AGENDA

CITY COUNCIL - SPECIAL MEETING (WORKSHOP)
CITY OF BANNING, CALIFORNIA

June 23, 2026
4:00 p.m.
In Chambers

Council Chambers
99 E. Ramsey Street
Banning, CA 92220

The following information comprises the agenda for the special meeting of the Banning City Council, a joint meeting of the City Council and Banning Utility Authority, and the Banning City Council sitting in its capacity as the Banning Successor Agency Board.

This meeting is being held via Zoom so that members of the public may observe and participate in this meeting electronically. If you participate in this meeting via Zoom, you are agreeing to abide by the City's Zoom Community Standards for Public Meetings (provided in full on the last page of the agenda). *Esta reunión se lleva a cabo en la Cámara y a través de Video/Teleconferencia en Zoom para que los miembros del público puedan observar y participar en esta reunión de manera electrónica. Si elige participar en esta reunión a través de Zoom, acepta cumplir con los Estándares comunitarios de Zoom para reuniones públicas de la ciudad (que se proporcionan en su totalidad en la última página de la agenda).*

To observe and participate in the online video portion of the meeting through your personal computer or device, follow this link:
https://us02web.zoom.us/j/82012644588?pwd=GwdLNir0X6fHkhlgVjAjRUQf1C6yoz.1

Dial in: +1 669 900 9128

Meeting ID: 820 1264 4588
Password: 1913-92220

Per the City of Banning Manual of Procedural Guidelines, matters taken up by the Council before 10 p.m. may be concluded, but no new matters shall be taken up except upon a majority vote of the council members present and voting. Such an extension shall only be valid for one hour and each hour thereafter shall require a renewed action for the meeting to continue.

1. CALL TO ORDER

2. PUBLIC COMMENTS - *Agenda Items Only*

3. WORKSHOP

3.1 Planning Commission Interviews for Position 4, Term Ending January 31, 2027.
Recommendation: Conduct interviews to fill the Planning Commission vacancy for Position 4, with a term ending January 31, 2027.

3.2 Overview of the Beaumont Basin Watermaster
Recommendation: Receive and file a report regarding the background, purpose,

responsibilities, and current activities of the Beaumont Basin Watermaster.

4. ADJOURNMENT

Zoom Community Standards for Public Meetings

By participating in this meeting on Zoom, you are agreeing to abide by the City of Banning's Community Standards for Public Meetings. Zoom attendees that fail to adhere to these standards may be removed from the meeting room.

- Your microphone must remain on mute, and you may only unmute your microphone when/if you are recognized by the Mayor.
- Your camera must be turned off unless/until you are recognized by the Mayor.
- To indicate a desire to make Public Comment, you must use the Raise Hand function. The Mayor will not recognize those who have not used the Raise Hand function.
- Public Comment from Zoom attendees will immediately follow in-person comment from members of the public in Council Chambers.
- If you fail to adhere to these community guidelines, **you may be removed** for disrupting the meeting occurring in Council Chambers. You may rejoin the meeting but may be removed for each violation of these community standards.
- The chat function will be disabled for all City Council meetings on Zoom.

Estándares comunitarios de Zoom para Reuniones Públicas

Al participar en esta reunión en Zoom, usted acepta cumplir con los Estándares Comunitarios para Reuniones Públicas de la ciudad de Banning. Los que atienden por Zoom que no cumplan con estos estándares pueden ser retirados de la sala de reuniones.

- Su micrófono debe permanecer en silencio, y solo puede reactivar su micrófono cuando / si es reconocido por el alcalde.
- Su cámara debe estar apagada a menos que sea reconocido por el alcalde.
- Para indicar el deseo de hacer un Comentario Público, debe utilizar la función Levantar la mano. El alcalde no reconocerá a quienes no hayan utilizado la función Levantar la mano.
- Los comentarios públicos de lo que atienden por Zoom seguirán inmediatamente los comentarios en persona de los miembros del público en las Cámaras del Consejo.
- Si no cumple con estas pautas de la comunidad, es posible que lo destituyan por interrumpir la reunión que tiene lugar en las Cámaras del Consejo. Puede volver a unirse a la reunión, pero es posible que lo eliminen por cada violación de estos estándares de la comunidad.
- La función de chat estará deshabilitada para todas las Reuniones del Ayuntamiento en Zoom.

AFFIDAVIT • DECLARACIÓN JURADA

IT IS HEREBY CERTIFIED under the laws of the State of California that the above agenda was posted on the City's website (www.banningca.gov) as well as the Bulletin Board at Banning City Hall, located at 99 E Ramsey Street, Banning, CA 92220, at least 24 hours in advance of the meeting.

Vickie Sellers

Vickie Sellers, Elected City Clerk
Secretaria Municipal Electa

PUBLIC NOTICE • NOTICIA PÚBLICA

Meeting Agendas and Notices

Interested in receiving email and/or text notifications of upcoming City Council meetings? Sign up for meeting notifications through the City's website. Pursuant to amended Government Code §54957.5(b), staff reports and other public records related to open session agenda items are available on the City's website (www.banningca.gov/).

Public Comment

Agenda Items

Any member of the public may address this meeting of the City Council on any item appearing on the agenda. A five-minute limitation shall apply to each member of the public and no member of the public shall be permitted to share their time with any other person.

Non-Agenda Items

Any member of the public may address this meeting of the City Council on any item which does not appear on the regular meeting agenda but is of interest to the general public and is an item upon which the City Council may act. A three-minute limitation shall apply to each member of the public and no member shall be permitted to share their time with any other person. No action shall be taken, nor discussion held by the City Council, on any item which does not appear on the agenda, unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of §54954.2 of the Government Code.

Special Assistance/Accessibility Requests

In compliance with the Americans with Disabilities Act, any member of the public may request that the agenda and agenda packet be mailed to them. If you need special assistance to participate in this meeting (such as translation services), please contact the City Clerk's Office. Advanced notification of at least 48 hours prior to the meeting will allow the city to make arrangements to ensure your accessibility.

¿Necesita servicios de traducción para participar? Contacto Oficina del Secretario de la Ciudad.

CONTACT • CONTACTO

City Clerk's Office | 951-922-3102 | CityClerks@banningca.gov
99 East Ramsey Street, Banning, California 92220

CITY OF BANNING
STAFF REPORT

TO:	**CITY COUNCIL**
FROM:	**Elizabeth Gibbs, City Manager**
PREPARED BY:	**Sandra Calderon, Deputy City Clerk**
MEETING DATE:	**June 23, 2026**
SUBJECT:	**Planning Commission Interviews for Position 4, Term Ending January 31, 2027.**

STAFF RECOMMENDATION:

Conduct interviews to fill the Planning Commission vacancy for Position 4, with a term ending January 31, 2027.

BACKGROUND:

The Planning Commission's rules and responsibilities are governed by Chapter 2.28 of the Municipal Code. The Commission's two main functions are to review land development applications for compliance with the Zoning Code and to make recommendations to the City Council regarding large projects and changes to the General Plan or Zoning Ordinance.

The Banning Municipal Code Section 2.28.020 requires applications be made available and vacancies announced at least two months prior to the vacancy. The Planning Commission vacancies were advertised on the City's website and across social media platforms starting on May 11, 2026. Public Notice was published in the Record Gazette on May 15, 2026. The deadline to submit an application was Friday, June 12, 2026.

JUSTIFICATION:

Eight applications were received for the Planning Commission vacancies and are up for consideration:

- David Garcia
- Edward Espinoza
- Jose Barragan
- Feiloai Neil Lualemaga
- Kaherine Fuentes
- Kimberly Light-Allende
- Maya Anguiano
- Todd Rinks
- Heidie Hillard Garcia

Staff recommends asking each applicant two interview questions:
1. Tell us briefly about yourself (qualities/experience/expertise) and what aspects best describe your qualifications to serve on the City's Planning Commission; and

2. Explain your knowledge of the Planning Commission's roles and responsibilities, and their contribution to the City long-term development goals. Further, explain how the Commission

contributes to a better quality of life for the residents, businesses and patrons to the city.

FISCAL IMPACT:

N/A

ATTACHMENTS:

1. Planning Commission Applications_Combined_Redacted.pdf
2. Banning__CA_Code_of_Ordinances_Section_2.28.pdf
3. Proof of Publication_Planninc Commission Vacancy_20260515.pdf

RECEIVED
JUN 11 2026
City of Banning
City Clerk's Office

APPLICATION TO SERVE ON PLANNING COMMISSION

This application is to fill two vacancies on the City of Banning Planning Commission. The term of office will begin upon appointment and will expire on January 31, 2027. The Planning Commission meets monthly on the **First Wednesday** of each month at 5:30 p.m. **Applications are due to the City Clerk's Office no later than Friday, June 12, 2026.**

Name David Garcia

Phone [redacted]

Email Address

Address

Are you currently employed? ☒ Yes ☐ No

Position Owner Company 24/7 Cleans

Length of Residency in Banning 6 months

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

Information requested below will be used by the City Council as a screening process to determine which applicants will be interviewed for the Planning Commission. All applications and/or materials submitted for this purpose become a public record. ***Ample space is provided. Please do not submit supplemental materials.***

1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

I was born and raised in the Inland Empire and graduated from Redlands East Valley High School before earning my Bachelor's Degree in Business Administration from California State University, San Bernardino. While attending college, I started and grew my own business, 24/7 Cleans, a cleaning company that I have continued to grow and operate throughout Southern California.

As a business owner, I have gained experience in budgeting, operations, customer service, human resources, problem-solving, and working with people from many different backgrounds and organizations. Running a business has taught me the importance of making practical decisions that balance growth, opportunity, and long-term sustainability.

I recently became a homeowner in Banning and am excited to raise my family here. As a resident, business owner, and father, I have a strong interest in helping our city grow in a way that creates jobs, supports local businesses, increases property values, and improves quality of life for residents.

I have also volunteered in my community, including with the Boys & Girls Club during my high school years helping support local youth programs, and at Riverside Community Hospital during my sophomore year of college. These experiences reinforced the importance of service, responsibility, and giving back to the community. I am eager to continue serving my community through the Planning Commission and contribute to thoughtful decisions that help shape Banning's future.

2. What types of major issues should the Planning Commission deal with?

The Planning Commision should focus on issues that have a long-term impact on the community, including responsible growth, housing, economic development, traffic and infrastructure, public safety, and preserving the character of Banning. The Commission should carefully review proposed developments to ensure they benefit residents, support local businesses, create quality jobs, and align with the City's long-term vision. It is also important to balance growth with maintaining the quality of life that makes Banning a great place to live and raise a family.

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

One of the biggest challenges facing Banning is balancing economic growth with quality of life. As our city grows, we need to ensure that infrastructure, roads, public services, and utilities keep pace with new development while preserving the qualities that make Banning a great place to live and raise a family.

I believe Banning has a tremendous opportunity to attract new businesses, create local jobs, and strengthen the City's financial future. During recent conversations with city leadership, I learned how significant the tax revenue from major employers and industrial development can be in helping fund city services and improvements. Because of that, I support responsible economic development, including warehouses and distribution facilities, when they provide meaningful benefits to the community.

At the same time, I believe growth should be balanced with investments that improve quality of life and support long-term property values. This includes attracting commercial businesses, family-oriented amenities, entertainment opportunities, parks, and housing that serve the needs of residents.

As a homeowner, business owner, and father, I believe Banning's future success depends on finding the right balance between economic opportunity and community investment. By working collaboratively with residents, city staff, business owners, and developers, we can make thoughtful decisions that benefit both current and future generations.

Additional Information about this Position

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Per City of Banning Resolution 2012-67, you will be required to submit to a criminal background investigation, to include LiveScan fingerprinting, prior to appointment.

Please return to: City of Banning
City Clerk's Office
99 E. Ramsey Street
PO Box 998
Banning, CA 92220

Return by: **Friday, June 12, 2026**
5:00 p.m.

Or email to: cityclerks@banningca.gov Remember to sign your application.

Signature

06/11/2026
Date

RECEIVED
JUN 10 2026
City of Banning
City Clerk's Office

APPLICATION TO SERVE ON PLANNING COMMISSION

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Name Edward Joe Espinosa

Phone [redacted]

Email Address

Address

Are you currently employed? ☒ Yes ☐ No

Position Treasurer Company Chamber of Commerce

Length of Residency in Banning 36 years

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

Information requested below will be used by the City Council as a screening process to determine which applicants will be interviewed for the Planning Commission. All applications and/or materials submitted for this purpose become a public record. ***Ample space is provided. Please do not submit supplemental materials.***

1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

I have been volunteering throughout the city of Banning ever since I was a teenager. My volunteer work started when I was in the Boy Scouts of America at the log cabin at Repplier Park which involved doing community work with different organizations throughout the city. The Boy Scouts of America builds a strong character and skills to help survive out in the world whilst learning about our community and what challenges it faces, and it was up to us to at least help with those tasks by volunteering our time.
When I was thirteen, I started volunteering for Carols Kitchen doing various jobs with the non-profit organization and spent years doing so, getting to know different people of all backgrounds and to understand the community. Another organization I volunteered with was the Banning Police Department as a police explorer where I learned discipline, character building, organization, and skills. Joining the explorers was the biggest revelation of what happens around the city and what the department goes through with operations.
I have also been working with a group of citizens cleaning up around the city of Banning and these people are great! Getting to know Banning from an upfront view and looking at what needs to be addressed and submitted to the right departments to fix the issues.
I am currently with the Banning Chamber of Commerce; I have met people from diverse backgrounds and have gotten to be familiar with how organizations operate and what it takes to keep them consistent. The organization itself takes a cooperative group of people to operate the non-profit organization, and it was a bit challenging at first, but it is doing better than expected.
My highest degree of education is high school with trade skills such as operating a commercial vehicle and operating a forklift which I obtained through trade schools.
Lastly my most recent job was working as a BSP with Stagecoach Towing which involved allot of interaction with the San Gorgonio communities and having to troubleshoot and diagnose the members vehicles and having to do that took decision making to ensure the members had gotten home safely while risking my own safety. While I was working my members talked to me about their concerns or compliments about the community they lived in, which gave me an insight into what to look at.

2. What types of major issues should the Planning Commission deal with?

In my opinion I would have to pick zoning as part of any issue to be looked at because the city of Banning is growing and with growth comes development. Future projects are in the works and for them to proceed, careful evaluation needs to take place.

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

One of the challenges facing the City of Banning is balancing growth with preserving the quality of life for residents. The city has opportunities to attract new business, retail development, and jobs because of its location, but growth can increase traffic, strain infrastructure, and raise concerns with residents. The challenges can be addressed through planning, public involvement, infrastructure improvements, and ensuring new development benefits the community while preserving Banning's quality of life.

Additional Information about this Position

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Return by: **Friday, June 12, 2026**
5:00 p.m.

Or email to: cityclerks@banningca.gov Remember to sign your application.

Signature

06/10/2026
Date

RECEIVED
JUN 09 2026
City of Banning
City Clerk's Office

APPLICATION TO SERVE ON PLANNING COMMISSION

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Name Jose J. Barragan

Phone [redacted]

Email Address

Address

Are you currently employed? ☒ Yes ☐ No

Position Program Manager Company Jamboree Housing

Length of Residency in Banning Since Dec 2025 (6 months)

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

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1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

I currently serve as a Program Manager at Jamboree Housing Corporation, overseeing Resident Services and Supportive Services programs across affordable housing communities in Orange and Los Angeles Counties. Prior to Jamboree, I held roles with U.S.VETS, Feeding America, and the Alvord Unified School District. I hold a Bachelor of Arts in Public Administration from California State University, San Bernardino, along with associate degrees from Riverside City College. My civic background includes serving on the Riverside Neighborhood Partnership Board from 2011 to 2013, Vice President of the La Sierra Arlanza Neighborhood Alliance from 2015 to 2018, and appointed Trustee for the Alvord Unified School District Board of Education from 2016 to 2018, where I worked on superintendent hiring, fiscal accountability, and district reform. I moved to Banning in December 2025 after purchasing my first home here. I chose this city because I believe in its potential, and I want to be part of shaping what comes next. I want to be transparent: I work for an affordable housing developer, but that does not define how I would approach this role. I have seen how affordable

2. What types of major issues should the Planning Commission deal with?

The Planning Commission is responsible for making decisions that shape how this city grows and right now, several issues deserve direct attention.

Zoning and land use balance is at the top of that list. Banning has significant undeveloped commercial and industrial acreage, and the question is not whether to develop it but how to do it thoughtfully. Warehouses and distribution facilities are not the enemy as they generate jobs, tax revenue, and signal to the broader development community that Banning is open for business. Projects like Sunset Crossroads are the kind of anchor investments that put a city on the map for future developers. Blocking that category of development outright would be a short-sighted decision at a moment when Banning can least afford it. That said, industrial uses need to be zoned with intention but buffered appropriately, positioned near major roadways with I-10 access, and evaluated for their compatibility with surrounding land uses.

Retail leakage and commercial development is a problem Banning has been trying to solve for over two decades. The city's own General Plan identified over $128 million in annual resident spending that was leaving Banning for other cities. That number hasn't improved on its own. The Commission has a role in creating the zoning conditions that make Banning competitive for commercial investment and give residents reasons to spend their dollars here.

Housing development needs to reflect how households actually look today. Multi-generational families are common, and new development needs to accommodate that reality. More housing at attainable price points raises the median household income over time, and that is the foundation for attracting the retailers and employers Banning needs. Affordable housing has a place in that picture but projects must be well-designed, properly sited, and planned with genuine community input. Poorly executed affordable housing does not serve residents or the city.

Downtown revitalization remains the most visible long-term priority. The city's own General Plan Vision

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

Banning is at an inflection point, and the decisions made in the next few years will determine whether this city captures the growth coming its way or watches it stop at the Beaumont border.

The most immediate challenge is economic. Banning's median household income, based on 2024 Census data, is approximately $61,764. That figure directly affects retail viability, developer interest, and the city's tax base. The path to raising it runs through housing strategy. When you increase the number of households with multiple working adults contributing to a mortgage, which reflects how many families actually live today. Then the median income rises organically, and that makes Banning more attractive to the retailers and employers who evaluate markets based on spending capacity.

Industrial and warehouse zoning is one of the more politically charged issues the city faces, and it deserves an honest conversation. Community resistance is understandable, but for a city still building its economic foundation, turning away industrial investment without a clear alternative plan is not a principled stand. It is an expensive one. The General Plan already supports industrial uses near I-10 with appropriate access. Projects like Sunset Crossroads fit squarely within that framework. The goal should be smart, intentional zoning, not a blanket "No" that sends developers to the next city down the freeway.

Retail leakage remains a long-standing challenge. The outdated General Plan itself identified more than $128 million in annual resident spending leaving the city and that was over twenty years ago. Attracting commercial development requires competitive zoning, an updated inventory of available sites, and proactive developer outreach. That work is overdue.

Additional Information about this Position

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Signature

06/09/2026
Date

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APPLICATION TO SERVE ON PLANNING COMMISSION

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Name Feiloai Neil Lualemaga

Phone [redacted]

Email Address

Address

Are you currently employed? ☐ Yes ☒ No

Position _____ Company _____

Length of Residency in Banning _____

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

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1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

I am resident of Banning with a background in construction, manufacturing, building materials, and workplace safety. I graduated from Mountain View High School in Santa Ana 2000 with 3.5 GPA.

I worked as a Senior Mold Mechanic for a concrete block manufacturing company, where I built, repaired, and maintained steel molds and production equipment used in the manufacturing of concrete products. This position required troubleshooting equipment, maintaining quality standards, and working closely with production teams.

Throughout my career, I have participated in workplace safety committees and completed OSHA 10,30,500 and 510 training. these experiences have given me practical knowledge of construction, infrastructure, safety and regulatory requirements.

I have also worked in building materials, assisting contractors, homeowners, and customers with construction related projects and products.

Outside of work, I am active in my church as a musician and enjoy giving back to the community. I have supported local families through programs such as Toys for tots and food bank outreach efforts.

Although i have only been a resident of Banning for a short time, I am committed to becoming involved in the community and helping the city grow responsibly. I believe my construction, manufacturing, community service, and OSHA training would bring a practical, hands-on perspective to the Planning Commission.

2. What types of major issues should the Planning Commission deal with?

The planning Commission should focus on responsible growth, infrastructure improvements, public safety, traffic management, housing, and economic development. As Banning continues to grow, it is important to make sure roads, utilities, and public services can support new development. The Commission should also work to attract quality businesses and jobs while protecting the character of existing neighborhoods. Careful planning can help ensure growth benefits both current resident and future generations.

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

I believe one of the biggest challenges facing Banning is managing growth in a way that benefits the community. As more homes, businesses, and development come into the area, the city needs to make sure roads, utilities, public safety services, and infrastructure keep up with that growth. Planning ahead can help prevent traffic problems and strain on city services.

I also see an opportunity for Banning to attract more businesses and good-paying jobs. Many residents travel outside the city for work, and bringing in quality businesses could help strengthen the local economy and create opportunities closer to home.

Another opportunity is improving existing commercial areas and encouraging development that makes Banning an attractive place for families, businesses, and visitors. I believe growth should be balanced and should consider the needs of current residents as well as future generations.

These challenges can be addressed by carefully reviewing projects, listening to residents, and making decisions based on long-term benefits for the community. I believe the city should focus on responsible growth, economic development, infrastructure improvements, and public safety while preserving the qualities that make Banning a great place to live.

As a Planning Commissioner, I would approach each project with an open mind, review the facts, listen to community input, and work toward solutions that are in the best interest of the City of Banning.

Additional Information about this Position

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Neil Lualemaga
Signature

June 9,2026
Date

RECEIVED
JUN 11 2026
City of Banning
City Clerk's Office

APPLICATION TO SERVE ON PLANNING COMMISSION

This application is to fill two vacancies on the City of Banning Planning Commission. The term of office will begin upon appointment and will expire on January 31, 2027. The Planning Commission meets monthly on the **First Wednesday** of each month at 5:30 p.m. **Applications are due to the City Clerk's Office no later than Friday, June 12, 2026.**

Name Katherine Fuentes

Phone [redacted]

Email Address

Address

Are you currently employed? ☒ Yes ☐ No

Position Director Company Upwards

Length of Residency in Banning 1 year

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

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1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

I hold a Bachelor's degree in Economics and a Master's degree in Global Economics, which have provided me with a strong foundation in public policy, economic development, budgeting, and data-driven decision-making. Throughout my career, I have focused on applying these principles to improve local government operations, support economic growth, and enhance community outcomes.

I bring more than ten years of municipal government experience, prior to moving to the private sector, I served as Assistant City Manager for the City of Cathedral City. In that role, I worked closely with elected officials, department directors, community stakeholders, regional partners, and residents on a wide range of initiatives ranging from economic development, retail and housing development projects, budgeting, and strategic planning. I regularly prepared and reviewed staff reports, developed policy recommendations, presented before the City Council and various commissions, facilitated public meetings, and helped implement Council priorities. This experience provided me with a comprehensive understanding of local government operations, public engagement, transparency requirements, and the importance of building consensus among diverse stakeholders. My experience working directly with residents, businesses, nonprofit organizations, and community groups has strengthened my ability to listen, collaborate, and develop practical solutions that reflect the needs and values of the community.

The combination of my educational background, municipal leadership experience, and commitment to public service has prepared me to make meaningful contributions to this appointment. I understand the responsibilities of public boards and commissions, the importance of ethical and transparent decision-making, and the value of ensuring community voices are heard throughout the decision-making process.

2. What types of major issues should the Planning Commission deal with?

The Planning Commission should focus on issues that directly impact the City's long-term growth, quality of life, economic vitality, and fiscal sustainability. For the City of Banning, several key issues stand out.

First, managing growth and development is critical. Banning continues to experience residential growth due to its strategic location along the Interstate 10 corridor. The Planning Commission plays an important role in ensuring that new development is balanced with the infrastructure, public services, and amenities needed to support existing and future residents. This includes thoughtful land use planning, transportation improvements, and preserving the character of established neighborhoods.

Second, economic development and job creation should remain a priority. The Commission should support land use policies that attract new businesses, expand employment opportunities, and strengthen the City's tax base. Encouraging commercial, industrial, and mixed-use development can help create local jobs and reduce the need for residents to commute outside the community for employment.

Third, housing availability and affordability continue to be significant challenges throughout California and the region. The Planning Commission should work to ensure that Banning provides a variety of housing options that meet the needs of families, seniors, young professionals, and workforce populations while maintaining high quality development standards.

Fourth, infrastructure and transportation planning must keep pace with growth. As development occurs, the City must ensure adequate roads, public facilities, and connectivity to support residents and businesses. Careful planning today can help avoid costly challenges in the future.

Finally, preserving community character and enhancing quality of life should be central to every planning decision. This includes protecting neighborhoods, promoting attractive and well-designed development, supporting parks and open space, and ensuring that residents have meaningful opportunities to participate in the planning process.

Overall, the Planning Commission should strive to balance responsible growth with economic opportunity, infrastructure capacity, environmental stewardship, and the long-term interests of the community.

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

The City of Banning is at a pivotal point in its growth and development. Its location along the Interstate 10 corridor, proximity to major employment centers, and availability of developable land present significant opportunities. However, these advantages also create challenges that require thoughtful planning and a consistent long-term vision.

One of the City's most significant challenges is ensuring that infrastructure keeps pace with growth. Residential development continues to expand rapidly, but roads, traffic circulation, water systems, public safety services, and other public facilities must be able to support that growth. New development must be required to pay its fair share through development impact fees (DIFs) while aggressively pursuing state and federal grant funding for transportation and infrastructure improvements particularly around Highland Springs and Sunset Ave. Long-range capital improvement planning should be closely coordinated with future land use decisions to ensure development occurs in a sustainable manner.

Another challenge is creating a stronger local economy and expanding retail opportunities that compliment neighboring shopping centers. Many residents commute outside the city for work, which limits local economic activity and increases traffic congestion. Banning has a unique opportunity to leverage its Interstate 10 access and available commercial and industrial land to attract logistics, light industrial, healthcare, professional services, and retail development. The City should continue streamlining permitting processes, updating development standards where appropriate, and actively partnering with the business community to attract employers that provide quality jobs for residents.

Downtown revitalization presents one of Banning's greatest opportunities. A vibrant downtown can serve as an economic and cultural center that attracts businesses, visitors, and investment. The City should continue efforts to encourage façade improvements, adaptive reuse of existing buildings, pedestrian-friendly development, homeless prevention plan, and events that draw residents and visitors into the downtown area. A vibrant and historic downtown is something that is missing from the area, and that could attract residents from neighboring communities. Strategic public and private investment can transform our downtown into a destination while preserving its historic character.

Finally, maintaining Banning's small-town identity while accommodating growth will be an ongoing challenge. Residents value the community's character, history, and quality of life. Future development decisions should prioritize thoughtful design, public engagement, and compatibility with existing neighborhoods. The Planning Commission plays an important role in ensuring growth enhances rather than diminishes the qualities that make Banning a desirable place to live.

By focusing on infrastructure investment, economic development, housing diversity, downtown revitalization, and preserving community character, Banning can successfully manage growth while creating new opportunities for current and future residents.

Additional Information about this Position

Per City of Banning Municipal Code Chapter 2.28, proof of residency shall be submitted at time of application to the Commission through voter registration or a utility bill at a physical address within city boundaries. Residency shall be confirmed prior to appointment and maintained throughout the term served. Applicants will be expected to attend a brief orientation session explaining the role of commissioners, the planning process, and the expectations of commissioners that are appointed. Please note that this a volunteer position. Members shall disclose interests in investments, real property, and income derived within the City of Banning or from sources doing business within the City of Banning. Filings are required within ten days of assuming office and on an annual basis. Members shall not work for the "pass" cities, which include Beaumont, Calimesa, and Riverside County in roles, such as economic development, planning, or redevelopment. Planning Commission shall hold no other municipal office in the city. Members may not be employees of the city.

Per City of Banning Resolution 2012-67, you will be required to submit to a criminal background investigation, to include LiveScan fingerprinting, prior to appointment.

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City Clerk's Office
99 E. Ramsey Street
PO Box 998
Banning, CA 92220

Return by: **Friday, June 12, 2026**
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Or email to: cityclerks@banningca.gov Remember to sign your application.

Signature

6/11/2026
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Name: Kimberly Light-Allende

Phone: [redacted]

Email Address:

Address:

Are you currently employed? ☒ Yes ☐ No

Position: Psychologist Company: Dept of State Hospitals-Patton

Length of Residency in Banning: 1.5 yrs

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

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1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

I hold a Doctoral Degree in Clinical-Community Psychology and have dedicated my professional career to supporting individuals facing mental health, behavioral. forensic, and life challenges. Through this work, I help individuals develop coping strategies, improve emotional well-being, navigate life transitions, enhance communication and problem solving skills, and achieve personal goals. As time permits, I volunteer with Carol's kitchen and Healing Waters, supporting community through service and engagement, compassion, and creating positive change through direct service. While I do not have formal civic experience at this time, I am eager to learn. I am highly motivated to become more involved in civic initiatives. I value community participation,

2. What types of major issues should the Planning Commission deal with?

The Planning commission will likely need to address several significant issues, as Banning continues to grow, the Commission will need to balance residential, commercial, and industrial development with the preservation of of community character and quality go life. Key challenges include include meeting housing needs, ensuring infrastructure and transportation systems keep pace with growth, managing land-use and zoning decisions, supporting economic development and job creation, and protecting environmental resources. The Commission will also play an important role in reviewing and ensuring that any current development projects align with the city's long-term vision while also addressing the concerns of residents and property owners. Effective public engagement and long-term planning will also be important in addressing these issues.

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

I believe that Banning will continue to experience pressure for new housing and commercial growth due to it's location in the Pass area. The Commission will need to carefully consider traffic impacts, public safety, water and utility capacity, economic opportunities, and the compatibility of new development with existing neighborhoods. My goal would be to evaluate each project fairly, based on the City's General plan, Zoning regulations, and the long-term interests of the community. By planning proactively, the city can capitalize on growth opportunities while minimizing potential negative impacts on traffic, infrastructure, and community character.

Additional Information about this Position

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Name: Mayra Anguiano

Phone: [redacted]

Email Address: [redacted]

Address: [redacted]

Are you currently employed? ☒ Yes ☐ No

Position: Teacher Company: Banning USD

Length of Residency in Banning: 40 years

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

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1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

I was born and raised in Banning and am now raising my own family here, which has given me a deep appreciation for our community and a strong commitment to its future. I care greatly about the quality of life for Banning residents and believe in contributing my time and experience to help our city continue moving in a positive direction.

I earned a Bachelor of Science in Psychology from University of California, San Diego and a Master of Science in Child Life from Loma Linda University. I also recently obtained my Multiple Subject Teaching Credential from University of Redlands. My educational background has provided me with a strong foundation in child development, education, communication, and understanding the needs of diverse populations.

Professionally, I have worked as a Child Life Specialist at Loma Linda University Children's Hospital and Riverside University Health System, where I supported children and families through challenging medical experiences. I have also worked in case management with the Inland Regional Center, helping individuals and families navigate complex systems and access resources. These experiences have strengthened my skills in problem-solving, collaboration, advocacy, and working with people from diverse backgrounds.

My civic involvement includes serving on the Banning Unified School District Board of Education, where I worked collaboratively with fellow board members, district staff, parents, and community stakeholders to make decisions that support students and families. In addition, I have been actively involved in my children's schools through volunteer service and parent engagement.

I am eager to continue serving our community through the Planning Commission. As someone who has lived in Banning my entire life and is now raising a family here, I am invested in thoughtful growth, responsible planning, and decisions that strengthen our city for current and future generations. I believe my experience in education, public service, case management, and community engagement would allow me to contribute a balanced and community-focused perspective. Most importantly, I want to remain involved in helping move our community in the right direction because our residents deserve a city that is well-planned, welcoming, and positioned for long-term success.

2. What types of major issues should the Planning Commission deal with?

The Planning Commission should focus on issues that directly impact the quality of life of residents while ensuring responsible growth and long-term sustainability for the community. One of the most important responsibilities is guiding development in a way that meets the needs of current residents and attracts amenities that enhance daily life.

For Banning, this includes improving access to essential services such as grocery stores, banking institutions, healthcare services, and other businesses that reduce the need for residents to travel outside the city for basic needs. As our community continues to grow, it is important that commercial development keeps pace with residential growth.

The Planning Commission should also prioritize projects that encourage community engagement and healthy lifestyles. This includes expanding and maintaining walking trails, parks, and public spaces where residents can safely gather, exercise, and connect with one another. Well-designed recreational areas contribute to both physical health and a stronger sense of community.

Another important issue is ensuring that Banning remains a family-friendly city. The community would benefit from additional recreational and entertainment opportunities for children, youth, and families, such as family-oriented restaurants, arcades, indoor soccer facilities, skating rinks, kid-focused gyms, and other safe spaces where families can spend time together. These types of amenities not only improve quality of life for residents but also help support local economic growth and make Banning a more attractive place for families to live and invest.

Ultimately, the Planning Commission should strive to balance growth, economic development, public safety, recreation, and community needs while preserving the character of Banning. By planning thoughtfully and listening to residents, the Commission can help create a community that is connected and responsive to the needs of families, businesses, and future generations.

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

One of the greatest challenges facing the City's future growth and development is ensuring that projects move forward efficiently while also making certain they are in the best interest of the community. Often times, communities can become stalled by delays, changing priorities, or uncertainty about the long-term impact of development. At the same time, rushing projects without proper planning can create unintended consequences. This is occurring with the Sunset Crossroads project where it was approved but then there were questions raised that has caused its delay.

I believe the City should focus on thoughtful and strategic growth by carefully evaluating projects based on their potential benefits to residents, economic impact, infrastructure needs, and long-term sustainability. This requires balancing caution with innovation. Not every project will be without risk, but the City must be willing to consider well-researched opportunities that can improve quality of life, attract investment, and create amenities that residents need.

As a Planning Commissioner, I would support decisions that are data-driven, fiscally responsible, and aligned with the community's vision. This includes seeking input from residents, collaborating with developers and City staff, and ensuring that projects have clear goals and measurable benefits. While some decisions may involve a level of risk, those risks should be carefully evaluated and managed so they do not negatively impact the City's financial stability or character.

The opportunity for Banning is significant. With continued growth, the City can attract businesses, services, recreational amenities, and family-friendly destinations that residents have long desired. By making thoughtful decisions and following through on projects that benefit the community, Banning can continue to grow into a thriving city that serves both current residents and future generations.

Additional Information about this Position

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M Angulo
Signature

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Name Todd Rinks

Phone [redacted]

Email Address

Address

Are you currently employed? ☒ Yes ☐ No

Position Internet Sales Company Self

Length of Residency in Banning 12 Years

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

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1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

My wife and I bought our first home in Banning twelve years ago, and we have been proud to call it home ever since. As a homeowner, I have a strong interest in the future of our city and the decisions that affect the people who live here.I am currently self-employed and run an online sales business through eBay and Amazon. Running my own business has taught me how to manage budgets, research information, solve problems, work with customers, and make decisions based on facts and long-term goals.Before starting my business, I worked as an Account Manager for a mortgage company handling foreclosure, repossession, and loan modification accounts. In that role, I worked with homeowners, financial institutions, and government requirements while helping manage complex situations that often affected people's homes and finances.I have completed approximately 50 units of college coursework. Over the years, I have also spent a lot of time learning about local permits, zoning, ADUs, detached garages, and other property improvement projects. Like many homeowners, I have had to research what is allowed, what requires permits, and how city regulations affect property owners.I am interested in serving on the Planning Commission because I care about Banning and want to be involved in helping shape its future. While I do not have a background in urban planning, I believe I can bring the perspective of a homeowner, small business owner, and longtime resident. I am willing to listen, ask questions, learn from others, and make decisions based on what is best for the community as a whole.

2. What types of major issues should the Planning Commission deal with?

I believe the Planning Commission should focus on issues that have a long-term impact on the people who live in Banning. Some of the biggest issues include responsible residential and commercial growth, housing affordability, infrastructure improvements, traffic, public safety, and creating opportunities for local businesses and jobs.My wife and I bought our first home in Banning twelve years ago, and we have enjoyed being part of the community. During that time, I have seen the city grow and change. I think it is important that new development is planned carefully so that roads, utilities, public safety services, and other infrastructure can keep up with growth. At the same time, we need to protect the character of existing neighborhoods and the quality of life that attracts people to Banning in the first place.I also believe there are opportunities for Banning to attract new businesses and create more local jobs. Many residents commute outside the city for work, and I think encouraging business growth could help strengthen the local economy while providing more opportunities closer to home.Overall, I believe the Planning Commission should work to find a balance between growth and preserving what makes Banning a great place to live. Decisions should be made with input from residents and with an eye toward what will benefit the community not just today, but for years to come.

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

Banning has a lot of opportunities, but it also has some challenges as the city continues to grow. One of the biggest challenges is making sure our roads, utilities, public safety services, parks, and other infrastructure can keep up with new development. Growth is important, but it needs to be planned so that it benefits the community and does not put too much strain on existing residents.Housing is another challenge. Home prices and rents have increased over the years, making it harder for some families, young adults, and seniors to find affordable places to live. I think Banning should look at different housing options, including single-family homes and ADUs, while still protecting the character of existing neighborhoods.I also think Banning has a great opportunity to attract more businesses and jobs. Many residents commute out of town for work. Bringing more businesses and retail opportunities to Banning could help strengthen the local economy, create jobs closer to home, and increase revenue for the city.Another advantage Banning has is its location along Interstate 10. The city is in a good position to attract investment and new businesses, but growth should be planned carefully so we do not lose the things that make Banning a great place to live.I believe these challenges can be addressed by listening to residents, working with businesses and developers, and making decisions based on what is best for the city in the long run. Growth is going to happen, and I believe the goal should be to manage it in a way that benefits both current residents and future generations.

Additional Information about this Position

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Todd Rinks
Signature

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Name Neidie Hilliard Garcia

Phone [redacted]

Email Address

Address

Are you currently employed? ☐ Yes ☒ No

Position _____ Company _____

Length of Residency in Banning 47 years

Are you a registered voter? ☒ Yes ☐ No

Are you able to commit to reviewing and evaluating commission staff reports, which are typically lengthy and can be complex? ☒ Yes ☐ No

Are you able to attend commission meetings at the regular meeting date and time, as well as possible special meetings, which occur from time-to-time? ☒ Yes ☐ No

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1. Tell us about your background, including education, work, and volunteer experience, civic involvement, and other experience relevant to this appointment.

Work experience:
- Starbuck - supervisor/district barista trainer
opening/closing procedures
beverage making, orders, inventory, managing the floor
district volunteers, donations, community projects,
organize events (cal fire, morongo fire/HD Riv Co S.D)
- BUSD - Principal secretary, payroll/delegate work load,
ASB acct. clerk: acct. pay able + receivable, keeping
Club funds current, budgets, fundraising, 1099's, credits
Volunteer Experience
2026 - current - Rotary
- Thread of love outreach (secretary)
2024 - Current - Boys Basketball Booster Club (secretary)
- Kids Cure Foundation - Volunteer
food distributions, assist any families in need
civic involvement - volunteer w/ city parades.

2. What types of major issues should the Planning Commission deal with?

The planning Commission should focus on major issues that affect the city's growth + development. This includes reviewing new housing, business developments, subdivisions, zoning change and land-use plans. They also consider how projects may impact traffic, public service, neighborhoods and their environment.

The Commission helps create + update the city general plan + makes recommendations to the city Council on planning matters. Through public meeting + hearings, they ensure that future development supports the community's needs while maintaining a high quality of life for residents.

planning Commission gives Recomendations only!

3. Identify specific challenges and opportunities facing the City's future growth and development. Explain how you feel they may be resolved (be specific):

Check city ordenances + infrastructures so that we will not face infrastructure strain + congestion as population surge as existing networks struggle to keep up. Provide safe, affordable housing for all in our community. Last but not least look into environmental and health hazards. Keep in contact with developers, city Council and our community members.

Be open minded with every situation. One acronym we will always member L.A.T.T.E.

Listen: give the customer your full attention + lester to understand their concern or issue.

Acknowledge Validate the customers feelings + confirm you understand the situation

Take Action fix the problem or resolve the complaint

Thank Thank the customer for bringing the issue to your attention

Explain what went wrong or how it was resolved so the Customer feels informed (or alternately, Ensure satisfaction. framework to resolve customer complaints to turn negative experiences into positive ones.

Additional Information about this Position

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Or email to: cityclerks@banningca.gov Remember to sign your application.

Signature

5/12/2026
Date

2.28.010 - Planning commission—Membership requirements.

A. Members of the planning commission shall be residents of the City of Banning who hold no other municipal office in the city. Members may not be employees of the city.

B. Proof of residency shall be submitted at time of application to the commission through voter registration, utility bill at a physical address within the city boundaries. Residency shall be confirmed prior to appointment and maintained throughout the term served.

(Code 1965, § 2-5.)

2.28.020 - Term and vacancies.

A. The planning commission shall consist of five members.

B. Planning commissioners shall serve four-year terms, which shall be staggered every two years concurrent with the city elections. Appointments shall be made by the city council. Applications shall be made available and the closing date announced at least two months prior to the expiration of the commissioner's term to be filled.

C. In order to re-set the terms of office of planning commissioners consistent with paragraph (b) above, commencing January 2021, the city council shall appoint members of the planning commission, whether newly appointed or as reappointed members, to one of the following five numbered positions:

1. Position 1. The term of office for Position 1 will begin February 1, 2021, and expire on January 31, 2025.
2. Position 2. The term of office for Position 2 will begin February 1, 2021, and expire on January 31, 2025.
3. Position 3. The term of office for Position 3 will begin February 1, 2021, and expire on January 31, 2023.
4. Position 4. The term of office for Position 4 will begin February 1, 2021, and expire on January 31, 2023.
5. Position 5. The term of office for Position 5 will begin February 1, 2021, and expire on January 21, 2023.

D. Upon the expiration of each term of office specified in paragraph C, persons appointed or reappointed to the Position shall serve for a succeeding four-year term measured from the expiration of the prior term of that position. In the event the city council has not completed the appointment process by February 1 of each odd number year to fill the terms of positions that

are to commence on February 1 of that year, the predecessor's term of office for that position is automatically extended until the date that the successor has been appointed and sworn into office.

E. Members shall serve at the pleasure of the council and may be removed at any time by a majority vote of the entire council.

F. Any member who is unexcused for two consecutive regular meetings of the commission or six meetings within a twelve-month period, whether the six meetings are excused or not, will be deemed to have forfeited his or her office and the city council may appoint a new member to serve in the commissioner's position for the remainder of their term.

G. To be excused from any such meeting, a member shall notify the planning department, at least forty-eight hours prior to any such meeting that the member will not be in attendance at the upcoming meeting. If a member is unable to attend due to illness, injury or family matters, an oral statement made proving that specific reason by the member at the next regular meeting of the commission shall constitute an excused absence.

(Code 1965, § 2-6.)

(Ord. No. 1569, § 1, 9-22-20)

2.28.030 - Compensation.

A. Members of the planning commission shall not receive compensation; reasonable traveling expenses to and from conferences and/or special field trips and training sessions shall be reimbursed.

B. Upon authorization by the city manager, the planning commission and members of its staff, may attend city planning conferences or meetings, or hearings on city planning legislation, or matters affecting the planning of the city. The reasonable expenses of such attendance shall be charged upon the funds allocated to the commission.

C. All fundings shall be established through the City of Banning budget, which shall be approved by the city council.

(Code 1965, § 2-7.)

2.28.040 - Rules of procedure.

A. A quorum of the planning commission shall consist of a majority of the members (including any vacancies). A quorum must be present in order for the planning commission to hold a meeting.

B. In the event that only three commissioners are present, any actions recommending amendment to the Municipal Code or general plan must be unanimous; all other actions would require a majority vote of the commission in attendance. A tie vote shall constitute a denial of the matter or request brought before the planning commission.

C. The commission shall adopt rules for the transaction of business and shall keep a record of its transactions, findings, and determinations. The Brown Act and "Robert's Rules in Plain English" by Doris P. Zimmerman (Harper Perennial) shall be incorporated into such rules.

D. The commission shall follow all applicable city fiscal and administrative policies and procedures.

(Code 1965, § 2-8.)

2.28.050 - Duties and responsibilities.

A. The planning commission shall exercise those functions of the planning agency of the city delegated to it in the Banning Municipal Code.

B. At the regular February meeting, the planning commission shall choose a chairperson and a vice-chairperson from among the planning commission members. The chairman and vice-chairman shall serve for one term. Both positions shall rotate every year.

1. The chairperson shall preside at all regular and special meetings and rule on all points of order and procedure during the meetings.
2. The vice-chairperson shall assume all duties of the chairperson in his or her absence.
3. In the event the chairperson and vice-chairperson are both absent, an acting chairperson shall be appointed from the commission for the meeting from those present.

C. The planning commission's scope of responsibility is to:

1. Prepare, review, adopt, and recommend to the city council for its adoption, a long range, comprehensive general plan to guide future physical development and conservation of the city and its adjoining environs based on geographic, social, economic and political characteristics of the community;
2. Prepare, review, adopt and recommend to the city council for its adoption of special area specific plans for identifiable areas, wherein more detailed guidelines are needed to supplement the objectives of the general plan;
3. Review development applications submitted to the city for consistency with adopted plans and ordinances. Approve or deny applications when final authority is granted to the planning commission by the Municipal Code. Make a recommendation on those actions for which the city council is the final reviewing approval body;
4. Act as the appeal body on decisions made by the community development director;
5. Perform such other functions and duties as the city council may from time to time direct and/or provide within the Banning Municipal Code.

D.

The commission may form ad-hoc subcommittees in accordance with the Brown Act, and make appointments to that subcommittee, as it deems necessary. A quorum of commission members may not be appointed to serve in a single subcommittee. Before forming a subcommittee, the commission shall establish a specific mission and term for the subcommittee.

E. The planning commission is an important function within the City of Banning, and as such, certain expectations are held by the city council in making the appointment of individuals to the commission. These expectations include the following:

1. Commissioners will attend all regular meetings and special meetings as they arise;
2. Commissioners will communicate expected and unexpected absences to the planning department, prior to the meeting;
3. Commissioners will communicate any potential conflicts of interest on agenda items to the planning department in advance of the hearing to allow confirmation of a quorum;
4. Commissioners will arrive on time to each meeting, fully participate, and remain in attendance until the end of each meeting;
5. Commissioners will prepare themselves for each meeting by reading the agenda, reports and other materials, and visiting the site, as necessary, and communicate any questions to the secretary in advance of the hearing. Pursuant to Resolution 2000-41, if a commissioner visits the site prior to a hearing on the matter, the commissioner shall disclose at the hearing such evidence and observation gathered during the site visit;
6. Commissioners are encouraged to attend the annual planner's institute (Monterey and Southern California) or an equivalent planning training program given by a University of California campus (or approved equivalent) and may attend other planning conferences and or training classes as the need and opportunities arise. The city will also provide regular in-service training and make-up training where attendance is required;
7. New commissioners are expected to become familiar with the city's general plan, the "Planning Commission Handbook" (prepared by the State of California), the relevant Municipal Code sections particularly those relevant to zoning to become familiar with these documents. The "Guide for New Members" distributed by the planning commissioners journal and www.plannersweb.com are other valuable resources for new commissioners;
8. Applicants to the planning commission will be expected to attend a brief orientation session explaining the role of commissioners, the planning process, and the expectations of commissioners that are appointed; and
9. New commissioner members will attend an expanded orientation session with the liaison to the commission and other staff, as deemed necessary, to provide new appointees with a solid understanding immediately upon appointment. The orientation will include an overview of

the planning process, a review of the commission's structure, policies and bylaws, a summary of available documents and resources, and a review of the commission's relationship with citizens, staff, developers, and the governing body.

F. The planning commission may serve on regional boards or commissions as directed by the city council.

G. The planning commission shall participate in annual meetings with the city council to discuss development activity, development doctrine, policies, etc.

(Code 1965, § 2-8.1.)

(Ord. No. 1569, § 2, 9-22-20)

2.28.060 - Conflict of interest requirements.

A. The State of California Political Reform Act requires planning commission members to disclose interests in investments, real property, and income derived within the City of Banning or from sources doing business within the City of Banning. Filings are required within ten days of assuming office and on an annual basis.

B. Members shall not work for the "pass" cities, which include Beaumont, Calimesa, and Riverside County in roles, such as economic development, planning, or redevelopment.

C. If an apparent conflict of interest arises, the member shall inquire of the city attorney or staff prior to the meeting.

(Code 1965, § 2-8.2.)

2.28.070 - Staff liaison.

A. The staff liaison to the planning commission shall be the community development director.

B. The planning commission liaison, supported by the secretary to the planning commission (a staff position), shall be responsible for:

1. Confirming that a quorum will be present prior to each meeting;
2. Receiving and recording all exhibits, petitions, documents, or other material presented to the planning commission in support of, or in opposition to, any issue before the planning commission;
3. Signing all meeting minutes and resolutions upon approval;
4. Preparing and distributing agendas and agenda packets;
5. Facilitating the tape recording of meetings and preparation of minutes; and
6. Responding to all questions from planning commission members regarding agenda items in advance of meetings.

(Code 1965, § 2-8.3.)

2.28.080 - Meeting times and places.

A. The planning commission shall meet on the first Wednesday of each month at 5:30 p.m. at the city council chambers located at 99 E. Ramsey Street, or at such time and place as the commission may designate by resolution.

B. Commissioners will attend special meetings as they arise.

(Code 1965, § 2-8.4.)

(Ord. No. 1427, § 1, 9-14-10; Ord. No. 1594, § 1, 8-22-22)

2.28.090 - Adoption.

A. This document, as adopted and amended by council resolution, shall serve as the bylaws for the commission.

(Code 1965, § 2-9.)

Record Gazette
Your Community. Your Newspaper.

AFFIDAVIT OF PUBLICATION

Record Gazette
218 N. Murray St., Banning, CA 92220

Proof of Publication
(2015.5 C.C.P.)

2026 05 15 Public Notices Planning Commission

State of California)
County of Riverside) SS.

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above matter. I am the principal clerk of the printer and publisher of Record Gazette, a newspaper published in the English language in the City of Banning, County of Riverside, and adjudicated a newspaper of general circulation as defined by the laws of the state of California by the Superior Court of the County of Riverside, under the date October 14, 1966, Case No. 54737.
That the notice, of which the annexed is a copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 15, 2026

Executed on: May 15, 2026

At City of Banning, California

I ceritfy (or declare) under penalty of perjury that the foregoing is true and correct.

Kaila Geaman
Signature

PUBLIC NOTICE
CITY OF BANNING
PLANNING COMMISSION

The City of Banning is accepting applications to fill **one immediate vacancy** on the City of Banning Planning Commission. The term of office will begin immediately and run through January 31, 2027.

This is a volunteer position on a Commission that meets on the **first Wednesday of each month** at 5:30 P.M. You must be a registered voter in the City of Banning to qualify. All applicants must successfully complete a background investigation with fingerprinting before appointment. The application and qualifications for this position are available on the City's website at http://banning.ca.us/79/Planning-Commission .

The deadline to submit your application to the City Clerk's Office is **Friday, June 12, 2026 at 5:00 P.M.** Submit to the City Clerk's Office, PO Box 998, Banning, CA 92220 or by emailing your signed application to cityclerks@banningca.gov .

/s/Sandra Calderon, Deputy City Clerk
City of Banning, California

Dated: May 11, 2026
Publish: May 15, 2026
Published
Record Gazette
May 15, 2026

CITY OF BANNING
STAFF REPORT

TO:	**CITY COUNCIL**
FROM:	**Elizabeth Gibbs, City Manager**
PREPARED BY:	**Art Vela, Director of Public Works**
MEETING DATE:	**June 23, 2026**
SUBJECT:	**Overview of the Beaumont Basin Watermaster**

STAFF RECOMMENDATION:

Receive and file a report regarding the background, purpose, responsibilities, and current activities of the Beaumont Basin Watermaster.

BACKGROUND:

The Beaumont Basin Watermaster was established pursuant to the 2004 Stipulated Judgment in San Timoteo Watershed Management Authority v. City of Banning, et al. The Judgment was approved by the Riverside County Superior Court and created a groundwater management structure for the Beaumont Basin. The Court retained continuing jurisdiction over the Judgment, while assigning basin management responsibilities to the Watermaster.

The Beaumont Basin Watermaster's mission is to manage the yield of and storage within the Beaumont Basin to provide maximum benefit to the people dependent on it. The Watermaster Committee is composed of five representatives from the Appropriator Parties: the City of Banning, City of Beaumont, Beaumont-Cherry Valley Water District, South Mesa Water Company, and Yucaipa Valley Water District.

The need for a groundwater management entity was identified through earlier regional planning efforts led by the San Timoteo Watershed Management Authority, which was formed in 2001 by the City of Beaumont, Beaumont-Cherry Valley Water District, South Mesa Water Company, and Yucaipa Valley Water District. Those efforts focused on enhancing water supplies, protecting water quality, improving groundwater basin management, protecting riparian habitat, and equitably distributing the benefits and costs of regional watershed management.

Following negotiations among overlying users and water agencies with interests in the basin, the Stipulated Judgment was developed and approved by the Court on February 4, 2004. The Judgment established the legal framework for groundwater production, basin storage, recharge, replenishment obligations, transfers, and long-term basin management.

The Judgment allows all producers to pump sufficient water from the basin to meet their respective requirements, subject to the terms of the Judgment and related accounting provisions. The Judgment initially established the safe yield of the Beaumont Basin at 8,650 acre-feet per year, to be distributed among the Overlying Producers. The Judgment also requires the safe yield to be reevaluated at least every ten years.

In 2015, following completion of a technical study and hydrologic modeling effort, the Beaumont Basin Watermaster Committee redetermined the safe yield of the basin to be 6,700 acre-feet per year. More

recently, the Watermaster Committee approved the 2023 Reevaluation of the Beaumont Basin Safe Yield Report and adopted Resolution 2024-01, which redetermined the safe yield at 7,100 acre-feet per year, effective 2024.

Temporary Surplus Allocation

One of the important elements of the Judgment was the allowance of a controlled overdraft of the basin during the first ten years following the Judgment. This controlled overdraft was referred to as the "Temporary Surplus." The purpose of the Temporary Surplus was to create additional groundwater storage capacity in the basin and help prevent the waste of water.

Under the Judgment, the Appropriator Parties were allocated for extraction up to 160,000 acre-feet of water from the basin over the ten-year period immediately following the inception of the Judgment. This equated to a maximum of 16,000 acre-feet per year during the initial ten-year period.

The Appropriator percentage allocations used for the Temporary Surplus and for allocations of unused Overlying Water rights are as follows:

Appropriator Party	Percentage Allocation	Annual Temporary Surplus Allocation
Beaumont Cherry Valley Water District	42.51%	6,802 acre-feet per year
City of Banning	31.43%	5,029 acre-feet per year
South Mesa Water Company	12.48%	1,997 acre-feet per year
Yucaipa Valley Water District	13.58%	2,173 acre-feet per year

Watermaster Responsibilities

The Watermaster is responsible for administering the Judgment and managing the basin in a manner that supports the maximum beneficial use of groundwater resources. The Watermaster operates under the Judgment and its adopted Rules and Regulations, which were originally adopted in 2004 and have been amended over time.

Key Watermaster responsibilities include:

1. Administering the Judgment and Rules and Regulations.
   Watermaster maintains accounting procedures for groundwater production, recharge, transfers, storage, and replenishment obligations.
2. Preparing Annual Reports.
   Each year, Watermaster publishes an Annual Report documenting groundwater production, recharge activity, transfers between Appropriators, transfers of water rights from Overlying Parties to Appropriators, and related basin management activities.
3. Approving Producer Activities.
   Producers are required to notify and obtain approval from Watermaster, as necessary, for activities such as recharging water, storing supplemental water, recovering stored water, transferring or exchanging water, and storing local water.
4. Maintaining and Improving Water Supply.
   Watermaster annually determines the amount of groundwater each producer may pump from the basin without incurring a replenishment obligation.
5. Monitoring and Understanding Basin Conditions.
   Watermaster collects and evaluates groundwater production data, groundwater level data, water quality information, and other technical information to improve understanding of basin conditions and support long-term management decisions.
6. Maintaining and Improving Water Quality.
   Watermaster coordinates with local agencies and regulatory agencies on efforts to protect and improve groundwater quality.

7. Developing and Administering Well Policies.
   Watermaster has adopted minimum standards for the construction, repair, abandonment, and destruction of groundwater extraction wells in the basin.
8. Entering into Beneficial Agreements.
   Watermaster has the authority to enter into agreements for programs and services that benefit the basin, including groundwater storage agreements.
9. Providing Regional Leadership.
   Watermaster may work cooperatively with local, state, and federal agencies to support regional programs for basin management, water supply reliability, recharge, storage, and resource protection.

Recharge and Storage of Supplemental Water

Supplemental replenishment water may include recycled water, imported State Water Project water, or other imported supplies. Replenishment may occur through spreading and percolation, injection, in-lieu use of surface water or imported water, or other approved methods.

The Judgment reserved a minimum of 200,000 acre-feet of groundwater storage capacity for conjunctive use. Parties to the Judgment may make reasonable beneficial use of available groundwater storage capacity for supplemental water storage, provided such activity is consistent with a Watermaster-approved storage agreement.

Imported water deliveries to the Beaumont Basin are conducted through the San Gorgonio Pass Water Agency, which is the State Water Contractor for a portion of Riverside County. Recharge facilities include Beaumont-Cherry Valley Water District's Noble Creek Recharge Facility and the San Gorgonio Pass Water Agency's recharge facility.

The City of Banning began purchasing imported water for recharge at the Noble Creek Recharge Facility in 2008. Since that time, the City has purchased imported water in accordance with its storage agreement on file with Watermaster. Recent City purchases included 1,000 acre-feet in 2023, 1,500 acre-feet in 2024, and 1,750 acre-feet in 2025. These recharge efforts support the City's long-term groundwater supply reliability and help maintain water in storage within the basin.

Water Transfers and Adjustments of Rights

Watermaster is also responsible for accounting for water transfers and adjustments of rights. Section 7 of the Watermaster Rules and Regulations provides procedures for transfers between Appropriators and Overlying Parties. These transfers are included in Watermaster's accounting records and Annual Reports.

There are generally three categories of transfers and adjustments tracked by Watermaster:

1. Transfers of production rights or stored water between Appropriators.
2. Transfers of Overlying Water Rights to an Appropriator in exchange for water service.
3. Allocation of unused Overlying Water Rights to Appropriators.

The allocation of unused Overlying Water Rights is based on each Appropriator's share of the Operating Safe Yield. Importantly, the allocation of unused Overlying Water does not permanently reduce or diminish the legal rights of the Overlying Party.

This process supports efficient basin management by allowing available water supplies to be used productively, while maintaining the underlying legal rights established by the Judgment.

JUSTIFICATION:

The Beaumont Basin is a critical groundwater resource for the City of Banning and the surrounding region. The Watermaster provides the legal, administrative, and technical structure necessary to manage

groundwater production, storage, recharge, transfers, replenishment, and water quality in accordance with the Judgment.

The City's participation in Watermaster is important because the City relies on the Beaumont Basin as part of its water supply portfolio. Watermaster's accounting and oversight help ensure that groundwater production is properly tracked, basin conditions are monitored, recharge activities are coordinated, and the basin is managed in a manner that protects long-term water supply reliability.

The safe yield redetermination process is particularly important because it provides updated technical information regarding the sustainable production capacity of the basin. The most recent safe yield redetermination increased the basin's safe yield from 6,700 acre-feet per year to 7,100 acre-feet per year, effective 2024. This updated figure informs Watermaster accounting, production rights, replenishment obligations, and long-term planning.

The Watermaster's role in approving storage agreements, accounting for imported water recharge, and managing transfers also provides flexibility for the City and other parties to support local and regional water supply reliability. The City's continued purchase and recharge of imported water contributes to groundwater storage and supports the long-term sustainability of the basin.

FISCAL IMPACT:

The City participates in the Watermaster budget with the other Watermaster Committee members. For Fiscal Year 2025/2026, the Watermaster budget is $49,675. Expenses are shared equally by the Watermaster Committee members.

Watermaster expenditures are primarily related to legal services, consultant support, preparation of the Annual Report, technical studies, and other administrative responsibilities required under the Judgment. Costs may vary from year to year depending on Watermaster activities and technical obligations.

In years when significant technical work is required, costs may be substantially higher. For example, the Fiscal Year 2023/2024 final expense budget was $464,238 due largely to the work associated with the redetermination of the safe yield, which is required by the Judgment at least every ten years.

ATTACHMENTS:

1. February 2004 Judgment.pdf
2. February 2004 Stipulation for Entry of Judgement.pdf
3. March 2019 Amended Judgement.pdf

ORIGINAL COPY

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NO FILING FEE REQUIRED PER GOVERNMENT CODE, SEC. 6103

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

FEB - 4 2004

Attorneys for Plaintiff, SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF RIVERSIDE, RIVERSIDE COURT

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY, a public agency,

Plaintiff,

vs.

CITY OF BANNING, a municipal corporation; BEAUMONT-CHERRY VALLEY WATER DISTRICT, an irrigation district; YUCAIPA VALLEY WATER DISTRICT, a county water district; PLANTATION ON THE LAKE LLC, a California limited liability company; SHARONDALE MESA OWNERS ASSOCIATION, an unincorporated association; SOUTH MESA MUTUAL WATER COMPANY, a mutual water company; CALIFORNIA OAK VALLEY GOLF AND RESORT LLC, a California limited liability company; OAK VALLEY PARTNERS LP, a Texas limited partnership; SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA, a California corporation; SUNNY-CAL EGG AND POULTRY COMPANY, a California corporation; MANHEIM, MANHEIM & BERMAN, a California General Partnership; WALTER M. BECKMAN, individually and as Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990; THE ROMAN CATHOLIC BISHOP of San Bernardino,

CASE NO. RIC 389197

JUDGMENT PURSUANT TO STIPULATION ADJUDICATING GROUNDWATER RIGHTS IN THE BEAUMONT BASIN

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a California corporation; MERLIN PROPERTIES, LLC; LEONARD M. STEARNS and DOROTHY D. STEARNS, individually and as Trustees of the LEONARD M. STEARNS FAMILY TRUST OF 1991; and DOES 1 through 500, inclusive,

Defendants.

I. INTRODUCTION

1. Pleadings, Parties and Jurisdiction

The complaint herein was filed on February 20, 2003, seeking an adjudication of water rights, injunctive relief and the imposition of a physical solution. The defaults of certain defendants have been entered, and certain other defendants dismissed. Other than defendants who have been dismissed or whose defaults have been entered, all defendants have appeared herein. This Court has jurisdiction of the subject matter of this action and of the parties herein.

2. Stipulation for Judgment

Stipulation for Entry of Judgment has been filed by and on behalf of all defendants who have appeared herein.

3. Definitions

As used in this Judgment, these terms shall have the following meanings:

A. Appropriator or Appropriator Parties: the pumpers identified in Exhibit "C" attached hereto.

B. Appropriator's Production Right: consists of an Appropriator's share of Operating Yield, plus (1) any water acquired by an Appropriator from an Overlying Producer or other Appropriator pursuant to this Judgment, (2) any water

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withdrawn from the Appropriator's storage account, (3) and New Yield created by the Appropriator.

C. Appropriative Water: the amount of Safe Yield remaining after satisfaction of Overlying Water Rights.

D. Appropriative Water Right: each Appropriator's share of Appropriative Water, such share expressed as a percentage as shown on Exhibit "C".

E. Beaumont Basin or Beaumont Storage Unit: the area situated within the boundaries shown on Exhibit "A" attached hereto.

F. Conjunctive Use: the storage of water in a Groundwater Basin for use at a later time.

G. Groundwater: water beneath the surface of the ground within the zone below the water table in which soil is saturated with water.

H. Groundwater Basin: an area underlain by one or more permeable formations capable of furnishing a substantial water supply.

I. Groundwater Storage Agreement: a standard form of written agreement between the Watermaster and any Person requesting the storage of Supplemental Water.

J. Groundwater Storage Capacity: the space available in a Groundwater Basin that is not utilized for storage or regulation of Safe Yield and is reasonably available for Stored Water and Conjunctive Use.

K. Minimal Producer: any Producer who pumps 10 or fewer acre feet of Groundwater from the Beaumont Basin per year.

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L. New Yield: increases in yield in quantities greater than historical amounts from sources of supply including, but not limited to, capture of available storm flow, by means of projects constructed after February 20, 2003, as determined by the Watermaster.

M. Operating Yield: the maximum quantity of water which can be produced annually by the Appropriators from the Beaumont Basin, which quantity consists of Appropriative Water plus Temporary Surplus.

N. Overdraft: a condition wherein the total annual production from a Groundwater Basin exceeds the Safe Yield thereof.

O. Overlying Parties: the Persons listed on Exhibit "B", who are owners of land which overlies the Beaumont Basin and have exercised Overlying Water Rights to pump therefrom. Overlying Parties include successors in interest and assignees.

P. Overlying Water Rights: the quantities decreed to Overlying Parties in Column 4 of Exhibit "B" to this Judgment.

Q. Overproduction: by an Appropriator, measured by an amount equal to the Appropriator's actual annual production minus the Appropriator's Production Right. By a new overlying producer, an amount equal to what the overlying producer pumped during the year.

R. Party (Parties): any Person(s) named in this action, or who has intervened, or has become subject to this Judgment either through stipulation, trial or otherwise

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S. Person: any individual, partnership, association, corporation, governmental entity or agency, or other organization.

T. Physical Solution: the physical solution set forth in Part V of this Judgment.

U. Produce, Producing, Production, Pump or Pumping: the extraction of groundwater.

V. Producer or Pumper: any Person who extracts groundwater.

W. Recycled Water: has the meaning provided in Water Code Section 13050(n) and includes other nonpotable water for purposes of this Judgment.

X. Safe Yield: the maximum quantity of water which can be produced annually from a Groundwater Basin under a given set of conditions without causing a gradual lowering of the groundwater level leading eventually to depletion of the supply in storage. The Safe Yield of the Beaumont Basin is 8650 acre feet per year in each of the ten (10) years following entry of this Judgment.

Y. San Timoteo Watershed Management Authority: a joint powers public agency whose members are the Beaumont-Cherry Valley Water District, the City of Beaumont, the South Mesa Mutual Water Company and the Yucaipa Valley Water District.

Z. Stored Water: Supplemental Water stored in the Beaumont Basin pursuant to a Groundwater Storage Agreement with the Watermaster.

AA. Supplemental Water: water imported into the

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Beaumont Basin from outside the Beaumont Basin including, without limitation, water diverted from creeks upstream and tributary to Beaumont Basin and water which is recycled and useable within the Beaumont Basin.

BB. Temporary Surplus: the amount of groundwater that can be pumped annually in excess of Safe Yield from a Groundwater Basin necessary to create enough additional storage capacity to prevent the waste of water.

CC. Watermaster: the Person appointed by the Court to administer and enforce the Physical Solution.

4. List of Exhibits

The following exhibits are attached to this Judgment and made a part hereof:

Exhibit "A" -- "Location Map of Beaumont Basin"
Exhibit "B" -- "Overlying Owners and Their Water Rights"
Exhibit "C" -- "Appropriators and Their Water Rights"
Exhibit "D" -- "Legal Description of Lands of the Overlying Parties"
Exhibit "E" -- "Location of Overlying Producer Parcels and Boundary of the Beaumont Basin"

II. INJUNCTIONS

1. Injunction Against Unauthorized Production of Beaumont Basin Water

Each party herein is enjoined, as follows:

A. Overlying Parties: Each defendant who is an Overlying Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from producing groundwater from the Beaumont Basin in any five-year period hereafter in excess of five times the share of the Safe Yield assigned to the Overlying Parties as set

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forth in Column 4 of Exhibit "B", as more fully described in the Physical Solution.

B. Appropriator Parties: Each defendant who is an Appropriator Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from producing groundwater from the Beaumont Basin in any year hereafter in excess of such party's Appropriator's Production Right, except as additional annual Production may be authorized by the provisions of the Physical Solution.

2. Injunction Against Unauthorized Storage or Withdrawal of Stored Water

Each and every Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from storing Supplemental Water in the Beaumont Basin for withdrawal, or causing withdrawal of water stored by that Party, except pursuant to the terms of a written Groundwater Storage Agreement with the Watermaster and in accordance with Watermaster Rules and Regulations. Any Supplemental Water stored in the Beaumont Basin, except pursuant to a Groundwater Storage Agreement, shall be deemed abandoned and not classified as Stored Water.

III. DECLARATION AND ADJUSTMENT OF RIGHTS

1. Overlying Rights

The Overlying Parties are currently exercising Overlying Water Rights in the Beaumont Basin. As shown on Exhibit "B", the aggregate Projected Maximum Production of water from the Beaumont Basin pursuant to Overlying Water Rights is 8650 acre feet and the Overlying Water Rights are individually decreed, in Column 4 of Exhibit "B", for each Overlying Party. The Overlying Parties

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shall continue to have the right to exercise their respective Overlying Water Right as set forth in Column 4 of Exhibit "B" except to the extent their respective properties receive water service from an Appropriator Party, as contemplated by Paragraph III.3 of this Judgment.

2. Appropriator's Share of Operating Yield

Each Appropriator Party's share of Operating Yield is shown on Exhibit "C". Notwithstanding any other provision of this Judgment, each Appropriator Party may use its Appropriator's Production Right anywhere within its service area.

3. Adjustment of Rights

A. The Overlying Parties shall have the right to exercise their respective Overlying Water Rights except as provided in this Paragraph 3.

B. To the extent any Overlying Party requests, and uses its Exhibit "B", Column 4 water to obtain water service from an Appropriator Party, an equivalent volume of potable groundwater shall be earmarked by the Appropriator Party which will serve the Overlying Party, up to the volume of the Overlying Water Right as reflected in Column 4 of Exhibit "B" attached hereto, for the purpose of serving the Overlying Party. The intent of this provision is to ensure that the Overlying Party is given credit towards satisfying the water availability assessment provisions of Government Code, Section 66473.7 et seq. and Water Code, Section 10910 et seq. or other similar provisions of law, equal to the amount of groundwater earmarked hereunder.

C. When an Overlying Party receives water service as

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provided for in subparagraph III.3.B the Overlying Party shall forebear the use of that volume of the Overlying Water Right earmarked by the Appropriator Party. The Appropriator Party providing such service shall have the right to produce the volume of water foregone by the Overlying Party, in addition to other rights otherwise allocated to the Appropriator Party.

D. Should the volume of the Overlying Water Right equal or exceed the volume of potable groundwater earmarked as provided in subparagraph 3.B, the Appropriator Party which will serve the Overlying Party shall (i) impose potable water charges and assessments upon the Overlying Party and its successors in interest at the rates charged to the then-existing regular customers of the Appropriator Party, and (ii) not collect from such Overlying Party any development charge that may be related to the importation of water into the Beaumont Basin. The Appropriator Party which will serve the Overlying Party pursuant to Subparagraph III.3.B shall also consider, and negotiate in good faith regarding, the provision of a meaningful credit for any pipelines, pump stations, wells or other facilities that may exist on the property to be served.

E. In the event an Overlying Party receives Recycled Water from an Appropriator Party to serve an overlying use served with groundwater, the Overlying Water Right of the Overlying Party shall not be diminished by the receipt and use of such Recycled Water. Recycled Water provided by an Appropriator Party to an Overlying Party shall satisfy the

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criteria set forth in the California Water Code including, without limitation, the criteria set forth in Water Code Sections 13550 and 13551. The Appropriator Party which will serve the Recycled Water shall have the right to use that portion of the Overlying Water Right of the Overlying Party offset by the provision of Recycled Water service pursuant to the terms of this subparagraph; provided, however, that such right of use by the Appropriator Party shall no longer be valid if the Recycled Water, provided by the Appropriator Party to the Overlying Party, does not satisfy the requirements of Sections 13550 and 13551 and the Overlying Party ceases taking delivery of such Recycled Water.

F. Nothing in this Judgment is intended to impair or adversely affect the ability of an Overlying Party to enter into annexation or development agreements with any Appropriator Party.

G. Oak Valley Partners LP ("Oak Valley") is developing its property pursuant to Specific Plans 216 and 216A adopted by the County of Riverside ("County") in May 1990, and Specific Plan 318 adopted by the County in August, 2001, (Specific Plans 216, 216A and 318 are collectively referred to as the "Specific Plans"). The future water supply needs at build-out of the Specific Plans will greatly exceed Oak Valley's Projected Maximum Production, as reflected in Exhibit "B" to the Judgment, and may be as much as 12,811 acre feet per year. Oak Valley has annexed the portion of its property now within the City of Beaumont into the Beaumont-Cherry Valley Water District ("BCVWD"), and is in

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the process of annexing the remainder portion of its property into the Yucaipa Valley Water District ("YVWD"), in order to obtain retail water service for the development of the Oak Valley property pursuant to the Specific Plans (for purposes of this subparagraph BCVWD and YVWD are collectively referred to as the "Water Districts", and individually as a "Water District"). YVWD covenants to use its best efforts to finalize the annexation of the Oak Valley property within the Calimesa City limits. Oak Valley, for itself and its successors and assigns, hereby agrees, by this stipulation and upon final annexation of its property by YVWD, to forbear from claiming any future, unexercised, overlying rights in excess of the Projected Maximum Production of Exhibit "B" of 1806 acre feet per year. As consideration for the forbearance, the Water Districts agree to amend their respective Urban Water Management Plans ("UWMP") in 2005 as follows: BCVWD agrees that 2,400 acre feet per year of projected water demand shall be included for the portion of Oak Valley to be served by BCVWD in its UWMP, and YVWD agrees to include 8,000 acre feet per year of projected water demand as a projected demand for the portion of Oak Valley to be served by YVWD in its UWMP by 2025. The Water Districts agree to use their best judgment to accurately revise this estimate to reflect the projected water demands for the UWMP prepared in 2010. Furthermore, the Water Districts further agree that, in providing water availability assessments prior to 2010, as required by Water Code §10910 and water supply verifications as required by Government Code §§66455.3 and

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66473.7, or any similar statute, and in maintaining their respective UWMP, each shall consider the foregoing respective projected water demand figures for Oak Valley as proposed water demands. The intent of the foregoing requirements is to ensure that Oak Valley is credited for the forbearance of its overlying water rights and is fully accounted for in each Water District's UWMP and overall water planning. The Water Districts' actions in performance of the foregoing planning obligations shall not create any right or entitlement to, or priority or allocation in, any particular water supply source, capacity or facility, or any right to receive water service other than by satisfying the applicable Water District's reasonable requirements relating to application for service. Nothing in this subparagraph G is intended to affect or impair the provision of earmarked water to Overlying Parties who request and obtain water service from Appropriator Parties, as set forth in subparagraph III.3.B, above.

H. Persons who would otherwise qualify as Overlying Producers based on an interest in land lying within the City of Banning's service area shall not have the rights described in this Paragraph III.3.

4. Exemption for Minimal Producers

Unless otherwise ordered by the Court, Minimal Producers are exempt from the provisions of this Judgment.

IV. CONTINUING JURISDICTION

Full jurisdiction, power and authority is retained and reserved to the Court for purposes of enabling the Court, upon

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application of any Party, by a motion noticed for at least a 30-day period (or consistent with the review procedures of Paragraph VII.6 herein, if applicable), to make such further or supplemental order or directions as may be necessary or appropriate for interim operation of the Beaumont Basin before the Physical Solution is fully operative, or for interpretation, or enforcement or carrying out of this Judgment, and to modify, amend or amplify any of the provisions of this Judgment or to add to the provisions hereof consistent with the rights herein decreed; except that the Court's jurisdiction does not extend to the redetermination of (a) Safe Yield during the first ten years of operation of the Physical Solution, and (b) the fraction of the share of Appropriative Water of each Appropriator.

V. THE PHYSICAL SOLUTION

1. Purpose and Objective

In accordance with the mandate of Section 2 of Article X of the California Constitution, the Court hereby adopts, and orders the parties to comply with, a Physical Solution. The purpose of the Physical Solution is to establish a legal and practical means for making the maximum reasonable beneficial use of the waters of Beaumont Basin, to facilitate conjunctive utilization of surface, ground and Supplemental Waters, and to satisfy the requirements of water users having rights in, or who are dependent upon, the Beaumont Basin. Such Physical Solution requires the definition of the individual rights of all Parties within the Beaumont Basin in a manner which will fairly allocate the native water supplies and which will provide for equitable sharing of costs of Supplemental Water.

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2. Need for Flexibility

The Physical Solution must provide maximum flexibility and adaptability in order that the Watermaster and the Court may be free to use existing and future technological, social, institutional and economic options. To that end, the Court's retained jurisdiction shall be utilized, where appropriate, to supplement the discretion granted herein to the Watermaster.

3. Production and Storage in Accordance With Judgment

This Judgment, and the Physical Solution decreed herein, address all Production and Storage within the Beaumont Basin. Because the Beaumont Basin is at or near a condition of Overdraft, any Production outside the framework of this Judgment and Physical Solution will potentially damage the Beaumont Basin, injure the rights of all Parties, result in the waste of water and interfere with the Physical Solution. The Watermaster shall bring an action or a motion to enjoin any Production that is not in accordance with the terms of this Judgment.

4. General Pattern of Operation

One fundamental premise of the adjudication is that all Producers shall be allowed to pump sufficient water from the Beaumont Basin to meet their respective requirements. Another fundamental premise of the adjudication is that Overlying Parties who pump no more than the amount of their Overlying Water Right as shown on Column 4 of Exhibit "B" hereto, shall not be charged for the replenishment of the Beaumont Basin. To the extent that pumping exceeds five (5) times the share of the Safe Yield assigned to an Overlying Party (Column 4 of Exhibit "B") in any five (5) consecutive years, or the share of Operating Yield

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Right of each Appropriator Party, each such Party shall provide funds to enable the Watermaster to replace such Overproduction.

5. Use of Available Groundwater Storage Capacity

A. There exists in the Beaumont Basin a substantial amount of available Groundwater Storage Capacity. Such Capacity can be reasonably used for Stored Water and Conjunctive Use and may be used subject to Watermaster regulation to prevent injury to existing Overlying and Appropriative water rights, to prevent the waste of water, and to protect the right to the use of Supplemental Water in storage and Safe Yield of the Beaumont Basin.

B. There shall be reserved for Conjunctive Use a minimum of 200,000 acre feet of Groundwater Storage Capacity in the Beaumont Basin provided that such amount may be reduced as necessary to prevent injury to existing water rights or existing uses of water within the Basin, and to prevent the waste of water. Any Person may make reasonable beneficial use of the Groundwater Storage Capacity for storage of Supplemental Water; provided, however, that no such use shall be made except pursuant to a written Groundwater Storage Agreement with the Watermaster. The allocation and use of Groundwater Storage Capacity shall have priority and preference for Producers within the Beaumont Basin over storage for export. The Watermaster may, from time-to-time, redetermine the available Groundwater Storage Capacity.

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VI. ADMINISTRATION

1. Administration and Enforcement by Watermaster

The Watermaster shall administer and enforce the provisions of this Judgment and any subsequent order or instructions of the Court.

2. Watermaster Control

The Watermaster is hereby granted discretionary powers to develop and implement a groundwater management plan and program for the Beaumont Basin, which plan shall be filed with and shall be subject to review and approval by, the Court, and which may include water quantity and quality considerations and shall reflect the provisions of this Judgment. Except for the exercise by Overlying Parties of their respective Rights described in Column 4 of Exhibit "B" hereto in accordance with the provisions of the Physical Solution, groundwater extractions and the replenishment thereof, and the storage of Supplemental Water, shall be subject to procedures established and administered by the Watermaster. Such procedures shall be subject to review by the Court upon motion by any Party.

3. Watermaster Standard of Performance

The Watermaster shall, in carrying out its duties and responsibilities herein, act in an impartial manner without favor or prejudice to any Party or purpose of use.

4. Watermaster Appointment

The Watermaster shall consist of a committee composed of persons nominated by the City of Banning, the City of Beaumont, the Beaumont-Cherry Valley Water District, the South Mesa Mutual Water Company and the Yucaipa Valley Water District, each of

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which shall have the right to nominate one representative to the Watermaster committee who shall be an employee of or consultant to the nominating agency. Each such nomination shall be made in writing, served upon the other parties to this Judgment and filed with the Court, which shall approve or reject such nomination. Each Watermaster representative shall serve until a replacement nominee is approved by the Court. The nominating agency shall have the right to nominate that representative's successor.

5. Powers and Duties of the Watermaster

Subject to the continuing supervision and control of the Court, the Watermaster shall have and may exercise the following express powers, and shall perform the following duties, together with any specific powers, authority, and duties granted or imposed elsewhere in this Judgment or hereafter ordered or authorized by the Court in the exercise of its continuing jurisdiction:

A. Rules and Regulations: The adoption of appropriate rules and regulations for the conduct of Watermaster affairs, copies of which shall be provided to all interested parties.

B. Wellhead Protection and Recharge: The identification and management of wellhead protection areas and recharge areas.

C. Well Abandonment: The administration of a well abandonment and well destruction program.

D. Well Construction: The development of minimum well construction specifications and the permitting of new wells.

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E. Mitigation of Overdraft: The mitigation of conditions of uncontrolled overdraft.

F. Replenishment: The acquisition and recharge of Supplemental Water.

G. Monitoring: The monitoring of groundwater levels, ground levels, storage, and water quality.

H. Conjunctive Use: The development and management of conjunctive-use programs.

I. Local Projects: The coordination of construction and operation, by local agencies, of recharge, storage, conservation, water recycling, extraction projects and any water resource management activity within or impacting the Beaumont Basin.

J. Land Use Plans: The review of land use plans and coordination with land use planning agencies to mitigate or eliminate activities that create a reasonable risk of groundwater contamination.

K. Acquisition of Facilities: The purchase, lease and acquisition of all necessary real and personal property, including facilities and equipment.

L. Employment of Experts and Agents: The employment or retention of such technical, clerical, administrative, engineering, accounting, legal or other specialized personnel and consultants as may be deemed appropriate. The Watermaster shall maintain records allocating the cost of such services as well as all other expenses of Watermaster administration.

M. Measuring Devices: Except as otherwise provided

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by agreement the Watermaster shall install and maintain in good operating condition, at the cost of the Watermaster, such necessary measuring devices or meters as Watermaster may deem appropriate. Such devices shall be inspected and tested as deemed necessary by the Watermaster and the cost thereof borne by the Watermaster. Meter repair and retesting will be a Producer expense.

N. Assessments: The Watermaster is empowered to levy and collect the following assessments:

(1) Annual Replenishment Assessments

The Watermaster shall levy and collect assessments in each year, in amounts sufficient to purchase replenishment water to replace Overproduction by any Party.

(2) Annual Administrative Assessments

a. Watermaster Expenses: The expenses of administration of the Physical Solution shall be categorized as either "General Watermaster Administration Expenses", or "Special Project Expenses".

i. General Watermaster Administration Expenses: shall include office rent, labor, supplies, office equipment, incidental expenses and general overhead. General Watermaster Administration Expenses shall be assessed by the Watermaster equally against the Appropriators who have appointed representatives to the Watermaster.

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ii. Special Project Expenses: shall include special engineering, economic or other studies, litigation expenses, meter testing or other major operating expenses. Each such project shall be assigned a task order number and shall be separately budgeted and accounted for. Special Project Expenses shall be allocated to the Appropriators, or portion thereof, on the basis of benefit.

O. Investment of Funds; Borrowing: The Watermaster may hold and invest Watermaster funds as authorized by law, and may borrow, from time-to-time, amounts not exceeding annual receipts.

P. Contracts: The Watermaster may enter into contracts for the performance of any of its powers.

Q. Cooperation With Other Agencies: The Watermaster may act jointly or cooperate with other local, state and federal agencies.

R. Studies: The Watermaster may undertake relevant studies of hydrologic conditions and operating aspects of the management program for the Beaumont Basin.

S. Groundwater Storage Agreements: The Watermaster shall adopt uniform rules and a standard form of agreement for the storage of Supplemental Water, provided that the activities undertaken pursuant to such agreements do not injure any Party.

T. Administration of Groundwater Storage Capacity: Except for the exercise by the Overlying Parties of their

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respective Overlying Water Rights described in Part III, above, in accordance with the provisions of the Physical Solution, all Groundwater Storage Capacity in the Beaumont Basin shall be subject to the Watermaster's rules and regulations, which regulations shall ensure that sufficient storage capacity shall be reserved for local projects. Any Person or entity may apply to the Watermaster to store water in the Beaumont Basin.

U. Accounting for Stored Water: The Watermaster shall calculate additions, extractions and losses and maintain an annual account of all stored water in the Beaumont Basin, and any losses of water supplies or Safe Yield resulting from such stored water.

V. Accounting for New Yield: Recharge of the Beaumont Basin with New Yield water shall be credited to the Party that creates the New Yield. The Watermaster shall make an independent scientific assessment of the estimated New Yield created by each proposed project. New Yield will be allocated on an annual basis, based upon monitoring data and review by the Watermaster.

W. Accounting for Acquisitions of Water Rights: The Watermaster shall maintain an accounting of acquisitions by Appropriators of water otherwise subject to Overlying Water Rights as the result of the provision of water service thereto by an Appropriator.

X. Annual Administrative Budget: The Watermaster shall prepare an annual administrative budget for public review, and shall hold a public hearing on each such budget

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prior to adoption. The budget shall be prepared in sufficient detail so as to make a proper allocation of the expenses and receipts. Expenditures within budgeted items may thereafter be made by the Watermaster as a matter of course.

Y. Redetermining the Safe Yield: The Safe Yield of the Beaumont Basin shall be redetermined at least every 10 years beginning 10 years after the date of entry of this Judgment.

6. Reports and Accounting

(a) Production Reports: Each Pumper shall periodically file, pursuant to Watermaster rules and regulations, a report showing the total production of such Pumper from each well during the preceding report period, and such additional information as the Watermaster may reasonably require.

(b) Watermaster Report and Accounting: The Watermaster shall prepare an annual report of the preceding year's operations, which shall include an audit of all assessments and Watermaster expenditures.

7. Replenishment

Supplemental Water may be obtained by the Watermaster from any source. The Watermaster shall seek the best available quality of Supplemental Water at the most reasonable cost for recharge in the Basin. Sources may include, but are not limited to:

(a) Recycled Water;

(b) State Water Project Water;

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(c) Other imported water.

Replenishment may be accomplished by any reasonable method including:

(a) Spreading and percolation, or injection of water in existing or new facilities; and/or

(b) In-lieu deliveries for direct surface use, in lieu of groundwater extraction.

VII. MISCELLANEOUS PROVISIONS

1. Designation of Address for Notice and Service

Each Party shall designate, in writing to the plaintiff, the name and address to be used for purposes of all subsequent notices and service herein, such designation to be delivered to the plaintiff within 30 days after the Judgment has been entered. The plaintiff shall, within 45 days after judgment has been entered, file the list of designees with the Court and serve the same on the Watermaster and all Parties. Such designation may be changed from time-to-time by filing a written notice of such change with the Watermaster. Any Party desiring to be relieved of receiving notices of Watermaster activity may file a waiver of notice on a form to be provided by the Watermaster. The Watermaster shall maintain, at all times, a current list of Parties to whom notices are to be sent and their addresses for purposes of service. The Watermaster shall also maintain a full current list of names and addresses of all Parties or their successors, as filed herein. Copies of such lists shall be available to any Person. If no designation is made, a Party's designee shall be deemed to be, in order of priority: (i) the Party's attorney of record; or (ii) if the Party does not have an

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attorney of record, the Party itself at the address on the Watermaster list.

2. Intervention After Judgment

Any Person who is neither a Party to this Judgment nor a successor or assignee of a Party to this Judgment may seek to become a party to this Judgment by filing a petition in intervention.

3. Interference with Pumping

Nothing in this judgment shall be deemed to prevent any party from seeking judicial relief against any other party whose pumping activities constitute an unreasonable interference with the complaining party's ability to extract groundwater.

4. Successors and Assigns

This Judgment and all provisions herein shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

5. Severability

The provisions of this Judgment are severable. If any provision of this Judgment is held by the Court to be illegal, invalid or unenforceable, that provision shall be excised from the Judgment. The remainder of the terms of the Judgment shall remain in full force and effect and shall in no way be affected, impaired or invalidated by such excision. This Judgment shall be reformed to add, in lieu of the excised provision, a provision as similar in terms to the excised provision as may be possible and be legal, valid and enforceable.

6. Review Procedures

Any action, decision, rule or procedure of the Watermaster

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pursuant to this Judgment shall be subject to review by the Court on its own motion or on timely motion by any Party, as follows:

A. Effective Date of Watermaster Action: Any order, decision or action of the Watermaster pursuant to this Judgment on noticed specific agenda items shall be deemed to have occurred on the date of the order, decision or action.

B. Notice of Motion: Any Party may, by a regularly-noticed motion, petition the Court for review of the Watermaster's action or decision pursuant to this Judgment. The motion shall be deemed to be filed when a copy, conformed as filed with the Court, has been delivered to the Watermaster, together with the service fee established by the Watermaster sufficient to cover the cost to photocopy and mail the motion to each Party. The Watermaster shall prepare copies and mail a copy of the motion to each Party or its designee according to the official service list which shall be maintained by the Watermaster according to Part VII, paragraph 1, above. A Party's obligation to serve the notice of a motion upon the Parties is deemed to be satisfied by filing the motion as provided herein. Unless ordered by the Court, any petition shall not operate to stay the effect of any Watermaster action or decision which is challenged.

C. Time for Motion: A motion to review any Watermaster action or decision shall be filed within 90 days after such Watermaster action or decision, except that motions to review Watermaster assessments hereunder shall be filed within 30 days of mailing of notice of the assessment.

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D. De Novo Nature of Proceeding: Upon filing of a petition to review a Watermaster action, the Watermaster shall notify the Parties of a date when the Court will take evidence and hear argument. The Court's review shall be de novo and the Watermaster decision or action shall have no evidentiary weight in such proceeding.

E. Decision: The decision of the Court in such proceedings shall be an appealable Supplemental Order in this case. When the same is final, it shall be binding upon the Watermaster and the Parties.

Dated: FEB - 4 2004

GARY TRANBARGER

JUDGE OF THE SUPERIOR COURT

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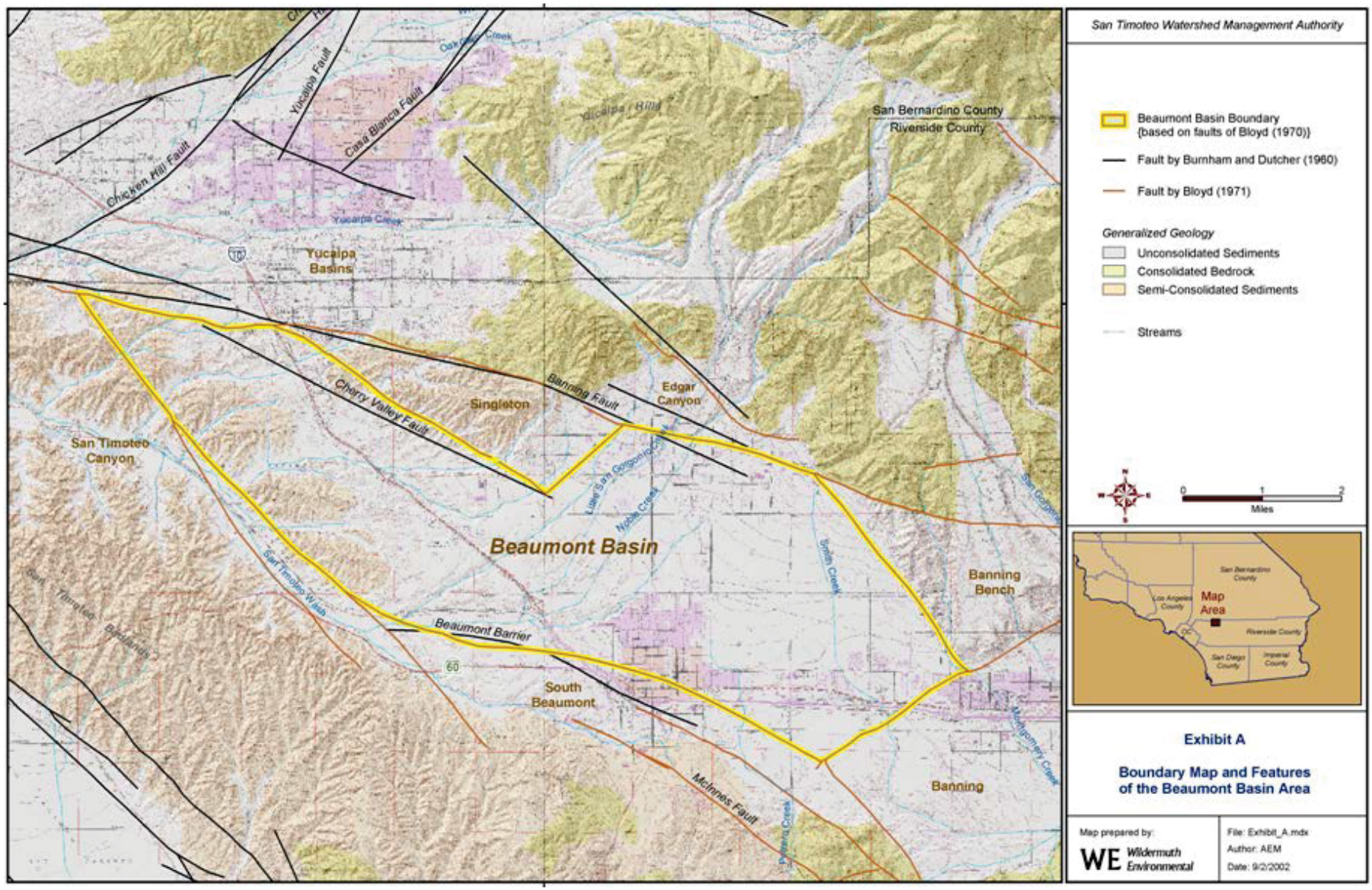

San Timoteo Watershed Management Authority
Beaumont Basin Boundary
(based on faults of Bloyd (1970))
Fault by Burnham and Dutcher (1960)
Fault by Bloyd (1971)
Generalized Geology
Unconsolidated Sediments
Consolidated Bedrock
Semi-Consolidated Sediments
Streams
Miles
Map Area
Exhibit A
Boundary Map and Features
of the Beaumont Basin Area
Map prepared by:
Wildermuth Environmental
File: Exhibit_A.mdx
Author: AEM
Date: 9/2/2002
Beaumont Basin
San Timoteo Canyon
Yucaipa Basins
Singleton
Edgar Canyon
Banning Bench
South Beaumont
Banning
San Bernardino County
Riverside County
Chicken Hill Fault
Yucaipa Fault
Casa Blanca Fault
Cherry Valley Fault
Banning Fault
Beaumont Barrier
McInnes Fault
Yucaipa Creek
Oak Glen Creek
Noble Creek
Smith Creek
Potrero Creek
Montgomery Creek
San Timoteo Wash
San Timoteo Badlands

Exhibit B
Overlying Producers and Their Rights

(1) Producer	(2) Average Production during 1997-2001 (acre-ft/yr)	(3) Exercised Rights[1] (acre-ft/yr)	(4) Projected Maximum Production (acre-ft/yr)
Beckman, Walt	0	0	75
Roman Catholic Bishop of San Bernardino	104	114	154
Rancho Calimesa Mobile Home Park	60	150	150
Merlin Properties, LLC.	540	550	550
Sunny-Cal Egg and Poultry Company[2]	1,340	1,340	1,439.5
Sunny-Cal North - Manheim, Manheim & Berman[2]			300
Nick Nikodinov[3]			20
Ronald L. McAmis[4]			5
Nicolas and Amalia Aldama[5]			7
Hector Gutierrez, Luis Gutierrez and Sebastian Monroy[6]			10
Boris and Miriam Darmont[7]			2.5
California Oak Valley Golf and Resort LLC	692	950	950
Leonard Stearn	0	0	200
Oak Valley Partners	510	553	1,806
So. California Professional Golf Association	680	1,688	2,200
Sharondale Mesa Owners Association	184	200	200
Plantation on the Lake	271	300	581
Totals	4,381	5,845	8,650

Note 1 -- Maximum Reported Production during 1997-2001

Note 2 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendents *Sunny-Cal Egg and Poultry* , and *Manheim, Manheim and Berman(MMB). As requested, Watermaster action designated 300 af of the aggregate right to MMB aka Sunny-Cal North on February 7, 2006.*

Note 3 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendents *Sunny-Cal Egg and Poultry* , and *Manheim, Manheim and Berman(MMB). As requested, Watermaster action designated 20 af of aggregate right to Nick Nikodinov on April 17, 2006.*

Note 4 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendents *Sunny-Cal Egg and Poultry* , and *Manheim, Manheim and Berman(MMB). As requested, Watermaster action designated 5 af of aggregate right to Ronald L. McAmis on June 13, 2006.*

Note 5 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendents *Sunny-Cal Egg and Poultry* , and *Manheim, Manheim and Berman(MMB). As requested, Watermaster action designated 7 af of aggregate right to Nicolas and Amalia Aldama on June 13, 2006.*

Note 6 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendents *Sunny-Cal Egg and Poultry* , and *Manheim, Manheim and Berman(MMB). As requested, Watermaster action designated 10 af of aggregate right to Hector Gutierrez, Luis Gutierrez and Sebastian Monroy on June 13, 2006.*

Note 7 -- The *Exercised Right* and *Projected Maximum Production* were an aggregate right for defendents *Sunny-Cal Egg and Poultry* , and *Manheim, Manheim and Berman(MMB). As requested, Watermaster action designated 2.50 af of aggregate right to Boris and Miriam Dermont on June 13, 2006.*

Exhibit C
Appropriators and Their Water Rights

(1) Producer	(2) Average Production during 1997-2001 (acre-ft/yr)	(3) Share of Safe Yield Allocated to Appropriators	(4) Initial Estimate of Appropriate Rights[1] (acre-ft/yr)	(5) Controlled Overdraft and Supplemental Water Recharge Allocation [2] (acre-ft/yr)	(6) Operating Yield (acre-ft/yr)
Banning, City of	2,170	31.43%	882	5,029	5,910
City of Beaumont	0	0.00%	0	0	0
Beaumont Cherry Valley Water District	2,936	42.51%	1,193	6,802	7,995
South Mesa Water Company	862	12.48%	350	1,996	2,346
Yucaipa Valley Water District	938	13.58%	381	2,173	2,554
Totals	6,906	100.00%	2,805	16,000	18,805

Note 1 – Based on a 8,650 acre-ft/yr safe yield

Note 2-- Controlled overdraft will not exceed 160,000 acre-ft during for first ten years of operation under the physical solution.

Exhibit D

Overlying Producers and the Parcels Upon Which Their Overlying Rights are Exercised[1]

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Beckman, Walt	405250004	19.04
	405250005	19.00
Total Area		38.04
California Oak Valley Golf and Resort	406070041	209.71
Total Area		209.71
Manheim, Manheim & Berman[2]	407200009	20.35
	407200011	20.00
	407200012	20.04
	407210001	45.41
	407210002	12.04
	407210004	4.16
Total Area		122.00
Roman Catholic Bishop of San Bernardino	413280016	16.78
	413280030	2.06
	413280036	12.42
Total Area		31.26
Oak Valley Partners	406060010	115.82
	406060015	4.00
	406060017	19.03
	406230020	4.26
	411210003	2.40
	411210005	105.41
	411210010	15.14
	411210016	9.77
	411210017	8.94
	413030011	315.30
	413040001	493.40
	413040002	137.00
	413040003	74.48
	413040004	6.50
	413040005	80.02
	413040006	75.54
	413040007	76.22

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Oak Valley Partners (cont'd)	413040008	144.48
	413040009	10.00
	413040010	78.22
	413060003	1.70
	413160003	80.00
	413160004	106.92
	413160005	53.08
	413160006	64.47
	413160007	15.53
	413170020	40.26
	413170021	27.62
	413170023	12.38
	413170027	14.19
	413170028	4.11
	413170029	2.35
	413170030	20.28
	413170031	66.63
	413170033	2.79
	413170035	11.74
	413180017	556.91
	413180019	9.77
	413190001	111.31
	413190003	5.64
	413190005	10.35
	413190008	12.40
	413190011	138.92
	413200002	0.23
	413200003	0.15
	413200010	5.94
	413200014	10.61
	413200015	11.36
	413200020	5.00
	413200023	14.47
	413200024	5.00
	413200026	32.86
	413200027	42.90
	413200028	116.62
	413200029	6.39
	413200030	19.01
	413200034	2.18
	413200035	10.99
	413200036	10.42
	413200037	4.95
	413270021	0.31
	413280034	2.37
	413280039	13.61
	413280040	1.91

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Oak Valley Partners (cont'd)	413280041	2.24
	413280042	6.86
	413290003	510.57
	413290004	16.08
	413290006	8.40
	413290007	103.68
	413450019	74.85
	413450020	169.96
	413450021	146.99
	413450024	48.25
	413450025	50.83
	413450026	122.59
	413450029	108.92
	413460036	199.12
	413460037	23.51
	413460038	19.58
	413460039	45.23
	413460039	45.23
	414090005	1.59
	414090007	1.38
	414090013	31.60
	414090017	20.00
	414090018	4.50
	414100002	42.13
	414100003	65.00
Total Area		5,331.65
Plantation on the Lake	407230031	12.36
	407230010	1.25
	406050018	156.85
	406050002	5.12
	406050003	1.81
Total Area		177.39
Rancho Calimesa Mobile Home Park	413270001	29.66
Total Area		29.66
Merlin Properties, LLC.	407230014	48.52
Total Area		48.52
Sharondale Mesa Owners Association	413330014	1.55
	413330015	2.14
	413331022	0.48
	413331035	0.22
	413340021	0.04
	413340022	0.04
	413340023	1.53
	413340024	2.52
	413341033	0.29

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Sharondale Mesa Owners Association (cont'd)	413341034	0.81
	413341036	0.35
	413342004	0.35
	413350011	1.04
	413350012	1.44
	413351018	17.08
	413351019	0.16
	413360032	1.92
	413360033	2.30
	413360035	0.90
	413361001	0.14
	413361008	0.12
	413361010	0.18
	413370027	0.39
	413370028	5.34
	413370030	0.69
	413371018	2.07
	413372019	1.39
Total Area		45.48
So. California Professional Golf Association	406060011	146.59
	406060013	2.83
	406060014	4.58
	406060016	10.35
	413450016	99.66
	413450022	95.15
	413450023	2.89
	413450027	91.53
Total Area		453.58
Stearns, Leonard	413221001	0.25
	413221002	0.34
	413260018	49.33
	413260025	0.37
	413270007	10.58
	413280010	1.27
	413280018	9.37
	413280021	4.26
	413280027	3.80
	413280037	14.32
Total Area		93.89
Sunny-Cal Egg and Poultry Company[2]	406080013	0.07
	407190016	4.95
	407190017	31.32
	407230022	20.03
	407230023	20.03
	407230024	20.03
	407230025	21.99

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Sunny-Cal Egg and Poultry Company[2] (cont'd)	407230026	25.94
	407230027	21.63
	407230028	21.56
Total Area		187.55
Nikodinov, Nick[4]	407180004	9.35
Total Area		9.35
McAmis, Ronald L.[5]	407190018	0.93
Total Area		0.93
Aldama, Nicolas and Amalia[6]	407190015	1.35
Total Area		1.35
Hector Gutierrez, Luis Gutierrez and Sebastian Monroy[7]	407190013	2.01
Total Area		2.01
Darmont, Boris and Miriam[8]	407190014	0.50
Total Area		0.50
Total Area for All Overlying Producers[3]		**6,782.87**

Note 1 -- Parcels as of June 1, 2003; updated to include Nick Nikodinov per April 17, 2006 Watermaster action; updated to include Ronald L. McAmis, Nicolas and Amalia Aldama, Hector Gutierrez, Luis Guiterrez, and Sebastian Monroy, and Boris and Miriam Darmont per June 13, 2006 Watermaster actions.

Note 2 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to MMB on February 7, 2006.

Note 3 -- The Watermaster shall recognize adjustments in parcel boundaries that result in de minimus changes in water use

Note 4 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Nick Nikodinov on Aprin 17, 2006.

Note 5 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Ronald L. McAmis on June 13, 2006.

Note 6 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Nicolas and Amalia Aldama on June 13, 2006.

Note 7 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Hector Gutierrez, Luis Gutierrez and Sebastian Monroy on June 13, 2006.

Note 8 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman (MMB) and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company. As requested, Watermaster designated a portion of these aggregated rights to Boris and Miriam Durmont on June 13, 2006.

ORIGINAL COPY

JOSEPH S. AKLUFI (Bar No. 68619)
AKLUFI AND WYSOCKI
3403 Tenth Street, Suite 610
Riverside, California 92501
(909)682-5480 Office
(909)682-2619 Fax

NO FILING FEE REQUIRED PER GOVERNMENT CODE, SEC. 6103

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

FEB - 4 2004

Attorneys for Plaintiff, SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF RIVERSIDE, RIVERSIDE COURT

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY, a public agency,

Plaintiff,

vs.

CITY OF BANNING, a municipal corporation; BEAUMONT-CHERRY VALLEY WATER DISTRICT, an irrigation district; YUCAIPA VALLEY WATER DISTRICT, a county water district; PLANTATION ON THE LAKE LLC, a California limited liability company; SHARONDALE MESA OWNERS ASSOCIATION, an unincorporated association; SOUTH MESA MUTUAL WATER COMPANY, a mutual water company; CALIFORNIA OAK VALLEY GOLF AND RESORT LLC, a California limited liability company; OAK VALLEY PARTNERS LP, a Texas limited partnership; SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA, a California corporation; SUNNY-CAL EGG AND POULTRY COMPANY, a California corporation; MANHEIM, MANHEIM & BERMAN, a California General Partnership; WALTER M. BECKMAN, individually and as Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990; THE ROMAN CATHOLIC BISHOP of San Bernardino,

CASE NO. RIC 389197

STIPULATION FOR ENTRY OF JUDGMENT ADJUDICATING GROUNDWATER RIGHTS IN THE BEAUMONT BASIN

AKLUFI AND WYSOCKI
3403 TENTH ST, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

a California corporation; MERLIN PROPERTIES, LLC; LEONARD M. STEARNS and DOROTHY D. STEARNS, individually and as Trustees of the LEONARD M. STEARNS FAMILY TRUST OF 1991; and DOES 1 through 500, inclusive,

Defendants.

I. STIPULATING PARTIES IDENTIFIED

The following parties, and each of them, agree to the terms of this Stipulation:

Plaintiff:

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

Overlying Defendants:

1. SHARONDALE MESA OWNERS ASSOCIATION, an unincorporated association
2. CALIFORNIA OAK VALLEY GOLF AND RESORT LLC, a California limited liability company
3. OAK VALLEY PARTNERS LP, a Texas limited partnership
4. SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA, a California corporation
5. SUNNY-CAL EGG AND POULTRY COMPANY, a California corporation
6. MANHEIM, MANHEIM & BERMAN, a California general partnership
7. WALTER M. BECKMAN, individually, and as Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990
8. THE ROMAN CATHOLIC BISHOP of San Bernardino, a California corporation
9. MERLIN PROPERTIES, LLC
10. LEONARD M. STEARNS and DOROTHY D. STEARNS, individually and as Trustees of the LEONARD M. STEARNS FAMILY TRUST OF 1991
11. PLANTATION ON THE LAKE LLC, a California limited liability company

Appropriating Defendants:

1. CITY OF BANNING, a municipal corporation
2. BEAUMONT-CHERRY VALLEY WATER DISTRICT, an irrigation district
3. SOUTH MESA MUTUAL WATER COMPANY, a mutual water company
4. YUCAIPA VALLEY WATER DISTRICT, a county water district

///

LAW OFFICES
AKLUFI AND WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

II. RECITALS

WHEREAS, plaintiff is a joint powers public agency, formed in 2001 for the purpose, among others, of preparing and implementing a Water Resources Management Plan for the San Timoteo Watershed and the waters tributary thereto, including the Beaumont Basin, in order to conserve local water supplies, improve surface and subsurface water quality and quantity, and to protect and enhance groundwater storage, for the benefit of the public;

WHEREAS, the Beaumont Basin, also known as the Beaumont Storage Unit, is the common source of water supply for appropriative water uses within the communities of Banning, Beaumont, Cherry Valley and Calimesa, and for various overlying uses including, but not limited to, golf courses and related facilities and agricultural production, including egg production and related agricultural irrigation uses;

WHEREAS, the maximum quantity of water which can be produced from the Beaumont Basin, at safe yield, is currently estimated to be 8650 acre feet per year, and the total groundwater production from the Beaumont Basin has exceeded and continues to exceed its safe yield;

WHEREAS, much of the land area within and adjacent to the Beaumont Basin is proposed to be intensively developed with residential, commercial and industrial uses, which will place additional demands on local water resources;

WHEREAS, it is estimated that the Beaumont Basin has the capability of storing more than 200,000 acre feet of water for overlying and appropriative use by water users within and

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RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

adjacent to the Beaumont Basin;

WHEREAS, the plaintiff proposes to invest substantial public funds to construct facilities that will enable the storage of water within the Beaumont Basin, in addition to the storage that occurs naturally;

WHEREAS, the Overlying and Appropriating Defendants wish to secure the provision and availability of a reliable, affordable, long-term water supply for the area within plaintiff's jurisdiction, making reasonable and beneficial use of the native groundwater in the Beaumont Basin, and other local water resources, promoting the importation of water into the area, and storage of such water, and local surface waters, in the Beaumont Basin;

WHEREAS, the Overlying Defendants believe that it is in their best interest to enter into this Stipulation and be subject to the attached Judgment, rather than continue to litigate the safe yield of the Beaumont Basin, the quantity of their overlying rights, both historical and unexercised, the rights they may have to use the storage volume existing beneath their respective lands, and other issues;

WHEREAS, in order to protect existing overlying and appropriative uses and to justify and protect the public investment necessary to utilize the available groundwater storage capacity in the Beaumont Basin, it is necessary to adjudicate the Beaumont Basin and to define the respective water rights of the overlying and appropriative producers of groundwater.

NOW, THEREFORE, the undersigned parties, and each of them, hereby agree to the following Stipulated Terms.

LAW OFFICES
AKLUFI AND WYSOCKI
3403 TENTH ST, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

III. STIPULATED TERMS

1. Form of Judgment: Judgment may be filed and entered in the form attached hereto as Exhibit "1" and made a part hereof.

2. Fees and Costs: Each party shall bear its own costs, attorneys fees and litigation expenses arising out of this adjudication.

3. Waiver: Notice of entry of judgment, the right to trial, stay of execution and appeal, is hereby waived, except as expressly set forth in the Judgment.

4. Binding Effect: This Stipulation and all obligations herein, shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

5. Construction and Interpretation: No adverse construction or interpretation of this Stipulation shall be made under the Civil Code simply because the parties drafted or participated in the drafting of this Stipulation. The terms of the Judgment shall be interpreted to further the purposes of this Stipulation.

6. Jurisdiction and Venue: The Superior Court of California in and for the County of Riverside shall have jurisdiction of this matter. In the event of any litigation arising out of this Stipulation, venue shall conclusively be deemed to lie in the County of Riverside.

7. Advice of Counsel: The undersigned each have had the opportunity to consult with or have consulted with their own legal counsel regarding this Stipulation and all matters set forth herein, or have knowingly waived the right to do so.

LAW OFFICES
AKLUFI / WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

8. Authority: Each person executing this Stipulation on behalf of any of the undersigned has been fully empowered to execute this Stipulation and that all necessary action for the execution of this Stipulation has been taken.

IT IS SO STIPULATED:

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

Dated: 1/6/04

By _____
President, Board of Directors

CITY OF BANNING

Dated: 12/23/03

By _____
Mayor

BEAUMONT-CHERRY VALLEY WATER DISTRICT

Dated: _____

By _____
President, Board of Directors

YUCAIPA VALLEY WATER DISTRICT

Dated: _____

By _____
President, Board of Directors

PLANTATION ON THE LAKE LLC

Dated: _____

By _____
President, Board of Directors

SHARONDALE MESA OWNERS ASSOCIATION

Dated: _____

By _____
President, Board of Directors

AKLUFI AND WYSOCKI
3403 TEN REET, SUITE 610
RIVERSIDE, LIFORNIA 92501
(909) 682-5480

8. Authority: Each person executing this Stipulation on behalf of any of the undersigned has been fully empowered to execute this Stipulation and that all necessary action for the execution of this Stipulation has been taken.

IT IS SO STIPULATED:

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

Dated: _____ By _____
President, Board of Directors

CITY OF BANNING

Dated: _____ By _____
Mayor

BEAUMONT-CHERRY VALLEY WATER DISTRICT

Dated: July 3, 2003 By _____
President, Board of Directors

YUCAIPA VALLEY WATER DISTRICT

Dated: _____ By _____
President, Board of Directors

PLANTATION ON THE LAKE LLC

Dated: _____ By _____
President, Board of Directors

SHARONDALE MESA OWNERS ASSOCIATION

Dated: _____ By _____
President, Board of Directors

AKLUFI AND WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

8. Authority: Each person executing this Stipulation on behalf of any of the undersigned has been fully empowered to execute this Stipulation and that all necessary action for the execution of this Stipulation has been taken.

IT IS SO STIPULATED:

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

Dated: _____ By _____
President, Board of Directors

CITY OF BANNING

Dated: _____ By _____
Mayor

BEAUMONT-CHERRY VALLEY WATER DISTRICT

Dated: _____ By _____
President, Board of Directors

YUCAIPA VALLEY WATER DISTRICT

Dated: 10/1/03 By _____
President, Board of Directors

PLANTATION ON THE LAKE LLC

Dated: _____ By _____
President, Board of Directors

SHARONDALE MESA OWNERS ASSOCIATION

Dated: _____ By _____
President, Board of Directors

AKLUFI AND WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

8. Authority: Each person executing this Stipulation on behalf of any of the undersigned has been fully empowered to execute this Stipulation and that all necessary action for the execution of this Stipulation has been taken.

IT IS SO STIPULATED:

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

Dated: _____ By _____
President, Board of Directors

CITY OF BANNING

Dated: _____ By _____
Mayor

BEAUMONT-CHERRY VALLEY WATER DISTRICT

Dated: _____ By _____
President, Board of Directors

YUCAIPA VALLEY WATER DISTRICT

Dated: _____ By _____
President, Board of Directors

PLANTATION ON THE LAKE LLC

Dated: 7/30/03 By James H. Krueger
~~President, Board of Directors~~
Manager of Meadows Management Company LLC, Manager

SHARONDALE MESA OWNERS ASSOCIATION

Dated: _____ By _____
President, Board of Directors

AKLUFI AND WYSOCKI
3403 TENTH ST, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

8. Authority: Each person executing this Stipulation on behalf of any of the undersigned has been fully empowered to execute this Stipulation and that all necessary action for the execution of this Stipulation has been taken.

IT IS SO STIPULATED:

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY

Dated: _____ By _____
President, Board of Directors

CITY OF BANNING

Dated: _____ By _____
Mayor

BEAUMONT-CHERRY VALLEY WATER DISTRICT

Dated: _____ By _____
President, Board of Directors

YUCAIPA VALLEY WATER DISTRICT

Dated: _____ By _____
President, Board of Directors

PLANTATION ON THE LAKE LLC

Dated: _____ By _____
President, Board of Directors

SHARONDALE MESA OWNERS ASSOCIATION

Dated: June 27, 2003 By Lena Jo Alexander
President, Board of Directors

AKLUFI AND WYSOCKI
3403 TENTH ST, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

SOUTH MESA MUTUAL WATER COMPANY

Dated: 6-27-03

By _____
President, Board of Directors

CALIFORNIA OAK VALLEY GOLF AND RESORT LLC

Dated: _____

By _____
President, Board of Directors

OAK VALLEY PARTNERS LP,
A Texas Limited Partnership

By: Oak Valley-Hunt, Inc.
a Texas Corporation
Managing General Partner

Dated: _____

By _____
D. CRAIG MARTIN

Its: President

SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA

Dated: _____

By _____
President, Board of Directors

SUNNY-CAL EGG AND POULTRY COMPANY

Dated: _____

By _____
President, Board of Directors

MANHEIM, MANHEIM & BERMAN

Dated: _____

By _____

AKLUFI AND WYSOCKI
3403 TENTH ET, SUITE 610
RIVERSIDE, C ORNIA 92501
(909) 682-5480

SOUTH MESA MUTUAL WATER COMPANY

Dated: _____

By _____
President, Board of Directors

CALIFORNIA OAK VALLEY GOLF AND RESORT LLC

Dated: 7-31-2003

By _____
President, Board of Directors

OAK VALLEY PARTNERS LP,
A Texas Limited Partnership

By: Oak Valley-Hunt, Inc.
a Texas Corporation
Managing General Partner

Dated: _____

By _____
D. CRAIG MARTIN

Its: President

SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA

Dated: _____

By _____
President, Board of Directors

SUNNY-CAL EGG AND POULTRY COMPANY

Dated: _____

By _____
President, Board of Directors

MANHEIM, MANHEIM & BERMAN

Dated: _____

By _____

AKLUFI AND WYSOCKI
3403 TENTH ST, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

SOUTH MESA MUTUAL WATER COMPANY

Dated: _____ By _____
President, Board of Directors

CALIFORNIA OAK VALLEY GOLF AND RESORT LLC

Dated: _____ By _____
President, Board of Directors

OAK VALLEY PARTNERS LP,
A Texas Limited Partnership

By: Oak Valley-Hunt, Inc.
a Texas Corporation
Managing General Partner

Dated: _____ By _____
D. CRAIG MARTIN

Its: President

SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA

Dated: _____ By _____
President, Board of Directors

SUNNY-CAL EGG AND POULTRY COMPANY

Dated: _____ By _____
President, Board of Directors

MANHEIM, MANHEIM & BERMAN

Dated: _____ By _____

ANLOFT AND WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

SOUTH MESA MUTUAL WATER COMPANY

Dated: _____

By _____
President, Board of Directors

CALIFORNIA OAK VALLEY GOLF AND RESORT LLC

Dated: _____

By _____
President, Board of Directors

OAK VALLEY PARTNERS LP,
A Texas Limited Partnership

By: Oak Valley-Hunt, Inc.
a Texas Corporation
Managing General Partner

Dated: _____

By _____
D. CRAIG MARTIN

Its: President

SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA

Dated: July 8, 2003

By Thomas C. Gustafson
~~President~~, ~~Board of Directors~~
CHIEF Executive Officer

SUNNY-CAL EGG AND POULTRY COMPANY

Dated: _____

By _____
President, Board of Directors

MANHEIM, MANHEIM & BERMAN

Dated: _____

By _____

3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

SOUTH MESA MUTUAL WATER COMPANY

Dated: _____ By _____
President, Board of Directors

CALIFORNIA OAK VALLEY GOLF AND RESORT LLC

Dated: _____ By _____
President, Board of Directors

OAK VALLEY PARTNERS LP,
A Texas Limited Partnership

By: Oak Valley-Hunt, Inc.
a Texas Corporation
Managing General Partner

Dated: _____ By _____
D. CRAIG MARTIN

Its: President

SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA

Dated: _____ By _____
President, Board of Directors

SUNNY-CAL EGG AND POULTRY COMPANY

Dated: _____ By Michael Marbeau
President, Board of Directors

MANHEIM, MANHEIM & BERMAN

Dated: _____ By Hatter Berman

3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) [illegible]-5480

Dated: 7-23-03

Walter M. Beckman
WALTER M. BECKMAN

Dated: 7-23-03

Walter M. Beckman
WALTER M. BECKMAN, Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990

Dated: _____

_____
CECIL MERLE MURRAY

MERLIN PROPERTIES, LLC

Dated: _____ By _____

Dated: _____

_____
LEONARD M. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

Dated: _____

_____
DOROTHY D. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

AKLUFI AND WYSOCKI
3403 TENTH ST, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

APPROVAL AND ORDER

The foregoing Stipulation is hereby approved and is so ordered.

Dated: _____

_____
JUDGE OF THE SUPERIOR COURT

Dated: _____

WALTER M. BECKMAN

Dated: _____

WALTER M. BECKMAN, Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990

THE ROMAN CATHOLIC BISHOP of San Bernardino, a California corporation

Dated: 9/18/03

By Msgr. Gerald M. Fogg

MERLIN PROPERTIES, LLC

Dated: _____

By _____

Dated: _____

LEONARD M. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

Dated: _____

DOROTHY D. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

APPROVAL AND ORDER

The foregoing Stipulation is hereby approved and is so ordered.

Dated: _____

_____

JUDGE OF THE SUPERIOR COURT

AKLUFI & WYSOCKI
3403 TENTH STREET, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

Dated: _____

WALTER M. BECKMAN

Dated: _____

WALTER M. BECKMAN, Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990

THE ROMAN CATHOLIC BISHOP of San Bernardino, a California corporation

Dated: _____ By _____

MERLIN PROPERTIES, LLC

Dated: July 31, 2003 By Paul L Rushmore

Dated: _____

LEONARD M. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

Dated: _____

DOROTHY D. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

APPROVAL AND ORDER

The foregoing Stipulation is hereby approved and is so ordered.

Dated: _____

JUDGE OF THE SUPERIOR COURT

3403 TENTH ST[illegible], SUITE 610
RIVERSIDE, C[illegible]IRNIA 92501
(909) 6[illegible]-5480

Dated: _____

WALTER M. BECKMAN

Dated: _____

WALTER M. BECKMAN, Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990

Dated: _____

CECIL MERLE MURRAY

MERLIN PROPERTIES, LLC

Dated: _____ By _____

Dated: 7-23-03

Leonard M. Stearns

LEONARD M. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

Dated: 7-23-03

Dorothy D. Stearns

DOROTHY D. STEARNS, individually and as Trustee of the LEONARD M. STEARNS FAMILY TRUST OF 1991

ARLOFT AND WYSOCKI
3403 TENTH ST, SUITE 610
RIVERSIDE, CALIFORNIA 92501
(909) 682-5480

APPROVAL AND ORDER

The foregoing Stipulation is hereby approved and is so ordered.

Dated: FEB - 4 2004

GARY TRANBARGER

JUDGE OF THE SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE

CASE TITLE: San Timoteo Watershed Management Authority v. City of Banning CASE NO.: RIC389197 DATE: March 14, 2019	Department 5	FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE MAR 14 2019 S. Salazar

PROCEEDING: Order to Beaumont Basin Watermaster to Serve Order to Show Cause

On February 25, 2019, the Court instructed counsel for the Beaumont Basin Watermaster to either bring a noticed motion to amend the judgment to cure the clerical errors, or else "to simply draft an Order to Show Cause that [the Court] will sign, directed to all the parties, as to why the judgment should not be corrected to change the errors . . . ." Counsel promised to "submit an OSC . . . ." When the Court asked how long it would be before the Court would have the proposed OSC in its hand, counsel promised to do so "before the end of [that] week." The end of that week would have been March 1, 2019.

Counsel did not do so. No proposed Order to Show Cause was ever submitted to this Court for its signature. Instead, on March 13, 2019, counsel delivered a document entitled "Notice of Order to Show Cause regarding Why the Attached Amendment of Judgment Should Not Be Granted," representing that the return date on the purported OSC was March 11, 2019. In fact, the Court had not issued an order to show cause, had not set any return date, and had not either scheduled or conducted a hearing on that or any other date.

Counsel for the Beaumont Basin Watermaster is instructed as follows:

1. Counsel shall revise the proposed amended judgment by adding an introductory provision on page 2, line 7, as follows: "To correct a clerical error at what is now page 6, line 5, and to correct the inadvertent omission of Exhibit E, the Court enters this Amended Judgment nunc pro tunc to February 4, 2004."

2. Counsel shall serve the attached Order to Show Cause, together with a complete copy of the proposed amended judgment as revised, on all parties no later than March 22, 2019.

3. Counsel shall file proof of service no later than March 29, 2019.

Craig G. Riemer, Judge of the Superior Court

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EXEMPT FROM FILING FEES
GOVERNMENT CODE § 6103

Attorneys for Defendant
Beaumont Basin Watermaster

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF RIVERSIDE

CENTRAL DISTRICT

SAN TIMOTEO WATERSHED MANAGEMENT AUTHORITY, a public agency

Plaintiff,

vs

CITY OF BANNING, a municipal corporation; BEAUMONT-CHERRY VALLEY WATER DISTRICT, an irrigation district; YUCAIPA VALLEY WATER DISTRICT, a county water district; PLANTATION ON THE LAKE LLC, a California limited liability company; SHARONDALE MESA OWNERS ASSOCIATION; an unincorporated association; SOUTH MESA MUTUAL WATER COMPANY, a mutual water company, CALIFORNIA OAK VALLEY GOLF AND RESORT LLC, a California limited liability company; OAK VALLEY PARTNERS LP, a Texas limited partnership; SOUTHERN CALIFORNIA SECTION OF THE PROFESSIONAL GOLFERS ASSOCIATION OF AMERICA, a California corporation; SUNNY-CAL EGG AND POULTRY COMPANY, a California corporation; MANHEIM, MANHEIM & BERMAN, a California General Partnership; WALTER M. BECKMAN, individually and as Trustee of the BECKMAN FAMILY TRUST dated December 11, 1990; THE ROMAN CATHOLIC BISHOP OF SAN BERNARDINO, a California

CASE NO.: RIC 389197

JUDGE: Craig G. Riemer
DEPT: 5

AMENDED JUDGMENT PURSUANT TO STIPULATION ADJUDICATING GROUNDWATER RIGHTS IN THE BEAUMONT BASIN

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Corporation; MERLIN PROPERTIES, LLC; LEONARD M. STEARNS AND DOROTHY D. STEARNS, individually and as Trustees of the LEONARD M. STEARNS FAMILY TRUST OF 1991; and DOES 1 through 500, inclusive,

Defendants.

I. INTRODUCTION

To correct a clerical error at what is now page 6, line 5, and to correct the inadvertent omission of Exhibit E, the Court enters this Amended Judgment nunc pro tunc to February 4, 2004.

1. Pleadings, Parties and Jurisdiction

The complaint herein was filed on February 20, 2003, seeking an adjudication of water rights, injunctive relief and the imposition of a physical solution. The defaults of certain defendants have been entered, and certain other defendants dismissed. Other than defendants who have been dismissed or whose defaults have been entered, all defendants have appeared herein. This Court has jurisdiction of the subject matter of this action and of the parties herein.

2. Stipulation for Judgment

Stipulation for Entry of Judgment has been filed by and on behalf of all defendants who have appeared herein.

3. Definitions

As used in this Judgment, these terms shall have the following meanings:

A. Appropriator or Appropriator Parties: the pumpers identified in Exhibit "C" attached hereto.

B. Appropriator's Production Right: consists of an Appropriator's share of Operating Yield, plus (1) any water acquired by an Appropriator from an Overlying Producer or other Appropriator pursuant to this Judgment, (2) any water withdrawn from the Appropriator's storage account, (3) and New Yield created by the Appropriator.

C. Appropriative Water: the amount of Safe Yield remaining after satisfaction of Overlying Water Rights.

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D. Appropriative Water Right: each Appropriator's share of Appropriative Water, such share expressed as a percentage as shown on Exhibit "C"

E. Beaumont Basin or Beaumont Storage Unit: the area situated within the boundaries shown on Exhibit "A" attached hereto.

F. Conjunctive Use: the storage of water in a Groundwater Basin for use at a later time.

G. Groundwater: water beneath the surface of the ground within the zone below the water table in which soil is saturated with water.

H. Groundwater Basin: an area underlain by one or more permeable formations capable of furnishing a substantial water supply.

I. Groundwater Storage Agreement: a standard form of written agreement between the Watermaster and any Person requesting the storage of Supplemental Water.

J. Groundwater Storage Capacity: the space available in a Groundwater Basin that is not utilized for storage or regulation of Safe Yield and is reasonably available for Stored Water and Conjunctive Use.

K. Minimal Producer: any Producer who pumps 10 or fewer acre feet of Groundwater from the Beaumont Basin per year.

L. New Yield: increases in yield in quantities greater than historical amounts from sources of supply including, but not limited to, capture of available storm flow, by means of projects constructed after February 20, 2003, as determined by the Watermaster.

M. Operating Yield: the maximum quantity of water which can be produced annually by the Appropriators from the Beaumont Basin, which quantity consists of Appropriative Water plus Temporary Surplus.

N. Overdraft: a condition wherein the total annual production from a Groundwater Basin exceeds the Safe Yield thereof.

O. Overlying Parties: the Persons listed on Exhibit "B", who are owners of land which overlies the Beaumont Basin and have exercised Overlying Water Rights to pump therefrom. Overlying Parties include successors in interest and assignees.

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P. Overlying Water Rights: the quantities decreed to Overlying Parties in Column 4 of Exhibit "B" to this Judgment.

Q. Overproduction: by an Appropriator, measured by an amount equal to the Appropriator's actual annual production minus the Appropriator's Production Right. By a new overlying producer, an amount equal to what the overlying producer pumped during the year.

R. Party (Parties): any Person(s) named in this action, or who has intervened, or has become subject to this Judgment either through stipulation, trial or otherwise.

S. Person: any individual, partnership, association, corporation, governmental entity or agency, or other organization.

T. Physical Solution: the physical solution set forth in Part V of this Judgment. Produce, Producing, Production, Pump or Pumping: the extraction of groundwater.

U. Producer or Pumper: any Person who extracts groundwater.

V. Recycled Water: has the meaning provided in Water Code Section 13050(n) and includes other nonpotable water for purposes of this Judgment.

W. Safe Yield: the maximum quantity of water which can be produced annually from a Groundwater Basin under a given set of conditions without causing a gradual lowering of the groundwater level leading eventually to depletion of the supply in storage. The Safe Yield of the Beaumont Basin is 8650 acre feet per year in each of the ten (10) years following entry of this Judgment.

X. San Timoteo Watershed Management Authority: a joint powers public agency whose members are the Beaumont-Cherry Valley Water District, the City of Beaumont, the South Mesa Mutual Water Company and the Yucaipa Valley Water District.

Y. Stored Water: Supplemental Water stored in the Beaumont Basin pursuant to Groundwater Storage Agreement with the Watermaster.

Z. Supplemental Water: water imported into the Beaumont Basin from outside the Beaumont Basin including, without limitation, water diverted from creeks upstream and tributary to Beaumont Basin and water which is recycled and useable within the Beaumont Basin.

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AA. Temporary Surplus: the amount of groundwater that can be pumped annually in excess of Safe Yield from a Groundwater Basin necessary to create enough additional storage capacity to prevent the waste of water.

BB. Watermaster: the Person appointed by the Court to administer and enforce the Physical Solution.

4. List of Exhibits

The following exhibits are attached to this Judgment and made a part hereof:

Exhibit "A" - - "Location Map of Beaumont Basin"
Exhibit "B" - -"Overlying Owners and Their Water Rights"
Exhibit "C" - - "Appropriators and Their Water Rights"
Exhibit "D" - -"Legal Description of Lands of the Overlying Parties"
Exhibit "E"" - - "Location of Overlying Producer Parcels" and Boundary of the Beaumont Basin"

II. INJUNCTIONS

1. Injunction Against Unauthorized Production of Beaumont Basin Water

Each party herein is enjoined, as follows:

A. Overlying Parties: Each defendant who is an Overlying Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from producing groundwater from the Beaumont Basin in any five-year period hereafter in excess of five times the share of the Safe Yield assigned to the Overlying Parties as set forth in Column 4 of Exhibit "B", as more fully described in the Physical Solution.

B. Appropriator Parties: Each defendant who is an Appropriator Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from producing groundwater from the Beaumont Basin in any year hereafter in excess of such party's Appropriator's Production Right, except as additional annual Production may be authorized by the provisions of the Physical Solution.

2. Injunction Against Unauthorized Storage or Withdrawal of Stored Water.

Each and every Party, and its officers, agents, employees, successors and assigns, is hereby enjoined and restrained from storing Supplemental Water in the Beaumont Basin for withdrawal, or causing withdrawal of water stored by that Party, except pursuant to the terms of a written Groundwater

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Storage Agreement with the Watermaster and in accordance with Watermaster Rules and Regulations. Any Supplemental Water stored in the Beaumont Basin, except pursuant to a Groundwater Storage Agreement, shall be deemed abandoned and not classified as Stored Water.

III. DECLARATION AND ADJUSTMENT OF RIGHTS

1. Overlying Rights

The Overlying Parties are currently exercising overlying Water Rights in the Beaumont Basin. As shown on Exhibit "B", the aggregate Projected Maximum Production of water from the Beaumont Basin pursuant to Overlying Water Rights is 8650 acre feet and the Overlying Water Rights are individually decreed, in Column 4 of Exhibit "B", for each Overlying Party. The Overlying Parties shall continue to have the right to exercise their respective Overlying Water Right as set forth in Column 4 of Exhibit "B" except to the extent their respective properties receive water service from an Appropriator Party, as contemplated by Paragraph III.3 of this Judgment.

2. Appropriator's Share of Operating Yield

Each Appropriator Party's share of Operating Yield is shown on Exhibit "C". Notwithstanding any other provision of this Judgment, each Appropriator Party may use its Appropriator's Production Right anywhere within its service area.

3. Adjustment of Rights

A. The Overlying Parties shall have the right to exercise their respective Overlying Water Rights except as provided in this Paragraph 3.

B. To the extent any Overlying Party requests, and uses its Exhibit "B", Column 4 water to obtain water service from an Appropriator Party, an equivalent volume of potable groundwater shall be earmarked by the Appropriator Party which will serve the Overlying Party, up to the volume of the Overlying Water Right as reflected in Column 4 of Exhibit "B" attached hereto, for the purpose of serving the Overlying Party. The intent of this provision is to ensure that the Overlying Party is given credit towards satisfying the water availability assessment provisions of Government Code, Section 66473.7 et seq. and Water Code, Section 10910 et seq. or other similar provisions of law, equal to the amount of groundwater earmarked hereunder.

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C. When an overlying Party receives water service as provided for in subparagraph III.3.B the Overlying Party shall forebear the use of that volume of the Overlying Water Right earmarked by the Appropriator Party. The Appropriator Party providing such service shall have the right to produce the volume of water foregone by the Overlying Party, in addition to other rights otherwise allocated to the Appropriator Party.

D. Should the volume of the Overlying Water Right equal or exceed the volume of potable groundwater earmarked as provided in subparagraph 3.B, the Appropriator Party which will serve the Overlying Party shall (i) impose potable water charges and assessments upon the Overlying Party and its successors in interest at the rates charged to the then-existing regular customers of the Appropriator Party, and (ii) not collect from such Overlying Party any development charge that may be related to the importation of water into the Beaumont Basin. The Appropriator Party which will serve the Overlying Party pursuant to Subparagraph 111.3.5 shall also consider, and negotiate in good faith regarding, the provision of a meaningful credit for any pipelines, pump stations, wells or other facilities that may exist on the property to be served.

E. In the event an Overlying Party receives Recycled Water from an Appropriator Party to serve an overlying use served with groundwater, the Overlying Water Right of the Overlying Party shall not be diminished by the receipt and use of such Recycled Water. Recycled Water provided by an Appropriator Party to an Overlying Party shall satisfy the criteria set forth in the California Water Code including, without limitation, the criteria set forth in Water Code Sections 13550 and 13551. The Appropriator Party which will serve the Recycled Water shall have the right to use that portion of the Overlying Water Right of the Overlying Party offset by the provision of Recycled Water service pursuant to the terms of this subparagraph; provided, however, that such right of use by the Appropriator Party shall no longer be valid if the Recycled Water, provided by the Appropriator Party to the Overlying Party, does not satisfy the requirements of Sections 13550 and 13551 and the Overlying Party ceases taking delivery of such Recycled Water.

F. Nothing in this Judgment is intended to impair or adversely affect the ability of an Overlying Party to enter into annexation or development agreements with any Appropriator Party.

G. Oak Valley Partners LP ("Oak Valley") is developing its property pursuant to Specific Plans 216 and 216A adopted by the County of Riverside ("County") in May 1990, and Specific Plan 318 adopted by the County in August, 2001, (Specific Plans 216, 216A and 318 are collectively referred to as the "Specific Plans"). The future water supply needs at build-out of the Specific Plans will greatly exceed Oak Valley's Projected Maximum Production, as reflected in Exhibit "B" to the Judgment, and may be as much as 12,811 acre feet per year. Oak Valley has annexed the portion of its property now within the City of Beaumont into the Beaumont-Cherry Valley Water District ("BCVWD"), and is in the process of annexing the remainder portion of its property into the Yucaipa Valley Water District ("YVWD"), in order to obtain retail water service for the development of the Oak Valley Property pursuant to the Specific Plans (for purposes of this subparagraph BCVWD and YVWD are collectively referred to as the "Water Districts", and individually as a "Water District"). YVWD covenants to use its best efforts to finalize the annexation of the Oak Valley property within the Calimesa City limits. Oak Valley, for itself and its successors and assigns, hereby agrees, by this stipulation and upon final annexation of its property by YVWD, to forbear from claiming any future, unexercised, overlying rights in excess of the Projected Maximum Production of Exhibit "B" of 1806 acre feet per year. As consideration for the forbearance, the Water Districts agree to amend their respective Urban Water Management Plans ("UWMP") in 2005 as follows: BCVWD agrees that 2,400 acre feet per year of projected water demand shall be included for the portion of. Oak Valley to be served by BCVWD in its UWMP, and YVWD agrees to include 8,000 acre feet per year of projected water demand as a projected demand for the portion of Oak Valley to be served by YVWD in its UWMP by 2025. The Water Districts agree to use their best judgment to accurately revise this estimate to reflect the projected water demands for the UWMP prepared in 2010. Furthermore, the Water Districts further agree that, in providing water

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availability assessments prior to 2010, as required by Water Code §10910 and water supply verifications as required by Government Code §§66455.3 and 66473.7, or any similar statute, and in maintaining their respective UWMP, each shall consider the foregoing respective projected water demand figures for Oak Valley as proposed water demands. The intent of the foregoing requirements is to ensure that Oak Valley is credited for the forbearance of its overlying water rights and is fully accounted for in each Water District's UWMP and overall water planning. The Water Districts' actions in performance of the foregoing planning obligations shall not create any right or entitlement to, or priority or allocation in, any particular water supply source, capacity or facility, or any right to receive water service other than by satisfying the applicable Water District's reasonable requirements relating to application for service. Nothing in this subparagraph G is intended to affect or impair the provision of earmarked water to Overlying Parties who request and obtain water service from Appropriator Parties, as set forth in subparagraph III.3.B, above.

H. Persons who would otherwise qualify as Overlying Producers based on, an interest in land lying within the City of Banning's service area shall not have the rights described in this Paragraph 111.3.

4. Exemption for Minimal Producers

Unless otherwise ordered by the Court, Minimal Producers are exempt from the provisions of this Judgment.

IV. CONTINUING JURISDICTION

Full jurisdiction, power and authority is retained and reserved to the Court for purposes of enabling the Court, upon application of any Party, by a motion noticed for at least a 30-day period (or consistent with the review procedures of Paragraph VII.6 herein, if applicable), to make such further or supplemental order or directions as may be necessary or appropriate for interim operation of the Beaumont Basin before the Physical Solution is fully operative, or for interpretation, or enforcement or carrying out of this Judgment, and to modify, amend or amplify any of the provisions of this Judgment or to add to the provisions hereof consistent with the rights herein decreed; except that the Court's

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jurisdiction does not extend to the redetermination of (a) Safe Yield during the first ten years of operation of the Physical Solution, and (b) the fraction of the share of Appropriative Water of each Appropriator.

V. THE PHYSICAL SOLUTION

1. Purpose and Objective

In accordance with the mandate of Section 2 of Article X of the California Constitution, the Court hereby adopts, and orders the parties to comply with, a Physical Solution. The purpose of the Physical Solution is to establish a legal and practical means for making the maximum reasonable beneficial use of the waters of Beaumont Basin, to facilitate conjunctive utilization of surface, ground and Supplemental Waters, and to satisfy the requirements of water users having rights in, or who are dependent upon, the Beaumont Basin. Such Physical Solution requires the definition of the individual rights of all Parties within the Beaumont Basin in a manner which will fairly allocate the native water supplies and which will provide for equitable sharing of costs of Supplemental water.

2. Need for Flexibility

The Physical Solution must provide maximum flexibility and adaptability in order that the Watermaster and the Court may be free to use existing and future technological, social, institutional and economic options. To that end, the Court's retained jurisdiction shall be utilized, where appropriate, to supplement the discretion granted herein to the Watermaster.

3. Production and Storage in Accordance With Judgment

This Judgment, and the Physical Solution decreed herein, address all Production and Storage within the Beaumont Basin. Because the Beaumont Basin is at or near a condition of Overdraft, any Production outside the framework of this Judgment and Physical Solution will potentially damage the Beaumont Basin, injure the rights of all Parties, result in the waste of water and interfere with the Physical Solution. The Watermaster shall bring an action or a motion to enjoin any Production that is not in accordance with the terms of this Judgment.

4. General Pattern of Operation

One fundamental premise of the adjudication is that all Producers shall be allowed to pump sufficient water from the Beaumont Basin to meet their respective requirements. Another fundamental premise of the adjudication is that Overlying Parties who pump no more than the amount of their

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Overlying Water Right as shown on Column 4 of Exhibit "B" hereto, shall not be charged for the replenishment of the Beaumont Basin. To the extent that pumping exceeds five (5) times the share of the Safe Yield assigned to an Overlying Party (Column 4 of Exhibit "B") in any five (5) consecutive years, or the share of Operating Yield Right of each Appropriator Party, each such Party shall provide funds to enable the Watermaster to replace such Overproduction.

5. Use of Available Groundwater Storage Capacity

A. There exists in the Beaumont Basin a substantial amount of available Groundwater Storage Capacity. Such Capacity can be reasonably used for Stored Water and Conjunctive Use and may be used subject to Watermaster regulation to prevent injury to existing Overlying and Appropriative water rights, to prevent the waste of water, and to protect the right to the use of Supplemental Water in storage and Safe Yield of the Beaumont Basin.

B. There shall be reserved for Conjunctive Use a minimum of 200,000 acre feet of Groundwater Storage Capacity in the Beaumont Basin provided that such amount may be reduced as necessary to prevent injury to existing water rights or existing uses of water within the Basin, and to prevent the waste of water. Any Person may make reasonable beneficial use of the Groundwater Storage Capacity for storage of Supplemental Water; provided, however, that no such use shall be made except pursuant to a written Groundwater Storage Agreement with the Watermaster. The allocation and use of Groundwater Storage Capacity shall have priority and preference for Producers within the Beaumont Basin over storage for export. The Watermaster may, from time-to-time, redetermine the available Groundwater Storage Capacity.

VI. ADMINISTRATION

1. Administration and Enforcement by Watermaster

The Watermaster shall administer and enforce the provisions of this Judgment and any subsequent order or instructions of the Court.

2. Watermaster Control

The Watermaster is hereby granted discretionary powers to develop and implement a groundwater management plan and program for the Beaumont Basin, which plan shall be filed with and shall be subject to review and approval by, the Court, and which may include water quantity and quality

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considerations and shall reflect the provisions of this Judgment. Except for the exercise by Overlying Parties of their respective Rights described in Column 4 of Exhibit "B" hereto in accordance with the provisions of the Physical Solution, groundwater extractions and the replenishment thereof, and the storage of Supplemental Water, shall be subject to procedures established and administered by the Watermaster. Such procedures shall be subject to review by the Court upon motion by any Party.

3. Watermaster Standard of Performance

The Watermaster shall, in carrying out its duties and responsibilities herein, act in an impartial manner without favor or prejudice to any Party or purpose of use.

4. Watermaster Appointment

The Watermaster shall consist of a committee composed of persons nominated by the City of Banning, the City of Beaumont, the Beaumont-Cherry Valley Water District, the South Mesa Mutual Water Company and the Yucaipa Valley Water District, each of which shall have the right to nominate one representative to the Watermaster committee who shall be an employee of or consultant to the nominating agency. Each such nomination shall be made in writing, served upon the other parties to this Judgment and filed with the Court, which shall approve or reject such nomination. Each Watermaster representative shall serve until a replacement nominee is approved by the Court. The nominating agency shall have the right to nominate that representative's successor.

5. Powers and Duties of the Watermaster

Subject to the continuing supervision and control of the Court, the Watermaster shall have and may exercise the following express powers, and shall perform the following duties, together with any specific powers, authority, and duties granted or imposed elsewhere in this Judgment or hereafter ordered or authorized by the Court in the exercise of its continuing jurisdiction:

A. Rules and Regulations: The adoption of appropriate rules and regulations for the conduct of Watermaster affairs, copies of which shall be provided to all interested parties.

B. Wellhead Protection and Recharge: The identification and management of wellhead protection areas and recharge areas.

C. Well Abandonment: The administration of a well abandonment and well destruction program.

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D. Well Construction: The development of minimum well construction specifications and the permitting of new wells.

E. Mitigation of Overdraft: The mitigation of conditions of uncontrolled overdraft.

F. Replenishment: The acquisition and recharge of Supplemental Water.

G. Monitoring: The monitoring of groundwater levels, ground levels, storage, and water quality.

H. Conjunctive Use: The development and management of conjunctive-use programs.

I. Local Projects: The coordination of construction and operation, by local agencies, of recharge, storage, conservation, water recycling, extraction projects and any water resource management activity within or impacting the Beaumont Basin.

J. Land Use Plans: The review of land use plans and coordination with land use planning agencies to mitigate or eliminate activities that create a reasonable risk of groundwater contamination.

K. Acquisition of Facilities: The purchase, lease and acquisition of all necessary real and personal property, including facilities and equipment.

L. Employment of Experts and Agents: The employment or retention of such technical, clerical, administrative, engineering, accounting, legal or other specialized personnel and consultants as may be deemed appropriate. The Watermaster shall maintain records allocating the cost of such services as well as all other expenses of Watermaster administration.

M. Measuring Devices: Except as otherwise provided by agreement the Watermaster shall install and maintain in good operating condition, at the cost of the Watermaster, such necessary measuring devices or meters as Watermaster may deem appropriate. Such devices shall be inspected and tested as deemed necessary by the Watermaster and the cost thereof borne by the Watermaster. Meter repair and retesting will be a Producer expense.

N. Assessments: The Watermaster is empowered to levy and collect the following assessments:

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(1) Annual Replenishment Assessments

The Watermaster shall levy and collect assessments in each year, in amounts sufficient to purchase replenishment water to replace Overproduction by any Party.

(2) Annual Administrative Assessments

a. Watermaster Expenses: The expenses of administration of the Physical Solution shall be categorized as either "General Watermaster Administration Expenses", or "Special Project Expenses".

i. General Watermaster Administration Expenses: shall include office rent, labor, supplies, office equipment, incidental expenses and general overhead. General Watermaster Administration Expenses shall be assessed by the Watermaster equally against the Appropriators who have appointed representatives to the Watermaster.

ii. Special Project Expenses: shall include special engineering, economic or other studies, litigation expenses, meter testing or other major operating expenses. Each such project shall be assigned a task order number and shall be separately budgeted and accounted for. Special Project Expenses shall be allocated to the Appropriators, or portion thereof, on the basis of benefit.

O. Investment of Funds; Borrowing: The Watermaster may hold and invest Watermaster funds as authorized by law, and may borrow, from time-to-time, amounts not exceeding annual receipts.

P. Contracts: The Watermaster may enter into contracts for the performance of any of its powers.

Q. Cooperation With Other Agencies: The Watermaster may act jointly or cooperate with other local, state and federal agencies.

R. Studies: The Watermaster may undertake relevant studies of hydrologic conditions and operating aspects of the management program for the Beaumont Basin.

S. Groundwater Storage Agreements: The. Watermaster shall adopt uniform rules and a standard form of agreement for the storage of Supplemental Water, provided that the activities undertaken pursuant to such agreements do not injure any Party.

T. Administration of Groundwater Storage Capacity: Except for the exercise by the Overlying Parties of their respective Overlying Water Rights described in Part III, above, in accordance with the provisions of the Physical Solution, all Groundwater Storage capacity in the Beaumont Basin shall be subject to the Watermaster's rules and regulations, which regulations shall ensure that sufficient storage capacity shall be reserved for local projects. Any Person or entity may apply to the Watermaster to store water in the Beaumont Basin.

U. Accounting for Stored Water: The Watermaster shall calculate additions, extractions and losses and maintain an annual account of all stored water in the Beaumont Basin, and any losses of water supplies or Safe Yield resulting from such stored water.

V. Accounting. for New Yield: Recharge of the Beaumont Basin with New Yield water shall be credited to the Party that creates the New Yield. The Watermaster shall make an independent scientific assessment of the estimated New Yield created by each proposed project. New Yield will be allocated on an annual basis, based upon monitoring data and review by the Watermaster.

W. Accounting for Acquisitions of Water Rights: The Watermaster shall maintain an accounting of acquisitions by Appropriators of water otherwise subject to Overlying Water Rights as the result of the provision of water service thereto by an Appropriator.

X. Annual Administrative Budget: The Watermaster shall prepare an annual administrative budget for public review, and shall hold a public hearing on each such budget prior to adoption. The budget shall be prepared in sufficient detail so as to

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SANTA ANA

make a proper allocation of the expenses and receipts. Expenditures within budgeted items may thereafter be made by the Watermaster as a matter of course.

Y. Redetermining the Safe Yield: The Safe Yield of the Beaumont Basin shall be redetermined at least every 10 years beginning 10 years after the date of entry of this Judgment.

6. Reports and Accounting

(a) Production Reports: Each Pumper shall periodically file, pursuant to Watermaster rules and regulations, a report showing the total production of such Pumper from each well during the preceding report period, and such additional information as the Watermaster may reasonably require.

(b) Watermaster Report and Accounting: The Watermaster shall prepare an annual report of the preceding year's operations, which shall include an audit of all assessments and Watermaster expenditures.

7. Replenishment

Supplemental Water may be obtained by the Watermaster from any source. The Watermaster shall seek the best available quality of Supplemental Water at the most reasonable cost for recharge in the Basin. Sources may include, but are not limited to:

(a) Recycled Water;

(b) State Water Project Water;

(c) Other imported water.

Replenishment may be accomplished by any reasonable method including:

(a) Spreading and percolation, or injection of water in existing or new facilities; and/or

(b) In-lieu deliveries for direct surface use, in lieu of groundwater extraction.

VII. MISCELLANEOUS PROVISIONS

1. Designation of Address for Notice and Service

Each Party shall designate, in writing to the plaintiff, the name and address to be used for purposes of all subsequent notices and service herein, such designation to be delivered to the plaintiff

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within 30 days after the Judgment has been entered. The plaintiff shall, within 45 days after judgment has been entered, file the list of designees with the Court and serve the same on the Watermaster and all Parties. Such designation may be changed from time-to-time by filing a written notice of such change with the Watermaster. Any Party desiring to be relieved of receiving notices of Watermaster activity may file a waiver of notice on a form to be provided by the Watermaster. The Watermaster shall maintain, at all times, a current list of Parties to whom notices are to be sent and their addresses for purposes of service. The Watermaster shall also maintain a full current list of names and addresses of all Parties or their successors, as filed herein. Copies of such lists shall be available to any Person. If no designation is made, a Party's designee shall be deemed to be, in order of priority: (i) the Party's attorney of record; or (ii) if the Party does not have an attorney of record, the Party itself at the address on the Watermaster list.

2. Intervention After Judgment

Any Person who is neither a Party to this Judgment nor a successor or assignee of a Party to this Judgment may seek to become a party to this Judgment by filing a petition in intervention.

3. Interference with Pumping

Nothing in this judgment shall be deemed to prevent any party from seeking judicial relief against any other party whose pumping activities constitute an unreasonable interference with the complaining party's ability to extract groundwater.

4. Successors and Assigns

This Judgment and all provisions herein shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of the parties hereto.

5. Severability

The provisions of this Judgment are severable. If any provision of this Judgment is held by the Court to be illegal, invalid or unenforceable, that provision shall be excised from the Judgment. The remainder of the terms of the Judgment shall remain in full force and effect and shall in no way be affected, impaired or invalidated by such excision. This Judgment shall be reformed to add, in lieu of the excised provision, a provision as similar in terms to the excised provision as may be possible and be legal, valid and enforceable.

6. Review Procedures

Any action, decision, rule or procedure of the Watermaster pursuant to this Judgment shall be subject to review by the Court on its own motion or on timely motion by any Party, as follows:

A. Effective Date of Watermaster Action: Any order, decision or action of the Watermaster pursuant to this Judgment on noticed specific agenda items shall be deemed to have occurred on the date of the order, decision or action.

B. Notice of Motion: Any Party may, by a regularly-noticed motion, petition the Court for review of the Watermaster's action or decision pursuant to this Judgment. The motion shall be deemed to be filed when a copy, conformed as filed with the Court, has been delivered to the Watermaster, together with the service fee established by the Watermaster sufficient to cover the cost to photocopy and mail the motion to each Party. The Watermaster shall prepare copies and mail a copy of the motion to each Party or its designee according to the official service list which shall be maintained by the Watermaster according to Part VII, paragraph 1, above. A Party's obligation to serve the notice of a motion upon the Parties is deemed to be satisfied by filing the motion as provided herein. Unless ordered by the Court, any petition shall not operate to stay the effect of any Watermaster action or decision which is challenged.

C. Time for Motion: A motion to review any Watermaster action or decision shall be filed within 90 days after such Watermaster action or decision, except that motions to review Watermaster assessments hereunder shall be filed within 30 days of mailing of notice of the assessment.

D. De Novo Nature of Proceeding: Upon filing of a petition to review a Watermaster action, the Watermaster shall notify the Parties of a date when the Court will take evidence and hear argument. The Court's review shall be de novo and the Watermaster decision or action shall have no evidentiary weight in such proceeding.

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E. Decision: The decision of the Court in such proceedings shall be an appealable Supplemental Order in this case. When the same is final, it shall be binding upon the Watermaster and the Parties.

DATED: _____ By: _____
Judge of the Superior Court

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SANTA ANA

EXHIBIT A

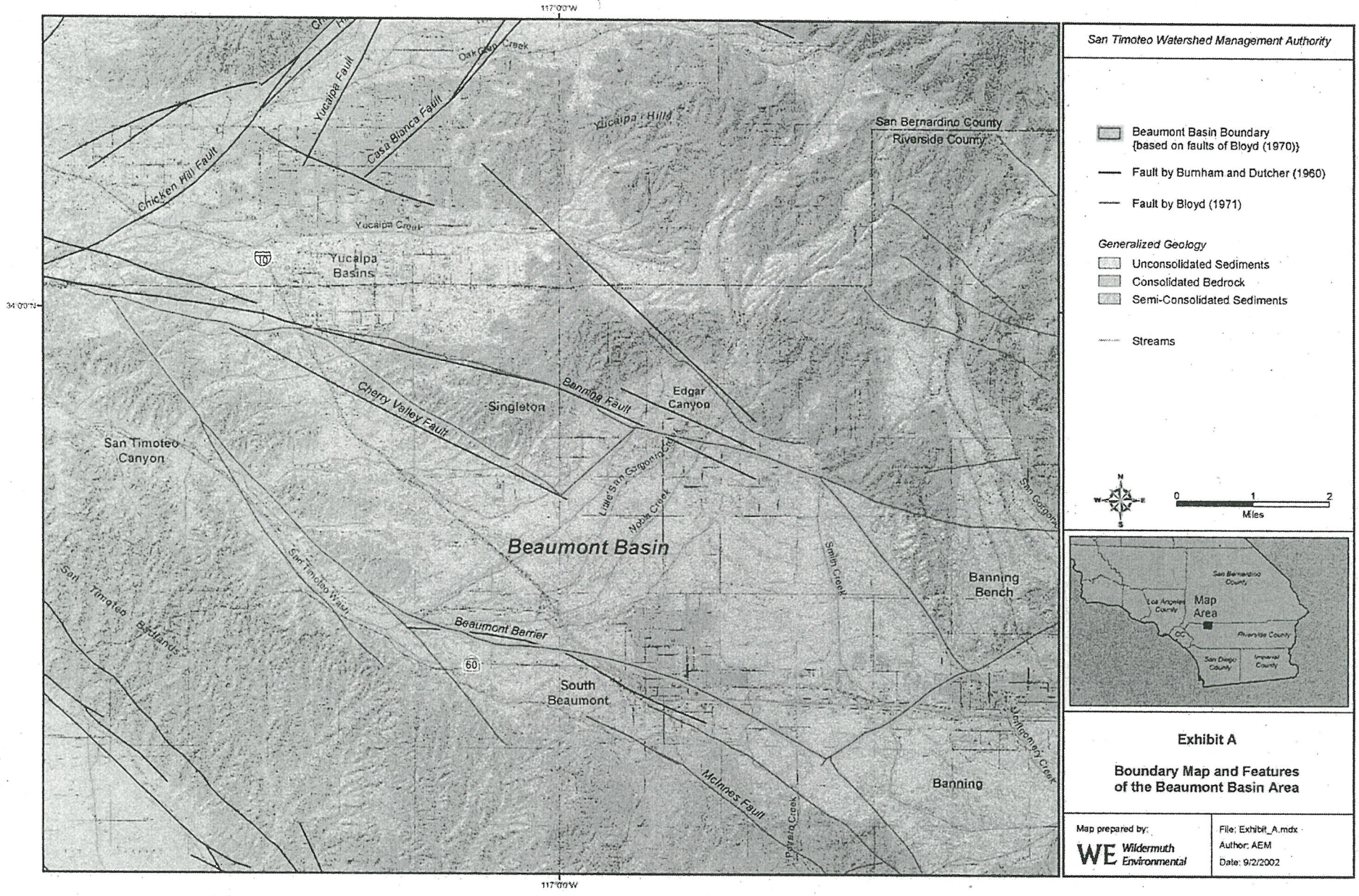

117°00'W
34°00'N
Yucaipa Fault
Oak Glen Creek
Casa Blanca Fault
Yucaipa Hills
San Bernardino County
Riverside County
Chicken Hill Fault
Yucaipa Creek
10
Yucaipa Basins
Cherry Valley Fault
Banning Fault
Singleton
Edgar Canyon
San Timoteo Canyon
Little San Gorgonio Creek
Noble Creek
San Gorgonio
Beaumont Basin
Smith Creek
Banning Bench
San Timoteo Badlands
San Timoteo Wash
Beaumont Barrier
60
South Beaumont
Montgomery Creek
McInnes Fault
Potrero Creek
Banning
San Timoteo Watershed Management Authority
Beaumont Basin Boundary
(based on faults of Bloyd (1970))
Fault by Burnham and Dutcher (1960)
Fault by Bloyd (1971)
Generalized Geology
Unconsolidated Sediments
Consolidated Bedrock
Semi-Consolidated Sediments
Streams
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1
2
Miles
San Bernardino County
Los Angeles County
Map Area
Riverside County
San Diego County
Imperial County
Exhibit A
Boundary Map and Features of the Beaumont Basin Area
Map prepared by:
WE Wildermuth Environmental
File: Exhibit_A.mdx
Author: AEM
Date: 9/2/2002

EXHIBIT B

Exhibit B
Overlying Owners and Their Water Rights

(1) Producer	(2) Average Production during 1997-2001 (acre-ft/yr)	(3) Exercised Rights[1] (acre-ft/yr)	(4) Projected Maximum Production (acre-ft/yr)
Beckman, Walt	0	0	75
Roman Catholic Bishop of San Bernardino	104	114	154
Rancho Calimesa Mobile Home Park	60	150	150
Riedman, Fred L. and Richard M.	540	550	550
Sunny-Cal Egg and Poultry Company[2]	1,340	1,340	1,784
California Oak Valley Golf and Resort LLC	692	950	950
Leonard Stearn	0	0	200
Oak Valley Partners	510	553	1,806
So. California Professional Golf Association	680	1,688	2,200
Sharondale Mesa Owners Association	184	200	200
Plantation on the Lake	271	300	581
Totals	4,381	5,845	8,650

Note 1 -- Maximum Reported Production during 1997-2001

Note 2 -- The *Exercised Right* and *Project Maximum Production* are an aggregate right for defendents *Sunny-Cal Egg and Poultry*, and *Manheim, Manheim and Berman*

EXHIBIT C

Exhibit C
Appropriators and Their Water Rights

(1) Producer	(2) Average Production during 1997-2001 (acre-ft/yr)	(3) Share of Safe Yield Allocated to Appropriators	(4) Initial Estimate of Appropriate Rights[1] (acre-ft/yr)	(5) Controlled Overdraft and Supplemental Water Recharge Allocation[2] (acre-ft/yr)	(6) Operating Yield (acre-ft/yr)
Banning, City of	2,170	31.43%	882	5,029	5,910
City of Beaumont	0	0.00%	0	0	0
Beaumont Cherry Valley Water District	2,936	42.51%	1,193	6,802	7,995
South Mesa Water Company	862	12.48%	350	1,996	2,346
Yucaipa Valley Water District	938	13.58%	381	2,173	2,554
Totals	6,906	100.00%	2,805	16,000	18,805

Note 1 -- Based on a 8,650 acre-ft/yr safe yield

Note 2-- Controlled overdraft will not exceed 160,000 acre-ft during for first ten years of operation under the physical solution.

EXHIBIT D

Exhibit D
Legal Description of Lands of the Overlying Parties[1]

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Beckman, Walt	405250004	19.04
	405250005	19.00
Total Area		38.04
California Oak Valley Golf and Resort	406070041	209.71
Total Area		209.71
Manheim, Manheim & Berman[2]	407200009	20.35
	407200011	20.00
	407200012	20.04
	407210001	45.41
	407210002	12.04
	407210004	4.16
Total Area		122.00
Roman Catholic Bishop of San Bernardino	413280016	16.78
	413280030	2.06
	413280036	12.42
Total Area		31.26
Oak Valley Partners	406060010	115.82
	406060015	4.00
	406060017	19.03
	406230020	4.26
	411210003	2.40
	411210005	105.41
	411210010	15.14
	411210016	9.77
	411210017	8.94
	413030011	315.30
	413040001	493.40
	413040002	137.00
	413040003	74.48

Exhibit D
Legal Description of Lands of the Overlying Parties[1]

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
	413040004	6.50
	413040005	80.02
	413040006	75.54
	413040007	76.22
	413040008	144.48
	413040009	10.00
	413040010	78.22
	413060003	1.70
	413160003	80.00
	413160004	106.92
	413160005	53.08
	413160006	64.47
	413160007	15.53
	413170020	40.26
	413170021	27.62
	413170023	12.38
	413170027	14.19
	413170028	4.11
	413170029	2.35
	413170030	20.28
	413170031	66.63
	413170033	2.79
	413170035	11.74
	413180017	556.91
	413180019	9.77
	413190001	111.31
	413190003	5.64
	413190005	10.35
	413190008	12.40
	413190011	138.92
	413200002	0.23
	413200003	0.15
	413200010	5.94
	413200014	10.61
	413200015	11.36
	413200020	5.00
	413200023	14.47

Exhibit D
Legal Description of Lands of the Overlying Parties[1]

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
	413200024	5.00
	413200026	32.86
	413200027	42.90
	413200028	116.62
	413200029	6.39
	413200030	19.01
	413200034	2.18
	413200035	10.99
	413200036	10.42
	413200037	4.95
	413270021	0.31
	413280034	2.37
	413280039	13.61
	413280040	1.91
	413280041	2.24
	413280042	6.86
	413290003	510.57
	413290004	16.08
	413290006	8.40
	413290007	103.68
	413450019	74.85
	413450020	169.96
	413450021	146.99
	413450024	48.25
	413450025	50.83
	413450026	122.59
	413450029	108.92
	413460036	199.12
	413460037	23.51
	413460038	19.58
	413460039	45.23
	413460039	45.23
	414090005	1.59
	414090007	1.38
	414090013	31.60
	414090017	20.00
	414090018	4.50
	414100002	42.13
	414100003	65.00
Total Area		5,331.65

Exhibit D
Legal Description of Lands of the Overlying Parties[1]

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
Plantation on the Lake	407230031	12.36
	407230010	1.25
	406050018	156.85
	406050002	5.12
	406050003	1.81
Total Area		177.39
Rancho Calimesa Mobile Home Park	413270001	29.66
Total Area		29.66
Merlin Properties, LLC.	407230014	48.52
Total Area		48.52
Sharondale Mesa Owners Association	413330014	1.55
	413330015	2.14
	413331022	0.48
	413331035	0.22
	413340021	0.04
	413340022	0.04
	413340023	1.53
	413340024	2.52
	413341033	0.29
	413341034	0.81
	413341036	0.35
	413342004	0.35
	413350011	1.04
	413350012	1.44
	413351018	17.08
	413351019	0.16
	413360032	1.92
	413360033	2.30
	413360035	0.90
	413361001	0.14
	413361008	0.12
	413361010	0.18
	413370027	0.39
	413370028	5.34
	413370030	0.69

Exhibit D
Legal Description of Lands of the Overlying Parties[1]

(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
	413371018	2.07
	413372019	1.39
Total Area		45.48
So. California Professional Golf Association	406060011	146.59
	406060013	2.83
	406060014	4.58
	406060016	10.35
	413450016	99.66
	413450022	95.15
	413450023	2.89
	413450027	91.53
Total Area		453.58
Stearns, Leonard	413221001	0.25
	413221002	0.34
	413260018	49.33
	413260025	0.37
	413270007	10.58
	413280010	1.27
	413280018	9.37
	413280021	4.26
	413280027	3.80
	413280037	14.32
Total Area		93.89
Sunny-Cal Egg and Poultry Company[2]	406080013	0.07
	407180004	9.35
	407190013	2.01
	407190014	0.50
	407190015	1.35
	407190016	4.95
	407190017	31.32
	407190018	0.93
	407230022	20.03
	407230023	20.03
	407230024	20.03
	407230025	21.99
	407230026	25.94

Exhibit D
Legal Description of Lands of the Overlying Parties[1]

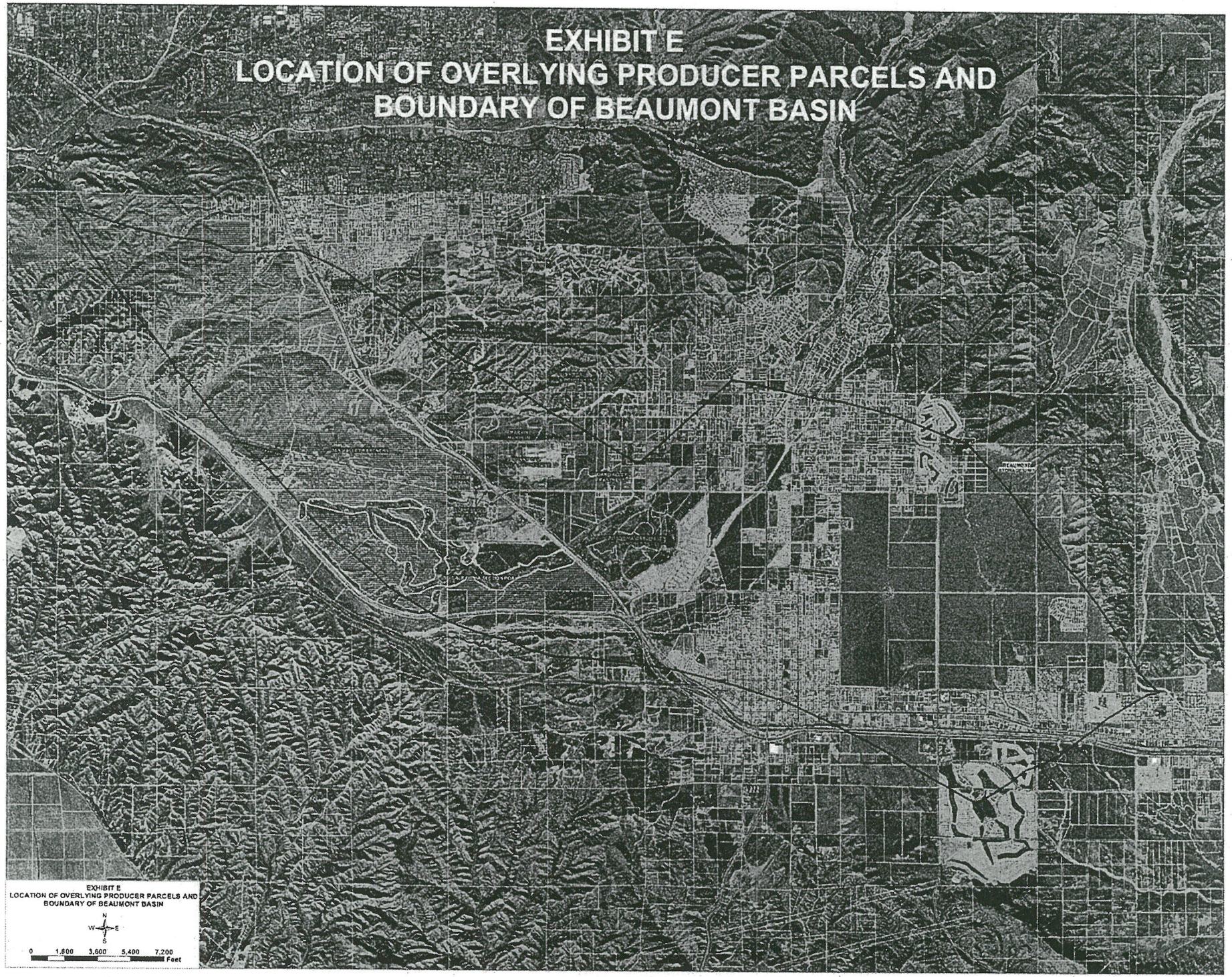
(1) Overlying Producer	(3) Assessors Parcel Number(s)	(4) Area (Acres)
	407230027	21.63
	407230028	21.56
Total Area		201.69
Total Area for All Overlying Producers[3]		**6,782.87**

Note 1 -- Parcels as of June 1, 2003

Note 2 -- Parcels owned by Sunny-Cal Egg & Poultry Company include the overlying water rights of Manheim, Manheim and Berman and is aggregated as shown in Column 4 of Exhibit B as attributable to Sunny-Cal Egg & Poultry Company

Note 3 -- The Watermaster shall recognize adjustments in parcel boundaries that result in de minimus changes in water use

EXHIBIT E


EXHIBIT E
LOCATION OF OVERLYING PRODUCER PARCELS AND
BOUNDARY OF BEAUMONT BASIN
EXHIBIT E
LOCATION OF OVERLYING PRODUCER PARCELS AND
BOUNDARY OF BEAUMONT BASIN
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W
E
S
0
1,800
3,600
5,400
7,200
Feet

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF ORANGE

San Timoteo Watershed Management Authority v. City of Banning
Riverside Superior Court Case No. 389197

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to the within action. My business address is **AlvaradoSmith, 1 MacArthur Place, Santa Ana, CA 92707**.

On **March 18, 2019,** I served the foregoing document described as **AMENDED JUDGMENT PURSUANT TO STIPULATION ADJUDICATING GROUNDWATER RIGHTS IN THE BEAUMONT BASIN; ORDER TO SHOW CAUSE** on the interested parties in this action.

☒ by placing the original and/or a true copy thereof enclosed in (a) sealed envelope(s), addressed as follows:

SEE ATTACHED SERVICE LIST

☒ **BY REGULAR MAIL:** I deposited such envelope in the mail at 1 MacArthur Place, Santa Ana, California. The envelope was mailed with postage thereon fully prepaid.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

BY THE ACT OF FILING OR SERVICE, THAT THE DOCUMENT WAS PRODUCED ON PAPER PURCHASED AS RECYCLED.

☐ **BY FACSIMILE MACHINE:** I Tele-Faxed a copy of the original document to the above facsimile numbers.

☐ **BY OVERNIGHT MAIL:** I deposited such documents at the Overnite Express or Federal Express Drop Box located at 1 MacArthur Place, Santa Ana, California 92707. The envelope was deposited with delivery fees thereon fully prepaid.

☐ **BY PERSONAL SERVICE:** I caused such envelope(s) to be delivered by hand to the above addressee(s).

☒ (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☐ (Federal) I declare that I am employed in the office of a member of the Bar of this Court, at whose direction the service was made.

Executed on March 18, 2019 at Santa Ana, California.

DONNA F. HEFLIN

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smwcverizon.net

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San Gorgonio Pass Water
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