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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN BERNARDINO

CHINO BASIN MUNICIPAL WATER
DISTRICT,

Plaintiff,

vs.

CITY OF CHINO, et al.,

Defendants.

Case No. RCVRS 51010

[ASSIGNED FOR ALL PURPOSES TO:
HONORABLE CARLOS M. CABRERA]

**DECLARATION OF AMANDA COKER IN
SUPPORT OF DEFENDANT
CUCAMONGA VALLEY WATER
DISTRICT’S MOTION CHALLENGING
WATERMASTER’S APPROVAL OF
FISCAL YEAR 2025/2026 ASSESSMENT
PACKAGE**

Date: April 30, 2027
Time: 10:00 am
Dept: S24

DECLARATION OF AMANDA COKER

I, Amanda Coker, declare as follows:

1. I am the Deputy Director of Engineering for Cucamonga Valley Water District (“CVWD”), a party to this action. I make this Declaration in support of CVWD’S MOTION CHALLENGING WATERMASTER’S APPROVAL OF FISCAL YEAR 2025/2026 ASSESSMENT PACKAGE. I implement and oversee CVWD’s Chino Basin obligations, and I am the person at CVWD responsible for most of the interface between CVWD and the Chino Basin Watermaster (“Watermaster”). Prior to assuming my current duties in January 2022, I worked in a similar position for the City of Chino beginning in 2016, where I engaged extensively on Chino Basin matters with Watermaster. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to such facts under oath.

2. CVWD is a member of the Appropriative Pool under the Chino Basin Restated Judgment (“Judgment”). CVWD is not a member of the Chino Basin Desalter Authority (“CDA”), does not purchase Desalter water from the CDA, and receives no additional water supply through the CDA’s deliveries to its member agencies.

3. In the ordinary course of my duties, I reviewed Watermaster’s Fiscal Year 2025/2026 Assessment Package (the “Assessment Package”), including the schedules showing Production Year 2024/2025 production and the administrative assessment imposed on Appropriative Pool parties.

4. On June 25, 2026, the Watermaster Board approved the Assessment Package. Before that approval, CVWD submitted written comments and raised objections verbally concerning Watermaster’s exclusion of Desalter production from the administrative-assessment calculation during the May 14, 2026 Appropriative Pool meeting and the May 21, 2026 Advisory Committee meeting. In addition to raising these objections, CVWD’s representative also voted against approving the Assessment Package at the Appropriative Pool and Advisory Committee meetings. True and correct copies of CVWD’s written comments dated June 25, 2026, November 19, 2026, and October 27, 2025 are attached as Exhibits A, B, and C respectively.

1 5. CVWD’s comments asked Watermaster to identify the provision of the Judgment
2 or any post-Judgment agreement that authorized a categorical exclusion of Desalter production
3 from administrative assessments. CVWD also explained that excluding that production reduced
4 the denominator used to calculate the per-acre-foot administrative assessment and thereby
5 materially increased the assessment rate paid by CVWD and other non-CDA Appropriative Pool
6 parties.

7 6. The Assessment Package identifies 40,646.9 acre-feet (“AF”) of CDA production
8 of native water from the Chino Basin, but does not impose an administrative assessment on that
9 production and does not attribute that production to the CDA member agencies that received this
10 native groundwater produced from the Chino Basin. Of this 40,646.9 AF produced, members of
11 the Appropriative Pool received 32,901.8 AF.

12 7. Because Watermaster’s administrative expenses are fixed for the assessment
13 period, excluding production from the assessment base—as Watermaster did with CDA
14 production during the assessment period—increases the per-AF administrative assessment
15 imposed on production. Conversely, adding otherwise excluded production to the assessment base
16 decreases the per-AF assessment rate for all assessed production.

17 8. CVWD does not receive any portion of the Desalter water delivered by the CDA to
18 CDA participating agencies. Thus, the exclusion of CDA production by Watermaster gives
19 CVWD no additional water while increasing the administrative-assessment rate applied to
20 CVWD’s own assessable production.

21 9. Given Watermaster’s budget of \$9,015,057.00 for FY 25/26, the Assessment
22 Package calculated an administrative-assessment rate of \$93.68 per AF. Using the same total
23 administrative costs reflected in the Assessment Package, but adding in the excluded 32,901.8 AF
24 of Desalter water delivered to Appropriative Pool parties to the assessable-production denominator
25 of 96,228.646 AF, would increase the assessable volume of water to 129,130.446 AF. The larger
26 assessable production of 129,130.446, had Watermaster included CDA water, would yield a
27 recalculated administrative-assessment rate of \$69.81 per AF. The difference is \$23.87 per AF.

28 10. At a recalculated rate of \$69.81 per AF, the additional administrative assessments

1 associated with the Desalter production delivered to the participating Appropriative Pool parties
2 would total \$2,296,874.66. The amount of administrative assessments avoided by each
3 participating Appropriative Pool party is broken down as follows: City of Chino, \$360,240.54;
4 City of Chino Hills, \$301,558.26; City of Norco, \$74,131.24; City of Ontario, \$625,511.56;
5 Jurupa Community Services District, \$847,765.66; and Santa Ana River Water Company,
6 \$87,667.40.

7 11. CVWD had 15,623.2 AF of assessable production in the Assessment Package.
8 Applying the \$23.87 per-AF difference to that production shows that CVWD's administrative
9 assessment was \$372,925.78 higher than it would have been if the 32,901.7 AF of Desalter water
10 delivered to CDA parties had been included in the assessment base.

11 12. Accordingly, the exclusion of Desalter production by Watermaster shifted a greater
12 portion of Watermaster's fixed costs to CVWD and the other non-CDA parties whose production
13 remained in the assessment base.

14 13. CVWD paid the Fiscal Year 2025/2026 assessment under protest on July 29, 2026.
15 A true and correct copy of CVWD's payment-under-protest letter is attached as Exhibit D.

16
17 I declare under penalty of perjury under the laws of the State of California that the
18 foregoing is true and correct.

19
20 Executed on September 23, 2026, at Rancho Cucamonga, California.

21
22
23 
24 Amanda Coker

Exhibit A

John Bosler
Secretary/General Manager/CEO

June 25, 2026

Board of the Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

Re: Fiscal Year 2025/2026 Watermaster Assessment Package – CVWD Objections

Dear Members of the Watermaster Board,

As you consider approval of the subject assessment package, CVWD would like to reiterate its opposition to this assessment package, specifically for these two issues: 1) Desalter production must be assessed; 2) Voluntary Agreements in part or entirely were not appropriately applied.

To date, Watermaster has failed to provide CVWD any legal basis for exempting Desalter production from assessment. Similarly, Watermaster has not provided any support for its application of Voluntary Agreements in this assessment package or explained how the application of Voluntary Agreements comply with the Judgment.

In contrast, we believe the application of the 85/15 rule in this assessment package is appropriate, and Ontario's opposition to Watermaster's application of the 85/15 rule in this assessment package is without merit.

CVWD made these points in two respective letters dated October 27, 2025 (regarding desalters) and November 19, 2025 (regarding the inappropriateness of voluntary agreements and appropriateness of 85/15 rule). For your reference these are attached and incorporated by reference herein.

CVWD requested Watermaster staff to address these issues and to-date we have not received satisfactory responses and the assessment package has not been corrected to address these issues. We look forward to working with the Watermaster Board, legal counsel, staff, and the parties addressing these issues, which have created economic harm and cost shifting to CVWD and other parties.

Sincerely,



Eduardo Espinoza, PE
Assistant General Manager
Cucamonga Valley Water District

Attachments:

1. CVWD letter to Todd Corbin "Re: Draft Fiscal Year 2025/2026 Watermaster Assessment Package", dated October 27, 2025 [regarding assessing desalters]
2. CVWD letter to Todd Corbin "Re: Fiscal Year 2025/2026 Watermaster Assessment Package – Voluntary Agreements and 85/15 Rule" dated November 19, 2025

CC: Todd Corbin, General Manager

Exhibit B

John Bosler
Secretary/General Manager/CEO

November 19, 2025

Mr. Todd Corbin
General Manager
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730
Email: tcorbin@cbwm.org

Re: Fiscal Year 2025/2026 Watermaster Assessment Package – Voluntary Agreements and 85/15 Rule

Dear Mr. Corbin,

The Cucamonga Valley Water District (CVWD) appreciates the opportunity to provide supplemental comments on the Fiscal Year 2025/2026 Watermaster Assessment Package presented at the Appropriative Pool Committee meeting on November 13, 2025, which are in addition to comments related to Chino Basin Desalter Authority Production provided on October 27, 2025. CVWD's supplemental comments address the application of Voluntary Agreement production credits under Peace Agreement §5.3(i) and the need for transparent documentation to ensure consistency with the Judgment and Peace Agreement. Lastly, we are taking this opportunity to address Ontario's questions regarding the application of the 85-15 rule to CVWD's purchase of recycled water to satisfy overproduction.

Voluntary Agreements

CVWD requests additional information from Watermaster regarding Appropriative Pool (AP) production that has been excluded from AP production assessments and classified as Agricultural Pool Production under Voluntary Agreements. Pursuant to §5.3(i) of the Peace Agreement, Voluntary Agreements allow an AP member to provide water to an Agricultural Pool member in lieu of the Agricultural Pool member producing groundwater for overlying use. The appropriator is entitled to a production credit only "to the extent it is serving the overlying land up to the amount of the historical maximum annual quantity of water previously used on the property." CVWD requests the supporting documentation Watermaster relied upon to determine the historical maximum annual quantity of water previously used on each property claimed under a Voluntary Agreement in the FY25/26 Assessment Package.

Additionally, CVWD requests information confirming that Chino Basin groundwater was used to supply the agricultural uses for which Voluntary Agreement credits were applied. It is CVWD's interpretation of §5.3(i) of the Peace Agreement that the production credit applies solely to groundwater production and does not extend to recycled water or other non-groundwater supplies. CVWD is concerned that recycled water may be used to meet agricultural demands while production credits are simultaneously being claimed, resulting in cost shifting in production assessments and the passive accumulation of excess carryover storage that is not associated with groundwater pumping or beneficial use. This practice effectively reduces an Appropriator's assessed production without a corresponding reduction in actual groundwater extractions. CVWD is further concerned that such accumulated storage could ultimately be sold for individual financial gain, despite not reflecting reduced groundwater extraction, which is inconsistent with the intent of the Judgment and Court-approved management agreements. This practice also raises concerns similar to those identified in the AP Local Storage Agreement application staff report prepared by Watermaster on November 13, 2025, where parties are amassing excess carryover storage and deferring assessments, thereby shifting costs to parties that do not have access to Voluntary Agreements

Absent written justification citing specific provisions in the Judgment or Peace Agreement authorizing the application of Voluntary Agreement credits to non-groundwater supplies, CVWD respectfully requests that Watermaster limit the application of these credits to groundwater produced by an Appropriator and delivered to agricultural lands consistent with the requirements

of §5.3(i) of the Peace Agreement. CVWD requests this approach be applied in the FY25/26 Assessment Package and incorporated into all future assessment packages.

Additionally, because of very recent considerations raised by parties and allowed by the courts to consider cost shifting and economic harm, which seems apparent in this practice of using recycled water in exchange for Voluntary Agreements, CVWD respectfully requests that the Watermaster Board consider revising past assessment packages to address this issue as allowed by the Judgment.

85/15 Rule

Finally, CVWD would like to briefly address Ontario's unsupported contention that the 85/15 Rule does not apply when replenishment obligations are met through the use of recycled water. This interpretation is not supported by the Judgment, the Appropriative Pool Pooling Plan included as Exhibit H to the Judgment, or Watermaster's adopted 85/15 Rule Policy.

Unlike the application of recycled water to Voluntary Agreements, the use of recycled water to satisfy replenishment obligations is expressly contemplated in the Judgment. Judgment Section 49(a) states that substantial quantities of reclaimed water "may be made available for replenishment purposes" and directs Watermaster to give the "maximum beneficial use of reclaimed water" high priority. The Judgment further defines "Supplemental Water" to include reclaimed water (Judgment §4(bb)) and defines "Stored Water" as Supplemental Water held for subsequent withdrawal (Judgment §4(aa)). As such, recycled water used for replenishment falls squarely within the Judgment's Stored Water and Supplemental Water framework and is subject to the same accounting and replenishment rules as other supplemental supplies.

Additionally, Exhibit H of the Judgment assigns responsibility to the Appropriative Pool for funding replenishment and relies on the Judgment's definitions of Supplemental Water and Stored Water without creating distinctions between imported water and recycled water. Exhibit H does not identify any circumstance in which replenishment satisfied with recycled water would be exempt from the 85/15 Rule or treated differently from other Supplemental Water.

Watermaster's own 2011 policy regarding the 85/15 Rule does not support the interpretation advanced by Ontario, although they provide it to support their assertions. The policy was adopted to document Watermaster's procedures for administering the 85/15 Rule and restates the language of Exhibit H to the Judgment verbatim. The policy does not modify the Judgment, create an exemption for recycled water, or restrict the types of water that may satisfy replenishment obligations. Rather, it confirms that the 85/15 Rule applies whenever replenishment is used to resolve overproduction, including preemptive replenishment, regardless of the source of Supplemental Water.

For these reasons, the position that the 85/15 Rule does not apply to replenishment satisfied with recycled water is not supported by the Judgment, Exhibit H, or Watermaster's policy on the 85/15 Rule. CVWD respectfully maintains that replenishment satisfied through recycled water remains subject to the 85/15 Rule.

CVWD appreciates Watermaster's consideration of these comments and looks forward to continued discussions to ensure the equitable and consistent implementation of the Judgment and court approved management agreements.

Sincerely,



Amanda Coker, PE
Deputy Director of Engineering
Cucamonga Valley Water District

Cc: John Bosler, PE, General Manager/CEO - Cucamonga Valley Water District
Eduardo Espinoza, PE, Assistant General Manager – Cucamonga Valley Water District
Chris Diggs, Watermaster Appropriative Pool Chair

Exhibit C

John Bosler
Secretary/General Manager/CEO

October 27, 2025

Mr. Todd Corbin
General Manager
Chino Basin Watermaster
9641 San Bernardino Road
Rancho Cucamonga, CA 91730
Email: tcorbin@cbwm.org

Re: Draft Fiscal Year 2025/2026 Watermaster Assessment Package

Dear Mr. Corbin,

The Cucamonga Valley Water District (CVWD) appreciates the opportunity to provide written comment on the draft Fiscal Year 2025/2026 Watermaster Assessment Package, presented during the Watermaster-led workshop on October 21, 2025.

During the workshop, CVWD requested clarification regarding the basis for excluding Chino Desalter Authority (CDA) production from the annual production-based administrative assessment calculation. Exhibit H, Paragraph 6 of the Restated Judgment (Appropriative Pool Pooling Plan) provides that “costs of administration of this pool and its share of general Watermaster expense shall be recovered by a uniform assessment applicable to all production during the preceding year.”

CVWD is concerned that omitting CDA production from this calculation has resulted in a disproportionate shift in administrative assessments among Appropriative Pool members, with adverse financial impacts on CVWD and other non-CDA parties. Absent written justification citing specific provisions within court-approved agreements authorizing this exclusion, CVWD respectfully requests that CDA production is assessed in the Fiscal Year 2025/2026 Assessment Package and all future assessment packages.

We appreciate Watermaster’s consideration of this request and look forward to further discussion to ensure equitable implementation consistent with the Judgment and Court Approved Management Agreements.

Sincerely,



Amanda Coker
Deputy Director of Engineering
Cucamonga Valley Water District

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 September 23, 2026, I served the following:

1. DECLARATION OF AMANDA COKER IN SUPPORT OF DEFENDANT CUCAMONGA VALLEY WATER DISTRICT'S MOTION CHALLENGING WATERMASTER'S APPROVAL OF FISCAL YEAR 2025/2026 ASSESSMENT PACKAGE

/ 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 September 23, 2026, in Rancho Cucamonga, California.



By: Ruby Favela Quintero
Chino Basin Watermaster

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