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 Sacramento, California 95814-3109
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4 SPECIAL REFEREE

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

9

COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA DIVISION

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CHINO BASIN MUNICIPAL WATER
 DISTRICT,

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Plaintiff,

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v.

14

THE CITY OF CHINO,

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Defendants.

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CASE NO. RCV 51010

Judge: Honorable J. Michael Gunn

SPECIAL REFEREE'S REPORT AND
 RECOMMENDATION CONCERNING
 MOTIONS FILED RELATED TO
 SUBSIDENCE

Date: Feb. 28, 2002

Time: 11:00 a.m.

Dept: 8

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I.

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INTRODUCTION

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On December 19, 2001, the Court issued an order requiring all parties to the Judgment to
 22 appear on February 28, 2002, "to report on the status of the technical work performed to date by
 23 Watermaster and others concerning subsidence and related issues." Briefs were to be filed by
 24 January 31, 2002. The Court's order was in response to a petition for writ of mandate filed by the
 25 City of Chino Hills against the City of Chino.

26

In response to the Court's Order, Watermaster filed a Report of Activities Regarding
 27 Subsidence and Request for Further Finding and Order, dated January 29, 2002, and Declaration of
 28 Mark Wildermuth, dated January 30, 2002. Watermaster's Report of Activities was served in the

1 same manner as the Annual Report. Also in response to the Court's Order, the City of Chino filed
2 a Response and Motion Pursuant to Paragraph 15 of the Judgment, dated January 31, 2002, which
3 includes several exhibits, and the City of Chino Subsidence Study. The City of Chino's Response
4 was timely served on Watermaster and on the City of Chino Hills, but not on the other parties to the
5 Judgment.

6 In response to the City of Chino's Motion Pursuant to Paragraph 15 of the Judgment, Monte
7 Vista Water District filed a Motion to Strike Portions of City of Chino's Motion, dated February 14,
8 2002, which was served the same day on all of the persons and entities listed on Watermaster's
9 attorney list. Although it is not apparent that it was required to do so, Watermaster has served the
10 City of Chino's and Monte Vista's pleadings on the persons and entities on its Attorneys List and
11 on its Mailing List 1, albeit less than 26 days before the hearing date.

12 Subsequent to Monte Vista's filing, Watermaster filed and served a Motion for Continuance
13 and Related Order on the City of Chino Motion, and a Report of Joinders to Watermaster's Motion
14 for Continuance.

15 II.

16 DISCUSSION

17 A. Watermaster's Report of Activities Regarding Subsidence

18 Watermaster's Report of Activities Regarding Subsidence and Declaration of Mark
19 Wildermuth outline the steps taken to date by Watermaster in furtherance of implementing the goal
20 of OBMP Program Element 4, which is to develop a long-term management plan to reduce or abate
21 the subsidence and fissuring problems in Management Zone 1. Notably, the Report states that
22 \$600,000 has been allocated in the current budget for installation of piezometers and extensometers,
23 which will provide data regarding the possible causes of subsidence. These devices apparently have
24 not yet been installed, notwithstanding their importance.

25 Watermaster also reports that it convened only one meeting of the parties to begin
26 formulating an interim strategy regarding subsidence.

27 Watermaster seeks a finding by the Court that "it has prudently addressed subsidence by
28 identifying the need for additional critical data and establishing a plan to monitor and evaluate the

1 condition of subsidence and its potential causes." Watermaster further seeks an Order that it shall:
2 (1) "Continue to consider the potential impacts of Watermaster actions and approvals for causing
3 Material Physical Injury in carrying out the Judgment, as provided in the Peace Agreement and
4 Article X of the Rules and Regulations;" (2) "Continue with implementation of the OBMP;" and (3)
5 "Provide the Court with semi-annual reports on the status of its data collection efforts, data analysis,
6 and its progress towards an interim and long term management plan as well as any other information
7 or recommended implementation measures." (Subsidence Report, p. 14.)

8 **B. City of Chino Response and Motion under Paragraph 15 of the Judgment**

9 The City of Chino asserts that an area of approximately 200 acres within the City is sinking.
10 It claims that, since 1987, the area has sunk more than two feet, and that a smaller area has sunk
11 approximately two and a half feet. The City requests the Court to assume jurisdiction over the issues
12 of subsidence.

13 First, the City seeks a determination that the Court has jurisdiction. Apparently,
14 Watermaster, the City of Chino and the City of Chino Hills agree that the Court in its continuing
15 jurisdiction under Paragraph 15 of the Judgment, has jurisdiction to fashion a remedy related to the
16 subsidence issue. The City of Chino reports, however, that there may be other parties to the
17 Judgment who would contest the Court's jurisdiction. It is for this reason that Chino requests a
18 specific Court finding regarding jurisdiction.

19 In addition, the City of Chino seeks judicial resolution of the following two issues:

20 (1) "Whether the City of Chino Hills' production of water from the deep aquifers within the
21 City of Chino is causing land subsidence in an area approximately 200 acres in size that is located
22 along Central Avenue from Schaefer Avenue on the north to Eucalyptus Avenue on the south; and
23 if so, to fashion a remedy to abate the land subsidence.

24 (2) "Whether Chino Hills proposed purchase of ground water from the Monte Vista Water
25 District will have the potential to degrade the quantity or quality of water that Chino now extracts
26 from its northerly wells; and, if so, to fashion a remedy that will avoid said impacts."

27 **C. Monte Vista Motion to Strike**

28 Monte Vista does not object to the City of Chino's request for the Court to assert jurisdiction

1 over the subsidence issue. However, Monte Vista objects to, and, hence, moves to strike the City
2 of Chino's request for a judicial resolution of the issue of whether Chino Hills' proposed purchase
3 of groundwater from the Monte Vista Water District will have adverse impacts on the quantity or
4 quality of water that Chino extracts from its northerly wells. Monte Vista contends that this request
5 for relief exceeds the scope of the Court's Order. Monte Vista further contends that the motion is
6 procedurally defective in several ways, including failure to provide adequate notice.

7 **D. Watermaster's Motion for Continuance and Report of Joinders**

8 Watermaster requests that the Court defer on ruling on the Motion filed by the City of Chino
9 under Paragraph 15 of the Judgment. Apparently the parties, including the City of Chino and the
10 City of Chino Hills, have agreed to convene a regularly scheduled stakeholder process to solicit input
11 and better define the elements of OBMP Program Element Four dealing with subsidence.
12 Watermaster asserts that if the parties are successful in reaching agreement on how to further
13 implement Program Element Four it will be unnecessary for the Court to rule on the City of Chino's
14 Motion and related pleadings.

15 Despite the request for a continuance Watermaster still seeks the orders requested with
16 Watermaster's Report of Activities, i.e., a finding that Watermaster has prudently addressed
17 subsidence and shall continue to consider the potential impacts of Watermaster actions and approvals
18 for causing Material Physical Injury in carrying out the Judgment, continue with implementation of
19 the OBMP and provide the Court with semi-annual reports on the status of its data collection efforts,
20 data analysis, and its progress towards an interim and long term management plan as well as any
21 other information or recommended implementation measures. (Motion for Continuance, p. 2,
22 ln.25-27.)

23 In addition, Watermaster seeks an order requiring it to convene a stakeholder process with
24 regard to subsidence and report to the Court on or about May 1, 2002, on any consensus that has
25 been achieved on how best to further implement Program Element Four of the OBMP. Watermaster
26 further seeks an order that no additional opposition pleadings be filed until June 6, 2002; however,
27 all parties reserve the right to file supplemental papers no earlier than May 16, 2002. (Motion for
28 Continuance, p. 3.)

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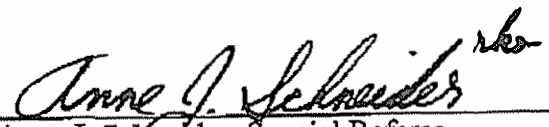
III.

RECOMMENDATION

Watermaster is addressing subsidence, as provided in the OBMP, and has identified the need for additional data, in large part to be provided by installation of multiple piezometers and dual extensometers. None of the piezometers or extensometers has yet been installed. The OBMP specifies creation of an interim strategy for addressing subsidence, yet only one meeting has been held in the 18 months since the Court approved the OBMP.

Watermaster and nearly all the parties now ask the Court to defer ruling on the pleadings described above, so that an intensive meeting schedule can be used to better define the work to be done. It would be extremely helpful to have such a process take place. It also will be important for Mr. Scalmanini to closely monitor that process, so that he can report fully to the Court. Watermaster's request to report back to the Court on or about May 1, 2002, seems reasonable. That report should address all aspects of progress achieved in the intensive meeting process to be convened over the next two months, and it should also address progress or impediments to the installation of piezometers and extensometers in the Chino area. A schedule for further filing should be considered by the Court after receiving Watermaster's report.

Dated: February 25, 2002


Anne J. Schneider, Special Referee

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4 SPECIAL REFEREE

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA DIVISION

11 CHINO BASIN MUNICIPAL WATER)
 DISTRICT,)

12 Plaintiff,)

13 v.)

14 THE CITY OF CHINO,)
 15)

16 Defendants.)

CASE NO. RCV 51010

Judge: Honorable J. Michael Gunn

SPECIAL REFEREE'S REPORT AND
 RECOMMENDATION CONCERNING
 SUPPLEMENTAL DESALTER
 REPORT, SUPPLEMENTAL OBMP
 REPORT, WATERMASTER'S 24th
 ANNUAL REPORT, AND INITIAL
 STATE OF BASIN REPORT

Date: Feb. 28, 2002

Time: 11:00 a.m.

Dept: 8

20 I.

21 SUPPLEMENTAL DESALTER STATUS REPORT

22 In my Report and Comments Concerning Desalter Status Report, dated November 8, 2001,
 23 I recommended that the Court receive and file Watermaster's Desalter Status Report, dated
 24 September 19, 2001, on the condition that Watermaster prepare and file a Supplemental Desalter
 25 Status Report addressing: 1) the change of schedule then apparent in the Initial Study, 2)
 26 Watermaster's current schedule and plans for design and construction of the Chino I Expansion and
 27 Chino II Desalters, and 3) the status of funding. I also recommended, as an extension of my separate
 28 recommendation regarding Watermaster's OBMP Status Report No. 2, that several meetings be

1 scheduled between Mr. Scalmanini and Watermaster staff and consultants to supplement the semi-
2 annual OBMP status reports to facilitate our reporting to the Court on this major component of the
3 OBMP. I recommended that the meetings include detailed discussion of such topics as overall
4 desalter planning, design, and environmental review.

5 Watermaster has filed with the Court its Supplemental Desalter Status Report, dated
6 December 13, 2001. The first of the technical meetings among Mr. Scalmanini and Watermaster
7 staff and consultants took place on January 8, 2002.

8 **Design and Construction Plans**

9 Watermaster's discussion of desalter design and construction plans is a reference to the Draft
10 Subsequent Environmental Impact Report for the Chino I Expansion and Chino II Desalters ("Draft
11 SEIR"), which was made available for public comment on November 26, 2001, and which was
12 included with the Supplemental Desalter Status Report as Exhibit A. Watermaster indicated that the
13 Draft SEIR contained detailed descriptions of the design and construction plans for the desalters.
14 While the Draft SEIR contained a "project description" for CEQA purposes, it did not contain
15 "detailed design and construction plans" for the desalters. Mr. Scalmanini discussed the Draft SEIR
16 during the January 8, 2002, meeting. We have not received the Final SEIR, which should have
17 addressed Mr. Scalmanini's concerns. The SEIR was scheduled to be adopted by the CDA on
18 January 25, 2002. There has been no formal or informal transmittal of information or documents
19 related to the SEIR since the January 8 technical meeting.

20 Finally, with regard to desalter design and construction, the January 8 presentation to Mr.
21 Scalmanini included reference to a Draft Preliminary Design Report for the Chino I Expansion,
22 which had been submitted for review to the CDA designee on December 4, 2001. Final design was
23 to be authorized in January 2002. Watermaster should arrange for submittal of the Preliminary
24 Design Report to Mr. Scalmanini to facilitate our reporting to the Court. Similarly, he should be
25 kept apprised of progress on final design as it proceeds through the start of construction, now
26 scheduled for June. This should be accomplished through the meetings among Mr. Scalmanini and
27 Watermaster staff and consultants. The January 8 meeting also anticipated the completion of the
28 Chino II Preliminary Design Report by March 2002. As with the Chino I Expansion, the Chino II

1 Preliminary Design Report and other design progress reports should be provided to Mr. Scalmanini
2 as they are completed.

3 **Funding**

4 The Supplemental Desalter Status Report provided a useful description of the status of
5 funding. Given the unique timing of the February 28 hearing relative to the various funding-related
6 matters discussed in the Supplemental Report, it would be useful to learn the disposition (or revised
7 status) of the various funding-related activities that were anticipated to be completed before the
8 hearing: closure of Bond Financing (January 2002); execution of the assignment of the MWD
9 subsidy (at or prior to the Bond closure, January 2002); refinancing of the State loan with proceeds
10 of the Bond sale; and application to SAWPA for Proposition 13 funding (by February 25).

11 **Schedule**

12 Although the Supplemental Desalter Status Report did not address and reconcile changes in
13 the overall project schedule, and that remains to be done, the schedule discussion did note that the
14 Proposition 13 funding will only be distributed to the CDA on a cost reimbursement basis, with a
15 three-year expiration date that will require the completion of construction by the end of 2003. A
16 supplemental report should be prepared to reconcile that completion date and the potential impacts
17 on cost reimbursement, in light of the currently scheduled construction of the Chino II Desalter
18 through May 2004.

20 **II.**

21 **SUPPLEMENTAL OBMP IMPLEMENTATION STATUS REPORT NO. 2**

22 In my Report and Comments Concerning OBMP Implementation Status Report No. 2, dated
23 November 8, 2001, I recommended that the Court receive and file Watermaster's OBMP
24 Implementation Status Report No. 2, dated September 27, 2001, on the condition that Watermaster
25 prepare and file: 1) Supplemental OBMP Report No. 2 addressing schedule and budget status in the
26 suggested format, and addressing ongoing CEQA compliance; and 2) an Initial State of the Basin
27 Report-- a separate report detailing the state of the basin to serve as a measure for judging the overall
28 effectiveness of the OBMP as the various program elements are implemented. I also recommended

1 that Watermaster convene ongoing meetings of its staff and consultants with Mr. Scalmanini to
2 supplement the semi-annual progress reports on the implementation of the OBMP; I suggested that
3 the first of those meetings should occur in the month following my report.

4 Watermaster has submitted to the Court its Supplemental OBMP Implementation Status
5 Report No. 2, dated December 13, 2001 ("Supplemental OBMP Report No. 2"). The first of the
6 technical meetings among Mr. Scalmanini and Watermaster staff and consultants took place on
7 January 8, 2002. The Initial State of the Basin Report was submitted with Watermaster's 24th
8 Annual Report, at the end of January 2002.

9 The Supplemental OBMP Report No. 2 was organized to address three topics: schedule,
10 budget, and CEQA compliance. The text actually discussed two additional topics: implementation
11 of the recharge component of the OBMP, and the subsidence issue in Management Zone 1.

12 **Schedule**

13 Although consistent with the requested format, the schedule submitted with the Supplemental
14 OBMP Report No. 2 did not help to clarify overall scheduling. For example, in its earlier reporting
15 on OBMP implementation and in its separate reporting on the desalters, Watermaster indicated that
16 the Chino I Expansion will be completed at the end of December 2003. However, this schedule now
17 shows a completion date of October 31, 2003. Furthermore, the schedule is very limited in detail:
18 it merely lists, for tasks organized by Program Element, start and finish dates, duration between
19 those dates, and an annotation that the task is "ongoing", "completed", or "future".

20 In light of the preceding, it would be more useful for Watermaster to submit an overall
21 OBMP schedule in the expanded version of the Microsoft Project format submitted. This would
22 permit an ongoing tracking over the next three years of both intermittent and continuous tasks. Such
23 a schedule was prepared as part of the OBMP implementation process (Wildermuth Environmental
24 and Black & Veatch, September 2000). I recommend that future OBMP implementation status
25 reports, the next of which is due on March 31, 2002, include a schedule in expanded format to track
26 projected and updated schedules, and progress relative to those schedules.

27 **Budget**

28 Although also submitted in the requested format, the budget table submitted with the

1 Supplemental OBMP Report No. 2 does not help to assess implementation of the OBMP. While it
2 provides details about actual expenditures over the last four fiscal years and estimated expenditures
3 for the current fiscal year, it does not place any of those expenditures in the context of an overall
4 OBMP budget.

5 In light of the preceding, it would be far more useful for Watermaster to submit an overall
6 (20 year) OBMP budget in a format similar to that in Table 4-14 of the Phase I OBMP Report.
7 Actual expenditures can then be tracked against such a budget, and we can more effectively report
8 to the court on the overall implementation effort in the context of the entire OBMP picture. I
9 recommend that future OBMP implementation status reports, the next of which is due on March 31,
10 2002, include such a projected and actual budget summary.

11 CEQA Compliance

12 The Supplemental OBMP Report No. 2 focuses on CEQA-related aspects of the desalters.
13 It notes, in particular, the development of an Emergency Response Plan that was developed in
14 cooperation with the Agricultural Pool in order to provide safeguards to individual well owners in
15 the vicinity of the desalter well fields. We will look forward to receipt of the Final SEIR on the
16 desalters, and may wish to comment at that time on the Emergency Response Plan.

17 The program-level EIR (PEIR) on the OBMP included numerous mitigation measures. The
18 Draft SEIR on the desalters does not appear to integrate or build upon the mitigation measures in the
19 PEIR.

20 In light of the preceding, I recommend that Watermaster prepare a master list and tracking
21 system for mitigation measures as identified in the PEIR and in the Desalter SEIR, with provisions
22 for addition of any mitigation measures that may be identified in any future environmental
23 documents. The master list and tracking system can be included and discussed in the next semi-
24 annual status report on OBMP implementation, and should be updated in future semi-annual reports.

26 III.

27 WATERMASTER'S 24th ANNUAL REPORT

28 Section 2.21 of the recently revised Chino Basin Watermaster Rules and Regulations

1 provides that "Watermaster shall prepare and make available an annual report, which shall be filed
2 on or before January 31 of each year and shall contain details as to the operation of each of the pools,
3 a certified audit of all assessments and expenditures pursuant to the Physical Solution of the
4 Judgment and a review of Watermaster activities." "The annual report shall generally include an
5 update on the status of the parties' efforts to implement the OBMP. On a biannual basis, the annual
6 report shall include an engineering appendix with contains a more specific 'state of the Basin' report
7 including an update on the status of individual OBMP related activities such as monitoring results
8 and Watermaster's analysis of Hydrologic Balance." Finally, the annual report shall include "... a
9 compilation of any amendments to these Rules and Regulations made by Watermaster during the
10 prior twelve (12) months and serve as notice to the Court of the amendments." (*Ibid.*)

11 The Chino Basin Watermaster's Twenty-Fourth Annual Report ("Annual Report") was
12 timely filed and contains the information required by section 2.21 of the Watermaster Rules and
13 Regulations. The independent audit report is included as Appendix "K." Watermaster's Initial State
14 of the Basin report was filed contemporaneously with the Annual Report. Please note my separate
15 comments, below, on the Initial State of the Basin Report.

16 Since a comprehensive set of revised Watermaster Rules and Regulations was recently
17 adopted by the Board and approved by the Court, it is not surprising that there are no reported
18 changes to the Watermaster Rules and Regulations. However, several changes to Pool Committee
19 Rules and Regulations are noted in the Report, along with a new Watermaster policy.

20 Overlying (Agricultural) Pool Committee

21 On December 12, 2000, the Overlying (Agricultural) Pool voted unanimously to increase
22 meeting attendance compensation. To avoid impacting the Watermaster budget and to avoid the
23 need to change the Judgment, it was determined that the difference between the previous \$25.00 per
24 meeting (with an annual cap of \$300.00 per year) and \$125.00 per meeting (with no annual cap)
25 would be funded from interest earned on the Overlying (Agricultural) Pool Reserve account.
26 (Report, p. 4.)

27 Overlying (Non-Agricultural) Pool Committee

28 Included as Appendix "W" to the Report is a resolution amending the Overlying (Non-

1 Agricultural) Pool Rules and Regulations with regard to what constitutes a quorum. The resolution
2 notes that it has become increasingly difficult for a majority of the voting power of the Overlying
3 (Non-Agricultural) Pool to attend meetings. To assure the regular business of the committee is
4 conducted and its collective interests are represented at Advisory Committee and Watermaster Board
5 meetings, Paragraph 2.08 of the Overlying (Non-Agricultural) Pool Rules and Regulations is
6 amended to provide: "The members of the Overlying (Non-Agricultural) Pool in attendance at
7 meetings shall constitute a quorum for the transaction of its affairs and will represent the collective
8 interest of the entire Pool membership." Elsewhere in the Report it is noted that it has been the
9 practice of the Overlying (Non-Agricultural) Pool Committee to waive compensation for meeting
10 attendance. (Report, p. 5.)

11 Appropriative Pool Committee

12 Appendix "V" to the Report is a resolution of the Appropriative Pool Committee whereby,
13 until further notice, the members as a group waive compensation for attendance at meetings or
14 conferences.

15 Watermaster Policies

16 Appendix "U" to the Report is a resolution of the Chino Basin Watermaster Board adopting
17 procedures, guidelines and fee schedules related to the release of information and documents.

18 I recommend the Annual Report be received and filed.

20 IV.

21 **DRAFT INITIAL STATE OF THE BASIN REPORT**

22 The Draft Initial State of the Basin Report, dated January 31, 2002, is a very good description
23 of implementation details associated with the OBMP, and it also provides a very good description
24 of various details about the basin. Based on an initial review of the draft report, I would offer two
25 comments. First, there are a few, relatively minor technical comments that should be useful to
26 Watermaster in finalizing the draft; I have asked Mr. Scalmanini to convey those comments directly
27 to Wildermuth Environmental, the report's preparer. Second, and more substantive, Mr. Scalmanini
28 and I concur that the report would be improved by slightly refocusing it and extracting and/or

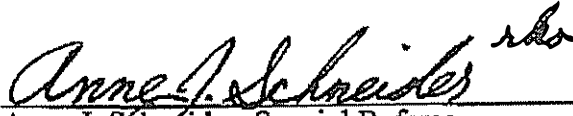
1 refining many of the details in it to produce a true "state of the basin" report. When first envisioned
2 during the OBMP development process several years ago, the concept of an initial state of the basin
3 was that a baseline would be selected, against which changes in basin conditions would be compared
4 as a means of assessing the effectiveness of the OBMP as its various program elements were
5 implemented. Those comparisons would be ongoing and, such as future conditions might dictate,
6 would be the bases for evaluating whether OBMP activities are successful, or whether the OBMP
7 might warrant some adjustment.

8 In light of the preceding, I recommend that Watermaster commission the report's preparer,
9 Wildermuth Environmental, to consider the following as a key part of finalizing the draft report. In
10 order to document the "initial" state of the basin for the purposes described above, an "initial" point
11 in time needs to be selected, in this case at a point in advance of actual OBMP activities that will
12 change basin conditions, e.g., before OBMP desalting, before additional recharge, etc. Once that
13 "initial" time is selected, the state of the basin conditions can be specifically described for that time.

14 Using the draft report's content, for example, ground-water level conditions and associated ground-
15 water flow directions can be described for that time; ground-water level histories can be illustrated
16 to show how the basin got to its "initial" state, and how such "initial" conditions compare to various
17 historical conditions; ground-water quality can be similarly described; ground-water pumping
18 volumes and distribution of pumping can be described for that point in time; the distribution and
19 magnitude of "initial" subsidence as it exists, regardless of cause, can be described; ground-water
20 storage can be quantified, and can be placed in a context of various amounts of historical or potential
21 future storage; recharge locations and volumes can be enumerated, and placed in the context of
22 required recharge capability; the quality of recharged water can be placed in an appropriate context
23 (existing ground-water quality, basin objectives, etc.); and hydraulic and hydrologic balance
24 conditions can be quantified. In simple summary, once an "initial" point in time is selected, the
25 question can be asked at the end of each topic discussed in the draft report: "what is the state of the
26 basin" at that selected ("initial") point in time? A conclusion should be added to each section to
27 briefly answer that question. An abbreviated summary of the initial state of the basin should then
28 be extracted from those summary answers and organized into an Executive Summary of the report.

1 If Watermaster implements the foregoing recommendation, the Initial State of the Basin Report will
 2 truly be a useful reference against which to assess the future effectiveness of implementing the
 3 OBMP.

4 Dated: February 25, 2002

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 6 Anne J. Schneider, Special Referee
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CHINO BASIN WATERMASTER
Case No. RCV 51010
Chino Basin Municipal Water District v. The City of Chino

PROOF OF SERVICE

I declare that:

I am employed in the County of San Bernardino, California. I am over the age of 18 years and not a party to the within action. My business address is Chino Basin Watermaster, 8632 Archibald Avenue, Suite 109, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On January 31, 2002 I served the attached:

DATE OF HEARING: FEBRUARY 28, 2002 AT 2:00 P.M.

NOTICE OF HEARING TO RECEIVE & FILE;

1. **TWENTY-FOURTH ANNUAL REPORT AND SUMMARY OF PRODUCTION OF THE CHINO BASIN WATERMASTER FOR FISCAL YEAR 2000-2001;**
2. **DRAFT INITIAL STATE OF THE BASIN REPORT (on CD); AND**
3. **WATERMASTER'S REPORT ON ACTIVITIES UNDER THE OBMP REGARDING SUBSIDENCE**

in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for overnight delivery by United States Postal Service mail at Rancho Cucamonga, California, addresses as follows:

See attached service list:
Attorney Service List

On today's date I served notice of the matters identified above by mailing a postcard containing the information set forth on the attached page, in accordance with the Court's order of December 13, 1978 to the addresses shown on the following service lists.

See attached service list:
Mailing List 1
Mailing List 2

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Rancho Cucamonga, California, on January 31, 2002.


Michelle Lauffer

Attorney Service List

Updated 1/31/02

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***** NOTICE OF HEARING *****

TO: ALL ACTIVE CHINO BASIN PARTIES, CASE NO. RCV 51010

WHEN: FEBRUARY 28, 2002 AT 2:00 P.M.

WHERE: SAN BERNARDINO COUNTY SUPERIOR COURT, DEPARTMENT R8
8303 N. HAVEN AVE., RANCHO CUCAMONGA, CA 91730-3862

WHAT: NOTICE OF HEARING TO RECEIVE & FILE THE TWENTY-FOURTH ANNUAL
REPORT AND SUMMARY OF PRODUCTION OF THE CHINO BASIN
WATERMASTER FOR FISCAL YEAR 2000-2001; DRAFT INITIAL STATE OF THE
BASIN REPORT; WATERMASTER'S REPORT ON ACTIVITIES UNDER THE OBMP
REGARDING SUBSIDENCE

A copy of the annual report and pleadings regarding the above may be obtained by
contacting the Chino Basin Watermaster.

JOHN V. ROSSI

CHIEF EXECUTIVE OFFICER

(909) 484-3888

***** NOTICE OF HEARING *****

TO: ALL ACTIVE CHINO BASIN PARTIES, CASE NO. RCV 51010

WHEN: FEBRUARY 28, 2002 AT 2:00 P.M.

WHERE: SAN BERNARDINO COUNTY SUPERIOR COURT, DEPARTMENT R8
8303 N. HAVEN AVE., RANCHO CUCAMONGA, CA 91730-3862

WHAT: NOTICE OF HEARING TO RECEIVE & FILE THE TWENTY-FOURTH ANNUAL
REPORT AND SUMMARY OF PRODUCTION OF THE CHINO BASIN
WATERMASTER FOR FISCAL YEAR 2000-2001; DRAFT INITIAL STATE OF THE
BASIN REPORT; WATERMASTER'S REPORT ON ACTIVITIES UNDER THE OBMP
REGARDING SUBSIDENCE

A copy of the annual report and pleadings regarding the above may be obtained by
contacting the Chino Basin Watermaster.

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FONTANA CA 92334

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SACRAMENTO CA 95814

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2417 N BONNIE BRAE
CLAREMONT CA 91711-1913

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SANTA PAULA CA 93060

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UNITED WATER MGMT CO INC
1905 BUSINESS CENTER DR STE 101
SAN BERNARDINO CA 92408

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UPLAND CA 91784

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KRONICK ET AL
KRONICK MOSKOVITZ TIEDEMANN &
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CHINO HILLS CA 91709-4869

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SAN BERNARDINO CA 92415

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FONTANA CA 92334-0987

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RIVERSIDE CA 92509-3229

BILL MILLS
ORANGE COUNTY WATER DIST
P.O. BOX 8300
FTNVALLEY CA 92728-8300

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POMONA CA 91768

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EL MONTE CA 91734-2010

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MILK PRODUCERS COUNCIL
3214 CENTURION PL
ONTARIO CA 91761

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WALNUT VALLEY WATER DISTRICT
271 S BREA CANYON RD
WALNUT CA 91789

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CHINO CA 91710-9242

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IRVINE CA 92612

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HESPERIA CA 92345

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RWQCB - SANTA ANA REGION
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FONTANA CA 92334-9300

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P.O. BOX 7009
PASADENA CA 91109-7009

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SANTA ANA RIVER WATER CO
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MIRA LOMA CA 91752-2331

PATRICK SAMPSON
P.O. BOX 660
POMONA CA 91769

DIANE SANCHEZ
DWR
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GLENDALE CA 91203-1035

00020
MAILING LIST 2-ACTIVE PARTIES
"2"
UPDATED 10/09/01

00060
A. B. & G. CATTLE COMPANY
6655 KIMBALL AVE
CHINO, CA 91710-9121

00360
ABBONA TRUST
JAMES & ANNA ABBONA
8288 HILLSIDE RD
ALTA LOMA, CA 917011858

00730
JB'S CALVES
JEAN AGUERRE
6855 KIMBALL AVE
CHINO, CA 91710-9130

00760
LOUIS AGUERRE
14022 CYPRESS AVE
CHINO, CA 91710-9005

00970
ARROWHEAD MTN SPRING WATER CO
LAURA COOMBS
5772 JURUPA RD
ONTARIO, CA 91761

01180
RAY ALBERS
8649 MERRILL AVE
CHINO, CA 91710-9234

01200
NORMA ALEWYN
14361 GROVE AVE
CHINO, CA 91710-9120

01720
STUEVE BROTHERS FARMS
EDGAR STUEVE
8300 PINE AVE
CHINO, CA 91710-9239

02040
AMERON
ATTN: MARK WARD
13032 SLOVER
FONTANA, CA 92335

02200
ANDERSON FARMS
JOHN ANDERSON
12455 HOLLY AVE
CHINO, CA 91710-2633

02760
XAVIER APHESSETCHE
7262 BICKMORE AVE
CHINO, CA 91710-9102

03800
RAYMOND BACHOC
13331 WALKER AVE
ONTARIO, CA 91761-7978

04040
WARREN BAIN
6420 HARRISON AVE
CORONA, CA 91720-9634

04320
BANGMA BROTHERS DAIRY
MARTIN BANGMA
8847 SCHAEFER AVE
ONTARIO, CA 91761-7974

04520
ANTHONY BARBA
11462 MOJAVE DR
MIRA LOMA, CA 917521662

05080
SUNSHINE DAIRY
URSULA BARTEL
2774 MOUNTAIN VIEW DR
LA VERNE, CA 917504312

05090
BARTH FARMS
ROBERT BARTH
13150 ARCHIBALD AVE
ONTARIO, CA 91761

05120
H & R BARTHELEMY DAIRY
ROLAND BARTHELEMY
16500 CHINO-CORONA RD
CHINO, CA 91710

05160
BASQUE AMERICAN DAIRY
JEAN GASTELLUBERY
8484 SCHAEFFER AVE
ONTARIO, CA 91761-7947

05260
MILDRED BATES
14867 WALTERS
CORONA, CA 928809776

06200
HANK BEKENDAM
13051 BAKER AVE
ONTARIO, CA 91761-7903

06960
BERQUIST PROPERTIES INC.
MICHAEL PERRY
6511A KIMBALL AVE
CHINO, CA 91710

07280
BEN BIDART
5452 RIVERSIDE DR
CHINO, CA 91710

07320
ATTN JAN SMITH
MICHAEL BIDART
600 S INDIAN HILL BLVD
CLAREMONT, CA 91711-5440

08340
PETE BOERSMA
12531 SCHLEISMAN AVE
MIRA LOMA, CA 91752

08800
GARRET BOOTSMAN
7721 EDISON AVE
CHINO, CA 91710-9253

09080
GEORGE BORBA
7955 EUCALYPTUS AVE
CHINO, CA 917109075

09200
JOHN BORBA
65 HARFORD PL
UPLAND, CA 91786

09280
JOSEPH BORBA
14651 GROVE AVE
CHINO, CA 91710-9064

18640
COSTA VIEW FARMER
DIMAS COSTA
16784 ROAD 15
MADERA, CA 93637

21440
JAKE DE GROOT
14080 HAVEN AVE
ONTARIO, CA 91761

24960
DOUMA BROTHERS
FRED & HERM DOUMA
470 LAURELWOOD LN
RIPON, CA 953662930

19060
GOOSE CREEK GOLF CLUB
W R CRAMER
11418 68TH ST
MIRA LOMA, CA 91752-2701

21560
HENRY DE HAAN DAIRY
HENRY DE HAAN, JR
9029 SCHAEFER AVE
ONTARIO, CA 91781-7975

25100
PHILLIP DOUMA
9983 HILLSIDE RD
ALTA LOMA, CA 91701

19400
CROSSROADS AUTO DISMANTLERS
BOB SIMPSON
12421 RIVERSIDE AVE
MIRA LOMA, CA 91752-1004

21680
MARTIN DE HOOG
8311 EDISON AVE
CHINO, CA 91710-9212

25400
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CHINO, CA 91710-9218

19760
CUCAMONGA COUNTY WATER DISTRICT
ROBERT DELOACH
P.O. BOX 638
RANCHO CUCAMONGA, CA 91729-0638

21760
MICHAEL DE HOOG DAIRY
MITCH DE HOOG
8381 EDISON AVE
CHINO, CA 91710-9212

25520
JOHN DUIT
13450 S BON VIEW AVE
ONTARIO, CA 91761-7969

20160
JOAQUIM DA COSTA
23561 RD 168
TULARE, CA 93274

22080
JACK DE JONG
1950 S MOUNTAIN AVE #1009
ONTARIO, CA 91762-6723

25880
DICK DYKSTRA
10129 SCHAEFER AVE
ONTARIO, CA 91761-7973

20960
FRED DE BOER
9155 RIVERSIDE DR
ONTARIO, CA 91761-7301

22720
MILKMAID DAIRY RANCH
CASE DE VRIES
1765 N EUCLID AVE
UPLAND, CA 91784-2004

25920
PETE & JOHN DYKSTRA
11091 EDISON AVE
ONTARIO, CA 91761-7824

21040
SIDNEY DE BOER
8865 KIMBALL AVE
CHINO, CA 91710-9230

23320
PETER DE WIT
12400 CYPRESS AVE SP 157
CHINO, CA 917102809

26020
ANDY DYT
6207 ARCHIBALD AVE
CORONA, CA 91720-9600

21080
ANDREW DE BOS
14300 SCHLEISMAN RD
CORONA, CA 91720-9613

24000
DI TOMMASO RANCH
TONY DI TOMMASO
1317 N FIRST AVE
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26090
PATTI LEKKERKERKER
COR DYT TRUST
15950 EUCLID AVE
CHINO, CA 91710

21200
DICK DE GROOT
7993 SCHAEFER AVE
ONTARIO, CA 91781-7959

24720
MIKE DOLAN
2735 S CITRUS AVE
WEST COVINA, CA 91791-3407

26200
CARLOS ECHEVERRIA
9711 EUCALYPTUS AVE
CHINO, CA 91710-9218

21320
ERNEST DE GROOT
7587 EDISON AVE
CHINO, CA 91710-9253

24760
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CHINO, CA 91710-9253

26240
JUAN ECHEVERRIA DAIRY
JUAN ECHEVERRIA
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37160
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37240
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37640
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37800
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PAUL HOFER
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37920
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38060
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38160
HOHBERG NURSERY
HAROLD HOHBERG
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ONTARIO, CA 917618210

38800
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40200
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41540
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HOWARD FOSTER
13810 S ARCHIBALD ST
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42200
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HANK OR JORGE JONGSMA
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SAN JACINTO, CA 92582-2093

42360
COW-WEST DAIRY
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42440
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42560
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42640
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MIKE TEN EYCK
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RIVERSIDE, CA 92509-3297

43040
KASBERGEN DAIRY
GEORGE KASBERGEN
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MIRA LOMA, CA 91752-2402

43840
KNUDSEN BROTHERS
ROBERT KNUDSEN
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44400
JN KONING ESTATE
VICTOR KONING
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LAKE HAVASU CITY, AZ 86406

44560
KONING TRUST
JOHN KONING
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44760
SOPHIE KOOLHAAS
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44840
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ONTARIO, CA 91762

44920
GENE KOOPMAN
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ONTARIO, CA 91761-7979

44960
ESTATE OF TINA KOOPMAN
PETER VELKERS ADMINISTRATOR
(AKA TENA KOOPMAN)
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SAN JACINTO, CA 92583

45400
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ADRIAN KROES
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45760
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46250
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46820
MACLIN MARKETS INC
GREGORY HAHN
7407 RIVERSIDE DR
ONTARIO, CA 91761-6712

47320
CORONA DAIRY RANCH
LDS CHURCH OF JESUS CHRIST
139 E S TEMPLE #110
SALT LAKE CITY, UT 64111-1103

47600
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7556 EUCALYPTUS AVE
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47880
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57760
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58240
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13512 CITRUS AVE
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58280
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58960
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59210
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64840
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66000
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66280
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BRAD LEAL
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66560
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66960
SAN ANTONIO WATER COMPANY
RAY WELLINGTON
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67000
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JAMES JENKINS
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CCR REGIONAL PARKS DIV.
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67003
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PARK PLANNER II
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ARNOLD RODRIGUEZ
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ESTHER SCHONEVELD
14683 RIVER RD
CORONA, CA 91720-9606

76720
ALBERT SYTSMA
8331 NOOKSACH RD
EVERSON, WA 98247

77600
TEE VEE DAIRY FARMS
RALPH TE VELDE
14744 ARCHIBALD AVE
CHINO, CA 91710-9201

77680
H & Z TRUST
GEORGE PHILLIPS SR
800 WILSHIRE BLVD 15TH FL
LOS ANGELES, CA 90017-2619

77940
SUNSHINE GROWERS NURSERY
GARY TEED MANAGER
13130 MILLIKEN AVE
ONTARIO, CA 91761

78440
BERNARD TEUNISSEN
16754 HELLMAN AVE
CORONA, CA 91720-9609

79000
C/O ROSE THOMMEN
FRED THOMMEN
411 LOS GATOS DR
WALNUT, CA 91789

79090
LEMON THRALL
14891 WALTERS
CORONA, CA 91720-9645

79200
HAROLD TILLEMA
6848 ARCHIBALD AVE
CORONA, CA 91720-9665

79400
TOLLMARK CORPORATION
HAROLD TOLLERUP
P.O. BOX 753
SOLANA BEACH, CA 92075

79620
ALFRED TOURIGNY
5990 DODD ST
MIRA LOMA, CA 91752

80000
TROOST, FRED & ANNIE NO 2 INC
C/O MAYNARD TROOST
11571 BELLEGRAVE
MIRA LOMA, CA 91752

80080
HARRY TUINHOUT
14741 CARPENTER ST
CHINO, CA 91710-9252

80440
PRAXAIR INC
R THRASH
5705 E AIRPORT DR
ONTARIO, CA 91761

80570
UNITEX CORPORATION
JEFF PIERSON
6101 CHERRY AVE
FONTANA, CA 92336

80640
CITY OF UPLAND-PUBLIC WKS DIR
ROB TURNER
P.O. BOX 460
UPLAND, CA 91785-0460

81320
MARIE BINGGELI
16451 MOUNTAIN AVE
CHINO, CA 91710-9124

81400
BAS VAN DAM & SONS DAIRY
BAS VAN DAM
10333 EUCALYPTUS AVE
CHINO, CA 917108528

81520
DON VAN DAM
7225 EDISON AVENUE
CHINO, CA 91710-9253

81640
MARVIN VAN DEN BERG
2459 N OAKS ST #97
TULARE, CA 93274-1365

81800
CHARLIE VAN DER KOOI
8315 MERRILL AVE
CHINO, CA 91710

82000
STANLEY VAN DER LINDEN
3830 PILGRAM WAY
CHINO, CA 91710

82280
BART VAN DYK
13628 S HAVEN ST
ONTARIO, CA 91761-7810

82560
WILLIAM VAN FOEKEN
22338 SHORT AVE
WILMAR, CA 95324-9311

82680
STEVE VAN HOFWEGEN
15913 MOUNTAIN AVE
CHINO, CA 91710-9124

83000
BILL VAN KLAVEREN
15113 MONTE VISTA AVE
CHINO HILLS, CA 91709

83240
FAIRVIEW FARMS
ARLAN VAN LEEUWEN
6875 PINE AVE
CHINO, CA 91710-9165

83440
GERALDINE SWOPE
2201 N WASHINGTON AVE
ROSWELL, NM 882013377

83560
JOHN VAN LEEUWEN
16311 MOUNTAIN AVE
CHINO, CA 91710-9124

83660
WILLIAM VAN LEEUWEN
13000 CITRUS ST
CORONA, CA 91720-9633

83880
VAN RYN DAIRY
DICK VAN RYN
14487 SCHLEISMAN RD
CORONA, CA 92880

90280
O.L.WEEKS
11530 VERNON AVE
CHINO, CA 91710

94040
GEORGE ZIVELONGHI
13450 S EUCLID AVE
ONTARIO, CA 91761-7945

95051
PAUL HO
17533 LORI ANN LANE
CERRITOS, CA 90703-8521

90920
WEST END CONSOLIDATED WATER CO
C/O CITY OF UPLAND - JIM MOODY
P.O. BOX 460
UPLAND, CA 91785

95002
FRANCISCO MOTA
402 S 5TH AVE
LA PUENTE, CA 91746-3007

95056
CATHERINE MENDIONDO
12760 SULTANA AVE
ONTARIO, CA 91761

91160
H & R WESTRA DAIRY
RICHARD WESTRA
7851 BICKMORE AVE
CHINO, CA 91710-9205

95006
ANGELAN GENDIAS TRUST
ROSE KETCHOYAN
4111 SEPULVEDA AVE
SHERMAN OAKS, CA 91403

95057
CASE TERMAATEN
5457 DOVER ST
CHINO, CA 91710

91380
PETE WESTSTEYN
14762 SCHLEISMAN RD
CORONA, CA 92880

95009
DAVID DE VUYST
13503 SAN ANTONIO AVE
CHINO, CA 91710-9024

95060
SO.CAL.AGRICULTURAL LAND FNO.
CHUCK HALE
13839 BON VIEW AVE
CHINO, CA 91710

92040
OTTO WIERSMA
P.O. BOX 42
BUHL, ID 83316-0042

95010
EWOUDA BOUMA
831 LA RODA CT
ONTARIO, CA 91762

95062
RICHARD VAN LOON
8500 HELLMAN AVE
CORONA, CA 91720-9609

92080
PETE WIERSMA
8812 EISENHOWER CT
CHINO, CA 91710-6215

95034
RIVER RANCH RECYCLING & ORGANICS
MIKE RAWLS
14545 RIVER RD
CORONA, CA 91720-9606

95063
MARY BROGURERE ESTATE
BERTHA BROGURERE
14840 ORANGE GROVE AVE
HACIENDA HEIGHTS, CA 91745

92840
LIBERTY RANCH
JOHN WIND
8486 CHINO-CORONA RD
CORONA, CA 92880-9500

95035
CARDOZA DAIRY
TONY CARDOZA, PARTNER
7475 ARCHIBALD AVE
CORONA, CA 91720

95065
SKY COUNTRY INVESTMENT COMPAN
ROBERT MCCUNE
P.O. BOX 1295
CORONA, CA 91718

93020
RAYMOND WOLL
13230 ORANGE ST
CORONA, CA 92880

95038
ANTHONY OSTERKAMP
P.O. BOX 5546
ORANGE, CA 92667

95066
LAND DESIGN SERVICES
JOHN GERARDI, PARTNER
14087 GOLDEN RAIN TREE LN
CHINO HILLS, CA 91709

93600
GARY YELLIS
3900 PEDLEY AVE
NORCO, CA 928601526

95044
J & L DAIRY
LARRY VANDEN BERGE
14610 CHANDLER AVE
CORONA, CA 92880

95075
J.G.J. JOINT VENTURE
JOLEEN
14651 GROVE AVE
CHINO, CA 91710-9064

93760
WEST EUCLID WATER GROUP
DARRELL YOKLEY
11738 7TH AVE
HESPERIA, CA 92345-1735

95050
JEAN MOYNIER
7123 SILVERADO TRAIL
NAPA, CA 94558

95077
DAVE VANDER SCHAAF
7777 SCHAEFER AVE
ONTARIO, CA 91781

95202
MARIA VIEIRA
7620 HELLMAN AVE
CORONA, CA 928809811

95225
MARCY RODRIGUEZ
9301 REMINGTON AVE #E
CHINO, CA 91710

95252
CESAR SALAZAR
6563 KIMBALL AVE
CHINO, CA 91710-9130

95204
BISHOP OF SAN BERNARDINO CORP. SOLE
DBA ST. ELIZABETH ANN SETON CATHOLIC
CHU
1201 E HIGHLAND AVE
SAN BERNARDINO, CA 92404-4607

95227
DANIEL TREJO
8705 58TH ST
RIVERSIDE, CA 92509

95255
SANTIAGO ANDRADE
ROBERT KERNES
7848 SCHAEFER AVE
ONTARIO, CA 91761

95206
HARRINGTON EQUIPMENT & RENTAL
CHARLIE HARRINGTON
7155 HAMNER AVE
CORONA, CA 91720

95228
RELIANT ENERGY, ETIWANDA LLC
DAN BEST
8996 ETIWANDA
ETIWANDA, CA 91739-9697

95257
LOUISA THORSHEIM
ARTURO LOZANO
14196 EUCLID AVE
CHINO, CA 91710-9028

95210
JOHN DOMINGUEZ
7065 PINE AVE
CHINO, CA 91710

95230
LIAU EN SUE
18201 2ND AVE
FOUNTAIN VALLEY, CA 92708

95259
FALLONCREST FARMS LLC
P.O. BOX 2500
CHINO, CA 91708-2500

95212
STERLING LEASING INC
14325 CHANDLER AVE
CORONA, CA 91720-9794

95233
CHIN HUNG
885 S BENSON AVE
ONTARIO, CA 91762

95266
REGENT COMMUNITIES LTD
245 FISCHER AVE #C-1
COSTA MESA, CA 92626-4535

95213
BOOTSMA CALF RANCH
IKE BOOTSMA
14560 SCHLEISMAN RD
CORONA, CA 928809208

95237
MARY MUSHEGAIN
7208 CHINO AVE
ONTARIO, CA 91761

95267
CCG ONTARIO, LLC
MIKE DEL SANTO
A SUBSIDIARY OF CATELLUS DEV. COF
4000 WESTERLY PLACE STE 200
NEWPORT BEACH, CA 92660

95214
GUILERMINA BARCELOS
18878 JEFFREY AVE
CERRITOS, CA 907136100

95238
SON NGUYEN
6568 GAYLORD ST
RIVERSIDE, CA 92505

95268
CHARLIE TADEMA CATTLE
CHARLIE TADEMA
8176 GRAPEWIN AVE
CORONA, CA 91720

95217
JACKIE SLOOW
14641 SCHLEISMAN RD
CORONA, CA 917209737

95246
ARCHIBALD RANCH COMMUNITY CHURCH
BOB BABCOCK
13344 ARCHIBALD AVE
ONTARIO, CA 91761

95272
TONY & ILENE LEONARDO
7428 CLEVELAND
CORONA, CA 92880

95219
VICTORY BAPTIST CHURCH
EMIL CRUZ
14132 SAN ANTONIO ST
CHINO, CA 91710

95247
PAUL BLACKMER
14058 S EUCLID AVE
CHINO, CA 91710

95274
QUEST DAIRY
ROBB QUINCEY
11515 SANTA ANITA AVE
CHINO, CA 91710

95223
LIZZE CUSTOM PROCESSING
FRANK LIZZARAGA JR
7310 PINE AVE
CHINO, CA 91710

95248
MIGUEL SIFUENTES
10460 80TH ST
MIRA LOMA, CA 91752-2633

95276
JIM MORRIS
P.O. BOX 302
BLOOMINGTON, CA 92316