

**Minutes**  
**CHINO BASIN WATERMASTER**  
**JOINT APPROPRIATIVE & NON-AGRICULTURAL POOL MEETING**  
October 11, 2007

The Joint Appropriative and Non-Agricultural Pool Meeting were held at the offices of Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on October 11, 2007 at 10:00 a.m.

**APPROPRIATIVE POOL MEMBERS PRESENT**

Raul Garibay, Chair	City of Pomona
Mark Kinsey	Monte Vista Water District
Robert DeLoach	Cucamonga Valley Water District
Robert Young	Fontana Union Water Company
Charles Moorrees	San Antonio Water Company
Robert Tock	Jurupa Community Services District
Ken Jeske	City of Ontario
Anthony La	City of Upland
Dave Crosley	City of Chino

**NON-AGRICULTURAL POOL MEMBERS PRESENT**

Kevin Sage	Vulcan Materials Company (Calmat Division)
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**Watermaster Board Members Present**

Sandra Rose	Monte Vista Water District
Terry Catlin	Inland Empire Utilities Agency

**Watermaster Staff Present**

Ken Manning	CEO
Sheri Rojo	CFO/Asst. General Manager
Danielle Maurizio	Senior Engineer
Sherri Lynne Molino	Recording Secretary

**Watermaster Consultants Present**

Michael Fife	Hatch & Parent
Mark Wildermuth	Wildermuth Environmental Inc.

**Others Present**

Marty Zvirbulis	Cucamonga Valley Water District
Rick Hansen	Three Valleys Municipal Water District
David DeJesus	Three Valleys Municipal Water District
Ron Craig	RBF Consulting

Chair Garibay called the joint Appropriative and Non-Agricultural Pool meeting to order at 10:05 a.m.

**AGENDA - ADDITIONS/REORDER**

No additions or reorders were made to the agenda.

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Joint Appropriative and Non-Agricultural Pool Meeting held September 13, 2007

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of September 2007
2. Watermaster Visa Check Detail
3. Combining Schedule for the Period July 1, 2007 through August 31, 2007
4. Treasurer's Report of Financial Affairs for the Period August 1, 2007 through August 31, 2007
5. Profit & Loss Budget vs. Actual July 2007 through August 2007

A brief discussion ensued with regard to an invoice for the Agricultural Pool.

*Motion by Jeske, second by DeLoach and by unanimous vote – Non-Ag concurred*  
**Moved to approve Consent Calendar items A through B, as presented**

**II. BUSINESS ITEMS****A. INTERVENTION – FUJI NATURAL FOOD INC.**

Mr. Manning stated this item was discussed in detail at a prior pool meeting. Based upon review of the documents provided by Fuji Natural Foods, staff recommends this company be placed in the Agricultural Pool. Fuji Natural Foods grows food hydroponically and then packages it for distribution. Fuji Natural Foods has a fairly large operation and staff has discovered recently they do have wells on their property and that they need to intervene into the Judgment. Fuji Food made that intervention request to Watermaster staff. Mr. Sage from the Overlying Non-Agricultural Pool distributed a letter written by Mr. Bowcock with regard to the intervention into the Agricultural Pool. Mr. Manning stated Ms. Maurizio from our office is currently writing a letter to the counties that we work with requesting that they notify Watermaster prior to a well permit being issued so that Watermaster can follow up with the potential interventions. Mr. Jeske asked that Watermaster staff checked on past letters that may have been sent to the counties with regard to this issue and then possibly ask them why they are not complying with our past requests to be notified. A lengthy discussion ensued with regard to this matter.

*Motion by DeLoach, second by Kinsey and by unanimous vote*

**Moved to approve the intervention into the Chino Basin Watermaster Agricultural Pool party, as presented**

*Motion by Non-Agricultural, Sage*

**Moved to approve the intervention into the Chino Basin Watermaster Agricultural Pool party with the caveat that Chino Basin Watermaster staff conduct a complete audit of the pools to determine if the parties are indeed properly assigned, as presented**

**B. PEACE II AND MZ1 LONG TERM PLAN**

Counsel Fife stated staff is not asking for any action on this item. Counsel Fife stated there are a few documents on the back table for review; one is the stipulation for the MZ1 Long Term Plan which was approved by the Watermaster Board, another is an excerpt from the Peace II Agreement and a pleading. The pleading will be filed today with the court; it is the filing of the conformed copy of the MZ1 Long Term Plan. As part of the stipulation in paragraph three of the stipulation, it was agreed upon to add a few elements to the MZ1 Long Term Plan; those elements were added on pages 2-6. The other document that we needed to conform to the stipulation was the Peace II Agreement; which was section 8.4 relating to the requirement to do 6,500 acre-feet of recharge. Staff is handing these items out to advise of the changes that were made. Counsel Fife stated comments can still be received on these documents. Counsel Fife stated a copy of the actual Peace II Agreement was not made available until this morning because a conference call was going to take place yesterday, and staff was allowing time to make any changes. Counsel Fife stated no motion is being asked for today, staff is just making the parties aware of the sections that were moved around in the documents; all language has

already been approved by the Watermaster Board. A brief discussion ensued with regard to the Peace II documents.

### III. REPORTS/UPDATES

#### A. **WATERMASTER GENERAL LEGAL COUNSEL REPORT**

1. Peace II Documents – Transmittal Pleading re November 29, 2007 Hearing

Counsel Fife stated a draft of the transmittal pleading is not fully completed at this time; it is being worked on presently and will be distributed early next week. The filing deadline is October 26, 2007 with a November 29, 2007 hearing on the Peace II documents at 1:30 p.m.

2. Subsidence Long Term Plan November 15, 2007 Hearing

Counsel Fife stated the hearing regarding the Subsidence Long Term Plan is still scheduled for November 15, 2007 and it does not appear that there will be any opposition to the plan. The Special Referee's Report on the MZ1 Long Term Plan is due October 12, 2007 and will be distributed to the parties. A discussion ensued with regard to the previously scheduled technical workshop which was cancelled. Even though the court cancelled the workshop, Mr. Scalmanini noted he still needed some technical clarification and instead of an actual workshop, Ms. Schneider and Mr. Scalmanini met at the Watermaster office with other technical staff. Counsel Fife stated we will not know what the report will say for sure until it is released. A brief discussion ensued with regard to this item.

#### B. **FINANCIAL REPORT**

1. Water Activity Reports Update

Ms. Rojo stated the Water Activity Reports have been mailed out all with the exception of one and staff is working on that one internally.

#### C. **CEO/STAFF REPORT**

1. Legislative Update

Mr. Manning stated the Legislature has until Monday to qualify a bond measure for the February ballot. The republicans and the governor seem to be falling away when it comes to surface storage issues. The difference between republicans and democrats appears to be on the language with the bypass facility. The democrats have language in there that prohibits any money from the bonds being used on any kind of a bypass facility and the republicans and the governor's proposal is to use the Blue Ribbon Task Force recommendations to determine whether or not that would be an issue to include with the bonds. The real language debates come from surface storage issues.

2. Recharge Update

Mr. Manning stated we have had very little recharge. Patrick Shields is going to be here at the Advisory Committee meeting to give a presentation on recycled water recharge. The Watermaster recharge chart that is created monthly is available on the back table for your review.

3. Strategic Planning Report

Mr. Manning stated from staffs' perspective it was a very good day to realign ourselves in terms of some of the discussions on what we are doing here at Watermaster presently and in the Chino Basin. It gave parties an opportunity to see and hear what we have done in the past year since our first Strategic Planning Conference a year ago. This year we will be refining what we did last year through the present and next year we will be starting over with new plans and ideas. Staff felt the conference was well attended and went very smoothly with the issues that need to be addressed.

### IV. INFORMATION

1. Newspaper Articles

No comment was made regarding this item.

**V. POOL MEMBER COMMENTS**

No comment was made regarding this item.

**VI. OTHER BUSINESS**

No comment was made regarding this item.

**VII. FUTURE MEETINGS**

October 11, 2007	10:00 a.m.	Appropriative & Non-Agricultural Pool Meeting
October 16, 2007	9:00 a.m.	Agricultural Pool Meeting @ IEUA
October 25, 2007	9:00 a.m.	Advisory Committee Meeting
October 25, 2007	11:00 a.m.	Watermaster Board Meeting

The Appropriative and Non-Agricultural Pool committee meeting was dismissed at 10:35 a.m.

Secretary: \_\_\_\_\_

Minutes Approved: November 8, 2007