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7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF SAN BERNARDINO- RANCHO CUCAMONGA DISTRICT**

10 CHINO BASIN MUNICIPAL WATER
11 DISTRICT,

Plaintiff,

v.

13 CITY OF CHINO, et al.,

14 Defendants.

) CASE NO.: RCV 51010

)
) *Assigned for all purposes to*
) *The Honorable Michael Gunn*

) **JOINDER OF INLAND EMPIRE**
) **UTILITIES AGENCY IN**
) **WATERMASTER'S MOTION FOR**
) **APPROVAL OF PEACE II**
) **DOCUMENTS; DECLARATION OF**
) **RICHARD ATWATER**

) DATE: November 29, 2007

) TIME: 1:30 p.m.

) DEPT.: R8

18
19 INLAND EMPIRE UTILITIES AGENCY, a Municipal Water District (hereinafter
20 referred to as "IEUA"), hereby joins in the Motion for Approval of Peace II documents brought
21 by CHINO BASIN WATERMASTER. IEUA also submits the Declaration of Richard W.
22 Atwater in support of the approval of Peace II documents.

23 Respectfully submitted,

24 Dated: November 12th, 2007

CIHIGOYENETCHE, GROSSBERG & CLOUSE

25
26 By: 

JEAN CIHIGOYENETCHE

Attorneys for Plaintiffs,

28 INLAND EMPIRE UTILITIES AGENCY

1 consideration and approval. I submit this declaration as Chief Executive Officer and General
2 Manager of IEUA and in support of approval of the Peace II documents.

3 4. I am familiar with and approve of the cost-sharing formula relative to the cost of
4 operation and maintenance of those recharge facilities utilized for the recharge of recycled water
5 as set forth in the Peace II Agreement, Article 8, Paragraph 8.1.
6

7 5. IEUA recognizes the critical role of recharge relative to Basin Management. I
8 believe that by continuing implementation of projects that expand recharge capacity by IEUA
9 and WATERMASTER, the recharge goals discussed in the Wildermuth Chino Basin
10 Groundwater Model can be attained. Certainly those efforts are under way. IEUA staff is
11 responsible for the design, construction and maintenance of the recharge improvements funded
12 jointly by WATERMASTER and IEUA for Phase I and Phase II of the Recharge Master Plan.
13 The total capital cost for Phase I and Phase II of the Recharge Master Plan is approximately \$50
14 million with about half (\$25 million) of that amount derived from grant funds received from the
15 State Water Resources Control Board and the Department of Water Resources. Future
16 improvements to the recharge facilities would also be shared equally between IEUA and
17 WATERMASTER, including preparation of an updated Recharge Master Plan.
18
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20 6. Supply sources for recharge water include imported water from MWD under
21 agreements with MWD and other municipal water districts. At page 7-8 of the Groundwater
22 Model Documentation, Mr. Wildermuth notes that replenishment capabilities through MWD
23 may be affected by capacity limitations in the Rialto Reach of Metropolitan's Foothill Feeder.
24 However, new replenishment connections are being installed on the Rialto pipeline to increase
25 the operational flexibility and reliability of replenishment deliveries from MWD. In addition,
26 IEUA with MWD and Three Valleys Municipal Water District have entered into an agreement
27
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1 with the San Gabriel Valley Municipal Water District to utilize the State Water Project
2 (hereinafter referred to as "SWP") delivery pipeline (called the Azusa Pipeline) to allow
3 additional replenishment deliveries via this facility (pipeline delivery capacity of 55 cfs). These
4 new connections will significantly increase the SWP delivery flow capacity and reliability of
5 SWP water supplies for Chino Basin recharge. I estimate that by 2010, the SWP water delivery
6 capacity will increase by over 120 cfs with the completion of these new connections which
7 represents on an annual basis the potential to increase SWP replenishment deliveries by 50,000
8 acre-feet.
9

10
11 7. Other methods of replenishment of the Chino Basin which are available under the
12 Peace I agreement include "In Lieu" replenishment and aquifer storage and recovery (commonly
13 called "ASR Wells" or injection). Both methods can significantly augment the future physical
14 replenishment capacity at the improved recharge basins. For example, all of the MWDDYY-
15 Storage Agreement account of 100,000 acre-feet can be delivered by In Lieu replenishment. In
16 fact, during the past four years more than half of the approximately 80 thousand acre-feet of the
17 SWP supplies that have been put into the MWD DYY storage account have been accomplished
18 by In Lieu replenishment and not by physical direct replenishment via recharge basins.
19

20
21 8. MWD is also committed to expand and improve the Chino Basin's recharge
22 capabilities. In June 2007, MWD approved the funding to assist the expanded Chino Basin
23 Desalters and to fund \$1.5 million in groundwater modeling, engineering feasibility studies and
24 CEQA to expand the MWD DYY program to 150,000 acre-feet. As a part of these MWD
25 funded studies enhanced recharge methods will be evaluated in partnership with the Chino Basin
26 Watermaster, Western Municipal Water District, Three Valleys Municipal Water District, IEUA
27 and MWD.
28

1 9. The use of recycled water will also bolster Chino Basin's recharge capabilities.
2 Recycled water is a key element in the Chino Basin Watermaster's BMP and the Peace II
3 Implementation Agreement(s). IEUA has been responsible for developing the Recycled Water
4 Implementation Plan and for funding all of the design, construction and operation of the recycled
5 water facilities serving the Chino Basin area. In addition, IEUA and Chino Basin Watermaster
6 have received all the necessary permits from the California Department of Public Health and the
7 Santa Ana Regional Water Quality Board (June 29, 2007) to recharge recycled water at all the
8 planned recharge basins which will allow approximately 30,000 acre-feet on an annual average
9 over the next 25 years of recharge of recycled water into the Chino Basin.
10

11
12 10. IEUA's Board of Directors has adopted a ten year capital improvement plan for
13 recycled water which provides for a total capital investment of approximately \$200 million to
14 ultimately deliver about 100,000 acre-feet of recycled water for recharge and non-potable uses
15 such as irrigation of parks, golf courses, schools, and industrial processed water needs. This is
16 significant in that the use of recycled water reduces the demand for SWP water by like amount.
17 This fall IEUA staff has prepared a three-year business plan that would accelerate the
18 implementation of the ten-year capital improvement plan by spending approximately \$120
19 million during the next three fiscal years to build facilities to deliver 50,000 acre-feet of recycled
20 water by the year 2011. The acceleration of the recycled water program was in recognition of
21 the statewide drought conditions and the recent federal court decisions related to endangered
22 species affecting the SWP (and federal Central Valley Project) supplies.
23
24

25 11. Conservation is also a key factor which will serve to enhance the Peace I and
26 Peace II efforts. In December 2005, the IEUA Board of Directors adopted an Urban Water
27 Management Plan that provides projected water supplies and urban demands through 2030.
28

1 Through that plan, IEUA administers its award-winning water conservation and efficiency
2 programs with the goal of reducing water use by 10 percent by 2030. IEUA coordinates and
3 implements these water conservation programs with all of the cities, water districts, school
4 districts and WATERMASTER within the Chino Basin. IEUA in partnership with all the cities
5 and water agencies within the Chino Basin has developed many innovative programs to capture
6 rainwater on-site in new developments, implementing California Friendly landscapes that will
7 reduce dramatically residential water use, and a variety of cash rebate incentive programs to
8 remove lawns at existing residences and install new water efficient appliances.
9

10
11 I declare under penalty of perjury that the foregoing is true and correct to the best of my
12 knowledge. Executed on this 12th day of November, 2007 in Chino, California.

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16 Richard W. Atwater
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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, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On November 13, 2007 I served the following:

1) JOINDER OF INLAND EMPIRE UTILITIES AGENCY IN WATERMASTER'S MOTION FOR APPROVAL OF PEACE II DOCUMENTS; DECLARATION OF RICHARD ATWATER

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

See attached service list: Mailing List 1

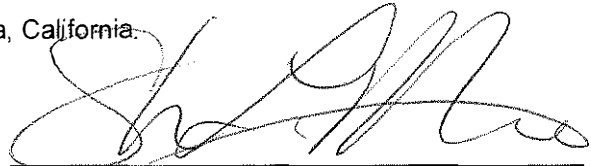
BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

BY FACSIMILE: I transmitted said document by fax transmission from (909) 484-3890 to the fax number(s) indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting fax machine.

BY ELECTRONIC MAIL: I transmitted notice of availability of electronic documents by electronic transmission to the email address indicated. The transmission was reported as complete on the transmission report, which was properly issued by the transmitting electronic mail device.

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

Executed on November 13, 2007 in Rancho Cucamonga, California:



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