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14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF SAN BERNARDINO**

16 CHINO BASIN MUNICIPAL WATER
17 DISTRICT,

18 Plaintiff,

19 v.

20 CITY OF CHINO, ET AL.,

21 Defendants.

Case No. RCV RS 51010

[Assigned for All Purposes to the
Honorable Gilbert G. Ochoa]

**AMENDED NOTICE OF MOTION AND
MOTION FOR COURT TO RECEIVE AND
FILE WATERMASTER SEMI-ANNUAL
OBMP STATUS REPORT 2022-2**

Date: May 12, 2023
Time: 9:00 a.m.
Dept.: S24

*[Declaration of Bradley J. Herrema; and
[Proposed] Order filed concurrently herewith]*

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on May 12, 2023 at 9:00 a.m., or as soon thereafter as the matter may be heard, in Department S24 of the above-entitled Court located at 247 West Third Street, San Bernardino, California 92415, Chino Basin Watermaster (“Watermaster”), will and hereby does move the Court to receive and file Watermaster’s Semi-Annual OBMP Status Report 2022-2 (“Report”). (Declaration of Bradley J. Herrema at ¶ 5, Ex. A.)

To complete the Court’s files, Watermaster hereby files with the Court a copy of Watermaster’s Report, which the Watermaster Board approved at its March 23, 2023 regular meeting. (Herrema Decl., at ¶ 5.) Watermaster requests that the Court receive and file the Report. Watermaster is not aware of any opposition to this Motion. (*Id.* at ¶ 6.)

Dated: March 30, 2023

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

By: 

SCOTT S. SLATER
BRADLEY J. HERREMA
LAURA K. YRACEBURU
Attorneys for CHINO BASIN
WATERMASTER

MEMORANDUM OF POINTS AND AUTHORITIES

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2 This Court’s February 9, 2006 Order requires Chino Basin Watermaster (“Watermaster”)
3 to prepare and file with the Court Optimum Basin Management Plan (“OBMP”) status reports
4 every six months. (February 9, 2006 Order Re-Appointing Nine-Member Board for Further Five-
5 Year Term, at p. 5.) Watermaster submits this motion in compliance with this obligation.

6 At their respective meetings on March 9, 2023, the Overlying (Agricultural) Pool and the
7 Appropriate Pool Committees unanimously recommended that the Advisory Committee
8 recommend to the Watermaster Board to adopt the Watermaster Semi-Annual OBMP Status
9 Report 2022-2 (“Report”) and direct its filing with the Court. (Declaration of Bradley J. Herrema
10 at ¶ 3.) The Overlying (Non-Agricultural) Pool Committee unanimously recommended its
11 representatives on the Advisory Committee and Watermaster Board to support adoption of the
12 Report and direct its filing with the Court, subject to changes they deem appropriate. (*Id.*) At its
13 March 16, 2023 meeting, the Advisory Committee recommended to the Watermaster Board to
14 adopt the Report. (*Id.* at ¶ 4.) The Watermaster Board approved and directed the filing of the
15 Report at its March 23, 2023 regular meeting. (*Id.* at ¶ 5.) Watermaster is not aware of any
16 opposition to this request. (*Id.* at ¶ 6.)

17 The Report provides the Court an overview of Watermaster’s actions to implement the
18 Peace Agreement and the OBMP, as required under the Judgment and Court Orders. As the Court
19 is fully aware, the lengthy history of Watermaster’s administration of the decree under the Court’s
20 continuing jurisdiction is not always easily compressed and contextualized in law and motion
21 practice. Watermaster also understands the busy nature of the Court’s calendar. Thus, whenever
22 the Court may desire and find convenient, Watermaster offers to support the Court with
23 complementary non-argumentative presentations on work in progress, such as this Report.

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For the foregoing reasons, Watermaster respectfully requests that this Court grant its Motion and receive and file the Report.

Dated: March 30, 2023

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

BY: 
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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 action within. My business address is Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, California 91730; telephone (909) 484-3888.

On March 30, 2023 , I served the following:

1. *AMENDED* NOTICE OF MOTION AND MOTION FOR COURT TO RECEIVE AND FILE WATERMASTER SEMI-ANNUAL OBMP STATUS REPORT 2022-2

/ X / BY MAIL: in said cause, by placing a true copy thereof enclosed with postage thereon fully prepaid, for delivery by the 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.
See attached service list: Master Email Distribution List

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

Executed on March 30, 2023 in Rancho Cucamonga, California.



By: Ruby Favela Quintero
Chino Basin Watermaster

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