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7 Attorneys for
 8 CHINO BASIN WATERMASTER

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

11
 12 CHINO BASIN MUNICIPAL WATER
 13 DISTRICT,

14 Plaintiff,

15 v.

16 CITY OF CHINO, ET AL.,

17 Defendants.

Case No. RCVRS51010

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

**NOTICE OF MOTION AND MOTION FOR
 COURT TO RECEIVE AND FILE
 WATERMASTER SEMI-ANNUAL OBMP
 STATUS REPORT 2023-1**

Date: December 1, 2023
 Time: 10:00 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 December 1, 2023 at 10:00 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 2023-1 (“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 September 28, 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: October 10, 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

1
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 September 14, 2023, the Overlying (Agricultural) Pool
7 and the Appropriative Pool Committees unanimously recommended that the Advisory Committee
8 recommend to the Watermaster Board to adopt the Watermaster Semi-Annual OBMP Status
9 Report 2023-1 (“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 support adoption of the
12 Report and direct its filing with the Court, subject to changes they deem appropriate. (*Id.*) At its
13 September 21, 2023 meeting, the Advisory Committee recommended to the Watermaster Board
14 to adopt the Report. (*Id.* at ¶ 4.) The Watermaster Board approved and directed the filing of the
15 Report at its September 28, 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 and that a site visit
22 was just completed. Nevertheless, should the Court desire and find it convenient, Watermaster is
23 always available to support the Court with complementary presentations on work in progress,
24 such as this Report.

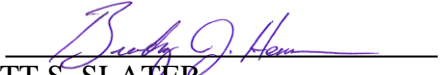
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For the foregoing reasons, Watermaster respectfully requests that this Court grant its Motion and receive and file the Report.

Dated: October 10, 2023

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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 October 10, 2023, I served the following:

1. NOTICE OF MOTION AND MOTION FOR COURT TO RECEIVE AND FILE WATERMASTER SEMI-ANNUAL OBMP STATUS REPORT 2023-1

/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 October 10, 2023 in Rancho Cucamonga, California.



By: Ruby Favela Quintero
Chino Basin Watermaster

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