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6 EXEMPT FROM FILING FEES PURSUANT  
TO CAL. GOV. CODE § 6103  
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 COUNTY OF SAN BERNARDINO

10

11 CHINO BASIN MUNICIPAL WATER  
DISTRICT,

12 Petitioner,

13 v.

14 CITY OF CHINO, et al.,

15 Defendants.  
16

Case No. RCVRS 51010

DECLARATION OF CHRIS DIGGS IN  
SUPPORT OF APPROPRIATIVE  
POOL'S SURREBUTTAL TO  
REBUTTAL RE SETTLEMENT

[Filed With:

- 1. Surrebuttal re Settlement;
- 2. Declaration of John Bosler;
- 3. Declaration of John Schatz]

Date: April 22, 2022

Time: 1:30 p.m.

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DECLARATION OF CHRIS DIGGS

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1. I, Chris Diggs, submit this Declaration as evidence in support of the Appropriate Pool’s Surrebuttal to Rebuttal and Objections re Settlement, filed concurrently. Based upon my knowledge and experience, I can competently attest to the following facts.

2. I am the Water Resources Director for the City of Pomona (“Pomona”) since May 2020, and have served in other capacities at Pomona since December 2017. I have been Pomona’s Appropriate Pool (“AP”) representative since January 2019. Since 2022, I have served as the AP Vice-Chair and Pomona’s Advisory Committee representative. My duties and activities as an AP representative and the AP Vice-Chair included interactions and negotiations with AP members, Chino Basin Watermaster and Ag Pool leadership. I am very familiar with matters involving Watermaster and the AP.

3. As an AP member representative and more recently as AP Vice-Chair, I have been involved on a nearly daily basis in AP matters, including extensively in meetings and communications leading up to the AP’s approval by majority vote of the Terms of Agreement on March 22, 2022. I have extensive knowledge of all matters and issues affecting the AP and Overlying (Agricultural) Pool (“AG Pool”), including all Court actions and proceedings, discussion and negotiations between AP member agencies and Ag Pool representatives, and AP meetings at which the Ag Pool expenses were discussed.

4. In the beginning, all AP members were entitled to participate directly in the negotiations. In the later stages, the AP and Ag Pool appointed negotiators. The AP provided instructions to its negotiators during confidential AP meetings. All AP members and their counsel, including the Moving Parties, were provided an opportunity to participate in those confidential meetings. The Moving Parties input, which has occurred over the last several months, has been fully considered and provisions of the Terms of Agreement approved by majority vote of the AP at its March 22, 2022 meeting reflect their input.

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Executed this 12. day of April 2022, at Pomona, California



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Chris Diggs

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 14, 2022 I served the following:

1. DECLARATION OF CHRIS DIGGS IN SUPPORT OF APPROPRIATIVE POOL'S SURREBUTTAL TO REBUTTAL RE SETTLEMENT

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:** Master Email Distribution List

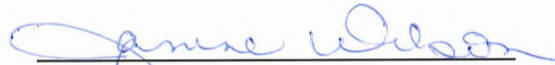
BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee.

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 14, 2022 in Rancho Cucamonga, California.



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Chino Basin Watermaster

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