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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.

FEE EXEMPT

Case No. RCV RS 51010

[Assigned for All Purposes to the
Honorable Stanford E. Reichert, Dept. S35]

**NOTICE OF LODGING [PROPOSED]
ORDER RE MOTION REGARDING
IMPLEMENTATION OF THE LOCAL
STORAGE LIMITATION SOLUTION**

Date: June 25, 2021
Time: 1:30 p.m.
Dept: S35

(FEE EXEMPT PER GOVERNMENT CODE § 6103)

1 **TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that a true and correct copy of a [Proposed] Order re Motion
3 Regarding Implementation of the Local Storage Limitation Solution, attached hereto as Exhibit
4 "A" is hereby lodged with the Court. The attached version represents an agreement among
5 Watermaster and the City of Chino as to the appropriate memorialization of agreements made
6 during the June 25, 2021 hearing.

7
8 Dated: July 6, 2021

BROWNSTEIN HYATT FARBER SCHRECK, LLP

9 By: 

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14 CHINO BASIN WATERMASTERS

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EXHIBIT

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

CHINO BASIN MUNICIPAL WATER DISTRICT,

Plaintiff,

v.

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Defendants.

Case No. RCV RS 51010

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

[PROPOSED] ORDER RE MOTION REGARDING IMPLEMENTATION OF THE LOCAL STORAGE LIMITATION SOLUTION

Date: June 25, 2021
Time: 1:30 p.m.
Dept: S35

1 **[PROPOSED] ORDER**

2 On June 25, 2021, Chino Basin Watermaster’s (“Watermaster”) Motion Regarding
3 Implementation of the Local Storage Limitation Solution came on regularly for hearing in the
4 above-captioned matter.

5 Having read and considered the papers and heard the arguments of counsel, the Court
6 finds that:

- 7 1. The public interest is benefitted by the beneficial use of the Basin’s storage
8 capacity as described by the LSLS;
- 9 2. No amendments to the Peace Agreements and the OBMP Implementation Plan
10 were required to store quantities of water in excess of 500,000 AF as provided in
11 the LSLS;
- 12 3. Addendum No. 2 was adopted by the IEUA and found that there were no
13 unmitigable significant adverse impacts attributable to the LSLS;
- 14 4. The terms and conditions applicable to Local Storage of water in the Basin as set
15 forth in the Peace Agreement and the OBMP Implementation Plan provide a
16 consistent and logical framework for managing quantities of stored water up to the
17 maximums set forth in the LSLS;
- 18 5. Although amendments to the Watermaster Rules and Regulations are not generally
19 subject to Court approval, the parties’ collective subject matter interest in storage
20 warrants an exception requiring Court approval of proposed changes in this
21 instance; and
- 22 6. Watermaster counsel has represented that Watermaster will not take positions
23 contrary to this Order in its implementation.

24 On these bases, it is **HEREBY ORDERED** that, effective July 1, 2021:

- 25 1. Watermaster manage all quantities of water held in storage in amounts from
26 500,001 AF up to a maximum of 700,000 AF until June 30, 2030 and thereafter a
27 maximum of 620,000 until June 30, 2035, consistent with all provisions of the
28 Peace Agreement and the Peace II Agreement applicable to the Local Storage of
water within the Basin, without limitation, subject to further order of this Court;
2. Watermaster conform the Watermaster Rules and Regulations consistent with such
order, subject to Court approval;
3. Watermaster implement the OBMP in conformance with such Order, the IEUA
Addendum dated March 17, 2021 and the Court’s April 28, 2017, March 15, 2019,
and July 31, 2020 orders establishing a Safe Yield Reset process;
4. All of the parties’ rights and remedies, whatever they may be, are expressly
reserved, preserved and protected and made applicable to the quantities of stored

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water greater than 500,000 AF, and this Order expressly preserves to the parties, all rights and remedies, without limitation, to oppose and contest actions by Watermaster and other parties regarding future implementation of this order; and

- 5. The Court reserves jurisdiction to consider future proposals of Watermaster or the parties with regard to storage management.

IT IS SO ORDERED.

Dated: _____

Hon. Stanford E. Reichert
Judge of the Superior Court

22852004.1

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 July 6, 2021 I served the following:

1. NOTICE OF LODGING [PROPOSED] ORDER RE MOTION REGARDING IMPLEMENTATION OF THE LOCAL STORAGE LIMITATION SOLUTION

/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 July 6, 2021 in Rancho Cucamonga, California.



By: Vanessa Aldaz
Chino Basin Watermaster

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