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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF MONTEREY

CALIFORNIA AMERICAN WATER , Plaintiff, v. CITY OF SEASIDE, et al., Defendants.	Case No. M66343 **STIPULATION AND [PROPOSED] ORDER MODIFYING EXHIBIT C TO AMENDED DECISION** Assigned for All Purposes to the Honorable Leslie C. Nichols Action Filed: August 14, 2003
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT, Intervenor.	
MONTEREY COUNTY WATER RESOURCES AGENCY, Intervenor.	
AND RELATED CROSS-ACTIONS.	

RECITALS

A. On May 15, 2018, Defendant and Cross-Complaint Bishop, McIntosh and McIntosh ("Bishop") filed a Notice of Motion and Motion to Modify Exhibit C to Amended Judgment

("Motion").

B. The Motion was made upon the grounds that Bishop mistakenly omitted four parcels of land from Exhibit C to the Court's March 27, 2006, Decision (which Exhibit C remained unchanged in the Court's February 9, 2007, Amended Decision), and that this Court has continuing jurisdiction to correct that oversight under section III(O)(1)(a) of the Amended Decision.

C. The four mistakenly omitted parcels are described in the deeds attached hereto as Exhibit 1.

D. Correcting Exhibit C to include the four mistakenly omitted parcels will not change the amount, or quantity, of the Alternative Production Allocation specified for Bishop in Table 2 of the Amended Decision's section III(B)(3)(e).

STIPULATION

1. Exhibit C to the Court's February 9, 2007, Amended Decision should be modified to include the four mistakenly omitted parcels described in the deeds attached hereto as Exhibit 1

2. This stipulation may be entered in counterparts.

DATED: May 23, 2018

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation

By: Eric N. Robinson

Eric N. Robinson
Attorneys for Defendants and Cross-Complainants, BISHOP, MCINTOSH & MCINTOSH

DATED: ~~May~~ June 1, 2018

CALIFORNIA-AMERICAN WATER COMPANY

By: _____
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Anthony J. Cerasuolo
Attorneys for CALIFORNIA-AMERICAN WATER COMPANY

DATED: May ___, 2018

ELLISON, SCHNEIDER & HARRIS L.L.P.

By: _____
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DATED: May ___, 2018

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By: _____
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DATED: May ___, 2018

PERRY & FREEMAN

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Donald Gary Freeman
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DATED: May ___, 2018

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DATED: May ___, 2018

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DATED: May 24, 2018

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DATED: May ___, 2018

PERRY & FREEMAN

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Attorneys for CITY OF SEASIDE

DATED: May ___, 2018

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Attorneys for MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

DATED: May ___, 2018

PERRY & FREEMAN

By: Donald G. Freeman
Donald Gary Freeman
Attorneys for CITY OF SEASIDE

DATED: May 30, 2018

MONTEREY CITY ATTORNEY'S OFFICE

By: Christine Davi

Christine Davi
Attorneys for CITY OF MONTEREY

DATED: May ___, 2018

HEISINGER, BUCK & MORRIS

By: _____

James G. Heisinger, Jr.
Attorneys for CITY OF SAND CITY

DATED: May ___, 2018

DEL REY OAKS CITY MANAGER

By: _____

Deano Pick
Attorneys for In Pro Per

DATED: May ___, 2018

SECURITY NATIONAL GUARANTY, INC.

By: _____

Ed Ghandour
Attorneys for SECURITY NATIONAL GUARANTY, INC.

DATED: May ___, 2018

MONTEREY CITY ATTORNEY'S OFFICE

By: _____
Christine Davi
Attorneys for CITY OF MONTEREY

DATED: ~~May~~ June 5, 2018

HEISINGER, BUCK & MORRIS

By: _____
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DATED: May ___, 2018

DEL REY OAKS CITY MANAGER

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DATED: May ___, 2018

MONTEREY CITY ATTORNEY'S OFFICE

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DATED: May ___, 2018

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DATED: May ___, 2018

DEL REY OAKS CITY MANAGER

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DATED: May ___, 2018

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Ed Ghandour
Attorneys for SECURITY NATIONAL GUARANTY, INC.

DATED: May ___, 2018

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Attorneys for CITY OF MONTEREY

DATED: May ___, 2018

HEISINGER, BUCK & MORRIS

By: _____
James G. Heisinger, Jr.
Attorneys for CITY OF SAND CITY

DATED: May ___, 2018

DEL REY OAKS CITY MANAGER

By: _____
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DATED: May 24, 2018

SECURITY NATIONAL GUARANTY, INC.

By: _____
Ed Ghandour
Attorneys for SECURITY NATIONAL GUARANTY, INC.

DATED: May 31, 2018

DAMON LAW OFFICES

By: _____
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DATED: May ___, 2018

FENTON & KELLER

By: _____
David C. Sweigert
Attorneys for DEVELOPMENT COMPANY NO. 30

DATED: May ___, 2018

GRANITE ROCK COMPANY

By: _____
Lisa A. Cole
Attorneys for GRANITE ROCK COMPANY

DATED: May ___, 2018

LARSON, GARRICK & LIGHTFOOT, LLP

By: _____
John M. Garrick
Attorneys for ALDERWOOD GROUP, INC. dba MISSION MEMORIAL PARK

DATED: May ___, 2018

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GRANITE ROCK COMPANY

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Attorneys for GRANITE ROCK COMPANY

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DATED: ~~May ___, 2018~~ JUNE 18, 2018

JOHNSON FANTL & KENNIFER LLP

By: _____
Frederick L. Kennifer
Attorneys for YORK SCHOOL, INC.

DATED: May ___, 2018

DOWNEY BRAND, LLP

By: _____
Kevin O'Brien
Steven P. Saxton
Attorneys for COUNTY OF MONTEREY

DATED: May ___, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

By: _____
Anthony L. Lombardo
Attorneys for LAGUNA SECA RESORT, INC.
and PASADERA COUNTRY CLUB, LLC

DATED: May ___, 2018

OFFICE OF THE COUNTY COUNSEL
COUNTY OF MONTEREY

By: _____
Charles J. McKee
Irven L. Grant
Attorneys for COUNTY OF MONTEREY

DATED: May ___, 2018

JOHNSON FANTL & KENNIFER LLP

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Frederick L. Kennifer
Attorneys for YORK SCHOOL, INC.

DATED: May ___, 2018

DOWNEY BRAND, LLP

By: _____
Kevin O'Brien
Steven P. Saxton
Attorneys for COUNTY OF MONTEREY

DATED: ~~May~~ June 28, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

By: _____
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and PASADERA COUNTRY CLUB, LLC

DATED: May ___, 2018

OFFICE OF THE COUNTY COUNSEL
COUNTY OF MONTEREY

By: _____
Charles J. McKee
Attorneys for COUNTY OF MONTEREY

DATED: May ___, 2018

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By: _____
Frederick L. Kennifer
Attorneys for YORK SCHOOL, INC.

DATED: May ___, 2018

DOWNEY BRAND, LLP

By: _____
Kevin O'Brien
Steven P. Saxton
Attorneys for COUNTY OF MONTEREY

DATED: May ___, 2018

ANTHONY LOMBARDO & ASSOCIATES, INC.

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Attorneys for LAGUNA SECA RESORT, INC.
and PASADERA COUNTRY CLUB, LLC

DATED: May 24, 2018

OFFICE OF THE COUNTY COUNSEL
COUNTY OF MONTEREY

By: Charles J. McKee
Charles J. McKee
~~Irven L. Grant~~
Attorneys for COUNTY OF MONTEREY

DATED: May 23, 2018

CYPRESS PACIFIC INVESTORS, LLC

By: _____
Paul Bruno
Attorneys for CYPRESS PACIFIC INVESTORS, LLC, Successor in Interest to MURIEL CALABRESE 1987 TRUST

DATED: May ___, 2018

OFFICE OF THE COUNTY COUNSEL
COUNTY OF MONTEREY

By: _____
Charles J. McKee
Jesse J. Avila
Attorneys for MONTEREY COUNTY WATER RESOURCES AGENCY

DATED: May ___, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: _____
Russell McGlothlin
Attorneys for SEASIDE GROUNDWATER BASIN WATERMASTER

DATED: May ___, 2018

WATERMASTER EXECUTIVE OFFICER

By: _____
Laura Dadiw
SEASIDE GROUNDWATER BASIN WATERMASTER

DATED: May ___, 2018

CYPRESS PACIFIC INVESTORS, LLC

By: _____

Paul Bruno
Member of CYPRESS PACIFIC INVESTORS, LLC, Successor in Interest to MURIEL CALABRESE 1987 TRUST

DATED: May 24, 2018

OFFICE OF THE COUNTY COUNSEL
COUNTY OF MONTEREY

By: _____

Charles J. McKee
Jesse J. Avila
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DATED: May ___, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: _____

Russell McGlothlin
Attorneys for SEASIDE GROUNDWATER BASIN WATERMASTER

DATED: May 29, 2018

WATERMASTER ~~EXECUTIVE~~ Administrative OFFICER

By: Laura Dadiw

Laura Dadiw
SEASIDE GROUNDWATER BASIN WATERMASTER

DATED: May ___, 2018

CYPRESS PACIFIC INVESTORS, LLC

By: _____

Paul Bruno
Attorneys for CYPRESS PACIFIC INVESTORS, LLC, Successor in Interest to MURIEL CALABRESE 1987 TRUST

DATED: May ___, 2018

OFFICE OF THE COUNTY COUNSEL
COUNTY OF MONTEREY

By: _____

Charles J. McKee
Jesse J. Avila
Attorneys for MONTEREY COUNTY WATER RESOURCES AGENCY

DATED: May ___, 2018

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By: _____

Russell McGlothlin
Attorneys for SEASIDE GROUNDWATER BASIN WATERMASTER

DATED: May ___, 2018

WATERMASTER EXECUTIVE OFFICER

By: _____

Laura Dadiw
SEASIDE GROUNDWATER BASIN WATERMASTER

[PROPOSED] ORDER

Good cause appearing the Stipulation is **APPROVED** and **IT IS ORDERED, ADJUDGED AND DECREED** that the Judgment in *California American Water v. City of Seaside, et al.* (Monterey County Superior Court Case No. Case No. M66343 (Seaside Basin Judgment) shall be amended as follows:

Exhibit C to the Amended Decision entered on February 9, 2007, is modified to correct the place of use for the Alternative Production Allocation that Section III(B)(3)(a) of the Amended Decision specifies for Defendant/Cross-Complainant Bishop, McIntosh and McIntosh ("Bishop"). The place of use for Bishop's Alternative Production Allocation is amended to add the real property described in **Exhibit 1** to this Order to the place of use described in the Amended Decision.

DATED:

_____

Honorable Leslie C. Nichols

PROOF OF SERVICE

California American Water v. City of Seaside, et al.
Monterey County Superior Court Case No.: M66343

STATE OF CALIFORNIA, COUNTY OF SACRAMENTO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Sacramento, State of California. My business address is 400 Capitol Mall, 27th Floor, Sacramento, CA 95814.

On June 28, 2018, I served true copies of the following document(s) described as **STIPULATION AND [PROPOSED] ORDER MODIFYING EXHIBIT C TO AMENDED DECISION** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY ELECTRONIC SERVICE: I served the document(s) on the person listed in the Service List by submitting an electronic version of the document(s) to One Legal, LLC, through the user interface at www.onelegal.com.

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

Executed on June 28, 2018, at Sacramento, California.

Terri Whitman

SERVICE LIST
California American Water v. City of Seaside, et al.
Monterey County Superior Court Case No.: M66343

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Seaside Groundwater Basin Watermaster

EXHIBIT 1

EXHIBIT 'A':

DESCRIPTION OF LOT 4

Lot 4 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers

EXHIBIT 'A':

DESCRIPTION OF LOT 5

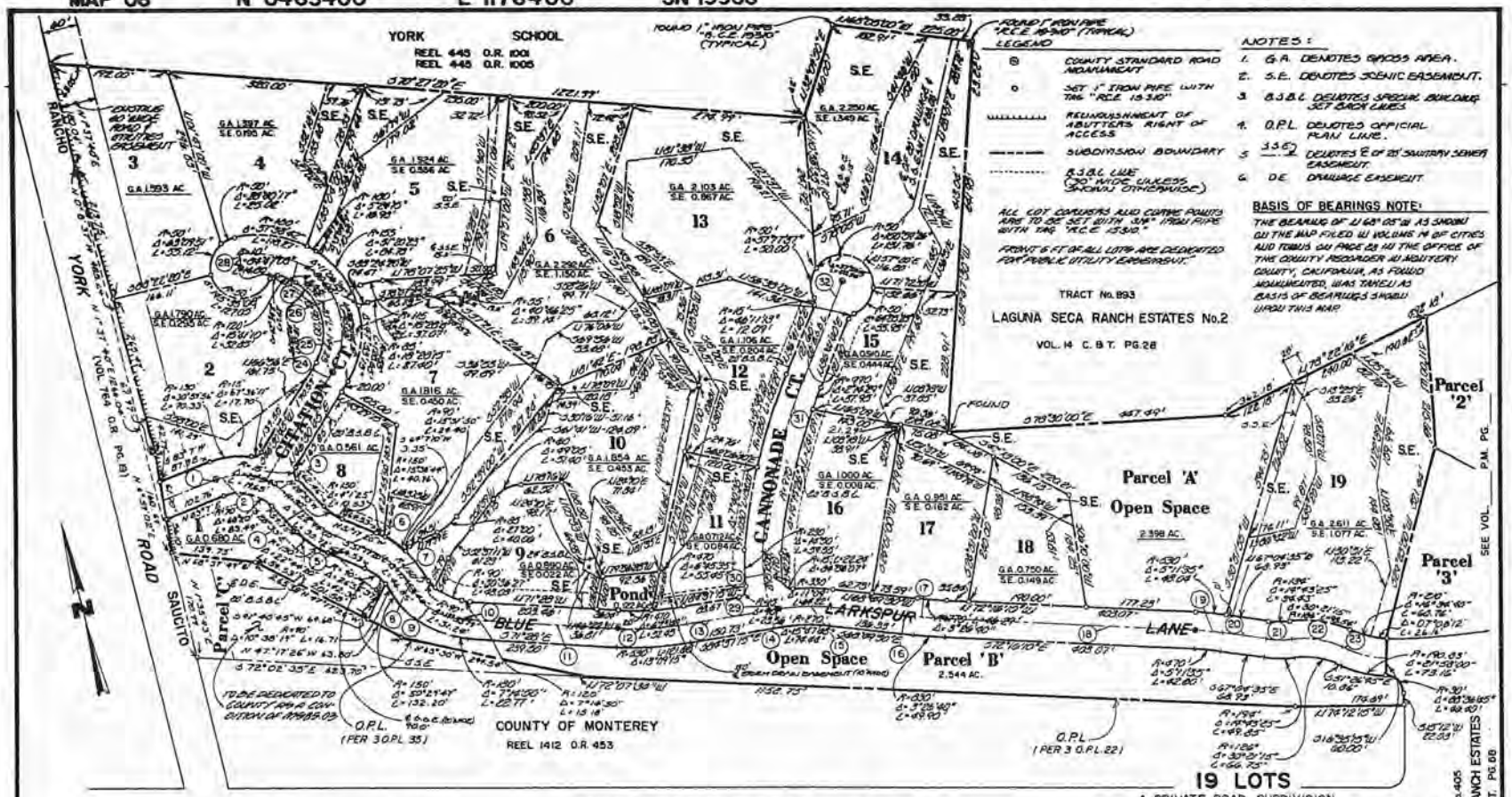
Lot 5 of Tract No. 1068, "Laguna Seca Office Park", in the County of Monterey, State of California, as shown on the map recorded in Volume 16 of Cities and Towns at Page 32 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers

MAP 08 N 0463400 E 1176400 SN 19966

VOL. 16 C. & T. PG. 32



CENTER LINE BLUE LARKSPUR LANE (1 THRU 24)

1. N 83° 07' 00" E 140.50'
2. R=100' Δ=47° 30' 50" L=82.93'
3. R=100' Δ=20° 49' 10" L=36.34'
4. S 28° 33' 00" E 59.75'
5. R=120' Δ=22° 44' 20" L=47.62'
6. S 51° 17' 20" E 64.53'
7. R=120' Δ=37° 33' 57" L=78.68'
8. R=120' Δ= 9° 22' 19" L=19.63'
9. R=120' Δ=41° 07' 28" L=86.13'
10. R=150' Δ= 7° 14' 50" L=18.97'
11. S 71° 28' 00" E 239.50'
12. R=500' Δ=13° 09' 15" L=114.75'
13. S 84° 37' 15" E 133.67'
14. S 84° 37' 15" E 17.06'
15. R=300' Δ=15° 47' 45" L=82.71'
16. S 68° 49' 30" E 136.33'
17. R=800' Δ= 3° 26' 40" L=48.09'
18. S 72° 16' 10" E 403.07'
19. R=500' Δ= 5° 11' 35" L=45.32'
20. S 67° 04' 35" E 68.93'
21. R=164' Δ=14° 43' 25" L=42.14'
22. R=156' Δ=30° 21' 15" L=82.65'
23. R=284' Δ=18° 33' 00" L=91.95'
24. N 46° 30' 45" E 205.17'

CENTER LINE CITATION COURT (25 THRU 29)

25. R=125' Δ=53° 06' 25" L=115.86'
26. R=125' Δ=36° 53' 35" L=80.49'
27. R=150' Δ=43° 02' 57" L=112.70'
28. S 3° 27' 48" E 20.00'
29. N 5° 22' 45" E 45.00'

CENTER LINE CANNONADE COURT (30 THRU 33)

30. R=200' Δ=14° 50' 00" L=51.78'
31. R=1000' Δ=16° 28' 05" L=287.66'
32. N 36° 41' 40" E 168.50'

Vol 33 Sur Pg 26

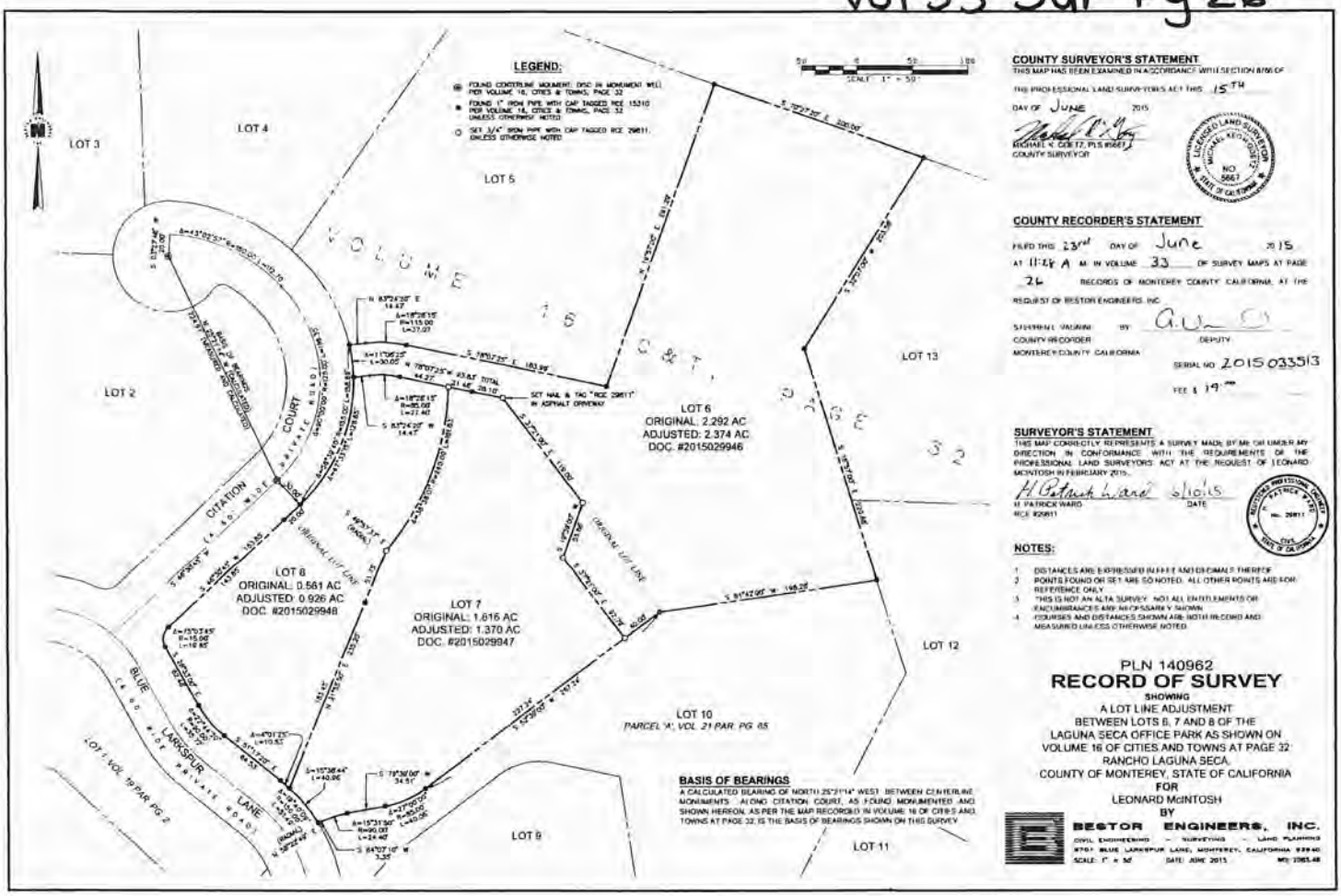


EXHIBIT 'A':
DESCRIPTION OF LOT 6

Lot 6 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers, Inc.

EXHIBIT 'A':
DESCRIPTION OF LOT 7

Lot 7 in the County of Monterey, State of California, as shown on the map recorded 23 June 2015 in Volume 33 of Surveys at Page 26 in the Office of the County Recorder of said county.

Date: February 13th, 2018

Bestor Engineers, Inc.