

ELIZABETH P. EWENS (SB #213046)
elizabeth.ewens@stoel.com
MICHAEL B. BROWN (SB #179222)
michael.brown@stoel.com
STOEL RIVES LLP
500 Capitol Mall, Suite 1600
Sacramento, CA 95814
Telephone: 916.447.0700
Facsimile: 916.447.4781

Attorneys for
City of Ontario

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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]

**CITY OF ONTARIO'S EVIDENTIARY
OBJECTIONS TO DECLARATION OF
TODD M. CORBIN**

Hearing:

Date: August 14, 2026

Time: 10:00 a.m.

Department: R17

City of Ontario (“Ontario”) respectfully submits the following evidentiary objections to the Declaration of Todd Corbin (“Declarant” or “Corbin Decl.”) filed July 10, 2026, in support of Watermaster’s Supplemental Brief in Response to the Court’s Order Requesting Further Briefing. Pursuant to Code of Civil Procedure section 436 and in accordance with the objections set forth herein, Ontario requests that the Court strike the Corbin Decl. in its entirety, or in the alternative, strike the specific paragraphs referenced below.

I. GENERAL OBJECTIONS TO DECLARATION OF TODD CORBIN

Ontario respectfully submits this general objection to the Corbin Decl. in support of the Watermaster’s Supplemental Brief in Response to the Court’s Order Requesting Further Briefing as irrelevant to the limited issue before the Court whether Watermaster has complied with the Court of Appeal’s directive to correct and revise the assessment packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. The supporting declaration largely focuses on issues irrelevant to that narrow issue, including raising the history of desalters and DRO obligations, and potential future issues with the DYY Program. None of these issues are relevant to the limited issue before the court that the assessment packages be revised consistent with the original DYY Program agreements. Nor do they provide justification or support for Watermaster to treat the produced water at issue by Fontana and CVWD in the CAA Packages as “DYY production” that is exempt from DRO assessments because that is not authorized by the original DYY agreements and prior court orders. For example, the Opinion makes clear that Fontana is not authorized to recover stored and supplemental water under the DYY Program as it did not have a court approved local agency agreement. None of the above issues are relevant to or change that result.

II. SPECIFIC OBJECTIONS TO THE DECLARATION OF TODD CORBIN

DECLARATION OF TODD M. CORBIN		
Material Objected To	Grounds for Objection	Ruling
1. Declaration of Todd Corbin, ¶4, page 2, lines 12-13: “The Desalters serve an important purpose of preserving Safe Yield	Irrelevant. Evid. Code §§ 210, 350. Background on the Desalters is irrelevant to Ontario’s opposition to Watermaster’s motion, the issues in	Sustained: ____ Overruled: ____

DECLARATION OF TODD M. CORBIN		
Material Objected To	Grounds for Objection	Ruling
and allowing for the broader distribution of recycled water within the Basin and meet California Regional Water Control Board requirements for salinity management.”	the supplemental briefing, and Ontario’s effort to enforce the Court Appeal’s Opinion directing Watermaster to correct and amend the FY 2021/2022 and 2022/2023 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. In its Opinion, the Court of Appeal found that Watermaster’s interpretation and application of the 2019 Letter Agreement to approve the Assessment Packages “violated the Judgment and the agreements that created the DYY Program” and this resulted in increased assessments to Ontario and other local agencies. The 2019 Letter Agreement is also not court approved or one of the original DYY Program agreements, and therefore, the produced water in the corrected assessment packages cannot be designated as DYY water. Lacks foundation and personal knowledge; speculative. Evid. Code §§ 403, 702(a) and 800. Declarant fails to lay proper foundation or establish personal knowledge for California Regional Water Control Board requirements and such testimony is based on speculation. Improper Opinion. Evid. Code §§ 800–804. Declarant’s testimony consists of inadmissible opinions, including without limitation, regarding California Regional Water Control Board requirements.	
2. Declaration of Todd Corbin, ¶5, page 2, lines 15-19: “The Desalters were initially supported by substantial grant funding during the initial Peace Agreement. The construction of	Irrelevant. Evid. Code §§ 210, 350. Background on the Desalters is irrelevant to Ontario’s opposition to Watermaster’s motion, the issues in the supplemental briefing, and Ontario’s effort to enforce the Court Appeal’s Opinion directing Watermaster to correct and amend the	Sustained: ____ Overruled: ____

DECLARATION OF TODD M. CORBIN		
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additional desalting capacity, once referred to as “Future Desalters” supported by tens of millions in grant funding was procured in connection with Peace II principally from the United States Bureau of Reclamation and the State of California.”	FY 2021/2022 and 2022/2023 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. In its Opinion, the Court of Appeal found that Watermaster’s interpretation and application of the 2019 Letter Agreement to approve the Assessment Packages “violated the Judgment and the agreements that created the DYY Program” and this resulted in increased assessments to Ontario and other local agencies. The 2019 Letter Agreement is also not court approved or one of the original DYY Program agreements, and therefore, the produced water in the corrected assessment packages cannot be designated as DYY water. Lacks foundation and personal knowledge. Evid. Code §§ 403, 702(a) and 800. Declarant fails to lay proper foundation or establish personal knowledge for the issues of funding the desalters and additional desalting capacity.	
3. Declaration of Todd Corbin, ¶6, page 2, lines 20-21: “While the General Manager of Jurupa I was involved in negotiations that led to the amendments to the Appropriative Pool, Pooling Plan in 2019.”	Irrelevant. Evid. Code §§ 210, 350. Background on the Desalters is irrelevant to Ontario’s opposition to Watermaster’s motion, the issues in the supplemental briefing, and Ontario’s effort to enforce the Court Appeal’s Opinion directing Watermaster to correct and amend the FY 2021/2022 and 2022/2023 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. In its Opinion, the Court of Appeal found that Watermaster’s interpretation and application of the 2019 Letter Agreement to approve the Assessment Packages “violated the Judgment and the agreements that created the DYY Program” and this resulted in increased assessments to Ontario and other local agencies. The 2019 Letter Agreement is also not	Sustained: ____ Overruled: ____

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Material Objected To	Grounds for Objection	Ruling
	court approved or one of the original DYY Program agreements, and therefore, the produced water in the corrected assessment packages cannot be designated as DYY water.	
4. Declaration of Todd Corbin, ¶8, page 2, lines 25 – page 3, lines 1-7: “The function of the 2019 Pooling Plan amendment was to implement the 2017 Court Order regarding the recalculation of the basin Safe Yield to account for ways in which appropriators may access Safe Yield through land use conversations that occur as agricultural lands convert to urban use and other agreements, and importantly, to implement settlement terms between the parties regarding the formula to determine the Desalters Replenishment Obligation assessment. Like the Peace Agreement and the Peace II Agreement, the 2019 Pooling Plan did not include withdrawals of supplemental water from storage and recovery accounts like the DYY Program except for the exclusion from the Desalters Replenishment Obligation assessment for water extracted from approved storage and recovery programs. Accordingly, those parties within the Appropriative Pool benefitting from the preservation of Safe Yield, distributed as OSY, land use conversations etc, continue to fund its replenishment.”	Irrelevant. Evid. Code §§ 210, 350. Background on the Desalters and the 2019 Pooling Plan amendment are irrelevant to Ontario’s opposition to Watermaster’s motion, the issues in the supplemental briefing, and Ontario’s effort to enforce the Court Appeal’s Opinion directing Watermaster to correct and amend the FY 2021/2022 and 2022/2023 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. In its Opinion, the Court of Appeal found that Watermaster’s interpretation and application of the 2019 Letter Agreement to approve the Assessment Packages “violated the Judgment and the agreements that created the DYY Program” and this resulted in increased assessments to Ontario and other local agencies. The 2019 Letter Agreement is also not court approved or one of the original DYY Program agreements, and therefore, the produced water in the corrected assessment packages cannot be designated as DYY water. Lacks foundation and personal knowledge; speculative. Evid. Code §§ 403, 702(a) and 800. Declarant fails to lay proper foundation or establish personal knowledge for the 2019 Pooling Plan amendment and alleged benefits to the parties within the Appropriative Pool, and such testimony is based on speculation. Improper Opinion. Evid. Code §§ 800–804. Declarant’s testimony consists of inadmissible opinions, including	Sustained: ____ Overruled: ____

DECLARATION OF TODD M. CORBIN		
Material Objected To	Grounds for Objection	Ruling
	without limitation, regarding the 2019 Pooling Plan amendment and alleged benefits to the parties within the Appropriative Pool.	
5. Declaration of Todd Corbin, ¶9, page 3, lines 18-10: “When stored water is withdrawn from DYY accounts it is recovered subject to program conditions including the payment of compensation to MWD through its agent IEUA and Three Valleys Municipal Water District (TVMWD).”	Irrelevant. Evid. Code §§ 210, 350. The issue of payment of withdrawn water from the DYY accounts is irrelevant to Ontario’s opposition to Watermaster’s motion, the issues in the supplemental briefing, and Ontario’s effort to enforce the Court Appeal’s Opinion directing Watermaster to correct and amend the FY 2021/2022 and 2022/2023 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. In its Opinion, the Court of Appeal found that Watermaster’s interpretation and application of the 2019 Letter Agreement to approve the Assessment Packages “violated the Judgment and the agreements that created the DYY Program” and this resulted in increased assessments to Ontario and other local agencies. The 2019 Letter Agreement is also not court approved or one of the original DYY Program agreements, and therefore, the produced water in the corrected assessment packages cannot be designated as DYY water. Lacks foundation and personal knowledge. Evid. Code §§ 403, 702(a) and 800. Declarant fails to lay proper foundation or establish personal knowledge for the DYY Program conditions including the payment of compensation.	Sustained: ____ Overruled: ____
6. Declaration of Todd Corbin, ¶10, page 3, lines 11-12: “No party is entitled to withdraw the stored water without paying either TVMWD or IEUA and MWD.”	Irrelevant. Evid. Code §§ 210, 350. The issue of payment of withdrawn water from the DYY accounts is irrelevant to Ontario’s opposition to Watermaster’s motion, the issues in the supplemental briefing, and Ontario’s effort to enforce the Court	Sustained: ____ Overruled: ____

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DECLARATION OF TODD M. CORBIN		
Material Objected To	Grounds for Objection	Ruling
	Appeal’s Opinion directing Watermaster to correct and amend the FY 2021/2022 and 2022/2023 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. In its Opinion, the Court of Appeal found that Watermaster’s interpretation and application of the 2019 Letter Agreement to approve the Assessment Packages “violated the Judgment and the agreements that created the DYY Program” and this resulted in increased assessments to Ontario and other local agencies. The 2019 Letter Agreement is also not court approved or one of the original DYY Program agreements, and therefore, the produced water in the corrected assessment packages cannot be designated as DYY water. Lacks foundation and personal knowledge; speculative. Evid. Code §§ 403, 702(a) and 800. Declarant fails to lay proper foundation or establish personal knowledge for the DYY Program conditions including the payment of compensation, and such testimony is based on speculation. Improper Opinion. Evid. Code §§ 800–804. Declarant’s testimony consists of inadmissible opinions, including without limitation, regarding the DYY Program conditions including the payment of compensation.	
7. Declaration of Todd Corbin, ¶11, page 3, line 13: “Any withdrawal of stored water from the DYY is accounted for by Watermaster.”	Irrelevant. Evid. Code §§ 210, 350. The accounting of a withdrawal of stored water from the DYY account is irrelevant to Ontario’s opposition to Watermaster’s motion, the issues in the supplemental briefing, and Ontario’s effort to enforce the Court Appeal’s Opinion directing Watermaster to correct and amend the	Sustained: ____ Overruled: ____

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DECLARATION OF TODD M. CORBIN		
Material Objected To	Grounds for Objection	Ruling
	FY 2021/2022 and 2022/2023 Assessment Packages consistent with the original DYY Program agreements, the Judgment, and prior court orders. In its Opinion, the Court of Appeal found that Watermaster's interpretation and application of the 2019 Letter Agreement to approve the Assessment Packages "violated the Judgment and the agreements that created the DYY Program" and this resulted in increased assessments to Ontario and other local agencies. The 2019 Letter Agreement is also not court approved or one of the original DYY Program agreements, and therefore, the produced water in the corrected assessment packages cannot be designated as DYY water.	

Dated: August 3, 2026

STOEL RIVES LLP

By: 
ELIZABETH P. EWENS
MICHAEL B. BROWN

Attorneys for
City of Ontario

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 August 3, 2026, I served the following:

1. CITY OF ONTARIO'S EVIDENTIARY OBJECTIONS TO DECLARATION OF TODD M. CORBIN

/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 August 3, 2026, in Rancho Cucamonga, California.



By: Kirk Richard C. Dolar
Chino Basin Watermaster

PAUL HOFER
11248 S TURNER AVE
ONTARIO, CA 91761

JEFF PIERSON
2 HEXHAM
IRVINE, CA 92603

Chino Basin Watermaster Court Filing Email Distribution List

Contact Group Name: 01 - Master Email List

Members:

Aimee Zhao	azhao@ieua.org
Alan Frost	Alan.Frost@dpw.sbcounty.gov
Alberto Mendoza	Alberto.Mendoza@cmc.com
Alejandro R. Reyes	arreyes@sgvwater.com
Alex Padilla	Alex.Padilla@wsp.com
Alexandria Aviles	aaviles@cbwm.org
Alexis Mascarinas	AMascarinas@ontarioca.gov
Alfonso Ruiz	alfonso.ruiz@cmc.com
Alonso Jurado	ajurado@cbwm.org
Alyssa Coronado	acoronado@sarwc.com
Amanda Coker	amandac@cvwdwater.com
Andrew Gagen	agagen@kidmanlaw.com
Andy Campbell	acampbell@ieua.org
Andy Malone	amalone@westyost.com
Angelica Todd	angelica.todd@ge.com
Anna Mauser	anna.mauser@nucor.com
Anna Nelson	atruongnelson@cbwm.org
Anthony Alberti	aalberti@sgvwater.com
April Robitaille	arobitaille@bhfs.com
Art Bennett	citycouncil@chinohills.org
Arthur Kidman	akidman@kidmanlaw.com
Ashley Zapp	ashley.zapp@cmc.com
Ashok Dhingra	ash@akdconsulting.com
Ben Lewis	benjamin.lewis@gswater.com
Ben Orosco	Borosco@cityofchino.org
Benjamin M. Weink	ben.weink@tetrattech.com
Benjamin Markham	bmarkham@bhfs.com
Bill Schwartz	bschwartz@mvwd.org
Bill Velto	bvelto@uplandca.gov
Board Support Team IEUA	BoardSupportTeam@ieua.org
Bob Bowcock	bbowcock@irmwater.com
Bob DiPrimio	rjdiprimio@sgvwater.com
Bob Feenstra	bobfeenstra@gmail.com
Bob Kuhn	bgkuhn@aol.com
Bob Kuhn	bkuhn@tvmwd.com
Brad Herrema	bherrema@bhfs.com
Bradley Jensen	bradley.jensen@cao.sbcounty.gov
Brandi Belmontes	BBelmontes@ontarioca.gov
Brandi Goodman-Decoud	bgdecoud@mvwd.org
Brandon Howard	brahoward@niagarawater.com
Brenda Fowler	balee@fontanawater.com
Brent Yamasaki	byamasaki@mwdh2o.com
Brian Dickinson	bdickinson65@gmail.com
Brian Geye	bgeye@autoclubspeedway.com
Brian Hamilton	bhamilton@downeybrand.com
Brian Lee	blee@sawaterco.com
Bryan Smith	bsmith@jcsd.us
Cameron Rubel	crubel@cbwm.org
Carmen Sierra	carmens@cvwdwater.com
Carol Boyd	Carol.Boyd@doj.ca.gov
Carolina Sanchez	csanchez@westyost.com

Casey Costa
Cassandra Hooks
Chad Nishida
Chander Letulle
Charles Field
Charles Moorrees
Chris Berch
Chris Diggs
Christen Miller
Christensen, Rebecca A
Christopher R. Guillen
Cindy Cisneros
Cindy Li
City of Chino, Administration Department

Courtney Jones
Craig Miller
Craig Stewart
Cris Fealy
Curtis Burton
Dan McKinney
Dana Reeder
Daniel Bobadilla
Daniela Uriarte
Danny Kim
Dave Argo
Dave Schroeder
David Barnes
David De Jesus
Dawn Varacchi
Deanna Fillon
Demi Hite
Denise Garzaro
Denise Pohl
Dennis Mejia
Dennis Williams
Derek Hoffman
Derek LaCombe
dhernandez@ramscpa.net
Ed Diggs
Ed Means
Eddie Lin
Eddie Oros
Edgar Tellez Foster
Eduardo Espinoza
Elena Rodrigues
Elizabeth M. Calciano
Elizabeth P. Ewens
Elizabeth Willis
Eric Fordham
Eric Garner
Eric Grubb
Eric Lindberg PG,CHG

ccosta@chinodesalter.org
chooks@niagarawater.com
CNishida@ontarioca.gov
cletulle@jcsd.us
cdfield@att.net
cmoorrees@sawaterco.com
cberch@jcsd.us
chris.diggs@pomona.gov
Christen.Miller@cao.sbcounty.gov
rebecca_christensen@fws.gov
cguillen@bhfs.com
cindyc@cvwdwater.com
Cindy.li@waterboards.ca.gov

administration@cityofchino.org
cjones@ontarioca.gov
CMiller@wmwd.com
craig.stewart@wsp.com
cifealy@fontanawater.com
CBurton@cityofchino.org
dmckinney@douglascountylaw.com
dreeder@downeybrand.com
dbobadilla@chinohills.org
dUriarte@cbwm.org
dkim@linklogistics.com
daveargo46@icloud.com
DSchroeder@cbwcd.org
DBarnes@geoscience-water.com
ddejesus@tvmwd.com
dawn.varacchi@geaerospace.com
dfillon@DowneyBrand.com
smanno@ramscpa.net
dgarzaro@ieua.org
dpohl@cityofchino.org
dmejia@ontarioca.gov
dwilliams@geoscience-water.com
dhoffman@fennemorelaw.com
dlacombe@ci.norco.ca.us
dhernandez@ramscpa.net
ediggs@uplandca.gov
edmeans@icloud.com
elin@ieua.org
eoros@bhfs.com
etellezfoster@cbwm.org
EduardoE@cvwdwater.com
erodrigues@wmwd.com
ecalciano@hensleylawgroup.com
elizabeth.ewens@stoel.com
ewillis@cbwcd.org
eric_fordham@geopentech.com
eric.garner@bbklaw.com
ericg@cvwdwater.com
eric.lindberg@waterboards.ca.gov

Eric N. Robinson	erobinson@kmtg.com
Eric Papathakis	Eric.Papathakis@cdcr.ca.gov
Eric Tarango	edtarango@fontanawater.com
Erick Jimenez	Erick.Jimenez@nucor.com
Erik Vides	evides@cbwm.org
Erika Clement	Erika.clement@sce.com
Eunice Ulloa	eulloa@cityofchino.org
Evette Ounanian	EvetteO@cvwdwater.com
Frank Gomez	fgomez@fontanawater.com
Frank Yoo	FrankY@cbwm.org
Fred Fudacz	ffudacz@nossaman.com
G. Michael Milhiser	directormilhiser@mvwd.org
G. Michael Milhiser	Milhiser@hotmail.com
Garrett Rapp	grapp@westyost.com
Geoffrey Kamansky	gkamansky@niagarawater.com
Geoffrey Vanden Heuvel	geoffreyvh60@gmail.com
Gerald Yahr	yahrj@koll.com
Gina Gomez	ggomez@ontarioca.gov
Gina Nicholls	gnicholls@nossaman.com
Gino L. Filippi	Ginoffvine@aol.com
Gloria Flores	gflores@ieua.org
Gracie Torres	gtorres@wmwd.com
Greg Zarco	Greg.Zarco@airports.sbcounty.gov
Ha T. Nguyen	ha.nguyen@stoel.com
Heather Placencia	heather.placencia@parks.sbcounty.gov
Henry DeHaan	Hdehaan1950@gmail.com
Hye Jin Lee	HJLee@cityofchino.org
Imelda Cadigal	Imelda.Cadigal@cdcr.ca.gov
Irene Islas	irene.islas@bbklaw.com
Isabella Padilla	ipadilla@cbwcd.org
Ivy Capili	ICapili@bhfs.com
James Curatalo	jamesc@cvwdwater.com
Jasmin A. Hall	jhall@ieua.org
Jean Cihigoyenetché	Jean@thejclawfirm.com
Jeff Evers	jevers@niagarawater.com
Jeffrey L. Pierson	jpierson@intexcorp.com
Jennifer Hy-Luk	jhyluk@ieua.org
Jeremy N. Jungries	jjungreis@rutan.com
Jess Singletary	jSingletary@cityofchino.org
Jesse Pompa	jpompa@jcsd.us
Jessie Ruedas	Jessie@thejclawfirm.com
Jill Keehnen	jill.keehnen@stoel.com
Jim Markman	jmarkman@rwglaw.com
Jim Van de Water	jimvdw@thomashardercompany.com
Jim W. Bowman	jbowman@ontarioca.gov
Jimmie Moffatt	jimmiem@cvwdwater.com
Jimmy Medrano	Jaime.medrano2@cdcr.ca.gov
Jiwon Seung	JiwonS@cvwdwater.com
Joanne Chan	jchan@wvwd.org
Joao Feitoza	joao.feitoza@cmc.com
Jody Roberto	jroberto@tvmwd.com
Joe Graziano	jgraz4077@aol.com
Joe Kingsbury	jkingsbury@wsc-inc.com

Joel Ignacio
John Bosler
John Harper
John Hughes
John Huitsing
John Lopez
John Lopez and Nathan Cole
John Mendoza
John Partridge
John Russ
John Schatz
Jonathan Chang
Jordan Garcia
Jose A Galindo
Jose Ventura
Josh Swift
Joshua Aguilar
Judy Gutierrez
Justin Brokaw
Justin Castruita
Justin Scott-Coe Ph. D.
Kaitlyn Dodson-Hamilton
Karen Williams
Kati Parker
Kayla Garrett
Keith Lemieux
Kelly Ridenour
Ken Waring
Kevin Alexander
Kevin O'Toole
Kevin Sage
Kimberly Johnson
Kirk Richard Dolar
Kurt Berchtold
Kyle Brochard
Kyle Snay
Laura Roughton
Lee McElhaney
Lewis Callahan
Linda Jadeski
Liz Hurst
Mallory Gandara
Manny Martinez
Marcella Correa
Marco Tule
Maria Ayala
Maria Insixiengmay
Maria Mendoza
Maribel Sosa
Marilyn Levin
Marissa Turner
Mark D. Hensley
Mark Wiley

jignacio@ieua.org
johnb@cvwdwater.com
jrharper@harperburns.com
jhughes@mvwd.org
johnhuitsing@gmail.com
jlopez@sarwc.com
customerservice@sarwc.com
jmendoza@tvmwd.com
jpartridge@angelica.com
jruss@ieua.org
jschatz13@cox.net
jonathanchang@ontarioca.gov
jgarcia@cbwm.org
Jose.A.Galindo@linde.com
jose.ventura@linde.com
jmswift@fontanawater.com
jaguilar1@wmwd.com
JudithGutierrez@ontarioca.gov
jbrokaw@marygoldmutualwater.com
jacastruita@fontanawater.com
jscottcoe@mvwd.org
kaitlyn@tdaenv.com
kwilliams@sawpa.org
kparker@katithewaterlady.com
kgarrett@linklogistics.com
klemieux@awattorneys.com
KRIDENOUR@fennemorelaw.com
kwaring@jcsd.us
kalexander@ieua.org
kotoole@ocwd.com
Ksage@IRMwater.com
kimberly.johnson@gabrieleno-nsn.us
kdolar@cbwm.org
kberchtold@gmail.com
KBrochard@rwglaw.com
kylesnay@gswater.com
lroughton@wmwd.com
lmcclhaney@bmkclawplc.com
Lewis.Callahan@cdcr.ca.gov
ljadeski@wwwd.org
ehurst@ieua.org
MGandara@wmwd.com
DirectorMartinez@mvwd.org
MCorrea@rwglaw.com
mtule@ieua.org
mayala@jcsd.us
Maria.Insixiengmay@cc.sbcounty.gov
mmendoza@westyost.com
Maribel.Sosa@pomona.gov
Marilynhlevin@gmail.com
mturner@tvmwd.com
mhensley@hensleylawgroup.com
mwiley@chinohills.org

Marlene B. Wiman
Martin Cihigoyenetche
Martin Cihigoyenetche - JC Law Firm
Martin Rauch
Martin Zvirbulis
Matthew H. Litchfield
Maureen Snelgrove
Maureen Tucker
Megan Hernandez
Meredith Nikkel
Michael Adler
Michael B. Brown, Esq.
Michael Blay
Michael Fam
Michael J. Cruikshank
Michael Maeda
Michael Mayer
Michael P. Thornton
Michele Hinton
Michelle Licea
Mikayla Coleman
Mike Gardner
Mike Maestas
Miriam Garcia
Mona Recalde
Moore, Toby
MWDProgram
Nabil B. Saba
Nadia Aguirre
Natalie Costaglio
Natalie Gonzaga
Nathan deBoom
Neetu Gupta
Nicholas Miller
Nichole Horton
Nick Jacobs
Nicole deMoet
Nicole Escalante
Noah Golden-Krasner
Noemi Medrano
Norberto Ferreira
Paul Hofer
Paul Hofer
Paul S. Leon
Pete Vicario
Peter Dopulos
Peter Dopulos
Peter Hettinga
Peter Rogers
Pietro Cambiaso
Rebekah Walker
Richard Anderson
Richard Gonzales

mwiman@nossaman.com
marty@thejclawfirm.com
mcihigoyenetche@ieua.org
martin@rauchcc.com
mezvirbulis@sgvwater.com
mlitchfield@tvmwd.com
Maureen.snelgrove@airports.sbcounty.gov
mtucker@awattorneys.com
mhernandez@linklogistics.com
mnikkel@downeybrand.com
michael.adler@mcmcnnet.net
michael.brown@stoel.com
mblay@uplandca.gov
mfam@dpw.sbcounty.gov
mcruikshank@SantiagoWS.com
michael.maeda@cdcr.ca.gov
Michael.Mayer@dpw.sbcounty.gov
mthornton@tkeengineering.com
mhinton@fennemorelaw.com
mlicea@mvwd.org
mikayla@cvstrat.com
mgardner@wmwd.com
mikem@cvwdwater.com
mgarcia@ieua.org
mona.recalde@gabrieleno-nsn.us
TobyMoore@gswater.com
MWDProgram@sdca.org
Nabil.Saba@gswater.com
naguirre@tvmwd.com
natalie.costaglio@mcmcnnet.net
ngonzaga@cityofchino.org
n8deboom@gmail.com
ngupta@ieua.org
Nicholas.Miller@parks.sbcounty.gov
Nichole.Horton@pomona.gov
njacobs@somachlaw.com
ndemoet@uplandca.gov
NEscalante@ontarioca.gov
Noah.goldenkrasner@doj.ca.gov
nmedrano@cbwm.org
nferreira@uplandca.gov
farmerhofer@aol.com
farmwatchtoo@aol.com
pleon@ontarioca.gov
PVicario@cityofchino.org
peterdopulos@gmail.com
peter@egoscuelaw.com
peterhettinga@yahoo.com
progers@chinohills.org
Pcambias@ieua.org
rwalker@jcsd.us
horsfly1@yahoo.com
rgonzales@uplandca.gov

Richard Rees	richard.rees@wsp.com
Robert DeLoach	robertadeloach1@gmail.com
Robert E. Donlan	rdonlan@wjhattorneys.com
Robert Neufeld	robneu1@yahoo.com
Robert S.	RobertS@cbwcd.org
Robert Wagner	rwagner@wbecorp.com
Ron Craig	Rcraig21@icloud.com
Ron LaBrucherie, Jr.	ronLaBrucherie@gmail.com
Ronald C. Pietersma	rcpietersma@aol.com
Ruben Llamas	rllamas71@yahoo.com
Ruby Favela	rfavela@cbwm.org
Ryan Shaw	RShaw@wmwd.com
Sam Nelson	snelson@ci.norco.ca.us
Sam Rubenstein	sruenstein@wpcarey.com
Sandra S. Rose	directorrose@mvwd.org
Scott Burton	sburton@ontarioca.gov
Scott Cooper	scooper@rutan.com
Scott Manno	smanno@ramscpa.net
Scott Slater	sslater@bhfs.com
Seth J. Zielke	sjzielke@fontanawater.com
Shawnda M. Grady	sgrady@wjhattorneys.com
Sherry Ramirez	SRamirez@kmtg.com
Shoshana (Suzanne Ilene) Schiller	SSchiller@mankogold.com
Sonya Barber	sbarber@ci.upland.ca.us
Sonya Zite	szite@wmwd.com
Stephania Rodriguez	SRodriguez@jcsd.us
Stephanie Reimer	SReimer@mvwd.org
Stephen Parker	sparker@uplandca.gov
Steve Kennedy	skennedy@bmklawplc.com
Steve M. Anderson	steve.anderson@bbklaw.com
Steve Riboli	steve.riboli@riboliwines.com
Steve Smith	ssmith@ieua.org
Steven Andrews	sandrews@sandrewsengineering.com
Steven J. Elie	s.elie@mpglaw.com
Steven J. Elie	selie@ieua.org
Steven Popelar	spopelar@jcsd.us
Steven Raughley	Steven.Raughley@isd.sbcounty.gov
Susan Palmer	spalmer@kidmanlaw.com
Sylvie Lee	slee@tvmwd.com
Tammi Ford	tford@wmwd.com
Tariq Awan	Tariq.Awan@cdcr.ca.gov
Taya Victorino	tayav@cvwdwater.com
Terri Whitman	TWhitman@kmtg.com
Thomas Rice	Thomas.Rice@bbklaw.com
Thomas S. Bunn	tombunn@lagerlof.com
Tim Barr	tbarr@wmwd.com
Timothy Ryan	tjryan@sgvwater.com
Todd Corbin	tcorbin@cbwm.org
Tom Barnes	tbarnes@esassoc.com
Tom Cruikshank	tcruikshank@linklogistics.com
Tom Dodson	tdd@tdaenv.com
Tom Harder	tharder@thomashardercompany.com
Tom O'Neill	toneill@chinodesalter.org

Tommy Hudspeth	tommyh@sawaterco.com
Tony Long	tlong@angelica.com
Toyasha Sebbag	tsebbag@cbwcd.org
Tracy J. Egoscue	tracy@egoscuelaw.com
Travis Almgren	talmgren@fontanaca.gov
Trevor Leja	Trevor.Leja@cao.sbcounty.gov
Veva Weamer	vweamer@westyost.com
Victor Preciado	victor.preciado@pomona.gov
Vivian Castro	vcastro@cityofchino.org
Wade Fultz	Wade.Fultz@cmc.com
WestWater Research, LLC	research@waterexchange.com
William Brunick	bbrunick@bmklawplc.com
William McDonnell	wmcdonnell@ieua.org
William Urena	wurena@emeraldus.com