

**Superior Court of the State of California
For the County of Orange**

ORANGE COUNTY WATER DISTRICT }
vs. }
CITY OF CHINO, et al., }
Defendants }
Plaintiff
vs.
Defendants

NO. 117628

**SETTLEMENT
DOCUMENTS**

STIPULATIONS
RE DISMISSAL OF CERTAIN DEFENDANTS
RE DISMISSAL OF CERTAIN CROSS-DEFENDANTS
FOR JUDGMENT
JUDGMENT
MAP OF SANTA ANA RIVER WATERSHED
ENGINEERING APPENDIX
ORDER APPOINTING WATERMASTER

**SAN BERNARDINO VALLEY MUNICIPAL
WATER DISTRICT DOCUMENTS**

AGREEMENTS
CITY OF SAN BERNARDINO
CITY OF COLTON

1969

WESTERN MUNICIPAL DOCUMENTS

AGREEMENTS
CHINO BASIN MWD
RIVERSIDE FLOOD CONTROL
CITY OF RIVERSIDE
CITY OF CORONA
WMWD & ESBCWD SETTLEMENT
STIPULATION FOR JUDGMENT
JUDGMENT
ORDER APPOINTING WATERMASTER
ESBCWD STIPULATION AS TO
ACCEPTANCE OF JUDGMENT
ORDER AMENDING THE JUDGMENT
TO CLARIFY THE REPLENISHMENT
OBLIGATIONS OF THE PARTIES

**STIPULATIONS RE DISMISSAL
OF
CERTAIN DEFENDANTS**

FILED

APR 17 1969

W. E. ST. JOHN, County Clerk
By *DS* Deputy

SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF ORANGE

11 ORANGE COUNTY WATER DISTRICT,)
12 Plaintiff,)
13 v.)
14 CITY OF CHINO, et al.,)
15 Defendants.)
16 _____)
17 CITY OF CHINO, et al.,)
18 Cross-Complainants,)
19 v.) No. 117628
20 CITY OF ANAHEIM, et al.,)
21 Cross-Defendants.) STIPULATION AND ORDER
22 CORONA FOOTHILL LEMON COMPANY, et al.,)
23 Cross-Complainants,) RE DISMISSAL OF
24 v.) CERTAIN DEFENDANTS
25 CITY OF ANAHEIM, et al.,)
26 Cross-Defendants.)
27 _____)
28 CITY OF POMONA, a municipal corporation,)
29 Cross-Complainant,)
30 v.)
31 CITY OF ANAHEIM, et al.,)
32 Cross-Defendants.)

1 CITY OF RIVERSIDE, et al.,)
2 Cross-Complainants,)
3 v.)
4 CITY OF AHAHEIM, et al.,)
5 Cross-Defendants.)
6 BEAR VALLEY MUTUAL WATER COMPANY, et al.,)
7 Cross-Complainants,)
8 v.)
9 CITY OF ANAHEIM, et al.,)
10 Cross-Defendants.)
11 SAN BERNARDINO VALLEY MUNICIPAL WATER)
12 DISTRICT, a municipal water district,)
13 Cross-Complainant,)
14 v.)
15 CITY OF ANAHEIM, et al.,)
16 Cross-Defendants.)
17 EAST SAN BERNARDINO COUNTY WATER)
18 DISTRICT, a county water district,)
19 Cross-Complainant,)
20 v.)
21 CITY OF ANAHEIM, et al.,)
22 Cross-Defendants.)
23 CITY OF SAN BERNARDINO, a municipal)
24 corporation,)
25 Cross-Complainant,)
26 v.)
27 CITY OF ANAHEIM, et al.,)
28 Cross-Defendants.)
29
30
31
32

1 CITY OF REDLANDS, a municipal corporation,))
2 Cross-Complainant,))
3 v.))
4 CITY OF ANAHEIM, et al.,))
5 Cross-Defendants.))
6 CITY OF COLTON, a municipal corporation,))
7 Cross-Complainant,))
8 v.))
9 CITY OF ANAHEIM, et al.,))
10 Cross-Defendants.))
11))
12 SAN BERNARDINO VALLEY WATER CONSERVATION))
13 DISTRICT, a water conservation district,))
14 Cross-Complainant,))
15 v.))
16 CITY OF ANAHEIM, et al.,))
17 Cross-Defendants.))
18 CITY OF RIALTO, a municipal corporation,))
19 Cross-Complainant,))
20 v.))
21 CITY OF ANAHEIM, et al.,))
22 Cross-Defendants.))
23))
24 BIG BEAR MUNICIPAL WATER DISTRICT, a))
25 municipal water district,))
26 Cross-Complainant,))
27 v.))
28 CITY OF ANAHEIM, et al.,))
29 Cross-Defendants.))
30))
31))
32))

RECITALS

2 1. The Case. The above action was filed on October 18,
3 1963, seeking adjudication of the water rights of substantially
4 all water users in the area tributary to Prado Dam in the Santa Ana
5 Watershed. There were in excess of 2,500 defendants served and
6 named in the original complaint and amendments thereto.

7 2. Proposed Physical Solution. As a means of settling this
8 action, a physical solution has been negotiated by plaintiff
9 Orange County Water District and defendants Chino Basin Municipal
10 Water District, Western Municipal Water District of Riverside
11 County, and San Bernardino Valley Municipal Water District. Said
12 physical solution accomplishes a general inter-basin allocation
13 of the natural water supply of the Santa Ana River system and
14 leaves to each of the major hydrologic units in the watershed the
15 determination and regulation of individual rights therein and the
16 development and implementation of its own basin management plans.

17 3. It is proposed by plaintiff Orange County Water
18 District to enter a dismissal as to all defendants other than said
19 three municipal water districts, conditioned only upon the accept-
20 ance of this stipulation by the defendants who are listed as sig-
21 natories hereinbelow, and their agreement to cooperate with the
22 physical solution.

STIPULATION

24 IT IS HEREBY STIPULATED by and between Plaintiff Orange
25 County Water District and the undersigned defendants as follows:

26 1. Dismissal of Individual Defendants. Orange County
27 Water District agrees to the entry of an order by the Court dis-
28 missing, on the ground that they are not necessary parties to the
29 physical solution, each and all of the individual defendants here-
30 in excepting only Chino Basin Municipal Water District, Western
31 Municipal Water District of Riverside County, and San Bernardino
32 Valley Municipal Water District. Said dismissals shall be in

1 consideration of the stipulation by the undersigned defendants to
2 the covenants hereinafter contained.

3 2. Acceptance of Physical Solution. The undersigned de-
4 fendants hereby accept and adopt the physical solution set forth
5 in the form of judgment attached hereto, subject to the provisions
6 of Paragraph 3, below. Nothing herein contained, however, shall
7 preclude the assertion, protection and preservation of the water
8 rights of any of the undersigned defendants among themselves, nor
9 shall any provision herein limit the flood control function of any
10 flood control district.

11 3. Support of Conservation Activities. It is recognized
12 that the physical solution in said Judgment contemplates that
13 Orange County Water District and other entities downstream from
14 Prado Dam will have full freedom to engage in any activities for
15 conservation or storage of Storm Flow at or below Prado Reservoir
16 subject only to flood control use. The undersigned defendants
17 hereby covenant and agree not to oppose any project for conservation
18 of Storm Flow in the storage capacity of Prado Reservoir below the
19 514 foot contour above sea level which involves the impounding of
20 Storm Flow in the Reservoir with controlled release at the maximum
21 rate consistent with the hydrological capability of the downstream
22 area to absorb such released flow and avoid waste to the ocean.

23 4. Water Quality Cooperation. Any of the undersigned de-
24 fendants who participate directly in the management or control of
25 sewage or other water treatment facilities agree that any water or
26 effluent deposited by them into the Santa Ana River or its stream
27 bed will not be of a lesser quality than will meet the present
28 requirements of Santa Ana River Basin Regional Water Quality
29 Control Board.

30 5. Execution in Counterpart. This stipulation may be exe-
31 cuted in counterparts (each counterpart being an exact copy or
32 duplicate of the original) and the signature pages from each

1 counterpart may be collected by the County Clerk and attached to a
2 single copy of the stipulation for filing. Thereupon said filed
3 document shall be considered as constituting one complete Stipula-
4 tion for Dismissal.

5 Dated: October 1, 1968
6

7 PILLSBURY, MADISON & SUTRO
8 RUTAN & TUCKER

9 By James M. M. M.

ORANGE COUNTY WATER DISTRICT

By W. T. S. President

By George W. C. Secretary

12 John W. K.
13 City Attorney

CITY OF ONTARIO

14 CLAYSON, STARK, ROTHROCK & MANN

15 By Donald Stark

By D. S. Mayor

By Faye Myers Clerk

16 Keith B. Parker
17 City Attorney

CITY OF CHINO

18 CLAYSON, STARK, ROTHROCK & Mann

19 By Donald Stark

By B. B. M. Mayor

By Augusta C. Brown Clerk

20 SURR & HELLYER

21 By John B. Surr

CUCAMONGA COUNTY WATER DISTRICT

22 By John B. S. President

23 And Yvonne Wilson Secretary

CITY OF CORONA

24 By Tom Ballard Mayor

25 By Blenda M. Patterson Clerk

26 Robert D. Timm
27 City Attorney

28 * * *
29 Note: Separate signature pages were attached to the filed original,
30 but have been photographically consolidated for purposes of
31 this printed copy.

CITY OF UPLAND

R E Morris

City Attorney

By George M. Gibson
Mayor

CLAYSON, STARK, ROTHROCK
& MANN

By Donald R. Casasola
Clerk

By

Daniel W. Stark

WEST END CONSOLIDATED WATER CO.

By Theo Davis

C E Thomas

CHINO BASIN WATER CONSERVATION
DISTRICT

By John E. Miller

By Robert Villalba

SAN ANTONIO WATER COMPANY

By P. J. Michael

C E Thomas

Ernest A. Reid
City Attorney

CLAYSON, STARK, ROTHROCK
& MANN

By Daniel W. Stark

CITY OF LA VERNE

By Elton L. Pendle
Mayor

By Paul S. Langan
Clerk

CLAYSON, STARK, ROTHROCK & MANN TEMESCAL WATER COMPANY

By C. Paul Stark

By R. C. Johnson

MEEKS & DALEY WATER COMPANY

By E. M. Gleason, Secy.

AGUA MANSA WATER COMPANY

By O. M. Gleason, Secy.

CORONA FOOTHILL LEMON COMPANY

By C. D. Johnson

JOY WATER COMPANY

By J. S. Brewster

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Lloyd G. Garrison
City Attorney

CITY OF POMONA

By Richard Brownell
Mayor
By John C. Brownell
Clerk

TAYLOR & SMITH

By Edward Taylor

By John C. Brownell

SOUTHERN CALIFORNIA WATER COMPANY

By R. L. Anthony
R. L. Anthony
Vice President-Operations

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CLAYSON, STARK, ROTHROCK
& MANN

By

Donald D. Stark

MONTE VISTA COUNTY WATER DISTRICT

By

John C. Lonergan

President

By

Robert L. Hickox

Secretary

SUNKIST GROWERS, INC.

By

G. J. Russell

Counsel

CLAYSON, STARK, ROTHROCK & MANN

By

Donald D. Stark

KAISER STEEL CORPORATION

By

William H. Miller

Vice President and Secretary

LONERGAN, JORDAN & GRESHAM

By

Frederick J. Lonergan

CLAYSON, STARK, ROTHROCK & MANN

By

Donald D. Stark

SOUTHWEST WATER COMPANY

By

Walter Hansen, F.V.F.

ETIWANDA WATER COMPANY, a corporation

By

Robert L. Hickox

Secretary

SURR & HELLYER

By

John B. Surr

EAST HIGHLANDS ORANGE COMPANY,
a corporation

By

George P. Deinert
Op. m. Deinert, Secretary

KRONICK, MOSKOVITZ, TIEDEMANN
and GIRARD

By Adolph Moskovitz
ADOLPH MOSKOVITZ

JURUPA COMMUNITY SERVICES
DISTRICT

By Ralph H. Garrow

KRONICK, MOSKOVITZ, TIEDEMANN
and GIRARD

By Adolph Moskovitz
ADOLPH MOSKOVITZ

VALENCIA MUTUAL WATER COMPANY

By Marion B. Keller
Secretary

KRONICK, MOSKOVITZ, TIEDEMANN
AND GIRARD

Adolph Moskovitz
Adolph Moskovitz

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE

Raymond T. Kelley
Chairman

ATTEST:

DONALD D. SULLIVAN, Clerk

By Lynne C. Kieffler
Deputy

KRONICK, MOSKOVITZ, TIEDEMANN
AND GIRARD

Adolph Moskovitz
Adolph Moskovitz

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

Raymond T. Kelley
Chairman
CHARMAN OF THE BOARD OF SUPERVISORS

ATTEST:

DONALD D. SULLIVAN, Clerk

By Lynne C. Kieffler
Deputy

KRONICK, MOSKOVITZ, TIEDEMANN
and GIRARD

By Adolph Moskowitz
ADOLPH MOSKOVITZ

BEAUMONT IRRIGATION DISTRICT

By Harold L. Lurie

*** * *** * *** * ***

REDWINE AND SHERRILL

By Maurice C. Sherrill
Maurice C. Sherrill
Attorneys for Defendant West San
Bernardino County Water District

WEST SAN BERNARDINO COUNTY
WATER DISTRICT

By Randolph C. McKinley
Randolph C. McKinley
President of the Board of
Directors

*** * *** * *** * ***

CITY OF RIALTO

By Frank Lowrie

Joseph J. Zajetnick

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RIALTO MUTUAL WATER COMPANY

By Roy G. Cox

*** * *** * *** * ***

RUNNING SPRINGS COUNTY WATER DISTRICT

By: Al Stinnett
President

Attest Angela M. Moore
Secretary

(S E A L)

*** * *** * *** * ***

Crest Forest County Water District

By: Alvarez Renn
President

Attest: James R. H. V. L. T. M.
Secretary

(S E A L)

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MUSCOY MUTUAL WATER COMPANY #1

GARST AND DILWORTH

By Ralph E. Stifel -
Secy.

By James W. Dilworth
Attorneys for Defendant
MUSCOY MUTUAL WATER COMPANY #1

A. E. Gasterman
Secy.

* * * * * * *

CITY OF COLTON

By Wilfred E. Kaney
WILFRED E. KANEY
Mayor

ATTEST:

GARST AND DILWORTH

E. Davis
ELIZABETH DAVIS
City Clerk

By James W. Dilworth
Attorneys for City of Colton

Approved as to form:

Lawrence A. Hutton
LAWRENCE A. HUTTON
City Attorney

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SURR & HELLYER

By John B. Surr

FONTANA UNION WATER COMPANY

By John F. Compton
Secretary

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SAN BERNARDINO VALLEY WATER
CONSERVATION DISTRICT

By Lawrence D. Anderson
President
and E. J. Dibble
Secretary

Approved:

Paul W. Eastman
Attorney

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COUNTY OF SAN BERNARDINO

By R. S. Ayala
RUBEN S. AYALA, Chairman
Board of Supervisors

SAN BERNARDINO COUNTY FLOOD
CONTROL DISTRICT

By R. S. Ayala
RUBEN S. AYALA, Chairman
Board of Supervisors
Governing Board of the
San Bernardino County Flood
Control District

STANFORD D. HERLICK
County Counsel

By M. Crane Kitchell
M. CRANE KITCHELL
Assistant County Counsel
Attorneys for Defendants
County of San Bernardino and
the San Bernardino County Flood
Control District

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BEST, BEST & KRIEGER

By: Arthur L. Littleworth

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WEST RIVERSIDE 350" WATER COMPANY

By: Philip D. Anderson

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WESTERN HEIGHTS WATER COMPANY, a corporation

By C. H. F. in J. President

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SURR & HELLYER

By John B. Surr

SOUTH MESA WATER COMPANY, a corporation

By Wesley A. Greenleaf, Trustee

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SUPR & HELLYER

By John B. Surr

NORTH FORK WATER COMPANY, a corporation

By Frank J. President

John L. Eggers, Secretary

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SURR & HELLYER

By John B. Surr

CHAPMAN ASSOCIATES, a partnership

By C. S. Chapman, Jr.

C. S. Chapman, Jr.

C. S. Chapman, Jr.

C. S. Chapman, Jr., as Trustee

Alice E. Chapman

Sued herein as "Marigold Farms
Company"

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LANGFORD RANCHES

By Ernest R. Larsen

Ernest R. Larsen, a partner

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IOAMOSA WATER COMPANY, a corporation

By Charles H. Gilliland President

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ROLLIN E. WOODBURY
JOHN R. BURY
O'MELVENY & MYERS
LAUREN M. WRIGHT

SOUTHERN CALIFORNIA EDISON COMPANY

By John R. Bury

By Lauren M. Wright

Vice President

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SANTA ANA RIVER DEVELOPMENT COMPANY

By Dudley K. Wright
Dudley K. Wright, of Wright and
Finley, Attorneys for Santa Ana
River Development Company.

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Alexander R. Dobin
Counsel

BIG BEAR MUNICIPAL WATER DISTRICT
Dorrell H. Chapman

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EAST SAN BERNARDINO COUNTY
WATER DISTRICT

By Norman M. Fine

SHERWOOD & DENSLOW GREEN

By Denslow Green
Denslow Green
Attorneys for East San Bernardino
County Water District.

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BEST, BEST & KRIEGER

By: Arthur L. Krieger

WEST RIVERSIDE 350" WATER COMPANY

By: Platt D. H. Smith

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TAYLOR & SMITH

By Frank Taylor

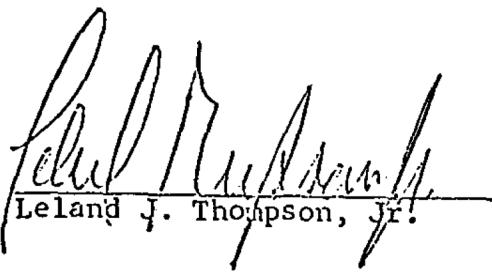
CITY OF REDLANDS

By Walter Burroughs
Mayor

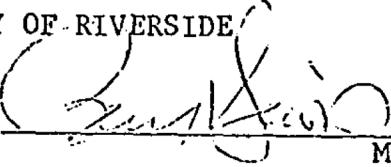
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Leland J. Thompson, Jr.

CITY OF RIVERSIDE

By: 
Mayor

* * *

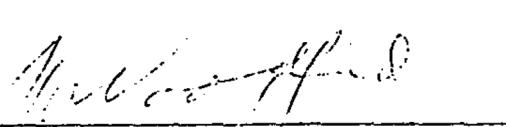
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REDWINE & SHERRILL
BEST, BEST & KRIEGER

RIVERSIDE HIGHLAND WATER COMPANY

By: 

By: 

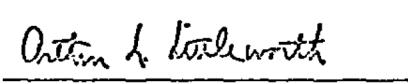
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BEST, BEST & KRIEGER

THE GAGE CANAL COMPANY

By: 

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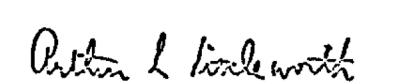
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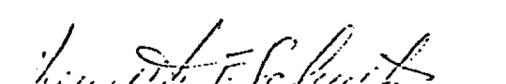
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MILLER AND CARDIN
BEST, BEST & KRIEGER

RUBIDOUX COMMUNITY SERVICES
DISTRICT

By: 

By: 

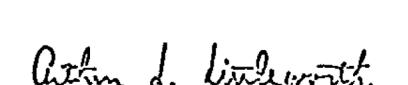
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BEST, BEST & KRIEGER

NORCO COMMUNITY SERVICES
DISTRICT

By: 

By: 

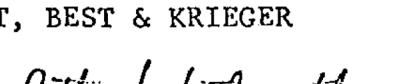
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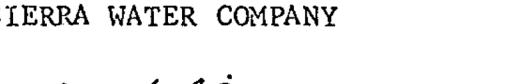
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BEST, BEST & KRIEGER

LA SIERRA WATER COMPANY

By: 

By: 

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BOARD OF WATER COMMISSIONERS
CITY OF SAN BERNARDINO

By W. R. Holeomly
W. R. Holeomly, President

By Herbert B. Wessel
Herbert B. Wessel, Deputy
City Clerk & Ex-Officio
Secretary

CITY OF SAN BERNARDINO

By Al C. Ballou, Jr.
Mayor

By Jack G. F. Otto
City Clerk

G. Edward Fitzgerald
G. Edward Fitzgerald
Special Counsel for the City
of San Bernardino.

* * *

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* * *

BEAR VALLEY MUTUAL WATER COMPANY,
a corporation

By Reuben Langham, Secretary

SURR & HELLYER

By David Edwards
Attorneys for Bear Valley
Mutual Water Company

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