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7 *[Additional Parties on Following Pages]*

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

12

FOR THE COUNTY OF SAN BERNARDINO

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14 CHINO BASIN MUNICIPAL WATER
15 DISTRICT,

16 Plaintiff,

17 vs.

18 CITY OF CHINO, ET AL.,

19 Defendants.

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Case No: RCVRS 51010

*Assigned for All Purposes to:
Honorable Gilbert G. Ochoa*

**NOTICE OF MOTION AND MOTION
CHALLENGING WATERMASTER'S
BUDGET ACTION TO FUND
UNAUTHORIZED CEQA REVIEW**

[Concurrently Filed with Memorandum of
Points & Authorities; Decl. of Courtney
Jones; Request for Judicial Notice; Proposed
Order]

Date: October 18, 2022

Time: 9:00 a.m.

Department: S24

NOTICE OF MOTION AND MOTION CHALLENGING WATERMASTER'S BUDGET ACTION TO FUND
UNAUTHORIZED CEQA REVIEW

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NOTICE OF MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 18, 2022 at 9:00 a.m. in Department S24 of the above-entitled court, the following parties to the Judgment and the Peace Agreement: City of Ontario; Monte Vista Water District; Monte Vista Irrigation District; and City of Chino (collectively, the “Moving Parties”), will and hereby do move this Court for an order invalidating action taken by the Board of Directors of the Chino Basin Watermaster (“Watermaster”) on May 26, 2022, to the extent said action appropriates and/or allocates funding to conduct environmental review pursuant to the California Environmental Quality Act (“CEQA”) in connection with the Optimum Basin Management Program Update (“OBMPU”). The Moving Parties also seek a judicial determination and order invalidating any corresponding assessments by Watermaster.

Further, the Moving Parties seek an order restraining and preventing Watermaster from expending funds on CEQA review until after parties to the Peace Agreement reach agreement on an amendment regarding the OBMPU Implementation Plan and provide direction to Watermaster as to the projects that require CEQA review in connection therewith.


This Motion is based upon Section 31 of the Judgment; the continuing jurisdiction of the Court under Section 15 of the Judgment; and documents approved by the Court under the Judgment including the Watermaster Rules and Regulations, the Peace Agreement, and the Peace II Agreement. Also this Motion is based upon attached Memorandum of Points and Authorities;

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1 the Declaration of Ms. Jones; and the Request for Judicial Notice submitted herewith; the records
2 and files in this adjudication; and upon other such evidence as may be presented to the Court.
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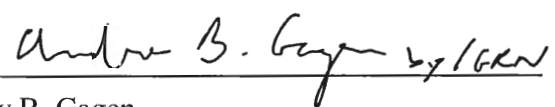
4 Dated: August 26, 2022

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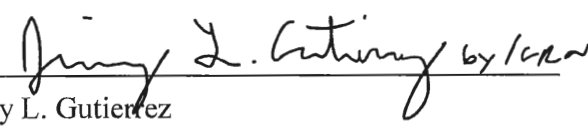
11 Dated: August 26, 2022

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18 Dated: August 26, 2022

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22 Attorneys for CITY OF CHINO

28

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 August 26, 2022 I served the following:

1. NOTICE OF MOTION AND MOTION CHALLENGING WATERMASTER'S BUDGET ACTION TO FUND UNAUTHORIZED CEQA REVIEW

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 August 26, 2022 in Rancho Cucamonga, California.



By: Denise Morales
Chino Basin Watermaster

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