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CHINO BASIN WATERMASTER

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF SAN BERNARDINO

11 CHINO BASIN MUNICIPAL WATER
12 DISTRICT,

13 Plaintiff,

14 v.

15 CITY OF CHINO, et al.,

16 Defendant.

Case No. RCV RS51010

[Assigned for All Purposes to the Honorable
Stanford E. Reichert]

**NOTICE OF ORDERS FOLLOWING
HEARING**

Date: December 28, 2018

Time: 1:30 p.m.

Dept.: S35

18 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

19 **PLEASE TAKE NOTICE** that on December 28, 2018, at 1:30 p.m. in Department S35
20 of the Superior Court of California for the County of San Bernardino, the following motions came
21 on for regular hearing before the Honorable Stanford E. Reichert:

- 22 • Chino Basin Watermaster's Request for Court to Receive and File Watermaster
- 23 Semi-Annual OBMP Status Reports 2017-2 and 2018-1;
- 24 • Chino Basin Watermaster and Inland Empire Utilities Agency's Motion for Court
- 25 Approval of 2017 Recharge Master Plan Update; and
- 26 • Chino Basin Watermaster's Motion for Court to: (1) Re-Appoint Nine-Member
- 27 Watermaster Board for a Further Five-Year Term; (2) Approve Temporary
- 28

1 Substitute Rate for Physical Solution Transfers Under Exhibit "G" to the
2 Judgment; and, (3) Receive and File the 2017/18 Annual Report of the Ground-
3 Level Monitoring Committee.

4 The Court entered an Order Granting Request for Court to Receive and File Watermaster
5 Semi-Annual OBMP Status Reports 2017-2 and 2018-1, a copy of which is attached to this
6 Notice as **Exhibit A**.

7 The Court entered an Order Approving Watermaster's 2018 Recharge Master Plan
8 Update, a copy of which is attached to this Notice as **Exhibit B**.

9 The Court entered an Order Granting Chino Basin Watermaster Motion for Court to: (1)
10 Re-Appoint Nine-Member Watermaster Board for a Further Five-Year Term; and (2) Receive and
11 File the 2017/18 Annual Report of the Ground-Level Monitoring Committee, a copy of which is
12 attached to this Notice as **Exhibit C**.

13 The Court entered an Order on Temporary Substitute Rate, etc., a copy of which is
14 attached to this Notice as **Exhibit D**.


15

16 Dated: January 2, 2019

17

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

18

By: 

19

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BRADLEY J. HERREMA
CHRISTOPHER R. GUILLEN
ATTORNEYS FOR
CHINO BASIN WATERMASTER

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Exhibit A

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

DEC 28 2018

BY *Lisette Ortega*
LISETTE ORTEGA, DEPUTY

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

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

v.

CITY OF CHINO, et al.,

Defendant.

Case No. RCV 51010

[Assigned for All Purposes to the Honorable
Stanford E. Reichert]

~~PROPOSED~~ ORDER GRANTING
REQUEST FOR COURT TO RECEIVE
AND FILE WATERMASTER SEMI-
ANNUAL OBMP STATUS REPORTS 2017-
2 AND 2018-1

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~~[PROPOSED]~~ ORDER

On December 28, 2018, in Department S35 of the above-entitled Court, Chino Basin Watermaster's ("Watermaster") Request for Court to Receive and File Watermaster Semi-Annual OBMP Status Reports 2017-2 and 2018-1 came on regularly for hearing in the above-captioned matter. Having read and considered the papers and heard the arguments of counsel, if any, the Request is **GRANTED**. The Court hereby receives and files the Semi-Annual OBMP Status Reports 2017-2 (July to December 2017) and 2018-1 (January to June 2018).

Dated: 12.28.18

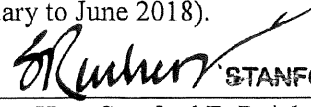

STANFORD E. REICHERT
Hon. Stanford E. Reichert
Judge of the Superior Court

Exhibit B

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

DEC 28 2018

BY *Lisette Ortega*
LISETTE ORTEGA, DEPUTY

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

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

v.

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 2018 RECHARGE
MASTER PLAN UPDATE

Date: December 28, 2018
Time: 1:30 p.m.
Dept.: S35

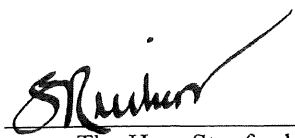
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On December 28, 2018, in Department S35 of the above-entitled Court, Chino Basin Watermaster ("Watermaster") and Inland Empire Utilities Agency's ("IEUA") Motion for Court Approval of the 2018 Recharge Master Plan Update came on regularly for hearing in the above-captioned matter. Having read, reviewed, and considered all pleadings filed in support and in response, if any, including the testimony presented at the December 28, 2018 hearing, and good cause appearing therefore, the Motion is **GRANTED** and the Court Orders as follows:

(1) The Court finds that the 2018 Recharge Master Plan Update ("2018 RMPU") satisfies the requirements of the Peace II Agreement, prior orders of this Court, and the Restated Judgment; and,

(2) The Court approves Watermaster proceeding with the 2018 RMPU as the effective Recharge Master Plan, as updated.

Dated: 12-28-18



The Hon. Stanford E. Reichert
STANFORD E. REICHERT

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Exhibit C

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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BERNARDINO
SAN BERNARDINO DISTRICT

DEC 28 2018

BY *Lisette Ortega*
LISETTE ORTEGA, DEPUTY

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

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

v.

CITY OF CHINO, et al.,

Defendant.

Case No. RCV 51010

[Assigned for All Purposes to the Honorable
Stanford E. Reichert]

~~PROPOSED~~ [ORDER GRANTING CHINO
BASIN WATERMASTER MOTION FOR
COURT TO: (1) RE-APPOINT NINE-
MEMBER WATERMASTER BOARD FOR
A FURTHER FIVE-YEAR TERM; AND (2)
RECEIVE AND FILE THE 2017/18
ANNUAL REPORT OF THE GROUND-
LEVEL MONITORING COMMITTEE

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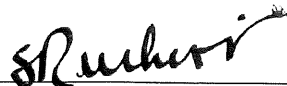
[PROPOSED] ORDER

On December 28, 2018, in Department S35 of the above-entitled Court, Chino Basin Watermaster's ("Watermaster") Motion for Court to: (1) Re-Appoint Nine-Member Watermaster Board for a Further Five-Year Term; (2) Approve Temporary Substitute Rate for Physical Solution Transfers Under Exhibit "G" to the Judgment; and, (3) Receive and File the 2017/18 Annual Report of the Ground-Level Monitoring Committee came on regularly for hearing in the above captioned matter. Having read and considered the papers and heard the arguments of counsel, if any, the Motion is **GRANTED**.

It is **HEREBY ORDERED** as follows:

1. The Nine-Member Watermaster Board is re-appointed for a further five-year term, expiring on February 10, 2024; and,
2. The Court hereby receives and files the 2017/18 Annual Report of the Ground-Level Monitoring Committee.

Dated: 12.28.18



Hon. Stanford E. Reichert
Judge of the Superior Court
STANFORD E. REICHERT

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Exhibit D

DEC 28 2018

1 Chino Basin
2 municipal water
3 Dist. v.
4 City of Chino, et al

Case No RCV BS 51010

Lisette Ortega
LISETTE ORTEGA, DEPUTY

ORDER on
Temporary Substitute Rate,
etc.

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

9 1. If any member of the Overlying (Non-Agricultural) Pool Committee (each, a
10 "NAP Electing Member") elects, pursuant to Section 9(a) of Exhibit "G" to the Judgment, to
11 make any or all of its current annual Production right or water held in storage available for
12 purchase by the members of the Appropriate Pool, then such offer shall be subject to the terms
13 and conditions of Section 9 of Exhibit "G", except that the phrase "92% of the then-prevailing
14 'MWD Replenishment Rate'" shall be replaced with the phrase "89.6% of the water rate for Full
15 Service Untreated Volumetric Cost: Tier 1, as adopted by the Metropolitan Water District of
16 Southern California as of the date hereof to be effective during the period of January 1, 2019
17 through June 30, 2019, for each acre foot so transferred. MWD's 2019 rate for Full Service
18 Untreated Volumetric Cost: Tier 1 is \$731.00 per acre-foot; 89.6% of that rate is \$655.00 per
19 acre-foot." The terms and conditions of this Stipulation shall apply only in the event: (1) the
20 Motion Regarding Amendment of Pooling Plan for the Non-Agricultural Pool, Attached to the
21 Judgment as Exhibit G, filed by the Overlying (Non-Agricultural) Pool on October 4, 2018, is not
22 granted on or before December 31, 2018; and, (2) Chino Basin Watermaster's motion seeking
23 approval of the above-stipulated substitute rate for Physical Solution Transfers is heard and
24 granted on or before December 28, 2018. Further, the terms and conditions of this Stipulation
25 shall apply only to water made available by a NAP Electing Member between the date hereof and
26 December 31, 2018, and only in the event that MWD does not, prior to December 31, 2018,
27 publish a MWD Replenishment Rate that is effective during the period of January 1, 2019

28 STIPULATION AND ~~PROPOSED~~ ORDER

1 through June 30, 2019.

2 2. The approval of a temporary substitute rate for Physical Solution Transfers herein
3 shall have no precedential effect in regard to the rate that may be implemented for Physical
4 Solution Transfers in years other than Fiscal Year 2018-2019.

5 3. Legal counsel for the Watermaster Board shall file a motion seeking entry of an
6 order of the Court approving the rate substitution described in paragraph 1 above, and shall
7 provide notice to other parties thereof. No assertion of fact or law contained in any paper filed
8 with the Court by the Watermaster Board shall be construed as the belief or position of any other
9 party.

10 Dated: November 28, 2018

LOEB & LOEB, LLP

11
12 By: 

13 ALLEN W. JUBSCH
14 Attorneys for CHINO BASIN
WATERMASTER OVERLYING (NON-
AGRICULTURAL) POOL

15 Dated: November 28, 2018

16 BY: _____

17 JOHN J. SCHATZ
18 Attorneys for CHINO BASIN
WATERMASTER APPROPRIATIVE
POOL

19 Dated: November 28, 2018

20 BROWNSTEIN HYATT FARBER
SCHRECK, LLP

21
22 BY: 

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

28

1 through June 30, 2019.

2 2. The approval of a temporary substitute rate for Physical Solution Transfers herein
3 shall have no precedential effect in regard to the rate that may be implemented for Physical
4 Solution Transfers in years other than Fiscal Year 2018-2019.

5 3. Legal counsel for the Watermaster Board shall file a motion seeking entry of an
6 order of the Court approving the rate substitution described in paragraph 1 above, and shall
7 provide notice to other parties thereof. No assertion of fact or law contained in any paper filed
8 with the Court by the Watermaster Board shall be construed as the belief or position of any other
9 party.

10 Dated: November 28, 2018

LOEB & LOEB, LLP

11
12 By: _____

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

15 Dated: November 28, 2018

16 BY: John J. Schatz
17 _____

18 JOHN J. SCHATZ
Attorneys for CHINO BASIN
WATERMASTER APPROPRIATIVE
19 POOL

20 Dated: November 28, 2018

BROWNSTEIN HYATT FARBER
21 SCHRECK, LLP

22 BY: _____

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

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ORDER

Pursuant to the stipulation of the parties and good cause appearing thereof, IT IS SO

ORDERED.

DATED: 12.28, 2018



Judge of the Superior Court

STANFORD E. REICHERT

CHINO BASIN WATERMASTER

Case No. RCVRS 51010

Chino Basin Municipal Water District v. City of Chino, et al.

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 January 2, 2019 served the following:

1. NOTICE OF ORDERS FOLLOWING HEARING

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

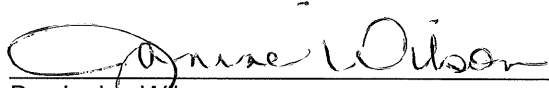
BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

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 January 2, 2019 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

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Jean Perry
Jeanina M. Romero
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Jeffrey L. Pierson
Jennifer Hy-Luk
Jesse White - Gerdau
Jessie Ruedas
Jim Taylor
Jim W. Bowman
Joanne Chan
Joe Graziano
Joe Joswiak
Joel Ignacio
John Abusham
John Bosler
John Huitsing
John Lopez and Nathan Cole
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Jorge Vela
Jose Galindo
Joseph P. LeClaire
Josh Swift
Joshua Aguilar
Julie Cavender
Julie Saba
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Justin Nakano
Karen Johnson
Kassie M. Goodman
Kathleen Brundage
Kathy Tiegs
Kati Parker
Kati Parker
Katie Gienger
Keith Person
Kelly Berry
Ken Waring
Kevin Blakeslee
Kevin Sage
Kirby Brill
Kyle Snay
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