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5 **Attorneys For**  
**CHINO BASIN WATERMASTER**

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7  
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SAN BERNARDINO**

10 CHINO BASIN MUNICIPAL WATER  
11 DISTRICT  
12 Plaintiff,  
13 vs.  
14 CITY OF CHINO, ET AL.  
15 Defendant.

**Case No. RCV 51010**  
[Assigned for All Purposes to the Honorable  
MICHAEL GUNN]  
**TRANSMITTAL OF SUPPLEMENTAL  
DOCUMENTS**  
Hearing date: November 29, 2007  
Time: 1:30 p.m.  
Department: R8

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18 At its Thursday November, 15, 2007 Board meeting, the Watermaster Board authorized the  
19 filing of this additional supplemental material that the Court may find pertinent to the Hearing the  
20 Court previously scheduled for November 29, 2007. Indeed, as the Court previously urged  
21 Watermaster to seek consensus in support of the overall effort, Watermaster believes it has met and  
22 exceeded that objective.

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24 The Peace II Measures have been approved by each of the three Pools, the Advisory  
25 Committee and the Watermaster Board. Watermaster expects joinders in support of the motion to be  
26 filed by most parties to the Judgment and fully expects that there will be unanimous support for the  
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1 effort. There will be declarations filed by many of the participants and interested parties expressing  
2 their support for this effort. Watermaster is unaware of any opposition.

3 Submitted with this pleading as Exhibit "A" is a final version of Wildermuth  
4 Environmental's Peace II Modeling Report. This version replaces the draft version that was  
5 submitted with Watermaster's Motion for Approval of the Peace II Documents that was filed on  
6 October 25, 2007.

7  
8 Attached to this pleading as Exhibit "B" is a Declaration from Mark Wildermuth which  
9 explains the differences between the draft report and the final report. As is shown by Mr.  
10 Wildermuth's Declaration, these changes were primarily minor refinements to the modeling work;  
11 the conclusions of the report did not change between the draft and final versions.

12 Attached to this pleading as Exhibit "C" is a Declaration from Kenneth R. Manning that  
13 explains Watermaster's expectations concerning further refinements that will be performed on Mr.  
14 Wildermuth's technical analysis as time moves on.

15  
16 Since the time of the filing of Watermaster's Motion, many of the Chino Basin parties have  
17 filed Joinders to the Motion. Attached to this pleading as Exhibit "D" is a Declaration from Mr.  
18 Jeffrey Kightlinger, the General Manager of the Metropolitan Water District of Southern California.  
19 This Declaration supports the management initiatives described in the Peace II Documents, and  
20 provides further support for factual assumptions contained in the Wildermuth report.

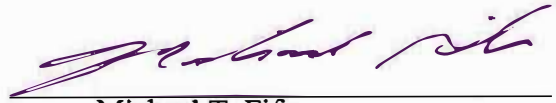
21  
22 Attached to this pleading as Exhibit "E" is a Declaration from Celeste Cantu, the General  
23 Manager for the Santa Ana Watershed Project Authority ("SAWPA") providing further support for  
24 the management efforts described by the Peace II Documents on the basis of the broad regional  
25 benefits of the measures.

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1 Attached to this pleading as Exhibit "F" is a letter of support from the Overlying (Non-  
2 Agricultural) Pool for Watermaster's Motion. This joinder is provided in letter form since the Non-  
3 Agricultural Pool does not have its own separate counsel.

4 Finally, attached to this pleading as Exhibit "G" is a Declaration from Mr. Mark Kinsey, the  
5 General Manager of the Monte Vista Water District ("MVWD"). This Declaration supplements the  
6 joinder previously filed by MVWD.  
7

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9  
10 Date: 11/15/07



11 Michael T. Fife  
12 Scott S. Slater  
13 HATCH & PARENT  
14 ATTORNEYS FOR  
15 Chino Basin Watermaster  
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# Exhibit A

2007 CBWM Model Documentation  
can be found on Watermaster's ftp  
site: [www.cbwm.org/ftp](http://www.cbwm.org/ftp).

Look in the Final Wildermuth  
Groundwater Documentation folder.

# Exhibit B

1 SCOTT S. SLATER (State Bar No. 117317)  
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**Case No. RCV 51010**

[Assigned for All Purposes to the  
Honorable MICHAEL GUNN]

**DECLARATION OF MARK  
WILDERMUTH**

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18 I, Mark Wildermuth declare as follows:

19 1. I am a hydrologist and a registered civil engineer and have been involved in the  
20 Chino Basin as such for over 25 years.

21 2. The original 2003 Chino Basin Groundwater Model was developed by me and under  
22 my direction, as have been all of the updates to that model, including the most recent set of 2007  
23 updates.

24 3. The 2003 Chino Basin Watermaster Groundwater Model was significantly updated in  
25 2006 and 2007. The resulting new model is referred to as the 2007 Chino Basin Watermaster  
26 Groundwater Model or 2007 Model. The construction of new model, its calibration and application  
27 to evaluate the Peace II project description was preliminarily described in a draft report entitled  
28

1 Draft – 2007 CBWM Groundwater Model Documentation and Evaluation of the Peace II Project  
2 Description dated October 2007 (hereafter, the Draft Report). Since the publication of the Draft  
3 Report, some additional fine tuning of the groundwater production and replenishment plans were  
4 done and were incorporated into planning alternatives and these revised alternatives were simulated  
5 with the new 2007 Watermaster Model. This additional work was contemplated at the time my  
6 October Declaration was prepared. A final report for this effort has been prepared and was  
7 submitted to the Watermaster on November 15, 2007 (hereafter, the Final Report). The 2007  
8 Watermaster Model incorporates all the lithologic and monitoring data collected by Watermaster  
9 including information from Watermaster’s expanded monitoring programs that resulted from the  
10 implementation of the OBMP. The model has been calibrated against historical groundwater levels  
11 over the period 1961 through 2005. In my professional opinion the quality of the calibration is  
12 excellent. The building and calibration of the 2007 Model is described in Sections 2 through 6 of the  
13 Final Report which has also been revised to respond to questions, comments and suggestions  
14 provided by some of the parties and Mr. Scalmanini; and to correct typographical errors.

15 4. Since late June 2007, I have shared the technical background of the 2007 Model with  
16 Mr. Scalmanini to facilitate Mr. Scalmanini’s review. I have remained in communication with Mr.  
17 Scalmanini to keep him informed of the progress of the model update and to verify that the  
18 recommendations for model improvements contained in Mr. Scalammnini’s review of the 2003 Model  
19 were carried forward as appropriate into the 2007Model.

20 5. I analyzed three planning alternatives in the evaluation of the Peace II project  
21 description that included:

- 22 • Baseline Alternative – Expansion of the Desalter Capacity and the 100,000 acre-ft Dry-Year  
23 Yield Program (DYYP). Desalter groundwater production would increase from the current level  
24 of about 28,000 acre-ft year (2006/07) to the full capacity of the existing desalters at about  
25 40,000 acre-ft/yr. This corresponds to an expansion of the product water capacity of about 24.2  
26 mgd to about 33.2 mgd. This alternative includes the existing 100,000 acre-ft DYYP. This  
27 alternative will serve as the baseline as it currently authorized and would occur without the  
28 adoption of the Peace II Instruments. This alternative is representative of what would occur  
without Peace II.

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- Alternative 1A – Expansion of the Desalters, Re-Operation, and the 100,000 acre-ft DYYP. Desalter groundwater production would increase from the current level of about 28,000 acre-ft year (2006/07) to the full capacity of the existing desalters at about 40,000 acre-ft/yr. This corresponds to an expansion of the product water capacity of about 29.2 mgd to about 33.2 mgd. Up to 400,000 acre-ft of the desalter replenishment obligation would be met by reductions in groundwater storage using the Re-operation schedule shown in Table 7-6a of the Final Report and referred to as Desalter Replenishment with Most Rapid Depletion of the Re-Operation Account This alternative includes the existing 100,000 acre-ft DYYP.
- Alternative 1B – Expansion of the Desalters, Re-Operation, and the 100,000 acre-ft DYYP. Desalter groundwater production would increase from the current level of about 28,000 acre-ft year (2006/07) to the full capacity of the existing desalters at about 40,000 acre-ft/yr. This corresponds to an expansion of the product water capacity of about 29.2 mgd to about 33.2 mgd. Up to 400,000 acre-ft of the desalter replenishment obligation would be met by reductions in groundwater storage using the Re-operation schedule shown in Table 7-6b of the Final Report and referred to as Desalter Replenishment with Proportional Depletion of the Re-Operation Account. This alternative includes the existing 100,000 acre-ft DYYP.

Alternative 1A or 1B is what is being asked for with Peace II. These alternatives were evaluated with the 2007 Watermaster Model. The planning alternatives were implemented in the model through groundwater production and replenishment projections.

6. Nineteen baseline simulations were required to obtain a Baseline Alternative that was consistent with Chino Basin Judgment and the recharge capacity available to the Watermaster for replenishment operations and allow sustainable production. The hydrology incorporated in the new model and the production projection resulted in a reduction in the future operating yield in the Baseline Alternative. The groundwater production projections for the appropriator parties were reduced so that the resulting projected replenishment obligation would not exceed the replenishment capacity available to the Watermaster. It was also necessary to reduce the net groundwater production by the Cucamonga Valley Water District (“CVWD”) and the City of Ontario to reduce the magnitude of a large pumping depression that was projected by the model to occur in the north central part of the Basin. It was outside the scope of my investigation to optimize the groundwater production patterns and associated replenishment. The modified groundwater production and replenishment projections that were developed for the Baseline served as the basis for Alternatives 1A and 1B. The replenishment obligation for the desalters was modified to reflect the Re-operation scenarios associated with Alternatives 1A and 1B.



1           7. Each planning alternative was evaluated to determine changes in groundwater level,  
2 changes in Santa Ana River discharge, changes in basin balance, hydraulic control effectiveness,  
3 changes in safe yield, and potential subsidence. This was accomplished using the updated 2007  
4 Watermaster Model to estimate the groundwater and surface water response to the planning  
5 alternatives. The impacts of Alternatives 1A and 1B were assessed by comparing the results of these  
6 simulations to the Baseline Alternative. Information was extracted from the model results to  
7 produce:

- 8
- 9           • Groundwater level projections to determine the change in groundwater levels throughout the  
10 basin, to assess hydraulic control and potential new subsidence. Maps were produced, showing  
11 the areal distribution of groundwater elevations and the change in elevations across the entire  
12 basin. Local maps were prepared in the southern end of the basin to assess hydraulic control.
- 13           • Surface water discharge projections of the Santa Ana River at Prado Dam to determine change in  
14 Santa Ana River recharge into the Chino Basin.
- 15           • Water balance tables to determine outflow from the Chino North Management Zone to the  
16 Prado Basin Management Zone and the Santa Ana River, new recharge from the Santa Ana  
17 River into the Chino South and Prado Basin Management Zones, the change in storage, and the  
18 change in safe yield.

19 In my October declaration I incorrectly referred to the method used by William Carroll in the  
20 original estimate of the safe yield for the Chino Basin Judgment as the “Hill method.” Carroll used  
21 two methods – a hydrologic budget method where the major recharge and discharge components  
22 were estimated for a base period of 1965 to 1974 and a simple mass balance method. I estimated the  
23 safe yield of the basin using a simple mass balance method similar to Carroll with modifications to  
24 account for the artificial recharge that was not addressed in the base period used by Carroll.

25           8. Change in Santa Ana River discharge at Prado Dam. The Santa Ana River discharge  
26 that corresponds to the Baseline Alternative was assumed to be the threshold to measure future  
27 changes in basin outflow and new yield due to Re-operation. Differences between the discharge for  
28 the Baseline Alternative and Alternatives 1A and 1B is the new recharge caused by Re-operation and  
approximates the new yield generated by Re-operation; that is, if an alternative results in a decrease  
in Santa Ana River discharge compared to the Baseline Alternative, the decrease in discharge would

1 approximate the increase in yield in the Chino Basin. The new Santa Ana River recharge achieved by  
2 Re-operation is about 8,600 acre-ft/yr for Alternative 1A and 9,000 acre-ft/yr for Alternative 1B. The  
3 difference between these two projections is not significant given the uncertainty of the water supply and  
4 replenishment plans in the out years. These values represent the average change in discharge from  
5 2034/35 through 2059/60. During the 2005/06 through 2034/35 period, the new Santa Ana River  
6 recharge grows rapidly from zero to about 9,000 to 10,000 acre-ft/yr. There is no material physical  
7 injury from this induced recharge. This new recharge never reaches the new recharge assumed in Tables  
8 7-6a and 7-6b.

9       9. Groundwater Level Changes. Figure 7-8 in the Final Report is a map that shows the  
10 location of selected wells that have groundwater level time projections for the planning alternatives  
11 which are shown in Figures 7-9a through 7-9l of the Final Report. The projected groundwater levels  
12 in 2022/23 for each planning alternative and the difference between the 2022/23 groundwater level  
13 projection and the 2005/06 initial condition were mapped for each planning scenario for model  
14 layers 1, 2 and 3. A similar set of maps were prepared for 2052/53. Appendix E in the Final Report  
15 contains these groundwater level contour maps and change in groundwater levels. The groundwater  
16 level maps were prepared from simulations without the DYYP so that the transients introduced by  
17 the DYYP would not be confused with the change in groundwater levels caused by Re-operation.  
18 The groundwater level projections at wells were prepared from the simulations with the DYYP to  
19 illustrate the compound impacts of Re-Operation and the DYYP. The projected groundwater  
20 elevation changes are not uniform across the basin, and therefore some water agencies will experience  
21 greater lift and related energy expenses from Re-operation. That said, the parties to the Judgment have  
22 indicated that they are willing to accept an increase in energy expenses with the expectation of other  
23 financial gains and certainties made possible by implementing the Peace II project description and other  
24 Peace II related agreements. Therefore, no material physical injury is projected to occur from the  
25 decline in groundwater levels caused by Alternatives 1A and 1B. In all cases, groundwater production is  
26 projected to be maintained in Alternatives 1A and 1B although some changes in production and  
27 replenishment plans may be required. From a production perspective, no material physical injury is  
28 projected to occur from the decline in groundwater levels caused by Alternatives 1A and 1B.

1           10.    Hydraulic Control. Hydraulic control refers to the elimination or reduction of  
2 groundwater discharge from the Chino North Management Zone to the Santa Ana River to negligible  
3 levels. It is a requirement of Watermaster and the IEUA's recycled water recharge permit and a  
4 condition to gaining access to the assimilative capacity for TDS and nitrogen afforded by the  
5 maximum benefit based TDS and nitrogen objectives. Hydraulic control was assessed herein from  
6 detailed groundwater elevation contour maps.

7           11.    Figures 7-10a and 7-10b (see Figures 7-10a, 7-10b from the Final Report) show the  
8 groundwater elevation contours for layer 1 with the Baseline Alternative for the fall of 2023 and  
9 2053, respectively, which correspond to 10 and 40 years after the completion of the desalter system.  
10 These maps also show the direction of groundwater flow in the form of simple unit vectors. The  
11 water level contour maps for the Baseline Alternative generally suggest that groundwater flows  
12 away from the Santa Ana River upstream of the Prado Reservoir, south of the Desalter II well field,  
13 and south of the eastern part of the Desalter I well field. There is some indication that hydraulic  
14 control is achieved in the Baseline Alternative with about a maximum 5 to 7 foot groundwater level  
15 depression in the center of the CCWF relative to the apparent stagnation point down gradient from  
16 the CCWF (assumed at an elevation of 507 feet) by the fall of 2023; and the depression expands  
17 slightly by the fall of 2053. Hydraulic control cannot be assured with this marginal depression in the  
18 center of the CCWF. Figures 7-11a and 7-11b (see Figures 7-11a, 7-11b from the Final  
19 Report) show the groundwater elevation contours for layer 1 with Alternative 1A for the fall of 2023  
20 and 2053, respectively, which correspond to 10 and 40 years after the completion of the desalter  
21 system.

22           12.    The general shape of the groundwater elevation contours for Alternative 1A is similar  
23 to the Baseline except that the state of hydraulic control is demonstrably more certain. The  
24 groundwater level depression in the center of the CCWF is about 17 feet by the fall of 2023 and  
25 reaches about 23 feet by the fall of 2053 or about twice that of the Baseline Alternative.

26           13.    The shape of the groundwater level contours around the eastern half of the Desalter I  
27 well field demonstrates a much stronger flow pattern to the wells from the north and the south than  
28 exhibited in the Baseline Alternative. From Figure 7-7, it appears that most of this drawdown occurs

1 by 2030, the end of the Re-operation period. There is an appearance of slight leakage along the  
2 Chino Hills margin of the basin; however, this leakage is a numerical artifact and is negligible.  
3 Figures 7-12 and 7-12b (see Figures 7-12a, 7-12b from the Final Report) show the groundwater  
4 elevation contours for layer 1 with Alternative 1B for the fall of 2023 and 2053, respectively. The  
5 shape and locations of the groundwater elevation contours for Alternative 1B are almost identical to  
6 Alternative 1A. The groundwater level depression in the center of the CCWF reaches about 15 feet  
7 by the fall of 2023 and about 25 feet by the fall of 2053 or more about double that of the Baseline;  
8 and, the shape of the groundwater level contours around the eastern half of the Desalter I well field  
9 demonstrates a much stronger flow pattern to the wells from the north and the south than exhibited  
10 in the Baseline Alternative.

11 14. Having considered the model results and based upon my general familiarity with the  
12 Chino Basin and historical operations, it is my opinion that Alternative 1A is superior to 1B in the  
13 near term and comparable to 1B after 2030 in achieving the stated objective. One of the assumptions  
14 in the Baseline Alternative is that the basin is operated in balance pursuant to the Judgment with the  
15 desalter production offsetting the decline in agricultural production. That balance has historically  
16 included a significant discharge from the basin to the Santa Ana River. Managing the net production  
17 from the basin to the operating yield and the dependence on the sustained production by others will  
18 produce a marginal state of hydraulic control at best, a state of hydraulic control that cannot be  
19 assured. The model projections for Alternatives 1A and 1B demonstrate a more robust state of  
20 hydraulic control. Re-operation is required to rapidly achieve and maintain hydraulic control.

21 15. In my opinion, taking into account the model results the Baseline Alternative could  
22 result in material physical injury to the parties. Alternatives 1A and 1B result in significantly greater  
23 reductions in groundwater levels in the Chino Creek Well Field and a reliable state of hydraulic  
24 control. Under this evaluation criterion no material physical injury would occur with Alternatives 1A  
25 or 1B.

26 16. Safe Yield. Table 7-9 contains the safe yield estimates for each planning  
27 alternative and period. For the period of 2005/06 through 2015/16, the safe yield for the Baseline  
28 Alternative declines from about 145,000 to about 134,000 acre-ft/yr. For the period after 2016/17

1 the safe yield for the Baseline Alternative declines gradually from about 134,000 acre-ft/yr to about  
2 119,000 acre-ft/yr by the end of 2059/60. The safe yield declines due to the reductions in the deep  
3 percolation of applied water and precipitation and the reduction in storm water recharge. The  
4 reduction in recharge is caused by historical and projected changes in land use and associated water  
5 use patterns from the conversion of agricultural and vacant land uses to urban uses through 2025.  
6 For the period 2005/06 through 2016/17, the safe yield increase associated with Re-operation is  
7 projected to reach about 2,000 acre-ft/yr by 2016/17, steadily increase to about 8,000 to 9,000 acre-  
8 ft/yr by 2030, and to average about 8,500 to 9,000 acre-ft/yr for the period of 2030/31 through  
9 2059/60. Note that the average safe yield for the period of 2030/31 through 2059/60 is about the  
10 same as the increase in Santa Ana Recharge discussed in Section 7.4.2. There are no reductions in  
11 yield projected for Alternatives 1A and 1B relative to the Baseline Alternative; thus, there is no  
12 material injury related to safe yield changes. In my opinion, the safe yield changes associated with  
13 Alternatives 1A and 1B are consistent with the goal of the OBMP to protect and enhance the safe  
14 yield of the Basin.

15 17. Since we published the Draft Report and distributed it for comment, we have received  
16 some comments regarding some of our observations and data in the report, particularly as it relates  
17 to the Baseline Alternative. Concern has been expressed about certain conditions in the Basin that  
18 will prevail regardless of whether Watermaster pursues Re-operation. The most prominent subject  
19 for discussion is the 2007 Model's prediction that operating safe yield will be reduced from the  
20 present assumed levels. Recharge to the Basin is being impacted by urbanization and the armoring  
21 of the Basin. The potential reduction in operating safe yield is worse without Re-operation. With  
22 Re-operation, the 2007 Model predicts that operating safe yield will be approximately 8,600 to 9,000  
23 acre-feet per year higher. Moreover, the model does not take into account pro-active measures that  
24 might be prudently undertaken by Watermaster to expand recharge capability through recharges  
25 improvements, including aquifer, storage and recovery projects.

26 18. Subsidence. My earlier analysis found that there will no new inelastic subsidence in  
27 the managed area of Management Zone 1 in the Baseline Alternative and Alternatives 1A and 1B.  
28 The final report confirms this view. East of managed area of Management Zone 1 there will likely

1 be some broad-scale, small subsidence caused by the regional lowering of groundwater levels that  
2 should not pose challenges to either surface structures or underground utilities. In my opinion, there  
3 should be no material physical injury due to subsidence from the change in groundwater levels  
4 caused by Alternatives 1A or 1B.

5 19. The model analysis has shown that to reliably achieve Hydraulic Control, at least  
6 400,000 acre-feet of controlled overdraft will be necessary. Having completed extensive modeling  
7 analysis, it is my opinion that this amount is a minimum amount that will be needed. It is possible  
8 that in the future we may determine that additional controlled overdraft is necessary but we will not  
9 know for sure until we initiate the proposed measures.

10 20. Based on my knowledge of the Chino Basin and the analysis obtained from the use of  
11 the 2007 Model, it is my professional opinion that the Basin Re-operation strategy as described in  
12 the Project Description will advance the OBMP goals of yield enhancement and preservation.

13 21. Based on my knowledge of the Chino Basin and the analysis obtained from the use of  
14 the 2007 Model, it is my professional opinion that the Basin Re-operation strategy as described in  
15 the Project Description is a necessary measure in order to achieve and maintain Hydraulic Control.

16 22. Based on my knowledge of the Chino Basin and the analysis obtained from the use of  
17 the 2007 Model, it is my professional opinion that the Basin Re-operation strategy as described in  
18 the Project Description will not cause Material Physical Injury.

19 23. All of the conclusions described above are contained in the November 2007 Final  
20 Report entitled 2007 CBWM Groundwater Model Documentation and Evaluation of the Peace II  
21 Project Description report or this Declaration.


22 24. I have also received several questions regarding some collateral subjects that were  
23 included within the report but were in large part, beyond the scope of the study. For example,  
24 questions have been raised as to several assumptions such as my decision to limit certain  
25 groundwater production by some of the producers. I never contemplated actually limiting the  
26 production of any specific party. To the contrary, I simply made what I believe to be a reasonable  
27 assumption that given the presently planned for recharge capacity and expected availability of water  
28 for recharge, there would be physical limitations on how much water could be produced by

1 individual agencies. I began with the production expectations of the parties that are reflected in their  
2 published urban water management plans. I then adjusted those projections by what I understand the  
3 physical limitations on actual production will be unless and until expanded recharge capability is  
4 provided. This expanded recharge capability might be provided through more efficient use of  
5 existing facilities, new recharge basins, and more expansive use of recycled water. However, it is  
6 more likely that the most efficient and cost-effective approach to expand recharge will be the use of  
7 ASR.

8 25. The Final Report utilizes an assumption that replenishment water will be available  
9 from the Metropolitan Water District ("MWD") which is a reasonable assumption based upon  
10 published estimates from the MWD. In any event, how Watermaster will address the planning,  
11 design, permitting and construction of expanded recharge facilities was beyond the scope of the  
12 present study and will be comprehensively addressed in the recharge master planning effort that is  
13 contemplated by the Peace II Measures.

14 The foregoing is true and correct to the best of my knowledge.

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17 Dated: November 15, 2007

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By:   
Mark Wildermuth

# Exhibit C



1 SCOTT S. SLATER (State Bar No. 117317)  
2 MICHAEL T. FIFE (State Bar No. 203025)  
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8 **Attorneys For**  
9 **CHINO BASIN WATERMASTER**

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14 Plaintiff,

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**Case No. RCV 51010**

[Assigned for All Purposes to the Honorable  
MICHAEL GUNN]

**DECLARATION OF KENNETH R.  
MANNING**

18 1. My name is Kenneth R. Manning and I am the Chief Executive Officer of the Chino  
19 Basin Watermaster.

20 2. I have participated in the negotiation and development of the suite of agreements and  
21 documents that constitute the Peace II measures.

22 3. Throughout the course of the Peace II process, I worked with all of the parties to  
23 develop the Peace II measures. I was primarily responsible for providing direction and oversight for  
24 the technical consultants including Wildermuth Environmental, Inc.  
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DECLARATION OF KEN MANNING

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4. The Peace II Modeling Report which was submitted to the Court in draft form on October 25, 2007, and in final form on or about November 15, 2007, was prepared under my direction.

5. I am familiar with the process that led to the development by Wildermuth Environmental of the Peace II Modeling Report, and am familiar with the scope of work and the general direction that was given to Wildermuth Environmental for this project. I am familiar with the expectations of Watermaster with respect to future similar work to be performed by Wildermuth Environmental.

6. It is part of the normal and customary practice of Watermaster technical consultants and staff to continuously update the results of their technical analyses with new information gathered through Watermaster's ongoing monitoring efforts, and to continue to refine their analyses in response to comments received from the parties. This is consistent with Watermaster's responsibility as a steward of the Basin and as the arm of the Court charged with administering the terms of the 1978 Judgment.

7. It is part of the expectation of Watermaster that Wildermuth Environmental will continue to update and refine its analysis contained in the Peace II Modeling Report.

8. If these refinements result in significant changes to the analysis or conclusions of the Report, Watermaster would notify the parties of such as part of its normal and customary practice. This notification may be provided through presentations made at the regularly scheduled Pool Committee meetings, or through special workshops which Watermaster conducts from time to time. They will be summarized annually in a section of the State of the Basin so that there will be a complete record of the improvements made and their potential significance.

1           9.       I declare under penalty of perjury that I have personal knowledge of the facts stated  
2 herein and if called as a witness could competently testify thereto.

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6       Date: 11/15/07

  
Kenneth R. Manning

HATCH AND PARENT  
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# Exhibit D

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9 **CHINO BASIN WATERMASTER**

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **FOR THE COUNTY OF SAN BERNARDINO**

12 CHINO BASIN MUNICIPAL WATER  
13 DISTRICT

14 Plaintiff,

15 vs.

16 CITY OF CHINO, ET AL.

17 Defendant.

18 **Case No. RCV 51010**

19 [Assigned for All Purposes to the Honorable  
20 MICHAEL GUNN]

21 **DECLARATION OF JEFF KIGHTLINGER**

22 1. My name is Jeff Kightlinger. I am the General Manager of the Metropolitan Water  
23 District of Southern California ("MWD"). I became General Manager in February of 2006. Prior to  
24 serving as General Manager I was the General Counsel for MWD for approximately six years from  
25 2000-2006.

26 2. MWD is the primary provider of imported water for the benefit of over 18 million  
27 people in Southern California, and it is comprised of 26 member agencies, including the Three  
28 Valleys Municipal Water District ("TVWMD"), the Western Municipal Water District ("WMWD"),  
and the Inland Empire Utilities Agency ("IEUA").

DECLARATION OF JEFF KIGHTLINGER

1           3.       In my capacity as General Manager I am responsible for management of all aspects of  
2 the District, including overseeing MWD's water supply planning efforts, and I have personal  
3 knowledge of MWD's imported water supplies and a general knowledge of MWD's operating  
4 infrastructure.

5  
6           4.       MWD provides wholesale water to its member agencies from two primary imported  
7 sources, the Colorado River and the State Water Project.

8           5.       In addition, MWD has developed additional complementary water supply projects to  
9 augment these sources and to maximize MWD's overall water supply reliability. These water  
10 projects include substantial economic investments and physical improvements in surface and  
11 groundwater storage within MWD's service areas as well as groundwater storage in the Central  
12 Valley.

13  
14           6.       For example, MWD has made investments in dry-year supplies and the storage and  
15 recovery of groundwater through agreements with the Calleguas Municipal Water District, the IEUA  
16 and TVMWD, among others. MWD has financially supported the efforts of its member agencies to  
17 develop local supplies, under its Local Resources Program. One program previously approved for  
18 support is the operation of the Chino I and Chino II Desalters.

19  
20           7.       I am generally aware of the ongoing water supply planning efforts undertaken by the  
21 MWD member agencies and their individual and cumulative projected demands on MWD.

22           8.       Projected curtailment of State Water Project deliveries attributable to the recent  
23 federal judgment on Delta smelt protections will impact the total quantity of water available to  
24 Metropolitan on a year-to-year basis in the near term. It is my opinion that with planned actions and  
25 programs to improve reliability of State Water Project operations in the Delta, over time, these near-  
26 term impacts will be offset. Upon successful implementation of these plans, Metropolitan projects  
27  
28

HATCHLAND PARENT  
21 East Canillo Street  
Santa Barbara, CA 93101

1 that it would be able to provide water for groundwater recharge to meet needs for agencies such as  
2 IEUA, over the long term.

3 9. I am also generally aware that IEUA, TVMWD and WMWD are working with the  
4 Chino Basin Watermaster to begin a novel groundwater management approach to preserve safe  
5 yield, desalt groundwater and reduce discharges of poor quality water to the Santa Ana River. This  
6 approach will result in widely expanded use of recycled water and reduce our reliance upon  
7 imported water.  
8

9 10. In my opinion, the efficient development of local resources and increased  
10 conservation is in the public interest and consistent with the goals and objectives of MWD and the  
11 region.

12 11. I declare under penalty of perjury that I have personal knowledge of the facts stated  
13 herein and if called as a witness could competently testify thereto.  
14

15 I swear under penalty of perjury that the foregoing is true and correct to the best of  
16 my knowledge.

17  
18 Date: Nov. 15, 2007

  
\_\_\_\_\_  
Jeff Kightlinger

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# Exhibit E



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**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
**FOR THE COUNTY OF SAN BERNARDINO**

CHINO BASIN MUNICIPAL WATER DISTRICT

Plaintiff,

vs.

CITY OF CHINO, ET AL.

Defendant.

**Case No. RCV 51010**

[Assigned for All Purposes to the Honorable  
MICHAEL GUNN]

**DECLARATION OF CELESTE CANTÚ**

1. My name is Celeste Cantú. I am the General Manager of the Santa Ana Watershed Project Authority (“SAWPA”). I have served in my present position since 2006. Prior to being retained by SAWPA, I was the Executive Director of the California State Water Resources Control Board (“SWRCB”).

2. SAWPA is a joint powers entity comprised of the Inland Empire Utilities Agency (IEUA), the Western Municipal Water District (WMWD), the San Bernardino Valley Municipal Water District (SBVMWD), Eastern Municipal Water District (EMWD) and Orange County Water District (OCWD). These agencies share a common goal of effectively managing the water resources of a single watershed.

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3. In my capacity as General Manager for SAWPA, I have become familiar with the expressed goal of IEUA and the Chino Basin Watermaster to desalt water from the Chino Basin, maximize the use of recycled water and to implement the goal of reduced discharges from the lower end of the Chino Basin to the Santa Ana River to a insignificant quantity.

4. It is my opinion that these efforts are consistent with the management goals SAWPA and its adopted Integrated Watershed Plan has for the watershed and as such are in the public interest.

5. I declare under penalty of perjury that I have personal knowledge of the facts stated herein and if called as a witness could competently testify thereto.

Date: November 8, 2007

  
\_\_\_\_\_  
Celeste Cantú

# Exhibit F



# Integrated Resource Management, LLC

November 15, 2007

Kenneth R. Manning  
Chief Executive Officer  
Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, California 91730

RE: **SUPPORT** Motion for Approval of the Peace II Documents filed by Watermaster

Dear Mr. Manning:

I am writing to you in my capacity as the representative of the Overlying (Non-Agricultural) Pool in order to express the support of the Non-Agricultural Pool for the Motion for Approval of the Peace II Documents filed by Watermaster on October 25, 2007.

The Non-Agricultural Pool participated in the negotiation of the Peace II measures and believes that they represent an equitable approach to continued management of the Chino Basin for the benefit of the existing community and future generations.

Since the Non-Agricultural Pool is not separately represented by its own legal counsel it will not make an appearance at the hearing to approve Watermaster's Motion, but you may represent to the Court that the Pool supports the Motion and encourages the Court to grant the Motion as requested.

Sincerely,

Mr. Robert W. Bowcock  
Integrated Resource Management, LLC

# Exhibit G

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**CHINO BASIN WATERMASTER**

6

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8

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9

**FOR THE COUNTY OF SAN BERNARDINO**

10

CHINO BASIN MUNICIPAL WATER  
11 DISTRICT

Case No. RCV 51010

12

Plaintiff,

[Assigned for All Purposes to the Honorable  
MICHAEL GUNN]

13

vs.

**DECLARATION OF MARK KINSEY**

14

CITY OF CHINO, ET AL.

15

Defendant.

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1. My name is Mark Kinsey. I am the General Manager of the Monte Vista Water  
19 District (MVWD). I have worked in my present position since November 1998.

20

21

22

23

2. I actively participated in the negotiation of the Peace Agreement and the OBMP  
Implementation Plan. I was also involved in most facets of the development of the agreements  
embodied that led to the adoption of the Watermaster Resolution No. 07-05 and the implementing  
24 legal instruments that have been transmitted to the Court on October 26, 2007 (collectively the  
25 "Peace II measures").

26

27

28

3. I have read the report prepared by Dr. David Sunding at the direction of Watermaster  
concerning the cumulative benefits that could be achieved by the parties to the Judgment as well as

1 the subsequent report prepared by Dr. Sunding regarding the individual benefits that the various  
2 parties to the Judgment might receive as a result of the identified Peace II measures.

3 4. I was a participant in the socioeconomic work group that was formed at the direction  
4 of the Watermaster Board and represented the MVWD at group meetings.

5 5. Based on my review of the full suite of arrangements set forth in the various legal  
6 instruments transmitted to the Court on October 26, 2007, I was able to recommend to the MVWD  
7 Board of Directors the adoption of the Peace II measures as a fair and equitable compromise of the  
8 economic interests of the parties.

9 6. Based on my review of the Santa Ana Regional Board Basin Plan, the Peace II  
10 measures and the various studies supporting the Peace II measures, I was able to recommend to the  
11 MVWD Board of Directors the adoption of the Peace II measures as a reasonable and beneficial use  
12 of the Chino Basin water resources.

13 7. I declare under penalty of perjury that I have personal knowledge of the facts stated  
14 herein and if called as a witness could competently testify thereto.

15 I swear under penalty of perjury under the laws of the State of California that the  
16 foregoing is true and correct to the best of my knowledge. Executed this 9<sup>th</sup> day of November 2007  
17 at Claremont, California.

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Mark Kinsey

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 15, 2007 I served the following:

**1) TRANSMITTAL OF SUPPLEMENTAL DOCUMENTS**

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

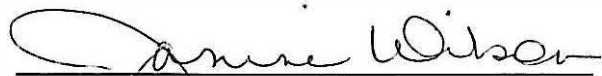
BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

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 15, 2007 in Rancho Cucamonga, California.

  
\_\_\_\_\_  
Janine Wilson  
Chino Basin Watermaster



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