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6 *Attorney for Plaintiff-Intervenor*
Ramona Band of Cahuilla

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8 UNITED STATES DISTRICT COURT
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 RAMONA BAND OF CAHUILLA,
14 CAHUILLA BAND OF INDIANS,
15 Plaintiffs-Intervenors,
16 vs.
17 FALLBROOK PUBLIC UTILITY DISTRICT,
et al.,
18 Defendants.

CIVIL NO.: 51-CV-01247-GPC-RBB

MOTION TO EXTEND STAY

Date: No hearing date set
Time:
Dept.: 9

Hon. Gonzalo P. Curiel

ORAL ARGUMENT NOT REQUIRED

1 Plaintiff-Intervenor Ramona Band of Cahuilla (Tribe) respectfully moves this Court for a
2 90-day extension of the stay of litigation until July 18, 2016. Under this Court's Order of
3 January 19, 2016, (Doc. 5512), the current stay expires on April 19, 2016. Counsel for the Tribe
4 is authorized to state that the United States, the Cahuilla Band of Indians, State of California,
5 County of Riverside, Riverside County Flood Control and Water Conservation District, the
6 Greenwald Landowners, Hemet Unified School District, and the Anza Basin Landowners Group
7 do not oppose the Tribe's request to extend the stay for 90 days. Agri-Empire does not oppose
8 the Tribe's request to extend the stay for 90 days, but reserves the right to oppose subsequent
9 motions to extend the stay in light of the impending change in counsel for the Cahuilla Band of
10 Indians. An extension of the stay will enable the parties to continue their discussions aimed at a
11 negotiated settlement of the Tribe's water rights claims, without the distraction or burdens of
12 litigation.

15 During the prior stay period, the settlement parties focused their efforts on resolving
16 ambiguities in the language of the draft settlement agreement and on developing rules and
17 regulations to govern the functions of the Watermaster. A revised settlement agreement has been
18 prepared. Draft Watermaster Rules and Regulations have also been prepared and are under
19 review by the settlement parties. In addition, the parties' technical consultants have undertaken
20 analyses of additional data related to the status of groundwater in the Anza Groundwater Basin
21 and Cahuilla Groundwater Basin, and they have continued to refine the scope of responsibilities
22 of the Watermaster and that office's budget for administering the settlement agreement and
23 partial final decree. The settlement parties are making progress toward a final resolution of these
24 issues.

1 Counsel for the Cahuilla Band of Indians anticipates the Band will file a substitution of
2 attorney pursuant to CivLR 83.3.f.2 by which the current counsel for the Band will withdraw as
3 attorney of record in this case, and a new attorney will be substituted. Current counsel will
4 continue to act as counsel of record for the Band until the Court approves the substitution.
5

6 Since the last status report, the settlement parties discussed outstanding issues at either in-
7 person or telephonic meetings on the following dates:

8 February 18: In-person meeting among all settlement parties to discuss revisions to
9 draft settlement agreement, Watermaster role and responsibilities and
10 Watermaster budget.
11

12 February 26: Telephonic meeting between the Tribes and the State of California to
13 discuss issues unique to those settlement parties.

14 March 1: The settlement parties lodged the revised draft settlement agreement
15 with U.S. Magistrate Judge Brooks' chambers for review.
16

17 March 2: Telephonic meeting among the Tribes and the Federal Negotiating
18 Team.

19 March 11: Telephonic settlement conference among the settlement parties and
20 Judge Brooks to discuss the revised draft settlement agreement and
21 related issues.
22

23 March 22: Telephonic settlement conference among the settlement parties and
24 Judge Brooks regarding the status of the draft Watermaster Rules and
25 Regulations and related matters.

26 March 24: Telephonic conference among the Tribes and the Anza Landowners
27 Group.
28

1 In addition, counsel for the parties have conducted teleconferences outside the larger
2 group meetings as necessary to continue progress toward resolving outstanding issues. The
3 settlement parties have scheduled an in-person meeting for April 27 and a settlement conference
4 with Judge Brooks on May 25.
5

6 The settlement parties are committed to continuing these discussions. A 90-day
7 extension of the stay will permit them to continue settlement efforts without the cost or
8 distraction of litigation.
9

10 For these reasons, the Ramona Band of Cahuilla respectfully requests that the stay of
11 litigation be extended to July 18, 2016.

12 Date: April 19, 2016

Respectfully submitted,

13
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