

EXHIBIT 11-E

1 ADRIENNE M. GROVER (SBN: 151664)
County Counsel
2 EFREN N. IGLESIA (SBN: 071309)
Senior Deputy County Counsel
3 County of Monterey
60 West Market Street, Suite 140
4 Salinas, California 93901
5 Telephone: (831)755-5045

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SHERRIL L. PEDERSEN
CLERK OF THE SUPERIOR COURT
DEPUTY

6 Attorneys for Respondents,
COUNTY OF MONTEREY, ET AL.
7

8 THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF MONTEREY

10 SAVE OUR CARMEL RIVER (SOCR),

Case No. M 43343

11 Petitioner,

12 v.

13 COUNTY OF MONTEREY, et al.

STIPULATION AND ^a~~PROPOSED~~
ORDER RE WATER USAGE ON
REMAINDER PARCEL

14 Respondents,

15 MILLS COLLEGE, et al.

16 Real Parties In Interest.

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18 STIPULATION

19 On August 31, 1999, the Court issued a decision in this matter limiting total water
20 consumption on the four residential parcels and the remainder in the Mills College Subdivision to 19.91
21 AFY absent further environmental analysis.

22 2. On November 22, 1999, JEM Partners (successor in interest to real party in interest
23 William Lopez) assigned rights to no more than 1 AFY to each of the four residential parcels created by
24 the Mills College Subdivision, totaling 4 AFY to be deducted from the 19.91 AFY figure. A 2.2 acre
25 portion of the remainder has been transferred to All Saints School, and the parties agree that 1 AFY
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1 reserved to the School shall also be deducted from the 19.91 AFY figure. The amount remaining after
2 these deductions is 14.91 AFY.

3 3. JEM Partners has applied to the County for four well permits on the remainder property.
4 The parties agree that the County may issue those well permits ministerially and without further
5 environmental review, so long as the permits are subject to the following conditions which are hereby
6 accepted by the applicant:

- 7 A. In no event shall water use on the remainder exceed 14.91 AFY without discretionary
8 permits subject to environmental review and associated public hearings;
9 B. A deed restriction in a form approved by the County shall be recorded against the
10 remainder limiting water use (as described in this Stipulation.
11 C. A meter shall be installed on each of the four wells.
12 D. Reports showing extractions on a monthly basis shall be submitted to the County upon
13 the County's request.
14 E. The County shall have the right to enter and inspect the property for compliance with
15 these conditions.
16 F. The County shall have the right to impose sanctions for violation of these conditions.
17 G. In the event that any application is filed with the County for non-agricultural
18 development of the remainder, water consumption associated with such non-agricultural
19 development shall be evaluated and conditioned consistent with applicable water demand
20 analyses contained in the November 1994 report of Grice Engineering, prepared in
21 connection with the Mills College Subdivision.

22 4. The County shall use its best efforts to ensure that current and future staff of all land use
23 departments (including Planning & Building Inspection, Monterey County Water Resources Agency,
24 Environmental Health Division, and Public Works) are aware of the limitations on water consumption
25 on the Mills College Subdivision remainder described herein. Such efforts shall include, at a minimum,
26 entering appropriate notations in the County's computerized Sierra permit tracking system and similar

