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20 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
21 COUNTY OF SAN BERNARDINO

22 CHINO BASIN MUNICIPAL WATER  
23 DISTRICT,

24 Petitioner,

25 v.

26 CITY OF CHINO, et al.,

27 Defendants.

Case No. RCVRS 51010

Judge: Stanford E. Reichert

AMENDED NOTICE OF MOTION AND  
MOTION TO CONFIRM STAY PENDING  
APPEAL OF DEFENDANTS AND  
APPELLANTS CUCAMONGA VALLEY  
WATER DISTRICT, MONTE VISTA WATER  
DISTRICT AND CITY OF POMONA

[Filed Concurrently With:

1. Mem. of P. & A;

2. [Proposed] Ord.]

Date: December 8, 2017

Time: 1:30 p.m.

Dept.: S35

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1 AMENDED NOTICE OF MOTION AND MOTION TO CONFIRM STAY


2  
3 TO ALL PARTIES AND THEIR ATTORNEYS:  
4

5 PLEASE TAKE NOTICE that on December 8, 2017, at 1:30 p.m., or as soon thereafter as the  
6 matter may be heard, in Department S35 of the San Bernardino County Superior Court, located at 247  
7 West Third Street, San Bernardino, California, Defendants and Appellants Cucamonga Valley Water  
8 District, Monte Vista Water District and City of Pomona (collectively "Defendants") shall move to  
9 stay the Court Order Denying the Chino Basin Watermaster's Motion Regarding 2015 Safe Yield  
10 Reset Agreement, etc., filed April 28, 2017 ("Order"), pending appeal. The Motion shall be made on  
11 the grounds that the Order is automatically stayed pursuant to California Civil Procedure Code  
12 Section 916(a), and the Order is not binding until the appeal is final pursuant to the 1978 Judgment,  
13 Paragraph 31(e).  
14

15 This Motion is based on this Amended Notice, the Memorandum of Points and Authorities  
16 and the [Proposed] Order, served on August 11, 2017, the pleadings and papers on file in this action,  
17 and any other matters properly before the Court at the hearing on the Motion.  
18

19 Dated: August 16, 2017

BEST BEST & KRIEGER LLP

21 By:   
22 GENE TANAKA  
23 STEVE ANDERSON  
24 MILES KRIEGER  
25 Attorneys for Defendant and Appellant  
26 Cucamonga Valley Water District  
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28

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 August 16, 2017 I served the following:

1. AMENDED NOTICE OF MOTION AND MOTION TO CONFIRM STAY PENDING APPEAL OF DEFENDANTS AND APPELLANTS CUCAMONGA VALLEY WATER DISTRICT, MONTE VISTA WATER DISTRICT AND CITY OF POMONA

/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 August 16, 2017 in Rancho Cucamonga, California.

  
\_\_\_\_\_  
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