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Attorneys for
CHINO BASIN WATERMASTER

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO, RANCHO CUCAMONGA

Chino Basin Municipal Water District,
Plaintiff,

v.

City of Chino, et al.,
Defendant.

Case No. RCVRS 51010

Assigned for All Purposes to the
Honorable Stanford E. Reichert

**NOTICE OF RULING RE
WATERMASTER'S EX PARTE
APPLICATION TO CONTINUE HEARING
ON MOTION TO REVISE SECTION 5 OF
THE 2013 RECHARGE MASTER PLAN
UPDATE AND RESTATED JUDGMENT;
NOTICE OF HEARING**

Date: December 13, 2013
Time: 1:30 p.m.
Dept.: R-6

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT:

On December 13, 2013, at 1:30 a.m., in Department R-6, the Honorable Stanford E. Reichert conducted a hearing and issued the Order Approving Watermaster's 2013 Amendment to 2010 Update to Recharge Master Plan and Intervention of TAMCO – Amended, a copy of which is attached hereto as Exhibit A, the Order of Court Approval of Temporary Substitute Rate

038350\0038\10905321.1

1 for Physical Solution Transfers Under Exhibit "G" to the Judgment, a copy of which is attached
2 hereto as Exhibit B, and the Stipulation Regarding City of Fontana's Motion to Revise Section 5
3 of the 2013 Recharge Master Plan Update and Restated Judgment – Order, a copy of which is
4 attached hereto as Exhibit C.

5 The Court continued the hearing date for the City of Fontana's Motion to Revise Section 5
6 of the 2013 Recharge Master Plan Update and Restated Judgment ("City of Fontana's Motion"),
7 as well as a hearing on Watermaster and IEUA's Motion for Approval of the 2013 Amendment to
8 the 2010 Recharge Master Plan Update, as to Section 5 of the 2010 Recharge Master Plan Update
9 ("Watermaster's Continued Motion"), to **April 4, 2014 at 1:30 p.m.** In conjunction with the
10 continued hearing date, the Court set the following briefing schedule:

11 The City of Fontana and Watermaster shall file and serve a supplement to their Motions, if
12 any, on or before **3:00 pm. on February 28, 2014.**

13 Oppositions to either of the City of Fontana's Motion or Watermaster's Continued Motion
14 shall be filed and served on or before **3:00 pm. on March 14, 2014.**

15 Replies to oppositions to either of the City of Fontana's Motion or Watermaster's
16 Continued Motion shall be filed and served on or before **3:00 pm. on March 24, 2014.**

17
18 Dated: December 23, 2013

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

20
21
22 By: 

23 SCOTT S. SLATER
24 BRADLEY J. HERREMA
25 Attorneys for
26 CHINO BASIN WATERMASTER
27
28

Exhibit A

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
RANCHO CUCAMONGA DISTRICT

DEC 13 2013

BY Virginia J. Higgins
DEPUTY

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
STANFORD E. REICHERT]

~~PROPOSED~~ ORDER APPROVING
WATERMASTER'S 2013 AMENDMENT
TO 2010 UPDATE TO RECHARGE
MASTER PLAN AND INTERVENTION OF
TAMCO - AMENDED

Date: December 13, 2013

Time: 1:30 p.m.

Dept.: R-6

Having read, reviewed and considered all pleadings filed in support and in response, if any, including the testimony presented at the December 13, 2013 hearing, and good cause appearing therefore:

I. Recharge Master Plan Update

a. Background on Development of 2013 Amendment to the 2010 Recharge Master Plan Update

On December 21, 2007, the Court issued its *Order Concerning Motion for Approval of Peace II Documents*. The Order required Watermaster to comply with nine conditions subsequent. Consistent with section 8.1 of the Peace II Agreement, condition subsequent number eight required Watermaster to submit for approval an updated Recharge Master Plan by July 1, 2010.

1 On June 30, 2010, Watermaster submitted its updated Recharge Master Plan, the 2010
2 RMPU, to the Court in compliance with condition subsequent number eight. However, due to
3 intervening state legislation enacted subsequent to the Court's December 2007 Order, a delay was
4 required. The legislation, SB 7, extended the time for completion of 2010 Urban Water
5 Management Plans ("UWMPs") until July 1, 2011. The UWMPs would provide important
6 information about the projected Basin production by members of the Appropriative Pool. This
7 information was critical to the 2010 RMPU and, because this information was not yet available in
8 June 2010, the Inland Empire Utilities Agency ("IEUA") was not in a position to approve the
9 updated RMP as required by the Peace II Agreement. IEUA deferred its right to approval of the
10 2010 RMPU until after the completion of the parties' UWMPs, because IEUA believed that the
11 water demand and production assumptions were overly conservative and should be re-evaluated
12 with the completion of the parties' UWMPs to avoid unnecessary expense to the parties.

13 After Watermaster's submittal of the 2010 RMPU, the Court issued its October 8, 2010
14 Order finding that the 2010 RMPU was responsive to the Court's December 21, 2007 Order,
15 condition subsequent number eight, whereby Watermaster was ordered to convene a committee
16 described in item 3 of section 7.1 of the 2010 RMPU "...to develop the monitoring, reporting, and
17 accounting practices that will be required to estimate local project stormwater recharge and new
18 yield." (October 8, 2010 Order, at 4:9-11.) The Court also ordered Watermaster "...to conduct
19 further analyses as described in section 7.2 of the updated Recharge Master Plan of the Phase I
20 through III projects to refine the projects, to develop a financing plan, and to develop an
21 implementation plan." (October 8, 2010 Order, at 4:12-14.) The Court further ordered Watermaster
22 to report to the Court on any changes to the 2010 RMPU necessitated by information received
23 through the UWMPs by December 17, 2011, and to report on the status of IEUA's approval of the
24 RMPU. (October 8, 2010 Order, at 4:15-18.)

25 On December 12, 2011 Watermaster filed an Ex Parte Motion to Request a 180-Day
26 Extension of Time re Filing of Recharge Master Plan Status Report. The Court granted this request
27 on December 16, 2011. On May 31, 2012, Watermaster filed a Recharge Master Plan Status
28

1 Report, informing the Court of the progress made towards revising the 2010 Recharge Master Plan
2 Update.

3 Using updated estimates of stakeholders' groundwater production and projections of
4 replenishment obligations, Watermaster and the parties have evaluated changed circumstances
5 (legislative, regulatory, etc.) that were not addressed in the 2010 RMPU and how these changes
6 affect the Recharge Master Plan. For this purpose, a Recharge Master Plan Update Steering
7 Committee was convened. Throughout 2012 and 2013, Watermaster staff and the parties have
8 collaborated to finalize the 2013 Amendment to the 2010 RMPU.

9 Using these scenarios, Watermaster's hydrology consultant undertook modeling in order to
10 project recharge needs within the Basin, based on modeled future groundwater levels, estimated
11 Safe Yield, and the balance of recharge and discharge within the Basin. This analysis was
12 predicated on updated pumping and replenishment projections, estimates of the locations and
13 amounts of recharge required for groundwater production sustainability, and potential production
14 forbearance.

15 As the modeling prior to the Amendment process had been based on the existing locations
16 and capabilities of existing recharge facilities, the Steering Committee also had an inventory
17 conducted of existing recharge facilities, which includes the characterization of recharge basins,
18 recharge capacities and the factors controlling recharge performance. Other factors that have also
19 been included in the analysis include the evaluation of impacts due to changes in recycled water
20 recharge regulations on Watermaster's ability to recharge the same, the analysis of actual storm
21 water recharge at existing facilities, storm water available for recharge at each facility, and what
22 could be done to increase recharge at each, as well as the evaluation of availability of and ability to
23 recharge supplemental water, and the possibility of in-lieu recharge within the Basin.

24 In order to finalize the Amendment, the Steering Committee identified the possible recharge
25 options available to meet current and projected recharge and replenishment needs. This included
26 the identification of areas within the Basin with the potential for production sustainability
27 challenges and other water management challenges that can be addressed by recharge or production
28

1 management, the identification of options ensuring production sustainability through the term of
2 Peace Agreements, including increased recharge at existing facilities, new recharge facilities, new
3 recharge sources, adjustments in production patterns, etc. Based on the Steering Committee's
4 desire to evaluate as many recharge project options as could be identified, the Amendment analyzed
5 suggested projects well beyond those for which the 2010 RMPU's prior analysis was required to be
6 refined pursuant to the Court's October 2010 Order. The listing of projects was expanded
7 intentionally to provide an opportunity to identify any and all known recharge opportunities at this
8 time.

9 After the identification of the potential recharge projects, the Steering Committee developed
10 the methods and criteria that would be used to evaluate and rank each of them. Project evaluation
11 criteria include confidence in recharge estimate; location; expandability to include supplemental
12 water recharge; cost; water quality challenges; and institutional challenges. Using these agreed
13 upon methods and criteria, Watermaster's consultants conducted engineering and economic
14 analyses of each. Based on these analyses, the Steering Committee reviewed and recommended
15 implementation of the selected options, and developed recommended financing and implementation
16 plans for these options.

17 IEUA, an active participant in the process, considered the proposed options and has
18 indicated willingness to jointly fund certain of these projects that will facilitate the recharge of
19 additional quantities of recycled water. IEUA's financial participation has been considered in the
20 cost of the projects.

21 At its September 26, 2013 regular Board meeting, the Watermaster Board adopted
22 Resolution 2013-06, approving the 2013 Amendment and finding that it fulfills the requirements of
23 the Court's October 8, 2010 Order. At its October 16, 2013 regular Board meeting, the IEUA
24 Board of Directors adopted Resolution 2013-10-1, approving the Amendment. No party has
25 objected to 2013 Amendment's recommended projects or its implementation and financing plan.

26 **b. Section 5 of 2013 Amendment to the 2010 Recharge Master Plan Update**

27 As required by the Court's October 2010 Order, the Steering Committee also worked to
28



1 develop the monitoring, reporting, and accounting practices required to estimate stormwater
2 recharge and any resultant New Yield associated therewith, arising from compliance with the
3 requirements of the Regional Water Quality Control Board's permit for Municipal Separate Storm
4 Sewer Systems (MS4s). On June 27, 2013, the Watermaster Board approved Section 5 of the 2013
5 Amendment, entitled "Monitoring, Reporting, and Accounting Practices to Estimate Long-Term
6 Average Annual Net New Stormwater Recharge." Representatives of the City of Fontana
7 ("Fontana") opposed the Board's approval of Section 5, based on Fontana's position that additional
8 language regarding the allocation of credit for recharged stormwater should be included in the
9 Section.

10 On September 24, 2013, Fontana filed its Motion to Revise Section 5 of the 2013 Recharge
11 Master Plan Update and Restated Judgment. The Court set a briefing schedule for the consideration
12 of Fontana's motion along with Watermaster and IEUA's motion for approval of the 2013
13 Amendment. On November 18, 2013, Watermaster and Fontana filed with the Court a Stipulation,
14 whereby they agreed to the continuance of the Court's hearing on Fontana's motion for a period of
15 time during which Watermaster would convene a facilitated discussion of the concerns underlying
16 Fontana's motion. Watermaster and IEUA have amended their pending Motion to provide that the
17 request for Court approval of the 2013 Amendment shall not include Section 5, and also be subject
18 to a continuing condition that Watermaster proceed in good faith to initiate and complete the
19 facilitated process and to advise the Court of its continuing progress in accordance with the
20 schedule attached to the Stipulation, and that the City reserves its rights to continue with its
21 opposition to Section 5 of the 2013 Amendment unless and until it may agree to the resolution of
22 the City of Fontana's concerns set forth in its September 24, 2013 Motion, as well as Fontana's
23 concerns regarding an anticipated recharge application for a project outside the 2013 Amendment
24 ("Disputed Matters".)

25 II. Intervention of TAMCO

26 Watermaster received a Petition to Intervene into the Judgment with placement under the
27 Overlying (Non-Agricultural) Pool from TAMCO on July 17, 2013, based on TAMCO's agreement
28

1 with Ameron, Inc. for a transfer of a portion of Ameron's production rights within the Overlying
2 (Non-Agricultural) Pool. The requested intervention of TAMCO was approved unanimously by the
3 Appropriative, Overlying (Agricultural) and Overlying (Non-Agricultural) Pools at their August 8,
4 2013 meetings, was approved unanimously by the Advisory Committee at its August 15, 2013
5 meeting, and was approved unanimously by the Board at its August 22, 2013 meeting. Watermaster
6 and the Court know of no opposition to the intervention.

7 III. Findings and Order

8 On the basis of the above, the Court finds and Orders as follows:

9 (1) The Court finds that the 2013 Amendment to the 2010 RMPU, excepting Section 5
10 thereof, is responsive to the Court's Order of October 8, 2010, specifically:

11 (a) The Court finds that Watermaster has satisfied the Court's order to report to
12 the Court on any changes to the 2010 RMPU necessitated by information received through the
13 UWMPs.

14 (b) The Court finds that Watermaster has satisfied the Court's order to conduct
15 further analyses as described in section 7.2 of the updated Recharge Master Plan of the Phase I
16 through III projects to refine the projects, to develop a financing plan, and to develop an
17 implementation plan.

18 On this basis, the Court approves Watermaster proceeding with the 2013 Amendment,
19 excepting Section 5 thereof, as the effective Recharge Master Plan, as updated. The Court will
20 consider the approval of Section 5 of the 2013 Amendment at the same time it considers Fontana's
21 motion or any resolution thereof.

22 The Court's approval is subject to the continuing condition that Watermaster proceed in
23 good faith to initiate and complete the facilitated process and to advise the Court of its continuing
24 progress in accordance with the schedule attached to the Stipulation and that the City reserves its
25 rights to continue with its opposition to Section 5 of the 2013 Amendment unless and until it may
26 agree to the resolution of the Disputed Matters.

27 (2) The Court hereby orders Watermaster to describe the progress made and activities
28

1 undertaken pursuant to the 2013 Amendment's Implementation and Financing Plans as part of
2 Watermaster's semi-annual Optimum Basin Management Program reports and orders Watermaster
3 to file such reports with the Court for its information and review.

4 (3) The Court hereby approves the request of TAMCO for intervention as a party to the
5 Judgment with placement within the Overlying (Non-Agricultural) Pool.

6
7 December 13, 2013



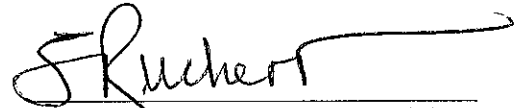
8 
9 The Honorable Stanford E. Reichert

Exhibit B

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
RANCHO CUCAMONGA DISTRICT

DEC 13 2013

BY Virginia L. Kirtley
DEPUTY

CHINO BASIN MUNICIPAL WATER DISTRICT,) Case No.: RCVRS51010
)
Plaintiff,) ORDER OF COURT APPROVAL OF TEMPORAARY
) SUBSTITUTE RATE FOR PHYSICAL SOLITION
vs.) TRANSFERSUNDER EXHIBIT "G" TO THE
) JUDGMENT
CITY OF CHINO, et al.)
)
Defendant)

ORDER OF COURT APPROVAL OF TEMPORAARY SUBSTITUTE RATE FOR PHYSICAL
SOLITION TRANSFERSUNDER EXHIBIT "G" TO THE JUDGMENT

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
RANCHO CUCAMONGA DISTRICT
DEC 13 2013

BY Virginia L. Lippert
DEPUTY

IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned counsel, solely on behalf of the parties that they represent of record, as follows:

1. If any member of the Overlying (Non-Agricultural) Pool Committee (each, a "NAP Electing Member") elects, pursuant to Section 9(a) of Exhibit "G" to the Judgment, to make any or all of its current annual Production right or water held in storage available for purchase by the members of the Appropriative Pool, then such offer shall be subject to the terms and conditions of Section 9 of Exhibit "G", except that the phrase "92% of the then-prevailing 'MWD Replenishment Rate'" shall be replaced with the phrase "82% of the water rate for Full Service Untreated Volumetric Cost: Tier 1, as adopted by the Metropolitan Water District of Southern California as of the date hereof to be effective during the period of January 1, 2014 through June 30, 2014, for each acre foot so transferred. MWD's 2014 rate for Full Service Untreated Volumetric Cost: Tier 1 is \$593 per acre-foot; 82% of that rate is \$486.26 per acre-foot." The terms and conditions of this Stipulation shall apply only to water made available by a NAP Electing Member between the date hereof and December 31, 2013, and only in the event that MWD does not, prior to December 31, 2013, publish a MWD Replenishment Rate that is effective during the period of January 1, 2014 through June 30, 2014.

2. The approval of a temporary substitute rate for Physical Solution Transfers herein shall have no precedential effect in regard to the rate that may be implemented for Physical Solution Transfers in years other than Fiscal Year 2013-2014.

3. Legal counsel for the Watermaster Board shall file a motion seeking entry of an order of the Court approving the rate substitution described in paragraph 1 above, and shall

1 provide notice to other parties thereof. No assertion of fact or law contained in any paper filed
2 with the Court by the Watermaster Board shall be construed as the belief or position of any other
3 party.

4 Dated: November 20, 2013

HOGAN LOVELLS US, LLP

6 By: 

ALLEN W. HUBSCH
Attorneys for CHINO BASIN
WATERMASTER OVERLYING (NON-
AGRICULTURAL) POOL

9 Dated: November __, 2013

10 BY: _____

JOHN J. SCHATZ
Attorneys for CHINO BASIN
WATERMASTER APPROPRIATIVE
POOL

13 Dated: November __, 2013

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

15 BY: _____

SCOTT S. SLATER
BRADLEY J. HERREMA
Attorneys for CHINO BASIN
WATERMASTER

19 ORDER

20 Pursuant to the stipulation of the parties and good cause appearing thereof, IT IS SO
21 ORDERED.

22 DATED: __, 2013

23 _____
24 Judge of the Superior Court

1 provide notice to other parties thereof. No assertion of fact or law contained in any paper filed
2 with the Court by the Watermaster Board shall be construed as the belief or position of any other
3 party.

4 Dated: November __, 2013

HOGAN LOVELLS US, LLP

6 By: _____
7 ALLEN W. HUBSCH
8 Attorneys for CHINO BASIN
9 WATERMASTER OVERLYING (NON-
10 AGRICULTURAL) POOL

11 Dated: November 19, 2013

12 BY: John J. Schatz
13 JOHN J. SCHATZ
14 Attorneys for CHINO BASIN
15 WATERMASTER APPROPRIATIVE
16 POOL

17 Dated: November 21, 2013

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

18 BY: Scott S. Slater
19 SCOTT S. SLATER
20 BRADLEY J. HERREMA
21 Attorneys for CHINO BASIN
22 WATERMASTER

23 ORDER

24 Pursuant to the stipulation of the parties and good cause appearing thereof, IT IS SO
25 ORDERED.

26 DATED: 12.13, 2013

27 [Signature]
28 Judge of the Superior Court

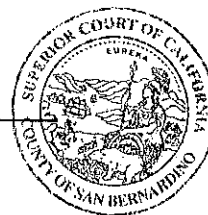


Exhibit C

*same
as before
with
young*

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8 Attorneys for
9 CHINO BASIN WATERMASTER

FEE EXEMPT
FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
RANCHO CUCAMONGA DISTRICT
NOV 18 2013

BY *[Signature]* DEPUTY

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

11 CHINO BASIN MUNICIPAL WATER
12 DISTRICT,
13
14 Plaintiff,
15
16 v.
17 CITY OF CHINO, et al.,
18 Defendant.

Case No. RCV 51010

[Assigned for All Purposes to the Honorable
STANFORD E. REICHERT]

**STIPULATION REGARDING CITY OF
FONTANA'S MOTION TO REVISE
SECTION 5 OF THE 2013 RECHARGE
MASTER PLAN UPDATE AND
RESTATED JUDGMENT ORDER**

Date: December 13, 2013
Time: 1:30 p.m.
Dept. R-6

19 WHEREAS, by Order of October 8, 2010, the Superior Court for the County of San
20 Bernardino ("Court") approved Watermaster's 2010 Recharge Master Plan Update (2010
21 RMPU), ordering Watermaster to undertake further tasks in regard to the amendment of the 2010
22 RMPU;

23 WHEREAS, in order to ensure that the 2013 Amendment could be timely completed, the
24 Watermaster Board approved a schedule pursuant to which individual sections of the 2013
25 Amendment would be approved prior to the completion of the entire document;

26 WHEREAS, on June 27, 2013, the Watermaster Board approved Section 5 of the 2013

✓

1 Amendment to the 2010 Recharge Master Plan Update, titled "Monitoring, Reporting, and
2 Accounting Practices to Estimate Long-Term Average Annual Net New Stormwater Recharge),
3 which approval the City of Fontana ("City") opposed;

4 WHEREAS, on September 24, 2013 the City filed its Motion to Revise Section 5 of the
5 2013 Recharge Master Plan Update and Restated Judgment ("Motion"), scheduled for hearing on
6 October 25, 2013;

7 WHEREAS, on September 26, 2013, the Watermaster Board adopted Resolution No.
8 2013-06, approving the 2013 Amendment in its entirety;

9 WHEREAS, on November 4, 2013 Watermaster filed its Motion for Court Approval of
10 2013 Amendment to 2010 Recharge Master Plan Update ("Watermaster Motion");

11 WHEREAS, the Watermaster has previously expressed its continuing commitment to
12 resolve concerns and disputes among stakeholders without the need for a contested hearing and
13 desires to engage in good faith efforts, during the first quarter of 2014, to resolve the City of
14 Fontana's concerns set forth in its Motion and regarding an anticipated recharge application for
15 the Vulcan Pit project ("Disputed Matters"); and

16 WHEREAS, Watermaster and the City mutually desire to exercise good faith and
17 reasonable efforts to attempt to resolve the Disputed Matters.

18 NOW THEREFORE, Watermaster and the City stipulate as follows:

19 1. Watermaster will convene a Watermaster facilitated process among stakeholders
20 with the objective of obtaining a comprehensive resolution of the Disputed Matters in a timely
21 manner. The process will commence no later than December 9, 2013.

22 2. The facilitated process described in paragraph 1, above, will endeavor to follow
23 the schedule attached hereto as Exhibit "A".

24 3. Pursuant to this stipulation, the Parties jointly request the Court to continue the
25 hearing on the City's Motion for 135 days, to a date to be set by the Court ("Continued Hearing
26 Date"), in order to allow the Parties time to pursue a more comprehensive resolution to the City's

Concerns.

4. The deadline for filing and service of any opposition to the City's Motion shall be extended to a date three weeks prior to the Continued Hearing Date. The deadline for filing and service of for any reply to such opposition shall be extended to a date one week prior to the Continued Hearing Date.

5. Watermaster will amend the pending Watermaster Motion to provide that Watermaster's request for Court approval of the 2013 Amendment shall not include Section 5, and also be subject to a continuing condition that Watermaster proceed in good faith to initiate and complete the facilitated process and to advise the Court of its continuing progress in accordance with the Schedule attached hereto as Exhibit "A," and that the City reserves its rights to continue with its opposition to Section 5 of the 2013 Amendment unless and until it may agree to the resolution of the Disputed Matters. On this basis, Watermaster and the City agree that the hearing on such an amended Watermaster Motion may remain on calendar for December 13, 2013. Watermaster will prepare and file a new proposed order to reflect the fact that the Court is considering adoption of the 2013 Amendment to the 2010 Recharge Master Plan Update without Section 5. Section 5 shall be considered for approval at the same time the Court considers Fontana's Motion on the Continued Hearing Date.

6. If, at any time after Watermaster has convened the facilitated process, either Party determines, in its complete discretion, that a timely resolution of the Disputed Matters cannot be achieved, that Party may request that the Court set a new hearing date for the City's Motion, which hearing date may be set no earlier than four weeks following the request, *with a briefing schedule to be determined by the court.*

1 Dated: November 15, 2013

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

2
3
4 By: *Scott S. Slater*
SCOTT S. SLATER
5 BRADLEY J. HERREMA
6 ATTORNEYS FOR
CHINO BASIN WATERMASTER

7
8
9 Dated: November 15, 2013

SOMACH SIMMONS & DUNN

10
11 By: *Nicholas A. Jacobs*
12 NICHOLAS A. JACOBS
13 ATTORNEY FOR
14 CITY OF FONTANA

15
16
17 ORDER

18 Based on the foregoing stipulation of counsel, and good cause appearing thereof, the
19 Court does hereby order same.

20 IT IS SO ORDERED.

21 12.13.13
22 Dated: ~~November~~ _____, 2013



23
24 *Stanford E. Reichert*
25 JUDGE STANFORD E. REICHERT

Exhibit "A"
Schedule for Facilitated Discussion of Disputed Matters

Deadline:	Obligation:
December 9, 2013	First meeting of stakeholder group to establish ground rules and identify issues for facilitated discussion process; further meetings will be scheduled as necessary to allow future deadlines to be met.
December 13, 2013	Hearing on Watermaster Motion for Approval of 2013 Amendment; update to Court on status of facilitated discussion process
January 15, 2014	Update to Court on status of facilitated discussion process
February 13, 2014	Pool Committees consider draft resolution of Disputed Matters
February 14, 2014	Update to Court on status of facilitated discussion process
February 20, 2014	Advisory Committee considers draft resolution of Disputed Matters
February 27, 2014	Watermaster Board considers draft resolution of Disputed Matters
February 28, 2014	Fontana will file its recharge application for the Vulcan Pit project
March 4, 2014	Filing of motion for approval of resolution of Disputed Matters with the Court
April 4, 2014	Continued Hearing Date

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 December 23, 2013 I served the following:

1. **NOTICE OF RULING RE WATERMASTER'S EX PARTE APPLICATION TO CONTINUE HEARING ON MOTION TO REVISE SECTION 5 OF THE 2013 RECHARGE MASTER PLAN UPDATE AND RESTATED JUDGMENT; NOTICE OF HEARING**

/X/ 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

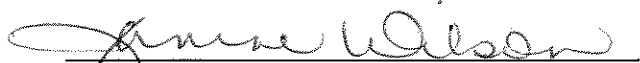
/ / BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

/ / 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.

/X/ 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 December 23, 2013 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

BRIAN GEYE
AUTO CLUB SPEEDWAY
9300 CHERRY AVE
FONTANA, CA 92335

JAMES CURATALO
P.O. BOX 638
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0638

ROBERT BOWCOCK
INTEGRATED RESOURCES MGMNT
405 N. INDIAN HILL BLVD
CLAREMONT, CA 91711-4724

STEVE ELIE
IEUA
16405 DOMANI TERRACE
CHINO HILLS, CA 91709

GEOFFREY VANDEN HEUVEL
CBWM BOARD MEMBER
8315 MERRILL AVENUE
CHINO, CA 91710

PAUL HOFER
11248 S TURNER AVE
ONTARIO, CA 91761

BOB KUHN
669 HUNTERS TRAIL
GLEN DORA, CA 91740

CHARLES FIELD
4415 FIFTH STREET
RIVERSIDE, CA 92501

PETER ROGERS
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