

Consolidated Forms 3, 4 & 5**CONSOLIDATED WATER TRANSFER FORMS:****FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE****FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE****FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD****FISCAL YEAR 2025 - 2026**DATE REQUESTED: 6/17/2025AMOUNT REQUESTED: 2,000 Acre-Feet

| TRANSFER FROM (SELLER / TRANSFEROR): | TRANSFER TO (BUYER / TRANSFEREE): |
|--------------------------------------|---|
| <u>City of Chino</u> | <u>Niagara Bottling, LLC</u> |
| Name of Party | Name of Party |
| <u>13220 Central Ave</u> | <u>1440 Bridgegate Dr.</u> |
| Street Address | Street Address |
| <u>Chino</u> <u>CA</u> <u>91710</u> | <u>Diamond Bar</u> <u>CA</u> <u>91765</u> |
| City State Zip Code | City State Zip Code |
| <u>(909) 334-3250</u> | <u>(909) 230-5000</u> |
| Telephone | Telephone |
| Facsimile | Facsimile |

Have any other transfers been approved by Watermaster between these parties covering the same fiscal year?

Yes ☐ No ☒**PURPOSE OF TRANSFER:**

- ☐ Pump when other sources of supply are curtailed
☒ Pump to meet current or future demand over and above production right
☐ Pump as necessary to stabilize future assessment amounts
☐ Other, explain _____

WATER IS TO BE TRANSFERRED FROM:

- ☐ Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
☐ Storage
☐ Annual Production Right / Operating Safe Yield first, then any additional from Storage
☒ Other, explain Storage - Excess carry over

WATER IS TO BE TRANSFERRED TO:

- ☒ Annual Production Right / Operating Safe Yield (common)
☐ Storage (rare)
☐ Other, explain _____

Consolidated Forms 3, 4 & 5 cont.

IS THE 85/15 RULE EXPECTED TO APPLY? (If yes, all answers below must be "yes.") Yes ☐ No ☒

Is the Buyer an 85/15 Party? Yes ☐ No ☐

Is the purpose of the transfer to meet a current demand over and above production right? Yes ☐ No ☐

Is the water being placed into the Buyer's Annual Account? Yes ☐ No ☐

IF WATER IS TO BE TRANSFERRED FROM STORAGE:

1500 AFY January to December
Projected Rate of Recapture Projected Duration of Recapture

METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):

Pumping

PLACE OF USE OF WATER TO BE RECAPTURED:

Ontario Facility

LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):

N/A

WATER QUALITY AND WATER LEVELS

Are the Parties aware of any water quality issues that exist in the area? Yes ☐ No ☒

If yes, please explain:

What are the existing water levels in the areas that are likely to be affected?

MATERIAL PHYSICAL INJURY

Are any of the recapture wells located within Management Zone 1? Yes ☐ No ☒

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes ☐ No ☒

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

Consolidated Forms 3, 4 & 5 cont.

SAID TRANSFER SHALL BE CONDITIONED UPON:

- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

ADDITIONAL INFORMATION ATTACHED

Yes ☐ No ☒


 Seller / Transferor Representative Signature

Hye Jin Lee Director of Public Works
 Seller / Transferor Representative Name (Printed)

DocuSigned by:

 Buyer / Transferee Representative Signature

Geoffrey Kamansky
 Buyer / Transferee Representative Name (Printed)

TO BE COMPLETED BY WATERMASTER STAFF:

DATE OF WATERMASTER NOTICE: _____

DATE OF APPROVAL FROM APPROPRIATIVE POOL: _____

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: _____

DATE OF APPROVAL FROM AGRICULTURAL POOL: _____

HEARING DATE, IF ANY: _____

DATE OF ADVISORY COMMITTEE APPROVAL: _____

DATE OF BOARD APPROVAL: _____