

1 Jimmy L. Gutierrez (SBN 59448)
2 JIMMY L. GUTIERREZ LAW CORPORATION
3 12616 Central Avenue
4 Chino, California 91710
5 Telephone: (909) 591-6336

FEE EXEMPT PER GOV. CODE § 6103

6 Attorney for Defendant City of Chino

7
8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF SAN BERNARDINO**

11 CHINO BASIN MUNICIPAL WATER)
12 DISTRICT,)
13 Plaintiff,)
14 v.)
15 CITY OF CHINO, et al.,)
16 Defendants.)

CASE NUMBER: RCVRS 51010
*[Assigned for All Purposes to Honorable
Stanford E. Reichert, Dept. S35]*

**DECLARATION OF DAVE CROSLY
IN SUPPORT OF MOVING PARTIES'
REPLY TO SURREBUTTAL FILED BY
THE APPROPRIATIVE POOL AND THE
AGRICULTURAL POOL**

Date: April 22, 2022
Time: 1:30 p.m.
Dept.: S35

(FEE- EXEMPT PER GOVERNMENT CODE § 6103)

19
20 I, Dave Crosley, declare as follows:

21 1. I currently serve as the Utilities Engineering and Operations Manager for the City
22 of Chino (hereafter "Chino"), a position I have held since February 21, 2022. Prior to becoming
23 the Utilities Engineering and Operations Manager I held the position of Water & Environmental
24 Manager for Chino since January 1995. I am a licensed Civil Engineer in California and
25 Arizona. I have personal knowledge of the facts stated in this declaration, except those stated
26 on information and belief which I believe to be true. If called to testify as a witness, I could
27 competently testify to such matters contained herein. I make this declaration in support of the
28 Moving Parties Reply to Surrebuttal Filed by the Appropriative Pool and Agricultural Pool.

1 2. I have been involved in the Chino Basin for approximately 27 years and I have
2 represented Chino on the Chino Basin Watermaster Appropriative Pool Committee and
3 Advisory Committee. I have participated in the development and/or implementation of the
4 Watermaster Optimum Basin Management Program ("OBMP"), Peace Agreement, Peace II
5 Agreement, Safe Yield resets, Opposition to Watermaster's Motion Re 2015 Safe Yield Reset
6 Agreement, Opposition to the Overlying Agricultural Pool's Contest to Chino's storage and
7 transfer agreements from 2017 to the present, and opposition to the Appropriators'
8 reimbursement of Overlying Agricultural Pool's legal budgets in 2019-20 and 2020-21 and
9 related motions concerning the interpretation of Peace Agreement Paragraph 5.4(a). I also have
10 reviewed Watermaster Assessment Packages for the past 27 years.

11 3. I am familiar with the Watermaster budgeting process and the invoices
12 Watermaster sends to Chino for payment of its portion of Watermaster expenses. When
13 Watermaster sends its invoices to Chino, I review them to determine whether they constitute
14 appropriate charges to be paid from Chino's Water Enterprise Fund which is derived from
15 charges to Chino's water customers. Upon my review I provide my level of authorization for
16 processing the payment, limited payment, or nonpayment of the invoiced charges from the
17 Water Enterprise Fund to Chino's Finance Department, although my authorization is not
18 exclusive. Ordinarily, such invoices would not be paid without my level of authorization.

19 4. I also am familiar with the invoices Watermaster sends to each Appropriator that
20 request payment of the Ag Pool's expenses under Paragraph 5.4(a) of the Peace Agreement.
21 Since the Peace Agreement dated June 29, 2000 was approved by the parties, Watermaster
22 always has sent invoices to each Appropriator including Chino for the Appropriator's share of
23 the Ag Pool's expenses. Watermaster has never sent an invoice to the Appropriative Pool that
24 requests payment of the Ag Pool's expenses from the Appropriative Pool.

25 5. I received Watermaster Invoice AP22-03 dated November 18, 2021 addressed to
26 Chino seeking payment of \$571,893.23 for Fiscal Year 2021-2022 including Watermaster's
27 cover letter dated November 18, 2021 and its several attachments. I personally reviewed
28

1 Invoice AP22-03, the cover letter and the attachments. Here, I attach Invoice AP22-03 as
2 Exhibit 1 and the cover letter with Attachment B as Exhibit 2.

3 6. Watermaster Invoice AP22-03 for \$571,893.23 requested from Chino consists of
4 various itemized expenses including the sum \$115,932.53 for Ag Pool expenses. The cover
5 letter is addressed to "Dear Appropriative Pool Producer." In paragraph No. 2. of the letter,
6 Watermaster states that the Ag Pool expenses are "allocated to the Appropriative Pool
7 members." On page 2 of the letter, Watermaster states that the assessment is the obligation of
8 the party and refers to Paragraph 55 of the Judgement which also states that the obligation for
9 the payment of assessments is an obligation of each party. Attachment B to the cover letter
10 shows the allocation of Ag Pool expenses to each Appropriator by Watermaster.

11 7. I provided my level of authorization for each itemized expense in Watermaster
12 Invoice AP22-03. My authorization is indicated by my written notations, my initials and the
13 date thereof. The invoice contains initials of and notations by other persons from the Public
14 Works Department and the Finance Department, however the detailed examination of the
15 invoice to determine the appropriateness of charges and for initiating processing payment from
16 the Water Enterprise Fund was mine alone to make. I determined that Chino should withhold
17 payment of \$115,932.53 from its payment of the invoice because the invoice described that
18 amount as "Agricultural Pool Admin and Legal Expenses" and that amount had not been
19 substantiated by Overlying Agricultural Pool submittal of court required documents. Chino
20 made a payment of \$455,960.70 by electronic transfer on December 17, 2021, a true copy of
21 which is attached as Exhibit 3 hereto.

22 8. Based on my 27 years of experience in the Chino Basin and representation for
23 Chino on the Chino Basin Watermaster Appropriative Pool Committee and Advisory
24 Committee, and my participation in the development and implementation of the Peace
25 Agreement, I understand the meaning of the term "Appropriative Pool" to mean all of the
26 individual members of the Appropriative Pool, and the Peace Agreement Section 5.4(a)
27 language "...expenses of the Agricultural Pool including those of the Agricultural Pool
28 Committee shall be paid by the Appropriative Pool" to mean payment by the individual

1 members of the Appropriative Pool. My understanding is based on the practice of Watermaster
2 invoices to individual Appropriators, payment to Watermaster by individual Appropriators and
3 the absence of Watermaster invoices to the Appropriative Pool or payments by the
4 Appropriative Pool to Watermaster.

5 9. On March 22, 2022, I attended the Appropriative Pool Committee meeting where
6 the document called "Terms of Agreement" (TOA) was discussed and voted on. On behalf of
7 Chino, I voted against the TOA and I observed the entire vote and the tabulation of the weighted
8 vote shown on the "2022 Appropriative Pool Volume (i.e. "weighted") Vote" that is Exhibit B
9 to the Joint Statement dated March 24, 2022 attached as Exhibit 4 hereto. The tabulation shows
10 that there are a total of 974.406 votes and that 593.628 votes were cast in favor of the TOA or
11 59.363% of the Appropriative Pool members. Of the 593.628 votes in favor of the TOA,
12 414.889 votes were cast by Appropriators that are public entities with legislative bodies as
13 follows: City of Chino Hills (36.950 votes), Cucamonga Valley Water District (73.887 votes),
14 Jurupa Community Services District (93.437 votes), City of Pomona (169.197 votes) and City
15 of Upland (41.418 votes). Excluding the 414.889 votes of these public entities, the votes in
16 favor of the TOA were 178.739 or 18.34% of the total votes cast.

17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct.

19 Executed at Chino, California on April 18, 2022.

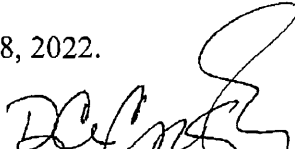
20 
21 _____
22 David G. Crosley, P.E.
23 City of Chino
24 Utilities Engineering & Operations Manager
25
26
27
28

EXHIBIT 1



CHINO BASIN WATERMASTER
 9641 San Bernardino Road
 Rancho Cucamonga, CA 91730

Invoice

DATE	INVOICE NO.
11/18/2021	AP2203

EFT
 P.O.# 70220663

BILL TO
CITY OF CHINO ATTN: DAVE CROSLLEY PO BOX 667 CHINO CA 91708-0667

MO, DEC 13 2021 PM 04:43

PAY - ~~455,960.70~~ PM 04:42

PAID
 POSTED
 SM

* SEE ATTACHED "SHORT PAY"

[Signature]
 12-13-21

DESCRIPTION	TERMS	DUE DATE
	Net 30 days	12/20/2021

DESCRIPTION	QTY	RATE	AMOUNT
Administrative Assessments - Appropriative Pool	2,762.4	22.26984	61,518.20
OBMP - Administrative Assessment	2,762.4	48.24965	133,284.84
Agricultural Pool Administration Water Reallocation	11,194.4	7.80447	87,366.39
OBMP - Agricultural Pool Water Reallocation	11,194.4	16.90578	189,250.10
15% Gross Replenishment Assessments		91.49	91.49
85% / 15% Activity - 15% Pro-rated Debits		28,354.64	28,354.64
Cumulative Unmet Replenishment Obligation - (CURO)		0.45	0.45
Pomona Credit		4,904.69	4,904.69
Recharge Debt Payment		38,920.66	38,920.66
RTS Charges from IEUA - Appropriative Pool		0.05	0.05
Appropriative Pool Special Assessment of \$100,000 for		5,110.92	5,110.92
Appropriative Pool Legal Counsel expenses - Approved by the			
Appropriative Pool on October 14, 2021			
Agricultural Pool Admin and Legal Expenses allocated to		115,932.53	115,932.53
Appropriative Pool based upon Ag Pool SY Reallocation			
Refund of Prior Year Recharge Basin O&M expenses (Credit from		-9,401.87	-9,401.87
IEUA) - Appropriative Pool			
Refund of Prior Year Recharge Debt Service Payment expenses		-11,495.97	-11,495.97
(Credit from IEUA) - Appropriative Pool			
Refund of Prior Assessed Recharge Improvement Project Funds		-90,828.23	-90,828.23
paid by the Appropriative Pool - Refund approved at the AP Pool			
meeting on June 10, 2021			
Agricultural Pool prior years expenses paid by the Overlying		18,884.34	18,884.34
Non-Agricultural Pool - charge to AP and refund to ONAP			
approved at the AP Pool meeting on June 10, 2021			

If you prefer, a wire transfer can be sent to Bank of America using the following information:

Routing/ABA Number: 026 009 593
 Account Number: 14314-80008
 Account Name: Chino Basin Watermaster

**DO NOT
 PAY 11/29/21
 TBC**

[Signature]
 12/13/21

Judgment payments received after due date shall bear interest at 10% annum from the due date thereof.

Total PAID POSTED SM \$57,189.32

R 11/18
 11/21/21 APPROVED TO PAY \$455,960.70

EXHIBIT 2



CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, CA 91730
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

PETER KAVOUNAS, P.E.
General Manager

November 18, 2021

Dear Appropriative Pool Producer:

Attached to this letter, you will find your Assessment invoice for Fiscal Year 2021-2022, which was based on your Production Year 2020-2021. The enclosed invoice reflects the "Amended" Watermaster Budget approved at the October 28, 2021 Board meeting and the Assessment Package approved at the November 18, 2021 Board meeting. You can find the complete Assessment Package for Fiscal Year 2021-2022 on the Chino Basin Watermaster's website at:

<https://cbwm.syncedtool.com/shares/file/wu6HTJzmvCj/?modal=1>

The following Attachments are provided for your information:

Attachment 1: FY 2021-2022 Assessment Page 8.1
Attachment 3: FY 2021-2022 Assessment Page 9.1
Attachment 4: FY 2021-2022 Assessment Page 26.1 (RTS Charges)
Attachment A: FY 2021-2022 Appropriative Pool \$100,000 Special Assessment for Legal Services
Attachment B: FY 2021-2022 Ag Pool Expenses Paid by Appropriative Pool_\$635,000
Attachment C: FY 2020-2021 Recharge Basin O&M Refund_\$145,384.27
Attachment D: FY 2020-2021 Recharge Debt Service Refund_\$156,259.00
Attachment F: FY 2021-2022 Excess Reserve Recharge Improvement Project Refund_\$1,234,582.42
Attachment G: OAP Expenses Paid By ONAP-Distribution By Appropriators_\$107,544.38

Included on the invoice, but not included in the Assessment Package are several additional items as follows:

1. Special Assessment of \$100,000 for the Appropriative Pool Legal Services to be allocated to the Appropriative Pool Members on a prorated basis, based upon 50% of the FY 2020-2021 Actual FY Production and 50% of the FY 2020-2021 Operating Safe Yield (OSY) production data. The schedule detailing the allocation is provided on Attachment A.
2. The FY 2021/22 Agricultural Pool Legal Services, Special Projects, and Meeting Compensation budget of \$635,000 to be allocated to the Appropriative Pool members based upon the Ag Pool SY Reallocation percentage is provided on Attachment B.
3. The detailed calculation for the FY 2020-2021 Recharge Basin O&M Refund to the Appropriative Pool Members is provided on Attachment C. For this year, the refund due is \$139,913.46.
4. The detailed calculation for the FY 2020-2021 Recharge Debt Service Payment Refund to the Appropriative Pool Members is provided on Attachment D. For this year, the refund due is \$156,259.00.
5. The detailed calculation for the FY 2021-2022 Excess Reserve Recharge Improvement Project Refund to the Appropriative Pool Members is provided on Attachment F. For this year, the refund due is \$1,234,582.42.

Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program

November 18, 2021

6. The detailed calculation for the OAP Expenses Paid By ONAP - Distribution By Appropriators is provided on Attachment G. For this year, the one-time charge to the Appropriative Pool members is \$107,544.38.

If you prefer, a wire transfer can be sent to Bank of America using the following information:

Routing/ABA Number: 026 009 593 Account Number: 14314-80008
Account Name: Chino Basin Watermaster Reference: Use your invoice number

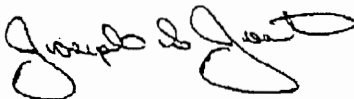
Per the Judgment Section VI, 55 (b) Payment. Each assessment shall be payable on or before thirty (30) days after notice, and shall be the obligation of the party or successor owning the water production facility at the time written notice of assessment is given, unless prior arrangement for payment by others has been made in writing and filed with Watermaster.

Please note the Judgment related assessment payment is due no later than close of business (4:00pm) on Monday, December 20, 2021.

Per the Judgment Section VI, 55 (c) Delinquency. Any delinquent assessment shall bear interest at 10% per annum (or such greater rate as shall equal the average current cost of borrowed funds to the Watermaster) from the due date thereof. Such delinquent assessment and interest may be collected in a show-cause proceeding herein instituted by the Watermaster, in which case the Court may allow Watermaster its reasonable costs of collection, including attorney's fees.

Please feel free to contact me via email at jjoswiak@cbwm.org or by telephone at (909) 484-3888 X225 if you have any questions.

Respectfully,



Joseph S. Joswiak
Chief Financial Officer

Agricultural Pool Expenses Paid By the Appropriative Pool Assessment Fiscal Year 2021-2022

Agricultural Pool Legal Services and Other Expenses - FY 2021/22 Budget:
\$ 635,000.00

Party	Ag Pool SY Reallocation			Allocation of Ag Pool Expenses
	AF Total Reallocation	\$ 478,534.00 \$7.80 AF/Admin	Percentage of Admin Assessment	
BlueTriton Brands, Inc.	0.0	\$ -	0.000%	\$ -
Chino Hills, City Of	2,417.9	\$ 18,870.15	3.943%	\$ 25,040.11
Chino, City Of	11,194.4	\$ 87,366.39	18.257%	\$ 115,932.53
Cucamonga Valley Water District	2,552.2	\$ 19,918.39	4.162%	\$ 26,431.10
Desalter Authority	0.0	\$ -	0.000%	\$ -
Fontana Union Water Company	3,450.3	\$ 26,927.93	5.627%	\$ 35,732.54
Fontana Water Company	834.6	\$ 6,513.57	1.361%	\$ 8,643.31
Fontana, City Of	0.0	\$ -	0.000%	\$ -
Golden State Water Company	222.0	\$ 1,732.52	0.362%	\$ 2,299.00
Jurupa Community Services District	16,328.0	\$ 127,432.12	26.630%	\$ 169,098.53
Marygold Mutual Water Company	353.7	\$ 2,760.47	0.577%	\$ 3,663.06
Monte Vista Irrigation Company	365.2	\$ 2,850.57	0.596%	\$ 3,782.62
Monte Vista Water District	2,709.4	\$ 21,145.54	4.419%	\$ 28,059.49
Niagara Bottling, LLC	0.0	\$ -	0.000%	\$ -
Nicholson Trust	2.1	\$ 16.17	0.003%	\$ 21.46
Norco, City Of	108.9	\$ 850.09	0.178%	\$ 1,128.04
Ontario, City Of	10,807.7	\$ 84,348.53	17.626%	\$ 111,927.92
Pomona, City Of	6,054.1	\$ 47,249.20	9.874%	\$ 62,698.25
San Antonio Water Company	813.4	\$ 6,347.94	1.327%	\$ 8,423.52
San Bernardino, County of (Shooting Park)	0.0	\$ -	0.000%	\$ -
Santa Ana River Water Company	702.4	\$ 5,481.68	1.146%	\$ 7,274.02
Upland, City Of	1,539.7	\$ 12,016.74	2.511%	\$ 15,945.85
West End Consolidated Water Company	511.5	\$ 3,991.72	0.834%	\$ 5,296.89
West Valley Water District	347.8	\$ 2,714.28	0.567%	\$ 3,601.77
Grand Total Appropriative Pool	61,315.2	\$ 478,534.00	100.000%	\$ 635,000.00

Page 8.1 (8D)

Page 8.1 (8E)

Account 8467 for \$500,000; account 8471 for \$85,000; and account 8470 for \$50,000
\$500,000 + \$85,000 + \$50,000 = \$635,000
Action taken by the Agricultural Pool on October 14, 2021 and November 10, 2021

EXHIBIT 3

11/18/2021

AP22-03

2021-2022 ASSESSMENT -APPROPRIATIVE POOL

\$455,960.70

GL#:5207300 - 43605

\$455,960.70

Regarding the City of Chino's payment for Watermaster Invoice No. AP22-03, describing a total invoiced amount of \$571,893.23, Please be advised The City of Chino objects to the line item described as "Agricultural Pool Admin and Legal Expenses allocated to Appropriative Pool based upon Ag Pool SY Reallocation". The amount associated with this item described on the invoice received by the City is \$115,932.53. The City's payment does not include the \$115,932.53 because court-required documentation in support of the item has not been provided. The City makes payment of \$455,960.70 (571,893.23 - 115,932.53 = 455,960.70).

VENDOR NUMBER	VENDOR NAME	EFT NUMBER	EFT DATE	EFT AMOUNT
1466	CHINO BASIN WATERMASTER SRVCS	514424	12/17/2021	\$455,960.70



CITY OF CHINO

13220 CENTRAL AVE
CHINO, CA 91710
(909) 334-3348/(909) 334-3311
ap@cityofchino.org

Vendor Number	EFT Number	EFT Date
1466	514424	12/17/2021

Four Hundred Fifty-five Thousand Nine Hundred Sixty Dollars and 70 Cents

\$455,960.70

Pay To the Order Of CHINO BASIN WATERMASTER SRVCS
9641 SAN BERNARDINO RD
RANCHO CUCAMONGA, CA 91730-0000

**EFT FILE COPY
NON-NEGOTIABLE**

EXHIBIT 4

John Schatz

From: John Schatz <jschatz13@cox.net>
Sent: Wednesday, March 23, 2022 8:08 PM
To: Anna Truong (atruongnelson@cbwm.org); 'Janine Wilson'
Cc: Jimmy@city-attorney.com; jimmylaredo@gmail.com; Fred Fudacz (ffudacz@nossaman.com); Nicholls, Gina R.; Andrew Gagen; Eduardo Espinoza; Chris Diggs (chris_diggs@ci.pomona.ca.us)
Subject: Chino Basin: 3/22 AP Confidential Attendance, Motions, Votes, and Adjournment
Attachments: Terms of Agreement.pdf

March 22, 2022 Special Appropriative Pool Meeting Confidential Session Action Report:

Motion by Chris Diggs (Pomona), second by Josh Swift (Fontana Union Water Company). Passed 59.363% voting in affirmative

To approve settlement, authorize AP Chair to sign the Terms of Agreement (dated 3/16, signed by Bob Feenstra) and disclose the votes in the report-out.

2022 APPROPRIATIVE POOL VOLUME VOTE							QUORUM MET?
Assessment Year 2021-2022 (Production Year 2020-2021)							YES
Party	Proposed (2021)		Voting (2021)	Proposed	Reaffirmed	Ballot Votes	Quorum
	Amount	Percentage					
Bluebonnet Brands Inc	1,847	1,847	0.000	0.000	0.000	0.000	0.000
California Telephone	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Chino Hills City of	18,004	0.044	18,932	18,004	18,932	18,004	18,932
Chino City of	55,596	1.460	57,074	55,596	57,074	55,596	0.000
Chino Valley Water District	71,994	1.951	73,847	71,994	73,847	71,994	73,847
Fontana Union Water Company	148,285	1.931	149,814	148,285	149,814	148,285	149,814
Fontana Water Company	75,342	1.978	77,342	75,342	77,342	75,342	77,342
Fontana City of	0.000	0.000	0.000	0.000	0.000	0.000	0.000
San Bern Co Water Company	11,084	0.291	11,157	11,084	11,157	11,084	11,157
San Bern Community Services District	92,044	2.391	93,437	92,044	93,437	92,044	93,437
Mariposa Mutual Water Company	11,701	1.701	0.000	0.000	0.000	0.000	0.000
Monte Vista Water District	8,710	0.182	8,710	8,710	8,710	8,710	0.000
Monte Vista Water District	85,217	2.240	87,719	85,217	87,719	85,217	0.000
Net Co Ltd	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Nogales Water District	11,918	1.928	0.000	0.000	0.000	0.000	0.000
Ontario Farm & Trade	0.015	0.001	0.019	0.015	0.019	0.015	0.019
Ontario City of	1,842	0.048	1,842	1,842	1,842	1,842	1,842
Ontario City of	720,841	1.785	728,417	720,841	728,417	720,841	0.000
Pomona City of	164,864	4.380	169,197	164,864	169,197	164,864	169,197
San Bern Water Company	18,347	0.482	18,829	18,347	18,829	18,347	0.000
San Bern Co County of Production	0.117	0.117	0.000	0.000	0.000	0.000	0.000
San Bern Co Water Company	13,082	0.343	13,403	13,082	13,403	13,082	13,403
Upland City of	40,358	1.060	41,818	40,358	41,818	40,358	41,818
West End Community Water Co	8,440	0.227	8,867	8,440	8,867	8,440	8,867
West End Water District	8,875	0.154	9,029	8,875	9,029	8,875	9,029
TOTAL	1,000,000	0.000	1,000,000	978,486	978,486	978,486	978,486

PASSED

Alternate Motion by Dave Crosley (Chino), second by Christopher Quach (Ontario). Did not pass, 38.754% voting in affirmative

Vote on settlement and disclose that the City of Chino, City of Ontario, Monte Vista Water District, and Monte Vista Irrigation Company do not consent to the terms of settlement, want to be excluded from the Terms, and are not obligated to and will not comply with the Terms.



2022 APPROPRIATIVE POOL VOLUME VOTE
Assessment Year 2021-2022 (Production Year 2020-2021)

QUORUM
MET?
YES

Party	Enter Y or N in Each Cell		Assessed	Reassessed	Assessed Value	Quorum	Total Vot
	Present (Y/N)	Vote (Y/N)					
Bull Terrier Brands Inc			1,847	-1,847	0.000	0.000	0.000
Ca Mel Co (Cooperative)			0.000	0.000	0.000	0.000	0.000
Chico City OF		Y	36,004	0.000	18,950	36,004	0.000
Chico City OF		Y	35,584	1,460	37,044	35,509	37,044
Culemanga Valley Water District		Y	71,996	1,891	73,887	71,999	0.000
Fontana Union Water Company		Y	58,285	1,551	59,836	58,285	0.000
Fontana Water Company		Y	75,362	1,910	77,272	75,362	0.000
Fontana City OF		N	0.000	0.000	0.000	0.000	0.000
Sierra Water Company		Y	11,068	0.281	11,349	11,068	0.000
Sierra Community Services District		Y	81,048	2,191	83,239	81,048	0.000
Valley of the Sun Water Company		N	22,702	22,702	0.000	0.000	0.000
Monte Vista Irrigation Company		Y	8,170	0.182	8,352	8,170	8,352
Monte Vista Water District		Y	95,217	2,501	97,718	95,217	97,718
ALL Co LLC			0.000	0.000	0.000	0.000	0.000
Napa Valley Wine LLC		Y	11,929	11,929	0.000	0.000	0.000
Napa Valley Wine Trust		Y	0.031	0.001	0.034	0.031	0.000
Napa Valley OF		Y	1,840	0.048	1,888	1,840	0.000
Oroville City OF		Y	220,641	3,395	224,036	220,641	224,036
Orono City OF		Y	164,848	4,330	169,178	164,848	0.000
San Antonio Water Company		Y	18,343	0.483	18,826	18,347	0.000
San Bernardino County Off Roading Park		N	0.117	0.117	0.000	0.000	0.000
Santa Ana River Water Company		Y	13,062	0.343	13,405	13,062	0.000
Upland City OF		Y	40,358	1,080	41,438	40,358	0.000
West End Community Water Co		Y	8,640	0.227	8,867	8,640	0.000
West End Water District		Y	5,875	0.154	6,029	5,875	0.000
			1,000,000	0.000	1,000,000	976,408	187,543

CALCULATE QUORUM

CALCULATE VOTES

RESET ALL

RESET VOTES

NOT PASSED

The meeting commenced at 8:30 AM and adjourned at 9:59 AM.

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 18, 2022 I served the following:

1. DECLARATION OF DAVE CROSLY IN SUPPORT OF MOVING PARTIES' REPLY TO SURREBUTTALS FILED BY THE APPROPRIATIVE POOL AND THE AGRICULTURAL POOL

/ 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 18, 2022 in Rancho Cucamonga, California.



By: Janine Wilson
Chino Basin Watermaster

PAUL HOFER
11248 S TURNER AVE
ONTARIO, CA 91761

JEFF PIERSON
2 HEXAM
IRVINE, CA 92603

ALLEN HUBSCH
LAW OFFICE OF ALLEN HUBSCH
8549 WILSHIRE BLVD., SUITE 3220
BEVERLY HILLS, CA 90211

Members:

Agnes Cheng	agnes.cheng@cc.sbcounty.gov
Al Lopez	alopez@wmwd.com
Alan Frost	Alan.Frost@dpw.sbcounty.gov
Alberto Mendoza	Alberto.Mendoza@cmc.com
Alejandro R. Reyes	arreyes@sgvwater.com
Alfonso Ruiz	alfonso.ruiz@cmc.com
Allen Hubsch	ahubsch@hubschlaw.com
Alma Heustis	alma.heustis@californiasteel.com
Alonso Jurado	ajurado@cbwm.org
Amanda Coker	amandac@cvwdwater.com
Amanda Meere	Amanda.Meere@cao.sbcounty.gov
Amer Jakher	AJakher@cityofchino.org
Amy Bonczewski	ABonczewski@ontarioca.gov
Andrew Gagen	agagen@kidmanlaw.com
Andy Campbell	acampbell@ieua.org
Andy Malone	amalone@westyost.com
Angelica Todd	angelica.todd@ge.com
Angelo Simoes	Angelo.Simoes@linde.com
Anna Nelson	atruongnelson@cbwm.org
April Robitaille	arobitaille@bhfs.com
Armando Martinez	armartinez@fontana.org
Art Bennett	citycouncil@chinohills.org
Arthur Kidman	akidman@kidmanlaw.com
Ashok Dhingra	ash@akdconsulting.com
Ben Lewis	benjamin.lewis@gswater.com
Ben Peralta	bperalta@tvmwd.com
Benjamin M. Weink	ben.weink@tetrattech.com
Beth.McHenry	Beth.McHenry@hoferranch.com
Betty Anderson	banderson@jcsd.us
Betty Folsom	bfolsom@jcsd.us
Bill Schwartz	bschwartz@mwwd.org
Bob Bowcock	bbowcock@irmwater.com
Bob DiPrimio	rjdiprimio@sgvwater.com
Bob Feenstra	bobfeenstra@gmail.com
Bob Kuhn	bkuhn@tvmwd.com
Bob Kuhn	bgkuhn@aol.com
Bob Page	Bob.Page@rov.sbcounty.gov
Brad Herrema	bherrema@bhfs.com
Braden Yu	Byu@ci.upland.ca.us
Bradley Jensen	bradley.jensen@cao.sbcounty.gov
Brandon Howard	brahoward@niagarawater.com
Brenda Fowler	balee@fontanawater.com
Brent Yamasaki	byamasaki@mwdh2o.com
Brian Dickinson	bdickinson65@gmail.com
Brian Geye	bgeye@autoclubspeedway.com
Brian Lee	blee@sawaterco.com
Carmen Sierra	carmens@cvwdwater.com
Carol Boyd	Carol.Boyd@doj.ca.gov
Carolina Sanchez	csanchez@westyost.com
Casey Costa	ccosta@chinodesalter.org
Cassandra Hooks	chooks@niagarawater.com

Catharine Irvine	cirvine@DowneyBrand.com
Chad Blais	cblais@ci.norco.ca.us
Chander Letulle	cletulle@jcsd.us
Charles Field	cdfield@att.net
Charles Linder	Charles.Linder@nrgenergy.com
Charles Moorrees	cmoorrees@sawaterco.com
Chino Hills City Council	citycouncil@chinohills.org
Chris Berch	cberch@jcsd.us
Chris Diggs	Chris_Diggs@ci.pomona.ca.us
Christiana Daisy	cdaisy@ieua.org
Christofer Coppinger	ccoppinger@geoscience-water.com
Christopher M. Sanders	cms@eslawfirm.com
Christopher Quach	cquach@ontarioca.gov
Christopher R. Guillen	cguillen@bhfs.com
Cindy Cisneros	cindyc@cvwdwater.com
Cindy Li	Cindy.li@waterboards.ca.gov
Courtney Jones	cjjones@ontarioca.gov
Craig Miller	CMiller@wmwd.com
Craig Stewart	craig.stewart@woodplc.com
Cris Fealy	cifealy@fontanawater.com
Dan Arrighi	darrighi@sgwater.com
Dan McKinney	dmckinney@douglascountylaw.com
Daniel Bobadilla	dbobadilla@chinohills.org
Daniel P. Barer	daniel@pollakvida.com
Danny Kim	dkim@linklogistics.com
Dave Argo	daveargo46@icloud.com
Dave Crosley	DCrosley@cityofchino.org
David Aladjem	daladjem@downeybrand.com
David De Jesus	ddejesus@tvmwd.com
David Huynh	dhuynh@cbwm.org
Dawn Forgeur	dawn.forgeur@stoel.com
Dawn Martin	Dawn.Martin@cc.sbcounty.gov
Denise Garzaro	dgarzaro@ieua.org
Dennis Mejia	dmejia@ontarioca.gov
Dennis Williams	dwilliams@geoscience-water.com
Diana Frederick	diana.frederick@cdcr.ca.gov
Ed Means	edmeans@roadrunner.com
Edgar Tellez Foster	etellezfoster@cbwm.org
Eduardo Espinoza	EduardoE@cvwdwater.com
Edward Kolodziej	edward.kolodziej@ge.com
Elizabeth M. Calciano	ecalciano@hensleylawgroup.com
Elizabeth P. Ewens	elizabeth.ewens@stoel.com
Elizabeth Skrzat	ESkrzat@cbwcd.org
Eric Fordham	eric_fordham@geopentech.com
Eric Garner	eric.garner@bbklaw.com
Eric Grubb	ericg@cvwdwater.com
Eric Papathakis	Eric.Papathakis@cdcr.ca.gov
Eric Tarango	edtarango@fontanawater.com
Erika Clement	Erika.clement@sce.com
Eunice Ulloa	eulloa@cityofchino.org
Evette Ounanian	EvetteO@cvwdwater.com
Frank Brommenschenkel	frank.brommen@verizon.net
Frank Yoo	FrankY@cbwm.org

Fred Fudacz
Fred Galante
Garrett Rapp
Gene Tanaka
Geoffrey Kamansky
Geoffrey Vanden Heuvel
Gerald Yahr
Gina Nicholls
Gino L. Filippi
Gracie Torres
Grant Mann
Greg Woodside
Gregor Larabee
Ha T. Nguyen
Henry DeHaan
Irene Islas
James Curatalo
James Jenkins
James McKenzie
Jane Anderson
Janelle S.H. Krattiger, Esq
Janine Wilson
Jasmin A. Hall
Jason Marseilles
Jason Pivovaroff
Jayne Joy
Jean Cihigoyenetché
Jeff Evers
Jeff Mosher
Jeffrey L. Pierson
Jennifer Hy-Luk
Jeremy N. Jungries
Jessie Ruedas
Jim Markman
Jim W. Bowman
Jimmy Gutierrez - Law Offices of Jimmy Gutierrez

ffudacz@nossaman.com
fgalante@awattorneys.com
grapp@westyost.com
Gene.Tanaka@bbklaw.com
gkamansky@niagarawater.com
geoffreyvh60@gmail.com
yahrj@koll.com
gnicholls@nossaman.com
Ginoffvine@aol.com
gtorres@wmwd.com
GMann@dpw.sbcounty.gov
gwoodside@ocwd.com
Gregor.Larabee@cdcr.ca.gov
ha.nguyen@stoel.com
Hdehaan1950@gmail.com
irene.islas@bbklaw.com
jamesc@cvwdwater.com
cnomgr@airports.sbcounty.gov
jmckenzie@dpw.sbcounty.gov
janderson@jcsd.us
janelle.krattiger@stoel.com
JWilson@cbwm.org
jhall@ieua.org
jmarseilles@ieua.org
JPivovaroff@wmwd.com
Jayne.Joy@waterboards.ca.gov
Jean@thejclawfirm.com
jevers@niagarawater.com
jmosher@sawpa.org
jpierson@intexcorp.com
jhyluk@ieua.org
jjungreis@rutan.com
Jessie@thejclawfirm.com
jmarkman@rwglaw.com
jbowman@ontarioca.gov

jimmylaredo@gmail.com
Jimmy@City-Attorney.com
Jaime.medrano2@cdcr.ca.gov
JiwonS@cvwdwater.com
jchan@wvwd.org
joao.feitoza@cmc.com
jroberto@tvmwd.com
jgraz4077@aol.com
JJoswiak@cbwm.org
jignacio@ieua.org
john.abusham@nrg.com
johnb@cvwdwater.com
jrharper@harperburns.com
johnhuitsing@gmail.com
jlopez@sarwc.com
customerservice@sarwc.com
jmendoza@tvmwd.com

Jimmy L. Gutierrez
Jimmy Medrano
Jiwon Seung
Joanne Chan
Joao Feitoza
Jody Roberto
Joe Graziano
Joe Joswiak
Joel Ignacio
John Abusham
John Bosler
John Harper
John Huitsing
John Lopez
John Lopez and Nathan Cole
John Mendoza

John Partridge	jpartridge@angelica.com
John Schatz	jschatz13@cox.net
John Thornton	JThorntonPE@H2OExpert.net
Jose A Galindo	Jose.A.Galindo@linde.com
Josh Swift	jmswift@fontanawater.com
Joshua Aguilar	jaguilar@ieua.org
Justin Brokaw	jbrokaw@marygoldmutualwater.com
Justin Nakano	JNakano@cbwm.org
Justin Scott-Coe Ph. D.	jscottcoe@mwwd.org
Karen Williams	kwilliams@sawpa.org
Kathleen Brundage	kathleen.brundage@californiasteel.com
Kati Parker	katiandcraig@verizon.net
Keith Kramer	kkramer@fontana.org
Keith Person	keith.person@waterboards.ca.gov
Ken Waring	kwaring@jcsd.us
Kevin O'Toole	kotoole@ocwd.com
Kevin Sage	Ksage@IRMwater.com
Kristina Robb	KRobb@cc.sbcounty.gov
Kurt Berchtold	kberchtold@gmail.com
Kyle Brochard	KBrochard@rwglaw.com
Kyle Snay	kylesnay@gswater.com
Larry Cain	larry.cain@cdcr.ca.gov
Laura Mantilla	lmantilla@ieua.org
Laura Yraceburu	lyraceburu@bhfs.com
Lauren Harold	lharold@linklogistics.com
Lauren V. Neuhaus, Esq.	lauren.neuhaus@stoel.com
Lee McElhaney	lmcElhaney@bmklawplc.com
Linda Jadeski	ljadeski@wwwd.org
Lisa Lemoine	LLemoine@wmwd.com
Liz Hurst	ehurst@ieua.org
Marcella Correa	MCorrea@rwglaw.com
Marco Tule	mtule@ieua.org
Maria Ayala	mayala@jcsd.us
Maria Mendoza	mmendoza@westyost.com
Maribel Sosa	msosa@ci.pomona.ca.us
Marilyn Levin	marilyn.levin@doj.ca.gov
Mark D. Hensley	mhensley@hensleylawgroup.com
Mark Wildermuth	mwildermuth@westyost.com
Mark Wiley	mwiley@chinohills.org
Martin Cihigoyenetche	marty@thejclawfirm.com
Martin Rauch	martin@rauchcc.com
Martin Zvirbulis	mezvirbulis@sgwater.com
Mathew C. Ballantyne	mballantyne@cityofchino.org
Matthew H. Litchfield	mlitchfield@tvmwd.com
May Atencio	matencio@fontana.org
Melanie Trevino	Mtrevino@jcsd.us
Michael A. Blazevic	mblazevic@westyost.com
Michael Adler	michael.adler@mcmcnet.net
Michael B. Brown, Esq.	michael.brown@stoel.com
Michael P. Thornton	mthornton@tkeengineering.com
Michelle Licea	mlicea@mwwd.org
Michelle Staples	mstaples@jacksontidus.law
Mike Gardner	mgardner@wmwd.com

Mike Maestas	mikem@cvwdwater.com
Miriam Garcia	mgarcia@ieua.org
Moore, Toby	TobyMoore@gswater.com
MWDProgram	MWDProgram@sdca.org
Nadia Aguirre	naguirre@tvmwd.com
Natalie Costaglio	natalie.costaglio@mcmcn.net
Nathan deBoom	n8deboom@gmail.com
Neetu Gupta	ngupta@ieua.org
Nichole Horton	Nichole.Horton@pomona.gov
Nick Jacobs	njacobs@somachlaw.com
Nicole deMoet	ndemoet@ci.upland.ca.us
Nicole Escalante	NEscalante@ontario.ca.gov
Noah Golden-Krasner	Noah.goldenkrasner@doj.ca.gov
Parker Simon	psimon@bhfs.com
Paul Deutsch	paul.deutsch@woodplc.com
Paul Hofer	farmerhofer@aol.com
Paul Hofer	farmwatchtoo@aol.com
Paul S. Leon	pleon@ontario.ca.gov
Pete Hall	pete.hall@cdcr.ca.gov
Pete Hall	rpetehall@gmail.com
Pete Vicario	PVicario@cityofchino.org
Peter Hettinga	peterhettinga@yahoo.com
Peter Kavounas	PKavounas@cbwm.org
Peter Rogers	progers@chinohills.org
Rachel Avila	R.Avila@MPGLAW.com
Randy Visser	RVisser@sheppardmullin.com
Richard Anderson	horsfly1@yahoo.com
Rick Darnell	Richard.Darnell@nrgenergy.com
Rick Rees	richard.rees@woodplc.com
Rickey S. Manbahal	smanbahal@wvwd.org
Rita Pro	rpro@cityofchino.org
Robert C. Hawkins	RHawkins@earthlink.net
Robert DeLoach	robertadeloach1@gmail.com
Robert E. Donlan	red@eslawfirm.com
Robert Neufeld	robneu1@yahoo.com
Robert Wagner	rwagner@wbecorp.com
Ron Craig	Rcraig21@icloud.com
Ron LaBrucherie, Jr.	ronLaBrucherie@gmail.com
Ronald C. Pietersma	rcpietersma@aol.com
Ruben Llamas	rllamas71@yahoo.com
Ruby Favela	rfavela@cbwm.org
Ryan Shaw	RShaw@wmwd.com
Sally H. Lee	shlee@ieua.org
Sam Nelson	snelson@ci.norco.ca.us
Sam Rubenstein	srubenstein@wpcarey.com
Sandra S. Rose	directorrose@mvwd.org
Sarah Foley	Sarah.Foley@bbklaw.com
Scott Burton	sburton@ontario.ca.gov
Scott Slater	sslater@bhfs.com
Seth J. Zielke	sjzielke@fontanawater.com
Shawnda M. Grady	sgrady@eslawfirm.com
Sheila D. Brown	sheila.brown@stoel.com
Shivaji Deshmukh	sdeshmukh@ieua.org

Skylar Stephens	SStephens@sdcwa.org
slee@tvmwd.com	slee@tvmwd.com
Sonya Barber	sbarber@ci.upland.ca.us
Sonya Zite	szite@wmwd.com
Stephanie Reimer	SReimer@mvwd.org
Stephen Deitsch	stephen.deitsch@bbklaw.com
Steve Kennedy	skennedy@bmklawplc.com
Steve M. Anderson	steve.anderson@bbklaw.com
Steve Nix	snix@ci.upland.ca.us
Steve Riboli	steve.riboli@sanantoniowinery.com
Steve Smith	ssmith@ieua.org
Steve W. Ledbetter, PE	sledbetter@tkeengineering.com
Steven Andrews Engineering	sandrews@sandrewsengineering.com
Steven Flower	sflower@rwglaw.com
Steven J. Elie	selie@ieua.org
Steven J. Elie	s.elie@mpglaw.com
Steven Popelar	spopelar@jcsd.us
Steven Raughley	Steven.Raughley@cao.sbcounty.gov
Susan Palmer	spalmer@kidmanlaw.com
Tammi Ford	tford@wmwd.com
Tariq Awan	Tariq.Awan@cdcr.ca.gov
Taya Victorino	tayav@cvwdwater.com
Teri Layton	tlayton@sawaterco.com
Terry Catlin	tlcatlin@wfajpa.org
Tim Barr	tbarr@wmwd.com
Tim Kellett	tkellett@tvmwd.com
Timothy Ryan	tjryan@sgvwater.com
Toby Moore	TobyMoore@gswater.com
Todd Minten	tminten@sbcglobal.net
Tom Barnes	tbarnes@esassoc.com
Tom Bunn	TomBunn@Lagerlof.com
Tom Cruikshank	tcruikshank@linklogistics.com
Tom Harder	tharder@thomashardercompany.com
Tom McPeters	THMcP@aol.com
Tom O'Neill	toneill@chinodesalter.org
Toni Medell	mmedel@mbakerintl.com
Tony Long	tlong@angelica.com
Toyasha Sebbag	tsebbag@cbwcd.org
Tracy J. Egoscue	tracy@egoscuelaw.com
Van Jew	vjew@wvwd.org
Vanny Khu	VKhu@ontarioca.gov
Veronica Tristan	vtristan@jcsd.us
Veva Weamer	vweamer@westyost.com
Victor Preciado	Victor_Preciado@ci.pomona.ca.us
Vivian Castro	vcastro@cityofchino.org
Wade Fultz	Wade.Fultz@cmc.com
WestWater Research, LLC	research@waterexchange.com
William J Brunick	bbrunick@bmblawoffice.com
William Urena	wurena@emeraldus.com