

**MINUTES**  
**CHINO BASIN WATERMASTER**  
**APPROPRIATIVE POOL COMMITTEE MEETING**  
August 8, 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 August 8, 2024.

**APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT AT WATERMASTER**

Chris Diggs, Chair	City of Pomona
Eduardo Espinoza	Cucamonga Valley Water District
Dave Crosley	City of Chino
Ron Craig	City of Chino Hills
Courtney Jones	City of Ontario
Megan Sims	Fontana Union Water Company
Cris Fealy	Fontana Water Company
Chris Berch	Jurupa Community Services District
Brian Lee	San Antonio Water Company

**APPROPRIATIVE POOL COMMITTEE MEMBERS PRESENT ON ZOOM**

Ben Lewis	Golden State Water Company
Justin Scott-Coe	Monte Vista Irrigation Company
Justin Scott-Coe	Monte Vista Water District
John Lopez	Santa Ana River Water Company

**APPROPRIATIVE POOL COMMITTEE LEGAL COUNSEL PRESENT ON ZOOM**

John J. Schatz	John J. Schatz, Attorney at Law
----------------	---------------------------------

**WATERMASTER BOARD MEMBERS PRESENT ON ZOOM**

James Curatalo	Cucamonga Valley Water District
Jimmy Medrano	Agricultural Pool – State of CA
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
Alonso Jurado	Water Resources Associate
Ruby Favela Quintero	Administrative Assistant
Jordan Garcia	Senior Field Operations Specialist
Erik Vides	Field Operations Specialist

**WATERMASTER CONSULTANTS PRESENT ON ZOOM**

Laura Yraceburu	Brownstein Hyatt Farber Schreck, LLP
Garrett Rapp	West Yost

**OTHERS PRESENT AT WATERMASTER**

Natalie Avila  
Hye Jin Lee  
Chad Nishida  
Melissa Cansino

City of Chino  
City of Chino  
City of Ontario  
City of Pomona

**OTHERS PRESENT ON ZOOM**

Eunice Ulloa  
Brett Godown  
Rob Hills  
Jiwon Seung  
Peter Dopolos  
Shawnda M. Grady  
Derek Hoffman  
Justin Castruita  
Eddie Lin  
William McDonald  
John Russ  
Michael Hurley  
Jesse Pompa  
Bryan Smith  
Kevin O'Toole  
Bill Wyatt  
Tariq Awan  
Diana Frederick  
David De Jesus  
Joshua Aguilar  
Jim Van de Water  
Jake Loukeh

Chino Basin Water Conservation District  
County of San Bernardino, Department of Airport  
Cucamonga Valley Water District  
Cucamonga Valley Water District  
Egoscue Law Group, Inc.  
Ellison Schneider Harris & Donlan  
Fennemore Law  
Fontana Water Company  
Inland Empire Utilities Agency  
Inland Empire Utilities Agency<sup>1</sup>  
Inland Empire Utilities Agency  
Inland Empire Utilities Agency  
Jurupa Community Services District  
Jurupa Community Services District  
Orange County Water District  
Sheppard, Mullin, Richter & Hampton  
State of CA (Agricultural Pool)  
State of CA (Agricultural Pool)  
Three Valleys Municipal Water District  
Western Water  
Thomas Harder & Company  
Western Water

**CALL TO ORDER**

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

**ROLL CALL**

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

**AGENDA - ADDITIONS/REORDER**

None

**SAFETY MINUTE**

(0:01:45) Mr. Corbin prefaced the item and announced Watermaster's evacuation plan.

**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:

1. Minutes of the Appropriative Pool Committee Meeting held on June 13, 2024

2. Minutes of the Appropriative Pool Committee Special meeting held on July 15, 2024

**B. FINANCIAL REPORTS**

Receive and file as presented:

Monthly Financial Reports for the Periods Ended May 31, 2024 and June 30, 2024

**C. APPLICATION: WATER TRANSACTION – 708.3 AF WEST END CONSOLIDATED WATER COMPANY TO CITY OF UPLAND**

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

**D. APPLICATION: WATER TRANSACTION – 66.4 AF WEST END CONSOLIDATED WATER COMPANY TO GOLDEN STATE WATER COMPANY**

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

**E. APPLICATION: WATER TRANSACTION – 270 AF CITY OF UPLAND TO GOLDEN STATE WATER COMPANY**

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

(00:03:52)

*Motion by Mr. Cris Fealy, seconded by Ms. Amanda Coker, there being no dissent, the item passed unanimously.*

***Moved to approve the Consent Calendar as presented.***

**II. BUSINESS ITEMS**

**A. 2022 SAFE YIELD METHODOLOGY (INFORMATION ONLY)**

(00:04:15) Mr. Corbin invited Mr. Tellez Foster to give a presentation. A discussion ensued.

**B. WATER RIGHTS AND REPLENISHMENT FORECASTING TOOL (INFORMATION ONLY)**

(01:17:05) Mr. Corbin invited Mr. Garrett Rapp of West Yost to give a demonstration of the forecasting tool. The Pool expressed appreciation and support for the tool. A discussion ensued.

**C. TASK ORDERS AND PROJECT MANAGEMENT FOR ENGINEERING SERVICES (INFORMATION ONLY)**

(01:33:18) Mr. Corbin gave a report and presented the project matrix.

**III. REPORTS/UPDATES**

**A. WATERMASTER LEGAL COUNSEL**

1. August 22, 2024 Court Hearing (Appropriative Pool Motion for Costs and Fees)
2. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021-22 and 2022-23 Assessment Packages)
3. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
4. Kaiser Permanente Lawsuit

(01:41:05) Ms. Yraceburu gave a report.

**B. ENGINEER**

1. Data Collection & Evaluation (Response to Comments)
2. 2025 Safe Yield Reevaluation

(01:41:40) Mr. Rapp of West Yost gave a presentation on item 1 and a report on item 2.

**C. GENERAL MANAGER**

1. Board Requested Recharge Analysis
2. Other

(02:15:40) Mr. Corbin prefaced and invited Mr. Nakano to report on item 1.

**IV. INFORMATION**

**A. RECHARGE INVESTIGATION AND PROJECTS COMMITTEE**

(02:16:45) Mr. Nakano gave a report.

**V. POOL MEMBER COMMENTS**

None

**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.

Chair Diggs called for a confidential session at 11:19 a.m. to discuss Pool business. Confidential session concluded at 12:45 p.m. with the following reportable actions as follows:

**Motion 1:** To accept the settlement agreement provided by Chino and to offer the same terms to Monte Vista and Ontario by the close of business on Friday, August 9, 2024. Monte Vista and Ontario must notify AP Chair Chris Diggs or Attorney John Schatz if they accept the settlement agreement by the close of business on Friday, August 9, 2024.

Revisions to the settlement agreement are as follows:

1. **Item 1: Settlement Payment:** Chino agrees to pay \$31,380.51, and the second amount of \$36,321.00 to the AP's general account for pool expenses, covering full payment of AP general expenses to date.
2. **Item 4: General Releases:** Attorney Jimmy Gutierrez and John Schatz will revise Item 4 of the General Release to include language from Ontario and Monte Vista, specifying that claims arising out of Watermaster issues being released are only those against the AP pool or its members pertaining to Watermaster issues or judgment issues.

The AP pool members to accept Chino's offer and incorporate the language suggested by Ontario, with John and Jimmy working on crafting this language. This offer will also be extended to Monte Vista until the close of business on Friday, August 9, 2024.

***Motion made by Eduardo Espinoza (CVWD), seconded by Cris Fealy (FWC): Passed with 67.597% in favor.***

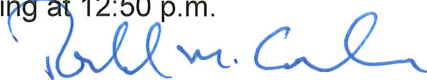
**Motion 2:** Approval of the AG legal bill as outlined below:

\$11,600.00 for general counsel – July 2024 Invoice (June 2024 billing)

***Chris Berch (JCSD) initiated the motion, which was seconded by Chris Diggs (Pomona). The motion was unanimously approved, with 100% of the votes in favor.***

**ADJOURNMENT**

Chair Diggs adjourned the Appropriative Pool Committee meeting at 12:50 p.m.

Secretary: 

Approved: September 12, 2024

Attachments:

1. 20240808 Appropriative Pool Committee Meeting (Reportable Action from Confidential Session as provided by Pool Leadership.)

**Anna Nelson**

---

**From:** Cansino, Melissa <Melissa.Cansino@pomona.gov>  
**Sent:** Thursday, August 8, 2024 5:27 PM  
**To:** Ruby Favela Quintero  
**Cc:** Anna Nelson; Diggs, Chris; Chris Berch; John Schatz  
**Subject:** AP Closed Session Meeting - 8-8-24 (2- reportable items)  
**Attachments:** 8-8-24 Sign-in Sheet.pdf; 8-8-24 Zoom Sign-in Sheet.pdf

Hi Ruby,

The AP held its closed session from 11:26 am to 12:35 pm. I've attached the sign-in sheets for your reference.

1. **Motion:** To accept the settlement agreement provided by Chino and to offer the same terms to Monte Vista and Ontario by the close of business on Friday, August 9, 2024. Monte Vista and Ontario must notify AP Chair Chris Diggs or Attorney John Schatz if they accept the settlement agreement by the close of business on Friday, August 9, 2024.

Revisions to the settlement agreement are as follows:

1. **Item 1: Settlement Payment:** Chino agrees to pay \$31,380.51, and the second amount of \$36,321.00 to the AP's general account for pool expenses, covering full payment of AP general expenses to date.
2. **Item 4: General Releases:** Attorney Jimmy Gutierrez and John Schatz will revise Item 4 of the General Release to include language from Ontario and Monte Vista, specifying that claims arising out of Water Master issues being released are only those against the AP pool or its members pertaining to Water Master issues or judgment issues.

The AP pool members to accept Chino's offer and incorporate the language suggested by Ontario, with John and Jimmy working on crafting this language. This offer will also be extended to Monte Vista until the close of business on Friday, August 9, 2024.

- **Motion made by Eduardo Espinoza (CVWD), seconded by Cris Fealy (FWC): Passed with 67.597% 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	N		35,552	0.000	0.000	0.000
Chino, City Of	Y	Y	60,087	60,087	60,087	60,087
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	N		10,650	0.000	0.000	0.000
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	N		30,053	0.000	0.000	0.000
West End Consolidated Water Co	N		8,640	0.000	0.000	0.000
West Valley Water District	N		5,875	0.000	0.000	0.000
			<b>1,000,000</b>	<b>884,530</b>	<b>884,530</b>	<b>597,919</b>

**CALCULATE  
 QUORUM**

**CALCULATE  
 VOTES**

**YES VOTES**  
 67.597%

**RESET ALL**

**RESET VOTES**

**NO VOTES**  
 32.403%

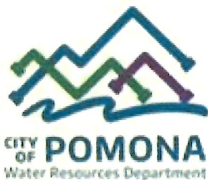
**PASSED**

**2. Motion:** Approval of the AG legal bill as outlined below:

\$11,600.00 for general counsel – July 2024 Invoice (June 2024 billing)

**Chris Berch (JCSD) initiated the motion, which was seconded by Chris Diggs (Pomona). The motion was unanimously approved, with 100% of the votes in favor.**

**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](mailto:Melissa.Cansino@pomonaca.gov)





## 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
CalMat Co. (Appropriative)	N		0.000	0.000	0.000	0.000
Chino Hills, City Of	N		35.552	0.000	0.000	0.000
Chino, City Of	Y	Y	60.087	60.087	60.087	60.087
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	N		10.650	0.000	0.000	0.000
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	N		30.053	0.000	0.000	0.000
West End Consolidated Water Co	N		8.640	0.000	0.000	0.000
West Valley Water District	N		5.875	0.000	0.000	0.000
			<b>1,000.000</b>	<b>884.530</b>	<b>884.530</b>	<b>597.919</b>

**"YES" VOTES**  
67.597%

**"NO" VOTES**  
32.403%

PASSED

**CALCULATE  
QUORUM**

**CALCULATE  
VOTES**

**RESET ALL**

**RESET VOTES**