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7 *[Additional Parties on Following Pages]*

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

13 CHINO BASIN MUNICIPAL WATER
14 DISTRICT,
15 Plaintiff,
16 vs.
17 CITY OF CHINO, ET AL.,
18 Defendants.

Case No: RCVRS 51010
*Assigned for All Purposes to:
Honorable Stanford E. Reichert*

**DECLARATION OF JOHN J. SCHATZ
IN SUPPORT OF APPROPRIATIVE
POOL MEMBER AGENCIES' STATUS
REPORT RE: MEDIATION**

Date: January 8, 2021
Time: 1:30 p.m.
Department: S35

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DECLARATION OF JOHN J. SCHATZ

I, JOHN J. SCHATZ, declare as follows:

1. I have personal knowledge of the facts set forth below, and could and would testify to those facts under oath.

2. I am an attorney licensed to practice law in the State of California. I am Counsel to the Chino Basin Watermaster Appropriative Pool (AP) in the above-captioned case.

3. On or about December 15, 2020, I contacted Overlying (Agricultural) Pool legal counsel via an email in which I asked about the Ag Pool’s interest in an agreement that would provide for the refund of money from the Ag Pool in the event the Court’s decision regarding the AP members’ obligation (if any) under Section 5.4(a) of the Peace Agreement does not address payments already made by AP members. Ag Pool’s counsel subsequently informed me she had received direction from her client to decline the AP’s offer .

4. On December 21, 2020 , I sent a letter to the Chino Basin Watermaster and Ag Pool’s legal counsel advising that many AP members are currently withholding payment of their allocation of Fiscal Year 20-21 Ag Pool’s legal expenses, and that those members are prepared to pay their share of those expenses as determined through mediation and/or the pending Court process. Through that letter, those AP members that had or that may submit their allocation of the FY 20-21 Ag Pool’s legal expenses reserved their right to recover those payments as determined in relation to the pending motion.

5. On December 21, 2020, I also sent a letter to Ag Pool’s counsel advising that the AP members remained willing to submit the requested funds to Watermaster for the Ag Pool’s use if the Ag Pool would agree to reimburse or otherwise provide the AP members credit for the Ag Pool’s use of any funds that are subsequently determined to be the Ag Pool’s responsibility.

6. True and correct copies of the two letters I sent on December 21, 2020 are attached as Exhibit A to the Ag Pool’s Statement Regarding Payment of Mediation Fees, dated and filed December 31, 2020.

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7. I reviewed the November 12, 2020 Chino Basin Watermaster Combining Schedule Of Revenue, Expenses And Changes In Net Assets for The Period July 1, 2020 Through September 30, 2020, which is the most recent available published financial report and is attached hereto as Exhibit "A". This document shows the Ag Pool has \$355,349 in reserve.

Executed on January 5, 2021, at Laguna Niguel, California.

John J. Schatz

JOHN J. SCHATZ

EXHIBIT A

CHINO BASIN WATERMASTER
COMBINING SCHEDULE OF REVENUE, EXPENSES AND CHANGES IN NET ASSETS
FOR THE PERIOD JULY 1, 2020 THROUGH SEPTEMBER 30, 2020

Financial Report - B3

	WATERMASTER ADMINISTRATION	OPTIMUM BASIN MANAGEMENT	POOL ADMINISTRATION & SPECIAL PROJECTS			AP ESCROW ACCOUNT	GROUNDWATER REPLENISHMENT	LAIF VALUE ADJ.	GASB 75 BEG. NET POSITION	GRAND TOTALS	AMENDED BUDGET 2020-2021
			APPROPRIATIVE POOL	AG POOL	NON-AG POOL						
Administrative Revenues:											
Administrative Assessments			-							-	9,167,939
Interest Revenue			15,496	921	176					16,593	130,813
Mutual Agency Project Revenue	173,102									173,102	176,203
Miscellaneous Income	17									17	0
Total Revenues	173,119	-	15,496	921	176	-	-	-	-	189,712	9,474,955
Administrative & Project Expenditures:											
Watermaster Administration	441,646									441,646	1,637,557
Watermaster Board-Advisory Committee	76,526									76,526	237,438
Ag Pool Misc. Expense - Ag Fund										-	400
Pool Administration			109,790	185,950	25,019					320,759	1,008,674
Optimum Basin Mgmt Administration		314,661								314,661	2,121,839
OBMP Project Costs		856,750								856,750	4,787,906
Debt Service		534,496								534,496	534,496
Basin Recharge Improvements		-								-	1,693,292
Total Administrative/OBMP Expenses	518,171	1,705,907	109,790	185,950	25,019	-	-	-	-	2,544,838	12,021,603
Net Administrative/OBMP Expenses	(345,052)	(1,705,907)									
Allocate Net Admin Expenses To Pools	345,052		253,027	79,041	12,985						
Allocate Net OBMP Expenses To Pools		1,171,411	873,996	268,334	29,081						
Allocate Debt Service to App Pool		534,496	534,496								
Allocate Basin Recharge to App Pool		-									
Agricultural Expense Transfer*			533,325	(533,325)							
Total Expenses	2,904,633	-	-	67,085	-	-	-	-	-	2,544,838	12,021,603
Net Administrative Income	(2,289,137)	-	921	(66,909)	-	-	-	-	-	(2,355,125)	(2,546,648)
Other Income/(Expense)											
Replenishment Water Assessments										-	0
Desalter Replenishment Obligation										-	0
Exhibit "G" Non-Ag Pool Water										-	0
RTS Charges from IEUA						(44,475)				(44,475)	0
Interest Revenue										-	0
MWD Water Purchases										-	0
Non-Ag Stored Water Purchases										-	0
Exhibit "G" Non-Ag Pool Water										-	0
Groundwater Replenishment										-	0
LAIF - Fair Market Value Adjustment										-	0
Gain on Sale of Assets										-	0
Other Post-Employment Benefits (OPEB)										-	0
Prior Year Adjustment - Ag Pool Expense			165,695	(165,695)						-	0
AP Special Assessment - Ag Pool Exp.			(135,859)	4,625		131,235				-	0
AP Escrow Account - Interest Earned						1				1	0
Refund-Excess Reserves										-	0
Refund-Recharge Debt										-	0
Funding To/(From) Reserves										-	0
Net Other Income/(Expense)	-	-	29,835	(161,070)	-	131,235	(44,475)	-	-	(44,474)	0
Net Transfers To/(From) Reserves	(2,399,599)	(2,259,302)	(160,149)	(66,909)	131,235	(44,475)	-	-	-	(2,399,599)	(2,546,648)
Net Assets, July 1, 2020	7,673,531	515,498	107,781	0	(3,460)	43,169	(443,445)	7,893,075	5,493,476	5,493,476	
Net Assets, End of Period	5,414,229	355,349	40,872	131,235	(47,934)	43,169	(443,445)	5,493,476	5,493,476	5,493,476	
19/20 Assessable Production			69,918,990	21,841,407	3,588,067			95,348,464			
19/20 Production Percentages			73.330%	22.907%	3.763%			100.000%			

*Fund balance transfer as agreed to in the Peace Agreement.

N:\Administration\Meetings - Agendas & Minutes\2020\Staff Reports\111 - November\2020\1112 - B3 Combining Schedule-September 2020.xlsx\2020-Sep2020

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 7, 2021 I served the following:

1. DECLARATION OF JOHN J. SCHATZ IN SUPPORT OF APPROPRIATIVE POOL MEMBER AGENCIES' STATUS REPORT RE: MEDIATION

/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 January 7, 2021 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

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