

**FEE EXEMPT**

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9 Attorneys for OVERLYING  
10 (AGRICULTURAL) POOL

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

13 CHINO BASIN MUNICIPAL WATER  
14 DISTRICT,

15 Plaintiff,

16 v.

17 CITY OF CHINO et al.,

18 Defendants.

Case No. RCV 51010

Assigned for All Purposes to the  
Honorable Stanford E. Reichert

DECLARATION OF TRACY J. EGOSCUE  
IN SUPPORT OF AGRICULTURAL  
POOL’S REPLY TO APPROPRIATIVE  
POOL MEMBER AGENCIES’  
OPPOSITION TO AGRICULTURAL  
POOL MOTION FOR ATTORNEY’S FEES

19 1. I, Tracy J. Egoscue, am an attorney licensed to practice in the State of California. Based  
20 upon my own knowledge and experience, I can competently attest to the following facts.

21 2. I am counsel for the Overlying (Agricultural) Pool Committee (hereafter “Agricultural  
22 Pool”) and this Declaration is made in support of the Agricultural Pool’s Reply to Appropriative  
23 Pool’s Opposition to Agricultural Pool Motion for Attorney’s Fees.

24 3. Any water provided to Agricultural Pool members is a matter squarely relevant to and  
25 benefiting the Agricultural Pool.

26 4. The Form 9 recycled water service program to supply Agricultural Pool members was  
27 established under the Peace Agreement.

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5. Unilateral changes made by an Appropriative Pool member agency to the agreements under the Form 9 program is a matter for the Agricultural Pool’s consideration and careful attention.

6. The Agricultural Pool engaged experts and commissioned an expert appraisal of the value of Early Transfer water as part of its Storage Contest and work regarding the Safe Yield recalculation and Basin storage management.

7. The Opposition to the Agricultural Pool’s Motion for Attorney’s Fees falsely asserts that expert costs were intended to get storage rights for the Agricultural Pool. All expenses were incurred as part of the Storage Contest—as stated in paragraph 4 above.

8. The Storage Contest explicitly states that the development and final Watermaster approval/adoption and implementation of a comprehensive storage management plan would result in a withdrawal of the Storage Contest.

9. None of the members, nor the Appropriative Pool itself, have filed an answer to the Storage Contest.

10. As it had for the proceeding 20 years, the Appropriative Pool made payment of the Agricultural Pool’s budgeted expenses for Fiscal Year 2019/20.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 1st day of October 2021 in the City of Long Beach and County of Los Angeles, State of California.

By: Tracy J. Egoscue  
TRACY J. EGOSCUE

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 October 1, 2021 I served the following:

1. DECLARATION OF TRACY J. EGOSCUE IN SUPPORT OF AGRICULTURAL POOL'S REPLY TO APPROPRIATIVE POOL MEMBER AGENCIES' OPPOSITION TO AGRICULTURAL POOL'S MOTION FOR ATTORNEY'S FEES

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 October 1, 2021 in Rancho Cucamonga, California.

  
By: Janine Wilson  
Chino Basin Watermaster

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