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**CHINO BASIN WATERMASTER**

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 FOR THE COUNTY OF SAN BERNARDINO

10  
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 LODGING OF COURT OF  
APPEAL ORDER DATED DECEMBER 21,  
2018 IN CASE NO. E068640**

Date: February 20, 2019

Time: 1:30

Dept: S35

[Filed concurrently with Supplemental  
Declaration of Bradley J. Herrema in Support of  
Chino Basin Watermaster Opposition to Monte  
Vista Water District's Ex Parte Application for  
an Order to: (A) Take Watermaster's Motion Off  
Calendar; or, In The Alternative, (B) Stay the  
Briefing Schedule and Hearing on the Appeal  
Parties' Motion]

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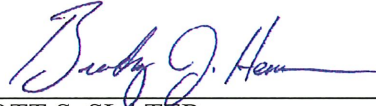
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**TO ALL PARTIES, THEIR ATTORNEYS OF RECORD, AND TO THIS  
HONORABLE COURT:**

**PLEASE TAKE NOTICE** that Chino Basin Watermaster (“Watermaster”) hereby lodges the December 21, 2018 Court of Appeal Order in 4th District Court of Appeal Case No. E068640, a true and correct copy attached hereto as **Exhibit C** to the Supplemental Declaration of Bradley J. Herrema in Support of Chino Basin Watermaster Opposition to Monte Vista Water District’s Ex Parte Application for an Order to: (A) Take Watermaster’s Motion Off Calendar; or, in the Alternative, (B) Stay the Briefing Schedule and Hearing on the Appeal Parties’ Motion, which was heard on February 1, 2019.

Dated: February 1, 2019

BROWNSTEIN HYATT FARBER SCHRECK, LLP

BY:   
SCOTT S. SLATER  
BRADLEY J. HERREMA  
CHRISTOPHER R. GUILLEN  
ATTORNEYS FOR CHINO BASIN WATERMASTER

18713628

# **EXHIBIT A**

***CHINO BASIN MUNICIPAL WATER DISTRICT V. CITY  
OF CHINO, ET AL.***

**CASE No. RCV RS51010**

**NOTICE OF LODGING OF COURT OF APPEAL ORDER  
DATED DECEMBER 21, 2018 IN CASE No. E068640**

*HLW*

RECEIVED IN APPEALS DIVISION  
Route to  Judge  Court File

COURT OF APPEAL -- STATE OF CALIFORNIA

FOURTH DISTRICT  
DIVISION TWO

ORDER

CHINO BASIN MUNICIPAL WATER DISTRICT, Plaintiff,	E068640
v.	(Super. Ct. No. RCVRS51010)
CITY OF CHINO et al., Defendants, Objectors and Respondents;	The County of San Bernardino
CUCAMONGA VALLEY WATER DISTRICT et al., Defendants, Movants and Appellants.	

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THE COURT

Pursuant to order filed November 6, 2018, Appellants Cucamonga Valley Water District, Monte Vista Water District, and the City of Pomona (collectively, "Appellants") submitted a letter advising the court of the status of this matter; specifically, with regard to the superior court's progress in deciding a motion that, if granted, will allow the Appellants to dismiss their appeal.

Appellants and Respondents City of Chino, Jurupa Community Services District, and City of Ontario (collectively "Parties") sought ex parte relief in the superior court on December 5, 2018, for the superior court to specially set a hearing and briefing schedule on a Motion to Approve Amendments to Appropriative Pool Pooling Plan and Court-Approved Management Agreements ("Motion").

The superior court granted the Parties' requested relief and specially set a hearing for the Motion on March 15, 2019, at 1:30 p.m., in Department S35 of the San Bernardino County Superior Court, and further ordered a briefing schedule for the Motion.

As a result of the aforementioned events, Appellants are DIRECTED as follows: to effectuate the Joint Stipulation within a reasonable time, if the superior court grants the motion, Appellants are DIRECTED to serve and file with the settlement conference administrator, on or before 20 days after the date of the signed order is filed in the superior court, a request for dismissal of the appeal. However, if the superior court denies the motion, this court through its settlement conference administrator will confer with the parties and determine how the appeal should proceed.

Upon the filing of the signed order, the superior court clerk is DIRECTED to transmit to this court's settlement conference administrator a file-stamped copy of the order.

The stay of the appeal filed April 17, 2018, and extended to January 3, 2019, shall REMAIN in full force and effect until further order of this court.

RAMIREZ

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Presiding Justice

cc: See attached list

MAILING LIST FOR CASE: E068640

Chino Basin Municipal Water District v. City of Chino et al.; Cucamonga Valley Water District et al.

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF SAN BERNARDINO**

10  
11 CHINO BASIN MUNICIPAL WATER  
12 DISTRICT,

13 Plaintiff,

14 v.

15 CITY OF CHINO, ET AL.,

16 Defendants.

**Case No. RCV RS 51010**

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

**SUPPLEMENTAL DECLARATION OF  
BRADLEY J. HERREMA IN SUPPORT OF  
CHINO BASIN WATERMASTER  
OPPOSITION TO MONTE VISTA WATER  
DISTRICT'S EX PARTE APPLICATION  
FOR AN ORDER TO: (A) TAKE  
WATERMASTER'S MOTION OFF  
CALENDAR; OR, IN THE  
ALTERNATIVE, (B) STAY THE  
BRIEFING SCHEDULE AND HEARING  
ON THE APPEAL PARTIES' MOTION**

Date: February 20, 2019

Time: 1:30 P.M.

Dept: S35

[Filed Concurrently with Notice of Lodging of  
Court of Appeal Order dated December 21,  
2018 in Case No. E068640]



1 I, Bradley J. Herrema, declare as follows:

2 1. I am an attorney duly admitted to practice before all of the courts of this State, and  
3 am a shareholder in the law firm of Brownstein Hyatt Farber Schreck, LLP, counsel of record for  
4 Chino Basin Watermaster (“Watermaster”). I have personal knowledge of the facts stated in this  
5 declaration, except where stated on information and belief, and, if called as a witness, I could and  
6 would competently testify to them under oath. I make this declaration in support of the above-  
7 referenced request.

8 2. As legal counsel for Watermaster, I am familiar with Watermaster’s practices and  
9 procedures, as well as actions taken by the Pool Committees, Advisory Committee, and Board.

10 3. Watermaster filed an Opposition to Monte Vista Water District’s Ex Parte  
11 Application for an Order to: (A) Take Watermaster’s Motion Off Calendar; or, in the Alternative,  
12 (B) Stay the Briefing Schedule and Hearing on the Appeal Parties’ Motion, which was heard on  
13 February 1, 2019.

14 4. At the Ex Parte hearing on February 1, 2019, Watermaster legal counsel made  
15 reference to the December 21, 2018 Court of Appeal Order in 4th District Court of Appeal Case  
16 No. E068640.

17 5. Attached hereto as **Exhibit C** is a true and correct copy of the December 21, 2018  
18 Court of Appeal Order in 4th District Court of Appeal Case No. E068640.

19 I declare under penalty of perjury under the laws of the State of California that the  
20 foregoing is true and correct.

21 Dated this 1st day of February, 2019, at Rancho Cucamonga, California.

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Bradley J. Herrema

# **EXHIBIT C**

***CHINO BASIN MUNICIPAL WATER DISTRICT V. CITY  
OF CHINO, ET AL.***

**CASE No. RCV RS 51010**

**SUPPLEMENTAL DECLARATION OF BRADLEY J. HERREMA ISO WATERMASTER  
OPPOSITION TO MONTE VISTA WATER DISTRICT'S EX PARTE APPLICATION FOR  
AN ORDER TO: (A) TAKE WATERMASTER'S MOTION OFF-CALENDAR, ETC.**

*HLW*

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COURT OF APPEAL -- STATE OF CALIFORNIA

FOURTH DISTRICT  
DIVISION TWO

ORDER

CHINO BASIN MUNICIPAL WATER DISTRICT, Plaintiff,	E068640
v.	(Super. Ct. No. RCVRS51010)
CITY OF CHINO et al., Defendants, Objectors and Respondents;	The County of San Bernardino
CUCAMONGA VALLEY WATER DISTRICT et al., Defendants, Movants and Appellants.	

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THE COURT

Pursuant to order filed November 6, 2018, Appellants Cucamonga Valley Water District, Monte Vista Water District, and the City of Pomona (collectively, "Appellants") submitted a letter advising the court of the status of this matter; specifically, with regard to the superior court's progress in deciding a motion that, if granted, will allow the Appellants to dismiss their appeal.

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Upon the filing of the signed order, the superior court clerk is DIRECTED to transmit to this court's settlement conference administrator a file-stamped copy of the order.

The stay of the appeal filed April 17, 2018, and extended to January 3, 2019, shall REMAIN in full force and effect until further order of this court.

RAMIREZ

---

Presiding Justice

cc: See attached list

MAILING LIST FOR CASE: E068640

Chino Basin Municipal Water District v. City of Chino et al.; Cucamonga Valley Water District et al.

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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 February 1, 2019 served the following:

1. NOTICE OF LODGING OF COURT OF APPEAL ORDER DATED DECEMBER 21, 2018 IN CASE NO. E068640
2. SUPPLEMENTAL DECLARATION OF BRADLEY J. HERREMA IN SUPPORT OF CHINO BASIN WATERMASTER OPPOSITION TO MONTE VISTA WATER DISTRICT'S EX PARTE APPLICATION FOR AN ORDER TO: (A) TAKE WATERMASTER'S MOTION OFF CALENDAR; OR, IN THE ALTERNATIVE, (B) STAY THE BRIEFING SCHEDULE AND HEARING ON THE APPEAL PARTIES' MOTION

/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 February 1, 2019 in Rancho Cucamonga, California.



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Chino Basin Watermaster

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