

1 Steven M. Kennedy, Esq. [SB No. 141061]
2 BRUNICK, McELHANEY & BECKETT
3 1839 Commercenter West
4 P.O. Box 6425
5 San Bernardino, California 92412-6425
6 Telephone: (909) 889-8301
7 Facsimile: (909) 388-1889

*Exempt from filing fee pursuant to
Gov't Code Section 6103*

8 Attorneys for Defendant
9 THREE VALLEYS MUNICIPAL WATER DISTRICT

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN BERNARDINO
12 RANCHO CUCAMONGA DISTRICT

13 CHINO BASIN MUNICIPAL WATER
14 DISTRICT,

15 Plaintiff,

16 v.

17 CITY OF CHINO, et al.,

18 Defendants.

Case No. RCV 51010
Judge: Hon. J. Michael Gunn

JOINDER OF THREE VALLEYS MUNICIPAL
WATER DISTRICT IN SUPPORT OF MOTION
CHINO BASIN WATERMASTER FOR
APPROVAL OF PEACE II DOCUMENTS AND
DECLARATION OF JEFF KIGHTLINGER

Date: November 29, 2007
Time: 1:30 p.m.
Dept: R8

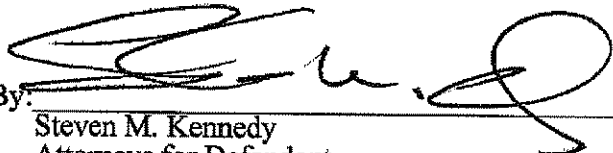
19
20 The THREE VALLEYS MUNICIPAL WATER DISTRICT ("TVMWD") hereby supports and
21 joins in the motion of the CHINO BASIN WATERMASTER ("Watermaster") for approval of the Peace
22 II documents on file herein on the grounds that the actions proposed therein, together with the continued
23 maintenance of the governance structure of the nine-member Watermaster board existing pursuant to
24 order of this Court issued on or about February 19, 1998, operate to advance the cumulative interests of
25 the parties to the Judgment entered in the within action on January 30, 1978, and provide material
26 benefits to the region impacted by groundwater supplies from the Chino Basin.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

In addition, TVMWD submits herewith the attached Declaration of Jeff Kightlinger in support of Watermaster's motion for approval of the Peace II documents.

Dated: November 15, 2007

BRUNICK, McELHANEY & BECKETT

By: 
Steven M. Kennedy
Attorneys for Defendant
THREE VALLEYS MUNICIPAL WATER DISTRICT

1 SCOTT S. SLATER (State Bar No. 117317)
MICHAEL T. FIFE (State Bar No. 203025)
2 HATCH & PARENT, A LAW CORPORATION
21 East Carrillo Street
3 Santa Barbara, CA 93101
Telephone No: (805) 963-7000
4 Facsimile No: (805) 965-4333
5 Attorneys For
CHINO BASIN WATERMASTER
6

7
8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN BERNARDINO
10

11 CHINO BASIN MUNICIPAL WATER
DISTRICT

Case No. RCV 51010

12 Plaintiff,

[Assigned for All Purposes to the Honorable
MICHAEL GUNN]

13 vs.

DECLARATION OF JEFF KIGHTLINGER

14 CITY OF CHINO, ET AL.

15 Defendant.
16
17

18 1. My name is Jeff Kightlinger. I am the General Manager of the Metropolitan Water
19 District of Southern California ("MWD"). I became General Manager in February of 2006. Prior to
20 serving as General Manager I was the General Counsel for MWD for approximately six years from
21 2000-2006.
22

23 2. MWD is the primary provider of imported water for the benefit of over 18 million
24 people in Southern California, and it is comprised of 26 member agencies, including the Three
25 Valleys Municipal Water District ("TVWMD"), the Western Municipal Water District ("WMWD"),
26 and the Inland Empire Utilities Agency ("IEUA").
27
28

DECLARATION OF JEFF KIGHTLINGER

HATCH AND PARENT
21 East Carlisle Street
Santa Barbara, CA 93101

1 3. In my capacity as General Manager I am responsible for management of all aspects of
2 the District, including overseeing MWD's water supply planning efforts, and I have personal
3 knowledge of MWD's imported water supplies and a general knowledge of MWD's operating
4 infrastructure.

5
6 4. MWD provides wholesale water to its member agencies from two primary imported
7 sources, the Colorado River and the State Water Project.

8 5. In addition, MWD has developed additional complementary water supply projects to
9 augment these sources and to maximize MWD's overall water supply reliability. These water
10 projects include substantial economic investments and physical improvements in surface and
11 groundwater storage within MWD's service areas as well as groundwater storage in the Central
12 Valley.

13
14 6. For example, MWD has made investments in dry-year supplies and the storage and
15 recovery of groundwater through agreements with the Calleguas Municipal Water District, the IEUA
16 and TVMWD, among others. MWD has financially supported the efforts of its member agencies to
17 develop local supplies, under its Local Resources Program. One program previously approved for
18 support is the operation of the Chino I and Chino II Desalters.

19
20 7. I am generally aware of the ongoing water supply planning efforts undertaken by the
21 MWD member agencies and their individual and cumulative projected demands on MWD.

22 8. Projected curtailment of State Water Project deliveries attributable to the recent
23 federal judgment on Delta smelt protections will impact the total quantity of water available to
24 Metropolitan on a year-to-year basis in the near term. It is my opinion that with planned actions and
25 programs to improve reliability of State Water Project operations in the Delta, over time, these near-
26 term impacts will be offset. Upon successful implementation of these plans, Metropolitan projects
27
28

1 that it would be able to provide water for groundwater recharge to meet needs for agencies such as
2 IEUA, over the long term.

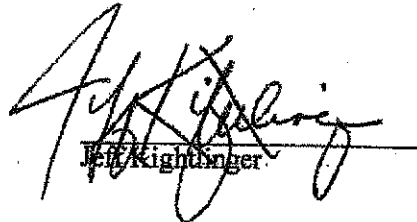
3 9. I am also generally aware that IEUA, TVMWD and WMWD are working with the
4 Chino Basin Watermaster to begin a novel groundwater management approach to preserve safe
5 yield, desalt groundwater and reduce discharges of poor quality water to the Santa Ana River. This
6 approach will result in widely expanded use of recycled water and reduce our reliance upon
7 imported water.
8

9 10. In my opinion, the efficient development of local resources and increased
10 conservation is in the public interest and consistent with the goals and objectives of MWD and the
11 region.

12 11. I declare under penalty of perjury that I have personal knowledge of the facts stated
13 herein and if called as a witness could competently testify thereto.
14

15 I swear under penalty of perjury that the foregoing is true and correct to the best of
16 my knowledge.

17
18 Date: Nov. 15, 2007


Jeff Kightlinger

HATCH AND PARENT
21 East Fourth Street
Santa Barbara, CA 93101

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

**STATE OF CALIFORNIA }
COUNTY OF SAN BERNARDINO}**

I, the undersigned, am employed in the aforesaid County, State of California; I am over the age of 18 years, not a party to this action and am employed at 1839 Commercenter West, San Bernardino, California 92408.

On November 15, 2007, I served the following document: **JOINDER OF THREE VALLEYS MUNICIPAL WATER DISTRICT IN SUPPORT OF MOTION CHINO BASIN WATERMASTER FOR APPROVAL OF PEACE II DOCUMENT AND DECLARATION OF JEFF KIGHTLINGER** on the interested parties in this action as follows:

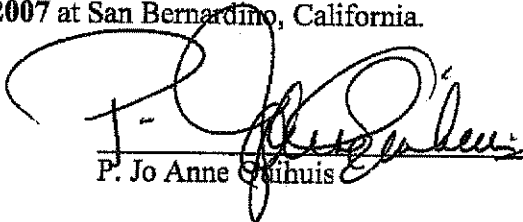
Janine Wilson
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, California 91730
jwilson@cbwm.org

BY ELECTRONIC SERVICE to: jwilson@cbwm.org. Receipt of service was confirmed using the Return Receipt Requested feature of electronic mail system.

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

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

Executed on November 15, 2007 at San Bernardino, California.



P. Jo Anne Guinuis

CHINO BASIN WATERMASTER
Case No. RCV 51010
Chino Basin Municipal Water District v. The City of Chino

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 November 15, 2007 I served the following:

- 1) **JOINDER OF THREE VALLEYS MUNICIPAL WATER DISTRICT IN SUPPORT OF CHINO BASIN WATERMASTER FOR APPROVAL OF PEACE II DOCUMENTS AND DECLARATION OF JEFF KIGHTLINGER**

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: 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.

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 November 15, 2007 in Rancho Cucamonga, California.



Janine Wilson
Chino Basin Watermaster

RICHARD ANDERSON
1365 W. FOOTHILL BLVD
SUITE 1
UPLAND, CA 91786

RODNEY BAKER
COUNSEL FOR EGGWEST &
JOHNSON
PO BOX 438
COULTERVILLE, CA 95311-0438

WILLIAM P. CURLEY
PO BOX 1059
BREA, CA 92882-1059

CRAIG STEWART
GEOMATRIX CONSULTANTS INC
510 SUPERIOR AVE, SUITE 200
NEWPORT BEACH, CA 92663

LEAGUE OF CA HOMEOWNERS
ATTN: KEN WILLIS
99 "C" STREET, SUITE 209
UPLAND, CA 91786

CHARLES FIELD
4415 FIFTH STREET
RIVERSIDE, CA 92501

CARL HAUGE
SWRCB
PO BOX 942836
SACRAMENTO, CA 94236-0001

DAVID SCRIVEN
KRIEGER & STEWART
ENGINEERING
3602 UNIVERSITY AVE
RIVERSIDE, CA 92501

DAN FRALEY
HERMAN G. STARK YOUTH
CORRECTIONAL FACILITY
15180 S EUCLID
CHINO, CA 91710

DAVID B. COSGROVE
RUTAN & TUCKER
611 ANTON BLVD
SUITE 1400
COSTA MESA, CA 92626

PAUL HOFER
11248 S TURNER AVE
ONTARIO, CA 91761

JOE DELGADO
BOYS REPUBLIC
3493 GRAND AVENUE
CHINO HILLS, CA 91709

GLEN DURRINGTON
5512 FRANCIS ST
CHINO, CA 91710

DICK DYKSTRA
10129 SCHAEFER
ONTARIO, CA 91761-7973

RALPH FRANK
25345 AVENUE STANFORD, STE 208
VALENCIA, CA 91355

CARL FREEMAN
L.D. KING
2151 CONVENTION CENTRE WAY
ONTARIO, CA 91764

BOB BEST
NAT'L RESOURCE CONS SVCS
25864 BUSINESS CENTER DR K
REDLANDS, CA 92374

JIM GALLAGHER
SOUTHERN CALIFORNIA WATER CO
2143 CONVENTION CENTER WAY
SUITE 110
ONTARIO, CA 91764

DON GALLEANO
4220 WINEVILLE RD
MIRA LOMA, CA 91752-1412

PETER HETTINGA
14244 ANON CT
CHINO, CA 91710

PETE HALL
PO BOX 519
TWIN PEAKS, CA 92391

MANUEL CARRILLO
CONSULTANT TO SENATOR SOTO
822 N EUCLID AVE, SUITE A
ONTARIO, CA 91762

KRONICK ET AL
KRONICK MOSKOVITZ TIEDEMANN
& GIRARD
400 CAPITOL MALL, 27TH FLOOR
SACRAMENTO, CA 95814-4417

RONALD LA BRUCHERIE
12953 S BAKER AVE
ONTARIO, CA 91761-7903

JOEL KUPERBERG
OCWD GENERAL COUNSEL
RUTAN & TUCKER, LLP
311 ANTON BLVD., 14TH FLOOR
COSTA MESA, CA 92626-1931

ANNESLEY IGNATIUS
COUNTY OF SAN BERNARDINO FCD
825 E 3RD ST
SAN BERNARDINO, CA 92415-0835

W. C. "BILL" KRUGER
CITY OF CHINO HILLS
2001 GRAND AVE
CHINO HILLS, CA 91709

STEVE ARBELBIDE
117 PONDEROSA TR
CALIMESA, CA 92320

SANDRA ROSE
PO BOX 337
CHINO, CA 91708

JOHN ANDERSON
12475 CEDAR AVENUE
CHINO, CA 91710

SWRCB
PO BOX 2000
SACRAMENTO, CA 95809-2000

JUSTIN BROKAW
MARYGOLD MUTUAL WATER CO
9725 ALDER ST
BLOOMINGTON, CA 92316-1637

JOHN THORNTON
PSOMAS AND ASSOCIATES
3187 RED HILL AVE, SUITE 250
COSTA MESA, CA 92626

ALAN MARKS
COUNSEL - COUNTY OF SAN
BERNARDINO
157 W 5TH STREET
SAN BERNARDINO, CA 92415

JIM BOWMAN
CITY OF ONTARIO
303 EAST "B" STREET
ONTARIO, CA 91764

BOB KUHN
669 HUNTERS TRAIL
GLEN DORA, CA 91740

GEOFFREY VANDEN HEUVEL
CBWM BOARD MEMBER
8315 MERRILL AVENUE
CHINO, CA 91710

BRIAN GEYE
DIRECTOR OF TRACK ADMIN
CALIFORNIA SPEEDWAY
PO BOX 9300
FONTANA, CA 92334-9300

MICHAEL THIES
SPACE CENTER MIRA LOMA INC
3401 S ETIWANDA AVE, BLDG 503
MIRA LOMA, CA 91752-1126

ROBERT BOWCOCK
INTEGRATED RESOURCES MGMNT
405 N. INDIAN HILL BLVD
CLAREMONT, CA 91711-4724

SENATOR NELL SOTO
STATE CAPITOL
ROOM NO 4066
SACRAMENTO, CA 95814

Distribution List Name: Committee List 1- Court Filings, Water Transactions

Members:

Alfred E. Smith	asmith@nossaman.com
Andy Malone	amalone@wildermuthenvironmental.com
Anne Schneider	ajs@eslawfirm.com
April Woodruff	awoodruff@ieua.org
Arnold Rodriguez	jarodriguez@sarwc.com
Art Kidman	akidman@mkblawyers.com
Ashnok Dhingra	ashok.dhingra@m-e.aecom.com
Barbara Swanson	Barbara_Swanson@yahoo.com
Bill Kruger	citycouncil@chinohills.org
Bill Rice	WRice@waterboards.ca.gov
Bill Thompson	bthompson@ci.norco.ca.us
Bob Feenstra	feenstra@agconceptsinc.com
Bob Kuhn	bgkuhn@aol.com
Bonnie Tazza	bonniet@cvwdwater.com
Boyd Hill	bhill@mkblawyers.com
Brenda Fowler	balee@fontanawater.com
Brian Hess	bhess@niagarawater.com
Butch Araiza	butcharaiza@mindspring.com
Carol (marie@tragerlaw.com)	marie@tragerlaw.com
Charles Field	cdfield@charter.net
Charles Moorrees	cmoorrees@sawaterco.com
Chris Swanberg	chris.swanberg@corr.ca.gov
Cindy LaCamera	ciacamera@mwdh2o.com
Craig Stewart	cstewart@geomatrix.com
Curtis Aaron	caaron@fontana.org
Dan Arrighi	darrighi@sgwater.com
Dan Hostetler	dghostetier@csupomona.edu
Dan McKinney	dmckinney@rhlaw.com
Dave Argo	argodg@bv.com
Dave Crosley	DCrosley@cityofchino.org
Dave Ringel	david.j.ringel@us.mwhglobal.com
David B. Anderson	danders@water.ca.gov
David D DeJesus	ddejesus@mwdh2o.com
David D DeJesus	daviddcigm@aol.com
Dennis Dooley	ddooley@angelica.com
Diane Sanchez	dianes@water.ca.gov
Don Galleano	donald@galleanowinery.com
Duffy Biau	Duffy954@aol.com
Eldon Horst	ehorst@jcsd.us
Eric Garner	elgarner@bbklaw.com
Eunice Ulloa	ulloa.cbwcd@verizon.net
Frank Brommenschel	frank.brommen@verizon.net
Fred Fudacz	ffudacz@nossaman.com
Fred Lantz	flantz@ci.burbank.ca.us
Gene Koopman	GTKoopman@aol.com
Gerard Thibeault	gthibeault@rb8.swrcb.ca.gov
Gordon P. Treweek	GTreweek@CBWM.ORG
Grace Cabrera	grace_cabrera@ci.pomona.ca.us
Henry Pepper	henry_pepper@ci.pomona.ca.us
James Jenkins	cnomgr@airports.sbcounty.gov
James P. Morris	jpmorris@bbklaw.com
Janine Wilson	Janine@CBWM.ORG
Jariath Oley	joley@mwdh2o.com
Jean Cihigoyenette	Jean_CGC@hotmail.com
jeeinc@aol.com	jeeinc@aol.com
Jeffrey L. Pierson	jpierson@unitexcorp.com
Jennifer Novak	jennifer.novak@doj.ca.gov
Jerry King	jking@psomas.com
Jess Senecal	JessSenecal@lagerlof.com
Jill Willis	jnwillis@bbklaw.com
Jim Hill	jhill@cityofchino.org
Jim Markman	jmarkman@rwglaw.com
Jim Taylor	jim_taylor@ci.pomona.ca.us
Jim@city-attorney.com	Jim@city-attorney.com

jimmy@city-attorney.com
Joe Graziano
Joe P LeClaire
Joe Scalmanini
John Anderson
John Huitsing
John Rossi
John Schatz
John Vega
Jose Galindo
Judy Schurr
Julie Saba
Kathy Kunysz
Kathy Tiegs
Ken Jeske
Ken Kules
Kenneth Willis
Kevin Sage
Kyle Snay
Lisa Hamilton
Mark Hensley
Martin Zvirbulis
Robert Bowcock

amy@city-attorney.com
az4077@aol.com
jeclaire@wiidermuthenvironmental.com
jscai@lsce.com
janderson@ieua.org
johnhuitsing@gmail.com
jrossi@wmwd.com
jschatz13@cox.net
johnv@cwddwater.com
jose_a_galindo@praxair.com
jschurr@earthlink.net
jsaba@ieua.org
kkunysz@mwdh2o.com
ktiegs@ieua.org
kjeske@ci.ontario.ca.us
kkules@mwdh2o.com
kwillis@homeowners.org
Ksage@IRMwater.com
kylesnay@gswater.com
Lisa.Hamilton@corporate.ge.com
mhensley@localgovlaw.com
martinz@cwddwater.com
bbowcock@irmwater.com

Distribution List Name: Committee List 2 - Court Filings, Water Transactions

Members:

Manuel Carrillo	Manuel.Carrillo@SEN.CA.GOV
Marilyn Levin	marilyn.levin@doj.ca.gov
Mark Kinsey	mkinsey@mwwd.org
Mark Ward	mark_ward@ameron-intl.com
Mark Wildermuth	mwildermuth@wildermuthenvironmental.com
Martha Davis	mdavis@ieua.org
Martin Rauch	martin@rauchcc.com
Martin Zvirbulis	martinz@cvwdwater.com
Maynard Lenhart	directorlenhart@mwwd.org
Michael B. Malpezzi	MMalpezzi@reliant.com
Michael Fife	Mfife@hatchparent.com
Michelle Staples	mstaples@jdplaw.com
Mike Del Santo	mdelsant@prologis.com
Mike Maestas	mmaestas@chinohills.org
Mike McGraw	mjmcmgraw@FontanaWater.com
Mike Thies	mthies@spacecenterinc.com
Mohamed El-Amamy	melamamy@ci.ontario.ca.us
Nathan deBoom	n8deboom@gmail.com
Pam Wilson	pwilson@hatchparent.com
Paul Deutsch	pdeutsch@geomatrix.com
Paul Hofer	farmwatchtoo@aol.com
Pete Hall	r.pete.hall@cdcr.ca.gov
Peter Hettinga	peterhettinga@yahoo.com
Phil Krause	pkrause@parks.sbcounty.gov
Phil Rosentrater	prosentrater@wmwd.com
Rachel R Robledo	RRobledo@HatchParent.com
Raul Garibay	raul_garibay@ci.pomona.ca.us
Richard Atwater	Atwater@ieua.org
Rick Hansen	rhansen@tvmwd.com
Rick Rees	rrees@geomatrix.com
Rita Kurth	ritak@cvwdwater.com
Robert Bowcock	rbowcock@irmwater.com
Robert Cayce	rcayce@airports.sbcounty.gov
Robert DeLoach	robertd@cvwdwater.com
Robert Neufeld	robertn@cvwdwater.com
Robert Rauch	robert.rauchcc@verizon.net
Robert Tock	rtock@jcsd.us
Robert W. Nicholson	rwnicholson@sgwwater.com
Robert Young	rkyoung@fontanawater.com
Roger Florio	roger.florio@ge.com
Ron Craig	RonC@rbf.com
Ron Small	ron.small@dgs.ca.gov
Rosemary Hoerning	rhoerning@ci.upland.ca.us
Sam Fuller	samf@sbvmwd.com
Sandra S. Rose	ybarose@verizon.net
Sandy Lopez	slopez@ci.ontario.ca.us
Scott Burton	sburton@ci.ontario.ca.us
smt@tragerlaw.com	smt@tragerlaw.com
Steve Arbelbide	sarbelbide@californiasteel.com
Steve Kennedy	skennedy@bbmblaw.com
Steven K. Beckett	skbeckett@bbmblaw.com
Steven Lee	slee@rhilaw.com
Steven R. Orr	sorr@rwwgiaw.com
Tej Pahwa	tpahwa@dtsc.ca.gov
Terry Catiin	ticatiin@verizon.net
Timothy Ryan	tjryan@sgwwater.com
Tom Bunn	TomBunn@Lagerlof.com
Tom Love	TLove@ieua.org
Tom McPeters	THMcP@aol.com
Tracy Tracy	ttracy@mwwd.org
Vanessa Hampton	vhampton@jcsd.us
Wayne Davison	wayne.davison2@cdcr.ca.gov
William J. Brunick	bbrunick@bbmblaw.com
WM Admin Staff	