	2.80	1.13	0.26	0.04
Avg Temperature	55.5	57.2	58.2	61.5	66.2	71.7

Table 3 (continued) Climate							
	July	August	September	October	November	December	Annual
Average ETo	6.98	6.97	5.27	3.96	2.65	2.06	51.25
Average Rainfall	0.01	0.11	0.34	0.34	1.72	2.07	15.32
Avg Temperature	78.6	78.7	76.3	69.2	61.0	56.3	65.9

Source: Period of Record Monthly Climate Summary, Fontana, CA
CIMIS Station #82, Claremont, CA

Beginning in the late 1940's and continuing for about twenty years into the late 1960's most of Southern California experienced an extensive dry cycle. During this period rainfall was reduced to about one-half of the previous averages. Prior to this dry period most of the water supply within the Cucamonga area originated from collection systems constructed in the mountain canyons and from wells in the Cucamonga Basin. A small amount of water was produced from wells in the Chino Basin to the south.

The continuing dry cycle was an extremely difficult period for most of the water companies. Pumps were lowered at regular intervals, some wells were abandoned and new deeper wells drilled. Many companies reduced the amount of water delivered to stockholders. Additional production from the Chino Basin was commenced as a result of the lowered water table in the Cucamonga Basin.

If a weather pattern lasts a short time (say, a few weeks or a couple months), a drought is considered *short-term*. But if the weather or atmospheric circulation pattern becomes entrenched and the precipitation deficits last for several months to several years, the drought is considered to be a *long-term* drought. It is possible for a region to experience a long-term circulation pattern that produces drought, and to have short-term changes in this long-term pattern that result in short-term wet spells. Likewise, it is possible for a long-term wet circulation pattern to be interrupted by short-term weather spells that result in short-term drought.

Service Area Information with 20 Year Projections (continued)

Climate (continued)

The recent periods of 1977 through 1979, 1989 through 1994 as well as the last four years have been considered drought cycles. The five-year average rainfall was 17.25 inches. Last year's rainfall total was 10.32 inches (source: San Bernardino County Flood Control District). However, the 2005 rainy season total was the second highest rainfall total on record. Monthly average temperatures range from a low of 44 degrees in December and January to a high of 107 degrees during the summer months.

Other Demographic Factors

Rancho Cucamonga is a comparatively large city and encompasses a total planning area of approximately 50 square miles. The City's General Plan highlights the fact that the attraction of its homes to the Southern California's housing market is one of the community's most notable characteristics. This is accounted for by the fact that there is a concentration on a number of master planned neighborhoods that offer exceptional quality and value. 41% of the community is residential.

59% of the community is devoted to non-residential use such as commercial, mixed use and industrial, transportation and open space. The mixed-use category consists mostly of some form of commercial use combined with residential. Industrial Parks category allows for general and medical offices and limited retail and service commercial use. Transportation consumes a significant part of the land resources. Included in the non-residential designation are arterial highways and freeways.

Over a quarter of the community land area is devoted to open space, half of which is a result of extensive flood control and utility corridor lands throughout the City. The open space category allows for a small amount of residential use. An additional significant change is the increase in open space and conservation acreage, primarily as a result of significant recent dedication of "mitigation lands" in the hillside area of the community. These parcels are purchased by developers as mitigation for environmental impacts of development.

The City of Rancho Cucamonga Redevelopment Agency promotes affordable housing production. Several recognized special needs groups reside in the City; these include the handicapped, elderly, large families, families with female heads of households and families and persons in need of emergency shelter.

The median income as quoted by the City of Rancho Cucamonga's website is \$67,752 with an average income of \$80,897. The median age is 32.2 years and the median size household is 3.09 persons. 23.3% of wage earners are college graduates. The average home price is \$342,710. In 2004, Rancho Cucamonga was among the top ten fastest growing cities in the U. S. (source: Daily Bulletin May 3, 2005).

Water Sources

Law

10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:

10631 (b) Identify and quantify, to the extent practicable, the existing and planned sources of water available to the supplier over the same five-year increments described in subdivision (a). If groundwater is identified as an existing or planned source of water available to the supplier, all of the following information shall be included in the plan: (see Section 10631(b)(1), (2), (3) and (4).

Current and Planned Water Supplies

The CVWD fortunately has a variety of water sources, including groundwater from two separate groundwater basins, local surface and sub-surface flows, and imported water from Northern California. Table 4 provides a breakdown of these sources over a twenty-year period of time. The information that follows the table describes each of these sources.

Table 4						
Current and Planned Water Supplies – AFY						
Water Supply Sources	2005	2010	2015	2020	2025	2030/opt
Purchased from wholesaler (Imported Water from MWD)	35,000	29,000	29,000	29,000	29,000	29,000
District produced groundwater - Chino Basin	13,000	28,000	34,000	37,000	37,000	37,000
Dry Year Yield Program (see pg. 11)	411	2,430	2,430	2,430	2,430	2,430
District produced groundwater – Cucamonga Basin	5,400	5,400	5,400	5,400	5,400	5,400
District produced surface water	3,000	3,000	3,000	3,000	3,000	3,000
Conservation	1,146	6,390	7,050	7,700	7,700	7,700
Recycled Water	1,270	10,250	15,900	19,220	21,600	21,600
Total	59,227	84,470	96,780	103,750	106,130	106,130

Source: CVWD Water Supply Planning Strategy Report 11/04
 Recycled water projections from Inland Empire Utilities Agency’s Urban Water Management Plan

Water Sources - Groundwater

Groundwater is pumped by the District from two groundwater basins: the Cucamonga Basin and the Chino Basin. Over the years, the Cucamonga Basin has served as the predominant source of groundwater for the District with the production being two-thirds, or more of the total groundwater pumped by the District, however, in more recent years the District’s production from the Chino Basin has continued to increase and now exceeds Cucamonga Basin production.

Current and Planned Water Supplies (continued)

Groundwater (continued)

Table 5 Groundwater Pumping Rights – AFY	
Basin Name	Pumping Right – AFY
Cucamonga Basin	15,471.00
Chino Basin	10,016.10
Total	25,487.19

Table 6 Amount of Groundwater Pumped – AFY					
Basin Name	2000	2001	2002	2003	2004
Cucamonga Basin	10,642	6,659	6,719	5,051	6,714
Chino Basin	6,195	6,863	10,586	10,020	12,582
% of Total Water Supply	33%	28%	33%	29%	37%

Table 7 Amount of Groundwater Projected to be Pumped – AFY					
Basin Name(s)	2010	2015	2020	2025	2030 – opt
Cucamonga Basin	5,400	5,400	5,400	5,400	5,400
Chino Basin	28,000	34,000	37,000	41,500	45,000
% of Total Water Supply	52%	56%	55%	56%	56%

Source: CVWD Water Supply Planning Strategy Report 11/04

Cucamonga Basin. The northwestern portion of the District’s service area overlies most of the Cucamonga Basin. Groundwater pumping from the Cucamonga Basin is limited by a 1958 Superior Court stipulated judgment. The District’s stipulated groundwater right amounts to 15,471 acre feet per year (acre feet/year). The total stipulated groundwater yield for the Cucamonga Basin is 22,721. The Cucamonga Basin Water Management Plan is currently being updated and a copy of the 1958 Judgment is attached as APPENDIX C.

The Cucamonga Basin has been the focus of numerous studies. According to the results of a study completed in 1985, the sustainable yield of the geologically defined basin was estimated to be 22,200 acre feet/year under fully developed conditions. The study further concluded that the sustainable yield of the legally defined Cucamonga Basin was approximately 19,100 acre feet/year. Both of those estimates of the Basin’s sustainable yield are less than the annual groundwater sustainable yield defined in the 1958 Judgment. If those estimates are correct, the end result would be to lower the District’s aggregate annual

Current and Planned Water Supplies (continued)

Cucamonga Basin (continued)

groundwater right in the Cucamonga Basin commensurate with the lower estimate of sustainable yield.

The District pumps groundwater from the Cucamonga Basin from seventeen wells that comprise two well fields: the Cucamonga Creek cluster with ten wells, and the Alta Loma cluster with seven wells. Six of the wells in the Cucamonga Basin are impacted by high concentrations of nitrate and dibromochloropropane (DBCP). The District has developed operational blending plans so that the other eleven wells can continue to be used for potable uses. The well blending plans have been approved by the California Department of Health Services.

In the Cucamonga Basin, over the past ten years from 1995 through 2004, the total annual groundwater produced by the District has ranged from a low of about 5,051 acre feet in calendar year 2003 to a maximum of 15,319 acre feet in 1996. The average annual groundwater production for the ten-year period was about 10,282 acre feet/year.

Chino Basin. The Chino Basin is situated immediately upstream of the Orange County Basin in the Santa Ana River watershed and the southern portions of the District's service area overlie the Chino Basin, which is separated from the Cucamonga Basin by the Red Hill Fault. The District's Chino Basin production had been from five wells until 2001 when another well was added. During 2004 and 2005, four new wells were drilled in the Chino Basin. Funding for these wells was provided through the District's participation in the Chino Basin Dry Year Yield Program. In return for these funds, the District has agreed to increase groundwater production and reduce imported water use during dry years. In addition to being consistent with Cucamonga Valley Water District's Water Supply Planning Strategy, this program lends regional support to addressing statewide water supply issues.

The groundwater rights in Chino Basin were adjudicated as part of the Chino Basin judgment of 1975 and a copy is attached as APPENDIX D. The judgment established water rights for the overlying agricultural and non-agricultural pools, limiting their groundwater production in the aggregate. Based on the judgment, the District's maximum annual groundwater pumping right is limited to an appropriative right of 3,619.454 acre feet/year. The District also receives an additional 6,396.736 acre feet per year as a result of the purchase of Fontana Union Water Company stock in 2000. With this acquisition, the District's minimum aggregate groundwater rights and access to groundwater in the Chino Basin is 10,016.184.

The Chino Basin is the largest groundwater basin in the Upper Santa Ana Watershed. It currently contains 5 million acre feet of water in storage, with the additional unused storage capacity based upon historic water levels in the basin of about 1 million acre feet. The average safe yield is 140,000 acre feet allocated among three pools as follows: (1) Overlying Agricultural Pool: 82,800 acre feet per year; (2) Overlying Non-Agricultural Pool: 7,366; and (3) Appropriative Pool: 49,834 acre feet per year. Production in excess of the safe yield of the groundwater basin must be replaced with replenishment water. Water to replenish the Chino Basin is purchased from the Metropolitan Water District by the Inland Empire Utilities

Current and Planned Water Supplies (continued)

Chino Basin (continued)

Agency in coordination with the Chino Basin Watermaster. Supplemental sources of replenishment water come from the recharge of recycled water and storm water. In addition, water is reallocated to the Appropriative Pool for urban use from the Overlying Agricultural Appropriative Pool when it is not put to use by agricultural users. As agriculture production declines in the Basin, the reallocation of water to the Appropriative Pool is expected to increase.

While the District's Chino Basin wells produce water that meets all State and Federal regulations, groundwater quality in the lower Chino Basin historically has exceeded State mandated objectives for nitrogen and total dissolved solids. The problem has been caused by percolation of runoff from past and present agricultural and dairy activities in the region as well as from other industrial and municipal operations. In June 2000, the Optimum Basin Management Plan (copy attached as APPENDIX E) was adopted by the Chino Basin Watermaster and approved by appropriative pool members to address water quality problems within the Basin and to increase the water supply available from this source.

In the Chino Basin, over the past ten years from 1995 through 2004, the total annual groundwater produced by the District has ranged from a low of about 5,101 acre feet in 1998 to a maximum of 12,582 acre feet in 2004. The average annual groundwater production for the ten-year period was about 8,046 acre feet/year.

Local Canyons

Over the years, the District has acquired surface and subsurface water rights in four local canyon watersheds, which are situated in the San Gabriel Mountains north and adjacent to the District's service area. From west to east, the local canyon water sources include the Cucamonga Canyon, Deer Canyon, Day Canyon and East Etiwanda Canyon. The total annual local canyon production for a ten-fiscal year period from 1995 through 2004 has ranged from a low of 1,892 acre feet in 2004 to a high of 9,580 acre feet in 1998. All water from the canyon sources flow to one of three District-owned water treatment facilities.

During the past ten years flows from canyon sources have been severely impacted by drought conditions. In addition, after the Grand Prix fire swept across the foothills of the San Gabriel mountains in October 2003, several torrential rainstorms occurred resulting in a huge inundation of debris that destroyed canyon intakes. All but the Cucamonga Canyon intake facilities have been restored. Application was filed with FEMA and funds were approved to make necessary repairs to these facilities and this work is currently in progress.

Current and Planned Water Supplies (continued)

Local Canyons (continued)

Cucamonga Canyon. Based on a 1958 Superior Court stipulated judgment, the District has a surface water right to 250 miner's inches of runoff in Cucamonga Creek. That surface water right equates to a daily flow rate of 3.24 million gallons per day. In the Cucamonga Canyon there were no diversions during the period from 1993-94 to 1996-97. The canyon subsurface flow diversion was terminated by the District in June 1993 in response to the California Department of Health Service's determination that the collected subsurface flows were under the direct influence of the surface flows, and would have to be treated in accordance with the California Surface Water Treatment and Disinfection regulations at which time, the District constructed its Arthur H. Bridge Treatment Plant, which has been previously described in this report. The average annual flow diversion from Cucamonga Canyon for the years when diversions occurred is about 1,130 acre feet/year. The canyon flow diversion, over the last ten years has ranged from about 10 to 34 percent of the District's total canyon flow diversions.

Deer Canyon. The District acquired water rights in Deer Canyon through the purchase of the Hermosa Water Company. The rights are appropriative, and include all surface and subsurface flows originating from the canyon. Surface flows from East Calamity Canyon and Fan Canyon are no longer utilized. Subsurface spring flows are collected from the District's Tunnel A, Thayer Tunnel and Hermosa Tunnel.

The annual flow diversions from Deer Canyon have ranged from a low of 209 acre feet in 2002 to a maximum of 2,355 acre feet in 1995. The average annual flow diversion for the ten-year period, have ranged from 8 to 26 percent of the District's total canyon flow diversions.

Day Canyon. The District acquired water rights in Day Canyon when it acquired the Rochester Water Company in 1972 and the Etiwanda Water Company in 1986. The rights are appropriative and include all surface and subsurface flows originating from the canyon. Both surface and subsurface runoff is collected in the following tunnels and intakes:

- Upper Intake
- Smith Tunnel
- Bee Tunnel

The annual flow diversions have ranged from a low of 924 acre feet in 2004 to a maximum of 5,150 acre feet in 1995. The average annual flow diversion for the ten-year period is about 2,845 acre feet/year. The canyon flow diversions have ranged from 3 to 12 percent of the District total water supply over the past ten years. Flow from these sources is treated at the District's Royer-Nesbit Water Treatment Plant.

Current and Planned Water Supplies (continued)

Local Canyons (continued)

East Etiwanda Canyon. The District acquired water rights in East Etiwanda Canyon when it acquired the Etiwanda Water Company. The rights are appropriative and include all surface and subsurface flows originating from the canyon. The annual flow diversions have ranged from a low of 308 acre feet in fiscal year 2004 to a maximum of 1,717 acre feet in fiscal year 1995. The average annual flow diversion for the ten-year period is about 948 acre feet/year. The canyon flow ranged from 1 to 4 percent of the District's total water supply over the past ten years. The flows from this source are also treated at the District's Royer Nesbit Water Treatment Plant.

Imported Water

Untreated imported water is delivered to the District's service area by MWD through the State Water Project via Lake Silverwood and conveyed through the Foothill Feeder pipeline. There are no contractual limits to the amount of imported water that can be utilized by the District. The District currently has two MWD service connections.

The District's imported water purchases from its two connections CB-7 and CB-16 over the last ten years have ranged from 12,412 acre feet in 1995 to 33,638 acre feet in 2004. The amount of imported water purchased from MWD has increased each year, over the last five-year period, with this source comprising 58 percent of the District's supply in 2000 to 64 percent in 2003 and 61 percent in 2004. The District treats imported water at both its Lloyd W. Michael and the Royer Nesbit Water Treatment Plants.

Recycled Water

Recycled water is a major component of the District's future water supply. Recycled water is a reliable cost efficient way to reduce the District's reliance on imported water supplied by Metropolitan Water District.

Wastewater generated within the District's service area is discharged to the Inland Empire Utilities Agency (IEUA) which provides regional wastewater treatment for its member agencies. IEUA recognized the importance of water recycling over 24 years ago when it developed an initial recycled water plan in 1981. Although the plan was not implemented, it established IEUA's commitment for a long-range recycled water master planning effort that culminated with the publication of the Recycled Water Master Plan Report.

IEUA owns and operates four wastewater treatment plants: Regional Plant No. 1 (RP-1), Regional Plant No. 4 (RP-4), Carbon Canyon Water Reclamation Plant and Regional Plant No. 5 (RP-5). A fifth treatment plant, RP-2, was decommissioned in 2004 because it was in a potential flood zone.

All of IEUA's wastewater treatment plants produce water that meets or exceeds the State of California Department of Health Services Title 22 requirement for the use of recycled water.

Current and Planned Water Supplies (continued)

Recycled Water (continued)

All wastewater passes through the following treatment process before being discharged or reused:

1. Preliminary Treatment (bar screens and grit removal)
2. Primary Treatment (Primary Settling Tank)
3. Secondary Treatment (Aeration Basin, Coagulation and Secondary Clarifying Tank)
4. Tertiary Treatment and Disinfection (Sand Filters and Chlorine Contact Tanks or Ultraviolet Disinfection).

In addition, IEUA maintains an EPA/State of California approved industrial pre-treatment program for industrial discharges to the sewer system that requires dischargers to comply with water quality objectives and to submit periodic monitoring reports to IEUA. The result of IEUA's treatment process is a supply of high quality tertiary treated water suitable for irrigation, industrial water supply, groundwater recharge, environmental enhancement and unrestricted recreation use such as boating and fishing.

Available recycled water supplies are projected to exceed 176,000 acre feet per year ultimately. In conformance with the 1969 Orange County Judgment, 17,000 acre feet per year of water must be discharged to the Santa Ana River, leaving more than 159,000 acre feet of recycled water available for beneficial use within the IEUA service area by 2025.

In the short term, the primary focus of IEUA's recycled water program will be connection of industrial and landscape customers and development of facilities to ensure cost-effective delivery of recycled water to groundwater recharge spreading sites. In the long term, IEUA seeks to construct a "looped" regional system that will interconnect the IEUA water reclamation plants, ensure direct supply reliability to customers and maximize the flexibility to recharge all surplus recycled water in flood control spreading grounds.

Regional facilities will be constructed and owned by Inland Empire Utilities Agency. Local distribution facilities will deliver recycled water from the regional facilities to customers within the District's area. Phase I construction began in 2003 and will be completed in 2005. During this phase recycled water will be made available to a number of customers including a PGA-quality golf course.

Phase II and III of the Implementation Plan are currently being designed and completion of construction for Phase II projects is anticipated by late Spring 2006 with work on Phase III continuing through the latter part of 2006. Table 4 shows the projections for the use of recycled water as a part of the District's total water supply.

Current and Planned Water Supplies (continued)

Satellite Water Recycling Plants

As an addition to the regional recycled water system, the District is pursuing State and Federal funding to construct two satellite water recycling plants. These plants are designed to skim wastewater from the trunk sewer system for treatment creating a supply of high quality recycled water suitable for reuse including landscape irrigation. The plants will be compact in self-contained buildings, designed to be odor-free and compatible with the surrounding environment. Utilizing the latest membrane bioreactor technology, the footprint of the buildings will be small when compared to a conventional wastewater treatment plant. The two proposed facilities will treat 2 million gallons and 1.5 million gallons/day respectively.

Recycled Water for Groundwater Recharge

In April 2005, the Santa Ana Regional Water Quality Control Board authorized the use of recycled water for recharge of the Chino Groundwater Basin. As a result, the quantity of imported water used for this purpose will be reduced. The recharge project program requires that a blend of imported water, recycled water, and stormwater be used to recharge the basin, which serves as the primary water supply for about 750,000 people. Recycled water from Inland Empire Utilities Agency (IEUA) will be used as part of the program. As part of the regional program IEUA is upgrading 20 groundwater recharge basins which will use recycled water as early as June. Eventually, the program aims to recharge as much as 22,000 acre feet of recycled water back into the basin.

Reliability of Supply

Law

10631 (c) Describe the reliability of the water supply and vulnerability to seasonal or climatic shortage, to the extent practicable and provide data for each of the following:

- (1) An average water year
- (2) A single dry water year
- (3) Multiple dry water years.

Reliability

The Cucamonga Valley Water District has three primary water supply sources. Imported water is delivered by Metropolitan Water District of Southern California and is purchased from the Inland Empire Utilities Agency. This water is delivered through the State Project aqueduct and then MWD’s Foothill Feeder to the District’s service connection. Additionally local canyon water is collected by the District as surface and subsurface flows from Cucamonga Canyon, Deer Canyon, Day Canyon and East Etiwanda Canyon and groundwater is produced from the Chino Basin and the Cucamonga Basin.

Table 8					
Supply Reliability – AFY					
Average / Normal Water Year	Single Dry Water Year	Multiple Dry Water Years			
		Year 1	Year 2	Year 3	Year 4
51,245	49,150	50,716	50,663	50,583	50,583
% of Normal	95.9%	92.0%	91.9%	91.8%	91.8%

The above Table 8 is based on the following average, single-dry and multiple-dry years as listed in Table 9.

Table 9		
Basis of Water Year Data		
Water Year Type	Base Year(s)	Hist. Sequence
Average Water Year	2003-04	2000-04
Single-Dry Water Year	2000-01	
Multiple-Dry Water Years	2000-03	

Reliability of Supply (continued)

Table 10 Factors Resulting in Inconsistency of Supply				
Name of Supply	Legal	Environmental	Water Quality	Climatic
Imported Water		X		X
Canyon Runoff		X		X
Groundwater			X	

Imported Water

The State Project water source is vulnerable to state-wide and regional droughts and this water source is over committed and subject to cut backs during dry years. The water delivery facilities, i.e. State Aqueduct and Foothill Feeder, are at risk from damage due to a significant seismic event along a major fault. A backup supply to the State Water Project source from the Colorado River is not available to the District.

While the State Water Project water is the least reliable on a long-term basis, it is considered the most reliable on a short-term basis. Imported water delivered to the District is treated at two water treatment plants. Should a power failure occur, diesel engine-driven generators would keep both plants in operation during a power outage. Additionally, there are treated water clearwells at each of the plants. The stored water can be distributed by gravity flow to sections of the District's service area.

MWD's Integrated Resources Plan identified the need to develop a total of 460,000 acre feet of dry-year storage and water transfer deliveries by 2020. Imported water for direct use has increased significantly in the past twenty years from 11,000 acre feet of water in 1980 to a peak of nearly 65,000 acre feet in 2001. Additional imported water supplies are used for groundwater replenishment contributing to the annual production from the Chino Basin. In its 2004 Updated Integrated Resources Plan, MWD states that their water supply is reliable through 2025.

Local Canyons

The District's local canyon water source diversion and conveyance facilities are susceptible to drought and damage from environmental conditions. As mentioned on page 13, the Grand Prix fire in October 2003 and subsequent rainstorms resulted in severe damage to the facilities that convey this source of water. The variability of water from the local canyon sources also affects their long-term reliability. Runoff from the local canyon sources is lower during the summer months, when water demands are higher, than during the winter months.

Reliability of Supply (continued)

Groundwater

The most reliable source of supply, from a long-term standpoint, is groundwater. Of the two groundwater basins from which the District produces water, the Chino Basin has the largest excess storage capacity. Based on the Chino Basin Optimum Basin Management Plan (APPENDIX E), the Chino Basin is estimated to have the potential to store up to an additional 500,000 acre feet of groundwater. The Cucamonga Basin is being evaluated for storage and recovery program potential, however, on a much smaller scale. Because groundwater basins serve as large underground storage reservoirs, and therefore the effect of short-term climatic changes is reduced. However, on a short-term basis, groundwater source well facilities were judged to be the most susceptible to power outages and/or equipment failures. To address these issues, the District has developed a proactive preventative maintenance program and has back-up power generators at its critical facilities. With diligent oversight of our local groundwater supplies, they will continue to be reliable for years to come.

Water Quality

The District's best quality finished water is imported water treated at the District's water treatment plants. This supply is the lowest in hardness and low in total dissolved solids but has a higher total trihalomethane formation potential than the other water sources. The quality of the runoff collected from local canyons is also considered to have excellent water quality. Local surface water is low in hardness and total dissolved solids and is not impaired by any other contaminants. Both of these sources are treated in accordance with the Surface Water Treatment Rule as well as all other enforceable regulatory requirements including the Stage 1 Disinfection/Disinfection By-Products Rule.

The quality of the groundwater produced from the Chino Basin is higher in hardness than the imported water and local canyon sources. The quality of the groundwater in the Cucamonga Basin is equivalent to that in the Chino Basin, but certain District wells contain concentrations of nitrate and dibromochloropropane (DBCP) that are greater than the maximum contaminant levels allowed by the drinking water regulations. The impaired wells require blending to reduced nitrate and DBCP concentrations to levels that meet drinking water regulations. The District's blending plans have been approved by the State of California Department of Health Services.

Low levels of perchlorate at or near the Action Level established by the State Department of Health Services have been found in some of the District well sources. The District blends this well water with other well water to reduce the level of perchlorate to a non-detectable level.

Reliability of Supply (continued)

Recycled Water

As discussed in the Water Supply section of this document, the use of recycled water will ensure long-term supply reliability and will reduce the District's dependency on imported water supplies. Recycled water is a drought-proof supply that will account for over 10% of CVWD's water supply in the next 15 years.

Transfer and Exchange Opportunities

Law

10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:

10631 (d) Describe the opportunities for exchanges or transfers on a short-term or long-term basis.

Water Transfers

The District is part of the Chino Basin Peace Agreement and Optimum Basin Management Plan. This Agreement, originally approved in June 2000, is in the process of being renegotiated by the parties to the Judgment and will be presented to the Court by the end of 2005. A market for the lease or sale of pumping rights within the Chino Basin is an important part of the management of this groundwater supply. Water exchanges occur regularly among agencies within the basin.

In the future years, there may be more opportunity for transfers of recycled water. The District pays Inland Empire Utilities Agency to treat its wastewater but retains ownership of the treated effluent water or recycled water.

At the present time, Cucamonga Valley Water District has an open-ended agreement with the West San Bernardino County Water District to purchase 500 acre feet per year from their storage account in the Chino Basin. Additionally, the District has a 25-year option contract with Santa Margarita Water District for 4,250 acre feet per year. If the option is exercised, Santa Margarita Water District will be able to call for the water from CVWD in years when Metropolitan Water District has a Tier 2 shortfall. The District will supply water to SMWD by an exchange agreement with Metropolitan Water District wherein CVWD will shift or exchange imported water for local groundwater supplies. This agreement was established for, and specifically limited to, The Ranch Plan development to provide up to 50% of the total amount of anticipated build-out potable water demand.

Table 11					
Transfer and Exchange Opportunities – AFY					
Transfer Agency	Transfer or Exchange	Short term	Proposed Quantities	Long term	Proposed Quantities
West San Bernardino County Water District			500		
Total			500		0

Water Use by Customer Type

Law

10631. A plan shall be adopted in accordance with this chapter and shall do all of the following:

10631 (e) (1) Quantify, to the extent records are available, past and current water use, over the same five-year increments described in subdivision (a), and projected water use, identifying the uses among water use sectors including, but not necessarily limited to, all of the following uses:

(A) Single-family residential; (B) Multifamily; (C) Commercial; (D) Industrial; (E) Institutional and governmental; (F) Landscape; (G) Sales to other agencies; (H) Saline water intrusion barriers, groundwater recharge, or conjunctive use, or any combination thereof; and (I) Agricultural.

(2) The water use projections shall be in the same 5-year increments to 20 years or as far as data is available.

Past, Current and Projected Future Water Use

Table 12 illustrates Past, Current, and Projected Water Use for the years 2000 through 2025 in acre feet per year as well as the Number of Customer Connections by Customer Type for the same timeframe.

Water Use Sectors	2000		2005		2010	
	Metered		Metered		Metered	
	# of accounts	Deliveries AFY	# of accounts	Deliveries AFY	# of accounts	Deliveries AFY
Single family	35,700	27,910	43,150	32,000	49,840	36,964
Multi-family	814	2,806	925	4,010	1,068	4,632
Commercial	1,150	2,731	1,506	2,934	1,740	3,389
Industrial	407	2,629	625	3,205	722	3,700
Institutional/gov	126	702	144	1,221	166	1,412
Landscape	1,325	10,537	1,792	11,893	2,069	13,739
Agriculture	12	120	9	57	10	64
Total	39,585	47,435	48,151	55,320	55,615	63,900

Water Use by Customer Type (continued)

Past, Current and Projected Water Use (continued)

Water Use Sectors	2015		2020		2025		2030 - opt	
	Metered		Metered		Metered		Metered	
	# of accounts	Deliveries AFY						
Single family	55,026	40,782	60,088	44,543	65,196	48,303	65,196	48,303
Multi-family	1,189	5,110	1,290	5,582	1,401	6,052	1,401	6,052
Commercial	1,920	3,739	2,097	4,083	2,275	4,428	2,275	4,428
Industrial	797	4,082	870	4,458	944	4,835	944	4,835
Institutional/gov	184	1,558	201	1,702	218	1,845	218	1,845
Landscape	2,284	15,158	2,494	16,555	2,706	17,953	2,706	17,953
Agriculture	10	71	10	77	10	84	10	84
Total	61,400	70,500	67,050	77,000	72,750	83,500	72,750	83,500

Sales to Other Agencies

In the past, Cucamonga Valley Water District sold as much as 10,000 acre feet/year to Fontana Water Company. While this amount has been limited to 2,500 acre feet recently, the District has interconnections with surrounding Cities of Ontario and Upland as well as with Fontana Water Company. In the last calendar year, Fontana Water Company purchased less than 500 acre feet.

Water Distributed	2000	2005	2010	2015	2020	2025	2030 - opt
Fontana Water Company ¹	10,000	2,500	0	0	0	0	0
Total	10,000	2,500	0	0	0	0	0

¹Water sold to other agencies comes out of the District's Chino Basin Storage Account. This amount will not be added into the total in Table 15

Additional Water Uses and Losses

There are no other water uses of the District's supply other than those listed in Table 12. Some water losses are normal in any system and can be attributed to any of a number of sources, including fire hydrant use, leaks, water main breaks, construction activities and inaccurate meters. Some losses are also attributable to on-going construction projects in the

Water Use by Customer Type (continued)

Additional Water Uses and Losses (continued)

District’s water service area. The District has an on-going leak detection program for main and lateral lines. Meter leaks reported by customers or meter readers are repaired as quickly as possible (see BMP 03). Water used for the Grand Prix fire in October 2003 should be included in this category.

Table 14							
Additional Water Uses and Losses - AF Year							
Water Use	2000	2005	2010	2015	2020	2025	2030 - opt
Unaccounted-for system losses	3,282	536	1,500	2,000	2,500	2,500	2,500
Total	3,282	536	1,500	2,000	2,500	2,500	2,500

Total Water Use

Table 15							
Total Water Use - AF Year							
Water Use	2000	2005	2010	2015	2020	2025	2030 - opt
Total of Tables 12, 13, 14	50,717	55,856	65,400	72,500	79,500	86,000	86,000

Water Demand Management Measures

Law

10631 (f) Provide a description of the supplier's water demand management measures. This description shall include all of the following:

(1) A description of each water demand management measure that is currently being implemented, or scheduled for implementation, including the steps necessary to implement any proposed measures, including, but not limited to, all of the following:.....

Cucamonga Valley Water District is a signatory to the Memorandum of Understanding (MOU) regarding Urban Water Conservation in California and is therefore a member of the California Urban Water Conservation Council (CUWCC). CVWD has made a good faith effort to implement the Best Management Practices (BMP's) and the District is also an active participant in Inland Empire Utilities Agency's Water Conservation Work Group as well as conservation meetings hosted by MWD.

For the purpose of responding to the Urban Water Management Planning Act, the most recent BMP Activity Report submitted to the Council for reporting years 2003-04 is attached as APPENDIX F.

Planned Water Supply Projects and Programs

Law

10631 (h) Include a description of all water supply projects and water supply programs that may be undertaken by the urban water supplier to meet the total projected water use as established pursuant to subdivision (a) of Section 10635. The urban water supplier shall include a detailed description of expected future projects and programs, other than the demand management programs identified pursuant to paragraph (1) of subdivision (f), that the urban water supplier may implement to increase the amount of the water supply available to the urban water supplier in average, single-dry, and multiple-dry water years. The description shall identify specific projects and include a description of the increase in water supply that is expected to be available from each project. The description shall include an estimate with regard to the implementation timeline for each project or program.

Planned Water Supply Projects and Programs, including non-implemented Demand Management Measures (DMMs)

Over the last few years the District has increased its activity in the development of conservation programs which increases its available potable water supply. The District is currently working in conjunction with Inland Empire Utilities Agency and other regional partners to take advantage of other available resources. Over the last four years, conservation has increased from 49 acre feet per year to 200 acre feet per year.

Table 16 Evaluation of unit cost of water resulting from non-implemented / non-scheduled DMMs and planned water supply project and programs	
Non-implemented & Not Scheduled DMM / Planned Water Supply Projects (Name)	Per-AF Cost (\$)
N/A	

Future Water Supply Projects

The cost of groundwater is significantly less than imported water and it is the primary source of water that can reduce the District's dependence on imported water. Therefore, the major future water supply projects are directed toward increasing the District's groundwater pumping capacity. Additionally, funding for several wells will come from the Chino Basin/Inland Empire Utilities Agency/Metropolitan Water District's Dry Year Yield Program.

Planned Water Supply Projects and Programs (continued)

Future Water Supply Projects (continued)

Table 17 Future Water Supply Projects							
Project Name	Projected Start Date	Projected Completion Date	Normal-year AF to agency	Single-dry year yield AF	Multiple-Dry-Year 1 AF	Multiple-Dry-Year 2 AF	Multiple-Dry-Year 3 AF
Well #43	2006	2007	3,000	3,000	3,000	2,850	2,700
Well #44	2006	2007	3,000	3,000	3,000	2,850	2,700
Well #45	2006	2007	3,000	3,000	3,000	2,850	2,700
Well #46	2007	2008	3,000	3,000	3,000	2,850	2,700
Well #47	2007	2008	3,000	3,000	3,000	2,850	2,700
Well #48	2007	2008	3,000	3,000	3,000	2,850	2,700

Source: CVWD Capital Improvement Budget 2006-07

Wells 44 and 45 are scheduled to be part of the Dry Year Yield Program.

While the capacity per well will depend on the efficacy of the aquifer in the area of the drilled well, it is assumed that an average pumping capacity of 2,500 gallons per minute will be attained with each well pumping 75% of the time.

Groundwater supplies are less affected by dry periods than are local surface water and imported water supplies. The groundwater basin is a closely managed underground reservoir. When pumping is increased as a result of other water supply cutbacks and producers exceed their pumping rights, replenishment water must be returned to the basin. It is anticipated that a three year dry cycle could reduce pumping by 5% to 10%.

The District's proposed projects for future water supply include the construction of new wells. The development of additional groundwater as well as recycled water supplies, in conjunction with conservation, will significantly reduce the District's need for imported water.

Development of Desalinated Water

Law

10631 (i) Describe the opportunities for development of desalinated water, including, but not limited to, ocean water, brackish water, and groundwater, as a long-term supply.

Table 18	
Opportunities for desalinated water	
Sources of Water	Check if yes
Ocean Water	
Brackish ocean water	
Brackish groundwater	

Cucamonga Valley Water District is located inland approximately 40 miles, therefore desalinated ocean water is not an option.

The total dissolved solids (TDS) in water produced from the District’s Cucamonga and Chino Basin wells ranges from 200 to 360 mg/L after blending with other supplies. On a regional basis, groundwater in the southern part of the Chino Basin is as high as 1,000 to 2,000 mg/L.

Current or Projected Supply Includes Wholesale Water

Law

10631 (k) Urban water suppliers that rely upon a wholesale agency for a source of water, shall provide the wholesale agency with water use projections from that agency for that source of water in five-year increments to 20 years or as far as data is available. The wholesale agency shall provide information to the urban water supplier for inclusion in the urban water supplier’s plan that identifies and quantifies, to the extent practicable, the existing and planned sources of water as required by subdivision (b), available from the wholesale agency to the urban water supplier over the same five-year increments, and during various water-year types in accordance with subdivision (c). An urban water supplier may rely upon water supply information provided by the wholesale agency in fulfilling the plan informational requirements of subdivisions (b) and (c).

Table 19					
Agency demand projections provided to wholesale suppliers – AFY					
Wholesaler	2010	2015	2020	2025	2030 – opt
Metropolitan Water District	29,000	29,000	29,000	29,000	29,000

Source: CVWD Water Supply Planning Strategy Report 11/04

Cucamonga Valley Water District purchases imported water from Metropolitan Water District through Inland Empire Utilities Agency. Metropolitan is a wholesale water agency that serves water imported from Northern California (State Water Project) and the Colorado River to its 27 member agencies.

According to Inland Empire Utilities Agency’s Urban Water Management Plan, the demand for direct delivery of imported water in their service area is projected to decrease from about 85,000 acre feet per year in 2005 to 40,000 acre feet per year by 2025. The decrease in imported water is attributable to increased groundwater pumping and a greater use of recycled water. Below in Table 20, the existing supply shows the quantity of imported water available to Inland Empire Utilities Agency. The planned supply will decrease since the use of recycled water supplements the total supply required.

Current or Projected Supply includes Wholesale Water (continued)

Wholesaler sources	2010		2015		2020		2025		2030 - opt	
	Existing	Planned	Existing	Planned	Existing	Planned	Existing	Planned	Existing	Planned
Metropolitan Water District	75,700	72,250	80,000	60,690	82,400	50,980	100,000	45,000	100,000	45,000

Source: Inland Empire Utility Agency's 2005 Urban Water Management Plan

The State Water Project provides imported water to Metropolitan's service area and has historically provided from 25 to 50 percent of required supplies. Metropolitan, under contract with the State Department of Water Resources is allocated 2,011,500 acre feet per year. Actual deliveries have never reached this amount and are dependent on availability of supplies as determined by the State. DWR estimates that with current facilities and regulatory environment, the State Water Project will deliver an average of 3 million acre feet per year. Under its contract that was executed in 1960, Metropolitan may utilize 48% of this quantity. Further, under the current water supply contract which expires in 2035, DWR is required to make reasonable efforts to maintain and increase the reliability of service to Metropolitan and its member agencies.

Inland Empire Utilities Agency projects that the region will be able to meet 100 percent of the dry year demand with the following combination of sources:

Sources	Single Dry	Multiple Dry Years			
		Year 1	Year 2	Year 3	Year 4
Groundwater	115%	115%	115%	115%	115%
Recycled Water	100%	100%	105%	110%	110%
Surface Water	31%	49%	84%	77%	77%
Imported Water	68%	68%	68%	68%	68%

Source: Inland Empire Utility Agency's 2005 Urban Water Management Plan

The development of groundwater storage and conjunctive use programs, recycled water and wateruse programs, surface water supplies and improvements in water quality and conservation will greatly reduce the need for imported water supplies during dry years.

Name of supply	Legal	Environment	Water Quality	Climatic
Imported Water		X		X

Determination of Demand Management Measures Implementation

Law

10631.5 The department shall take into consideration whether the urban water supplier is implementing or scheduled for implementation, the water demand management activities that the urban water supplier identified in its urban water management plan, pursuant to Section 10631, in evaluating applications for grants and loans made available pursuant to Section 79163. The urban water supplier may submit to the department copies of its annual reports and other relevant documents to assist the department in determining whether the urban water supplier is implementing or scheduling the implementation of water demand management activities.

Cucamonga Valley Water District is a signatory to the Memorandum of Understanding (MOU) regarding Urban Water Conservation in California and is therefore a member of the California Urban Water Conservation Council (CUWCC). The most recent BMP Activity Report submitted to the Council for reporting years 2003-04 is attached as APPENDIX F.

Water Shortage Contingency Plan

Law

10632 The plan shall provide an urban water shortage contingency analysis that includes each of the following elements that are within the authority of the urban water supplier: (a) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.

Beginning in the late 1980's Cucamonga Valley Water District implemented the first phase of its conservation program in response to the drought which ended in the early 1990's. During this time CVWD became a signatory to the Memorandum of Understanding for Urban Water Management and agreed to make a "good faith" effort of complying with the 14 "Best Management Practices" for conservation. The District also established two ordinances in 1990 and 1991 addressing water supply availability during emergencies as well as the willful wasting of water. These ordinances provided the necessary legal authority to mandate reduced water consumption by customers in the event of a prolonged drought (see APPENDIX G). Much of the momentum for implementation of a drought response plan or conservation program implementation diminished in 1992 which proved to be an extremely wet year. The District has continued to encourage conservation through public education both for adults and school age children, appliance and plumbing retrofit rebate programs.

In 2001, the District modified its mission statement acknowledging that as a provider of water, the District was committed to practicing good stewardship of natural and financial resources. If CVWD is to provide for the long-term water supply needs of a growing community it must have in place a strategy that not only effectively manages its water resources but also takes action to protect its water supply and encourage its use in the most efficient manner possible. In 2004 the Board of Directors adopted a Water Supply Planning Strategy that established a goal of achieving annual conservation of 10% by 2010.

Currently, Cucamonga Valley Water District is in the process of revising and updating both water conservation ordinances. The District is considering the stages listed on Table 23 in assessing the triggering mechanism for declaring a mandatory reduction in water usage.

Water Shortage Contingency Plan (continued)

Stages of Action

Table 23		
Water Supply Shortage Stages and Conditions		
RATIONING STAGES		
Stage No.	Water Supply Conditions	% Shortage
Voluntary	Projected supply is insufficient to provide normal deliveries for two or more years	5% to 10%
1	Projected supply is insufficient to provide 80% of normal deliveries for two or more years	10% to 20%
2	Projected supply is insufficient to provide 65% of normal deliveries for two or more years	20% to 35%
3	Projected supply is insufficient to provide 50% of normal deliveries for two or more years	35% to 50%

Estimate of Minimum Supply for Next Three Years

Law

10632 (b) An estimate of the minimum water supply available during each of the next three water years based on the driest three-year historic sequence for the agency's water supply.

As outlined in Table 2 Population – Current and Projected, the Cucamonga Valley Water District's service area is rapidly expanding. The community has willingly responded to requests to eliminate or reduce outdoor water use during several shutdowns of the imported water pipeline during the last several years.

Below is an estimate of the minimum required water supply to serve the District's customers during a three-year period. In the event that this amount of water was all that was available to the District, customers would be required to conserve significantly during the period of reduced supplies. Recycled water was not considered as a source of supply in the table below. In the future, it is anticipated that recycled water will constitute from 13% to 20% of the District's water supply.

Source	Normal	Year 1	Year 2	Year 3
Groundwater	16,535	15,722	15,706	17,704
Local Canyon Water	1,653	3,550	3,546	3,541
Imported Water	36,926	31,444	31,411	29,338
Total	55,114	50,716	50,663	50,583

Catastrophic Supply Interruption Plan

Law

10632 (c) Actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster.

Possible Catastrophe	Check if Discussed
Regional power outage	✓
Earthquake	✓
Other – MWD Shutdown	✓

Response to Emergencies

During the past three years, MWD has shut down the Rialto Feeder five times. Four shutdowns were for routine inspection and maintenance and were performed during periods of low water demand. On one occasion, emergency repairs were required to prevent a catastrophic failure of this major transmission line. This emergency shutdown took place during June 2004. The District responded by requesting customers to stop all non-essential water use, including landscape irrigation use. Cooperation by the District’s customers allowed completion of necessary repairs without incident to the District’s available water supply.

Earthquakes, floods, fires and power outages can happen at any time and without prior notice. To address this issue, CVWD has developed a “scaled response” to emergencies:

Minor emergencies – Level 1 – Often handled by a single person or a small crew. These emergencies may range from a broken fire hydrant, to a minor sewer system overflow, to an isolated power outage. Other minor emergencies sometimes require assistance from engineering staff or other maintenance groups. An example of this type of emergency would include a power outage that affects one pumping facility. Complete activation of the District’s Emergency Operations Center (EOC) is generally not required in these instances.

Major emergencies – Level 2 – Require a response from multiple CVWD departments, or outside parties. They may involve customer and field service representatives, maintenance and operations crew, engineers, purchasing, police, fire, and other water districts. In this type

Catastrophic Supply Interruption (continued)

Response to Emergencies (continued)

of emergency, the General Manager/CEO would activate the District's EOC and notify the Board of Directors and public as necessary during the event.

Catastrophic emergencies – Level 3 – High magnitude earthquakes, major fires, floods, etc. Response to these emergencies requires complete implementation of the District's Emergency Response Plan, notification and activation of all District employees as required by the District's response policy and full activation of the District's Emergency Operations Center.

Prohibitions, Penalties and Consumption Reduction Methods

Law

10632 (d) Additional, mandatory prohibitions against specific water use practices during water shortages, including, but not limited to, prohibiting the use of potable water for street cleaning.

(e) Consumption reduction methods in the most restrictive stages. Each urban water supplier may use any type of consumption reduction methods in its water shortage contingency analysis that would reduce water use, are appropriate for its area, and have the ability to achieve a water use reduction consistent with up to a 50 percent reduction in water supply.

(f) Penalties or charges for excessive use, where applicable.

Table 26 Mandatory Prohibitions	
Examples of Prohibitions	Stage When Prohibition Becomes Mandatory
Prohibit non-recycled water fountains and refrigerating Apparatus	*
Repairable leaks	*

*Cucamonga Valley Water District is in the process of updating its Water Conservation Program Ordinance. Described below are two ordinances that were previously adopted.

On July 17, 1990 CVWD adopted Ordinance #41, “Prohibiting the Willful Waste of Water” (APPENDIX G). This ordinance states that “No person having water service provided by the District shall permit, or cause to be permitted, any leaks or waste of water which is delivered by the District.” The ordinance further “...declared to be unlawful... to use or permit the use of water in any refrigerating apparatus, ornamental fountains or other device in which the water so used is then permitted to flow wastefully.”

In all instances where it is discovered that water furnished by the District is being wasted in any way, or being used in violation of the terms of the Ordinance, the District may, after giving reasonable notice of its intention to do so, cause the customer’s water to be shut off.

Additionally, on June 12, 1992, CVWD adopted Ordinance #42 (APPENDIX G) establishing a Water Conservation Plan for Emergency Conditions of Water Supply. The purpose of the Ordinance is to establish standards for water conservation and to minimize the effect of a water shortage during a period of drought or natural or man-made disaster.

Prohibitions, Penalties and Consumption Reduction Methods (continued)

The Ordinance provides a thorough definition of emergency conditions of water supply, and establishes an incremental water rate structure based on total water usage. This definition includes the necessary provisions, and criteria for implementation based on an assessment of the District’s ability to meet normal water demands for a twelve month period. The rate structure also includes three separate phases based upon the severity of the water conditions, with incremental increases in water costs by a significantly higher percentage. The Ordinance clarifies the standards for various categories of usage such as, multiple dwellings, commercial businesses, and agricultural/landscape/parkways. The Ordinance also establishes a program for monitoring customers using excessive amounts of water in one bi-monthly billing period.

Table 27 Consumption Reduction Methods		
Consumption Reduction Methods	Stage When Method Takes Effect	Projected Reduction (%)
Total estimated reduction from combined efforts		0.5%

Over the last few years the District has increased its activity in the development of conservation programs. The following programs are part of the District’s on-going conservation efforts:

Residential rebates for high-efficiency clothes washers, pool covers and toilets
(This program is in conjunction with IEUA’s water conservation efforts)

Commercial, industrial, and institutional rebate programs for water brooms, spray nozzle replacements, cooling towers and x-ray processors (with IEUA)

Educational outreach programs that include a variety of literature distributed at public events, as well as annual residential landscape class promoting the use of drought tolerant landscapes

Over the last four years, the District’s demand management program has attributed to increasing conservation 40% per year. The District’s goal is to increase the rate of conservation to approximately 10% of average water demand by the year 2010, which is equal to 6,390 acre feet per year. This goal will be accomplished by continuing existing conservation programs and emphasizing the development of new programs that target a reduction of outdoor water use for both residential and commercial customers. The District is currently operating a pilot audit program that evaluates the irrigation systems of both residential and commercial customers. Recommendations are made to customers on how to improve their overall water efficiency, as well as provide them with water efficient items, such as sprinkler heads, at no cost.

Prohibitions, Penalties and Consumption Reduction Methods (continued)

Through continued efforts at updating the District’s Water Conservation Program in the future, a 10% reduction in water use is anticipated by the year 2010.

Table 28	
Penalties and Charges	
Penalties or Charges	Stage When Penalty Takes Effect
Penalty for excess use	*
Charge for excess use	*

*As mentioned on the previous pages, Cucamonga Valley Water District is in the process of updating its Water Conservation Program Ordinance. A proposed phase of the updated program includes implementing a conservation rate structure which will compel customers to reduce water usage. In addition, another component of the updated program will address drought management as well as the stages for mandatory reductions in water use and penalties for excess use in times of reduced supplies.

Analysis of Revenue Impacts of Reduced Sales during Shortages

Law

10632 (g) An analysis of the impacts of each of the actions and conditions described in subdivisions (a) to (f), inclusive, on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.

Table 29	
Proposed measures to overcome revenue impacts	
Names of measures	Check if Discussed
Rate adjustment	✓
Development of reserves	✓
Excessive water usage penalty charges	✓

Table 30	
Proposed measures to overcome expenditure impacts	
Names of measures	Check if Discussed
Reduction of imported water demands and reliance on other water supplies	✓
Rate Stabilization Fund	✓

Reserve Policy

The District’s Reserve Policy establishes funding levels and formulas to set aside cash balances in the following reserve funds: Operating Reserve, Capital and Equipment Replacement Reserve, and Rate Stabilization Reserve. These funds have been established to provide long-term financial stability for extraordinary fiscal circumstances which may arise during any future fiscal years.

The Operating Reserve fund at a minimum is equal to ten percent (10%) of the annual variable budget costs including the cost of purchased water. The Policy defines “variable budget costs” to include “the cost to produce, purchase, treat and deliver water,” as well as General and Administrative expenses.

Analysis of Revenue Impacts of Reduced Sales during Shortages (continued)

Reserve Policy (continued)

The Capital and Equipment Replacement Reserve minimum funding level is 75% of the yearly capital asset depreciation.

The Rate Stabilization Reserve is equal to the cost of purchasing 8,000 acre feet of water from Metropolitan Water District. This Reserve is currently fully funded by the water rate.

Debt Service Reserve is maintained at the level equal to one year's annual debt service obligation with revenues at levels sufficient to meet the rate covenant requirements.

A copy of CVWD's Reserve Policy is attached as APPENDIX H.

Proposed Measures to Overcome Revenue Impacts

With the growth rate of the District's service area at approximately 3% per year and the City of Rancho Cucamonga rated as one of the top 10 fastest growing communities in the country, consumption reductions associated with conservation measures will not reverse the trend of increasing water usage. Even with significant rains in the first three months of 2005, the water demands did not drop below the average of the past three years. Based on the District's estimates, conservation at build-out will total 10% of the District's water supply mix. The greater risk to the District is not achieving this goal and having to replace it with greater production capacities or purchased water. Based on past experience, any penalties charged to customers for excessive water usage during periods of water shortages (droughts) generate sufficient revenues to balance any revenue reductions from decreased water usage.

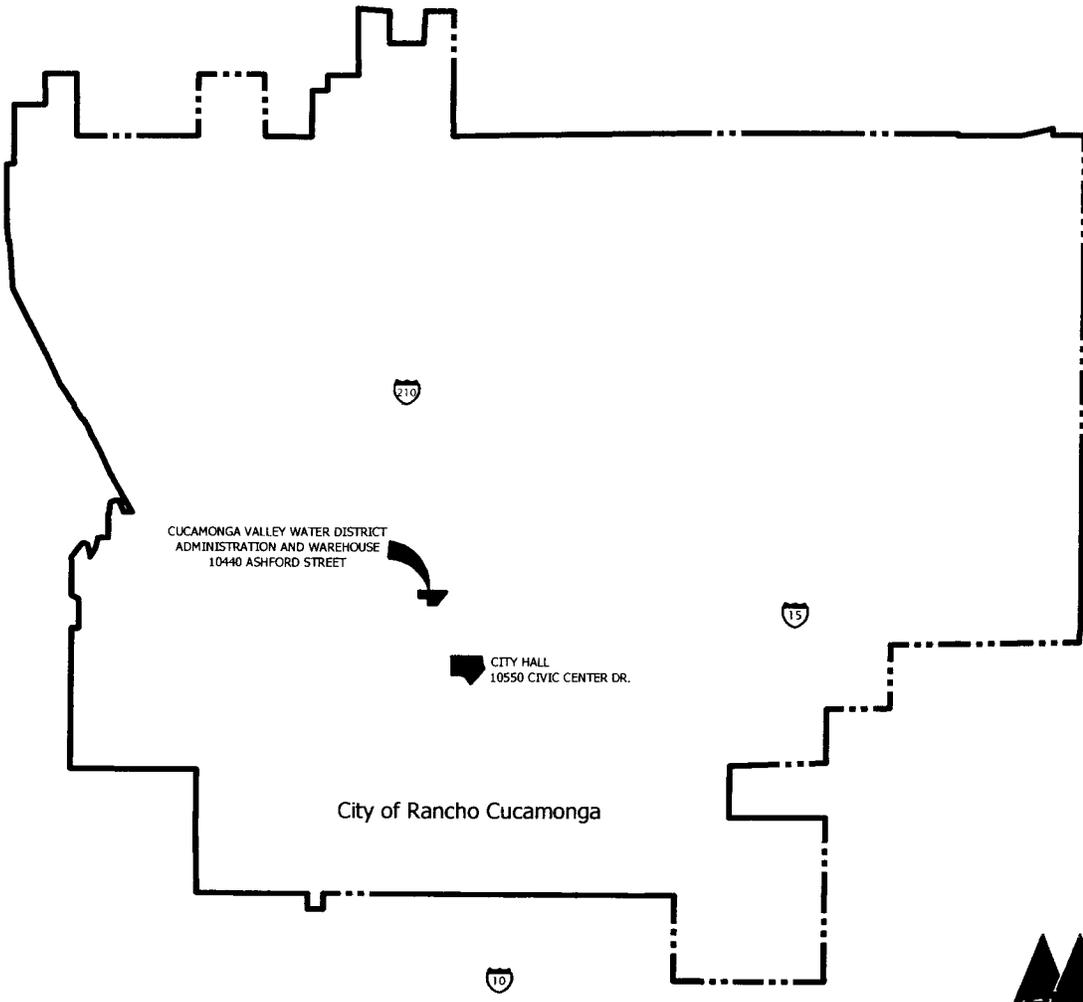
Proposed Measures to Overcome Expenditure Impacts

The most significant impact to expenditures associated with a water shortage or conservation program is the effect on the cost of water. In most cases, the reduction of water demands will reduce Source of Supply water costs. The revenue impact will vary depending on the mix of our sources of water at the time of the reduction in consumption. The District's current water supply includes: local canyon surface water, groundwater and imported water sources. The District, in these cases, would reduce imported water purchases when feasible. In the event groundwater wells or other production facilities are out of service for maintenance or other reasons, when it is necessary for the District to implement a water shortage program on short notice such as an emergency, reductions in imported water supplies may be difficult to achieve. The District faced these types of challenges during the Grand Prix fires in 2003. The District lost all local canyon sources of water and was faced with replacing that production capacity with imported water supplies. The District was prepared to use its Rate Stabilization Fund if the budget was adversely affected by the increased cost of water. After the emergency concluded and all Federal (FEMA) and State (OES) monies were considered, no revenue impacts were experienced that could not be absorbed in the current year budget.

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- A Map of CVWD's Service Area
- B Cucamonga Valley Water District's Water Supply Planning Strategy Report
- C Cucamonga Basin Water Management Plan
- D Chino Basin Judgment
- E Chino Basin Optimum Basin Management Plan (not included)
- F CUWCC Reports
- G CVWD's Ordinance Nos. 41 and 42
- H CVWD's Reserve Policy
- I Inland Empire Utilities Agency's Draft Urban Water Management Plan (not included)
- J Notice of Public Hearing
- K Proof of Publication
- L Resolution No. 2005-12-1 Adopting Cucamonga Valley Water District's 2005 Urban Water Management Plan

APPENDIX A



APPENDIX B



Water Supply Planning Strategy

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Background

The CVWD's water supply plan was developed with several goals in mind: *quality, quantity, reliability and cost-effectiveness*. The first three goals speak to the characteristics of the product we are providing to our customers. We must provide a *quality* product, and we must provide in a sufficient *quantity* and ensure its *reliability* in order to meet the needs of the community we serve. Juxtaposed with our business model approach, we must fulfill the first two goals in a *cost-effective* manner.

Following the Strategic Planning workshop with the Board of Directors in 2001, the District made water supply planning a primary focus for our agency. After years of incorporating small mutual water company facilities into the District's system, it became apparent that the inherited infrastructure was not appropriately sized and was modified to operate cohesively with the existing CVWD system. This became more evident during summer months when meeting customers' demands became more and more difficult. This issue came to a head the morning of June 18, 2001 when an isolated part of the District's service area temporarily lost water service and/or had extremely low pressure for approximately four hours. This event created an immediate need to re-evaluate previous master plans and make recommendations to develop and construct the appropriate infrastructure to correct this operational problem.

An amended Capital Improvement Plan was resubmitted to the Board that contained projects that, over the next two years, would specifically address the issue of infrastructure deficiencies and water conveyance. As a result, the Banyan and Highland transmission lines and Pump Station 3C-2 were designed and constructed. In addition, the District began design for expansion of the Lloyd Michael Water Treatment Plant which was completed in 2003.

Besides improving infrastructure conveyance capabilities over the past several years, the District has also been concentrating efforts on diversifying its water supply sources. CVWD is looking to decrease our agency's reliance on imported water supplies from northern California, increase its pumping capacity in the Chino Basin and secure additional sources of high quality water. Together, these efforts will improve the overall water supply outlook for CVWD an its customers.

Water Supply Challenges

An important component in the process of developing a water supply plan is identifying and evaluating water supply challenges the District will face in the future. Specific challenges include: **population growth, increasing water demand, infrastructure needs, vulnerability assessment, cost of imported water supplies, and water quality.**

Population Growth

CVWD's service area, like most of western San Bernardino County, is a rapidly growing urban area. Population is increasing at an extremely fast rate. In fact, the U.S. Census Bureau report, dated July 10, 2003, listed Rancho Cucamonga and Fontana as the 7th and 8th fastest growing cities in the United States. The District is currently 70% built-out with the majority of the new residential growth and development occurring in the northeast portion of the District. A great deal of commercial development is also occurring in the central and eastern portion of the District, which includes an approximately 100 acre regional mall site, expected to be completed by November 2004. The majority of undeveloped parcels in the southern portion of the District will be developed for commercial and industrial use.

Beginning in the 1970's and continuing through today, CVWD has experienced a consistent rate of increasing population. In recent years population projections have been outpaced by actual population numbers. Between 1970 and 1990, approximately 28,000 new housing units were constructed, increasing the District's population from 53,000 in 1980 to 70,000 by 1990. By 2000, the population had increased again to 135,000. Based on 2004 California State Department of Finance data, our current service area population is estimated to be 169,855 (Exhibit 1).

During the last five years, population has increased on an average of 5% per year. Compared to the other communities that we serve, the community of Rancho Cucamonga has had the most consistent rate of growth during this time period. According to the City of Rancho Cucamonga Planning Department, the estimated total city population at build-out will be 189,015, which is estimated to occur in the next six years. Using the City's data, along with the District's data on population in sections of its service area outside of Rancho Cucamonga, the District's population is estimated to be approximately 203,870 by 2010 and approximately 248,000 by the District's estimated build-out in 2030.

CVWD Populations Projections

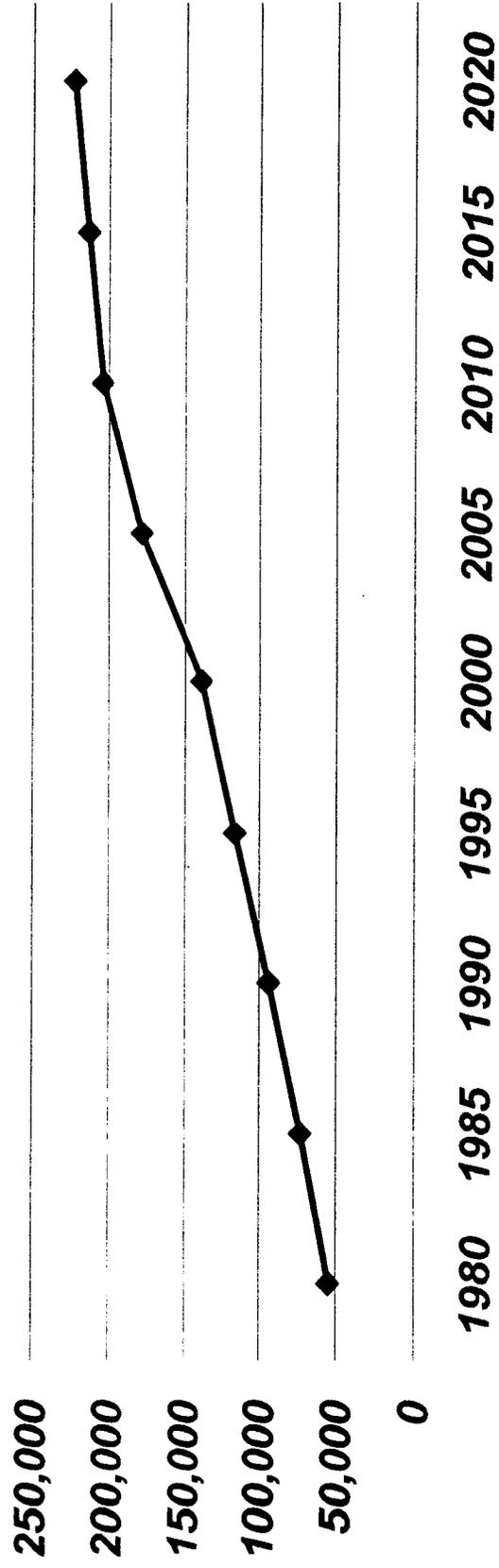


Exhibit I

Demand and Production Projections

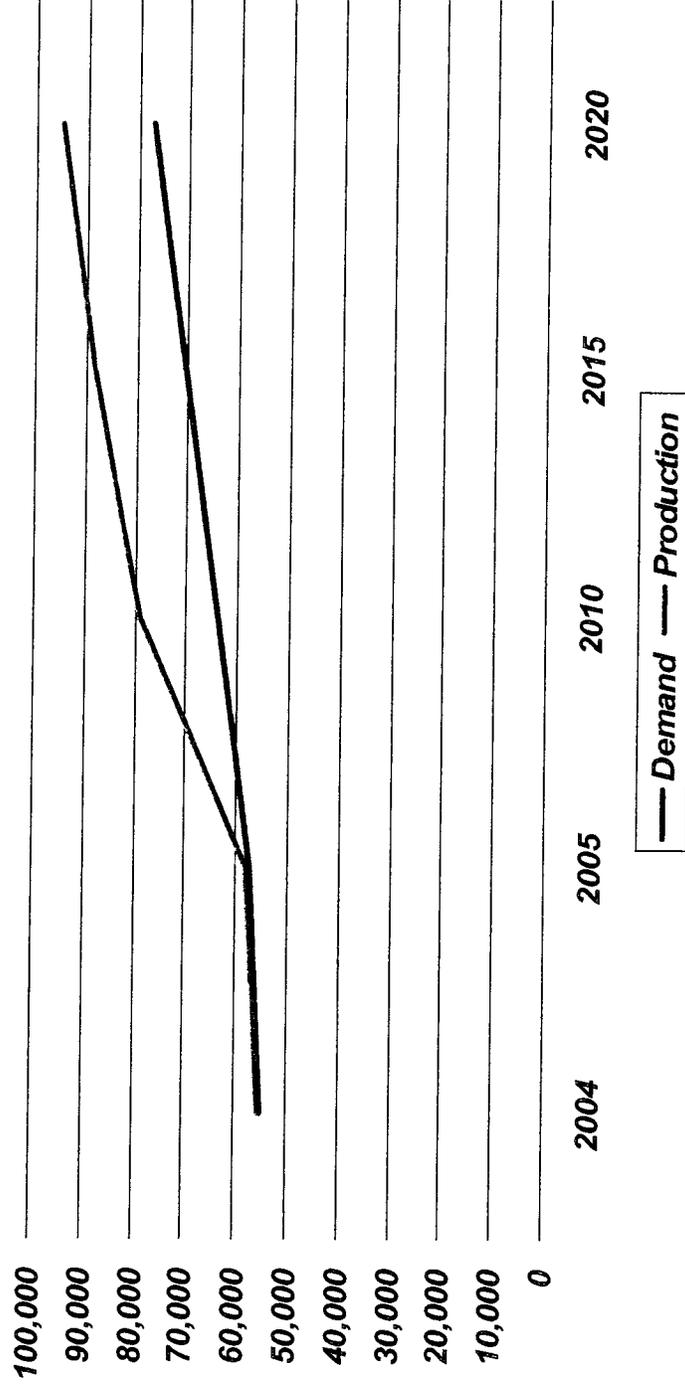


Exhibit 2

Increasing Water Demand

Population increase will place a tremendous burden on local water supply. Over the last five years the District's water production has increased by over 5% annually. It is projected that water demand will increase to approximately 77,000 acre feet per year by 2020. In order to meet these future demands, it is becoming increasingly important for CVWD to prudently manage its existing water resources by developing new local water supplies as part of its long-term water supply strategy.

Although water demand is driven by an increase in population, on average, our single family residential customers consume more water when compared to households in other geographical areas. Most water delivered to our customers is used on outdoor landscape. The industry standard shows that one acre foot of water is enough to supply the needs of two average size families for one year. Residential consumption data for fiscal year 2003-04 shows that our customers, on average, use approximately 0.71 acre feet of water per year. This may be attributed to hot, arid conditions in a community with large lot sizes and the fact that the cost of one unit of water in our service area is still relatively inexpensive compared to other urban communities. In addition, the community has developed a reputation for its beautiful greenbelts and parks which have influenced residential landscape themes. In the future, it will become increasingly important for the District to educate customers and offer incentives for increased water use efficiency and the use of drought tolerant plant materials.

Infrastructure Needs

In addition to the population growth and increasing water demand the third water supply challenge for the District is the construction of new and adequate infrastructure to meet the needs of growth and development within the CVWD service area, as well as the on-going maintenance and replacement of existing infrastructure. CVWD will be spending up to \$12 million a year on water and wastewater improvements over the next four years, and an additional \$15 million through the year 2020. The new infrastructure will include new wells, pumps and reservoirs, as well as a new system of infrastructure for recycled water.

The District has already embarked on an aggressive plan to produce more of our groundwater rights in the Chino Basin by constructing additional wells and reservoirs. This will be achieved in the Cucamonga Basin as well, through the development of well-head treatment facilities at existing wells previously unusable due to their poor water quality. The District will receive approximately \$8.4 million dollars to fund these projects through the Chino Basin Dry-Year-Yield Program (DYYP) using funds from the Metropolitan Water District of Southern California (MWD) and Proposition 13. In addition, the District is completing its evaluation for construction of two satellite water recycling plants. These treatment plants will be in close proximity to large landscape water users and will treat and produce, for reuse, up to two million gallons per day of recycled water.

One critical issue relating to infrastructure needs is the District's ability to fund the cost of the necessary capital projects. The District has projected future revenues and expenses based upon requirements to meet bond obligations. It is estimated that over the next 5 years the District will need to increase funding sources by approximately \$6 million per year in order to keep pace with funding necessary capital improvements through 2020. This will be accomplished through a combination of proposed rate increases and capital debt borrowing.

Vulnerability Assessment

Mitigating hazards and preparing for emergency situations which may impact our water supply, is one of the District's primary roles. In December 2002, the District completed a Vulnerability Assessment as required by Presidential Decision Directive 63 and HR 3338. The assessment aided in the identification of potential vulnerabilities to manmade hazards, providing guidance on appropriate changes to both procedure and facility design.

Based upon the Vulnerability Assessment and requirements of the "Public Health Security and Bioterrorism Preparedness and Response Act" [HR 3448], the District completed amendments to its Emergency Response and Recovery Plan (ERRP), outlining appropriate actions in case of a real or threatened terrorist act. Inclusion of this amendment to the ERRP was certified to the USEPA in September, 2003, and formal staff training was completed in June, 2004.

A Local Hazard Mitigation Plan (LHMP), in compliance with the federal Disaster Mitigation Act, was completed in August, 2004. The District completed the LHMP in support of the San Bernardino County Office of Emergency Services' multi-jurisdictional plan. The LHMP identifies local natural hazards to the District and assesses facility vulnerability to those hazards. Identification of these vulnerabilities helps District staff to identify future design and retrofit projects.

Emergency management is, by definition, a dynamic and constantly evolving process. In recognition of this fact, the District is developing updated emergency response and recovery procedures for inclusion in its ERRP. The latest amendment is slated for completion by January, 2005, and will include guidance with regards to water supply emergencies.

Cost of Imported Water Supplies

Limited imported water supplies are a reality that CVWD and other southern California water agencies must address as part of long-term water supply planning. In January 2003, the federal government took action to severely reduce Colorado River water deliveries to MWD. These changes will place more of a demand on the State Water Project system and the ability to serve the additional demands for imported water required by MWD member agencies. Various components of the above described plans will assist with mitigation of possible water supply outages. Additionally, in January 2003, MWD's Board of Directors approved a new rate structure in an effort to provide a mechanism to prepare for an expanding

range of uncertainties such as growth, local supplies, water quality, environmental restrictions, and climate change. The new tiered rate structure is designed to encourage local agencies to develop conservation programs, water reuse and alternative water supply programs to reduce future reliability on imported water. Presently, the District is allotted 28,368.5 acre feet at MWD's Tier 1 rate of \$335 per acre foot. Every acre foot of imported water purchased above the District's allotment is charged at a rate of \$416 per acre foot. In the calendar year 2003 the District purchased 4,972.80 acre feet of water at the tier-two rate. This was primarily the result of increased demands and the need to supplement the supplies that had been lost from local canyon sources as a result of the Grand Prix fire.

In addition to limited state water supplies, being located in Southern California makes us susceptible to periods of prolonged drought. Currently, the southwest is in the midst of a five-year drought cycle. A recent U.S. Geological Survey has indicated that the current drought cycle So Cal is experiencing is the worst seen in the last 500 years. It is the intention of the District to develop and have in place procedures and policies that will improve our ability to manage our water supply during periods of drought. The development of additional groundwater and recycled water supplies, along with conservation, will significantly reduce the District's need for imported water during dry year cycles achieving the District's goal to decrease its reliance on imported water supplies and diversify its future water supply.

Water Quality

Another major challenge is our District's ability to maintain high quality water supplies and address the ever changing water quality regulations. In 2002, the water quality staff collected over 40,000 water samples that were analyzed for more than 170 different contaminants. Each year the EPA and the State Department of Health Services updates, reevaluates and adds new contaminants to the drinking water standards, and with improved technology the detection limits are continually being reduced. In the future it is entirely possible that most water supplies, particularly groundwater, will require some form of advance treatment to meet drinking water standards.

As discussed previously, the District will receive funding from the Chino Basin DYYP for construction of wellhead treatment facilities to remedy wells that currently have poor water quality. In addition, the District is working cooperatively with other regional agencies and the Department of Defense on pilot testing new technology for removal of perchlorate from groundwater. The MWD has recently included this project for potential funding from Proposition 50. It is the District's goal to facilitate this project with no cost to the District.

Current Water Supply Components

Our existing water supply components include groundwater, local surface and spring water from canyons and tunnels, purchased imported water from northern California, and conservation. Exhibit 3. shows a breakdown of the District's

existing water supply. The District's primary goals are to reduce its level of dependency on imported water, increase groundwater production, implement the use of alternative sources, such as recycled water and conservation and secure new water rights.

Groundwater

The groundwater rights in Chino Basin were adjudicated in 1978 in the Chino Basin judgment. Based on the judgment, the District's annual groundwater pumping right is limited to approximately 3,619 acre feet per year. The District is also entitled to 6,391 acre-feet of Chino Basin water through its ownership of Fontana Union Water Company stock for a total right of over 10,016 acre-feet annually. This past year the District purchased 171.25 shares of the Fontana Union Water Company stock from Vulcan Materials Company Foundation and executed a water transfer agreement which allowed our agency to gain an additional 317.844 acre feet of additional pumping right in the Chino Basin. As part of this acquisition, a one-time transfer of 7,879.804 acre feet was placed in our Chino Basin storage account. Over the past few years the District has increased its production of groundwater in the Chino Basin by approximately 5,000 acre feet which can be attributed to the addition of Well #38 which came on-line in 2000. The District currently has three wells under construction and one recently completed. All of these wells are a part of the Chino Basin DYYP. Together, these additional well sites will further increase our available groundwater production by as much as 3,200 acre feet annually with 8,700 acre-feet of capacity reserved for meeting the District's obligation under the CBDYYP. Although there are fees connected to the over production of our groundwater right, in the long-run it maybe more cost effective than purchasing imported water.

The District has also developed a management plan for the Cucamonga Basin. Over the past few years, due to dry weather cycles, the static water levels in the Cucamonga Basin have been steadily decreasing. Groundwater pumping from the Cucamonga Basin is limited by a 1958 Superior Court stipulated judgment that allows management of the Basin to be shared jointly with the San Antonio Water Company in Upland. The District currently has a pumping right of approximately 7,309 acre feet per year, however the District's production has been limited to just over 5,000 acre feet per year due to groundwater contamination and the declining static water levels in the Basin.

The District's water supply objectives associated with ground water include the acquisition of additional water rights in the Chino Basin, and construction of necessary infrastructure to produce this water. In addition, it is our goal to finalize the management plan for the Cucamonga Basin and work with the San Antonio Water Company to develop a conjunctive use and recharge program to minimize the impacts of overproduction in the Cucamonga Basin.

Existing Water Supply

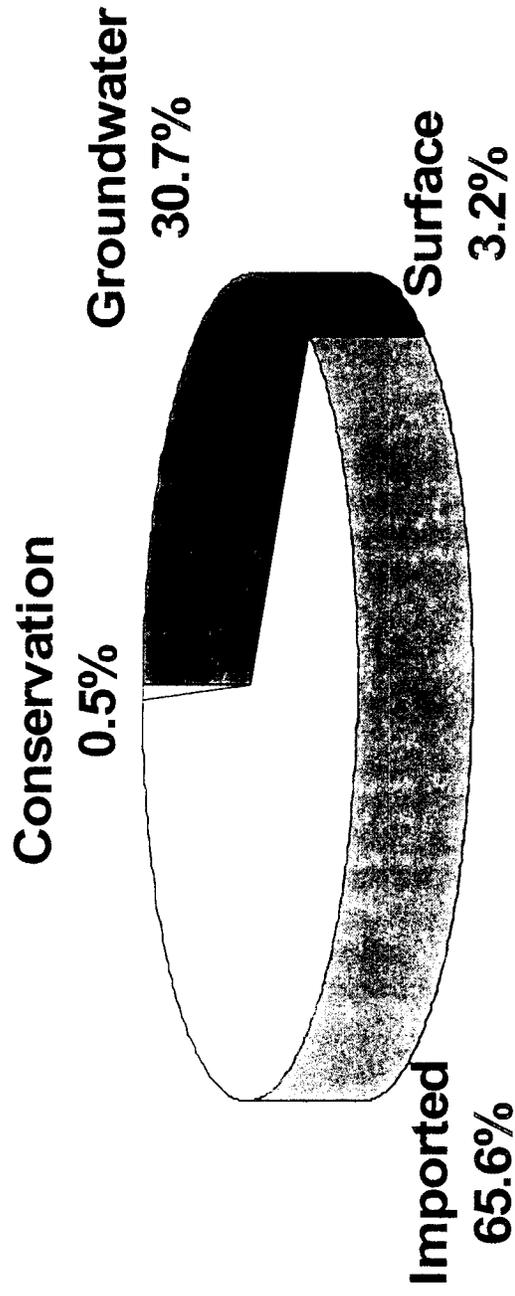


Exhibit 3

Surface Water

Our local surface, spring and tunnel water is our least reliable source due to climatic changes and the small amount of supply that is available even in wet years. Fiscal year 2003-2004 was a devastating year for our local sources due to the Grand Prix fire and the subsequent floods in December 2003 and March 2004. Together these events substantially reduced the usable flows from our local sources during a time when they provide the greatest benefit. The District has been working to renovate and clean up the intake structures in Cucamonga and Day Canyons in an effort to increase our water supply. Although our canyon sources are very susceptible to dry weather cycles, the District relies on approximately 3,000 to 4,000 acre feet of water per year from these two sources.

Imported Water

Imported water is the District's most expensive and most volatile supply source. Limitations on the Colorado River have placed an increased burden on imported water from Northern California, not only for our agency but throughout Southern California. Our use of imported water has increased by 2,400 acre feet over the past two years, and exceeded 36,500 acre feet at the close of the 2003-2004 fiscal year. In past, the District has made the decision to invest in infrastructure for the expanded development of treated imported water supplies. This resulted in the construction of a second water treatment plant that took in State Water Project supplies from MWD. Because of the decision to invest in infrastructure, imported water supplies will always be a significant component of our water supply plan. However, it is the District's long term goal to keep our imported water purchases at or below the Tier I allocation. Through the effective management of imported water supplies the District has been able to sell over 50 acre feet of treated water to the Fontana Water Company during calendar year 2004. The revenue from this sale is put back into our system. In the future re-sale activities of water from the Lloyd Michael Water Treatment Plant may increase within the Chino Basin as we become a de-facto wholesaler of imported treated water to other agencies in the region.

Conservation

Over the last few years the District has increased its activity in the development of conservation programs. The District is currently working in conjunction with Inland Empire Utilities Agency (IEUA) and the other regional partners on the development of conservation programs. These programs include:

- Residential rebates for high-efficiency clothes washers, pool covers, & toilets;
- Commercial, industrial, and institutional rebate programs for water brooms spray nozzle replacement, toilets, cooling towers, high-efficiency washing machines and x-ray processors; and

- Educational outreach programs that include a variety of literature and information distributed at public events, as well as an annual residential landscape class promoting the use of drought tolerant landscapes.

Over the last four years conservation attributed to demand management programs has increased by 40% per year over the last four years (Exhibit 4). The District's goal is to increase the rate of conservation to approximately 10% of our average water demand by the year 2010 which is equal to 6,390 acre feet per year. This goal will be accomplished by continuing our existing conservation programs and developing new programs, with an emphasis on programs that target a reduction of water use outdoors for both residential and commercial customers. We are currently operating a pilot audit program that evaluates the irrigation systems of both residential and commercial customers. Recommendations are made to the customer on how to improve their overall water efficiency, as well as providing the customer with water efficient items, such as sprinkler heads, at no cost to them.

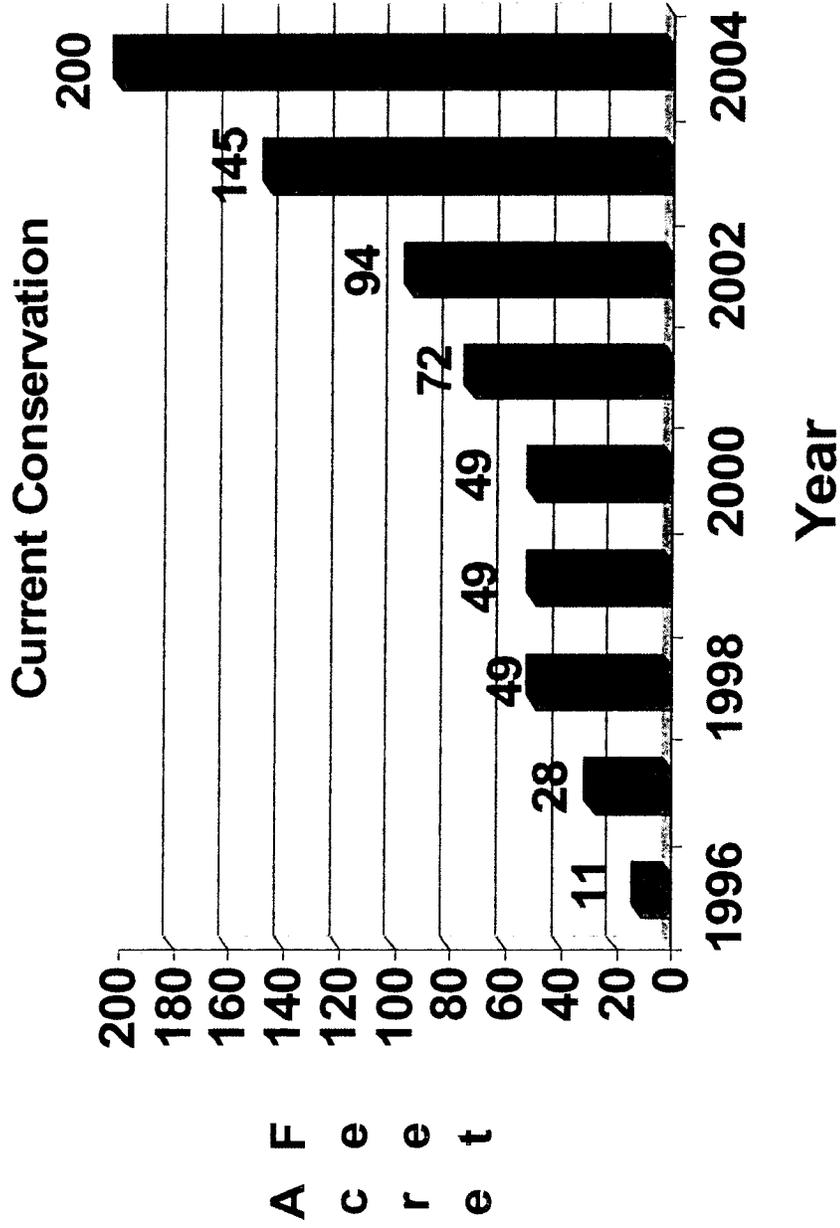


Exhibit 4

Future Water Supply Requirements

In order for the District to achieve its Water Supply Plan goals it will be necessary to concentrate on development of alternative sources that will help to diversify our water supply plan. It is also necessary to adopt a plan that addresses policies and procedures to be followed during an emergency or during severe drought conditions.

Exhibits 5, 6 & 7 on the following pages, show the District's projected water supply over the next 15 years and are based on the tabulated data contained in Appendix A. Between 2005 and 2010, the District will substantially increase its groundwater production capacity, begin utilizing recycled water supplies and increase conservation. Future imported water deliveries are anticipated to be approximately 29,000 acre feet annually, enabling the District to meet its Tier I allocation goal. Appendix B shows the proposed schedule and anticipated capacity of future groundwater supplies.

Recycled Water

The use of recycled water will steadily increase as a result of the regional system coming on-line in 2005. It is estimated that the recycled water will initially comprise 350 acre feet of our water supply in 2005 and will reach the level of 10,500 acre feet by 2020. Our agency has been working closely with IEUA on the development of recycled water infrastructure in its service area. CWWD has worked on identifying recycled water users, pipeline alignments and proposed regional recycled water tie-in points for the system. To date, approximately 12,000 linear feet of 12-inch and 8-inch pipe have been installed along Church Street and Day Creek Boulevard. Some of the first customers to come on-line will be the Victoria Gardens Mall site and the City of Rancho Cucamonga's Sport Complex, following the completion of IEUA's Whittram Avenue pipeline. Once IEUA has completed the 6th Street pipeline, which is the west extension from Regional Plant #4, that line will serve the Empire Lakes Golf Course.

To smooth the transition and acclimate some of our large water users to the concept of recycled water, the District will be organizing a Recycled Water Users Group comprised of large landscape and industrial water users. The purpose of the users group is to address any concerns potential recycled water users may have and also to facilitate "buy-in" for their use of recycled water. Establishing a cohesive team of stakeholders that supports the use of recycled water will assist in improving public acceptance of recycled water as an alternate water supply source.

An additional source of recycled water will also be realized through the construction of the proposed satellite water recycling plants. The feasibility study for these facilities has been completed and preliminary design work has been budgeted in the Capital Improvement Program for 2004-05. The District will not begin construction until funding is acquired through HR 2991 or other funding sources. If funding is not received from legislation, the Board and staff will consider a new funding source for this project, which may require an adjustment to the Capital Improvement Plan.

2005 Water Supply

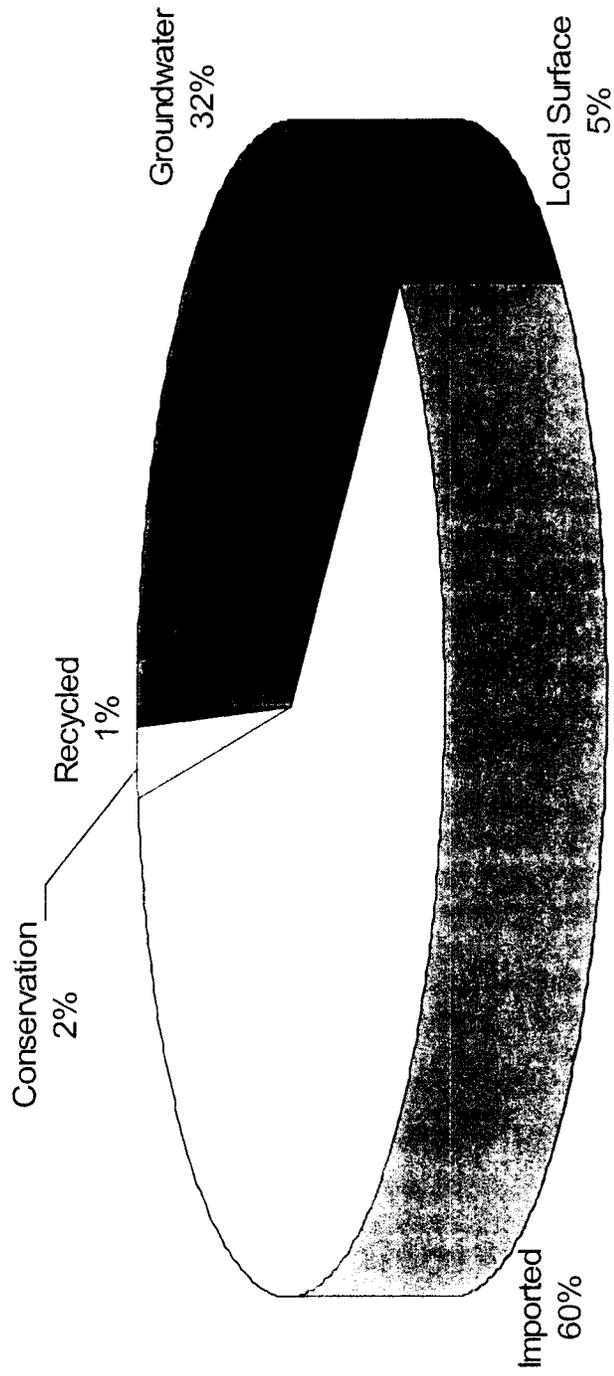


Exhibit 5

2010 Water Supply

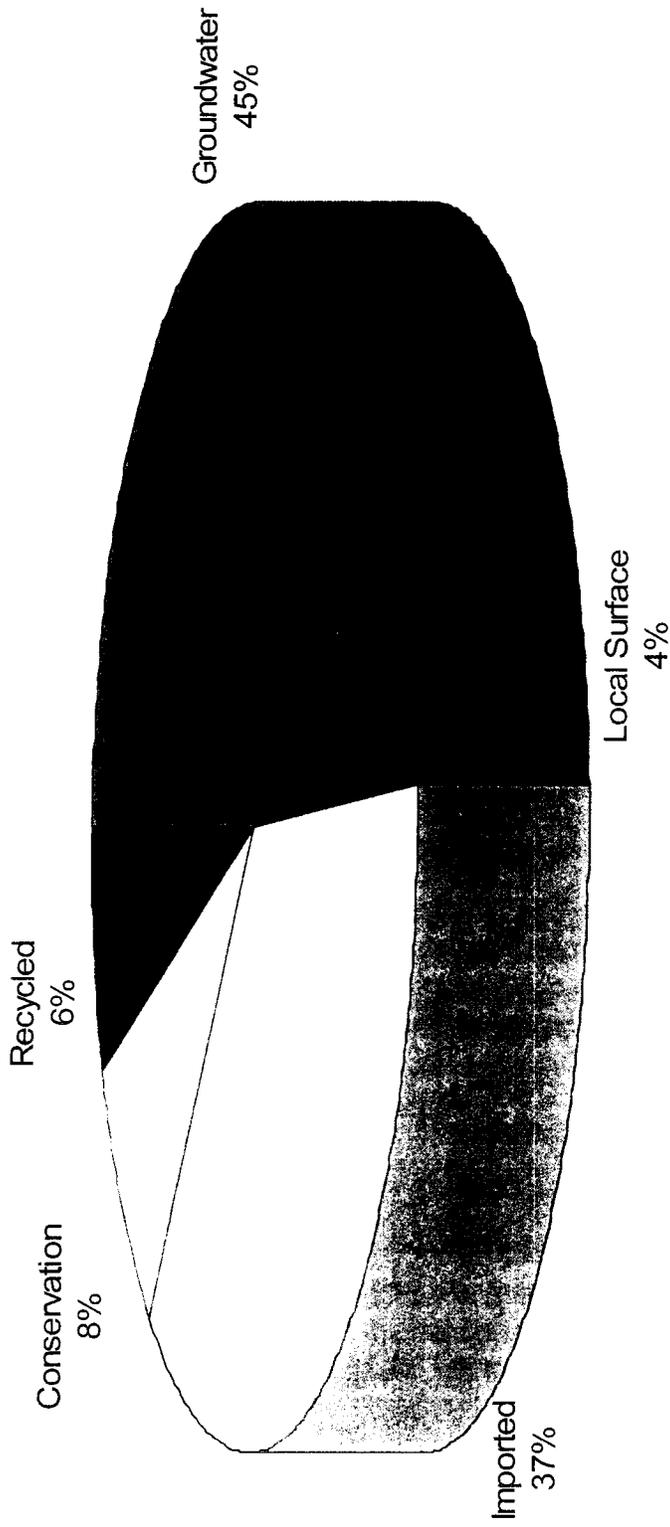


Exhibit 6

2020 Water Supply

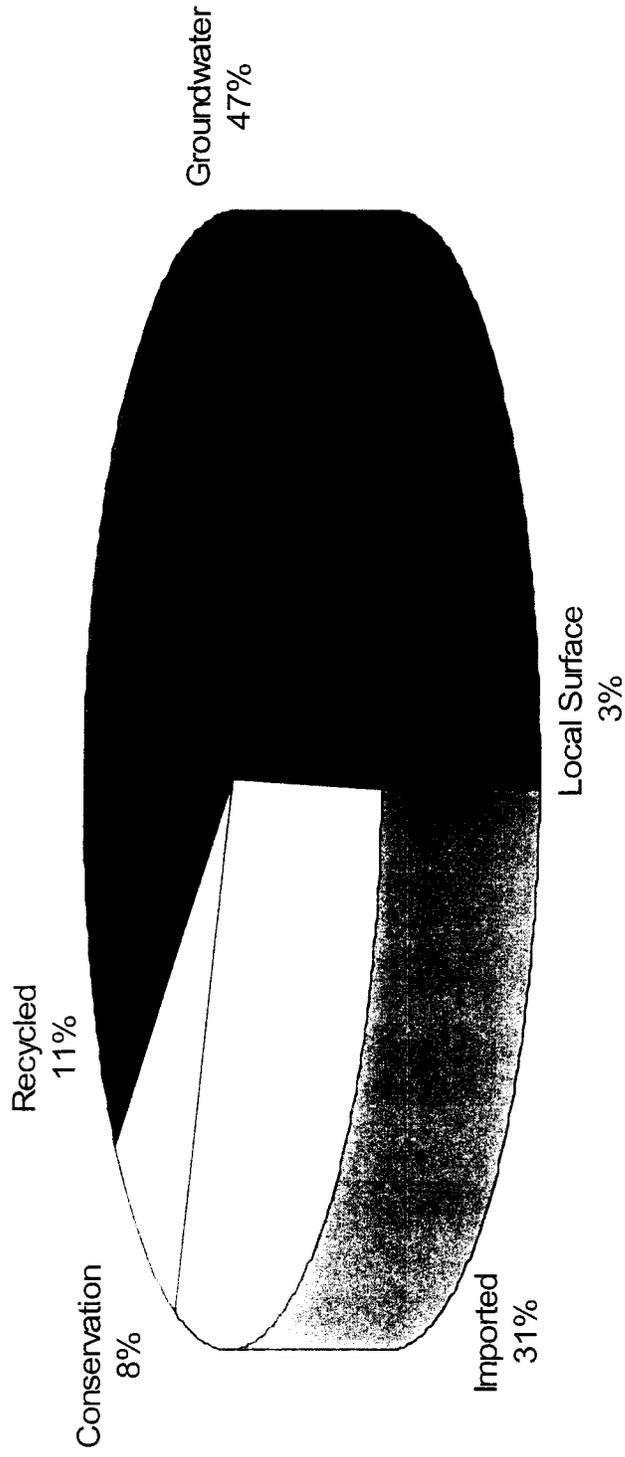


Exhibit 7

Drought Planning & Conservation

Several of the major watersheds throughout Southern California and eight western states have been suffering through periods of drought. A United States Geological Survey report released during June 2004 stated that based on water levels of the Colorado River basin, the drought may be comparable to or even more severe than the largest-known drought in the last 500 years. Experts believe a large high-pressure system keeping the jet stream north of Western states is preventing rain and moisture and may be one cause of the drought that we have been experiencing since late 1999. These types of drought conditions place an increased burden on Northern California water sources which are also experiencing their own water supply and water quality problems.

In light of the drought occurring in the southwest, the District's water supply plan includes a 10% conservation goal (Exhibit 8). In order to achieve this goal, the District will go beyond the creation of the demand-management programs we have been implementing. Staff will look at two possible alternatives. The first would be to encourage customers to meet a 10% conservation goal and launch a marketing campaign to encourage customers to reduce their use in order to meet this goal. The 10% reduction goal will be calculated by using a 12-month average water use for each customer. A customer bill lists the current year and last year's water usage information, as well as a graph illustrating water use patterns over the previous 12-month period. It is proposed that every customer bill will provide information on whether or not the customer has met their 10% conservation goal as well.

The other alternative would be to create a water budget for each customer. Water budgets are becoming more and more popular throughout Southern California and are a method to change customer behavior through financial disincentive. A water budget is the calculated amount of water a household will require based on the size of the family, type of home and the amount of landscape area around the home.

We can not expect customers to automatically change their behavior and reduce their usage if they are given a 10% conservation goal, or if we provide them with a water budget. Therefore, an extensive marketing campaign will be implemented in concert with either program to reinforce and encourage the behavior.

The second phase of this program will include the implementation of a conservation rate structure, which will offer an incentive to reduce water usage. Public information and education alone may not encourage a reduction in water use for customers, but a conservation rate structure that provides a mechanism to discourage water overuse will. Together a stated water conservation goal, a strong public outreach campaign, and a conservation rate structure that encourages water savings will work to help the District achieve its conservation goal of reducing water use by 6,390 acre feet by 2010.

Projected Conservation Goals

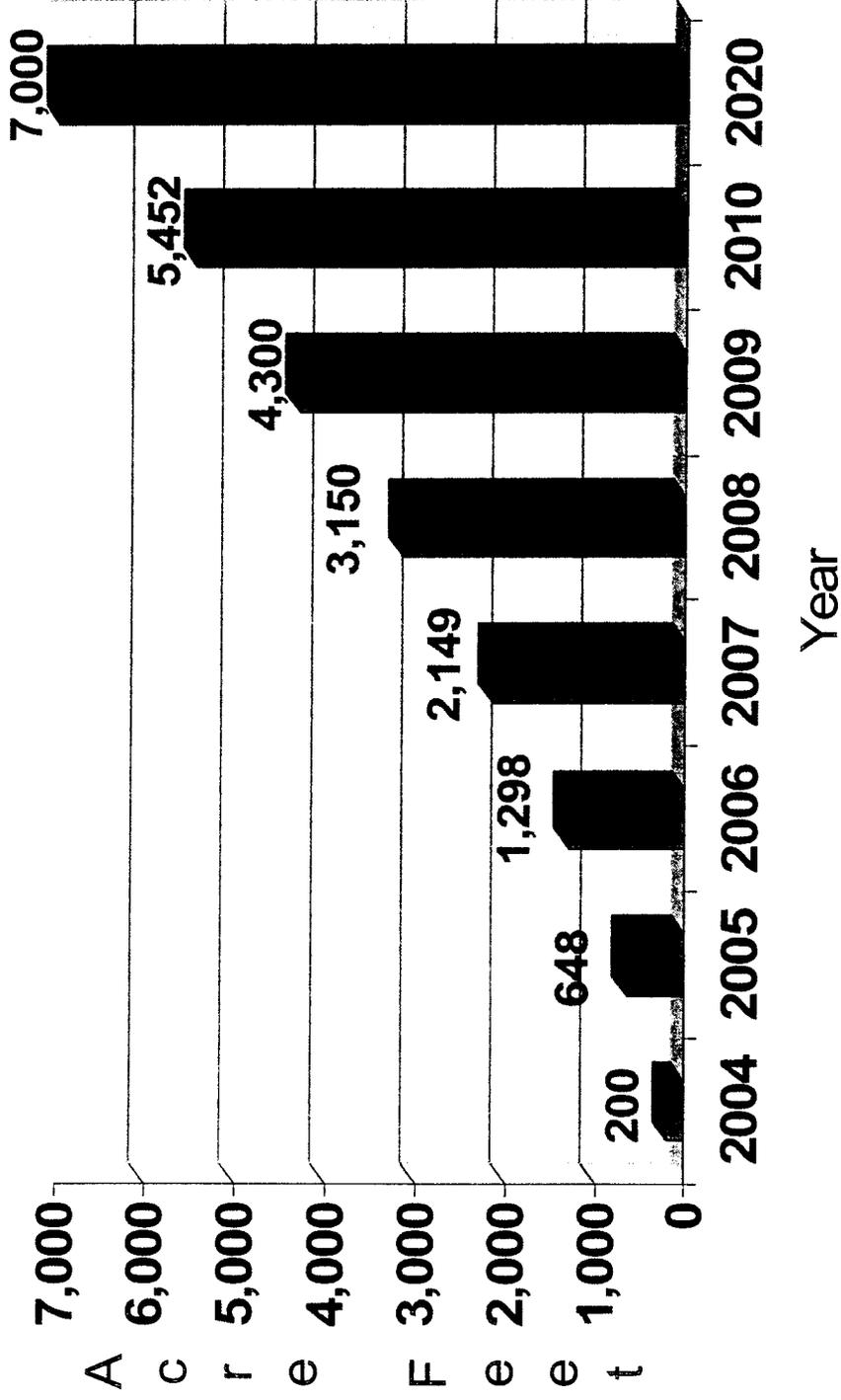


Exhibit 8

Conservation Pricing

One component of conservation that is often overlooked is the effect price has on water demand. The District adopted Ordinance 42 in 1991 to establish a water conservation plan to address emergency conditions of water supplies. This Ordinance details a punitive increasing block rate pricing structure to deter customers from using more than the predetermined baseline amount of water. The implementation of this type of rate structure is designed for implementation during long periods of decreased water supplies, such as a prolonged drought which may restrict the District's supplies of imported and groundwater.

According to Ordinance #42, the price per unit of water increases by a range of 150-400% depending, on the phase of implementation and the quantity of water used. For example, a residential customer will be billed in Phase 1 of the Ordinance's implementation as follows.

Consumption (gallons per day)	Rate
1 – 500 gpd	Current water rate
501 – 1000 gpd	1.5 x current water rate
1001 + gpd	2.0 x current water rate

This type of rate structure is effective in altering the consumption habits of customers. One similar example of the effectiveness in altering consumer behavior through increased surcharges occurred during the summer of 2002 and the tiered electrical rate structure. The steep rate increase penalized electrical users to the point of conservation. This same philosophy is applied in developing Ordinance #42 to address a water supply plan during times of drastic conditions. This is not a viable plan for a water rate structure during normal operating conditions. The penalties are too punitive and create inequities among customers to justify supporting its use simply on the basis of conservation.

Conservation pricing (increasing rates for increasing consumption) has gained acceptance as a tool to aid water conservation efforts. Current pricing structures are usually less punitive and more flexible than the terms of the District's Ordinance #42. There are several arguments against conservation pricing. They include that it produces more revenue volatility due to uncontrollable economic and meteorological factors. This system is more complex to administer and requires more communication with customers when explaining the goals and justifications for the conservation pricing. Even considering these arguments, conservation based rate structures may prove beneficial to an agency, such as the CVWD, who is attempting to regulate increasing water demands, or who is anticipating water supply reductions.

CVWD is analyzing customer history data to design a rate reasonable structure that rewards customers who conserve water and charges more to customers who use more water than the average for their customer class. The greatest potential for water savings is reducing outdoor water used on landscaping. This type of rate structure could apply to irrigation customers which currently accounts for 15% of all metered water sales. This is primarily non-residential landscaping. To increase the percentage of irrigation customers, a separate irrigation meter is required on non-residential landscaping. The District may consider the benefits of requiring separate irrigation meters on all new residential development services. This would provide the opportunity to implement a conservation pricing structure across a larger customer base, which would reward those who conserve. Regardless of the implementation details, conservation rate structures area consideration for the District's future water conservation plans.

Drought Planning

During severe drought conditions, the District may need to implement mandatory conservation above what could be achieved thru our 10% conservation program. Pursuant to the State of California Water Code Section 350 et seq. and Section 375 et seq. the Board of Directors is authorized to declare a water shortage emergency and implement water conservation measures in the event of certain severe drought/water shortage.

According to Ordinance #42 declaring a state of water emergency is based on an assessment by the staff of the District's ability to meet normal water demands. If it is determined that the District's ability to meet normal demand is less than 90% for the period in question, staff shall immediately recommend to the Board that an emergency condition be declared. Ordinance #42 also allows the District to implement an incremental water rate structure, intended to encourage water conservation. The three-phased incremental rate structure depends on the severity of the drought. The water allocation begins at 125 gallons per person per day, lowers to 75 gallons per person by Phase 3, which would be implemented in the event of a very severe drought. There are also conservation provisions outlined for other customer classes such as multi-family, commercial & agricultural categories. The Ordinances also have relief provisions for customers to apply for additional water if they meet certain criteria.

One final provision of the Ordinance is establishing a program to monitor customers who have excessively high consumption rates. The provisions set in this section include a threshold level for "high" consumption and a procedure by which to bring a customers attention to their water usage. A customer's non-compliance with the District's request to reduce their water consumption may result in a shut off of the customer's water.

Ordinance #42 provides a starting point for provisions that allow the District certain liberties to make sure there is an adequate water supply for all customers to meet all basic health and safety requirements. Due to changing demands and

supply, climatic changes these ordinances will need to be continually reviewed and amended in order to achieve the District's desired conservation goals.

Future Storage Requirements

Along with a diversified water supply plan, it is important to have an adequate amount of storage available in the event of a loss of one of our supplies or a major disaster. Currently the District has 62.2 million gallons of total system storage at 20 reservoir sites throughout our service area.

The storage requirements established in the District's Water Master Plan are based on industry standards and are the sum of operational storage (50% of average day demand), emergency storage (100% of average day demand) and fire protection storage (total maximum fire flow for all zones).

Based on these guidelines, the District's current storage requirement is 79.9 million gallons. Currently, in addition to CVWD's existing storage capacity of 62.2 MG, 13.2 MG is being added at Reservoirs 1B and 1C which will bring our total storage supply to 75.4 million gallons by the beginning of the 2005 FY. Additionally, 11.5 million gallons of new storage is planned to be constructed o 2005-2006 making the total storage available 86.9 mg exceeding the required storage of 83.1 mg. A complete breakdown of future storage requirements and proposed future storage projects is shown in Appendix C.

Cost of Implementation

The development of additional sources of water all has a financial impact on the District. CVWD has a history of planning for future water supplies in a financially responsible manner. One example is the construction of the Arthur H. Bridge Water Treatment Plant which produces potable water from surface water flows through the Cucamonga Canyon. This is a "free" source of water and an important component to the operational and financial plan of the District's water supply. If CVWD did not have this source of water available, we would pay approximately \$500,000/year to replace this source with imported water supplies.

In 2001, the Board of Directors permanently memorialized the long-standing practice of "fiscal responsibility in providing water service to its customers" by adding this phrase to the District's Mission Statement. The challenge of this mission is to meet the water service needs of our customers in such a way that we also fulfill the fiduciary responsibility of being good stewards over the public funds entrusted to the District by its customers. The 2004 Water Supply Plan was developed and guided by this mission:

To provide high quality, safe and reliable water and wastewater services, while practicing good stewardship of natural and financial resources.

The key elements to a financial plan that supports the recommendations in the Water Supply Plan include forecasting the future cost of imported water, groundwater, and recycled water. Additionally, the District will likely incur future costs to implement the new conservation elements outlined in the Plan in order to realize the expected decreases in water demands thru conservation. Finally, future sources of water can only be developed by the design and building of capital projects. The Plan calls for additional assets such as wells, reservoirs, pump stations, and transmission facilities to carry these additional water supplies. All of these options will be considered when looking at both the operational and the financial impacts to CVWD customers.

The reality is that all of the water sources (imported, groundwater, and recycled) along with conservation play roles in the future Water Supply Plan of the District. With the adoption of this Plan, the District is moving in a direction to dramatically increase the production of groundwater while attempting to maximize local canyon source water and minimize the use of imported water supplies. There is also a financial justification for the development of this policy.

Imported versus Groundwater

The MWD has published a draft of its forecasted imported water rates as part of a "Long Range Financial Plan" through the year 2013. Exhibits 9 & 10 indicate a projected increase in Tier I untreated water of over 40%, and a Tier II rate increase of over 32%, over the next nine-years. This equates to an average annual increase of 4.5% for Tier I water, and 3.5% for Tier II water.

Since this is the untreated water rate, there is also a water treatment component to the future cost of water. MWD estimates their cost to treat water will more than double during this same nine-year period. Based on MWD's estimate of their treated water rate, the District's projected treated water cost from imported sources is 90-95% of the treated MWD rate.

The cost of groundwater is significantly less than imported water, and is the primary source of water which can reduce CVWD's dependence of imported water supplies. The costs associated with the production of groundwater are assessments, well pumping power, disinfection, distribution pumping, and capital. The assessment charge for Chino Basin groundwater is approximately \$65/AF of water produced.

MWD Projected Untreated Water Rates

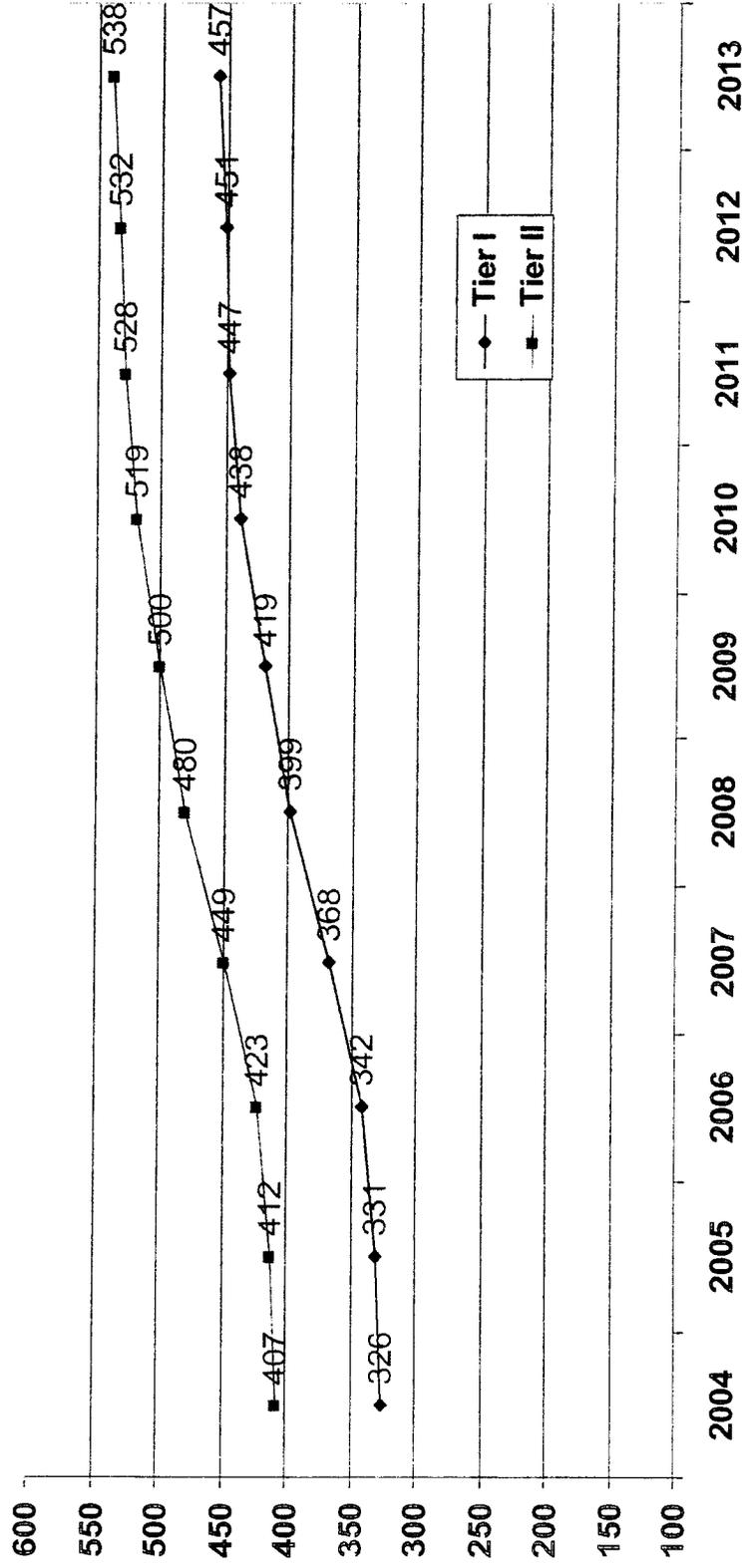


Exhibit 9

Projected Treated Water Rates

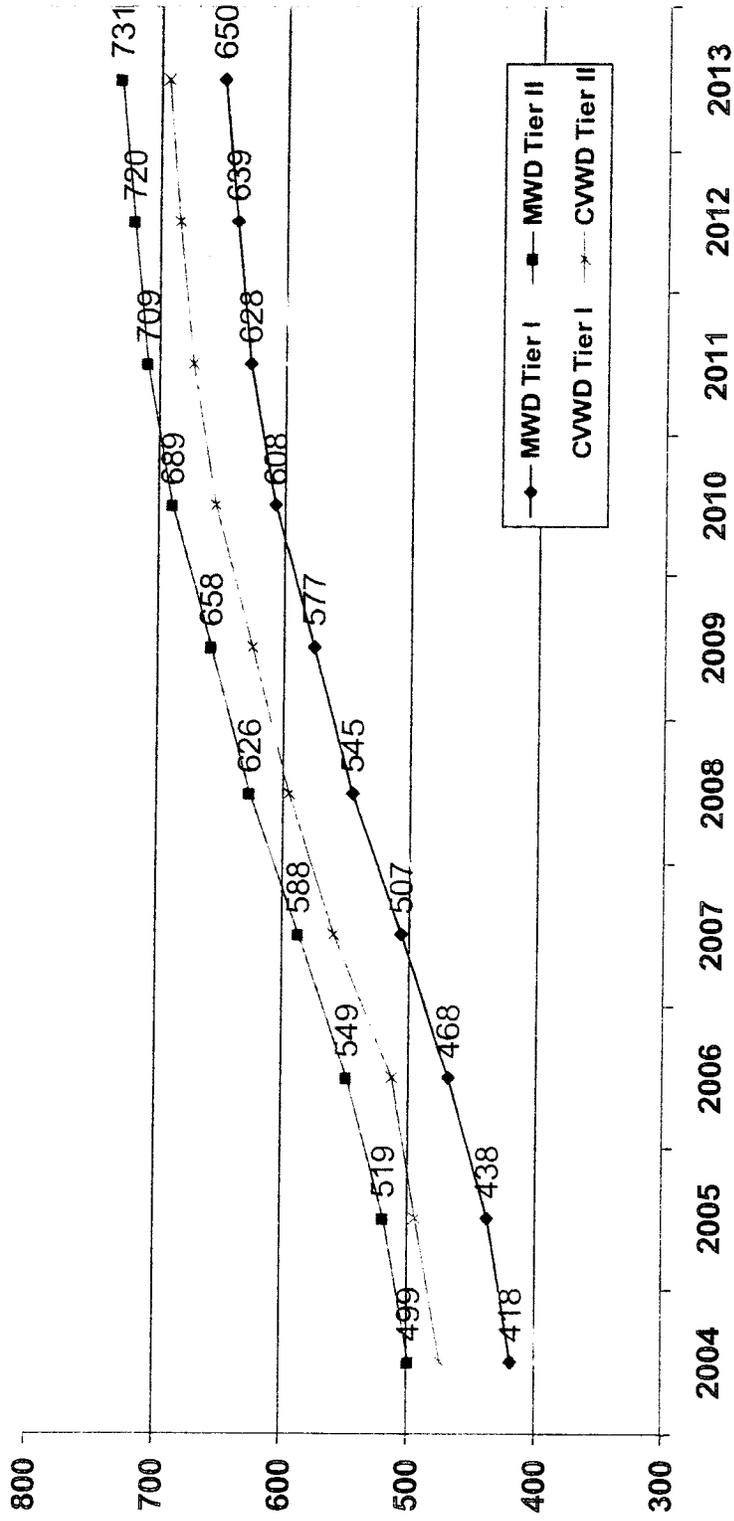


Exhibit 10

Factoring all of the pumping and distribution costs, groundwater can be delivered for \$150-\$250/AF depending on operational parameters. This is approximately one-half the cost of fully treated imported water. Maximizing the use of this source of water significantly reduces the District's overall cost of water. The future projection of this source of water ranges from an increase in costs on average of 15% annually. Even with these projected increases, the cost per acre-foot of groundwater is projected to decrease over the next 20 years due to increased pumping capacity and rights in the Chino Basin. As more water is produced, the cost of water per acre-foot is decreased.

Recycled Water

Recycled water is a new and developing water source for the District. In addition to the water resource management benefits of recycled water, it is extremely attractive on a cost basis. The raw water cost of this source is approximately one-half the costs of groundwater, which can range between \$60-\$150/AF before capital system requirements are factored in. Because recycled water is only a viable source of water for non-potable applications (landscape, industrial processes, cooling towers), CVWD has a limited customer base for its application. The District's plan is to develop a recycled water distribution system in portions of our service area where there are higher concentrations of potential customers. In this way, the District will be able to control the cost of necessary infrastructure and to maximize the number of customers between whom to spread the cost of capital. The projected cost of capital infrastructure needed to develop a distribution system in all phases is \$5-\$10 million. Depending on the number of satellite water recycling plants constructed, this capital requirement could be more than double that amount. This investment is expected to provide between 1,000 & 10,500 acre-feet of water and the projects will be evaluated on a water supply and financial cost/benefit basis. Assuming the cost of capital borrowing is 5%, the capital costs plus the cost of the treated effluent from the IEUA wastewater treatment facilities still keeps recycled water less than 80% of the treated imported water rate. As costs continue to increase in the future because of diminishing water supplies, increase in treatment regulations, and the high cost of developing new sources (desalination), recycled water is a viable and important operational, environmental, and financial alternative for the future water supply of the CVWD.

Capital

The financial analysis presented in this Plan supports the development of a future Water Supply Plan that:

- Concentrates on groundwater as its priority source to develop;
- Utilizes recycled water where geographically operational and financially available;
- Maximizes local canyon supplies; and
- Uses imported water as a source of supply to balance the District's daily demands.

Projected Cost of Chino Basin Groundwater

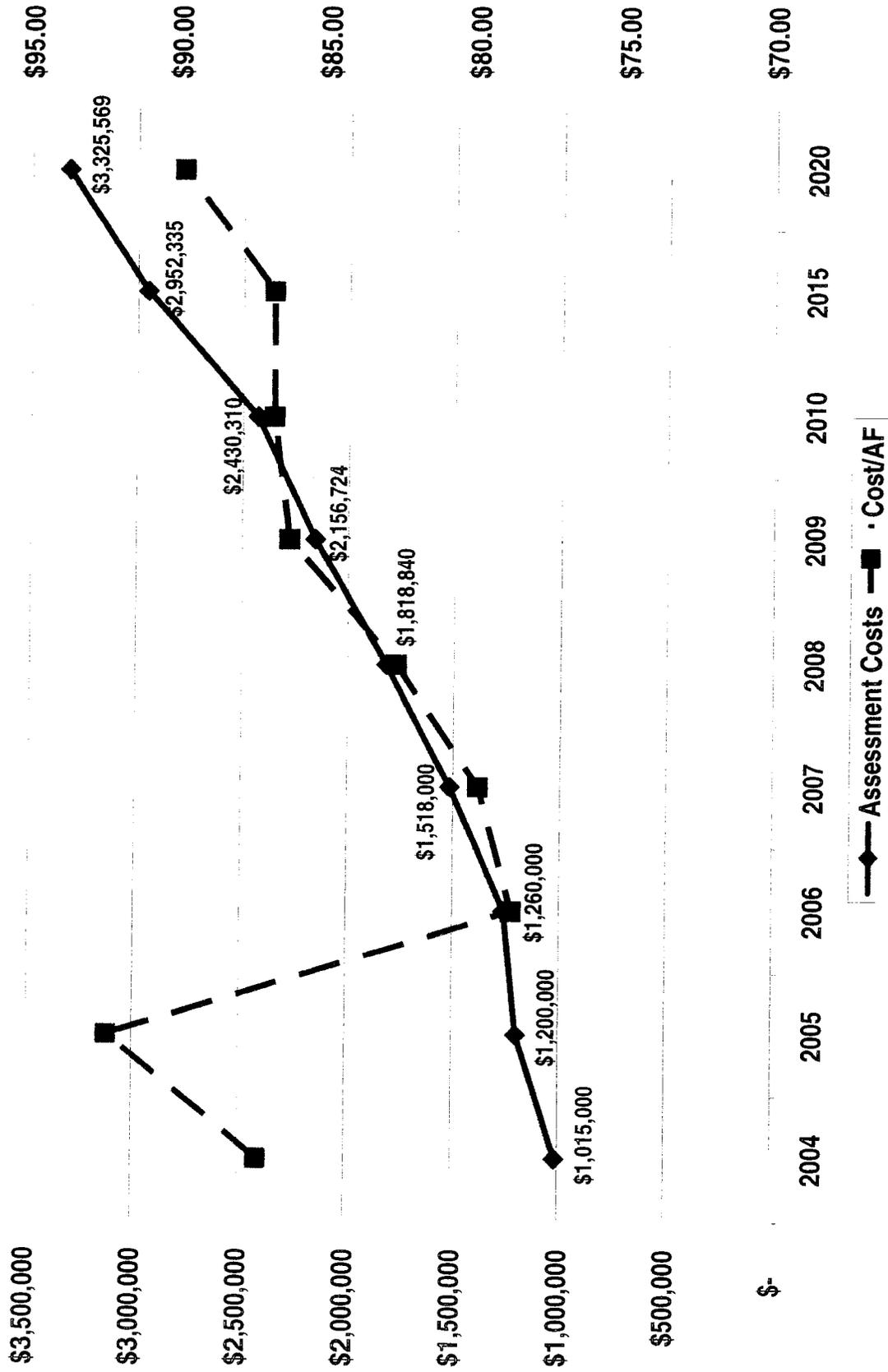


Exhibit 11

The most challenging aspect of these goals is the realization that all of these sources of water require current and future infrastructure projects. The 2003 Water System Master Plan identified over \$62 million in projects over a 5-year period to "kick start" the District's movement toward its ultimate water supply goals. These projects included water treatment facilities, pumping plants, wells, reservoirs, distribution pipes, and transmission mains. The facilities will be paid for by a combination of capacity fees, annual cash funding from the Water General Fund and debt financing. Depending on the level of Capacity Fee Revenues, it is estimated that at least 50% of the annual average commitment of \$12 million will need to be financed. The current cost of borrowed funds over a 25-year term through the issuance of COP's is approximately 5%. The District will continue to explore all sources such as grant funding, capital leasing, variable rate borrowing, and bank lending to secure the appropriate funding source based on the District's objectives and risk profile.

For every \$1 million borrowed over a 25-year term, it creates a \$70,000 annual payment obligation. Based on the District's 2004 rate base, every \$226,000 of additional costs equates to a \$0.01 impact to the retail water rate. From the example of financing 50% of a \$12 million capital budget, the impact on water rates is between \$0.015 and \$0.02 per HCF per year.

One strategy to minimize this impact is changing the capacity fee methodology to not only include the cost of buying into the existing system, but also paying for a specific plan of projects to service new growth areas in the future. This is one option being considered during the 2004-2005 budget year.

The ultimate "silver lining" in the financial discussion is the annual reduction in the operational cost per acre-foot of water by aggressively maximizing groundwater supplies and minimizing, when possible, the use of imported water. Based on current projections, a water supply mix that matches the goals of this plan will reduce the cost of water on an acre-foot basis by 20% from TODAY'S level and limit the annual cost increase to less than an average of 3.0% annually. This will free up more funding from the Water General Fund to pay for new projects and provide additional funding capacity to borrow money as needed. The final result is a water rate that trends, at times, significantly below the rate of inflation.

There is no question that the cost of water service in Southern California will increase over the next 10-20 years. It is our goal to plan in such a way to minimize the impact to our customers. This is a Water Supply Plan that meets that goal to address CVWD's #1 strategic goal and satisfies its mission at the same time.

Appendix A

Water Supply Required in Future
(Acre-Feet)

SOURCE	2004	2005	2006	2007	2008	2009	2010	2015	2020
Groundwater									
Chino Basin	11,636	13,000*	16,000	19,000	22,000	25,000	28,000	34,000	37,000
Dry Year Yield Program	5,445	411	2,430	2,430	2,430	2,430	2,430	2,430	2,430
Cucamonga Basin	1,776	5,400	5,400	5,400	5,400	5,400	5,400	5,400	5,400
Local Surface Water	36,530	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Imported Water		35,000	32,000	30,000	29,000	29,000	29,000	29,000	29,000
Recycled Water		350	850	1,500	2,400	3,500	5,000	7,500	10,500
Conservation		1,146	1,758	2,396	3,065	4,695	6,390	7,050	7,700
Rate of Conservation		2%	3%	4%	5%	7.5%	10%	10%	10%
Total Supply Available	55,387	58,307	61,438	63,726	67,295	73,025	79,220	88,380	95,030
Projected Demand	(54,858)	(57,300)	(58,600)	(59,900)	(61,300)	(62,600)	(63,900)	(70,500)	(77,000)
Local Supply Contingency	529	1,007	2,838	3,826	5,995	10,425	15,320	17,880	18,030
Contingency Percent	1%	2%	5%	7%	10%	17%	24%	25%	23%
Excess Treatment Capacity	33,183	34,713	37,713	39,713	40,713	40,713	40,713	40,713	40,713

- * 2005 – 50% of Well 42
- * 2006 – 50% of Well 42, 50% of Well 43
- * 2007 – 50% of Well 43, 50% of Well 44
- * 2008 – 50% of Well 44, 50% of Well 45
- * 2009 – 50% of Well 45, 50% of Well 46

- * 2010 – 50% of Well 46, 50% of Well 47
- * 2011 – 50% of Well 47
- * 2012-2015 – 50% of Well 48
- * 2015-2020 – 50% of Well 49

**Dry Year Yield Wells – 73% of developed capacity for Wells 39, 40 & 41 is allocated to meeting CVWD's shift obligation as part of the Chino Basin Dry Year Yield Program and 27% is available for use under normal conditions.

Appendix B

Proposed Groundwater Supply Improvements											
(Acre -Feet)											
Well No.	2004	2005	2006	2007	2008	2009	2010	2011	2012-15	2015-20	
39		1,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
40		1,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
41	1,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
42	1,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
43			1,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
44				1,500	3,000	3,000	3,000	3,000	3,000	3,000	3,000
45					1,500	3,000	3,000	3,000	3,000	3,000	3,000
46						1,500	3,000	3,000	3,000	3,000	3,000
47							1,500	3,000	3,000	3,000	3,000
48								3,000	3,000	3,000	3,000
49											3,000
Existing Chino Basin Wells	11,636	11,636	11,636	11,636	11,636	11,636	11,636	11,636	11,636	11,636	11,636
Total Chino Basin Wells	14,636	20,636	25,136	28,136	31,136	34,136	37,136	38,636	41,636	44,636	44,636
Existing Cucamonga Wells	5,445	5,400	5,400	5,400	5,400	6,900	6,900	6,900	6,900	6,900	6,900
Total Groundwater Production	20,081	26,036	30,536	33,536	36,536	41,036	44,036	45,536	48,536	51,536	51,536

Appendix C

Proposed Water Storage Improvements (Storage in Million Gallons)									
Reservoir	Capital Budget Year								
	2004	2005	2006	2007	2008	2009	2010	2015	2020
1B-1	2.1								
1B-2	2.1								
1C-1	3.5								
1C-2	5.5								
Zone 2									
2B			2.5	3					
3A-2			3						
3B									
3C-3									
4B-2					3.5	4			
4C-3		2.5							
4D		3		5					
5B-2		3							
5D		3							
6									
6A									
6C		3		2					
7B-2							2		
Proposed Storage	13.2	11.5	8.5	10	6.5	9	2	0	0
Existing Storage	62.2	75.4	86.9	95.4	105.4	111.9	120.9	122.9	122.9
Total Storage	75.4	86.9	95.4	105.4	111.9	120.9	122.9	122.9	122.9
Required Storage	79.9	83.1	84.9	86.6	88.5	90.2	92	100.8	109.5

APPENDIX C



CUCAMONGA COUNTY WATER DISTRICT

9641 SAN BERNARDINO RD. • CUCAMONGA, CALIF. 91730 • P. O. BOX 638 • 927-2591

VICTOR A. CHERBAK, JR., *President*

Vice-President
FRANK LESINSKY

Secretary, General Manager
LLOYD W. MICHAEL

Directors
CHARLES T. VATH
EARLE R. ANDERSON
ROBERT NESBIT

February 11, 1981

Mr. Adolph Moskovitz
555 Capital Mall
Suite 900
Sacramento, CA 95814

Re: Cucamonga Basin

Dear Mr. Moskovitz:

Enclosed is a copy of the Stipulated Decree covering the Cucamonga Basin.

As a result of purchases over the years, our District now holds 15,351 acre feet. San Antonio Water Company controls 6,500 acre feet, Upland Water Company controls 750 acre feet, and Western Fruit Growers controls 120 acre feet. However, I doubt that Western's will ever be used.

We have always felt that the Basin was over stipulated, and that the actual safe yield would be in the area of 15,000 to 16,000 acre feet. The Basin is small and reacts quickly to precipitation, and long seasonal pumping.

If you have any further questions, please call me.

Yours truly,

CUCAMONGA COUNTY WATER DISTRICT

Lloyd W. Michael
General Manager

LWM:j
enclosure

1 WALKER, WRIGHT, TYLER & WARD
2 210 West 7th Street, Suite 631
3 Los Angeles 14, California
4 TRinity 8936

5 Attorneys for Plaintiff
6
7

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SAN BERNARDINO
10

11
12 SAN ANTONIO WATER COMPANY, a corporation,
13 Plaintiff,

14 -vs-

15 Foothill Irrigation Company, a corporation;
16 SUNSET WATER COMPANY, a corporation; IOAMOSA
17 WATER COMPANY, a corporation; and OLD SETTLERS
18 WATER COMPANY, a corporation; ALTA LOMA MUTUAL
19 WATER COMPANY, a corporation; ARMSTRONG
20 NURSERIES, a corporation; BANYAN HEIGHTS WATER
21 COMPANY, a corporation; CARNELIAN WATER
22 COMPANY, a corporation; CITRUS WATER COMPANY,
23 a corporation; CUCAMONGA DEVELOPMENT COMPANY,
24 a corporation; CUCAMONGA WATER COMPANY, a
25 corporation; HEDGES WELL COMPANY, a corpor-
26 ation; HELLMAN WATER COMPANY, a corporation;
27 HERMOSA WATER COMPANY, a corporation;
28 JOYA MUTUAL WATER COMPANY, a corporation;
29 REX MUTUAL WATER COMPANY, a corporation;
30 SAPPHIRE MUTUAL WATER COMPANY, a corporation;
31 CHARLES SNYDER; UPLAND WATER COMPANY, a
32 corporation; HENRY G. BODKIN and BANK OF
AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION,
as Executors of the last will of Giovanni Vai,
deceased; WESTERN FRUIT GROWERS, a corporation;
HUGH P. CRAWFORD; G. N. HAMILTON RANCH, a
partnership composed of Arthur Bridge, Helen
Bridge, and Grace W. Burt; JOHN DOE ONE to
THIRTY inclusive, MARY ROE ONE to THIRTY
inclusive, JOHN DOE COMPANY ONE to TWENTY
inclusive,

Defendants.

No. 92645

DECREE

SUNNY R. HEILNER
ATTORNEY AT LAW
SAN BERNARDINO, CALIFORNIA

1 WHEREAS, there has been filed in the above entitled
2 action, a Stipulation for Judgment duly executed by and on the
3 part of each and all of the following named parties to said action
4 (who are collectively hereinafter referred to as the "stipulating
5 parties"), to wit:

6 San Antonio Water Company, a corporation;
7 Foothill Irrigation Company, a corporation;
8 Ioamosa Water Company, a corporation;
9 Old Settlers Water Company, a corporation;
10 Sunset Water Company, a corporation;
11 Cucamonga Water Company, a corporation;
12 Alta Loma Mutual Water Company, a corporation;
13 Armstrong Nurseries, a corporation;
14 Banyan Heights Water Company, a corporation;
15 Carnelian Water Company, a corporation;
16 Citrus Water Company, a corporation;
17 Hedges Well Company, a corporation;
18 Hellman Water Company, a corporation;
19 Hermosa Water Company, a corporation;
20 Joya Mutual Water Company, a corporation;
21 Upland Water Company, a corporation;
22 Western Fruit Growers, a corporation;
23 Cucamonga Development Company, a corporation;
24 Sapphire Mutual Water Company, a corporation;
25 Charles Snyder;
26 Hugh P. Crawford;
27 Bank of America National Trust and Savings Association,
28 a national banking association, and Henry G. Bodkin,
29 as executors of the last Will of Giovanni Vai, deceased;
30 G. N. Hamilton Ranch, a partnership composed of Arthur
31 Bridge, Helen Bridge, Grace W. Burt;
32

1 and Rex Mutual Water Company.

2 and,

3 WHEREAS, the Court has heard and considered evidence on the
4 part of various of the stipulating parties,

5 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED
6 by this Court that:

7 FIRST: As used herein, the terms listed below shall have
8 the respective meanings next following them, viz:

9 (a) "Cucamonga Basin" or "Basin" shall mean that certain
10 territory in the County of San Bernardino, State of California,
11 which is more particularly described upon Exhibit 1, and shall
12 also include all percolating water and underground water and water
13 sources underlying said territory;

14 (b) "Imported water" shall mean water derived from a
15 stream flow in an area outside of any water shed draining into the
16 Cucamonga Basin. Specifically, water derived from San Antonio
17 Canyon and/or Creek is "imported water".

18 (c) "Irrigation season" shall mean that portion of each
19 year when irrigating is required by the users of the water sold by
20 the Plaintiffs and Defendants hereto. While this period varies
21 considerably from year to year, the irrigating season generally
22 commences during any month in which the rainfall does not exceed
23 two inches, and the season generally terminates after the first
24 rainfall of two inches or more. The season usually approximates
25 the period from May 1st to November 1st.

26 "Spreading season" is the balance of each year remaining
27 after deducting the irrigation season for such year, and is
28 usually approximately the period from November 1st of one year to
29 May 1st of the succeeding year.

30 "Spread" with respect to water shall mean to conduct the
31 same upon and sink the same into the gravels of Cucamonga Basin
32 during a spreading season.

SURR & HELLYER
ATTORNEYS AT LAW
SAN ANTONIO, CALIFORNIA

1 (d) "Aggregate stipulated water" means the total number
2 of acre feet of water set opposite the names of all stipulating
3 parties in Exhibit 2.

4 (e) "Pro-rata" means, in each case, in the same propor-
5 tion as the acre feet listed opposite the name or names of the
6 party or respective parties in question bear to the aggregate
7 stipulated water; and the verb "pro-rate" means to divide and
8 share pro-rata among the stipulating parties.

9 (f) "Allocated water" of any stipulating party or parties
10 in each case means the number of acre feet of water set out on
11 Exhibit 2 opposite the name or names of such party or parties.

12 (g) "Ten preceding years" means the period of ten con-
13 secutive calendar years which immediately precedes or has preceded
14 the year or event mentioned.

15 (h) "Five-sixths of the water users" shall mean stipu-
16 lating parties having in the aggregate allocated water which is
17 not less than five-sixths of the total allocated water of all
18 stipulating parties.

19 (i) An "inch" of water or a "miner's inch" of water shall
20 mean a flow of water equal to one-fiftieth (1/50th) of a cubic
21 foot of water per second of time.

22 (j) Any party hereto the corporate name of which ends
23 with "Water Company" or "Mutual Water Company" will be hereinafter
24 referred to without such words. Thus "San Antonio" means herein
25 "San Antonio Water Company" and similarly with the other parties
26 using said words "Water Company" or "Mutual Water Company".

27 (k) "Canyon pipeline" shall mean the pipeline (varying in
28 size between approximately 32 inches in inside diameter and about
29 18 inches) which extends Southerly from a point on the channel of
30 Cucamonga Creek at an elevation of approximately 2350 feet above
31 sea level (herein called "Northerly intake") to the "round weir"
32 mentioned below.

1 (l) "Round weir" shall mean that certain weir of Ioamosa
2 marked on the map Exhibit 3 as "Round Weir" and located near the top
3 of the bluff on the East side of Cucamonga Creek and just Northerly
4 from the Westerly prolongation of Almond Street, said weir being
5 the point from which (a) two ten-inch water lines marked on the map
6 Exhibit 3 as "Ioamosa 10 inch" lead Easterly to Ioamosa's
7 Carnelian Street Reservoir (at about elevation 2030 feet above sea
8 level on the East side of Carnelian Street between Hillside Road and
9 Almond Street); (b) a six-inch water line marked on the map Exhibit 3
10 as "Hamilton 6 inch" leads Southeasterly to the Hamilton Ranch (which
11 lies South of Hillside Road, North of Banyan Street, East of Sapphire
12 Street and West of Carnelian Street), and, (c) an eight-inch water
13 line marked on the map Exhibit 3 as "Banyan 8 inch" runs Southerly
14 down Topaz Street to connect with the water system of Banyan Heights.

15 (m) "Reservoir Weir" means the weir of Ioamosa located at
16 the Carnelian Street Reservoir.

17 (n) "Ioamosa Southerly Intake" shall mean a line extending
18 West across the channel of Cucamonga Creek from the existing "Canyon
19 Weir" of Ioamosa marked on the map Exhibit 3 as "Canyon Weir", which
20 weir is located in Cucamonga Canyon, is part of the Canyon pipeline,
21 and is situated about midway (or somewhat Northerly thereof) between
22 the round weir and the Northerly intake mentioned above.

23 (o) "Schulhof pipe-line" means that certain three-inch water
24 pipe-line marked on the map Exhibit 3 as "Schulhof 3 inch" which
25 connects with the Canyon pipe-line Northerly of the round weir, and
26 which is mentioned in paragraph Second(h) of that certain decree
27 dated April 12, 1937, in action No. 29,799 (Schulhof v. Cucamonga
28 Development Company) in the above entitled Superior Court.

29 (p) The water to which Ioamosa is entitled as provided in
30 paragraph "Third" hereof is herein called "Ioamosa gravity water",
31 or "gravity water".

32 (q) "An overflow year" shall mean any calendar year for which

1 the water level determined as hereinafter provided in the index
2 well is at an elevation of 1345 feet or higher above sea level.

3 For the purposes of determination of elevation above sea
4 level the United States Geological Survey bench mark on Baseline
5 (also known as 16th Street) as it exists on the date this decree is
6 entered, on or near the north boundary of Section 4, Township 1
7 South, Range 7 west, and approximately four-fifths of a mile west of
8 Vineyard Avenue, shall be deemed to be at an elevation above sea
9 level of 1454 feet. The elevation of the water level in such index
10 well shall be determined by measuring the elevation of such water
11 in such well on October 1st of each year (Provided that if any such
12 day falls on a Sunday or a holiday, measurements shall be made on
13 the next business day). The index well shall be the well known
14 as Shaft No. 9-A of the San Antonio Water Company located approx-
15 imately 154 feet Southerly of the Northwest corner of Lot 14 of
16 Red Hill subdivision and shown on the map Exhibit 5. Wells No. 11
17 of Cucamonga Water Company and 20 and 22 of the San Antonio Water
18 Company shall not be pumped within three days before such date of
19 measurements, and the tunnel bulkhead adjacent to Red Hills Country
20 Club will be kept closed for a like period before such date. If
21 for any reason Shaft 9-A shall not be available for measurement,
22 then the index well shall be Wells No. 11 of Cucamonga Water Company
23 or 20 or 22 of the San Antonio Water Company, in the order herein
24 listed. If for any reason none of said wells shall be available
25 for such measurement, the identity and location of the index well
26 may be determined by a written stipulation executed by five-sixths
27 of the water users and filed in said action, or in default of
28 said stipulation by order of the said court.

29 Annexed to this Decree and hereby incorporated herein are the
30 following Exhibits:

31 Exhibit 1: A description of the territory under which
32 lies the "Cucamonga Basin";

1 Exhibit 2: A list of the "allocated water" of each party
2 (Other than the stream flow mentioned in paragraph "Third");

3 Exhibit 3: A map of "Cucamonga Pipe Lines";

4 Exhibit 4: A map of "Cucamonga Spreading Works";

5 Exhibit 5: A map of "Well and Shaft Locations";

6 and said exhibits are herein respectively referred to as "Exhibit 1",
7 "Exhibit 2", "Exhibit 3", "Exhibit 4" and "Exhibit 5".

8 SECOND: This paragraph deals with the right and quantity of
9 water San Antonio may annually hereafter extract from the Cucamonga
10 Basin as reduced by its failure to previously annually spread therein
11 the minimum amount of water hereinafter set forth, or as increased by
12 its previously annually spreading more imported water therein than
13 said minimum, excepting, however, in both such situations the spread-
14 ing of imported water during years in which such spread causes
15 the Basin to overflow resulting in such year constituting an overflow
16 year, as defined in Paragraph First, subdivision (q) thereof.

17 For the purpose of the computation in this Paragraph Second,
18 it shall be assumed that San Antonio has spread in each of the ten
19 years previous to 1957, 2,000 acre feet of imported water.

20 With respect to each calendar year after entry of this decree
21 each preceding ten year period shall be divided into "included" and
22 "Excluded" years. "Excluded years" are those calendar years which
23 are defined as overflow years in Paragraph First, subdivision (q)
24 thereof. All other calendar years are "included years".

25 If in the ten preceding years San Antonio shall have spread
26 less than 2,000 acre feet of imported water in any of the included
27 years, as modified by the assumption above set forth, the difference
28 between (a) The amount of imported water which shall have been so
29 spread in such included years, and (b) The quantity of 2,000 acre
30 feet multiplied by the number of included years, shall be known
31 as the "ten year deficit".

32 Any right of San Antonio to extract water from the Cucamonga

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1 Basin in any calendar year after the entry of this decree shall be
2 reduced by the number of acre feet of water equal to the ten year
3 deficit divided by the number of included years, if any such deficit
4 shall have occurred, so that such right to extract water for such
5 year shall not exceed 6,500 acre feet less the ten year deficit
6 divided by the number of included years.

7 Correspondingly, with respect to each calendar year after
8 the entry of this decree, if in the ten preceding years San Antonio
9 shall have spread more than 2,000 acre feet of imported water in any
10 of the included years, as modified by the assumption above set forth,
11 the difference between (a) The amount of imported water which shall
12 have been so spread in such included years, and (b) The quantity of
13 2,000 acre feet multiplied by the number of included years, shall be
14 known as the "ten year surplus".

15 The right of San Antonio to extract water from the Cucamonga
16 Basin in any calendar year after the entry of this decree, shall be
17 increased by a number of acre feet of water equal to 95 percent of
18 the ten year surplus divided by the number of included years, if any
19 such surplus shall have occurred, so that there shall be added for
20 such year to San Antonio's right to extract 6,500 acre feet of water
21 a number of acre feet of water equal to 95 percent of the ten year
22 surplus divided by the number of included years. Provided, however,
23 that in no case shall such increased extraction exceed 2,000 acre
24 feet of water for any one calendar year.

25 So long as the water level in the index well referred to in
26 paragraph First, subdivision (q) herein is at an elevation below
27 1345 feet above sea level, and in the event San Antonio has available
28 in any one calendar year after the year 1956 more than 2,000 acre feet
29 of imported water, and desires to sell the same, it shall, before selling
30 such imported water to others not parties to this Decree, annually
31 offer to sell such imported water to the other stipulating parties
32 hereto for spreading in the Cucamonga Basin and at a price to be fixed

1 between the parties by negotiation, but in any event to be not
2 greater than the price San Antonio can obtain from others not
3 parties of this Decree.

4 In the event San Antonio and the other stipulating parties
5 hereto do not agree by October 1st to the terms for the purchase
6 of said imported water to be sold and spread during the next
7 succeeding spreading season, then San Antonio is thereafter free
8 to sell such imported water to other persons not parties hereto,
9 or at its option, it may spread such imported water in the Cucamonga
10 Basin and by so spreading will receive the credit for water
11 spread as provided in this paragraph Second. If the stipulating
12 parties and San Antonio agree to the purchase from San Antonio
13 of any imported water, and such stipulating parties, other than
14 San Antonio, purchase said water and the same is spread in the
15 Cucamonga Basin, then during such year no credit shall be
16 given to San Antonio toward estimating its ten year surplus
17 or deficit for the amount of water so purchased and spread.

18 THIRD: Ioamosa and Hamilton Ranch, a partnership composed
19 of Arthur Bridge, Helen Bridge and Grace W. Burt, are the owners
20 of the paramount right to take and divert throughout each year
21 at or Northerly from the Ioamosa Southerly intake all surface
22 and subsurface flow of Cucamonga Creek, not exceeding however
23 two hundred fifty (250) miner's inches of water, (measured at
24 the round weir and the intake to the Schulhof pipeline), including
25 any water which shall be supplied to the Schulhof pipeline under
26 the terms of said decree in action No. 29,799 or otherwise. The
27 right to said flow of Cucamonga Creek up to 250 miner's inches
28 per year is subject to an obligation of Hamilton Ranch and Ioamosa
29 to deliver water into the Schulhof pipeline, and the balance of
30 said water is owned by Hamilton Ranch and Ioamosa in the following
31 proportions:

32 (a) Hamilton Ranch 128/1200ths thereof;

1 (b) Ioamosa 1072/1200ths thereof, subject to the right
2 of Sapphire to the extent of one (1) inch from the weir box on
3 Ioamosa's pipeline located approximately 1200 feet East of the
4 "round weir".

5 The rights of Ioamosa to the Ioamosa gravity water are
6 subject to the provisions hereof. Ioamosa may transport such
7 gravity water to any location or locations whether within or without
8 the basin, and use or deliver such water at any such location or
9 location, provided, however, if any of the Ioamosa gravity water is
10 used or conducted outside the Basin in any year, then the quantity of
11 water which Ioamosa shall be entitled to develop or extract from the
12 Basin by Paragraph Fourth and Exhibit 2 herein during the next
13 succeeding year shall be reduced by an amount equal to the quantity
14 of Ioamosa gravity water so used or conducted outside the Basin
15 during such year.

16 The stipulating parties hereto shall within sixty (60) days
17 after the date of this judgment, at their proportionate expense, con-
18 struct in a manner which shall have been approved by San Antonio
19 Water Company or by the above entitled Court a dividing weir located
20 where Ioamosa now maintains the "round weir". Such dividing weir
21 shall be so constructed that it will automatically limit to 249
22 inches the amount of water that will flow into the above mentioned
23 four outgoing lines that are now connected with the round weir and
24 are referred to in paragraph First (1) herein.

25 Within sixty (60) days after the date of this judgment
26 the stipulating parties hereto shall also construct in a manner
27 which shall have been approved by San Antonio Water Company or
28 by the above entitled Court a dividing weir at the said
29 Carnelian Street reservoir. The dividing weir at this point shall
30 be so constructed as to permit Ioamosa to divert fifty inches of
31 such Ioamosa gravity water to domestic use.
32

1 During each spreading season, the remaining amount of Ioamosa
2 gravity water over and above fifty (50) inches, shall be either:

3 (a) Used for irrigation purposes over Cucamonga Basin; or,

4 (b) Spread over Cucamonga Basin in the spreading grounds
5 of Ioamosa or Banyan Heights Water Company; or

6 (c) Returned by Ioamosa to the channel of Cucamonga Creek.

7 During each spreading season all of the flow of Cucamonga
8 Creek in excess of such 250 inches after passing through the debris
9 basins numbered C1 to C12 inclusive on Exhibit 4 shall be spread in
10 spreading grounds which now exist, or are now under construction, or
11 which are proposed, as shown on Exhibit 4, including the channel or
12 wash of Cucamonga Creek, and which overlie the Cucamonga Basin and
13 are North of Baseline Road. Whenever such spreading grounds are all
14 overflowing, or would overflow, the waters which do or would so over-
15 flow may be spread in the "15th St. Spreading Grounds" as shown on
16 said map, and when the "15th St. Spreading Grounds" also do or would
17 overflow, the waters which do or would so overflow the "15th St.
18 Spreading Grounds" may be spread in what is known as the "8th Street
19 Spreading Grounds", all as shown on Exhibit 4, even though all or part
20 of such spreading grounds do not overlie the Cucamonga Basin.

21 Such spreading shall be done at one or more locations in said
22 spreading grounds which shall be approved by San Antonio.

23 Such flow of Cucamonga Creek may be spread at other locations
24 than above provided, and outside the area above described upon the
25 written consent of 5/6th of the water users, as defined in paragraph
26 First subdivision (k) of this Decree.

27 If any costs are incurred in such spreading by any party
28 hereto, for which such party would not otherwise be reimbursed, such
29 costs shall be pro-rated between the parties hereto.

30 FOURTH: The rights of all stipulating parties to take water
31 from Cucamonga Basin, subject to the adjustments set forth in this
32 decree and to the provisions of paragraphs Second and Third above,

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1 are hereby fixed at the quantities set forth in Exhibit 2. Such
2 rights are correlative, and except as to quantity or as herein
3 otherwise stated are equal. No stipulating party shall have any
4 right to export water from the Cucamonga Basin or use water extracted
5 from the Cucamonga Basin at any place other than over the Cucamonga
6 Basin except as provided in paragraph Third and as follows:

7 (a) The following stipulating parties, or any of them,
8 may use water which they are entitled to extract from Cucamonga
9 Basin in any location whatsoever, namely, San Antonio, Cucamonga,
10 Upland, Old Settlers, and Sunset.

11 (b) Hermosa, Foothill Irrigation Company and Alta Loma
12 are entitled to export water from Cucamonga Basin only to the
13 extent hereinafter set forth, and none of said parties shall ever
14 export from the Basin more water than said "Export quantity" herein
15 listed for it, to wit:

<u>Party</u>	<u>Export Quantity</u>
17 HERMOSA	343 Acre Feet
18 FOOTHILL IRRIGATION COMPANY	483 Acre Feet
19 ALTA LOMA	51 Acre Feet

20 and if in any year water used outside the basin which has been ex-
21 tracted or developed from the basin by any of said parties exceeds
22 the "Export Quantity" above listed for such party, the quantity of
23 water which such party shall be entitled to develop or extract from
24 the basin in the ensuing year shall be reduced by an amount equal
25 to such excess.

26 FIFTH: Within sixty (60) days after the date of this
27 judgment, San Antonio shall, in the event it has not already done
28 so, install, at the following locations, suitable recording and
29 measuring devises, by means of which all spread water passing
30 through such devices may be accurately measured and the quantity
31 of such water recorded. Said locations are as follows:

- 32 (1) On 23rd Street at the Northeast corner of Ontario

1 Colony Lot No. 170

2 (2) On 20th Street at the Northwest corner of Ontario
3 Colony Lot No. 282; and

4 (3) On the West line of Ontario Colony Lot No. 301,
5 400 feet North of 19th Street.

6 Such measuring and recording devices shall be of such design and
7 construction as may be agreed upon by and between San Antonio and
8 Cucamonga, or, if they fail to agree, as may be designated by the
9 Chief Engineer of the San Bernardino County Flood Control District,
10 or by the above entitled Court.

11 All imported water which is to be spread upon Cucamonga Basin,
12 whether spread by San Antonio to earn its entitlement under paragraph
13 Second hereof, or is spread after the purchase thereof by the parties
14 hereto other than San Antonio, shall be conducted through said record-
15 ing and measuring devices by San Antonio, unless otherwise agreed in
16 writing by the stipulating parties, including San Antonio, having
17 allocated water equal to at least five-sixths (5/6ths) of the aggre-
18 gate stipulated water, and no water not so conducted through such
19 devices and measured shall be counted as water spread under the terms
20 of such paragraph Second, unless so agreed in writing by such parties.

21 Said devices shall be designed and operated so that they
22 continuously record the amount of water passing therethrough between
23 the start and finish of each spreading season. In case of failure
24 of measuring devices, average of the preceding and succeeding
25 measurements shall be used. Such records shall be open to the inspect
26 ion of all other stipulating parties on reasonable notice.

27 Each stipulating party shall have the right to inspect such
28 recording and measuring devices at any time, and, in the event that
29 the same shall ever be locked, each of the stipulating parties shall
30 be furnished by San Antonio with a key thereto so as to permit in-
31 spection thereof. Further, San Antonio shall grant to the other
32 stipulating parties hereto, insofar as it can do so without being

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1 required to obtain the same from others, a non-exclusive right of
2 ingress and egress from the nearest public street to said recording
3 measuring devices. The stipulating parties hereto shall pro-rate the
4 expense of the original installation of said recording measuring
5 devices, and San Antonio shall thereafter operate and maintain and
6 bear the expense of operating and maintaining such devices.

7 SIXTH: As between the stipulating parties only, no extraction
8 of water from Cucamonga Basin by any party in excess of the amount
9 herein provided to be taken by such party, shall be deemed adverse to
10 any other stipulating party, and each stipulating party hereby waives
11 as against each other stipulating party the right to plead any statute
12 of limitations or laches with respect to any extraction of water by
13 such party in excess of such amount.

14 SEVENTH: Except as provided in paragraph Second, if any stip-
15 ulating party in any year shall fail to take or receive from the basin
16 or transport beyond the confines of the basin, the full quantity of
17 water which such party is entitled hereunder to take or receive or
18 transport beyond said confines, as the case may be, such failure shall
19 not entitle such party to take or receive or so transport from the
20 basin in any succeeding year any greater quantity of water than if in
21 each prior year such party had taken, received and so transported
22 from the basin all water which such party was entitled hereunder to so
23 take, receive and transport, and, subject to the provisions of Para-
24 graph Fifteen, such failure shall not affect the rights of other
25 parties to the decree to take the stipulated amounts of water they are
26 entitled to receive by Exhibit 2 herein.

27 Likewise, except as provided in said paragraph Second, as
28 between the stipulating parties, no right adjudged hereunder of any
29 party to thereafter take water from the Basin or to thereafter trans-
30 port such water beyond the confines of the Basin shall be lost,
31 impaired or diminished by any failure to take or so transport from the
32 Basin all or any of the water to which such party is entitled hereunde:
33 unless and only to the extent that for a period of at least fifteen

1 consecutive years such right shall not be exercised.

2 EIGHTH: Each stipulating party shall always maintain records
3 of all extractions of water from the Basin by such party such that it
4 can be determined therefrom for each year what quantity of water was
5 taken from each well, or combination of wells, or other water source
6 within the Basin from which such party received water.

7 Upon written demand of any other stipulating party, the party
8 keeping such records shall, within 30 days after receipt of such
9 demand, supply to the party making such demand or to the person
10 designated by such party in such demand a written statement of the
11 amount of water (in acre feet) so taken from each such well or combin-
12 ation of wells, or other source, for each year after 1957, with
13 respect to which no such statement has previously been supplied.

14 Within six months hereafter as to existing wells, or upon
15 commencement of operation as to wells first hereafter operated, each
16 such well or combination of wells shall be so equipped with measuring
17 devices at the expense of stipulating party who operates the same, as
18 to show the quantity of water used or extracted.

19 Likewise, if any stipulating party hereafter transports water
20 beyond the confines of the Basin, such transporting party shall there-
21 after maintain such measuring box, meter, weir, or other measuring
22 device as will show readily and accurately the quantity of water at
23 the time being transported beyond the confines of the Basin. Measure-
24 ments of the quantity of water being taken at each of said points
25 shall be made by such transporting party at least daily by weir or
26 weekly by meter throughout the entire period water is being taken at
27 such point. A record of such measurements and hours of operation
28 shall always be made and maintained by such party. In case of failure
29 of measuring device, average of the preceding and succeeding measure-
30 ments shall be used.

31 Each stipulating party and any agent of any such party shall
32 at all reasonable hours be entitled to inspect all such meters, boxes,

1 weirs and other measuring devices, and to inspect, check, and copy
2 any record of extractions and measurements and of all data and com-
3 putations pertaining to the same in the possession or under the
4 control of any other stipulating party or parties.

5 NINTH: Every provision of this Judgment in favor of or
6 applying to any party hereto shall also apply to and inure to the
7 benefit of, and also bind each and all of the heirs, legal represent-
8 atives, successors and assigns of such party.

9 TENTH: The maximum quantity of water which any stipulating
10 party shall be entitled to take from the Basin or transport beyond
11 its confines shall not be increased or affected by the future
12 acquisition by such party of additional lands, unless there shall be
13 appurtenant to such lands rights to take water, which rights are
14 in this action adjudged to exist.

15 Nothing in this judgment contained shall prevent any stipul-
16 ating party from selling or otherwise disposing, or from purchasing
17 or otherwise acquiring, any rights to water or to transport the same
18 which may be adjudged to belong to any party to this action; but any
19 such rights so acquired or so disposed shall remain subject to any
20 limitations or restrictions herein expressed. Any transfer of the
21 rights of any party herein shall be in writing, and notice thereof
22 shall be given to San Antonio Water Company and Cucamonga Basin
23 Protective Association, a corporation, whose address is Cucamonga,
24 California, before the transferee may exercise such transferred rights.

25 ELEVENTH: The stipulating parties shall pro-rate the expense
26 incurred after the date of this Judgment in prosecuting this action
27 to Judgment against any other parties to this action.

28 The stipulating parties will unite in opposing any new,
29 wrongful or unlawful taking of water from the Basin hereafter made
30 by any person or corporation other than a stipulating party or
31 parties, and will prorate the expense of making such opposition,
32 including any litigation or engineering expense, provided that;

1 (a) The term "new taking" shall not include any water devel-
2 opment in the Basin hereafter made for the sole purpose of maintain-
3 ing but not increasing any quantity of water now being taken from
4 the Basin by the person who may hereafter make such development.

5 (b) If any stipulating party does not join in prosecuting
6 any future suit to prevent, enjoin or limit any such new, wrongful
7 or unlawful taking, such stipulating party not so joining shall bear
8 pro-rata the expense of such suit (including attorney's fees and
9 engineering expense) only if final judgment is rendered in such
10 suit preventing, enjoining or limiting such taking.

11 TWELFTH: Each stipulating party, and the agents and employees
12 of each such party, is and are hereby perpetually enjoined and re-
13 strained from doing any act or thing in violation of any provision
14 of this judgment, other than paragraph Eleventh hereof.

15 THIRTEENTH: No stipulating party shall be entitled to
16 recover court costs from any other stipulating party.

17 FOURTEENTH: The above entitled action shall continue and may
18 be prosecuted and tried against all defendants therein, other than
19 the stipulating parties; and the stipulating parties shall share
20 the expense of such prosecution pro-rata. The Court will retain
21 jurisdiction to enter modifications of this decree pursuant to
22 stipulations provided for hereunder.

23 FIFTEENTH: In the event that through inadequacy of the
24 supply of water in the Cucamonga Basin, or by reason of adjudication
25 in any subsequent action, the stipulating parties in the aggregate
26 shall be unable to pump and extract from the Cucamonga Basin a
27 quantity of water so great as the aggregate stipulated water as is
28 set forth in Exhibit 2, the stipulating parties shall pro-rate the
29 aggregate quantity of water available in the Basin as long as such
30 inability shall continue.

31 In the event between October 1st of any year and June 15th
32 of the succeeding calendar year, five-sixths of the water users

1 shall agree in writing by a stipulation filed in said action that
2 the supply of water in the Basin is inadequate to safely permit the
3 stipulating parties to pump in such ensuing year the aggregate
4 stipulated water and that the amount of water to be pumped by each
5 stipulating party shall for such succeeding calendar year be limited
6 to a specified percentage (uniform for all) of the allocated water,
7 then for such succeeding calendar year, each stipulating party is
8 hereby enjoined and restrained from pumping or extracting from the
9 Basin more than such percentage of allocated water of such party
10 (subject to the provisions of paragraphs Second and Third hereof).

11 SIXTEENTH: The listing upon Exhibit 2 of any number of
12 acre feet for any party to this action other than a stipulating
13 party, shall not be deemed an admission by any stipulating party
14 that a non-stipulating party is entitled to any water whatsoever
15 from Cucamonga Basin, nor as to the quantity which such non-
16 stipulating party may take from said Basin, if any, but each such
17 figure for any non-stipulating party is listed as a matter of con-
18 venience and as a possible basis of compromise only.

19 SEVENTEENTH: This judgment supersedes and controls all
20 previous agreements and decrees between the stipulating parties, or
21 any of them but only insofar as they are inconsistent herewith.

22 Done in open Court this 25 day of April, 1958.

23
24
25 CARL B. HILLIARD

26 _____
27 Judge
28
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32

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EXHIBIT 2

STIPULATED WATER

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<u>NAME</u>		<u>ACRE FEET PER YEAR</u>
San Antonio Water Company	6500	6500
Alta Loma Mutual Water Company	571	1600 ✓
Armstrong Nurseries		200 ✓
Banyan Heights Water Company		625 ✓
Carnelian Water Company		1600 ✓
Citrus Water Company		1450 ✓
Cucamonga Water Company	6500	16500 ✓
Cucamonga Development Company (included under Ioamosa)		None
Foothill Irrigation Company	483	1600 ✓
Hedges Well Company		732 ✓
Hellman Water Company (included under Ioamosa)		None
Hermosa Water Company	343	600 ✓
Ioamosa Water Company		920 ✓
Joya Mutual Water Company		390 ✓
Old Settlers Water Company	400	400 ✓
Rex Mutual Water Company		600 ✓
Charles Snyder		114 ✓
Sunset Water Company	400	400 ✓
Upland Water Company	750	750 ✓
Heirs and Devisees of Giovanni Vai, deceased		500 ✓
Hugh P. Crawford		120 ✓
Western Fruit Growers		120 ✓
Sapphire Mutual Water Company		None
G. N. Hamilton Ranch, a partnership		None
AGGREGATE STIPULATED WATER		22,721

EXHIBIT 2

114
15,351

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ATTORNEYS AT LAW
SAN BERNARDINO, CALIFORNIA

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2 210 W. 7th Street, Suite 631
3 Los Angeles, 14, California,
4 TRinity 8936

5 Attorneys for Plaintiff

6
7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF SAN BERNARDINO

10
11 SAN ANTONIO WATER COMPANY, a corporation,
12 Plaintiff,

13 vs.

14 FOOTHILL IRRIGATION COMPANY, a corporation;
15 SUNSET WATER COMPANY, a corporation; IOAMOS
16 WATER COMPANY, a corporation; and OLD SETTLERS
17 WATER COMPANY, a corporation; ALTA LOMA MUTUAL
18 WATER COMPANY, a corporation; ARMSTRONG
19 NURSERIES, a corporation; BANYAN HEIGHTS WATER
20 COMPANY, a corporation; CARNELIAN WATER
21 COMPANY, a corporation; CITRUS WATER COMPANY,
22 a corporation; CUCAMONGA DEVELOPMENT COMPANY,
23 a corporation; CUCAMONGA WATER COMPANY, a
24 corporation; HEDGES WELL COMPANY, a corpora-
25 tion; HELLMAN WATER COMPANY, a corporation;
26 HERMOSA WATER COMPANY, a corporation;
27 JOYA MUTUAL WATER COMPANY, a corporation;
28 REX MUTUAL WATER COMPANY, a corporation;
29 SAPPHIRE MUTUAL WATER COMPANY, a corporation;
30 CHARLES SNYDER; UPLAND WATER COMPANY, a
31 corporation; HENRY G. BODKIN and BANK OF
32 AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION,
as Executors of the last will of Giovanni Vai,
deceased; WESTERN FRUIT GROWERS, a corporation;
HUGH P. CRAWFORD; G. N. HAMILTON RANCH, a partner-
ship composed of Arthur Bridge, Helen Bridge, and
Grace W. Burt; JOHN DOE ONE to THIRTY, inclusive,
MARY ROE ONE to THIRTY inclusive, JOHN DOE
COMPANY ONE TO TWENTY inclusive,

Defendants.

No.

STIPULATION
REGARDING
TRIAL AND
JUDGMENT

30 IT IS HEREBY STIPULATED AND AGREED by and between plaintiff
31 San Antonio Water Company and the undersigned defendants (said
32 plaintiff and defendants being herein called "Stipulating parties")

STUART S. HELLER, K.
ATTORNEYS AT LAW
SAN BERNARDINO, CALIFORNIA

1 that:

2 FIRST: Each of the undersigned defendants hereby appears in
3 the above entitled action. The allegations of the complaint on
4 file in said action shall be deemed denied by the undersigned
5 defendants, and they shall be and are deemed to have alleged in
6 said action that they own such rights to the waters of Cucamonga
7 Creek and of Cucamonga Basin (mentioned in said judgment) as may
8 be supported by any evidence which may be introduced at the trial
9 of said action.

10 SECOND: At any time after the filing of this stipulation
11 said action may be tried as between the stipulating parties. Said
12 trial may be held without notice if the undersigned counsel for the
13 stipulating parties are present or represented at said trial, and
14 in such case notice of said trial is hereby waived.

15 THIRD: The stipulating parties consent that a Decree in the
16 form which precedes and is attached to this stipulation may be
17 rendered and entered by the Court in said action, in the event
18 the Court finds such judgment proper under the evidence which shall
19 have been introduced.

20 FOURTH: The stipulating parties hereby waive the signing
21 or filing of any Findings of Fact in said action in the event a
22 decree in said form is to be rendered.

23 Dated: ^{April} ~~November~~ 25th, 1957.

24 SAN ANTONIO WATER COMPANY

25 *Edgar C. P...*
26 *Edgar C. P...*
27 *Edgar C. P...*

25 BY F. B. Buffington President
26 AND C. A. Adams Secretary

28 WALKER, WRIGHT, TYLER and WARD

29 BY Wm. S. Northcutt
30 Attorneys for Plaintiff

31 FOOTHILL IRRIGATION COMPANY

32 BY Norman H. Hixon V. President
AND Frank H. Van Fleet Secretary

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IOAMOSA WATER COMPANY

BY J. F. Adams President
AND Frank N. Van Fleet Secretary

OLD SETTLERS WATER COMPANY

BY Harold B. Blatz President
AND Frank N. Van Fleet Secretary

SUNSET WATER COMPANY

BY Herman P. Pison President
AND Emma Mae Pison Secretary

CUCAMONGA WATER COMPANY

BY Leon T. Lucas President
AND Clifton Chappell Secretary

ALTA LOMA MUTUAL WATER COMPANY

BY C. J. Minor President
AND Louise L. Merchant Secretary

ARMSTRONG NURSERIES, Inc

BY Clayton Armstrong President
AND T. W. Brown Secretary

BANYAN HEIGHTS WATER COMPANY

BY Robert L. Hall President
AND Robert L. Hall Secretary

CARNELIAN WATER COMPANY

BY John C. Belcher President
AND Robert L. Hall Secretary

CITRUS WATER COMPANY

BY Goodwin H. Hill President
AND W. H. Hagan Secretary

City of Helms
San Bernardino, California

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HEDGES WELL COMPANY,

BY Donald C. Blair President
AND Messrs. [unclear] Secretary

HELLMAN WATER COMPANY

BY J. F. Gross President
AND Frank N. Van Fleet Secretary

HERMOSA WATER COMPANY

X BY [unclear] President
AND Frank N. Van Fleet Secretary

JOYA MUTUAL WATER COMPANY

X BY [unclear] President
AND Frank N. Van Fleet Secretary

UPLAND WATER COMPANY

BY [unclear] President
AND J. F. Eastley Secretary

WESTERN FRUIT GROWERS

+ BY W. Thomas President
AND M. Oliver Secretary

CUCAMONGA DEVELOPMENT COMPANY

BY Robert [unclear] President
AND Frank N. Van Fleet Secretary

SAPPHIRE MUTUAL WATER COMPANY

BY H. C. [unclear] President
AND Frank N. Van Fleet Secretary

X Charles Snyder
(Charles Snyder)
X Hugh P. Crawford
(Hugh P. Crawford)

CURR & HELLYER
ATTORNEYS AT LAW
SAN BERNARDINO, CALIFORNIA

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HENRY G. BODKIN and
BANK OF AMERICA NATIONAL TRUST AND
SAVINGS ASSOCIATION,
As Executors of the Last Will of
Giovanni Vai, deceased;

BY [Signature]
AND ^{ASSISTANT TRUST OFFICER} [Signature]
(Henry G. Bodkin)

G. N. HAMILTON RANCH, a partnership,

BY [Signature]
(Arthur Bridge)

BY [Signature]
(Helen Bridge)

BY [Signature] [Signature]
(Grace W. Burt)
Partners

REX MUTUAL WATER COMPANY

BY [Signature] President
AND [Signature] Secretary

SURR & HELLYER

BY [Signature]
Attorneys for Ioamosa, Cucamonga,
Banyan Heights, Joya Mutual, Rex Mutual,
and Sapphire Water Companies, and for
Hedges Well Company and Cucamonga
Development Company.

APPENDIX D



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JUDGMENT
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7 Attorneys for Plaintiff

8

9

SUPERIOR COURT OF THE STATE OF CALIFORNIA

10

FOR THE COUNTY OF SAN BERNARDINO

11

12

CHINO BASIN MUNICIPAL WATER)
DISTRICT,)

13

Plaintiff,)

No. 164327

14

v.)

JUDGMENT

15

CITY OF CHINO, et al.)

16

Defendants.)

17

18

19

I. INTRODUCTION

20

21 1. Pleadings, Parties and Jurisdiction. The complaint here-
22 in was filed on January 2, 1975, seeking an adjudication of water
23 rights, injunctive relief and the imposition of a physical solu-
24 tion. A first amended complaint was filed on July 16, 1976. The
25 defaults of certain defendants have been entered, and certain
26 other defendants dismissed. Other than defendants who have been
27 dismissed or whose defaults have been entered, all defendants have
28 appeared herein. By answers and order of this Court, the issues
have been made those of a full inter se adjudication between the

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1 parties. This Court has jurisdiction of the subject matter of
2 this action and of the parties herein.

3 2. Stipulation For Judgment. Stipulation for entry of
4 judgment has been filed by and on behalf of a majority of the
5 parties, representing a majority of the quantitative rights herein
6 adjudicated.

7 3. Trial; Findings and Conclusions. Trial was commenced on
8 December 16, 1977, as to the non-stipulating parties, and findings
9 of fact and conclusions of law have been entered disposing of the
10 issues in the case.

11 4. Definitions. As used in this Judgment, the following
12 terms shall have the meanings herein set forth:

13 (a) Active Parties. All parties other than those who
14 have filed with Watermaster a written waiver of service of
15 notices, pursuant to Paragraph 58.

16 (b) Annual or Year -- A fiscal year, July 1 through
17 June 30, following, unless the context shall clearly indicate
18 a contrary meaning.

19 (c) Appropriative Right -- The annual production right
20 of a producer from the Chino Basin other than pursuant to an
21 overlying right.

22 (d) Basin Water -- Ground water within Chino Basin which
23 is part of the Safe Yield, Operating Safe Yield, or replen-
24 ishment water in the Basin as a result of operations under the
25 Physical Solution decreed herein. Said term does not include
26 Stored Water.

27 (e) CBMWD -- Plaintiff Chino Basin Municipal Water
28 District.

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1 (f) Chino Basin or Basin -- The ground water basin
2 underlying the area shown as such on Exhibit "B" and within
3 the boundaries described in Exhibit "K".

4 (g) Chino Basin Watershed -- The surface drainage area
5 tributary to and overlying Chino Basin.

6 (h) Ground Water -- Water beneath the surface of the
7 ground and within the zone of saturation, i.e., below the
8 existing water table.

9 (i) Ground Water Basin -- An area underlain by one or
10 more permeable formations capable of furnishing substantial
11 water storage.

12 (j) Minimal Producer -- Any producer whose production
13 does not exceed five acre-feet per year.

14 (k) MWD -- The Metropolitan Water District of Southern
15 California.

16 (l) Operating Safe Yield -- The annual amount of ground
17 water which Watermaster shall determine, pursuant to criteria
18 specified in Exhibit "I", can be produced from Chino Basin by
19 the Appropriative Pool parties free of replenishment obliga-
20 tion under the Physical Solution herein.

21 (m) Overdraft -- A condition wherein the total annual
22 production from the Basin exceeds the Safe Yield thereof.

23 (n) Overlying Right -- The appurtenant right of an owner
24 of lands overlying Chino Basin to produce water from the Basin
25 for overlying beneficial use on such lands.

26 (o) Person. Any individual, partnership, association,
27 corporation, governmental entity or agency, or other organ-
28 ization.

1 (p) PVMWD -- Defendant Pomona Valley Municipal Water
2 District.

3 (q) Produce or Produced -- To pump or extract ground
4 water from Chino Basin.

5 (r) Producer -- Any person who produces water from Chino
6 Basin.

7 (s) Production -- Annual quantity, stated in acre feet,
8 of water produced.

9 (t) Public Hearing -- A hearing after notice to all
10 parties and to any other person legally entitled to notice.

11 (u) Reclaimed Water -- Water which, as a result of
12 processing of waste water, is suitable for a controlled use.

13 (v) Replenishment Water -- Supplemental water used to
14 recharge the Basin pursuant to the Physical Solution, either
15 directly by percolating the water into the Basin or indirectly
16 by delivering the water for use in lieu of production and use
17 of safe yield or Operating Safe Yield.

18 (w) Responsible Party -- The owner, co-owner, lessee or
19 other person designated by multiple parties interested in a
20 well as the person responsible for purposes of filing reports
21 hereunder.

22 (x) Safe Yield -- The long-term average annual quantity
23 of ground water (excluding replenishment or stored water but
24 including return flow to the Basin from use of replenishment
25 or stored water) which can be produced from the Basin under
26 cultural conditions of a particular year without causing an
27 undesirable result.

28 (y) SBVMWD -- San Bernardino Valley Municipal Water

1 District.

2 (z) State Water -- Supplemental Water imported through
3 the State Water Resources Development System, pursuant to
4 Chapter 8, Division 6, Part 6 of the Water Code.

5 (aa) Stored Water -- Supplemental water held in storage,
6 as a result of direct spreading, in lieu delivery, or other-
7 wise, for subsequent withdrawal and use pursuant to agreement
8 with Watermaster.

9 (bb) Supplemental Water -- Includes both water imported
10 to Chino Basin from outside Chino Basin Watershed, and re-
11 claimed water.

12 (cc) WMWD -- Defendant Western Municipal Water District
13 of Riverside County.

14 5. List of Exhibits. The following exhibits are attached to
15 this Judgment and made a part hereof:

16 "A" -- "Location Map of Chino Basin" showing boundaries
17 of Chino Basin Municipal Water District, and other geographic
18 and political features.

19 "B" -- "Hydrologic Map of Chino Basin" showing hydrologic
20 features of Chino Basin.

21 "C" -- Table Showing Parties in Overlying (Agricultural)
22 Pool.

23 "D" -- Table Showing Parties in Overlying (Non-
24 agricultural Pool and Their Rights.

25 "E" -- Table Showing Appropriators and Their Rights.

26 "F" -- Overlying (Agricultural) Pool Pooling Plan.

27 "G" -- Overlying (Non-agricultural) Pool Pooling Plan.

28 "H" -- Appropriative Pool Pooling Plan.

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- "I" -- Engineering Appendix.
- "J" -- Map of In Lieu Area No. 1.
- "K" -- Legal Description of Chino Basin.

II. DECLARATION OF RIGHTS

A. HYDROLOGY

6. Safe Yield. The Safe Yield of Chino Basin is 140,000 acre feet per year.

7. Overdraft and Prescriptive Circumstances. In each year for a period in excess of five years prior to filing of the First Amended Complaint herein, the Safe Yield of the Basin has been exceeded by the annual production therefrom, and Chino Basin is and has been for more than five years in a continuous state of overdraft. The production constituting said overdraft has been open, notorious, continuous, adverse, hostile and under claim of right. The circumstances of said overdraft have given notice to all parties of the adverse nature of such aggregate over-production.

B. WATER RIGHTS IN SAFE YIELD

8. Overlying Rights. The parties listed in Exhibits "C" and "D" are the owners or in possession of lands which overlie Chino Basin. As such, said parties have exercised overlying water rights in Chino Basin. All overlying rights owned or exercised by parties listed in Exhibits "C" and "D" have, in the aggregate, been limited by prescription except to the extent such rights have been preserved by self-help by said parties. Aggregate preserved overlying rights in the Safe Yield for agricultural pool use, including the rights of the State of California, total 82,800 acre feet per year. Overlying rights for non-agricultural pool use

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1 total 7,366 acre feet per year and are individually decreed for
2 each affected party in Exhibit "D". No portion of the Safe Yield
3 of Chino Basin exists to satisfy unexercised overlying rights, and
4 such rights have all been lost by prescription. However, uses may
5 be made of Basin Water on overlying lands which have no preserved
6 overlying rights pursuant to the Physical Solution herein. All
7 overlying rights are appurtenant to the land and cannot be assigned
8 or conveyed separate or apart therefrom.

9 9. Appropriative Rights. The parties listed in Exhibit "E"
10 are the owners of appropriative rights, including rights by pres-
11 cription, in the unadjusted amounts therein set forth, and by
12 reason thereof are entitled under the Physical Solution to share in
13 the remaining Safe Yield, after satisfaction of overlying rights
14 and rights of the State of California, and in the Operating Safe
15 Yield in Chino Basin, in the annual shares set forth in Exhibit
16 "E".

17 (a) Loss of Priorities. By reason of the long continued
18 overdraft in Chino Basin, and in light of the complexity of
19 determining appropriative priorities and the need for con-
20 serving and making maximum beneficial use of the water re-
21 sources of the State, each and all of the parties listed in
22 Exhibit "E" are estopped and barred from asserting special
23 priorities or preferences, inter se. All of said appropri-
24 ative rights are accordingly deemed and considered of equal
25 priority.

26 (b) Nature and Quantity. All rights listed in Exhibit
27 "E" are appropriative and prescriptive in nature. By reason
28 of the status of the parties, and the provisions of Section

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1 1007 of the Civil Code, said rights are immune from reduction
2 or limitation by prescription.

3 10. Rights of the State of California. The State of
4 California, by and through its Department of Corrections, Youth
5 Authority and Department of Fish and Game, is a significant pro-
6 ducer of ground water from and the State is the largest owner of
7 land overlying Chino Basin. The precise nature and scope of the
8 claims and rights of the State need not be, and are not, defined
9 herein. The State, through said departments, has accepted the
10 Physical Solution herein decreed, in the interests of implementing
11 the mandate of Section 2 of Article X of the California Constitu-
12 tion. For all purposes of this Judgment, all future production by
13 the State or its departments or agencies for overlying use on
14 State-owned lands shall be considered as agricultural pool use.

15 C. RIGHTS TO AVAILABLE GROUND WATER STORAGE CAPACITY

16 11. Available Ground Water Storage Capacity. There exists in
17 Chino Basin a substantial amount of available ground water storage
18 capacity which is not utilized for storage or regulation of Basin
19 Waters. Said reservoir capacity can appropriately be utilized for
20 storage and conjunctive use of supplemental water with Basin
21 Waters. It is essential that said reservoir capacity utilization
22 for storage and conjunctive use of supplemental water be undertaken
23 only under Watermaster control and regulation, in order to protect
24 the integrity of both such Stored Water and Basin Water in storage
25 and the Safe Yield of Chino Basin.

26 12. Utilization of Available Ground Water Capacity. Any
27 person or public entity, whether a party to this action or not, may
28 make reasonable beneficial use of the available ground water

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1 storage capacity of Chino Basin for storage of supplemental water;
2 provided that no such use shall be made except pursuant to written
3 agreement with Watermaster, as authorized by Paragraph 28. In the
4 allocation of such storage capacity, the needs and requirements of
5 lands overlying Chino Basin and the owners of rights in the Safe
6 Yield or Operating Safe Yield of the Basin shall have priority and
7 preference over storage for export.

8
9 III. INJUNCTION

10 13. Injunction Against Unauthorized Production of Basin
11 Water. Each party in each of the respective pools is enjoined, as
12 follows:

13 (a) Overlying (Agricultural) Pool. Each party in the
14 Overlying (Agricultural) Pool, its officers, agents, employees,
15 successors and assigns, is and they each are ENJOINED AND
16 RESTRAINED from producing ground water from Chino Basin in any
17 year hereafter in excess of such party's correlative share of
18 the aggregate of 82,800 acre feet allocated to said Pool,
19 except pursuant to the Physical Solution or a storage water
20 agreement.

21 (b) Overlying (Non-Agricultural) Pool. Each party in
22 the Overlying (Non-agricultural) Pool, its officers, agents,
23 employees, successors and assigns, is and they each are
24 ENJOINED AND RESTRAINED from producing ground water of Chino
25 Basin in any year hereafter in excess of such party's decreed
26 rights in the Safe Yield, except pursuant to the provisions of
27 the Physical Solution or a storage water agreement.

28 (c) Appropriative Pool. Each party in the

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1 (c) The determination of specific quantitative rights
2 and shares in the declared Safe Yield or Operating Safe Yield
3 herein declared in Exhibits "D" and "E"; and

4 (d) The amendment or modification of Paragraphs 7(a) and
5 (b) of Exhibit "H", during the first ten (10) years of oper-
6 ation of the Physical Solution, and thereafter only upon
7 affirmative recommendation of at least 67% of the voting power
8 (determined pursuant to the formula described in Paragraph 3
9 of Exhibit "H"), but not less than one-third of the members
10 of the Appropriative Pool Committee representatives of parties
11 who produce water within CBMWD or WMWD; after said tenth year
12 the formula set forth in said Paragraph 7(a) and 7(b) of
13 Exhibit "H" for payment of the costs of replenishment water
14 may be changed to 100% gross or net, or any percentage split
15 thereof, but only in response to recommendation to the Court
16 by affirmative vote of at least 67% of said voting power of
17 the Appropriative Pool representatives of parties who produce
18 ground water within CBMWD or WMWD, but not less than one-third
19 of their number. In such event, the Court shall act in con-
20 formance with such recommendation unless there are compelling
21 reasons to the contrary; and provided, further, that the fact
22 that the allocation of Safe Yield or Operating Safe Yield
23 shares may be rendered moot by a recommended change in the
24 formula for replenishment assessments shall not be deemed to
25 be such a "compelling reason."

26 Said continuing jurisdiction is provided for the purpose of en-
27 abling the Court, upon application of any party, the Watermaster,
28 the Advisory Committee or any Pool Committee, by motion and, upon

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1 at least 30 days' notice thereof, and after hearing thereon, to
2 make such further or supplemental orders or directions as may be
3 necessary or appropriate for interpretation, enforcement or carry-
4 ing out of this Judgment, and to modify, amend or amplify any of
5 the provisions of this Judgment.

6
7 V. WATERMASTER

8 A. APPOINTMENT

9 16. Watermaster Appointment. CBMWD, acting by and through a
10 majority of its board of directors, is hereby appointed Water-
11 master, to administer and enforce the provisions of this Judgment
12 and any subsequent instructions or orders of the Court hereunder.
13 The term of appointment of Watermaster shall be for five (5) years.
14 The Court will by subsequent orders provide for successive terms or
15 for a successor Watermaster. Watermaster may be changed at any
16 time by subsequent order of the Court, on its own motion, or on the
17 motion of any party after notice and hearing. Unless there are
18 compelling reasons to the contrary, the Court shall act in con-
19 formance with a motion requesting the Watermaster be changed if
20 such motion is supported by a majority of the voting power of the
21 Advisory Committee.

22 B. POWERS AND DUTIES

23 17. Powers and Duties. Subject to the continuing supervision
24 and control of the Court, Watermaster shall have and may exercise
25 the express powers, and shall perform the duties, as provided in
26 this Judgment or hereafter ordered or authorized by the Court in
27 the exercise of the Court's continuing jurisdiction.

28 18. Rules and Regulations. Upon recommendation by the

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1 Advisory Committee, Watermaster shall make and adopt, after public
2 hearing, appropriate rules and regulations for conduct of Water-
3 master affairs, including meeting schedules and procedures, and
4 compensation of members of Watermaster at not to exceed \$25 per
5 member per meeting, or \$300 per member per year, whichever is less,
6 plus reasonable expenses related to activities within the Basin.
7 Thereafter, Watermaster may amend said rules from time to time upon
8 recommendation, or with approval of the Advisory Committee after
9 hearing noticed to all active parties. A copy of said rules and
10 regulations, and of any amendments thereof, shall be mailed to each
11 active party.

12 19. Acquisition of Facilities. Watermaster may purchase,
13 lease, acquire and hold all necessary facilities and equipment;
14 provided, that it is not the intent of the Court that Watermaster
15 acquire any interest in real property or substantial capital
16 assets.

17 20. Employment of Experts and Agents. Watermaster may
18 employ or retain such administrative, engineering, geologic,
19 accounting, legal or other specialized personnel and consultants as
20 may be deemed appropriate in the carrying out of its powers and
21 shall require appropriate bonds from all officers and employees
22 handling Watermaster funds. Watermaster shall maintain records for
23 purposes of allocation of costs of such services as well as of all
24 other expenses of Watermaster administration as between the several
25 pools established by the Physical Solution.

26 21. Measuring Devices. Watermaster shall cause parties,
27 pursuant to uniform rules, to install and maintain in good opera-
28 ting condition, at the cost of each party, such necessary measuring

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1 devices or meters as Watermaster may deem appropriate. Such
2 measuring devices shall be inspected and tested as deemed necessary
3 by Watermaster, and the cost thereof shall constitute an expense of
4 Watermaster.

5 22. Assessments. Watermaster is empowered to levy and
6 collect all assessments provided for in the pooling plans and
7 Physical Solution.

8 23. Investment of Funds. Watermaster may hold and invest any
9 and all Watermaster funds in investments authorized from time to
10 time for public agencies of the State of California.

11 24. Borrowing. Watermaster may borrow from time to time
12 amounts not exceeding the annual anticipated receipts of Water-
13 master during such year.

14 25. Contracts. Watermaster may enter into contracts for the
15 performance of any powers herein granted; provided, however, that
16 Watermaster may not contract with or purchase materials, supplies
17 or services from CBMWD, except upon the prior recommendation and
18 approval of the Advisory Committee and pursuant to written order of
19 the Court.

20 26. Cooperation With Other Agencies. Subject to prior
21 recommendation or approval of the Advisory Committee, Watermaster
22 may act jointly or cooperate with agencies of the United States and
23 the State of California or any political subdivisions, munici-
24 palities or districts or any person to the end that the purpose of
25 the Physical Solution may be fully and economically carried out.

26 27. Studies. Watermaster may, with concurrence of the
27 Advisory Committee or affected Pool Committee and in accordance
28 with Paragraph 54(b), undertake relevant studies of hydrologic

1 conditions, both quantitative and qualitative, and operating
2 aspects of implementation of the management program for Chino
3 Basin.

4 28. Ground Water Storage Agreements. Watermaster shall
5 adopt, with the approval of the Advisory Committee, uniformly
6 applicable rules and a standard form of agreement for storage of
7 supplemental water, pursuant to criteria therefor set forth in
8 Exhibit "I". Upon appropriate application by any person, Water-
9 master shall enter into such a storage agreement; provided that all
10 such storage agreements shall first be approved by written order of
11 the Court, and shall by their terms preclude operations which will
12 have a substantial adverse impact on other producers.

13 29. Accounting for Stored Water. Watermaster shall calculate
14 additions, extractions and losses and maintain an annual account of
15 all Stored Water in Chino Basin, and any losses of water supplies
16 or Safe Yield of Chino Basin resulting from such Stored Water.

17 30. Annual Administrative Budget. Watermaster shall submit
18 to Advisory Committee an administrative budget and recommendation
19 for each fiscal year on or before March 1. The Advisory Committee
20 shall review and submit said budget and their recommendations to
21 Watermaster on or before April 1, following. Watermaster shall
22 hold a public hearing on said budget at its April quarterly meeting
23 and adopt the annual administrative budget which shall include the
24 administrative items for each pool committee. The administrative
25 budget shall set forth budgeted items in sufficient detail as
26 necessary to make a proper allocation of the expense among the
27 several pools, together with Watermaster's proposed allocation.
28 The budget shall contain such additional comparative information

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1 or explanation as the Advisory Committee may recommend from time
2 to time. Expenditures within budgeted items may thereafter be
3 made by Watermaster in the exercise of powers herein granted, as a
4 matter of course. Any budget transfer in excess of 20% of a
5 budget category during any budget year or modification of such
6 administrative budget during any year shall be first submitted to
7 the Advisory Committee for review and recommendation.

8 31. Review Procedures. All actions, decisions or rules of
9 Watermaster shall be subject to review by the Court on its own
10 motion or on timely motion by any party, the Watermaster (in the
11 case of a mandated action), the Advisory Committee, or any Pool
12 Committee, as follows:

13 (a) Effective Date of Watermaster Action. Any action,
14 decision or rule of Watermaster shall be deemed to have
15 occurred or been enacted on the date on which written
16 notice thereof is mailed. Mailing of copies of approved
17 Watermaster minutes to the active parties shall constitute
18 such notice to all parties.

19 (b) Noticed Motion. Any party, the Watermaster (as
20 to any mandated action), the Advisory Committee, or any
21 Pool Committee may, by a regularly noticed motion, apply
22 to the Court for review of any Watermaster's action,
23 decision or rule. Notice of such motion shall be served
24 personally or mailed to Watermaster and to all active
25 parties. Unless otherwise ordered by the Court, such
26 motion shall not operate to stay the effect of such
27 Watermaster action, decision or rule.

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1 (c) Time for Motion. Notice of motion to review any
2 Watermaster action, decision or rule shall be served and filed
3 within ninety (90) days after such Watermaster action, de-
4 cision or rule, except for budget actions, in which event said
5 notice period shall be sixty (60) days.

6 (d) De Novo Nature of Proceedings. Upon the filing of
7 any such motion, the Court shall require the moving party to
8 notify the active parties, the Watermaster, the Advisory
9 Committee and each Pool Committee, of a date for taking
10 evidence and argument, and on the date so designated shall
11 review de novo the question at issue. Watermaster's findings
12 or decision, if any, may be received in evidence at said
13 hearing, but shall not constitute presumptive or prima facie
14 proof of any fact in issue.

15 (e) Decision. The decision of the Court in such proceed-
16 ing shall be an appealable supplemental order in this case.
17 When the same is final, it shall be binding upon the Water-
18 master and all parties.

19 C. ADVISORY AND POOL COMMITTEES

20 32. Authorization. Watermaster is authorized and directed to
21 cause committees of producer representatives to be organized to
22 act as Pool Committees for each of the several pools created under
23 the Physical Solution. Said Pool Committees shall, in turn,
24 jointly form an Advisory Committee to assist Watermaster in per-
25 formance of its functions under this judgment. Pool Committees
26 shall be composed as specified in the respective pooling plans, and
27 the Advisory Committee shall be composed of not to exceed ten (10)
28 voting representatives from each pool, as designated by the

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1 respective Pool Committee. WMWD, PVMWD and SBVMWD shall each be
2 entitled to one non-voting representative on said Advisory Com-
3 mittee.

4 33. Term and Vacancies. Members of any Pool Committee, shall
5 serve for the term, and vacancies shall be filled, as specified in
6 the respective pooling plan. Members of the Advisory Committee
7 shall serve at the will of their respective Pool Committee.

8 34. Voting Power. The voting power on each Pool Committee
9 shall be allocated as provided in the respective pooling plan. The
10 voting power on the Advisory Committee shall be one hundred (100)
11 votes allocated among the three pools in proportion to the total
12 assessments paid to Watermaster during the preceding year; pro-
13 vided, that the minimum voting power of each pool shall be

- 14 (a) Overlying (Agricultural) Pool 20,
15 (b) Overlying (Non-agricultural) Pool 5, and
16 (c) Appropriative Pool 20.

17 In the event any pool is reduced to its said minimum vote, the re-
18 maining votes shall be allocated between the remaining pools on
19 said basis of assessments paid to Watermaster by each such remain-
20 ing pool during the preceding year. The method of exercise of
21 each pool's voting power on the Advisory Committee shall be as
22 determined by the respective pool committees.

23 35. Quorum. A majority of the voting power of the Advisory
24 Committee or any Pool Committee shall constitute a quorum for the
25 transaction of affairs of such Advisory or Pool Committee; pro-
26 vided, that at least one representative of each Pool Committee
27 shall be required to constitute a quorum of the Advisory Committee.
28 No Pool Committee representative may purposely absent himself or

1 herself, without good cause, from an Advisory Committee meeting to
2 deprive it of a quorum. Action by affirmative vote of a majority
3 of the entire voting power of any Pool Committee or the Advisory
4 Committee shall constitute action by such committee. Any action or
5 recommendation of a Pool Committee or the Advisory Committee shall
6 be transmitted to Watermaster in writing, together with a report of
7 any dissenting vote or opinion.

8 36. Compensation. Pool or Advisory Committee members may
9 receive compensation, to be established by the respective pooling
10 plan, but not to exceed twenty-five dollars (\$25.00) for each
11 meeting of such Pool or Advisory Committee attended, and provided
12 that no member of a Pool or Advisory Committee shall receive
13 compensation of more than three hundred (\$300.00) dollars for
14 service on any such committee during any one year. All such com-
15 pensation shall be a part of Watermaster administrative expense.
16 No member of any Pool or Advisory Committee shall be employed by
17 Watermaster or compensated by Watermaster for professional or other
18 services rendered to such Pool or Advisory Committee or to Water-
19 master, other than the fee for attendance at meetings herein
20 provided, plus reimbursement of reasonable expenses related to
21 activities within the Basin.

22 37. Organization.

23 (a) Organizational Meeting. At its first meeting in
24 each year, each Pool Committee and the Advisory Committee
25 shall elect a chairperson and a vice chairperson from its
26 membership. It shall also select a secretary, a treasurer
27 and such assistant secretaries and treasurers as may be
28 appropriate, any of whom may, but need not, be members of

1 such Pool or Advisory Committee.

2 (b) Regular Meetings. All Pool Committees and the
3 Advisory Committee shall hold regular meetings at a place and
4 time to be specified in the rules to be adopted by each Pool
5 and Advisory Committee. Notice of regular meetings of any
6 Pool or Advisory Committee, and of any change in time or
7 place thereof, shall be mailed to all active parties in said
8 pool or pools.

9 (c) Special Meetings. Special meetings of any Pool or
10 Advisory Committee may be called at any time by the Chair-
11 person or by any three (3) members of such Pool or Advisory
12 Committee by delivering notice personally or by mail to each
13 member of such Pool or Advisory Committee and to each active
14 party at least 24 hours before the time of each such meeting
15 in the case of personal delivery, and 96 hours in the case of
16 mail. The calling notice shall specify the time and place of
17 the special meeting and the business to be transacted. No
18 other business shall be considered at such meeting.

19 (d) Minutes. Minutes of all Pool Committee, Advisory
20 Committee and Watermaster meetings shall be kept at Water-
21 master's offices. Copies thereof shall be mailed or otherwise
22 furnished to all active parties in the pool or pools con-
23 cerned. Said copies of minutes shall constitute notice of any
24 Pool or Advisory Committee action therein reported, and shall
25 be available for inspection by any party.

26 (e) Adjournments. Any meeting of any Pool or Advisory
27 Committee may be adjourned to a time and place specified in
28 the order of adjournment. Less than a quorum may so adjourn

1 from time to time. A copy of the order or notice of adjourn-
2 ment shall be conspicuously posted forthwith on or near the
3 door of the place where the meeting was held.

4 38. Powers and Functions. The powers and functions of the
5 respective Pool Committees and the Advisory Committee shall be as
6 follows:

7 (a) Pool Committees. Each Pool Committee shall have the
8 power and responsibility for developing policy recommendations
9 for administration of its particular pool, as created under
10 the Physical Solution. All actions and recommendations of any
11 Pool Committee which require Watermaster implementation shall
12 first be noticed to the other two pools. If no objection is
13 received in writing within thirty (30) days, such action or
14 recommendation shall be transmitted directly to Watermaster
15 for action. If any such objection is received, such action or
16 recommendation shall be reported to the Advisory Committee
17 before being transmitted to Watermaster.

18 (b) Advisory Committee. The Advisory Committee shall
19 have the duty to study, and the power to recommend, review
20 and act upon all discretionary determinations made or to be
21 made hereunder by Watermaster.

22 [1] Committee Initiative. When any recommendation
23 or advice of the Advisory Committee is received by
24 Watermaster, action consistent therewith may be taken by
25 Watermaster; provided, that any recommendation approved
26 by 80 votes or more in the Advisory Committee shall
27 constitute a mandate for action by Watermaster consistent
28 therewith. If Watermaster is unwilling or unable to act

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pursuant to recommendation or advice from the Advisory Committee (other than such mandatory recommendations), Watermaster shall hold a public hearing, which shall be followed by written findings and decision. Thereafter, Watermaster may act in accordance with said decision, whether consistent with or contrary to said Advisory Committee recommendation. Such action shall be subject to review by the Court, as in the case of all other Watermaster determinations.

[2] Committee Review. In the event Watermaster proposes to take any discretionary action, other than approval or disapproval of a Pool Committee action or recommendation properly transmitted, or execute any agreement not theretofore within the scope of an Advisory Committee recommendation, notice of such intended action shall be served on the Advisory Committee and its members at least thirty (30) days before the Watermaster meeting at which such action is finally authorized.

(c) Review of Watermaster Actions. Watermaster (as to mandated action), the Advisory Committee or any Pool Committee shall be entitled to employ counsel and expert assistance in the event Watermaster or such Pool or Advisory Committee seeks Court review of any Watermaster action or failure to act. The cost of such counsel and expert assistance shall be Watermaster expense to be allocated to the affected pool or pools.

1 VI. PHYSICAL SOLUTION

2 A. GENERAL

3 39. Purpose and Objective. Pursuant to the mandate of
4 Section 2 of Article X of the California Constitution, the Court
5 hereby adopts and orders the parties to comply with a Physical
6 Solution. The purpose of these provisions is to establish a legal
7 and practical means for making the maximum reasonable beneficial
8 use of the waters of Chino Basin by providing the optimum economic,
9 long-term, conjunctive utilization of surface waters, ground waters
10 and supplemental water, to meet the requirements of water users
11 having rights in or dependent upon Chino Basin.

12 40. Need for Flexibility. It is essential that this Physical
13 Solution provide maximum flexibility and adaptability in order that
14 Watermaster and the Court may be free to use existing and future
15 technological, social, institutional and economic options, in order
16 to maximize beneficial use of the waters of Chino Basin. To that
17 end, the Court's retained jurisdiction will be utilized, where
18 appropriate, to supplement the discretion herein granted to the
19 Wastermaster.

20 41. Watermaster Control. Watermaster, with the advice of the
21 Advisory and Pool Committees, is granted discretionary powers in
22 order to develop an optimum basin management program for Chino
23 Basin, including both water quantity and quality considerations.
24 Withdrawals and supplemental water replenishment of Basin Water,
25 and the full utilization of the water resources of Chino Basin,
26 must be subject to procedures established by and administered
27 through Watermaster with the advice and assistance of the Advisory
28 and Pool Committees composed of the affected producers. Both the

1 quantity and quality of said water resources may thereby be pre-
2 served and the beneficial utilization of the Basin maximized.

3 42. General Pattern of Operations. It is contemplated that
4 the rights herein decreed will be divided into three (3) operating
5 pools for purposes of Watermaster administration. A fundamental
6 premise of the Physical Solution is that all water users dependent
7 upon Chino Basin will be allowed to pump sufficient waters from the
8 Basin to meet their requirements. To the extent that pumping
9 exceeds the share of the Safe Yield assigned to the Overlying
10 Pools, or the Operating Safe Yield in the case of the Appropriative
11 Pool, each pool will provide funds to enable Watermaster to replace
12 such overproduction. The method of assessment in each pool shall
13 be as set forth in the applicable pooling plan.

14 B. POOLING

15 43. Multiple Pools Established. There are hereby established
16 three (3) pools for Watermaster administration of, and for the
17 allocation of responsibility for, and payment of, costs of re-
18 plenishment water and other aspects of this Physical Solution.

19 (a) Overlying (Agricultural) Pool. The first pool shall
20 consist of the State of California and all overlying producers
21 who produce water for other than industrial or commercial
22 purposes. The initial members of the pool are listed in
23 Exhibit "C".

24 (b) Overlying (Non-agricultural) Pool. The second pool
25 shall consist of overlying producers who produce water for
26 industrial or commercial purposes. The initial members of
27 this pool are listed in Exhibit "D".

28 (c) Appropriative Pool. A third and separate pool shall

1 consist of owners of appropriative rights. The initial
2 members of the pool are listed in Exhibit "E".

3 Any party who changes the character of his use may, by sub-
4 sequent order of the Court, be reassigned to the proper pool; but
5 the allocation of Safe Yield under Paragraph 44 hereof shall not be
6 changed. Any non-party producer or any person who may hereafter
7 commence production of water from Chino Basin, and who may become a
8 party to this physical solution by intervention, shall be assigned
9 to the proper pool by the order of the Court authorizing such
10 intervention.

11 44. Determination and Allocation of Rights to Safe Yield of
12 Chino Basin. The declared Safe Yield of Chino Basin is hereby
13 allocated as follows:

14	<u>Pool</u>	<u>Allocation</u>
15	Overlying (Agricultural) Pool	414,000 acre feet in any five (5) consecutive years.
16	Overlying (Non-agricultural) 17 Pool.	7,366 acre feet per year.
18	Appropriative Pool	49,834 acre feet per year.

19 The foregoing acre foot allocations to the overlying pools are
20 fixed. Any subsequent change in the Safe Yield shall be debited or
21 credited to the Appropriative Pool. Basin Water available to the
22 Appropriative Pool without replenishment obligation may vary from
23 year to year as the Operating Safe Yield is determined by Water-
24 master pursuant to the criteria set forth in Exhibit "I".

25 45. Annual Replenishment. Watermaster shall levy and collect
26 assessments in each year, pursuant to the respective pooling plans,
27 in amounts sufficient to purchase replenishment water to replace
28 production by any pool during the preceding year which exceeds that

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1 pool's allocated share of Safe Yield in the case of the overlying
2 pools, or Operating Safe Yield in the case of the Appropriative
3 Pool. It is anticipated that supplemental water for replenishment
4 of Chino Basin may be available at different rates to the various
5 pools to meet their replenishment obligations. If such is the
6 case, each pool will be assessed only that amount necessary for the
7 cost of replenishment water to that pool, at the rate available to
8 the pool, to meet its replenishment obligation.

9 46. Initial Pooling Plans. The initial pooling plans, which
10 are hereby adopted, are set forth in Exhibits "F", "G" and "H",
11 respectively. Unless and until modified by amendment of the
12 judgment pursuant to the Court's continuing jurisdiction, each
13 such plan shall control operation of the subject pool.

14 C. REPORTS AND ACCOUNTING

15 47. Production Reports. Each party or responsible party
16 shall file periodically with Watermaster, pursuant to Watermaster
17 rules, a report on a form to be prescribed by Watermaster showing
18 the total production of such party during the preceding reportage
19 period, and such additional information as Watermaster may require,
20 including any information specified by the affected Pool Com-
21 mittee.

22 48. Watermaster Reports and Accounting. Watermaster's
23 annual report, which shall be filed on or before November 15 of
24 each year and shall apply to the preceding year's operation, shall
25 contain details as to operation of each of the pools and a certi-
26 fied audit of all assessments and expenditures pursuant to this
27 Physical Solution and a review of Watermaster activities.
28 - - - - -

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1 D. REPLENISHMENT

2 49. Sources of Supplemental Water. Supplemental water may be
3 obtained by Watermaster from any available source. Watermaster
4 shall seek to obtain the best available quality of supplemental
5 water at the most reasonable cost for recharge in the Basin. To
6 the extent that costs of replenishment water may vary between
7 pools, each pool shall be liable only for the costs attributable to
8 its required replenishment. Available sources may include, but are
9 not limited to:

10 (a) Reclaimed Water. There exist a series of agreements
11 generally denominated the Regional Waste Water Agreements
12 between CBMWD and owners of the major municipal sewer systems
13 within the basin. Under those agreements, which are recog-
14 nized hereby but shall be unaffected and unimpaired by this
15 judgment, substantial quantities of reclaimed water may be
16 made available for replenishment purposes. There are addi-
17 tional sources of reclaimed water which are, or may become,
18 available to Watermaster for said purposes. Maximum benefi-
19 cial use of reclaimed water shall be given high priority by
20 Watermaster.

21 (b) State Water. State water constitutes a major
22 available supply of supplemental water. In the case of State
23 Water, Watermaster purchases shall comply with the water
24 service provisions of the State's water service contracts.
25 More specifically, Watermaster shall purchase State Water from
26 MWD for replenishment of excess production within CBMWD, WMWD
27 and PVMWD, and from SBVMWD to replenish excess production
28 within SBVMWD's boundaries in Chino Basin, except to the

1 extent that MWD and SBVMWD give their consent as required by
2 such State water service contracts.

3 (c) Local Import. There exist facilities and methods
4 for importation of surface and ground water supplies from
5 adjacent basins and watersheds.

6 (d) Colorado River Supplies. MWD has water supplies
7 available from its Colorado River Aqueduct.

8 50. Methods of Replenishment. Watermaster may accomplish
9 replenishment of overproduction from the Basin by any reasonable
10 method, including:

11 (a) Spreading and percolation or Injection of water in
12 existing or new facilities, subject to the provisions of
13 Paragraphs 19, 25 and 26 hereof.

14 (b) In Lieu Procedures. Watermaster may make, or cause
15 to be made, deliveries of water for direct surface use, in
16 lieu of ground water production.

17 E. REVENUES

18 51. Production Assessment. Production assessments, on what-
19 ever basis, may be levied by Watermaster pursuant to the pooling
20 plan adopted for the applicable pool.

21 52. Minimal Producers. Minimal Producers shall be exempted
22 from payment of production assessments, upon filing of production
23 reports as provided in Paragraph 47 of this Judgment, and payment
24 of an annual five dollar (\$5.00) administrative fee as specified by
25 Watermaster rules.

26 53. Assessment Proceeds -- Purposes. Watermaster shall have
27 the power to levy assessments against the parties (other than
28 minimal pumpers) based upon production during the preceding period

1 of assessable production, whether quarterly, semi-annually or
2 annually, as may be determined most practical by Watermaster or the
3 affected Pool Committee.

4 54. Administrative Expenses. The expenses of administration
5 of this Physical Solution shall be categorized as either (a) gen-
6 eral Watermaster administrative expense, or (b) special project
7 expense.

8 (a) General Watermaster Administrative Expense shall
9 include office rental, general personnel expense, supplies and
10 office equipment, and related incidental expense and general
11 overhead.

12 (b) Special Project Expense shall consist of special
13 engineering, economic or other studies, litigation expense,
14 meter testing or other major operating expenses. Each such
15 project shall be assigned a Task Order number and shall be
16 separately budgeted and accounted for.

17 General Watermaster administrative expense shall be allocated
18 and assessed against the respective pools based upon allocations
19 made by the Watermaster, who shall make such allocations based upon
20 generally accepted cost accounting methods. Special Project
21 Expense shall be allocated to a specific pool, or any portion there-
22 of, only upon the basis of prior express assent and finding of
23 benefit by the Pool Committee, or pursuant to written order of the
24 Court.

25 55. Assessments -- Procedure. Assessments herein provided
26 for shall be levied and collected as follows:

27 (a) Notice of Assessment. Watermaster shall give
28 written notice of all applicable assessments to each party on

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or before ninety (90) days after the end of the production period to which such assessment is applicable.

(b) Payment. Each assessment shall be payable on or before thirty (30) days after notice, and shall be the obligation of the party or successor owning the water production facility at the time written notice of assessment is given, unless prior arrangement for payment by others has been made in writing and filed with Watermaster.

(c) Delinquency. Any delinquent assessment shall bear interest at 10% per annum (or such greater rate as shall equal the average current cost of borrowed funds to the Watermaster) from the due date thereof. Such delinquent assessment and interest may be collected in a show-cause proceeding herein instituted by the Watermaster, in which case the Court may allow Watermaster its reasonable costs of collection, including attorney's fees.

56. Accumulation of Replenishment Water Assessment Proceeds.

In order to minimize fluctuation in assessment and to give Watermaster flexibility in purchase and spreading of replenishment water, Watermaster may make reasonable accumulations of replenishment water assessment proceeds. Interest earned on such retained funds shall be added to the account of the pool from which the funds were collected and shall be applied only to the purchase of replenishment water.

57. Effective Date. The effective date for accounting and operation under this Physical Solution shall be July 1, 1977, and the first production assessments hereunder shall be due after July 1, 1978. Watermaster shall, however, require installation of

1 meters or measuring devices and establish operating procedures
2 immediately, and the costs of such Watermaster activity (not
3 including the cost of such meters and measuring devices) may be
4 recovered in the first administrative assessment in 1978.

5
6 VII. MISCELLANEOUS PROVISIONS

7 58. Designation of Address for Notice and Service. Each
8 party shall designate the name and address to be used for purposes
9 of all subsequent notices and service herein, either by its en-
10 dorsement on the Stipulation for Judgment or by a separate desig-
11 nation to be filed within thirty (30) days after Judgment has been
12 served. Said designation may be changed from time to time by
13 filing a written notice of such change with the Watermaster. Any
14 party desiring to be relieved of receiving notices of Watermaster
15 or committee activity may file a waiver of notice on a form to be
16 provided by Watermaster. Thereafter such party shall be removed
17 from the Active Party list. Watermaster shall maintain at all
18 times a current list of active parties and their addresses for
19 purposes of service. Watermaster shall also maintain a full
20 current list of names and addresses of all parties or their suc-
21 cessors, as filed herein. Copies of such lists shall be available,
22 without cost, to any party, the Advisory Committee or any Pool
23 Committee upon written request therefor.

24 59. Service of Documents. Delivery to or service upon any
25 party or active party by the Watermaster, by any other party, or by
26 the Court, of any item required to be served upon or delivered to
27 such party or active party under or pursuant to the Judgment shall
28 be made personally or by deposit in the United States mail, first

1 class, postage prepaid, addressed to the designee and at the
2 address in the latest designation filed by such party or active
3 party.

4 60. Intervention After Judgment. Any non-party assignee of
5 the adjudicated appropriative rights of any appropriator, or any
6 other person newly proposing to produce water from Chino Basin, may
7 become a party to this judgment upon filing a petition in inter-
8 vention. Said intervention must be confirmed by order of this
9 Court. Such intervenor shall thereafter be a party bound by this
10 judgment and entitled to the rights and privileges accorded under
11 the Physical Solution herein, through the pool to which the Court
12 shall assign such intervenor.

13 61. Loss of Rights. Loss, whether by abandonment, forfeiture
14 or otherwise, of any right herein adjudicated shall be accomplished
15 only (1) by a written election by the owner of the right filed with
16 Watermaster, or (2) by order of the Court upon noticed motion and
17 after hearing.

18 62. Scope of Judgment. Nothing in this Judgment shall be
19 deemed to preclude or limit any party in the assertion against a
20 neighboring party of any cause of action now existing or hereafter
21 arising based upon injury, damage or depletion of water supply
22 available to such party, proximately caused by nearby pumping which
23 constitutes an unreasonable interference with such complaining
24 party's ability to extract ground water.

25 63. Judgment Binding on Successors. This Judgment and all
26 provisions thereof are applicable to and binding upon not only the
27 parties to this action, but also upon their respective heirs,
28 executors, administrators, successors, assigns, lessees and

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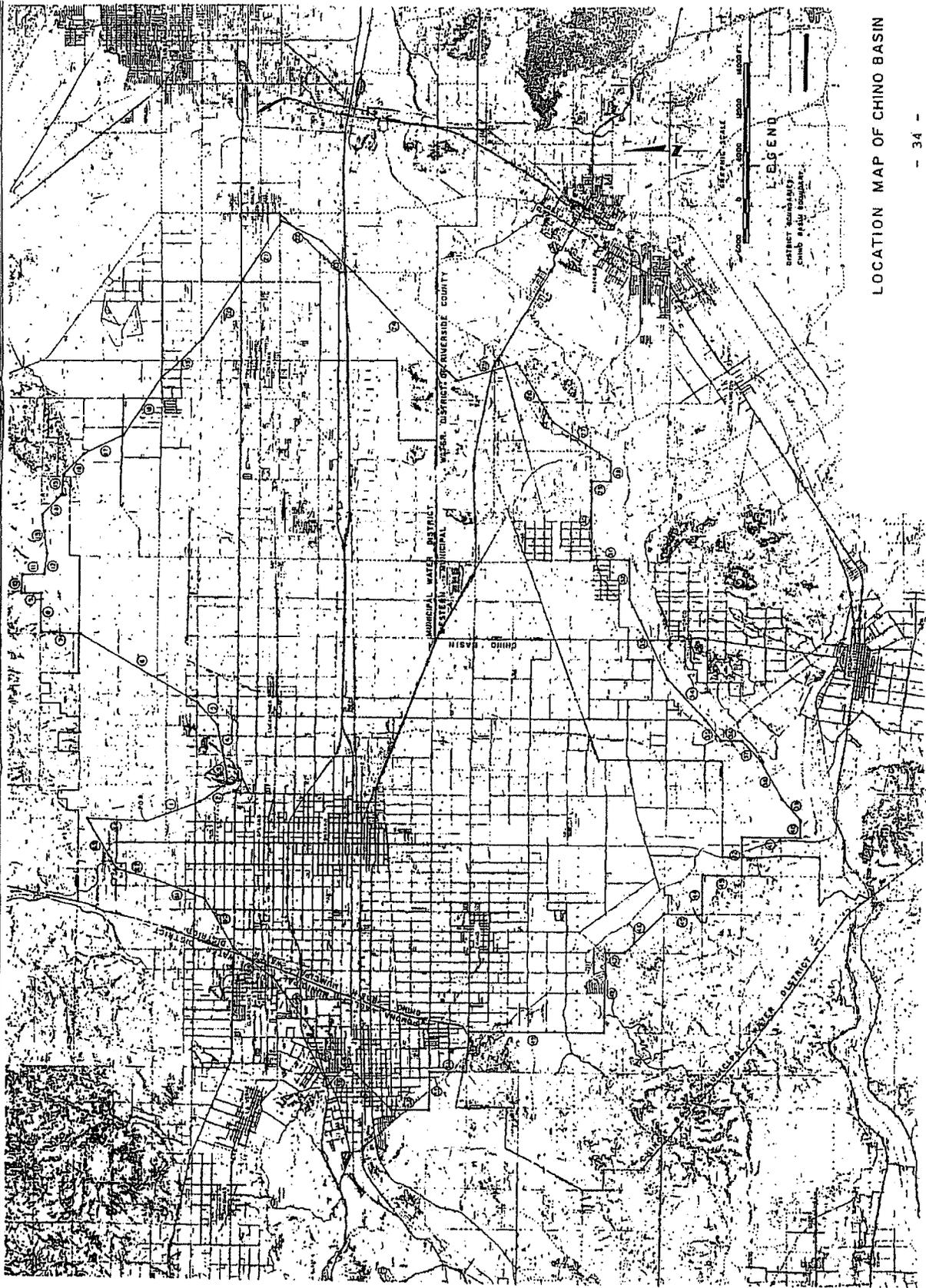
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licensees and upon the agents, employees and attorneys in fact of all such persons.

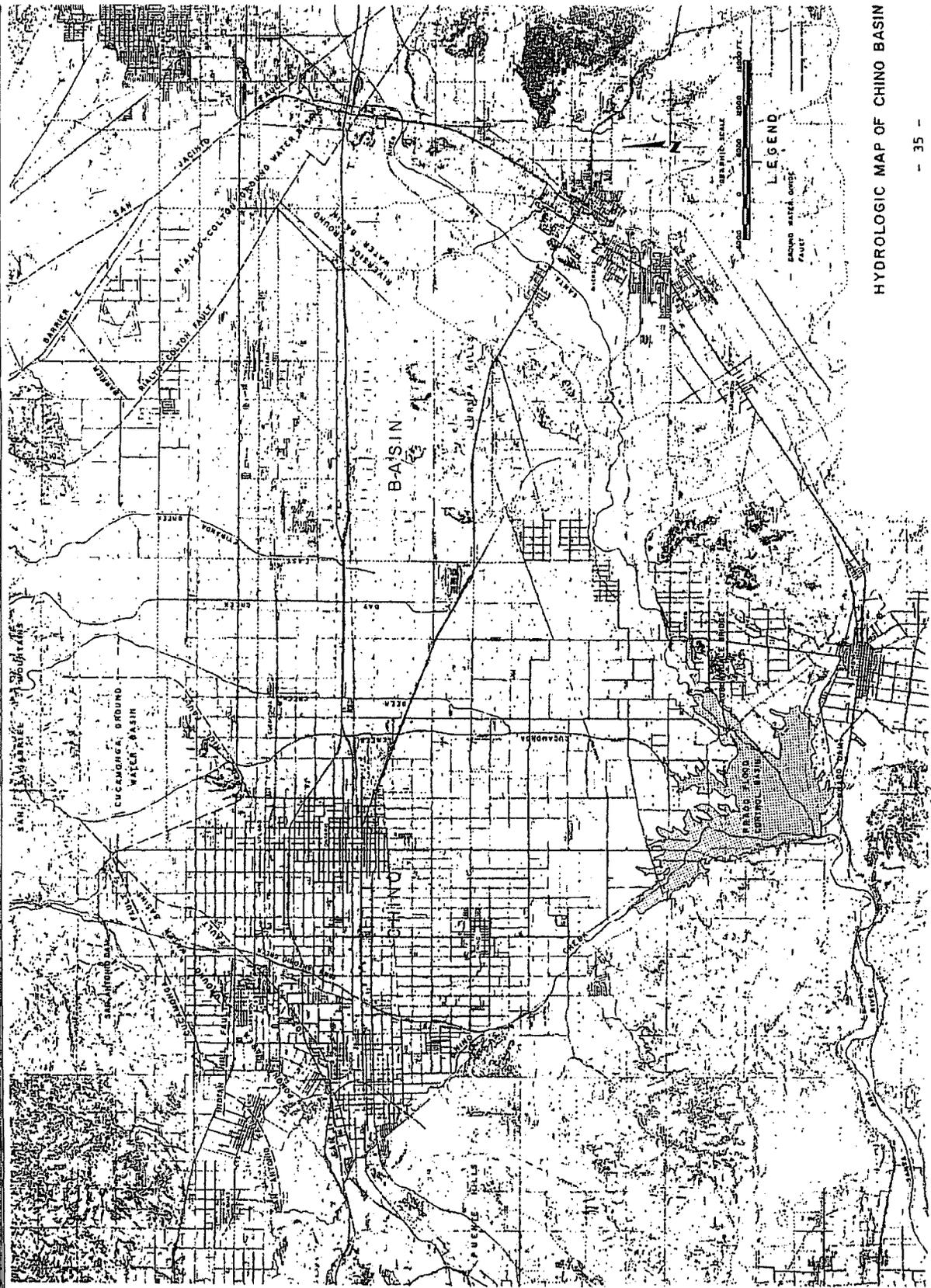
64. Costs. No party shall recover any costs in this proceeding from any other party.

Dated: JAN 27 1978

Arnold B. Weiss
Judge



LOCATION MAP OF CHINO BASIN



HYDROLOGIC MAP OF CHINO BASIN

JAMES H. SMITHSON ENGINEERING, INC.

STIPULATING OVERLYING AGRICULTURAL PRODUCERS

1	STATE OF CALIFORNIA	Aphessetche, Xavier
2	COUNTY OF SAN BERNARDINO	Arena Mutual Water Assn.
3	Abacherli Dairy, Inc.	Armstrong Nurseries, Inc.
4	Abacherli, Frank	Arretche, Frank
5	Abacherli, Shirley	Arretche, Jean Pierre
6	Abbona, Anna	Arvidson, Clarence F.
7	Abbona, James	Arvidson, Florence
8	Abbona, Jim	Ashley, George W.
9	Abbona, Mary	Ashley, Pearl E.
10	Agliani, Amelia H.	Atlas Farms
11	Agman, Inc.	Atlas Ornamental Iron Works, Inc.
12	Aguerre, Louis B.	Aukeman, Carol
13	Ahmanson Trust Co.	Aukeman, Lewis
14	Akiyama, Shizuye	Ayers, Kenneth C., aka
15	Akiyama, Tomoo	Kelley Ayers
16	Akkerman, Dave	Bachoc, Raymond
17	Albers, J. N.	Baldwin, Edgar A.
18	Albers, Nellie	Baldwin, Lester
19	Alewyn, Jake J.	Banbury, Carolyn
20	Alewyn, Normalee	Bangma Dairy
21	Alger, Mary D.	Bangma, Arthur
22	Alger, Raymond	Bangma, Ida
23	Allen, Ben F.	Bangma, Martin
24	Allen, Jane F.	Bangma, Sam
25	Alta-Dena Dairy	Barba, Anthony B.
26	Anderson Farms	Barba, Frank
27	Anguiano, Sarah L. S.	Barcellos, Joseph
28	Anker, Gus	Barnhill, Maurine W.

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1	Barnhill, Paul	Boersma, Angie
2	Bartel, Dale	Boersma, Berdina
3	Bartel, Ursula	Boersma, Frank
4	Bartel, Willard	Boersma, Harry
5	Barthelemy, Henry	Boersma, Paul
6	Barthelemy, Roland	Boersma, Sam
7	Bassler, Donald V., M.D.	Boersma, William L.
8	Bates, Lowell R.	Bohlander & Holmes, Inc.
9	Bates, Mildred L.	Bokma, Peter
10	Beahm, James W.	Bollema, Jacob
11	Beahm, Joan M.	Boonstoo, Edward
12	Bekendam, Hank	Bootsma, Jim
13	Bekendam, Pete	Borba, Dolene
14	Bello, Eugene	Borba, Dolores
15	Bello, Olga	Borba, Emily
16	Beltman, Evelyn	Borba, George
17	Beltman, Tony	Borba, John
18	Bergquist Properties, Inc.	Borba, John & Sons
19	Bevacqua, Joel A.	Borba, John Jr.
20	Bevacqua, Marie B.	Borba, Joseph A.
21	Bidart, Bernard	Borba, Karen E.
22	Bidart, Michael J.	Borba, Karen M.
23	Binnell, Wesley	Borba, Pete, Estate of
24	Black, Patricia E.	Borba, Ricci
25	Black, Victor	Borba, Steve
26	Bodger, John & Sons Co.	Borba, Tom
27	Boer, Adrian	Bordisso, Alleck
28	Boersma and Wind Dairy	Borges, Angelica M.

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1	Borges, Bernadette	Bothof, Roger W.
2	Borges, John O.	Bouma, Cornie
3	Borges, Linda L.	Bouma, Emma
4	Borges, Manual Jr.	Bouma, Henry P.
5	Borges, Tony	Bouma, Martin
6	Bos, Aleid	Bouma, Peter G. & Sons Dairy
7	Bos, Gerrit	Bouma, Ted
8	Bos, John	Bouman, Helen
9	Bos, John	Bouman, Sam
10	Bos, Margaret	Bower, Mabel E.
11	Bos, Mary	Boys Republic
12	Bos, Mary Beth	Breedyk, Arie
13	Bos, Tony	Breedyk, Jessie
14	Bosch, Henrietta	Briano Brothers
15	Bosch, Peter T.	Briano, Albert
16	Boschma, Betty	Briano, Albert Trustee for
17	Boschma, Frank	Briano, Albert Frank
18	Boschma, Greta	Briano, Lena
19	Boschma, Henry	Brink, Russell N.
20	Bosma, Dick	Brinkerhoff, Margaret
21	Bosma, Florence G.	Brinkerhoff, Robert L.
22	Bosma, Gerrit	Britschgi, Florence
23	Bosma, Jacob J.	Britschgi, Magdalena Garetto
24	Bosma, Jeanette Thea	Britschgi, Walter P.
25	Bosman, Frank	Brommer, Marvin
26	Bosman, Nellie	Brookside Enterprizes, dba
27	Bosnyak, Goldie M.	Brookside Vineyard Co.
28	Bosnyak, Martin	Brothers Three Dairy

EXHIBIT "C"

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1	Brown, Eugene	Chino Corona Investment
2	Brun, Martha M.	Chino Water Co.
3	Brun, Peter Robert	Christensen, Leslie
4	Buma, Duke	Christensen, Richard G.
5	Buma, Martha	Christian, Ada R.
6	Bunse, Nancy	Christian, Harold F.
7	Bunse, Ronnie L.	Christy, Ella J.
8	Caballero, Bonnie L.	Christy, Ronald S.
9	Caballero, Richard F.	Cihigoyenette, Jean
10	Cable Airport Inc.	Cihigoyenette, Leona
11	Cadlini, Donald	Cihigoyenette, Martin
12	Cadlini, Jesse R.	Clarke, Arthur B.
13	Cadlini, Marie Edna	Clarke, Nancy L.
14	Cambio, Anna	Clarke, Phyllis J.
15	Cambio, Charles, Estate of	Coelho, Isabel
16	Cambio, William V.	Coelho, Joe A. Jr.
17	Cardoza, Florence	Collins, Howard E.
18	Cardoza, Olivi	Collins, Judith F.
19	Cardoza, Tony	Collinsworth, Ester L.
20	Carnesi, Tom	Collinsworth, John E.
21	Carver, Robt M., Trustee	Collinsworth, Shelby
22	Cauffman, John R.	Cone Estate (05-2-00648/649)
23	Chacon Bros.	Consolidated Freightways Corp.
24	Chacon, Elvera P.	of Delaware
25	Chacon, Joe M.	Corona Farms Co.
26	Chacon, Robert M.	Corra, Rose
27	Chacon, Virginia L.	Costa, Dimas S.
28	Chez, Joseph C.	Costa, Laura

1	Costa, Myrtle	De Boer, L. H.
2	Costamagna, Antonio	De Boer, Sidney
3	Costamagna, Joseph	De Bos, Andrew
4	Cousyn, Claus B.	De Graaf, Anna Mae
5	Cramer, Carole F.	De Graaf, Gerrit
6	Cramer, William R.	De Groot, Dick
7	Crossroads Auto Dismantlers, Inc.	De Groot, Dorothy
8	Crouse, Beatrice I.	De Groot, Ernest
9	Crouse, Roger	De Groot, Henrietta
10	Crowley, Juanita C.	De Groot, Jake
11	Crowley, Ralph	De Groot, Pete Jr.
12	Cucamonga Vintners	De Haan, Bernadena
13	D'Astici, Teresa	De Haan, Henry
14	Da Costa, Cecilia B.	De Hoog, Adriana
15	Da Costa, Joaquim F.	De Hoog, Joe
16	Daloisio, Norman	De Hoog, Martin
17	De Berard Bros.	De Hoog, Martin L.
18	De Berard, Arthur, Trustee	De Hoog, Mitch
19	De Berard, Charles	De Hoog, Tryntje
20	De Berard, Chas., Trustee	De Jager, Cobi
21	De Berard, Helan J.	De Jager, Edward D.
22	De Berard, Robert	De Jong Brothers Dairy
23	De Berard, Robert, Trustee	De Jong, Cornelis
24	De Bie, Adrian	De Jong, Cornelius
25	De Bie, Henry	De Jong, Grace
26	De Bie, Margaret M.	De Jong, Jake
27	De Bie, Marvin	De Jong, Lena
28	De Boer, Fred	De Leeuw, Alice

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1	De Leeuw, Sam	Dirkse, Catherine
2	De Soete, Agnes	Dirkse, Charles C.
3	De Soete, Andre	Dixon, Charles E.
4	De Vries, Abraham	Dixon, Geraldine A.
5	De Vries, Case	Doesberg, Hendrica
6	De Vries, Dick	Doesburg, Theodorus P.
7	De Vries, Evelyn	Dolan, Marion
8	De Vries, Henry, Estate of	Dolan, Michael H.
9	De Vries, Hermina	Dominguez, Helen
10	De Vries, Jack H.	Dominguez, Manual
11	De Vries, Jane	Donkers, Henry A.
12	De Vries, Janice	Donkers, Nellie G.
13	De Vries, John	Dotta Bros.
14	De Vries, John J.	Douma Brothers Dairy
15	De Vries, Neil	Douma, Betty A.
16	De Vries, Ruth	Douma, Fred A.
17	De Vries, Theresa	Douma, Hendrika
18	De Wit, Gladys	Douma, Herman G.
19	De Wit, Peter S.	Douma, Narleen J.
20	De Wyn, Evert	Douma, Phillip M.
21	De Zoete, Hattie V.	Dow Chemical Co.
22	De Zoete, Leo A.	Dragt, Rheta
23	Decker, Hallie	Dragt, William
24	Decker, Henry A.	Driftwood Dairy Farm
25	Demmer, Ernest	Droogh, Case
26	Di Carlo, Marie	Duhalde, Marian
27	Di Carlo, Victor	Duhalde, Lauren
28	Di Tommaso, Frank	Duits, Henrietta

EXHIBIT "C"

1	Duits, John	Excelsior Farms F.D.I.C.
2	Dunlap, Edna Kraemer,	Fagundes, Frank M.
3	Estate of	Fagundes, Mary
4	Durrington, Glen	Fernandes, Joseph Jr.
5	Durrington, William F.	Fernandes, Velma C.
6	Dusi, John, Sr.	Ferraro, Ann
7	Dykstra, Dick	Ferreira, Frank J.
8	Dykstra, John	Ferreira, Joe C. Jr.
9	Dykstra, John & Sons	Ferreira, Marcie
10	Dykstra, Wilma	Filippi, J. Vintage Co.
11	Dyt, Cor	Filippi, Joseph
12	Dyt, Johanna	Filippi, Joseph A.
13	E and S Grape Growers	Filippi, Mary E.
14	Eaton, Thomas, Estate of	Fitzgerald, John R.
15	Echeverria, Juan	Flameling Dairy Inc.
16	Echeverria, Carlos	Flamingo Dairy
17	Echeverria, Pablo	Foss, Douglas E.
18	Eilers, E. Myrle	Foss, Gerald R.
19	Eilers, Henry W.	Foss, Russel
20	El Prado Golf Course	Fred & John Troost No. 1 Inc.
21	Ellsworth, Rex C.	Fred & Maynard Troost No. 2 Inc.
22	Engelsma, Jake	Freitas, Beatriz
23	Engelsma, Susan	Freitas, Tony T.
24	Escojeda, Henry	Gakle, Louis L.
25	Etiwanda Grape Products Co.	Galleano Winery, Inc.
26	Euclid Ave. Investment One	Galleano, Bernard D.
27	Euclid Ave. Investment Four	Galleano, D.
28	Euclid Ave. Three Investment	Galleano, Mary M.

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1	Garcia, Pete	Hansen, Raymond F.
2	Gardner, Leland V.	Hanson, Ardeth W.
3	Gardner, Lola M.	Harada, James T.
4	Garrett, Leonard E.	Harada, Violet A.
5	Garrett, Patricia T.	Haringa, Earl and Sons
6	Gastelluberry, Catherine	Haringa, Herman
7	Gastelluberry, Jean	Haringa, Rudy
8	Gilstrap, Glen E.	Haringa, William
9	Gilstrap, Marjorie J.	Harper, Cecilia de Mille
10	Godinho, John	Harrington, Winona
11	Godinho, June	Harrison, Jacqueline A.
12	Gonsalves, Evelyn	Hatanaka, Kenichi
13	Gonsalves, John	Heida, Annie
14	Gorzeman, Geraldine	Heida, Don
15	Gorzeman, Henry A.	Heida, Jim
16	Gorzeman, Joe	Heida, Sam
17	Govea, Julia	Helms, Addison D.
18	Goyenette, Albert	Helms, Irma A.
19	Grace, Caroline E.	Hermans, Alma I.
20	Grace, David J.	Hermans, Harry
21	Gravatt, Glenn W.	Hettinga, Arthur
22	Gravatt, Sally Mae	Hettinga, Ida
23	Greydanus Dairy, Inc.	Hettinga, Judy
24	Greydanus, Rena	Hettinga, Mary
25	Griffin Development Co.	Hettinga, Wilbur
26	Haagsma, Dave	Heublein, Inc., Grocery Products
27	Haagsma, John	Group
28	Hansen, Mary D.	Hibma, Catherine M.

EXHIBIT "C"

1	Hibma, Sidney	Hohberg, Harold C.
2	Hicks, Kenneth I.	Hohberg, Harold W.
3	Hicks, Minnie M.	Holder, Arthur B.
4	Higgins Brick Co.	Holder, Dorothy F.
5	Highstreet, Alfred V.	Holmes, A. Lee
6	Highstreet, Evada V.	Holmes, Frances P.
7	Hilarides, Bertha as Trustee	Hoogeboom, Gertrude
8	Hilarides, Frank	Hoogeboom, Pete
9	Hilarides, John as Trustee	Hoogendam, John
10	Hindelang, Tillie	Hoogendam, Tena
11	Hindelang, William	Houssels, J. K. Thoroughbred Farm
12	Hobbs, Bonnie C.	Hunt Industries
13	Hobbs, Charles W.	Idsinga, Ann
14	Hobbs, Hazel I.	Idsinga, William W.
15	Hobbs, Orlo M.	Imbach Ranch, Inc.
16	Hoekstra, Edward	Imbach, Kenneth E.
17	Hoekstra, George	Imbach, Leonard K.
18	Hoekstra, Grace	Imbach, Oscar K.
19	Hoekstra, Louie	Imbach, Ruth M.
20	Hofer, Paul B.	Indaburu, Jean
21	Hofer, Phillip F.	Indaburu, Marceline
22	Hofstra, Marie	Iseli, Kurt H.
23	Hogeboom, Jo Ann M.	Ito, Kow
24	Hogeboom, Maurice D.	J & B Dairy Inc.
25	Hogg, David V.	Jaques, Johnny C. Jr.
26	Hogg, Gene P.	Jaques, Mary
27	Hogg, Warren G.	Jaques, Mary Lou
28	Hohberg, Edith J.	

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1	Jay Em Bee Farms	Knevelbaard, John
2	Johnson Bro's Egg Ranches, Inc.	Knudsen, Ejnar
3	Johnston, Ellwood W.	Knudsen, Karen M.
4	Johnston, George F. Co.	Knudsen, Kenneth
5	Johnston, Judith H.	Knudson, Robert
6	Jones, Leonard P.	Knudson, Darlene
7	Jongsma & Sons Dairy	Koel, Helen S.
8	Jongsma, Diana A.	Koetsier, Gerard
9	Jongsma, Dorothy	Koetsier, Gerrit J.
10	Jongsma, George	Koetsier, Jake
11	Jongsma, Harold	Koning, Fred W.
12	Jongsma, Henry	Koning, Gloria
13	Jongsma, John	Koning, J. W. Estate
14	Jongsma, Nadine	Koning, James A.
15	Jongsma, Tillie	Koning, Jane
16	Jordan, Marjorie G.	Koning, Jane C.
17	Jordan, Troy O.	Koning, Jennie
18	Jorritsma, Dorothy	Koning, John
19	Juliano, Albert	Koning, Victor A.
20	Kamper, Cornelis	Kooi Holstein Corporation
21	Kamstra, Wilbert	Koolhaas, Kenneth E.
22	Kaplan, Lawrence J.	Koolhaas, Simon
23	Kasbergen, Martha	Koolhaas, Sophie Grace
24	Kasbergen, Neil	Koopal, Grace
25	Kazian, Angelen Estate of	Koopal, Silas
26	Kingsway Const. Corp.	Koopman, Eka
27	Klapps Market	Koopman, Gene T.
28	Kline, James K.	Koopman, Henry G.

EXHIBIT "C"

1	Koopman, Ted	Leck, Arthur A.
2	Koopman, Tena	Leck, Evelyn M.
3	Koot, Nick	Lee, Harold E.
4	Koster, Aart	Lee, Helen J.
5	Koster, Frances	Lee, Henrietta C.
6	Koster, Henry B.	Lee, R. T. Construction Co.
7	Koster, Nellie	Lekkerkerk, Adriana
8	Kroes, Jake R.	Lekkerkerk, L. M.
9	Kroeze, Bros	Lekkerkerker, Nellie
10	Kroeze, Calvin E.	Lekkerkerker, Walt
11	Kroeze, John	Lewis Homes of California
12	Kroeze, Wesley	Livingston, Dorothy M.
13	Kruckenber, Naomi	Livingston, Rex E.
14	Kruckenber, Perry	Lokey, Rosemary Kraemer
15	L. D. S. Welfare Ranch	Lopes, Candida A.
16	Labrucherie, Mary Jane	Lopes, Antonio S.
17	Labrucherie, Raymond F.	Lopez, Joe D.
18	Lako, Samuel	Lourenco, Carlos, Jr.
19	Landman Corp.	Lourenco, Carmelina P.
20	Lanting, Broer	Lourenco, Jack C.
21	Lanting, Myer	Lourenco, Manual H.
22	Lass, Jack	Lourenco, Mary
23	Lass, Sandra L.	Lourenco, Mary
24	Lawrence, Cecelia, Estate of	Luiten, Jack
25	Lawrence, Joe H., Estate of	Luiz, John M.
26	Leal, Bradley W.	Luna, Christine I.
27	Leal, John C.	Luna, Ruben T.
28	Leal, John Craig	Lusk, John D. and Son a California corporation

1	Lyon, Gregory E.	Mickel, Louise
2	Lyon, Paula E.	Miersma, Dorothy
3	M & W Co. #2	Meirsma, Harry C.
4	Madole, Betty M.	Minaberry, Arnaud
5	Madole, Larry B.	Minaberry, Marie
6	Marquez, Arthur	Mistretta, Frank J.
7	Marquine, Jean	Mocho and Plaa Inc.
8	Martin, Lelon O.	Mocho, Jean
9	Martin, Leon O.	Mocho, Noeline
10	Martin, Maria D.	Modica, Josephine
11	Martin, Tony J.	Montes, Elizabeth
12	Martins, Frank	Montes, Joe
13	Mathias, Antonio	Moons, Beatrice
14	Mc Cune, Robert M.	Moons, Jack
15	Mc Masters, Gertrude	Moramarco, John A. Enterprises
16	Mc Neill, J. A.	Moreno, Louis W.
17	Mc Neill, May F.	Moss, John R.
18	Mees, Leon	Motion Pictures Associates, Inc.
19	Mello and Silva Dairy	Moynier, Joe
20	Mello and Sousa Dairy	Murphy, Frances V.
21	Mello, Emilia	Murphy, Myrl L.
22	Mello, Enos C.	Murphy, Naomi
23	Mello, Mercedes	Nanne, Martin Estate of
24	Mendiondo, Catherine	Nederend, Betty
25	Mendiondo, Dominique	Nederend, Hans
26	Meth. Hosp. - Sacramento	Norfolk, James
27	Metzger, R. S.	Norfolk, Martha
28	Metzger, Winifred	Notrica, Louis

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1	Nyberg, Lillian M.	Ormonde, Viva
2	Nyenhuis, Annie	Ortega, Adeline B.
3	Nyenhuis, Jim	Ortega, Bernard Dino
4	Occidental Land Research	Osterkamp, Joseph S.
5	Okumura, Marion	Osterkamp, Margaret A.
6	Okumura, Yuiche	P I E Water Co.
7	Oldengarm, Effie	Palmer, Eva E.
8	Oldengarm, Egbert	Palmer, Walter E.
9	Oldengarm, Henry	Parente, Luis S.
10	Oliviera, Manuel L.	Parente, Mary Borba .
11	Oliviera, Mary M.	Parks, Jack B.
12	Olson, Albert	Parks, Laura M.
13	Oltmans Construction Co.	Patterson, Lawrence E. Estate of
14	Omlin, Anton	Payne, Clyde H.
15	Omlin, Elsie L.	Payne, Margo
16	Ontario Christian School Assn.	Pearson, Athelia K.
17	Oord, John	Pearson, William C.
18	Oostdam, Jacoba	Pearson, William G.
19	Oostdam, Pete	Pene, Robert
20	Oosten, Agnes	Perian, Miller
21	Oosten, Anthonia	Perian, Ona E.
22	Oosten, Caroline	Petrissans, Deanna
23	Oosten, John	Petrissans, George
24	Oosten, Marinus	Petrissans, Jean P.
25	Oosten, Ralph	Petrissans, Marie T.
26	Orange County Water District	Pickering, Dora M.
27	Ormonde, Manuel	(Mrs. A. L. Pickering)
28	Ormonde, Pete, Jr.	Pierce, John

EXHIBIT "C"

1	Pierce, Sadie	Righetti, A. T.
2	Pietszak, Sally	Riley, George A.
3	Pine, Joe	Riley, Helen C.
4	Pine, Virginia	Robbins, Jack K.
5	Pires, Frank	Rocha, John M.
6	Pires, Marie	Rocha, Jose C.
7	Plaa, Jeanne	Rodrigues, John
8	Plaa, Michel	Rodrigues, Manuel
9	Plantenga, Agnes	Rodrigues, Manuel, Jr.
10	Plantenga, George	Rodrigues, Mary L.
11	Poe, Arlo D.	Rodriquez, Daniel
12	Pomona Cemetery Assn.	Rogers, Jack D.
13	Porte, Cecelia, Estate of	Rohrer, John A.
14	Porte, Garritt, Estate of	Rohrer, Theresa D.
15	Portsmouth, Vera McCarty	Rohrs, Elizabeth H.
16	Ramella, Mary M.	Rossetti, M. S.
17	Ramirez, Concha	Roukema, Angeline
18	Rearick, Hildegard H.	Roukema, Ed.
19	Rearick, Richard R.	Roukema, Nancy
20	Reinalda, Clarence	Roukema, Siebren
21	Reitsma, Greta	Ruderian, Max J.
22	Reitsma, Louis	Russell, Fred J.
23	Rice, Bernice	Rusticus, Ann
24	Rice, Charlie E.	Rusticus, Charles
25	Richards, Karin	Rynsburger, Arie
26	(Mrs. Ronnie Richards)	Rynsburger, Berdena, Trust
27	Richards, Ronald L.	Rynsburger, Joan Adele
28	Ridder, Jennie Wassenaar	Rynsburger, Thomas

1	S. P. Annex, Inc.	Scott, Frances M.
2	Salisbury, Elinor J.	Scott, Linda F.
3	Sanchez, Edmundo	Scott, Stanley A.
4	Sanchez, Margarita O.	Scritsmier, Lester J.
5	Santana, Joe Sr.	Serl, Charles A.
6	Santana, Palmira	Serl, Rosalie P.
7	Satragni, John B. Jr.	Shady Grove Dairy, Inc.
8	Scaramella, George P.	Shamel, Burt A.
9	Schaafsma Bros.	Shelby, Harold E.
10	Schaafsma, Jennie	Shelby, John A.
11	Schaafsma, Peter	Shelby, Velma M.
12	Schaafsma, Tom	Shelton, Alice A.
13	Schaap, Andy	Sherwood, Robert W.
14	Schaap, Ids	Sherwood, Sheila J.
15	Schaap, Maria	Shue, Eva
16	Schacht, Sharon C.	Shue, Gilbert
17	Schakel, Audrey	Sieperda, Anne
18	Schakel, Fred	Sieperda, James
19	Schmid, Olga	Sigrist, Hans
20	Schmidt, Madeleine	Sigrist, Rita
21	Schoneveld, Evert	Silveira, Arline L.
22	Schoneveld, Henrietta	Silveira, Frank
23	Schoneveld, John	Silveira, Jack
24	Schoneveld, John Allen	Silveira, Jack P. Jr.
25	Schug, Donald E.	Simas, Dolores
26	Schug, Shirley A.	Simas, Joe
27	Schuh, Bernatta M.	Singleton, Dean
28	Schuh, Harold H.	Singleton, Elsie R.

1	Sinnott, Jim	Staal, John
2	Sinnott, Mildred B.	Stahl, Zippora P.
3	Slegers, Dorothy	Stampfl, Berta
4	Slegers, Hubert J.	Stampfl, William
5	Slegers, Jake	Stanley, Robert E.
6	Slegers, Jim	Stark, Everett
7	Slegers, Lenwood M.	Stellingwerf, Andrew
8	Slegers, Martha	Stellingwerf, Henry
9	Slegers, Tesse J.	Stellingwerf, Jenette
10	Smith, Edward S.	Stellingwerf, Shana
11	Smith, Helen D.	Stellingwerf, Stan
12	Smith, James E.	Stelzer, Mike C.
13	Smith, Keith J.	Sterk, Henry
14	Smith, Lester W.	Stiefel, Winifred
15	Smith, Lois Maxine	Stiefel, Jack D.
16	Smith, Marjorie W.	Stigall, Richard L.
17	Soares, Eva	Stigall, Vita
18	Sogioka, Mitsuyoshi	Stockman's Inn
19	Sogioka, Yoshimato	Stouder, Charlotte A.
20	Sousa, Sam	Stouder, William C.
21	Southern Pacific Land Co.	Struikmans, Barbara
22	Southfield, Eddie	Struikmans, Gertie
23	Souza, Frank M.	Struikmans, Henry Jr.
24	Souza, Mary T.	Struikmans, Henry Sr.
25	Spickerman, Alberta	Struikmans, Nellie
26	Spickerman, Florence	Swager, Edward
27	Spickerman, Rudolph	Swager, Gerben
28	Spyksma, John	Swager, Johanna

1	Swager, Marion	Terpstra, Theodore G.
2	Swierstra, Donald	Teune, Tony
3	Swierstra, Fanny	Teunissen, Bernard
4	Sybrandy, Ida	Teunissen, Jane
5	Sybrandy, Simon	Thomas, Ethel M.
6	Sytsma, Albert	Thommen, Alice
7	Sytsma, Edith	Thommen, Fritz
8	Sytsma, Jennie	Tillema, Allie
9	Sytsma, Louie	Tillema, Harold
10	Te Velde, Agnes	Tillema, Klaas D.
11	Te Velde, Bay	Timmons, William R.
12	Te Velde, Bernard A.	Tollerup, Barbara
13	Te Velde, Bonnie	Tollerup, Harold
14	Te Velde, Bonnie G.	Trapani, Louis A.
15	Te Velde, George	Trimlett, Arlene R.
16	Te Velde, George, Jr.	Trimlett, George E.
17	Te Velde, Harm	Tristant, Pierre
18	Te Velde, Harriet	Tuinhout, Ale
19	Te Velde, Henry J.	Tuinhout, Harry
20	Te Velde, Jay	Tuinhout, Hilda
21	Te Velde, Johanna	Tuls, Elizabeth
22	Te Velde, John H.	Tuls, Jack S.
23	Te Velde, Ralph A.	Tuls, Jake
24	Te Velde, Zwaantina, Trustee	Union Oil Company of California
25	Ter Maaten, Case	United Dairyman's Co-op.
26	Ter Maaten, Cleone	Urquhart, James G.
27	Ter Maaten, Steve	Usle, Cathryn
28	Terpstra, Carol	Usle, Faustino

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1	V & Y Properties	Van Hofwegen, Clara
2	Vaile, Beryl M.	Van Hofwegen, Jessie
3	Valley Hay Co.	Van Klaveren, A.
4	Van Beek Dairy Inc.	Van Klaveren, Arie
5	Van Canneyt Dairy	Van Klaveren, Wilhelmina
6	Van Canneyt, Maurice	Van Klaveren, William
7	Van Canneyt, Wilmer	Van Leeuwen, Arie C.
8	Van Dam, Bas	Van Leeuwen, Arie C.
9	Van Dam, Isabelle	Van Leeuwen, Arlan
10	Van Dam, Nellie	Van Leeuwen, Clara G.
11	Van Den Berg, Gertrude	Van Leeuwen, Cornelia L.
12	Van Den Berg, Joyce	Van Leeuwen, Harriet
13	Van Den Berg, Marinus	Van Leeuwen, Jack
14	Van Den Berg, Marvin	Van Leeuwen, John
15	Van Der Linden, Ardith	Van Leeuwen, Letie
16	Van Der Linden, John	Van Leeuwen, Margie
17	Van Der Linden, Stanley	Van Leeuwen, Paul
18	Van Der Veen, Kenneth	Van Leeuwen, William A.
19	Van Diest, Anna T.	Van Ravenswaay, Donald
20	Van Diest, Cornelius	Van Ryn Dairy
21	Van Diest, Ernest	Van Ryn, Dick
22	Van Diest, Rena	Van Surksum, Anthonetta
23	Van Dyk, Bart	Van Surksum, John
24	Van Dyk, Jeanette	Van Veen, John
25	Van Foeken, Martha	Van Vliet, Effie
26	Van Foeken, William	Van Vliet, Hendrika
27	Van Hofwegan, Steve	Van Vliet, Hugo
28	Van Hofwegen, Adrian A.	Van Vliet, Klaas

EXHIBIT "C"

1	Vande Witte, George	Vander Laan, Katie
2	Vanden Berge, Gertie	Vander Laan, Martin Jr.
3	Vanden Berge, Gertie	Vander Laan, Tillie
4	Vanden Berge, Jack	Vander Leest, Anna
5	Vanden Berge, Jake	Vander Leest, Ann
6	Vanden Brink, Stanley	Vander Meer, Alice
7	Vander Dussen, Agnes	Vander Meer, Dick
8	Vander Dussen, Cor	Vander Poel, Hank
9	Vander Dussen, Cornelius	Vander Poel, Pete
10	Vander Dussen, Edward	Vander Pol, Irene
11	Vander Dussen, Geraldine Marie	Vander Pol, Margie
12	Vander Dussen, James	Vander Pol, Marines
13	Vander Dussen, John	Vander Pol, William P.
14	Vander Dussen, Nelvina	Vander Schaaf, Earl
15	Vander Dussen, Rene	Vander Schaaf, Elizabeth
16	Vander Dussen, Sybrand Jr.	Vander Schaaf, Henrietta
17	Vander Dussen, Sybrand Sr.	Vander Schaaf, John
18	Vander Dussen Trustees	Vander Schaaf, Ted
19	Vander Eyk, Case Jr.	Vander Stelt, Catherine
20	Vander Eyk, Case Sr.	Vander Stelt, Clarence
21	Vander Feer, Peter	Vander Tuig, Arlene
22	Vander Feer, Rieka	Vander Tuig, Sylvester
23	Vander Laan, Ann	Vander Veen, Joe A.
24	Vander Laan, Ben	Vandervlag, Robert
25	Vander Laan, Bill	Vander Zwan, Peter
26	Vander Laan, Corrie	Vanderford, Betty W.
27	Vander Laan, Henry	Vanderford, Claud R.
28	Vander Laan, James	Vanderham, Adrian

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1	Vanderham, Cornelius	Vestal, J. Howard
2	Vanderham, Cornelius P.	Visser, Gerrit
3	Vanderham, Cory	Visser, Grace
4	Vanderham, E. Jane	Visser, Henry
5	Vanderham, Marian	Visser, Jess
6	Vanderham, Martin	Visser, Louie
7	Vanderham, Pete C.	Visser, Neil
8	Vanderham, Wilma	Visser, Sam
9	Vasquez, Eleanor	Visser, Stanley
10	Veenendaal, Evert	Visser, Tony D.
11	Veenendaal, John H.	Visser, Walter G.
12	Veiga, Dominick Sr.	Von Der Ahe, Fredric T.
13	Verbree, Jack	Von Euw, George
14	Verbree, Tillie	Von Euw, Marjorie
15	Verger, Bert	Von Lusk, a limited partnership
16	Verger, Betty	Voortman, Anna Marie
17	Verhoeven, Leona	Voortman, Edward
18	Verhoeven, Martin	Voortman, Edwin J.
19	Verhoeven, Wesley	Voortman, Gertrude Dena
20	Vermeer, Dick	Wagner, Richard H.
21	Vermeer, Jantina	Walker, Carole R.
22	Vernola Ranch	Walker, Donald E.
23	Vernola, Anthonietta	Walker, Wallace W.
24	Vernola, Anthony	Wardle, Donald M.
25	Vernola, Frank	Warner, Dillon B.
26	Vernola, Mary Ann	Warner, Minnie
27	Vernola, Pat F.	Wassenaar, Peter W.
28	Vestal, Frances Lorraine	Waters, Michael

EXHIBIT "C"

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1	Weeda, Adriana	Wiersma, Jake
2	Weeda, Daniel	Wiersma, Otto
3	Weeks, O. L.	Wiersma, Pete
4	Weeks, Verona E.	Winchell, Verne H., Trustee
5	Weidman, Maurice	Wind, Frank
6	Weidman, Virginia	Wind, Fred
7	Weiland, Adaline I.	Wind, Hilda
8	Weiland, Peter J.	Wind, Johanna
9	Wesselink, Jules	Woo, Frank
10	West, Katharine R.	Woo, Sem Gee
11	West, Russel	Wybenga, Clarence
12	West, Sharon Ann	Wybenga, Gus
13	Western Horse Property	Wybenga, Gus K.
14	Westra, Alice	Wybenga, Sylvia
15	Westra, Henry	Wynja, Andy
16	Westra, Hilda	Wynja, Iona F.
17	Westra, Jake J.	Yellis, Mildred
18	Weststeyn, Freida	Yellis, Thomas E.
19	Weststeyn, Pete	Ykema-Harmsen Dairy
20	Whitehurst, Louis G.	Ykema, Floris
21	Whitehurst, Pearl L.	Ykema, Harriet
22	Whitmore, David L.	Yokley, Betty Jo
23	Whitmore, Mary A.	Yokley, Darrell A.
24	Whitney, Adolph M.	Zak, Zan
25	Wiersema, Harm	Zivelonghi, George
26	Wiersema, Harry	Zivelonghi, Margaret
27	Wiersma, Ellen H.	Zwaagstra, Jake
28	Wiersma, Gladys J.	Zwaagstra, Jessie M. Zwart, Case

EXHIBIT "C"

NON-PRODUCER WATER DISTRICTS

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Chino Basin Municipal Water District
Chino Basin Water Conservation District
Pomona Valley Municipal Water District
Western Municipal Water District of Riverside County

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DEFAULTING OVERLYING AGRICULTURAL PRODUCERS

1		
2	Cheryl L. Bain	Roy W. Lantis
3	Warren Bain	Sharon I. Lantis
4	John M. Barcelona	Frank Lorenz
5	Letty Bassler	Dagney H. MacDonald
6	John Brazil	Frank E. Martin
7	John S. Briano	Ruth C. Martin
8	Lupe Briano	Connie S. Mello
9	Paul A. Briano	Naldiro J. Mello
10	Tillie Briano	Felice Miller
11	Arnie B. Carlson	Ted Miller
12	John Henry Fikse	Masao Nerio
13	Phyllis S. Fikse	Tom K. Nerio
14	Lewellyn Flory	Toyo Nerio
15	Mary I. Flory	Yuriko Nerio
16	L. H. Glazer	Harold L. Rees
17	Dorothy Goodman	Alden G. Rose
18	Sidney D. Goodman	Claude Rouleau, Jr.
19	Frank Grossi	Patricia M. Rouleau
20	Harada Brothers	Schultz Enterprises
21	Ellen Hettinga	Albert Shaw
22	Hein Hettinga	Lila Shaw
23	Dick Hofstra, Jr.	Cathy M. Stewart
24	Benjamin M. Hughey	Marvin C. Stewart
25	Frieda L. Hughey	Betty Ann Stone
26	Guillaume Indart	John B. Stone
27	Ellwood B. Johnston, Trustee	Vantoll Cattle Co., Inc.
28	Perry Kruckenberg, Jr.	Catherine Verburg

EXHIBIT "C"

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- 1 Martin Verburg
- 2 Donna Vincent
- 3 Larry Vincent
- 4 Cliff Wolfe & Associates
- 5 Ada M. Woll
- 6 Zarubica Co.
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EXHIBIT "D"

OVERLYING NON-AGRICULTURAL RIGHTS

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<u>Party</u>	<u>Total Overlying Non-Agricultural Rights (Acre Feet)</u>	<u>Share of Safe Yield (Acre Feet)</u>
Ameron Steel Producers, Inc.	125	97.858
County of San Bernardino	171	133.870
Conrock Company	406	317.844
Kaiser Steel Corporation	3,743	2,930.274
Red Star Fertilizer	20	15.657
Southern California Edison Co.	1,255	982.499
Space Center, Mira Loma	133	104.121
Southern Service Co., dba Blue Seal Linen	24	18.789
Sunkist, Orange Products Division	2,393	1,873.402
Carlsberg Mobile Home Properties, Ltd. '73	593	464.240
Union Carbide Corporation	546	427.446
Quaker Chemical Co.	<u>0</u>	<u>0</u>
Totals	9,409	7,366.000

EXHIBIT "E"
APPROPRIATIVE RIGHTS

<u>Party</u>	<u>Appropriative Right (Acre Feet)</u>	<u>Share of Initial Operating Safe Yield (Acre Feet)</u>	<u>Share of Operating Safe Yield (Percent)</u>
City of Chino	5,271.7	3,670.067	6.693
City of Norco	289.5	201.545	0.368
City of Ontario	16,337.4	11,373.816	20.742
City of Pomona	16,110.5	11,215.852	20.454
City of Upland	4,097.2	2,852.401	5.202
Cucamonga County Water District	4,431.0	3,084.786	5.626
Jurupa Community Ser- vices District	1,104.1	768.655	1.402
Monte Vista County Water District	5,958.7	4,148.344	7.565
West San Bernardino County Water District	925.5	644.317	1.175
Etiwanda Water Company	768.0	534.668	0.975
Felspar Gardens Mutual Water Company	68.3	47.549	0.087
Fontana Union Water Co.	9,188.3	6,396.736	11.666
Marygold Mutual Water Co.	941.3	655.317	1.195
Mira Loma Water Co.	1,116.0	776.940	1.417
Monta Vista Irr. Co.	972.1	676.759	1.234
Mutual Water Company of Glen Avon Heights	672.2	467.974	0.853
Park Water Company	236.1	164.369	0.300
Pomona Valley Water Co.	3,106.3	2,162.553	3.944
San Antonio Water Co.	2,164.5	1,506.888	2.748
Santa Ana River Water Company	1,869.3	1,301.374	2.373
Southern California Water Company	1,774.5	1,235.376	2.253
West End Consolidated Water Company	<u>1,361.3</u>	<u>947.714</u>	<u>1.728</u>
TOTAL	78,763.8	54,834.000	100.000

EXHIBIT "E"

EXHIBIT "F"
OVERLYING (AGRICULTURAL) POOL
POOLING PLAN

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3 1. Membership in Pool. The State of California and all pro-
4 ducers listed in Exhibit "C" shall be the initial members of this
5 pool, which shall include all producers of water for overlying
6 uses other than industrial or commercial purposes.

7 2. Pool Meetings. The members of the pool shall meet
8 annually, in person or by proxy, at a place and time to be desig-
9 nated by Watermaster for purposes of electing members of the Pool
10 Committee and conducting any other business of the pool. Special
11 meetings of the membership of the pool may be called and held as
12 provided in the rules of the pool.

13 3. Voting. All voting at meetings of pool members shall be
14 on the basis of one vote for each 100 acre feet or any portion
15 thereof of production from Chino Basin during the preceding year,
16 as shown by the records of Watermaster.

17 4. Pool Committee. The Pool Committee for this pool shall
18 consist of not less than nine (9) representatives selected at
19 large by members of the pool. The exact number of members of the
20 Pool Committee in any year shall be as determined by majority vote
21 of the voting power of members of the pool in attendance at the
22 annual pool meeting. Each member of the Pool Committee shall have
23 one vote and shall serve for a two-year term. The members first
24 elected shall classify themselves by lot so that approximately
25 one-half serve an initial one-year term. Vacancies during any
26 term shall be filled by a majority of the remaining members of the
27 Pool Committee.

28 5. Advisory Committee Representatives. The number of

1 representatives of the Pool Committee on the Advisory Committee
2 shall be as provided in the rules of the pool from time to time
3 but not exceeding ten (10). The voting power of the pool on the
4 Advisory Committee shall be apportioned and exercised as deter-
5 mined from time to time by the Pool Committee.

6 6. Replenishment Obligation. The pool shall provide funds
7 for replenishment of any production by persons other than members
8 of the Overlying (Non-agricultural) Pool or Appropriator Pool, in
9 excess of the pool's share of Safe Yield. During the first five
10 (5) years of operations of the Physical Solution, reasonable
11 efforts shall be made by the Pool Committee to equalize annual
12 assessments.

13 7. Assessments. All assessments in this pool (whether for
14 replenishment water cost or for pool administration or the allo-
15 cated share of Watermaster administration) shall be in an amount
16 uniformly applicable to all production in the pool during the
17 preceding year or calendar quarter. Provided, however, that the
18 Agricultural Pool Committee, may recommend to the Court modifica-
19 tion of the method of assessing pool members, inter se, if the
20 same is necessary to attain legitimate basin management objectives,
21 including water conservation and avoidance of undesirable socio-
22 economic consequences. Any such modification shall be initiated
23 and ratified by one of the following methods:

24 (a) Excess Production. In the event total pool
25 production exceeds 100,000 acre feet in any year, the Pool
26 Committee shall call and hold a meeting, after notice to all
27 pool members, to consider remedial modification of the
28 assessment formula.

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(b) Producer Petition. At any time after the fifth full year of operation under the Physical Solution, a petition by ten percent (10%) of the voting power or membership of the Pool shall compel the holding of a noticed meeting to consider revision of said formula of assessment for replenishment water.

In either event, a majority action of the voting power in attendance at such pool members' meeting shall be binding on the Pool Committee.

8. Rules. The Pool Committee shall adopt rules for conducting meetings and affairs of the committee and for administering its program and in amplification of the provisions, but not inconsistent with, this pooling plan.

1 EXHIBIT "G"
2 OVERLYING (NON-AGRICULTURAL) POOL
3 POOLING PLAN

4 1. Membership in Pool. The initial members of the pool,
5 together with the decreed share of the Safe Yield of each, are
6 listed in Exhibit "D". Said pool includes producers of water for
7 overlying industrial or commercial (non-agricultural) purposes, or
8 such producers within the Pool who may hereafter take water pur-
9 suant to Paragraph 8 hereof.

10 2. Pool Committee. The Pool Committee for this pool shall
11 consist of one representative designated by each member of the
12 pool. Voting on the committee shall be on the basis of one vote
13 for each member, unless a volume vote is demanded, in which case
14 votes shall be allocated as follows:

15 The volume voting power on the Pool Committee shall
16 be 1,484 votes. Of these, 742 votes shall be allocated on
17 the basis of one vote for each ten (10) acre feet or fraction
18 thereof of decreed shares in Safe Yield. (See Exhibit "D".)
19 The remaining 742 votes shall be allocated proportionally
20 on the basis of assessments paid to Watermaster during the
21 preceding year.*

22 3. Advisory Committee Representatives. At least three (3)
23 members of the Pool Committee shall be designated by said committee
24 to serve on the Advisory Committee. The exact number of such
25 representatives at any time shall be as determined by the Pool
26 Committee. The voting power of the pool shall be exercised in the

27 *Or production assessments paid under Water Code Section
28 72140 et seq., as to years prior to the second year of operation
under the Physical Solution hereunder.

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1 Advisory Committee as a unit, based upon the vote of a majority of
2 said representatives.

3 4. Replenishment Obligation. The pool shall provide funds
4 for replenishment of any production in excess of the pool's share
5 of Safe Yield in the preceding year.

6 5. Assessment. Each member of this pool shall pay an assess-
7 ment equal to the cost of replenishment water times the number of
8 acre feet of production by such producer during the preceding year
9 in excess of (a) his decreed share of the Safe Yield, plus (b) any
10 carry-over credit under Paragraph 7 hereof. In addition, the cost
11 of the allocated share of Watermaster administration expense shall
12 be recovered on an equal assessment against each acre foot of
13 production in the pool during such preceding fiscal year or calen-
14 dar quarter; and in the case of Pool members who take substitute
15 ground water as set forth in Paragraph 8 hereof, such producer
16 shall be liable for its share of administration assessment, as if
17 the water so taken were produced, up to the limit of its decreed
18 share of Safe Yield.

19 6. Assignment. Rights herein decreed are appurtenant to the
20 land and are only assignable with the land for overlying use
21 thereon; provided, however, that any appropriator who may, directly
22 or indirectly, undertake to provide water service to such overlying
23 lands may, by an appropriate agency agreement on a form approved by
24 Watermaster, exercise said overlying right to the extent, but only
25 to the extent necessary to provide water service to said overlying
26 lands.

27 7. Carry-over. Any member of the pool who produces less than
28 its assigned water share of Safe Yield may carry such unexercised

EXHIBIT "G"

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1 right forward for exercise in subsequent years. The first water
2 produced during any such subsequent year shall be deemed to be an
3 exercise of such carry-over right. In the event the aggregate
4 carry-over by any pool member exceeds its share of Safe Yield, such
5 member shall, as a condition of preserving such surplus carry-over,
6 execute a storage agreement with Watermaster.

7 8. Substitute Supplies. To the extent that any Pool member,
8 at the request of Watermaster and with the consent of the Advisory
9 Committee, takes substitute surface water in lieu of producing
10 ground water otherwise subject to production as an allocated share
11 of Safe Yield, said party shall nonetheless remain a member of this
12 Pool.

13 9. Rules. The Pool Committee shall adopt rules for adminis-
14 tering its program and in amplification of the provisions, but not
15 inconsistent with, this pooling plan.
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1 EXHIBIT "H"
2 APPROPRIATIVE POOL
3 POOLING PLAN

4 1. Qualification for Pool. Any city, district or other
5 public entity and public utility -- either regulated under Public
6 Utilities Commission jurisdiction, or exempt therefrom as a non-
7 profit mutual water company (other than those assigned to the
8 Overlying [Agricultural] Pool) -- shall be a member of this pool.
9 All initial members of the pool are listed in Exhibit "E", together
10 with their respective appropriative rights and acre foot allocation
11 and percentage shares of the initial and subsequent Operating Safe
12 Yield.

13 2. Pool Committee. The Pool Committee shall consist of one
14 (1) representative appointed by each member of the Pool.

15 3. Voting. The total voting power on the Pool Committee
16 shall be 1,000 votes. Of these, 500 votes shall be allocated in
17 proportion to decreed percentage shares in Operating Safe Yield.
18 The remaining 500 votes shall be allocated proportionally on the
19 basis of assessments paid to Watermaster during the preceding
20 year.* Routine business of the Pool Committee may be conducted on
21 the basis of one vote per member, but upon demand of any member a
22 weighted vote shall be taken. Affirmative action of the Committee
23 shall require a majority of the voting power of members in attend-
24 ance, provided that it includes concurrence by at least one-third
25 of its total members.

26 4. Advisory Committee Representatives. Ten (10) members of

27 _____
28 *Or production assessments paid under Water Code Section 72140
et seq., as to years prior to the second year of operation under
the Physical Solution hereunder.

1 the Pool Committee shall be designated to represent this pool on
2 the Advisory Committee. Each major appropriator, i.e., the owner
3 of an adjudicated appropriative right in excess of 3,000 acre feet,
4 shall be entitled to one representative. The remaining members
5 representing the Appropriative Pool on the Advisory Committee shall
6 be elected at large by the remaining members of the pool. The
7 voting power of the Appropriative Pool on the Advisory Committee
8 shall be apportioned between the major appropriator representatives
9 in proportion to their respective voting power in the Pool Com-
10 mittee. The remaining two representatives shall exercise equally
11 the voting power proportional to the Pool Committee voting power
12 of all remaining appropriators; provided, however, that if any
13 representative fails to attend an Advisory Committee meeting, the
14 voting power of that representative shall be allocated among the
15 representatives of the Appropriator Pool in attendance in the same
16 proportion as their own respective voting powers.

17 5. Replenishment Obligation. The pool shall provide funds
18 for purchase of replenishment water to replace any production by
19 the pool in excess of Operating Safe Yield during the preceding
20 year.

21 6. Administrative Assessment. Costs of administration of
22 this pool and its share of general Watermaster expense shall be
23 recovered by a uniform assessment applicable to all production
24 during the preceding year.

25 7. Replenishment Assessment. The cost of replenishment water
26 required to replace production from Chino Basin in excess of
27 Operating Safe Yield in the preceding year shall be allocated and
28 recovered as follows:

1 (a) For production, other than for increased export,
2 within CBMWD or WMWD:

3 (1) Gross Assessment. 15% of such replenishment
4 water costs shall be recovered by a uniform assessment
5 against all production of each appropriator producing in
6 said area during the preceding year.

7 (2) Net Assessment. The remaining 85% of said
8 costs shall be recovered by a uniform assessment on each
9 acre foot of production from said area by each such
10 appropriator in excess of his allocated share of Oper-
11 ating Safe Yield during said preceding year.

12 (b) For production which is exported for use outside
13 Chino Basin in excess of maximum export in any year through
14 1976, such increased export production shall be assessed
15 against the exporting appropriator in an amount sufficient to
16 purchase replenishment water from CBMWD or WMWD in the amount
17 of such excess.

18 (c) For production within SBVMWD or PVMWD:

19 By an assessment on all production in excess of
20 an appropriator's share of Operating Safe Yield in an
21 amount sufficient to purchase replenishment water through
22 SBVMWD or MWD in the amount of such excess.

23 8. Socio-Economic Impact Review. The parties have conducted
24 certain preliminary socio-economic impact studies. Further and
25 more detailed socio-economic impact studies of the assessment
26 formula and its possible modification shall be undertaken for the
27 Appropriator Pool by Watermaster no later than ten (10) years from
28 the effective date of this Physical Solution, or whenever total

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1 production by this pool has increased by 30% or more over the
2 decreed appropriative rights, whichever is first.

3 9. Facilities Equity Assessment. Watermaster may, upon
4 recommendation of the Pool Committee, institute proceedings for
5 levy and collection of a Facilities Equity Assessment for the
6 purposes and in accordance with the procedures which follow:

7 (a) Implementing Circumstances. There exist several
8 sources of supplemental water available to Chino Basin, each
9 of which has a differential cost and quantity available. The
10 optimum management of the entire Chino Basin water resource
11 favors the maximum use of the lowest cost supplemental water
12 to balance the supplies of the Basin, in accordance with the
13 Physical Solution. The varying sources of supplemental water
14 include importations from MWD and SBVMWD, importation of
15 surface and ground water supplies from other basins in the
16 immediate vicinity of Chino Basin, and utilization of re-
17 claimed water. In order to fully utilize any of such alter-
18 nate sources of supply, it will be essential for particular
19 appropriators having access to one or more of such supplies to
20 have invested, or in the future to invest, directly or in-
21 directly, substantial funds in facilities to obtain and
22 deliver such water to an appropriate point of use. To the
23 extent that the use of less expensive alternate sources of
24 supplemental water can be maximized by the inducement of a
25 Facilities Equity Assessment, as herein provided, it is to the
26 long-term benefit of the entire basin that such assessment be
27 authorized and levied by Watermaster.

28 (b) Study and Report. At the request of the Pool

1 Committee, Watermaster shall undertake a survey study of the
2 utilization of alternate supplemental supplies by members of
3 the Appropriative Pool which would not otherwise be utilized
4 and shall prepare a report setting forth the amount of such
5 alternative supplies being currently utilized, the amount of
6 such supplies which could be generated by activity within the
7 pool, and the level of cost required to increase such uses and
8 to optimize the total supplies available to the basin. Said
9 report shall contain an analysis and recommendation for the
10 levy of a necessary Facilities Equity Assessment to accomplish
11 said purpose.

12 (c) Hearing. If the said report by Watermaster contains
13 a recommendation for imposition of a Facilities Equity Assess-
14 ment, and the Pool Committee so requests, Watermaster shall
15 notice and hold a hearing not less than 60 days after dis-
16 tribution of a copy of said report to each member of the pool,
17 together with a notice of the hearing date. At such hearing,
18 evidence shall be taken with regard to the necessity and
19 propriety of the levy of a Facilities Equity Assessment and
20 full findings and decision shall be issued by Watermaster.

21 (d) Operation of Assessment. If Watermaster determines
22 that it is appropriate that a Facilities Equity Assessment be
23 levied in a particular year, the amount of additional supple-
24 mental supplies which should be generated by such assessment
25 shall be estimated. The cost of obtaining such supplies,
26 taking into consideration the investment in necessary
27 facilities shall then be determined and spread equitably among
28 the producers within the pool in a manner so that those

1 producers not providing such additional lower cost supple-
2 mental water, and to whom a financial benefit will result, may
3 bear a proportionate share of said costs, not exceeding said
4 benefit; provided that any producer furnishing such supple-
5 mental water shall not thereby have its average cost of water
6 in such year reduced below such producer's average cost of
7 pumping from the Basin. In so doing, Watermaster shall
8 establish a percentage of the total production by each party
9 which may be produced without imposition of a Facilities
10 Equity Assessment. Any member of the pool producing more
11 water than said percentage shall pay such Facilities Equity
12 Assessment on any such excess production. Watermaster is
13 authorized to transmit and pay the proceeds of such Facilities
14 Equity Assessment to those producers who take less than their
15 share of Basin water by reason of furnishing a higher per-
16 centage of their requirements through use of supplemental
17 water.

18 10. Unallocated Safe Yield Water. To the extent that, in any
19 five years, any portion of the share of Safe Yield allocated to
20 the Overlying (Agricultural) Pool is not produced, such water shall
21 be available for reallocation to members of the Appropriative Pool,
22 as follows:

23 (a) Priorities. Such allocation shall be made in the
24 following sequence:

25 (1) to supplement, in the particular year, water
26 available from Operating Safe Yield to compensate for any
27 reduction in the Safe Yield by reason of recalculation
28 thereof after the tenth year of operation hereunder.

1 (2) pursuant to conversion claims as defined in
2 Subparagraph (b) hereof.

3 (3) as a supplement to Operating Safe Yield,
4 without regard to reductions in Safe Yield.

5 (b) Conversion Claims. The following procedures may be
6 utilized by any appropriator:

7 (1) Record of Land Use Conversion. Any appro-
8 priator who undertakes, directly or indirectly, dur-
9 ing any year, to permanently provide water service to
10 lands which during the immediate preceding five (5)
11 consecutive years was devoted to irrigated agriculture
12 may report such change in land use or water service to
13 Watermaster. Watermaster shall thereupon verify such
14 change in water service and shall maintain a record and
15 account for each appropriator of the total acreage
16 involved and the average annual water use during said
17 five-year period.

18 (2) Establishment of Allocation Percentage. In
19 any year in which unallocated Safe Yield water from
20 the Overlying (Agricultural) Pool is available for such
21 conversion claims, Watermaster shall establish allocable
22 percentages for each appropriator based upon the total
23 of such converted acreage recorded to each such appro-
24 priator's account.

25 (3) Allocation and Notice. Watermaster shall
26 thereafter apply the allocated percentage to the total
27 unallocated Safe Yield water available for special
28 allocation to derive the amount thereof allocable to

1 each appropriator; provided that in no event shall the
2 allocation to any appropriator as a result of such
3 conversion claim exceed 50% of the average annual amount
4 of water actually applied to the areas converted by such
5 appropriator prior to such conversion. Any excess water
6 by reason of such limitation on any appropriator's right
7 shall be added to Operating Safe Yield. Notice of such
8 special allocation shall be given to each appropriator
9 and shall be treated for purposes of this Physical
10 Solution as an addition to such appropriator's share of
11 the Operating Safe Yield for the particular year only.

12 (4) Administrative Costs. Any costs of Water-
13 master attributable to administration of such special
14 allocations and conversion claims shall be assessed
15 against appropriators participating in such reporting.

16 11. In Lieu Procedures. There are, or may develop, certain
17 areas within Chino Basin where good management practices dictate
18 that recharge of the basin be accomplished, to the extent prac-
19 tical, by taking surface supplies of supplemental water in lieu of
20 ground water otherwise subject to production as an allocated share
21 of Operating Safe Yield.

22 (a) Method of Operation. Any appropriator producing
23 water within such designated in lieu area who is willing to
24 abstain for any reason from producing any portion of such
25 producer's share of Operating Safe Yield in any year may
26 offer such unpumped water to Watermaster. In such event,
27 Watermaster shall purchase said water in place, in lieu of
28 spreading replenishment water, which is otherwise required to

1 make up for over production. The purchase price for in lieu
2 water shall be the lesser of:

3 (1) Watermaster's current cost of replenishment
4 water, whether or not replenishment water is currently
5 then obtainable, plus the cost of spreading; or

6 (2) The cost of supplemental surface supplies to
7 the appropriator, less

8 a. said appropriator's average cost of
9 ground water production, and

10 b. the applicable production assessment
11 were the water produced.

12 Where supplemental surface supplies consist of MWD or
13 SBVMWD supplies, the cost of treated, filtered State
14 water from such source shall be deemed the cost of
15 supplemental surface supplies to the appropriator for
16 purposes of such calculation.

17 In any given year in which payments may be made pursuant to
18 a Facilities Equity Assessment, as to any given quantity of
19 water the party will be entitled to payment under this
20 section or pursuant to the Facilities Equity Assessment, as
21 the party elects, but not under both.

22 (b) Designation of In Lieu Areas. The first in lieu
23 area is designated as the "In Lieu Area No. 1" and consists
24 of an area wherein nitrate levels in the ground water gen-
25 erally exceed 45 mg/l, and is shown on Exhibit "J" hereto.
26 Other in lieu areas may be designated by subsequent order of
27 Watermaster upon recommendation or approval by Advisory
28 Committee. Said in lieu areas may be enlarged, reduced or

1 eliminated by subsequent orders; provided, however, that
2 designation of In Lieu Areas shall be for a minimum fixed
3 term sufficient to justify necessary capital investment. In
4 Lieu Area No. 1 may be enlarged, reduced or eliminated in
5 the same manner, except that any reduction of its original
6 size or elimination thereof shall require the prior order of
7 Court.

8 12. Carry-over. Any appropriator who produces less than his
9 assigned share of Operating Safe Yield may carry such unexercised
10 right forward for exercise in subsequent years. The first water
11 produced during any such subsequent year shall be deemed to be an
12 exercise of such carry-over right. In the event the aggregate
13 carry-over by any appropriator exceeds its share of Operating Safe
14 Yield, such appropriator shall, as a condition of preserving such
15 surplus carry-over, execute a storage agreement with Watermaster.
16 Such appropriator shall have the option to pay the gross assess-
17 ment applicable to such carry-over in the year in which it accrued.

18 13. Assignment, Transfer and Lease. Appropriative rights,
19 and corresponding shares of Operating Safe Yield, may be assigned
20 or may be leased or licensed to another appropriator for exercise
21 in a given year. Any transfer, lease or license shall be ineffec-
22 tive until written notice thereof is furnished to and approved as
23 to form by Watermaster, in compliance with applicable Watermaster
24 rules. Watermaster shall not approve transfer, lease or license of
25 a right for exercise in an area or under conditions where such
26 production would be contrary to sound basin management or detri-
27 mental to the rights or operations of other producers.

28 14. Rules. The Pool Committee shall adopt rules for

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administering its program and in amplification of the provisions,
but not inconsistent with, this pooling plan.

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EXHIBIT "I"

ENGINEERING APPENDIX

1
2
3 1. Basin Management Parameters. In the process of imple-
4 menting the physical solution for Chino Basin, Watermaster shall
5 consider the following parameters:

6 (a) Pumping Patterns. Chino Basin is a common supply
7 for all persons and agencies utilizing its waters. It is an
8 objective in management of the Basin's waters that no pro-
9 ducer be deprived of access to said waters by reason of
10 unreasonable pumping patterns, nor by regional or localized
11 recharge of replenishment water, insofar as such result may
12 be practically avoided.

13 (b) Water Quality. Maintenance and improvement of
14 water quality is a prime consideration and function of
15 management decisions by Watermaster.

16 (c) Economic Considerations. Financial feasibility,
17 economic impact and the cost and optimum utilization of the
18 Basin's resources and the physical facilities of the parties
19 are objectives and concerns equal in importance to water
20 quantity and quality parameters.

21 2. Operating Safe Yield. Operating Safe Yield in any year
22 shall consist of the Appropriative Pool's share of Safe Yield of
23 the Basin, plus any controlled overdraft of the Basin which
24 Watermaster may authorize. In adopting the Operating Safe Yield
25 for any year, Watermaster shall be limited as follows:

26 (a) Accumulated Overdraft. During the operation of
27 this Judgment and Physical Solution, the overdraft accumu-
28 lated from and after the effective date of the Physical

1 Solution and resulting from an excess of Operating Safe Yield
2 over Safe Yield shall not exceed 200,000 acre feet.

3 (b) Quantitative Limits. In no event shall Operating
4 Safe Yield in any year be less than the Appropriative Pool's
5 share of Safe Yield, nor shall it exceed such share of Safe
6 Yield by more than 10,000 acre feet. The initial Operating
7 Safe Yield is hereby set at 54,834 acre feet per year.

8 Operating Safe Yield shall not be changed upon less than five
9 (5) years' notice by Watermaster.

10 Nothing contained in this paragraph shall be deemed to authorize,
11 directly or indirectly, any modification of the allocation of
12 shares in Safe Yield to the overlying pools, as set forth in
13 Paragraph 44 of the Judgment.

14 3. Ground Water Storage Agreements. Any agreements author-
15 ized by Watermaster for storage of supplemental water in the
16 available ground water storage capacity of Chino Basin shall
17 include, but not be limited to:

18 (a) The quantities and term of the storage right.

19 (b) A statement of the priority or relation of said
20 right, as against overlying or Safe Yield uses, and other
21 storage rights.

22 (c) The procedure for establishing delivery rates,
23 schedules and procedures which may include

24 [1] spreading or injection, or

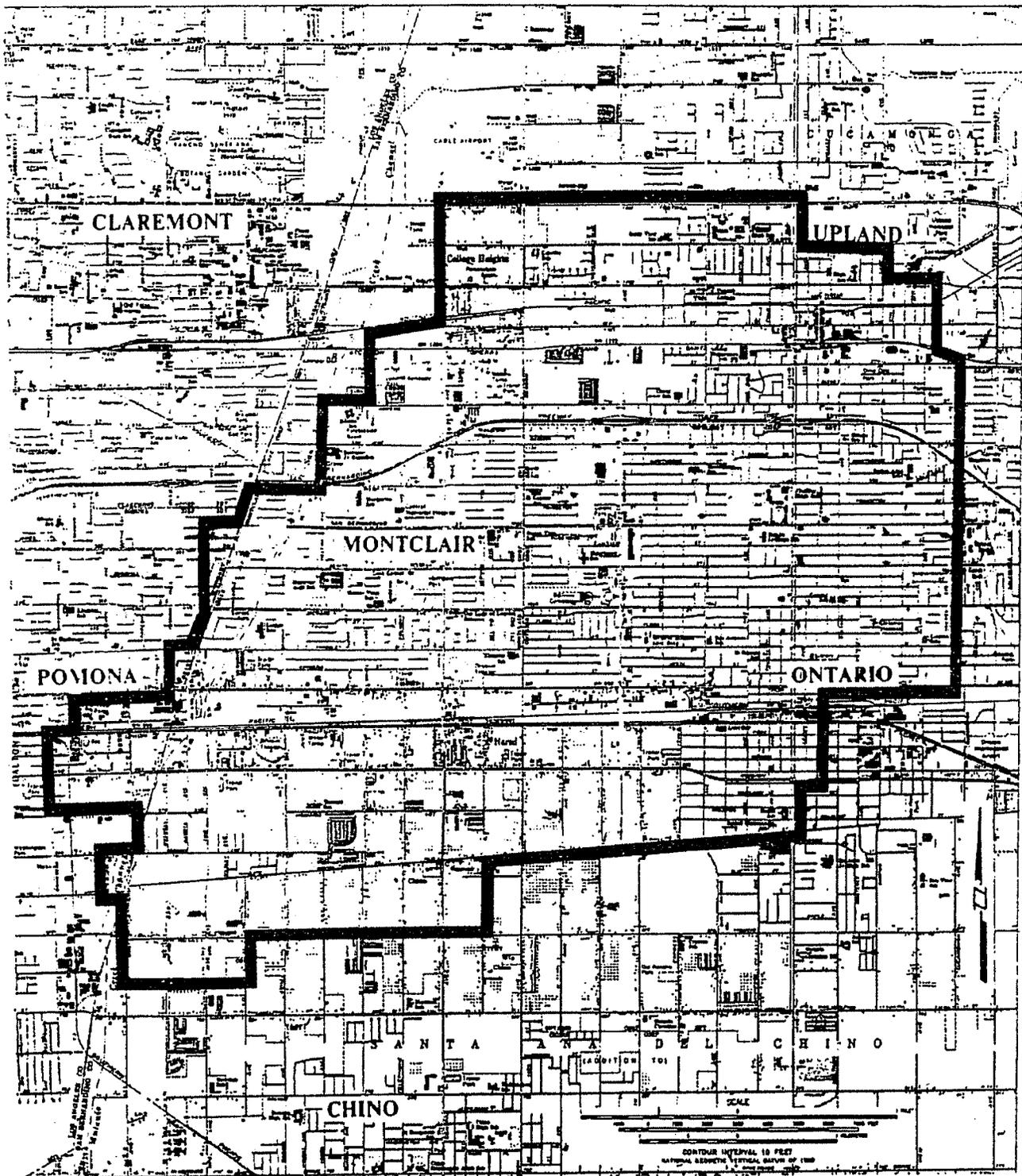
25 [2] in lieu deliveries of supplemental water for
26 direct use.

27 (d) The procedures for calculation of losses and annual
28 accounting for water in storage by Watermaster.

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(e) The procedures for establishment and administration of withdrawal schedules, locations and methods.



**CHINO BASIN
IN LIEU AREA NO. 1**

EXHIBIT "J"

LEGAL DESCRIPTION

OF CHINO BASIN

Preamble

All of the townships and ranges referred to in the following legal description are the San Bernardino Base and Meridian. Certain designated sections are implied as the System of Government Surveys may be extended where not established. Said sections are identified as follows:

Section 20, T1N, R8W is extended across Rancho Cucamonga;

Section 36, T1N, R8W is extended across the City of Upland;

Sections 2, 3, and 4, T1S, R7W are extended across Rancho Cucamonga;

Section 10, T1S, R8W is extended across the City of Claremont;

Sections 19, 20, 21, 30, 31 and 32, T1S, R8W are extended across the City of Pomona;

Sections 4, 5, and 28, T2S, R8W are extended across Rancho Santa Ana Del Chino;

Sections 15 and 16, T3S, R7W are extended across Rancho La Sierra; and

Sections 17 and 20, T3S, R7W are extended across Rancho El Rincon.

Description

Chino Basin is included within portions of the Counties of San Bernardino, Riverside and Los Angeles, State of California, bounded by a continuous line described as follows:

BEGINNING at the Southwest corner of Lot 241 as shown on Map of Ontario Colony Lands, recorded in Map Book 11, page 6, Office of the County Recorder of San Bernardino County, said corner being the Point of Beginning;

1. Thence Southeasterly to the Southeast corner

of Lot 419 of said Ontario Colony Lands;

2. Thence Southeasterly to a point 1300 feet North of the South line and 1300 feet East of the West line of Section 4, T1S, R7W;

3. Thence Easterly to a point on the East line of Section 4, 1800 feet North of the Southeast corner of said Section 4;

4. Thence Easterly to the Southeast corner of the Southwest quarter of the Northeast quarter of Section 3, T1S, R7W;

5. Thence Northeasterly to a point on the North line of Section 2, T1S, R7W, 1400 feet East of the West line of said Section 2;

6. Thence Northeasterly to the Southwest corner of Section 18, T1N, R6W;

7. Thence Northerly to the Northwest corner of said Section 18;

8. Thence Easterly to the Northeast corner of said Section 18;

9. Thence Northerly to the Northwest corner of the Southwest quarter of Section 8, T1N, R6W;

10. Thence Easterly to the Northeast corner of said Southwest quarter of said Section 8;

11. Thence Southerly to the Southeast corner of said Southwest quarter of said Section 8;

12. Thence Easterly to the Northeast corner of Section 17, T1N, R6W;

13. Thence Easterly to the Northeast corner of Section 16, T1N, R6W;

14. Thence Southeasterly to the Northwest corner of the Southeast quarter of Section 15, T1N, R6W;

15. Thence Easterly to the Northeast corner of said Southeast quarter of said Section 15;

16. Thence Southeasterly to the Northwest corner of the Northeast quarter of Section 23, T1N, R6W;

17. Thence Southeasterly to the Northwest corner

of Section 25, T1N, R6W;

18. Thence Southeasterly to the Northwest corner of the Northeast quarter of Section 31, T1N, R5W;

19. Thence Southeasterly to the Northeast corner of the Northwest quarter of Section 5, T1S, R5W;

20. Thence Southeasterly to the Southeast corner of Section 4, T1S, R5W;

21. Thence Southeasterly to the Southeast corner of the Southwest quarter of Section 11, T1S, R5W;

22. Thence Southwesterly to the Southwest corner of Section 14, T1S, R5W;

23. Thence Southwest to the Southwest corner of Section 22, T1S, R5W;

24. Thence Southwesterly to the Southwest corner of the Northeast quarter of Section 6, T2S, R5W;

25. Thence Southeasterly to the Northeast corner of Section 18 T2S, R5W;

26. Thence Southwesterly to the Southwest corner of the Southeast quarter of Section 13, T2S, R6W;

27. Thence Southwesterly to the Southwest corner of the Northeast quarter of Section 26, T2S, R6W;

28. Thence Westerly to the Southwest corner of the Northwest quarter of said Section 26;

29. Thence Northerly to the Northwest corner of said Section 26;

30. Thence Westerly to the Southwest corner of Section 21, T2S, R6W;

31. Thence Southerly to the Southeast corner of Section 29, T2S, R6W;

32. Thence Westerly to the Southeast corner of Section 30, T2S, R6W;

33. Thence Southwesterly to the Southwest corner of Section 36, T 2 S, R 7 W;

34. Thence Southwesterly to the Southeast corner

of Section 3, T3S, R7W;

35. Thence Southwesterly to the Southwest corner of the Northeast quarter of Section 10, T3S, R7W;

36. Thence Southerly to the Northeast corner of the Northwest quarter of Section 15, T3S, R7W;

37. Thence Southwesterly to the Southeast corner of the Northeast quarter of Section 16, T3S, R7W;

38. Thence Southwesterly to the Southwest corner of said Section 16;

39. Thence Southwesterly to the Southwest corner of the Northeast quarter of Section 20, T3S, R7W;

40. Thence Westerly to the Southwest corner of the Northwest quarter of said Section 20;

41. Thence Northerly to the Northwest corner of Section 17, T3S, R7W;

42. Thence Westerly to the Southwest corner of Section 7, T3S, R7W;

43. Thence Northerly to the Southwest corner of Section 6, T3S, R7W;

44. Thence Westerly to the Southwest corner of Section 1, T3S, R8W;

45. Thence Northerly to the Southeast corner of Section 35, T2S, R8W;

46. Thence Northwesterly to the Northwest corner of said Section 35;

47. Thence Northerly to the Southeast corner of Lot 33, as shown on Map of Tract 3193, recorded in Map Book 43, pages 46 and 47, Office of the County Recorder of San Bernardino County;

48. Thence Westerly to the Northwest corner of the Southwest quarter of Section 28, T2S, R8W;

49. Thence Northerly to the Southwest corner of Section 4, T2S, R8W;

50. Thence Westerly to the Southwest corner of Section 5, T2S, R8W;

51. Thence Northerly to the Southwest corner of Section 32, T1S, R8W;

52. Thence Westerly to the Southwest corner of Section 31, T1S, R8W;

53. Thence Northerly to the Southwest corner of Section 30, T1S, R8W;

54. Thence Northeasterly to the Southwest corner of Section 20, T1S, R8W;

55. Thence Northerly to the Northwest corner of the Southwest quarter of the Southwest quarter of said Section 20;

56. Thence Northwesterly to the Northeast corner of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 19, T1S, R8W;

57. Thence Easterly to the Northwest corner of Section 21, T1S, R8W;

58. Thence Northeasterly to the Southeast corner of the Southwest quarter of the Southwest quarter of Section 10, T1S, R8W;

59. Thence Northeasterly to the Southwest corner of Section 2, T1S, R8W;

60. Thence Northeasterly to the Southeast corner of the Northwest quarter of the Northwest quarter of Section 1, T1S, R8W;

61. Thence Northerly to the Northeast corner of the Northwest quarter of the Northeast quarter of Section 36, T1N, R8W;

62. Thence Northerly to the Southeast corner of Section 24, T1N, R8W;

63. Thence Northeasterly to the Southeast corner of the Northwest quarter of the Northwest quarter of Section 20, T1N, R7W; and

64. Thence Southerly to the Point of Beginning.

Sections Included

Said perimeter description includes all or portions of the following Townships, Ranges and Sections of San Bernardino Base and Meridian:

T1N, R5W - Sections: 30, 31 and 32

T1N, R6W - Sections: 8, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36

T1N, R7W - Sections: 19, 20, 24, 25, 26, 29, 30, 31, 32, 35 and 36

T1N, R8W - Sections: 25 and 36

T1S, R5W - Sections: 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31 and 32.

T1S, R6W - Sections: 1 through 36, inclusive

T1S, R7W - Sections: 1 through 36, inclusive

T1S, R8W - Sections: 1, 2, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36

T2S, R5W - Sections: 6, 7 and 18

T2S, R6W - Sections: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 29, 30 and 31

T2S, R7W - Sections: 1 through 36, inclusive

T2S, R8W - Sections: 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 35 and 36

T3S, R7W - Sections: 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17 and 20

T3S, R8W - Section: 1.

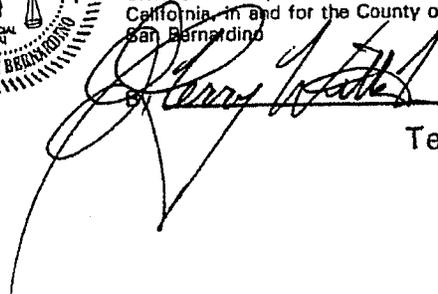


THE DOCUMENT TO WHICH THIS CERTIFICATION IS ATTACHED IS A FULL, TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

OCT 29 2002

ATTEST

Clerk of the Superior Court of the State of California, in and for the County of San Bernardino

 Deputy

Terry Wittenborn

92 pages

APPENDIX F

APPENDIX G

ORDINANCE NO. 41

AN ORDINANCE OF THE CUCAMONGA COUNTY WATER DISTRICT OF SAN BERNARDINO COUNTY, CALIFORNIA, PROHIBITING THE WILLFUL WASTE OF WATER

The Board of Directors of the Cucamonga County Water District of San Bernardino County, California, **DOES ORDAIN** as follows:

SECTION 1: DEFINITIONS

- 1.1 **“DISTRICT”**: Cucamonga County Water District of San Bernardino County, California
- 1.2 **“AREA OF SERVICE”**: For the purposes of this Ordinance, the area of service shall be defined as all of the Cucamonga County Water District.
- 1.3 **“CUSTOMER/PERSON”**: Any natural person, firm, or corporation.
- 1.4 **“GENERAL MANAGER”**: The person designated by the District to supervise the operation of the public water system and who is charged with certain duties and responsibilities by this Ordinance, or his duly authorized representative.
- 1.5 **“DOMESTIC WATER SERVICE”**: Delivery of water for sanitation use, yard use, and industrial use.
- 1.6 **“INTERRUPTIBLE WATER SERVICE”**: Delivery of scheduled water for production of marketable items, parks, and recreation.

SECTION 2: AUTHORITY

- 2.1 This ordinance is adopted pursuant to Section 31026 and 31027 of the Water Code.

SECTION 3: PROHIBITION OF LEAKS OR WATER WASTE

- 3.1 No person having a water service provided by the District shall permit, or cause to be permitted, any leaks or waste of the water which is delivered by the District.

SECTION 4: FAILURE OF OWNER TO PREVENT WASTE WATER

- 4.1 The refusal or neglect of the owner or occupant of any premises to equip and maintain the premises with plumbing of such character and quality as to prevent waste of water shall be sufficient grounds for the refusal of the District to connect the premises with the District water supply, or to discontinue such connection after having given two days' notice in writing to the owner or occupant of the property of intention to discontinue the service pending necessary repairs. In all such cases, the District shall collect the sum of \$5 for turning water off and \$15 for turning it on again during regular District work hours, that is between 8 a.m. and 5 p.m., on any Monday through Friday, other than a holiday, or @22.50 for turning water off and \$22.50 for turning it on again at any time other than during the regular District working hours.

SECTION 5: USE OF WATER FOR REFRIGERATING APPARATUS AND ORNAMENTAL FOUNTAINS

- 5.1 It is hereby declared to be unlawful wherever water is served by the District to use or permit the use of water in any refrigerating apparatus, ornamental fountain or other device in which the water so used is then permitted to flow wastefully. Nothing herein contained shall be deemed to prohibit the use of water in such refrigerating apparatus, ornamental fountain or other device, if water so used is circulated by means of pumps and motors in such fashion that the maximum conservation of water is obtained. In all instances in which the District it may discover that water furnished by the District is being used in violation of the terms of this section, it may after having given reasonable notice of its intention so to do, cause the water to be shut off from the consumer using it in violation hereof. Such water shall remain shut off until such consumer shall have removed the appliance causing the wastage of water, or shall have installed pumping and other equipment adequate to secure the maximum use of such water and prevent waste. The District shall collect the sum of \$15 for turning water off and \$15 for turning it on again during regular District work hours, that is between 8 a.m. and 5 p.m., on any Monday through Friday, other than a holiday or \$22.50 for turning water

off and \$22.50 for turning it on again at any time other than during the regular District working hours.

SECTION 6: VIOLATIONS AND ENFORCEMENT

- 6.1 The recital of specified instances in this Ordinance wherein the District is authorized to discontinue service to the customer is not to be construed as limiting the authority of the District to the instances specified. The District may discontinue service to any customer upon failure of compliance with, or violation or infraction of this Ordinance, or any amendments or additions thereto, or any Rules and Regulations adopted by the District in amplification hereof, which may then be in force, after notice has been given to the customer to remedy such non-compliance and/or desist from such violation or infraction and a reasonable opportunity thereafter within which to comply with said notice has been provided. However, no such notice need be given where the noncompliance with, or violation or infraction of this Ordinance by the customer results, or is likely to result, in a dangerous or unsanitary condition on the customer's premises, or in the District's water system, or elsewhere, or where discontinuance of service is necessary to protect the District from fraud, liability, imposition, loss or abuse.

SECTION 7: SEVERABILITY

- 7.1 If any provision, paragraph, word, section, or article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

SECTION 8: CONFLICT

- 8.1 All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby superseded to the extent of such inconsistency or conflict.

SECTION 9: ADOPTION

- 9.1 This Ordinance shall become effective immediately upon adoption. A copy of this Ordinance shall be published once in a newspaper of general circulation in the District within 10 days of its adoption.

ORDINANCE NO. 42

AN ORDINANCE OF THE CUCAMONGA COUNTY WATER DISTRICT
ESTABLISHING A WATER CONSERVATION PLAN FOR
EMERGENCY CONDITIONS OF WATER SUPPLY

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CUCAMONGA
COUNTY WATER DISTRICT AS FOLLOWS:

Section 1. Statement of Policy and Declaration of Purpose

(a) The Board of Directors (the "Board") of the Cucamonga County Water District (the "District") has determined that it would be in the best interest of the public, considering the cost and quantity of water supplies available to the District, to adopt a water conservation plan for emergency conditions based on voluntary conservation, increasing rates, and due process measures.

(b) The purpose of this ordinance is to establish standards for a water conservation plan to minimize the effect of a water shortage during a period of drought or natural or man-made disaster.

Section 2. Statutory Authority

Pursuant to Water Code Section 350 et seq. and Section 375 et seq., the Board of Directors is authorized to declare a water shortage emergency and implement water conservation measures to (1) protect the health, safety, and welfare of the customers of the District, (2) assure the maximum beneficial use of the water supplies of the District, and (3) assure there will be sufficient water supplies to meet the basic needs of human consumption, sanitation, and fire protection.

Section 3. Implementation of the Provisions of
the Water Conservation Plan

(a) The Board of Directors shall authorize the implementation of the provisions of the Water Conservation Plan.

(b) The authorization shall take the form of a public notice by the Board that an emergency condition exists in the District, or will exist in the near future. The notice shall include a statement of the severity of the condition, the provisions of the Water Conservation Plan to be implemented, and the time of implementation.

(c) Prior to implementing the provisions of the Water Conservation Plan, the Board shall hold a public hearing for the purpose of declaring an emergency condition, and to hear comments from the public. Notice of the time and place of the public hearing shall be published not less than 10 days before the hearing in a newspaper of general circulation within the District.

Section 4. Definition of Emergency Conditions of Water Supply

(a) There are three phases of emergency conditions established. The District has various sources of water and the partial or total loss of one or more sources may seriously impact the District's ability to meet water demands. The criteria for implementation shall be based on an assessment by management staff of the District's ability to meet normal water demands for a twelve month period. If it is determined that the District's ability to meet normal demand is less than 90 percent for the period in question, staff shall immediately recommend to the Board that an emergency condition be declared. Such recommendation shall include a statement of the severity of the condition, the phase of the Plan to be implemented, the time at which the phase should be implemented, and the estimated duration for implementation. The measures to be put in force under the three phases shall be as defined in Sections 5 and 6.

Section 5. Incremental Water Rate Structure

(a) Single Family Residences. Based on consumption studies by District staff, the standard personal consumption is hereby set at 125 gallons per day (GPD) per person. Further, the standard household consumption is set at 500 GPD, which assumes 4 full-time residents at each service address. Customers may apply for additional personal allocations at 125 GPD with evidence of full-time residents exceeding four (See Section 8). The rate structures for a single family residence are determined using bi-monthly billing averages, and are as follows:

<u>Phase I</u>	<u>Consumption</u>	<u>Rate by Increment</u>
	1 to 500 GPD	Regular Rate
	501 to 1,000 GPD	1.5 times Regular Rate
	1,001 GPD and over	2 times Regular Rate

<u>Phase II</u>	<u>Consumption</u>	<u>Rate by Increment</u>
	1 to 400 GPD	Regular Rate
	401 to 800 GPD	2 times Regular Rate
	801 GPD and over	4 times Regular Rate

<u>Phase III</u>	<u>Consumption</u>	<u>Rate by Increment</u>
	1 to 300 GPD	Regular Rate
	301 to 600 GPD	2 times Regular Rate
	601 GPD and over	4 times Regular Rate

(b) Multiple Dwellings and Mobile Home Parks. Multiple dwellings and mobile homes shall be rated at 250 GPD per unit which assumes two persons per unit at 125 GPD each. This customer class shall be subject to the rate structure defined for single family residences except that the consumption levels (GPD) shall be reduced by one half.

(c) Commercial Businesses. Each Business account shall be analyzed based on its consumption history to determine the gallons per day (GPD) required. The business GPD divided by 500 GPD equals the consumption factor. The minimum consumption factor will be 1.0. Commercial businesses will be subject to the single family rate structure except that the rate change levels of consumption (GPD) will be multiplied by the consumption factor.

(d) Agriculture, Parks/Recreation, Landscape/Parkway. The rate structure for these classes shall be determined in the same manner as for commercial businesses except that consumption factors shall be determined on a bi-monthly basis. The consumption factors for landscape/parkway accounts shall be reduced by one-half before determining the GPD levels of consumption.

(e) Other Classes. The rate structure for the remaining classes of accounts shall be determined in the same manner as for commercial businesses.

Section 6. High Consumption Program

(a) The District shall implement a program of monitoring customers using excessive amounts of water in one bi-monthly billing period. Monitoring will apply when the following consumption levels are exceeded:

Phase I

2,460 GPD (200 hundred cubic feet bi-monthly)

Phase II

1,850 GPD (150 hundred cubic feet bi-monthly)

Phase III

1,230 GPD (100 hundred cubic feet bi-monthly)

(b) The procedure will begin with a written notice to the customer. If the customer does not respond within 10 days, a second written notice shall be mailed. If the customer does not respond within 10 days, a District representative will be sent to the service address to deliver the notice in person. If no response is received within 5 days, a shut-off tag shall be placed at the address. If no response has been received within 3 days, water service to the address shall be shut off. Reconnection shall be subject to the charges specified in the Ordinance No. 30-D.

(c) Customers responding to notification may receive assistance from the District in an attempt to reduce water consumption.

(d) Customers monitored under this program may be subject to the stipulations of the Willful Waste of Water Ordinance No. 41.

(e) Classes other than single family residence shall be subject to the same requirements as single family residences except that the consumption limits shall be determined by multiplying by the consumption factors derived in Section 5.

Section 8. Relief and Appeals

(a) A customer may file an application with the Customer Service Department for relief from the provisions of this ordinance. The application shall be filed on a form provided by the District.

(b) Since the provisions of this ordinance do not restrict water consumption, relief shall be limited to the following:

(1) Residential accounts may apply for additional personal consumption allocations of 125 GPD each with evidence of more than 4 full-time residents in a single family residence;

(2) Non-residential accounts may apply to have the consumption factor adjusted based on erroneous calculation, the consumption history being inconsistent with current water requirements, or in the case of an industrial or business account, changes in a production or business process that would require more water.

(c) A customer who is not satisfied with the decision of the Customer Service Department may file an appeal with the District. Appeals shall be processed according to the procedure defined in the District's Customer Appeals and Hearings Policy.

Section 9. Use of Additional Revenue

The additional revenue generated by the implementation of the provisions of this ordinance shall be used to pay any penalties levied by the Metropolitan Water District of Southern California, to pay for the administrative costs of the program described, to pay for water conservation materials and equipment, and to offset future general water rate increases.

Section 10. Severability

If any provision, paragraph, word, section, or article of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and articles shall not be affected and shall continue in full force and effect.

Section 11. Conflict

All other ordinances and parts of other ordinances inconsistent or conflicting with any part of this ordinance are hereby superseded to the extent of such inconsistency or conflict.

Section 12. Exemption From California Environmental Quality Act - C.E.Q.A.

The Board of Directors hereby determines that the implementation of any of the provisions of the Water Conservation Plan is exempt from review under the California Environmental Quality Act (California Public Resources Code Section 21080 (b) (4) et seq.) because it shall be an action taken to mitigate a water shortage emergency. The Board of Directors therefore

directs management staff to prepare and file a Notice of Exemption with the County of San Bernardino immediately upon implementation of any of the provisions of the Water Conservation Plan.

Section 13. Adoption

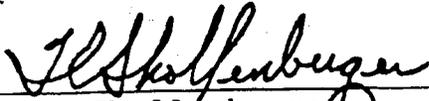
This ordinance shall become effective immediately upon adoption.

ADOPTED this 11th day of June, 1991.



Charles A. West
President

ATTEST:



T. E. Shollenberger
Secretary

CERTIFICATION

I, THOMAS E. SHOLLENBERGER, the duly appointed Secretary of the Board of Directors of Cucamonga County Water District, do hereby certify that the foregoing Ordinance was regularly adopted by the Board of Directors of said District at a regular meeting of said Board duly held on the 11th day of June, 1991, by the following vote:

AYES: Directors West, Kuykendall, Neufeld,
Wilson, Carter

NOES: Directors None

ABSENT: Directors Absent

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Cucamonga County Water District, this 12th day of June, 1991.


Secretary of the Board of
Directors

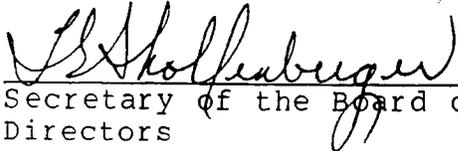
Seal

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO)

I, Thomas E. Shollenberger, duly appointed Secretary
of the Board of Directors of Cucamonga County Water District
DO HEREBY CERTIFY that the above and foregoing is a full, true
and correct copy of Ordinance No. 42 and that the
same has not been amended or repealed.

DATED: June 12, 1992.

(SEAL)


Secretary of the Board of
Directors



POLICY AND PROCEDURE

CUCAMONGA COUNTY WATER DISTRICT

APPROVAL DATE 02/25/03	MANUAL	POLICY NO. 8.3
APPROVED BY Board of Directors	POLICY TITLE RESERVE POLICY	EFFECTIVE DATE 02/26/03
		PAGE 1 of 1

PURPOSE:

To establish and maintain the District's reserves at fiscally responsible levels to ensure the continued orderly operation of the District's water and wastewater systems, the provision of services to residents at established levels, and the continued stability of the District's rate structures.

POLICY:

The District will strive to maintain a balanced operating budget for all operational funds with on-going revenues equal to or greater than on-going expenditures.

1. The District shall maintain an Operating Reserve at a minimum level of 10% of the annual variable budget costs. The total annual variable budget cost includes the cost to purchase, produce, treat and deliver water, as well as General and Administrative Expenses. The total cost shall be calculated based on the total Operating Expenses as stated in the Annual Executive Budget. The appropriate funding source when needed is the water commodity rate.
2. The District shall maintain a Capital and Equipment Replacement Reserve at a minimum level of 75% of the yearly asset depreciation.
3. The District shall maintain a Rate Stabilization Reserve equal to the cost of purchasing 8,000 acre feet of water from Metropolitan Water District. The appropriate funding source when needed is the water commodity rate.
4. The District shall maintain the required reserves in the Debt Service Reserve equal to one year's annual debt service obligation and maintain revenues at levels sufficient to meet the rate covenant requirements.

APPENDIX H



POLICY AND PROCEDURE

CUCAMONGA COUNTY WATER DISTRICT

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APPENDIX J

**NOTICE OF PUBLIC HEARING BY THE BOARD OF DIRECTORS
OF THE CUCAMONGA VALLEY WATER DISTRICT,
TO RECEIVE PUBLIC INPUT ON THE
DRAFT 2005 URBAN WATER MANAGEMENT PLAN**

NOTICE IS HEREBY GIVEN that the Board of Directors of the Cucamonga Valley Water District has scheduled a public hearing to receive input on the Draft 2005 Urban Water Management Plan at its meeting on December 13, 2005, at 6:00 p.m. at the Chino Basin Watermaster Office, 9641 San Bernardino Road, Rancho Cucamonga.

NOTICE IS FURTHER GIVEN that all interested persons are invited to attend the public hearing and provide comments regarding the Urban Water Management Plan. Oral statements will be heard, but for the accuracy of the record, all important testimony should be submitted in writing to:

Cucamonga Valley Water District
Attention: Rita A. Kurth
P. O. Box 638
Rancho Cucamonga, CA 91729

NOTICE IS FURTHER GIVEN that a copy of the Draft 2005 Urban Water Management Plan can be reviewed Monday through Friday from 7:30 a.m. – 5:30 p.m. at the Agency's Administrative Office, Engineering Counter, located at 10440 Ashford Street, Rancho Cucamonga. For additional information regarding the Urban Water Management Plan, please contact Rita A. Kurth, Water Resource Administrator at (909) 987-2591.

Publish Dates:

November 22 & December 2

APPENDIX K

Friday, December 2, 2005 **B5**

Tues

**NOTICE OF PUBLIC HEARING BY
THE BOARD OF DIRECTORS
OF THE CUCAMONGA VALLEY
WATER DISTRICT
TO RECEIVE PUBLIC INPUT ON THE
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Publish Dates: November 22 & December 2
#178505

San Bernardino Co. Public Notice 55
San Bernardino Co. Public Notice 55

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Publish Dates: November 22 & December 2
#178505

APPENDIX L

RESOLUTION NO. 2005-12-1

A RESOLUTION ADOPTING
THE CUCAMONGA VALLEY WATER DISTRICT'S
2005 URBAN WATER MANAGEMENT PLAN

WHEREAS, The California Urban Water Management Planning Act requires urban water suppliers that provide more than 3,000 acre feet of water annually for municipal purposes, to prepare and adopt an updated Urban Water Management Plan every 5 years; and

WHEREAS, the Cucamonga Valley Water District is an urban supplier of water providing more than 3,000 acre feet of water annually for municipal purposes; and

WHEREAS, the Plan must be adopted by December 31, 2005 after public review and hearing, and filed with the California Department of Water Resources within thirty days of adoption; and

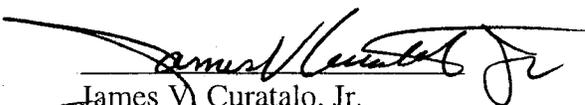
WHEREAS, the Cucamonga Valley Water District has prepared and circulated for public review a Draft 2005 Urban Water Management Plan, and a properly noticed public hearing regarding said Plan was held on this day.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CUCAMONGA VALLEY WATER DISTRICT that:

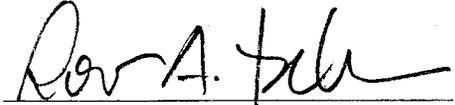
1. The Board of Directors held a public hearing on this day to receive public comment on the Draft 2005 Urban Water Management Plan.
2. The 2005 Urban Water Management Plan is hereby adopted and staff is directed to file the Plan with the California Department of Water Resources.

Adopted this 13th day of December, 2005.

CUCAMONGA VALLEY WATER DISTRICT


James V. Curatalo, Jr.
President, Board of Directors

ATTEST:


Robert A. DeLoach
Secretary of the Board of Directors