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6 CHINO BASIN WATERMASTER

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 JOHN P. WADE]

**NOTICE OF NOVEMBER 13, 2008
RULINGS**

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19 PLEASE TAKE NOTICE that on November 13, 2008 at 8:30 a.m. in Department S-32, the
20 Honorable John P. Wade conducted a hearing on a number of motions. The Court Ordered
21 Watermaster to provide this notice of the outcome of the hearing.

22 The Court considered the following motions:

- 23 1. *Watermaster Compliance with December 21, 2007 Order Conditions One and Two*
 - 24 2. *Watermaster Compliance with December 21, 2007 Order Condition Three*
 - 25 3. *Watermaster Compliance with Condition Subsequent Number Four*
 - 26 4. *Motion to Approve Watermaster's Filing in Satisfaction of Condition Subsequent 5;*
27 *Watermaster Compliance with Condition Subsequent 6*
- 28

1 Good cause having been shown, the Court granted all of the motions.

2 The Court received and filed Watermaster's 29th and 30th Annual Reports.

3 The Court received and filed Watermaster's Status Reports 2007-01 and 2007-02.

4 The Court indicated that in lieu of further written status reports, the Court will conduct a
5 series of hearings in order to monitor the progress of Watermaster.

6 The Court set a hearing for February 2, 2009, and to continue to February 3, 2009, if
7 necessary. At this hearing Watermaster is to present testimony on:

8 1. What is being done to implement the Physical Solution and to assure that
9 implementation will be successful.

10 2. How will recharge be accomplished in the future. What is the Recharge Master Plan
11 and the numerical basis for the plan.

12 3. What is the Optimum Basin Management Program, both from a historical standpoint
13 and as it is currently.

14 4. What progress has been made by the Watermaster to form a separate committee to
15 review and make recommendations regarding Watermaster's governing structure.

16

17 The Court instructed all parties that intend to present testimony to submit a list of witnesses.
18 Watermaster is instructed to additionally provide an outline of its proposed testimony prior to the
19 hearing.

20

21 The Court considered Cucamonga Valley Water District's *Motion to Discontinue the*
22 *Appointment of the Special Referee.*

23 The Court cited several reasons why it would not grant the motion at this time. The Court
24 cited its recent assignment to the case and indicated that if it has particular questions, the most
25 expeditious way to get answers is to have Miss Schneider answer those questions. The Court also
26 cited Watermaster's apparent non-compliance with certain conditions and deadlines. Finally the

27


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1 Court noted that the matter is in a transitional phase with conditions of approval to be monitored and
2 enforced and the Court needs assistance during this transitional phase.

3
4 The Court noted that from this point on, questions and requests for assistance from the
5 Special Referee will be specifically referred to the Special Referee in written Orders from the Court.

6
7
8 Dated: November 19, 2008

BROWNSTEIN HYATT FARBER SCHRECK, LLP

9
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11 By: 
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15 SB 490065 v1:008350.0001

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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 21, 2008 I served the following:

1) NOTICE OF NOVEMBER 13, 2008 RULINGS

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 21, 2008 in Rancho Cucamonga, California.


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