

Minutes
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL MEETING

The Appropriative Pool Meeting was held at the offices of Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on December 2, 2010 at 1:00 p.m.

APPROPRIATIVE POOL MEMBERS PRESENT WHO SIGNED IN

Mark Kinsey, Chair	Monte Vista Water District
Robert Young	Fontana Union Water Company
Josh Swift	Fontana Water Company
Raul Garibay	City of Pomona
Shaun Stone	City of Upland
John Mura	City of Chino Hills
Ben Lewis	Golden State Water Company
Mohamed El-Amamy	City of Ontario
Tom Harder	Jurupa Community Services District
Charles Moorrees	San Antonio Water Company
Gil Aldaco	City of Chino

Watermaster Staff Present

Kenneth R. Manning	Chief Executive Officer
Ben Pak	Senior Project Engineer
Danielle Maurizio	Senior Engineer
Joe Joswiak	Chief Financial Officer
Sherri Lynne Molino	Recording Secretary

Watermaster Consultants Present

Michael Fife	Brownstein, Hyatt, Farber & Schreck
Andy Malone	Wildermuth Environmental Inc.

Others Present Who Signed In

Steven G. Lee	Agricultural Pool Legal Counsel
Sheri Rojo	Consultant for Fontana Water Company
Ken Jeske	California Steel Industries
Jill Willis	Best Best & Krieger

Chair Kinsey called the Appropriative Pool Meeting to order at 1:00 p.m.

AGENDA - ADDITIONS/REORDER

There were not additions or reorders made to the agenda.

I. CONSENT CALENDAR

A. MINUTES

1. Minutes of the Appropriative Pool Meeting held November 4, 2010

B. FINANCIAL REPORTS

1. Cash Disbursements for the month of October 2010
2. Watermaster Visa Check Detail for the month of October 2010
3. Combining Schedule for the Period October 1, 2009 through October 31, 2010

4. Treasurer's Report of Financial Affairs for the Period October 1, 2010 through October 31, 2010
5. Budget vs. Actual July 2010 through October 2010

Motion by Young, second by Moorrees, and by unanimous vote

Moved to approve Consent Calendar items A and B, as presented

C. APPROPRIATIVE POOL VOLUME VOTE

Mr. Manning gave a brief overview of the Appropriative Pool Volume Vote. A discussion regarding this item ensued. Ms. Maurizio reviewed the Volume Vote spreadsheets in detail.

No action taken for the Appropriative Pool Volume Vote – tabled for January, 2011 agenda

II. BUSINESS ITEMS

A. RESTATED WATERMASTER JUDGMENT

Mr. Manning stated due to the January 21, 2011 hearing date, staff recommends approval to move this item forward to the Advisory Committee and Watermaster Board to take action. Counsel Fife stated this item was put on the agenda for approval because there is nothing new in this document; a cut and paste of all the approved amendments from 1978 are included in this document. The idea was this would be easy because of there being nothing new; however, the comments received since the agenda package was sent out is that parties do want more time for review. Counsel Fife stated as it turned out, there was more than just a cut and paste because footnotes were inserted to add the documents as a reference tool. Counsel Fife stated there are still issues with the party lists; those issues still need to be resolved prior to the approval. Counsel Fife noted staff would welcome an approval; however, there is no problem in extending this for one or two months. The January 21, 2011 hearing is going to take place because there are other items to present to the judge. A discussion regarding this item, the work to be done on the party lists, and the inserted footnotes ensued.

Motion by Aldaco, second by El-Amamy, and by unanimous vote

Moved to agendize this item to the January, 2011 agenda, as presented

B. CHINO BASIN WATERMASTER REAPPOINTMENT OF THE NINE-MEMBER BOARD

Mr. Manning stated this item comes before the Watermaster process every five years. Mr. Manning stated many Appropriators had come, independently of this item being on the agenda, to discuss the reappointment of the nine-member Board and collectively they all stated they want to see it move through the process as a reappointment of the existing nine-member Board. Staff is seeking a motion to approve this item with a recommendation to the Advisory Committee and Watermaster Board. Chair Kinsey noted he has not had an opportunity to speak to his board on this item. Counsel Fife discussed this item and noted there is a timing issue with this item; the current Board's appointment expires at the beginning of February.

Motion by El-Amamy, second by Aldaco, and by unanimous vote

Moved to approve the Chino Basin Watermaster reappointment of the nine-member Board, as presented

C. APPROPRIATIVE POOL WORKSHOP

Chair Kinsey stated there is a lot going on at Watermaster and it was suggested at the last meeting that the Appropriative Pool members might want to hold a workshop to set a priority for what the Pool thinks are the most important items before the Watermaster process. Chair Kinsey stated parties can maybe designate individuals to take a leadership role in each particular task/item. Chair Kinsey gave some examples of items being worked on now and coming up in the future. Chair Kinsey stated this workshop will be held at Cucamonga Valley Water District and noted he will work on getting this offsite workshop scheduled in January.

No action taken.

III. REPORTS/UPDATES**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**1. Paragraph 31 Appeal

Counsel Fife stated on the back table there is a copy of an order from the Court of Appeal dated November 22, 2010. Counsel Fife stated both the Non-Agricultural Pool and California Steel Industries asked for extensions of the deadline to file their opening briefs. The Court of Appeal indicated it is considering the case for their settlement process which is a mediation process. Watermaster did file a statement with the Court of Appeal indicating Watermaster did not feel this case was appropriate for the settlement process given the nature of the case and time sensitive issues. Counsel Fife stated the Court of Appeal has decided this was a case for the settlement process and an order to that effect is on the back table and because of that the deadlines for filing briefs have all been taken off calendar. Counsel Fife stated counsel has been directed to file another settlement conference statement; these will not be confidential. Counsel Fife noted he does not know how long this will take; the order does not give any timelines.

2. Resolution 2010-04

Counsel Fife stated originally the January 21st hearing was scheduled to submit the Resolution concerning the desalter to the court for approval; however, there were a number of items to happen before it was submitted and it does not appear those items are going to be finished in time for the Resolution to be submitted for the January 21st hearing. Counsel Fife stated with the action of the Pool regarding the restated Judgment that will not be submitted in January either; however, the nine-member Board issues will be submitted at the January hearing. A discussion regarding the outstanding items for the resolution ensued.

3. January 21, 2011 Hearing

This item was discussed under the Resolution 2010-04. No further comments were made.

B. ENGINEERING REPORT1. Watermaster Review of CDA Proposed Chino Creek Well Field Wells

Mr. Malone stated there is a line item in Watermaster's budget this year for Watermaster staff to review the locations and the proposed well designs of the Chino Creek Well Field as it progresses. Mr. Malone commented on the review process. Mr. Malone reviewed a map of the wells in detail. A discussion regarding Mr. Malone's presentation of wells ensued.

2. Managed Aquifer Recharge Symposium – Jan 25-26, 2011 at the Atrium Hotel Orange County

Mr. Malone stated this is an information item only and there is a handout regarding this item on the back table. Mr. Malone stated Mr. Wildermuth was asked to make a presentation and have a poster session on the Recharge Master Plan on January 25-26, 2011 at the Atrium Hotel; it is not yet known the time Mr. Wildermuth's presentation is scheduled for. Mr. Malone noted this is being handled financially through Wildermuth Environmental and is not a Watermaster expense.

C. CEO/STAFF REPORT1. Legislative Update

Mr. Manning stated the elections are over and it will be an interesting time in the legislature. Mr. Manning stated he was, as well as many others, recently at ACWA Conference. Mr. Manning stated one of the days there was a breakfast where a panel discussed the bond measure going to 2012. Mr. Manning reviewed the discussions and presentations given at the conference and panel breakfast.

2. Recharge Update

Mr. Manning stated the most recent recharge numbers will be presented at the Advisory Committee and Watermaster Board meeting at the end of the month.

3. Riverside County Flood Control District

Mr. Manning stated this is a more recent situation that has come up and both Mr. Pak and he have had conversations with the Riverside County Flood Control and Conservation District staff. The conversation was that they wanted to discuss them assisting financially and to partner on a Recharge Master Plan Project that would benefit to the County of Riverside. Mr. Manning stated dialog is still taking place and a meeting with Watermaster, Wildermuth Environmental, Inland Empire Utilities Agency, and others to brainstorm some ideas will be scheduled. Mr. Manning stated this is very good news.

4. MOU for Ontario Airport Data Gathering Reimbursement Agreement

Mr. Manning stated Dave Crosley is the chairman of the Water Quality Committee and a WQ meeting was held approximately a month ago. Mr. Manning stated at that meeting statements were made regarding the Ontario Airport Plume and the data that has been collected by other parties regarding this plume; not all parties have this data, including Watermaster. Mr. Manning stated if Watermaster is not successful in acquiring this data, then an effort is going to have to be made on the behalf of Watermaster next year to acquire that data. Mr. Manning stated a quote from Wildermuth on what it would cost to duplicate that data in the amount of \$50,000. In discussions with the City of Upland, the City of Ontario, and Inland Empire Utilities Agency have stepped up and offered to front the money to get that data collection done early. Mr. Manning stated there is a draft Term Sheet on the back table for an MOU that will be brought back through the process in January that will solidify the terms of the agreement to go ahead and develop that data so that Watermaster is not at a disadvantage with the PRP group. A discussion regarding this matter ensued.

III. INFORMATION

1. Cash Disbursements for November 2010
No comment was made regarding this item.
2. Newspaper Articles
No comment was made regarding this item.

IV. POOL MEMBER COMMENTS

No comment was made regarding this item.

V. OTHER BUSINESS

No comment was made regarding this item.

The regular open Appropriative Pool meeting was convened to hold its confidential session at 1:55 p.m.

VII. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to the Appropriative Pool Rules & Regulations, a Confidential Session may be held during the Watermaster Pool meeting for the purpose of discussion and possible action.

The confidential session was concluded at 2:25 p.m.

No action was reported.

VIII. FUTURE MEETINGS

Thursday, December 2, 2010	1:00 p.m.	Appropriative Pool Meeting @ CBWM
Thursday, December 2, 2010	2:30 p.m.	Non-Agricultural Pool Conference Call Meeting
Thursday, December 9, 2010	9:00 a.m.	Agricultural Pool Meeting @ IEUA
Thursday, December 16, 2010	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, December 16, 2010	9:00 a.m.	Advisory Committee Meeting @ CBWM
* Thursday, December 16, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM
Thursday, January 6, 2011	1:00 p.m.	Annual Appropriative Pool Meeting @ CBWM

Thursday, January 6, 2011	2:30 p.m.	Annual Non-Agricultural Pool Meeting
Thursday, January 13, 2011	9:00 a.m.	Annual Agricultural Pool Meeting @ IEUA
Tuesday, January 18, 2011	9:00 a.m.	GRCC Committee Meeting @ CBWM
Thursday, January 20, 2011	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, January 20, 2011	9:00 a.m.	Annual Advisory Committee Meeting @ CBWM
Friday, January 21, 2011	10:30 a.m.	CBWM Court Hearing @ Chino Courthouse
Thursday, January 27, 2011	11:00 a.m.	Annual Watermaster Board Meeting @ CBWM

*** Note: Date changes due to holiday schedules**

The Appropriative Pool meeting was dismissed by Chair Kinsey at 2:25 p.m.

Secretary: _____

Minutes Approved: January 6, 2011