

MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE – SPECIAL MEETING
September 29, 2022

The Appropriative Pool Committee special meeting was at the Chino Basin Watermaster's offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA and also via remote access on September 29, 2022.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT

Eduardo Espinoza, Chair	Cucamonga Valley Water District
Chris Diggs, Vice-Chair	City of Pomona
Dave Crosley	City of Chino
Ron Craig	City of Chino Hills
Braden Yu	City of Upland
Josh Swift	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Bryan Smith	Jurupa Community Services District
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
Cris Fealy	Nicholson Family Trust
John Lopez	Santa Ana River Water Company
Brian Lee	San Antonio Water Company

OTHERS PRESENT

Eunice Ulloa	City of Chino
Nicole deMoet	City of Upland
Amanda Coker	Cucamonga Valley Water District
Jiwon Seung	Cucamonga Valley Water District
Shawnda Grady	Ellison Schneider Harris & Donlan LLP
Ben Lewis	Golden State Water Company
Jimmy Gutierrez	Jimmy L. Gutierrez, A Law Corporation
John Schatz	John J. Schatz, Attorney at Law

CALL TO ORDER

Chair Espinoza called the Appropriative Pool Committee special meeting to order at 10:05 a.m.

ROLL CALL

AGENDA - ADDITIONS/REORDER

None

I. CONFIDENTIAL SESSION - POSSIBLE ACTION

A Confidential Session may be held during the Pool Committee meeting for the purpose of discussion and possible action.

1. Ag Legal Expenses
2. Appropriate Pool Administrative Matters


Confidential session concluded at 11:00 a.m. with the following reportable actions, as provided by Pool Leadership.

1. The AP voted to approve (78.958% Yes) to pay the Ag Pool's July and August legal invoices.

2. The AP voted to authorize (76.499% Yes) AP legal counsel, John Schatz, to engage appellate counsel as of May 2022 for appeal of the April 2022 Court Order.

ADJOURNMENT

Chair Espinoza adjourned the Appropriative Pool Committee special meeting at 11:00 a.m.

Secretary: 

Approved: October 13, 2022

Attachment:

1. 20220929 Appropriative Pool Committee Special Meeting Attendance and Reportable Actions (as provided by Pool Leadership)

ATTACHMENT 1

From: [Taya Victorino](#)
To: [Denise Morales](#)
Cc: [Eduardo Espinoza](#); [Chris Diggs](#)
Subject: 9/29 AP Confidential Reportable Action
Date: Thursday, September 29, 2022 3:40:54 PM
Attachments: [image003.png](#)

Hi Denise,
Here is the reportable info for today's meeting:

Appropriative Pool Confidential Meeting (10:05 to 11:00 AM)

Attendees:

1. Amanda Coker
2. Brian Lee
3. Bryan Smith
4. Jiwon Seung
5. Chris Diggs
6. Eduardo Espinoza
7. Josh Swift
8. Cris Fealy
9. John Schatz
10. Eunice Ulloa
11. Ron Craig
12. John Lopez
13. Braden Yu
14. Dave Crosley
15. Ben Lewis
16. Justin Scott-Coe
17. Jimmy Gutierrez
18. Nicole deMoet
19. Shawnda Grady

Reportable Action:

1. The AP voted to approve (78.958% Yes) to pay the Ag Pool's July and August legal invoices.



2022 APPROPRIATIVE POOL VOLUME VOTE
Assessment Year 2021-2022 (Production Year 2020-2021)

**QUORUM
 MET?
 YES**

Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Reallocated	Avail Votes	Quorum	Total Yes
BlueTriton Brands, Inc.	n		1,847	-1,847	0.000	0.000	0.000
CalMat Co. (Appropriative)	n		0.000	0.000	0.000	0.000	0.000
Chino Hills, City Of	y	y	36,004	12,256	48,260	36,004	48,260
Chino, City Of	y	n	55,596	18,925	74,521	55,596	0.000
Cucamonga Valley Water District	y	y	71,996	24,507	96,503	71,996	96,503
Fontana Union Water Company	y	y	58,285	19,840	78,125	58,285	78,125
Fontana Water Company	y	y	75,362	25,653	101,015	75,362	101,015
Fontana, City Of	n		0.000	0.000	0.000	0.000	0.000
Golden State Water Company	y	y	11,066	3,767	14,833	11,066	14,833
Jurupa Community Services District	y	y	91,046	30,991	122,037	91,046	122,037
Marygold Mutual Water Company	n		11,701	-11,701	0.000	0.000	0.000
Monte Vista Irrigation Company	y	n	6,170	2,100	8,270	6,170	0.000
Monte Vista Water District	y	N	95,217	32,411	127,628	95,217	0.000
NCL Co, LLC	n		0.000	0.000	0.000	0.000	0.000
Niagara Bottling, LLC	n		11,928	-11,928	0.000	0.000	0.000
Nicholson Family Trust	y	y	0.035	0.012	0.047	0.035	0.047
Norco, City Of	n		1,840	-1,840	0.000	0.000	0.000
Ontario, City Of	n		220,641	-220,641	0.000	0.000	0.000
Pomona, City Of	y	y	164,866	56,119	220,986	164,866	220,986
San Antonio Water Company	y	y	18,347	6,245	24,592	18,347	24,592
San Bernardino, County of (Shooting Park)	n		0.117	-0.117	0.000	0.000	0.000
Santa Ana River Water Company	y	y	13,060	4,446	17,506	13,060	17,506
Upland, City Of	y	y	40,358	13,738	54,096	40,358	54,096
West End Consolidated Water Co	y	y	8,640	2,941	11,581	8,640	11,581
West Valley Water District	n		5,875	-5,875	0.000	0.000	0.000
			1,000.000	0.000	1,000.000	746.050	789.581

CALCULATE QUORUM	CALCULATE VOTES	"YES" VOTES 78.956%
RESET ALL	RESET VOTES	"NO" VOTES 21.042%

PASSED

- The AP voted to authorize (76.499% Yes) AP legal counsel, John Schatz, to engage appellate counsel as of May 2022 for the appeal of the April 2022 Court order.



2022 APPROPRIATIVE POOL VOLUME VOTE
Assessment Year 2021-2022 (Production Year 2020-2021)

**QUORUM
 MET?
 YES**

Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Reallocated	Avail Votes	Quorum	Total Yes
BlueTriton Brands, Inc.	N		1,847	-1,847	0.000	0.000	0.000
CalMat Co. (Appropriative)	N		0.000	0.000	0.000	0.000	0.000
Chino Hills, City Of	Y	Y	36,004	12,256	48,260	36,004	48,260
Chino, City Of	Y	N	55,596	18,925	74,521	55,596	0.000
Cucamonga Valley Water District	Y	Y	71,996	24,507	96,503	71,996	96,503
Fontana Union Water Company	Y	Y	58,285	19,840	78,125	58,285	78,125
Fontana Water Company	Y	Y	75,362	25,653	101,015	75,362	101,015
Fontana, City Of	N		0.000	0.000	0.000	0.000	0.000
Golden State Water Company	Y	Y	11,066	3,767	14,833	11,066	14,833
Jurupa Community Services District	Y	Y	91,046	30,991	122,037	91,046	122,037
Marygold Mutual Water Company	N		11,701	-11,701	0.000	0.000	0.000
Monte Vista Irrigation Company	Y	N	6,170	2,100	8,270	6,170	0.000
Monte Vista Water District	Y	N	95,217	32,411	127,628	95,217	0.000
NCL Co, LLC	N		0.000	0.000	0.000	0.000	0.000
Niagara Bottling, LLC	N		11,928	-11,928	0.000	0.000	0.000
Nicholson Family Trust	Y	Y	0.035	0.012	0.047	0.035	0.047
Norco, City Of	N		1,840	-1,840	0.000	0.000	0.000
Ontario, City Of	N		220,641	-220,641	0.000	0.000	0.000
Pemona, City Of	Y	Y	164,866	56,119	220,986	164,866	220,986
San Antonio Water Company	Y	N	18,347	6,245	24,592	18,347	0.000
San Bernardino, County of (Shooting Park)	N		0.117	-0.117	0.000	0.000	0.000
Santa Ana River Water Company	Y	Y	13,060	4,446	17,506	13,060	17,506
Upland, City Of	Y	Y	40,358	13,738	54,096	40,358	54,096
West End Consolidated Water Co	Y	Y	8,640	2,941	11,581	8,640	11,581
West Valley Water District	N		5,875	-5,875	0.000	0.000	0.000
			1,000.000	0.000	1,000.000	746.050	764.989

CALCULATE QUORUM	CALCULATE VOTES	"YES" VOTES 76.499%
RESET ALL	RESET VOTES	"NO" VOTES 23.501%

PASSED

Taya Victorino, CAP, OM, PM
 Executive Assistant to the Board of Directors and AGM
 (909) 987-2591



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