

MINUTES
CHINO BASIN WATERMASTER
APPROPRIATIVE POOL COMMITTEE MEETING
June 13, 2024

The Appropriative Pool committee meeting was held at the Watermaster offices located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) on June 13, 2024.

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER

Chris Diggs, Chair	City of Pomona
Eduardo Espinoza for Amanda Coker	Cucamonga Valley Water District
Dave Crosley	City of Chino
Ron Craig	City of Chino Hills
Courtney Jones	City of Ontario
Oscar Ramos for Marty Zvirbulis	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Chris Berch	Jurupa Community Services District
Oscar Ramos for Marty Zvirbulis	Nicholson Family Trust
Teri Layton for Brian Lee	San Antonio Water Company

APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM

Nicole deMoet	City of Upland
Ben Lewis	Golden State Water Company
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
Nicole deMoet	West End Consolidated Water Company

APPROPRIATIVE POOL COMMITTEE LEGAL COUNSEL PRESENT ON ZOOM

John Schatz	John J. Schatz, Attorney at Law
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WATERMASTER BOARD MEMBERS PRESENT ON ZOOM

James Curatalo	Cucamonga Valley Water District
Jimmy Medrano	Agricultural Pool – State of CA
Bob Kuhn	Three Valleys Municipal Water District
Mike Gardner	Western Water

WATERMASTER STAFF PRESENT

Todd Corbin	General Manager
Edgar Tellez Foster	Water Resources Mgmt. & Planning Dir.
Anna Nelson	Director of Administration
Justin Nakano	Water Resources Technical Manager
Frank Yoo	Data Services and Judgment Reporting Mgr.
Daniela Uriarte	Senior Accountant
Alexandria Moore	Executive Assistant I/Board Clerk
Alonso Jurado	Water Resources Associate
Ruby Favela Quintero	Administrative Assistant
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost

WATERMASTER CONSULTANTS PRESENT ON ZOOM

Sodavy Ou	West Yost
Garrett Rapp	West Yost
Veva Weamer	West Yost

OTHERS PRESENT AT WATERMASTER

Natalie Avila	City of Chino
Hye Jin Lee	City of Chino
Chad Nishida	City of Ontario
Melissa Cansino	City of Pomona
Megan Sims	Fontana Union Water Company

OTHERS PRESENT ON ZOOM

John Bosler	Cucamonga Valley Water Company
Rob Hills	Cucamonga Valley Water District
Carmen Varian	Cucamonga Valley Water District
Peter Dopulos	Egoscue Law Group, Inc
Shawnda M. Grady	Ellison Schneider Harris & Donlan
Derek Hoffman	Fennemore Law
John Russ	Inland Empire Utilities Agency
Jesse Pompa	Jurupa Community Services District
Bryan Smith	Jurupa Community Services District
Manny Martinez	Monte Vista Water District
Stephanie Reimer	Monte Vista Water District
Stephanie Reimer	Monte Vista Irrigation Company
Kevin O'Toole	Orange County Water District
Michael Mayer	San Bernardino County – DPW
John Lopez	Santa Ana River Water Company
Bill Wyatt	Sheppard, Mullin, Richter & Hampton
Lewis Callahan	State of CA (Agricultural Pool)
Diana Frederick	State of CA (Agricultural Pool)
Marilyn Levin	State of CA (Agricultural Pool)
David De Jesus	Three Valleys Municipal Water District

CALL TO ORDER

Chair Diggs called the Appropriative Pool Committee meeting to order at 9:00 a.m.

ROLL CALL

(0:00:11) Ms. Moore conducted the roll call and announced that a quorum was present.

AGENDA - ADDITIONS/REORDER

None

I. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine and non-controversial and will be acted upon by one motion in the form listed below. There will be no separate discussion on these items prior to voting unless any members, staff, or the public requests specific items be discussed and/or removed from the Consent Calendar for separate action.

A. MINUTES

Approve as presented:

Minutes of the Appropriative Pool Committee Meeting held on May 9, 2024

B. FINANCIAL REPORTS

Receive and file as presented:
Monthly Financial Report for the Period Ended April 30, 2024

C. APPLICATION: WATER TRANSACTION – 2,000 AF WEST VALLEY WATER DISTRICT TO NIAGARA BOTTLING, LLC

Provide advice and assistance to the Advisory Committee on the proposed transaction.

D. APPLICATION: WATER TRANSACTION – 7,500 AF CUCAMONGA VALLEY WATER DISTRICT TO FONTANA WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction.

E. APPLICATION: WATER TRANSACTION – 3.5 AF NICHOLSON FAMILY TRUST TO FONTANA WATER COMPANY

Provide advice and assistance to the Advisory Committee on the proposed transaction.

F. 2023 ANNUAL REPORT OF THE PRADO BASIN HABITAT SUSTAINABILITY PROGRAM

Recommend Advisory Committee to recommend the Watermaster Board to receive and file.

(00:03:05)

Motion by Mr. Ron Craig, seconded by Mr. Chris Berch, there being no dissent, the item passed unanimously.

Moved to approve the Consent Calendar as presented.

II. BUSINESS ITEMS

None

III. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. May 31, 2024 Court Hearing (Watermaster 46th Annual Report; Semi-Annual OBMP Status Report 2023-2)
2. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
3. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
4. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
5. Kaiser Permanente Lawsuit

(00:03:25) Mr. Herrema gave a report.

B. ENGINEER

1. Chino Creek Monitoring Program
2. 2023 Prado Basin Habitat Sustainability Program Annual Report
3. Data Collection and Evaluation (Presentation)

(01:13:04) Mr. Rapp and Ms. Ou gave a report.

C. GENERAL MANAGER

1. West Yost Associates, Inc. Contract
2. July Meeting Schedule
3. Other

(01:15:26) Mr. Corbin gave a report on the West Yost contract renewal, indicated that Watermaster plans to be dark in July as we have done in the past and informed parties to reach out if they require support for special meetings. He indicated that page 26 of the meeting packet has been improved to include carryover monies, reported on the recent Chino Basin Day event hosted in partnership with IEUA that served to provide the Regional Board with Chino Basin efforts. Finally, he recognized Ms. Marily Levin and congratulated her on her retirement. He stated that she had been a long-time Agricultural Pool Committee member representing the State of CA and has contributed significantly to the management of the Chino Basin groundwater. The Pool members took turns congratulating and thanking Ms. Levin for her service and contributions to the Basin.

IV. INFORMATION

A. CHINO BASIN DAY

V. POOL MEMBER COMMENTS

Ms. Layton with San Antonio Water Company announced their 17th Annual Clean-Up Day event and invited everyone to join in on October 12, 2024 from 8:30am to 11:00 a.m. and indicated she would leave flyers on the back ta

VI. OTHER BUSINESS

None

VII. CONFIDENTIAL SESSION – POSSIBLE ACTION

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

The Pool convened into confidential session at 10:05 a.m. to discuss AP Business.

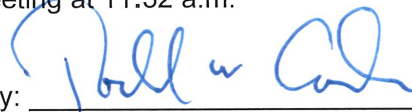
(01:18:26) Confidential session concluded at 11:28 a.m. with the reportable action as shown below:

1. *Motion: To approve AG legal bill as follows:
\$17,850.00 for general counsel – June 2024 Invoice (May 2024 billing)
**A motion to pass was initiated by Cris Fealy (FWC), seconded by Chris Berch (JCSD):
The motion passed with 64.237% votes in favor.***
2. *Motion to file for fee recovery with the court for all unpaid invoices from the City of Ontario, City of Chino, Monte Vista Water District, and Monte Vista Irrigation Co.:
A motion to pass was initiated by Ron Craig (FWC), seconded by Chris Diggs (Pomona): The motion passed with 64.237% in favor.*

ADJOURNMENT

Chair Diggs adjourned the Appropriative Pool Committee meeting at 11:32 a.m.

Secretary: _____



Approved: _____

August 8, 2024

Attachments:

1. 20240613 Appropriative Pool Committee Meeting (Reportable Action from Confidential Session as provided by Pool Leadership.)

ATTACHMENT 1

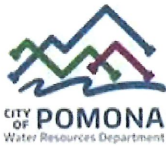
From: [Cansino, Melissa](#)
To: [Ruby Favela Quintero](#)
Subject: FW: AP Closed Session Meeting - Reportable Items 6/13/24
Date: Monday, July 29, 2024 1:45:37 PM
Attachments: [image007.png](#)
[image004.png](#)
[Sign-in Sheet 6-13-24.pdf](#)
[6-13-24 Zoom.pdf](#)

Hi Ruby,

Please see below for reportable actions.

Thank you,

Melissa Cansino
Water Conservation Specialist | Water Resources Department
752 W. Commercial St., Pomona, CA 91768
T: (909) 620-2236 | M: (909) 630-4985
Melissa.Cansino@pomonaca.gov



From: Cansino, Melissa
Sent: Thursday, June 13, 2024 4:20 PM
To: 'Alexandria Moore' <amoore@cbwm.org>
Cc: Diggs, Chris <Chris.Diggs@pomonaca.gov>
Subject: AP Closed Session Meeting - Reportable Items 6/13/24

Hi Alex,

The AP held its closed session meeting from 10:05 AM to 11:28 AM. I've attached the sign-in sheets for your reference.

1. Motion to approve the AG legal bill:

\$17,850.00 for general counsel - June 2024 Invoice (May 2024 billing)
Motion made by Cris Fealy (FWC), seconded by Chris Berch (JCSD): Passed with 64.237% in favor.



2024 APPROPRIATIVE POOL VOLUME VOTE
Assessment Year 2023-2024 (Production Year 2022-2023)

QUORUM
MET?
YES

Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Avail Votes	Quorum	Total Yes
BlueTriton Brands, Inc.	N		2,071	0.000	0.000	0.000
CalMet Co. (Appropriative)	N		0.000	0.000	0.000	0.000
Chino Hills, City Of	Y	Y	35,552	35,552	35,552	35,552
Chino, City Of	Y	N	60,087	60,087	60,087	0.000
Cucamonga Valley Water District	Y	Y	134,181	134,181	134,181	134,181
Fontana Union Water Company	Y	Y	58,285	58,285	58,285	58,285
Fontana Water Company	Y	Y	65,299	65,299	65,299	65,299
Fontana, City Of	N		0.000	0.000	0.000	0.000
Golden State Water Company	Y	Y	10,650	10,650	10,650	10,650
Jurupa Community Services District	Y	Y	72,381	72,381	72,381	72,381
Marygold Mutual Water Company	N		10,165	0.000	0.000	0.000
Monte Vista Irrigation Company	Y	N	6,170	6,170	6,170	0.000
Monte Vista Water District	Y	N	82,656	82,656	82,656	0.000
NCL Co, LLC	N		0.000	0.000	0.000	0.000
Niagara Bottling, LLC	N		10,492	0.000	0.000	0.000
Nicholson Family Trust	Y	Y	0.035	0.035	0.035	0.035
Norco, City Of	N		1,840	0.000	0.000	0.000
Ontario, City Of	Y	N	197,785	197,785	197,785	0.000
Pomona, City Of	Y	Y	178,611	178,611	178,611	178,611
San Antonio Water Company	Y	Y	17,176	17,176	17,176	17,176
San Bernardino, County of (Shooting Park)	N		0.132	0.000	0.000	0.000
Santa Ana River Water Company	Y	Y	11,865	11,865	11,865	11,865
Upland, City Of	Y	Y	30,053	30,053	30,053	30,053
West End Consolidated Water Co	Y	Y	8,640	8,640	8,640	8,640
West Valley Water District	N		5,875	0.000	0.000	0.000
			1,000,000	960,425	969,425	622,729

CALCULATE
QUORUM

CALCULATE
VOTES

"YES" VOTES
64.237%

RESET ALL

RESET VOTES

"NO" VOTES
35.763%

PASSED

2. Motion to file for fee recovery with the court for all unpaid invoices from the City of Ontario, City of Chino, Monte Vista Water District, and Monte Vista Irrigation Co.:

Motion made by Ron Craig (FWC), seconded by Chris Diggs (Pomona): Passed with 64.237% in favor.



2024 APPROPRIATIVE POOL VOLUME VOTE
Assessment Year 2023-2024 (Production Year 2022-2023)

QUORUM
MET?
YES

Enter Y or N in Each Cell

Party	Present (Y/N)	Vote (Y/N)	Assigned	Avail Votes	Quorum	Total Yes
BlueTriton Brands, Inc.	N		2,071	0.000	0.000	0.000
CapMat Co. (Appropriative)	N		0.000	0.000	0.000	0.000
Chino Hills, City Of	Y	Y	35,552	35,552	35,552	35,552
Chino, City Of	Y	N	60,087	60,087	60,087	0.000
Cucamonga Valley Water District	Y	Y	134,181	134,181	134,181	134,181
Fontana Union Water Company	Y	Y	58,285	58,285	58,285	58,285
Fontana Water Company	Y	Y	65,299	65,299	65,299	65,299
Fontana, City Of	N		0.000	0.000	0.000	0.000
Golden State Water Company	Y	Y	10,650	10,650	10,650	10,650
Jurupa Community Services District	Y	Y	72,381	72,381	72,381	72,381
Marygold Mutual Water Company	N		10,165	0.000	0.000	0.000
Monte Vista Irrigation Company	Y	N	6,170	6,170	6,170	0.000
Monte Vista Water District	Y	N	82,656	82,656	82,656	0.000
NEL Co, LLC	N		0.000	0.000	0.000	0.000
Niagara Bottling, LLC	N		10,492	0.000	0.000	0.000
Nicholson Family Trust	Y	Y	0.035	0.035	0.035	0.035
Norco, City Of	N		1,840	0.000	0.000	0.000
Ontario, City Of	Y	N	197,785	197,785	197,785	0.000
Pomona, City Of	Y	Y	178,611	178,611	178,611	178,611
San Antonio Water Company	Y	Y	17,176	17,176	17,176	17,176
San Bernardino, County of (Shooting Park)	N		0.132	0.000	0.000	0.000
Santa Ana River Water Company	Y	Y	11,865	11,865	11,865	11,865
Upland, City Of	Y	Y	30,053	30,053	30,053	30,053
West End Consolidated Water Co	Y	Y	8,640	8,640	8,640	8,640
West Valley Water District	N		5,875	0.000	0.000	0.000
			1,000,000	969,425	969,425	622,729

CALCULATE
QUORUM

CALCULATE
VOTES

YES VOTES
64.237%

RESET ALL

RESET VOTES

NO VOTES
35.763%

PASSED

Melissa Cansino
Water Conservation Specialist | Water Resources Department
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