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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]

**[PROPOSED] ORDER GRANTING
CITY OF ONTARIO'S CHALLENGES
TO WATERMASTER'S APPROVALS
OF FY 2021/2022 AND 2022/2023
ASSESSMENT PACKAGES**

The above-entitled action came for hearing before the Honorable Gilbert G. Ochoa on October 31, 2025 at 10:00 a.m. in Department R-17. The matter having been submitted, the Court finds and orders as follows:

This case involves and is limited to two actions brought by the City of Ontario ("Ontario") challenging Watermaster's fiscal year ("FY") 2021/2022 and 2022/2023 assessment packages ("Assessment Packages") on the grounds that Watermaster failed to levy assessments on claimed groundwater production from the Dry Year Yield ("DYY") Program by Fontana Water Company ("Fontana") and Cucamonga Valley Water District ("CVWD") (collectively "Ontario's Challenges"). (See Ontario's February 17, 2022 Challenge to Watermaster Action/Decision on November 18, 2021 to Approve the FY 2021/2022 Assessment Package; and Ontario's February 14, 2023 Motion Challenging Watermaster's November 7, 2022 Actions/Decision to Approve the

1 FY2022/2023 Assessment Package.) This court denied Ontario's Challenges in orders dated
2 November 3, 2022 and August 23, 2023 and Ontario appealed each of the orders.

3 The Court of Appeal consolidated the two appeals for purposes of briefing, oral argument,
4 and decision. The Court of Appeal issued its final Opinion on June 20, 2025 and reversed the
5 November 3, 2022 and August 23, 2023 orders. Accordingly, consistent with the Court of Appeal's
6 Opinion ("Opinion"), this Court issues the following orders:

7 1. Ontario's Challenges are granted.

8 2. Watermaster is directed to correct and amend the Assessment Packages consistent
9 with the Opinion to remedy the financial injury to Ontario stemming from the Watermaster's
10 interpretation and application of the 2019 Letter Agreement and Watermaster's exemption of
11 Fontana and CVWD's claimed DYY Program production from the calculation of FY 2021/2022
12 and 2022/2023 assessments. Specifically, Watermaster is directed to correct and amend the
13 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and
14 prior court orders. Because the amendments to the FY 2021/2022 and 2022/2023 Assessment
15 Packages are being made at the direction of the Court and pursuant to a Court Order, submission
16 of the amended Assessment Packages to the Pool Committees, Advisory Committee, and
17 Watermaster Board is not required. Watermaster is to submit the amended Assessment Packages
18 directly to this Court no later than November 15, 2025 for the Court's review to determine whether
19 they comply with the Opinion and this Court's Order.

20 3. The parties to the appeal are directed to meet and confer on the issues of (1) whether
21 water from the DYY Program is withdrawn (not produced), (2) whether stored and supplemental
22 water are simply two types of groundwater, (3) whether all stored and supplemental water in the
23 Basin is categorically exempt from assessment, and (4) the future viability and application of the
24 2019 Letter Agreement. The parties are directed to file a joint status conference statement on or
25 before November 15, 2025 regarding the status of meet and confer efforts on the four issues.
26 Resolution of these issues, however, is not a prerequisite to Watermaster's compliance with its
27 separate obligation to correct and amend the Assessment Packages.

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IT IS SO ORDERED.

Date: _____

Honorable Gilbert G. Ochoa
Judge of the Superior Court

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 29, 2025, I served the following:

1. [PROPOSED] ORDER GRANTING CITY OF ONTARIO'S CHALLENGES TO WATERMASTER'S APPROVALS OF FY 2021/2022 AND 2022/2023 ASSESSMENT PACKAGES

/ 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.

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/ 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 29, 2025, in Rancho Cucamonga, California.



By: Ruby Favela Quintero
Chino Basin Watermaster

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