

Indian Wells  
(760) 568-2611  
Irvine  
(949) 263-2600  
Los Angeles  
(213) 617-8100  
Manhattan Beach  
(310) 643-8448

**Gene Tanaka**  
(925) 977-3301  
gene.tanaka@bbklaw.com

**BBK**  
**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

2001 N. Main Street, Suite 390, Walnut Creek, CA 94596  
Phone: (925) 977-3300 | Fax: (925) 977-1870 | www.bbklaw.com

Ontario  
(909) 989-8584  
Riverside  
(951) 686-1450  
Sacramento  
(916) 325-4000  
San Diego  
(619) 525-1300  
Washington, DC  
(202) 785-0600

December 7, 2018

Served by Watermaster

Parties to the Judgment  
[see attached list]

Re: Chino Basin Municipal Water District v. City of Chino, et al.

Dear Sir or Madam:

Pursuant to California Rule of Court 3.1312(a), I have attached a [Proposed] Order regarding the Ex Parte Application to Specially Set a Hearing and Briefing Schedule, dated November 28, 2018, which was heard on December 5, 2018. Pursuant to Rule 3.1312(b), I will submit this to the Court together with a summary of any responses of other parties or a statement that no responses were received. Accordingly, please send me your responses.

Sincerely,



Gene Tanaka  
of BEST BEST & KRIEGER LLP

GT:tli

Attach.

cc: Steve Anderson  
Sarah Foley

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER  
DISTRICT,

Petitioner,

v.

CITY OF CHINO, et al.,

Defendants.

Case No. RCVRS 51010

Judge: Stanford E. Reichert

[PROPOSED] ORDER RE EX PARTE  
APPLICATION TO SPECIALLY SET A  
HEARING AND BRIEFING SCHEDULE

Date: December 5, 2018

Time: 8:30 a.m.

Dept.: S35

1 [PROPOSED] ORDER

2  
3 On December 5, 2018, in Department S35 of the above-entitled Court, the Ex Parte  
4 Application to Specially Set a Hearing and Briefing Schedule, dated November 28, 2018 ("Ex  
5 Parte Application"), by Defendants and Appellants Cucamonga Valley Water District  
6 ("Cucamonga Valley"), Monte Vista Water District ("Monte Vista"), and City of Pomona  
7 ("Pomona"), and Defendants and Appellees City of Chino ("Chino"), Jurupa Community  
8 Services District ("Jurupa Community"), and City of Ontario ("Ontario") (collectively "Appeal  
9 Parties") came on for hearing, the Honorable Stanford E. Reichert, Judge presiding. The  
10 following parties appeared: Gene Tanaka for Cucamonga Valley; Andrew Gagen for Monte  
11 Vista; Thomas S. Bunn III for Pomona; Jimmy Gutierrez for Chino; Robert Donlan, via  
12 CourtCall, for Jurupa Community; Fred Fudacz for Ontario; Bradley Herrema for Chino Basin  
13 Watermaster; John Schatz for Appropriative Pool; Allan Hubsch for Non-Agricultural Pool  
14 Committee; and Tracy Egoscue for Overlying (Agricultural) Pool Committee.

15  
16 After consideration of the papers filed in connection with the Ex Parte Application and  
17 arguments of counsel, and good cause appearing, IT IS HEREBY ORDERED:

18  
19 1. The Motion to Approve Amendments to Appropriative Pool Pooling Plan and  
20 Court-Approved Management Agreements ("Motion to Approve") by Appeal Parties shall be  
21 briefed and heard as follows:

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23 A. The Motion to Approve and all supporting papers shall be served through  
24 Watermaster and filed by noon, January 15, 2019.

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26 B. All opposition papers shall be served through Watermaster and filed by  
27 noon, February 13, 2019.

1 C. All reply papers shall be served through Watermaster and filed by noon,  
2 February 28, 2019.

3  
4 D. The Motion to Approve shall be heard on March 15, 2019, at 1:30 p.m., in  
5 Department S35 of the above-entitled Court.

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7 2. The Petition for Writ of Mandate, dated November 19, 2018 ("Writ Petition"), by  
8 the Overlying (Agricultural) Pool and the Motion to Confirm Stay Pending Appeal, dated August  
9 10, 2017 ("Motion to Confirm Stay"), by Cucamonga Valley, Monte Vista, and Pomona,  
10 currently set for hearing on December 28, 2019, shall be taken off-calendar. At the hearing on  
11 the Motion to Approve on March 15, 2019, the Court will set a briefing schedule and hearing on  
12 the Writ Petition and Motion to Confirm Stay, if necessary.

13  
14 3. The Motion Regarding Amendment of Pooling Plan for the Non-Agricultural Pool,  
15 dated October 4, 2018 ("Motion re NAP Pooling Plan"), by the Non-Agricultural Pooling  
16 Committee, currently set for hearing on December 28, 2019, shall be continued as follows:

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18 A. Any opposition papers shall be served through Watermaster and filed by  
19 noon on January 15, 2015.

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21 B. Any reply papers shall be served through Watermaster and filed by noon  
22 on February 13, 2019.

23  
24 C. The Motion re NAP Pooling Plan shall be heard on March 15, 2019, at  
25 1:30 p.m.

26  
27 4. Chino Basin Watermaster's Motion for Court Approval of 2018 Recharge Master  
28 Plan Update, dated October 5 and 9, 2018, Request for Court to Receive and File Watermaster  
04342.00108\31656646.1

1 Semi-Annual OBMP Status Reports 2017-2 and-2018-1, dated October 9, 2018, and Motion for  
2 Court to: Re-Appoint Nine-Member Watermaster Board for a Further Five-Year Term, etc, dated  
3 November 28, 2019 (collectively "Watermaster Motions"), shall remain on calendar for  
4 December 28, 2018. All opposition papers and reply papers shall be served through Watermaster  
5 and filed with the Court pursuant to the deadlines in California Code of Civil Procedure section  
6 1005(b).

7  
8 5. A courtesy copy of all papers filed with the Court in connection with the above  
9 motions shall be delivered to the chambers of Judge Reichert.

10  
11 Dated: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT