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CHINO BASIN WATERMASTER

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.,

Defendants.

Case No. RCV RS 51010

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

NOTICE OF ORDER AND HEARING


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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on April 5, 2021, the Court issued a minute order containing its tentative ruling in regard to the Motion of Appropriative Pool Member Agencies Re Agricultural Pool Legal and Other Expenses. Watermaster previously circulated this minute order via email and it is also attached hereto as **Exhibit A**. The Court, through its clerk, has further communicated to Watermaster that the Court is not requesting a proposed order to be prepared at this time, and that it will set a schedule for further briefing as to this tentative ruling at the April 30, 2021 hearing in Department S35 of the above-entitled Court.

Dated: April 8, 2021

BROWNSTEIN HYATT FARBER
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By: 
SCOTT S. SLATER
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22524812.2

Exhibit A



SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN BERNARDINO
San Bernardino District
247 West 3rd St
San Bernardino, CA 92415
www.sb-court.org

MINUTE ORDER

Case Number: RCVRS51010

Date: 4/5/2021

Case Title: CHINO BASIN MUNI WATER DIST -V- CITY OF CHINO

Department S35 - SBJC

Date: 4/5/2021

Time: 9:00 AM

Other Predisposition
Hearing

Judicial Officer: Stanford E Reichert
Judicial Assistant: Amber Bouchard
Court Reporter: Not Reported
Court Attendant: Daniel Moreno

Proceedings

Revised tentative ruling re motion of Appropriative Pool Member Agencies regarding Agricultural Pool legal and other expenses:

The court rules that to be payable by the Appropriative Pool under Section 5.4(a) of the Peace Agreement, expenses incurred by the Agricultural Pool must be:

- (1) for actions, programs, or projects initiated by Watermaster; and
- (2) within a budget pre-approved following review through the Pool process including submission to and approval by the Advisory Committee to the Watermaster; and
- (3) consistent with the Peace Agreement and legitimate Ag Pool functions pursuant to Section 38 of the Restated Judgement; and
- (4) reasonable

The court also recognizes a certain fundamental unfairness in charging Appropriative Pool Member Agencies for bills they have not seen because the Agricultural Pool members claim they are privileged.

The court would order reimbursements to parties who paid assessments above the budget previously approved by the Advisory Committee to the Watermaster. The court notes further questions exist regarding reimbursement amounts and procedures for reimbursements.

The Request to Approve the Intervention of Richard Anderson filed by Chino Basin Watermaster on 03/22/21 is placed on calendar for the hearing already set on 04/30/21 at 1:30 pm.

Hearings

Court orders 06/25/2021 Other Predisposition Hearing hearing Vacated.

Court orders 04/30/2021 Other Predisposition Hearing hearing Vacated.
Motion for Intervention added to hearing.

Other Predisposition Hearing set for 4/30/2021 at 1:30 PM in Department S35 - SBJC
Further Status on UMP/Appropriative Pool's Motion & Motion for Intervention

== Minute Order Complete ==

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 April 8, 2021 I served the following:

1. NOTICE OF ORDER AND 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 April 8, 2021 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

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