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EXEMPT FROM FILING FEES  
PURSUANT TO GOV. CODE, § 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER  
DISTRICT,

Plaintiff,

v.

CITY OF CHINO, et al.,

Defendants.

CASE NO. RCVRS 51010

[ASSIGNED FOR ALL PURPOSES TO THE  
HONORABLE GILBERT G. OCHOA]

**DECLARATION OF SCOTT BURTON  
IN SUPPORT OF MOTION FOR  
AWARD OF ATTORNEY'S FEES AND  
COSTS**

Hearing:

Date: October 31, 2025  
Time: 10:00 a.m.  
Dept: R-17

1 I, Scott Burton, declare as follows:

2 1. I have personal knowledge of the facts stated in this Declaration, and if called as a  
3 witness, could and would testify competently to those facts.

4 2. I am the Utilities General Manager at the City of Ontario ("Ontario") and have  
5 held that position since January 2012.

6 3. I make this Declaration in support of Ontario's Motion for Award of Attorney's  
7 Fees and Costs.

8 4. On February 11, 2022, Ontario requested that the Watermaster general counsel  
9 approve an extension to the 90-day period under the Judgment to challenge a Watermaster action.  
10 Although the Watermaster initially indicated that it might stipulate to an extension, it ultimately  
11 refused. Attached as **Exhibit 1** is a true and correct copy of my February 11, 2022 email  
12 correspondence to Scott Slater and Peter Kavounas requesting the extension.

13 5. Fontana Water Company ("FWC") informed Ontario that it would not grant a  
14 conflict-of-interest waiver. When Ontario inquired about the revised draft settlement terms sheet,  
15 FWC said that they were looking at it and would talk to Cucamonga Valley Water District  
16 ("CVWD").

17 6. On or about February 15, 2022, Ontario was informed that the Watermaster Board  
18 officers convened a meeting at 5:00 PM on February 14 to discuss Ontario's objections to the  
19 assessment package and Ontario's request for an extension of time to challenge the assessment  
20 package if the parties could not reach an agreement. This also was communicated to me during a  
21 call I received from Scott Slater, counsel for Watermaster. Mr. Slater reached out to me in my  
22 capacity as the General Manager for Ontario. Mr. Slater advised me that the officers of the  
23 Watermaster Board did not support an extension of time for Ontario to file a challenge to the  
24 assessment package, and if no other direction was received from the Watermaster Board, Ontario  
25 would receive an email to this effect. Notwithstanding the above representations, the referenced  
26 email was never received by Ontario. At the time of these meetings, the Watermaster Board  
27 officers included James Curatalo, Jeff Pierson, and Bob Kuhn. Mr. Kuhn represents Three  
28 Valleys Municipal Water District, which subsequently joined Watermaster's opposition to

1 Ontario's current Application. Similarly, Mr. Curatolo represents CVWD, who also opposes  
2 Ontario's Application. Neither the Judgment nor any subsequent Court order confers any special  
3 duties or responsibilities to Board officers, such as receiving legal advice and providing direction  
4 independent of a full Board action.

5 7. The Chino Basin Watermaster Board is a nine-member board consisting of three  
6 members appointed by the Appropriative Pool parties, one member appointed by the Overlying  
7 (Non-Agricultural) Pool, two members appointed by the Overlying (Agricultural) Pool, and three  
8 members appointed by each of three Municipal Water Districts. The members are appointed on a  
9 rotational basis.

10 8. In November 2015, the Appropriative Pool approved a rotation schedule for  
11 representatives to the Watermaster. The rotation is intended to perpetuate indefinitely until the  
12 Court approves any changes. A copy of the schedule can be found at Exhibit M to the Request  
13 for Judicial Notice, filed concurrently.

14 9. According to the rotation schedule, Inland Empire Utilities Agency has a  
15 representative member every year of the 2016-2030 schedule. Fontana Water Company has a  
16 representative member for the years 2017, 2018, 2024, and 2025. Cucamonga Valley Water  
17 District has a representative member for the years 2016, 2017, 2024, and 2025, has represented  
18 minor producers in the basin for the years 2022 and 2023, and has represented Fontana Union  
19 Water Company for years 2020 and 2021.

20 I declare under penalty of perjury under the laws of the state of California that the foregoing  
21 is true and correct. Executed on this 29th day of July 2025, at Ontario, California.

22  
23 

24 SCOTT BURTON  
25  
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28

# EXHIBIT 1

**From:** "Scott Burton" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D9D8581330BF4153A8CD218C28D52F31-SCOTT BURTO>  
**Date:** February 14, 2022 at 11:38:00 AM MST  
**Subject:** RE: DYY

... and the Rams came through!

Yes, feel free to share my e-mail.

**From:** Slater, Scott <SSlater@bhfs.com>  
**Sent:** Friday, February 11, 2022 4:11 PM  
**To:** Scott Burton <SBurton@ontarioca.gov>  
**Cc:** Peter Kavounas (pkavounas@cbwm.org) <pkavounas@cbwm.org>  
**Subject:** Re: DYY

Scott:

We will call for a meeting of the officers as soon as we can get one. If its ok, we will forward your email to them. I imagine Peter will want to touch base with FWC and Cucamonga. Maybe we touch the APP Pool as well.

Have a good weekend. And in light of LA being over run in the mania. Stay safe.

Sent from my iPhone

On Feb 11, 2022, at 6:54 AM, Scott Burton <[sburton@ontarioca.gov](mailto:sburton@ontarioca.gov)> wrote:

Good morning Scott,

I wanted to give you an update on the DYY concern raised by Ontario and request an extension (to the 90-day period since the Assessment Package was approved) if you think it is necessary.

Following a recent meeting between Ontario, CVWD and FWC there was a revised term sheet prepared by Ontario and provided to the other two agencies. My understanding is that they are reviewing and considering the term sheet with the expectation that any final changes will be made prior to sharing it with the entire AP.

I understand that Watermaster does not believe there is a linkage between the DYY concern and approval of the Assessment Package because there has been a practice of retroactively correcting Assessment Packages when appropriate. Even so, it would probably be better to acknowledge that there is an ongoing good faith effort to resolve this issue, acknowledge the extension and perhaps set a timeframe on it.

Best,

Scott Burton

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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 July 30, 2025 I served the following:

1. DECLARATION OF SCOTT BURTON IN SUPPORT OF MOTION FOR AWARD OF ATTORNEY'S FEES AND COSTS

/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 July 30, 2025 in Rancho Cucamonga, California.



---

By: Ruby Favela Quintero  
Chino Basin Watermaster

PAUL HOFER  
11248 S TURNER AVE  
ONTARIO, CA 91761

JEFF PIERSON  
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## **Ruby Favela Quintero**

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