

RESOLUTION NO. 2000-05

RESOLUTION OF THE CHINO BASIN WATERMASTER TO APPROVE THE "PEACE AGREEMENT", TO ADOPT THE GOALS AND PLANS OF THE PHASE I REPORT FOR THE OPTIMUM BASIN MANAGEMENT PROGRAM ("OBMP") CONSISTENT WITH THE PEACE AGREEMENT AS ITS OBMP, AND TO ADOPT THE REQUISITE POLICIES AND PROCEDURES TO IMPLEMENT THE PROVISIONS SET FORTH IN ARTICLE V OF THE PEACE AGREEMENT ON OR BEFORE DECEMBER 31, 2000.

WHEREAS, the Judgment in the Chino Basin Adjudication, *Chino Basin Municipal Water District v. City of Chino, et al.*, San Bernardino Superior Court No. 164327, created the Watermaster and directed it to perform the duties as provided in the Judgment or ordered or authorized by the Court in the exercise of the Court's continuing jurisdiction; and

WHEREAS, the Judgment directs Watermaster to develop an OBMP subject to the limitations contained in the Judgment; and

WHEREAS, Watermaster prepared and submitted a Phase I Report regarding the OBMP to the Court; and

WHEREAS, the Court ordered the Inland Empire Utilities Agency (IEUA) to act as "lead agency" for the purposes of preparing any applicable environmental review for the OBMP in the form of a Programmatic Environmental Impact Report (PEIR); and

WHEREAS, the parties have developed a Memorandum of Principles which was signed on May 2, 2000, and which articulates a framework of an agreement that will allow for the adoption and implementation of the OBMP; and

WHEREAS, the Watermaster Board approved the Memorandum of Principles on May 26, 2000; and

WHEREAS, the parties have developed a Peace Agreement and OBMP Implementation Plan, which together with the goals and plans in the Phase I Report constitute the OBMP; and

WHEREAS, the IEUA has prepared and circulated a draft PEIR and held a public meeting to take public comment on June 28, 2000; and

WHEREAS, an OBMP Implementation Plan has been formulated which describes specific actions that will be taken or facilitated by Watermaster that are consistent with the Peace Agreement and the Judgment; and

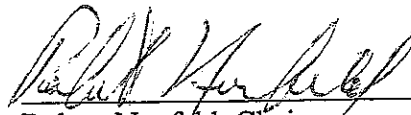
WHEREAS, the parties to the Peace Agreement and the parties to the Judgment have requested Watermaster to approve the Peace Agreement and the OBMP Implementation Plan and to implement the goals and plans contained in the OBMP Phase I Report in a manner consistent with the Peace Agreement and the OBMP Implementation Plan.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED BY THE CHINO BASIN WATERMASTER, SUBJECT TO THE UNANIMOUS APPROVAL OF THE PEACE AGREEMENT BY THE PARTIES THERETO BY AUGUST 1, 2000, THAT:

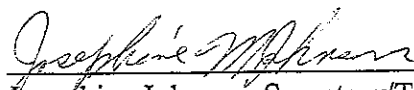
1. The Peace Agreement and the implementation of the OBMP as provided in the Implementation Plan is in furtherance of the physical solution set forth in the Judgment and Article X, Section 2 of the California Constitution.
2. Although not a signatory, the Chino Basin Watermaster Board supports and approves the Peace Agreement negotiated by the parties thereto.
3. Following the satisfaction of all conditions precedent set forth in the Peace Agreement and the unanimous approval of the Peace Agreement by the Parties thereto no later than August 1, 2000:
  - a. Watermaster adopts the goals and plans of the Phase I Report consistent with the Peace Agreement and OBMP Implementation Plan as its OBMP.
  - b. The Watermaster will proceed in accordance with the Peace Agreement and the OBMP Implementation Plan.
  - c. Watermaster will comply with the conditions described in Article V of the Peace Agreement labeled, "Watermaster Performance" and Watermaster shall adopt all necessary policies and procedures in order to implement the provisions set forth in Article V on or before December 31, 2000, unless an earlier date is specified in the Peace Agreement or the OBMP Implementation Plan.
4. The Watermaster Board will transmit a request to the Court to issue an Order authorizing and directing Watermaster to proceed in accordance with this Resolution.

**RESOLUTION NO. 2000-05, APPROVED AND ADOPTED** by the Chino Basin Watermaster Board on this 29<sup>th</sup> day of June 2000.

CHINO BASIN WATERMASTER BOARD

  
Robert Neufeld, Chairman

ATTEST:

  
Josephine Johnson, Secretary/Treasurer  
Chino Basin Watermaster Board

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF SAN BERNARDINO )

I, Josephine Johnson, Secretary/Treasurer of the Chino Basin Watermaster Board, DO HEREBY CERTIFY that the foregoing Resolution being No. 2000-05, was adopted at a regular meeting of the Chino Basin Watermaster Board on June 29, 2000 by the following vote:

AYES: Members Arbelbide, Boston, Hofer, Johnson, King, Krueger, Vanden Heuvel, and Alternate Member Wilson

NOES:           None

ABSENT: Members Neufeld, Catlin

ABSTAIN: None

CHINO BASIN WATERMASTER BOARD

Josephine M. Johnson  
Secretary/Treasurer