

***Minutes***  
**CHINO BASIN WATERMASTER**  
**WATERMASTER BOARD MEETING**

*April 24, 2008*

The Annual Watermaster Board Meeting was held at the offices of the Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on April 24, 2008 at 11:00 a.m.

**WATERMASTER BOARD MEMBERS PRESENT**

Ken Willis, Chair	City of Upland
David DeJesus	Three Valleys Municipal Water District
John Rossi	Western Municipal Water District
Jim Bowman	City of Ontario
Kathy Tiegs	Cucamonga Valley Water District
Terry Catlin	Inland Empire Utilities Agency
Bob Bowcock	Vulcan Materials Company
Paul Hofer	Agricultural Pool
Geoffrey Vanden Heuvel	Agricultural Pool

**Watermaster Staff Present**

Kenneth R. Manning	Chief Executive Officer
Sheri Rojo	CFO/Asst. General Manager
Gordon Treweek	Project Engineer
Danielle Maurizio	Senior Engineer
Sherri Lynne Molino	Recording Secretary

**Watermaster Consultants Present**

Scott Slater	Brownstein, Hyatt, Farber & Schreck
Michael Fife	Brownstein, Hyatt, Farber & Schreck
Mark Wildermuth	Wildermuth Environmental, Inc.
Tom McCarthy	Wildermuth Environmental, Inc.

**Others Present**

Dave Crosley	City of Chino Basin Watermaster
Eunice Ulloa	Chino Basin Water Conservation District
Robert Tock	Jurupa Community Services District
Jeff Pierson	Ag Pool – Crops
Sandra Rose	Monte Vista Water Company
Jennifer Novak	Ag Pool – State of California
Raul Garibay	City of Pomona
Ken Jeske	City of Ontario
Dan Bott	Orange County Water District

The Watermaster Board Meeting was called to order by Chair Willis at 11:05 a.m.

**PLEDGE OF ALLEGIANCE**

**AGENDA - ADDITIONS/REORDER**

There were no additions or reorders made to the agenda.

**I. CONSENT CALENDAR****A. MINUTES**

1. Minutes of the Watermaster Board Meeting held March 27, 2008
2. Minutes of the Watermaster Board/Advisory Committee Conference Call held March 31, 2008

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of March 2008
2. Watermaster Visa Check Detail
3. Combining Schedule for the Period July 1, 2007 through February 29, 2008
4. Treasurer's Report of Financial Affairs for the Period February 1, 2008 through February 29, 2008
5. Budget vs. Actual July 2007 through January 2008

*Motion by Bowman, second by Catlin, and by unanimous vote*

***Moved to approve consent calendar items A and B as presented***

**II. BUSINESS ITEMS****A. PROPOSED BUDGET TRANSFER REQUEST**

Mr. Manning stated this item was presented last month and that the Appropriative and Non-Agricultural Pool meeting staff was directed to hold the item over until a conversation could be held between members of the Appropriative Pool and the Agricultural Pool. That meeting did take place and no recommendation was received as a result of that meeting. A motion was made at the March Agricultural Pool which designated \$50,000 for the budget transfer. Since that meeting staff has reviewed the Agricultural Pool Legal and Technical invoices that have been submitted to Watermaster and have analyzed them going forward to the end of the year and staff believes \$35,000 is an appropriate amount to seek approval for a budget transfer at this time. Mr. Manning stated all Pools have agreed to the new projected amount.

*Motion by Vanden Heuvel, second by Catlin, and by unanimous vote*

***Moved to approve the budget transfer request in the amount of \$35,000 for the Agricultural Pool legal and technical expenses, as presented***

**III. REPORTS/UPDATES****A. WATERMASTER GENERAL LEGAL COUNSEL REPORT****1. Hanson Aggregates**

Counsel Slater stated this item is regarding the discharge of silt into the Lower Day Basin. As a result, a complaint has been filed by Chino Basin Watermaster and served on Hanson Aggregates. A mediation session was held last week which did not produce a settlement. A case management conference took place on April 18, 2008 and at the conference the judge instructed the parties to move into the discovery process and scheduled another case conference for a few months out. Considering what happens between now and the case conference the judge will consider scheduling a trial date last this year or the beginning of next year. A discussion regarding this matter ensued and it was decided further discussion regarding this item will take place at the closed session scheduled at the end of the meeting.

**2. May 1<sup>st</sup> 2008 Hearing and Associated Pleadings**

Counsel Slater stated there is a court ordered hearing scheduled for May 1, 2008. That hearing was scheduled in the court's December 21, 2007 order of proving the Peace II measures. The purpose of the hearing is to verify the adequacy of Watermaster's filings. A report was prepared by the Special Referee with regard to those filings; who appears to be satisfied with the filings. The Special Referee did make an observation regarding a discrepancy in a table and suggested that Watermaster prepare a new and independent motion in order to have the conditions approved on May 1, 2008. The Special Referee made some comments with regard to the CEQA process. Watermaster has prepared a

draft pleading which has been circulated and counsel is receiving comments on that pleading. Counsel Slater reviewed the draft pleading. A discussion ensued with regard to this matter and it was decided line 6 through 8 of the pleading would be removed. Counsel Slater asked that the members make a motion to add this item to the agenda so that a motion can be made regarding this change.

*Motion by Vanden Heuvel, second by DeJesus, and by unanimous vote*  
**Moved to add this item to the agenda, as presented**

*Motion by Vanden Heuvel, second by DeJesus, and by unanimous vote*  
**Moved to remove lines 6 through 8 on the pleading, as presented**

Counsel Slater reviewed Monte Vista Water District's (MVWD) pleading that was filed regarding conditions subsequent 3 and 4. Counsel Slater stated counsel and staff have drafted a stipulation with regard to MVWD's pleading. Counsel Slater reviewed Watermaster's stipulation and a discussion ensued with regard to the situation. It was decided that Counsel Slater, Mr. Kidman, and Mr. Kinsey would be dismissed from the Watermaster Board meeting to discuss and come to a conclusion regarding the language of the stipulation. Counsel Slater commented on the motion made by the Advisory Committee's meeting this morning. Counsel Slater read the changes made to the stipulation which was agreed upon to by MVWD and their counsel.

*Motion by Vanden Heuvel, second by Willis, and by unanimous vote*  
**Moved to add this item to the agenda, as presented**

A lengthy discussion regarding this issue ensued.

*Motion by Vanden Heuvel, second by DeJesus, and by unanimous vote*  
**Moved to authorize the changes agreed to by Monte Vista Water District to the Watermaster stipulation regarding the MVWD pleading filed on conditions subsequent 3 and 4, as presented**

## **B. ENGINEERING UPDATES**

1. Hydraulic Control Monitoring Program Report  
Mr. Wildermuth stated one of the items budgeted in the Watermaster budget is for Hydraulic Control; last month there was a presentation on the current monitoring status. On April 15, 2008 the results were filed with the Regional Water Quality Control Board. Along with filing that report, a meeting took place to discuss reducing the scope of that monitoring. The Regional Board asked for a proposal to extend the time frame of filing that report so that it is not done every year but maybe every other year or even every few years. This will reduce to costs for this monitoring program.
2. Chino Creek Well Field, Test Well Site  
Mr. Wildermuth stated Watermaster staff has assisted the parties to establish where those well sites should be located. That effort has been completed in early April and there are some discussions about moving the well fields. Mr. Manning offered comment on the locations of the new test well fields and noted a 30 day extension has been placed on this project for parties to have more input.
3. Conditions Subsequent No. 5 and 6  
Mr. Wildermuth stated condition subsequent no. 5 is the preparation of a report that is submitted to the court that describes the Recharge Master Plan update. On March 28, 2008, the inaugural meeting of the group took place to develop a scope and content of that update. A strawman proposal was prepared and distributed to the parties for review. A meeting will be held today to discuss the Strawman proposal. Mr. Wildermuth stated conditions subsequent no. 6 deals with the definition of Hydraulic Control which is being

requested by the court to provide some clarity. This is a technical question and staff has had a few meetings with the Regional Board staff and a Strawman report needs to be prepared for them. A discussion regarding this matter ensued. Mr. Wildermuth stated he will come back at another meeting with a clearer graphical form to more clearly explain the process.

### **C. FINANCIAL REPORT**

#### **1. Financial Update**

Ms. Rojo stated a Budget Ad-Hoc Committee meeting was held recently and the participants included board members and pool members. The budget categories were reviewed and discussed for the next fiscal year. The scheduling of work, and who performs what tasks and the budgeted costs of the categories was reviewed in detail. It was noted that Watermaster appeared to be on task and that another meeting does not need to be scheduled. The Watermaster Budget Workshop has been scheduled for April 29, 2008 at 10:00 a.m. Mr. Vanden Heuvel offered comment on the recent Budget Ad-Hoc Committee meeting.

### **D. CEO/STAFF REPORT**

#### **1. Legislative Update**

Mr. Manning stated he went to Sacramento yesterday and met with the GRA and the California Groundwater Collation. Mr. Manning was able to speak with several legislators regarding recycling bills and noted the discussions went very well.

#### **2. Recharge Update**

Mr. Manning noted the recharge spread sheet is available on the back table for review.

Added Comment:

Mr. Manning stated the most current add-ons regarding Peace II are now available on the back table and in your meeting folders to add into your small three ring Watermaster binder. Watermaster is making extra copies of full binders for the Agricultural Pool who stated they never received them. Mr. Manning stated there is a Recharge Master Plan meeting scheduled for today directly after lunch and noted the due date to submit this plan is July 1, 2008.

### **IV. INFORMATION**

#### **1. Newspaper Articles**

No comment was made regarding this item.

### **V. BOARD MEMBER COMMENTS**

Mr. Hofer offered comment on the current prison system.

### **VI. OTHER BUSINESS**

No comment was made regarding this item.

The regular Board meeting was dismissed at 12:15 p.m. to convene the Confidential Session

### **VII. CONFIDENTIAL SESSION - POSSIBLE ACTION**

No comment was made regarding this item.

### **VIII. FUTURE MEETINGS**

April 10, 2008	10:00 a.m.	Joint Appropriative & Non-Agricultural Pool Meeting
April 15, 2008	9:00 a.m.	Agricultural Pool Meeting @ IEUA
April 24, 2008	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
April 24, 2008	9:00 a.m.	Advisory Committee Meeting
April 24, 2008	11:00 a.m.	Watermaster Board Meeting

April 24, 2008	1:00 p.m.	Recharge Master Plan Meeting
April 29, 2008	10:00 a.m.	CBWM Budget Workshop
<b>* May 15, 2008</b>	<b>10:00 a.m.</b>	<b>Joint Appropriative &amp; Non-Agricultural Pool Meeting</b>
May 20, 2008	9:00 a.m.	Agricultural Pool Meeting @ IEUA
May 22, 2008	8:00 a.m.	IEUA Dry Year Yield Meeting @ CBWM
May 22, 2008	9:00 a.m.	Advisory Committee Meeting
May 22, 2008	11:00 a.m.	Watermaster Board Meeting

**\* Note:** App & Non-Ag Meeting has changed from May 8, 2008 to **May 15, 2008**

The Watermaster Board meeting was dismissed by Chair Willis at 12:35 p.m.

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

Minutes Approved: \_\_\_\_\_