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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **COUNTY OF SAN BERNARDINO - RANCHO CUCAMONGA DIVISION**

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11 CHINO BASIN MUNICIPAL WATER DISTRICT,) CASE NO. RCV 51010  
12 Plaintiff,) Judge: Honorable J. MICHAEL GUNN  
13 v.)  
14 THE CITY OF CHINO,) **OBMP IMPLEMENTATION**  
15 Defendants.) **STATUS REPORT NUMBER 3**  
16 Hearing Date: None  
Time: None  
17 Dept: 8

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19 By Order dated September 28, 2000, the Court appointed the nine-member Chino Basin  
20 Watermaster Board to an additional five-year term. To facilitate the exercise of the Court's  
21 continuing jurisdiction, and as one of the conditions of the appointment of the Board,  
22 Watermaster is required to submit periodic progress reports regarding implementation of the  
23 Optimum Basin Management Program ("OBMP") for the Basin.

24 Watermaster submitted its first progress report on March 30, 2001, which the Court  
25 received and filed. Watermaster submitted its second status report on September 30, 2001. In a  
26 report dated November 8, 2001, the Special Referee recommended that Watermaster file a  
27 supplemental status report in order to report on information in a format consistent with the first  
28 status report. This supplemental status report was filed on December 13, 2001.

1 The Referee also recommended that Watermaster file a Initial State of the Basin Report  
2 to serve as a baseline and a measure for judging the overall effectiveness of OBMP  
3 implementation. Finally, the Referee noted that no formal tracking has been implemented for the  
4 mitigation measures contained in the Programmatic Environmental Impact Report ("PEIR") for  
5 the OBMP.

6 **A. OBMP Status Report Number Three**

7 Attached to this pleading as Exhibit "A" is a task table taken from a Microsoft Project  
8 Schedule for the OBMP. This task table shows the scheduling for the implementation activities  
9 under each of the OBMP Program Elements. Also attached to this pleading as Exhibit "B" is a  
10 detailed projection of the budget expenditures for the OBMP through the year 2019. Exhibit "B"  
11 also shows the actual expenditures for OBMP Implementation for the years 2000 and 2001, and  
12 the budgeted amount for the year 2002.

13 The first and second OBMP Status Reports contained brief summaries of recent OBMP  
14 implementation activities. Since this information is contained in the Initial State of the Basin  
15 Report, it will not be reiterated here. When the revisions to the Initial State of the Basin Report  
16 are completed, it will contain a full description of OBMP implementation activities that is  
17 current through the end of April 2002.

18 **B Initial State of the Basin Report**

19 Watermaster filed its draft Initial State of the Basin Report ("Report") on January 29,  
20 2002. It was the intention of Watermaster to receive comments from the parties and receive final  
21 approval of the Report at the scheduled Advisory Committee and Board meetings on February  
22 28, 2002 in order to deliver the final version of the Report to the Court at the hearing that was  
23 scheduled for that same afternoon. However, on February 25, 2002, the Special Referee filed a  
24 report which recommended extensive revisions of the Initial State of the Basin Report.

25 Watermaster is currently redrafting the Report in order to comply with the Referee's  
26 recommendations. Once these are complete, the Report will need to be re-circulated through the  
27 Pool Committees and Advisory Committee and Board. Watermaster intends to transmit the  
28 revised Report to the Court in May.

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**C. Programmatic Environmental Impact Report Mitigation Measures**

While Watermaster believes that implementation of the OBMP is currently in compliance with the mitigation measures described in the OBMP, a tracking system has not yet been created in order to demonstrate this compliance. Watermaster is currently in the process of developing this tracking system and will present the results of this effort to the Court in OBMP Status Report No. 4.

DATE: March 28, 2002

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By \_\_\_\_\_

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