

# CHINO BASIN WATERMASTER



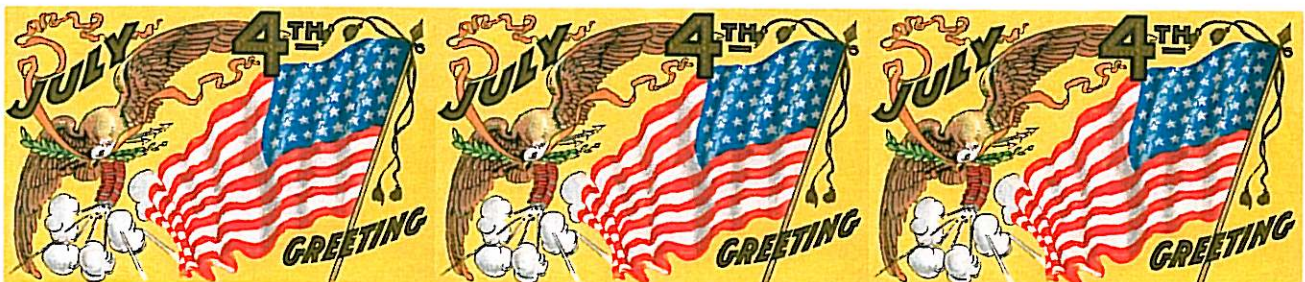
## NOTICE OF MEETINGS

Thursday, July 1, 2010

1:00 p.m. – Appropriative Pool Meeting

*AT THE CHINO BASIN WATERMASTER OFFICES*

9641 San Bernardino Road  
Rancho Cucamonga, CA 91730  
(909) 484-3888





# **CHINO BASIN WATERMASTER**

**Thursday, July 1, 2010**

1:00 p.m. – Appropriative Pool Meeting

## **AGENDA PACKAGE**



**CHINO BASIN WATERMASTER  
APPROPRIATIVE POOL MEETING**

**1:00 p.m. – July 1, 2010**

*Mr. Mark Kinsey, Chair, Appropriative Pool  
Mr. John Mura, Vice-Chair, Appropriative Pool*

**At The Offices Of**

**Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730**

**AGENDA**

**CALL TO ORDER**

**AGENDA - ADDITIONS/REORDER**

**I. CONSENT CALENDAR**

**Note: 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**

1. Minutes of the Appropriative Pool Meeting held June 3, 2010 *(Page 1)*

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of May 2010 *(Page 7)*
2. Watermaster Visa Check Detail for the month of May 2010 *(Page 11)*
3. Combining Schedule for the Period July 1, 2009 through May 31, 2010 *(Page 13)*
4. Treasurer's Report of Financial Affairs for the Period May 1, 2010 through May 31, 2010 *(Page 15)*
5. Budget vs. Actual July 2009 through May 2010 *(Page 17)*

**C. WATER TRANSACTION**

1. **Consider Approval for Notice of Sale or Transfer** – Cucamonga Valley Water District is purchasing 500 acre-feet of water from West Valley Water District. This purchase is made from WVWD's water in storage and is to be placed in CVWD's Excess Carryover Account – Date of Application: June 14, 2010 *(Page 19)*
2. **Consider Approval for Notice of Sale or Transfer** – The lease and/or purchase of 765 acre-feet from San Antonio Water Company to the City of Ontario. This lease is made first from San Antonio's net under-production in Fiscal Year 2009-2010, with any remainder to be recaptured from storage – Date of Application: June 21, 2010 *(Page 31)*
3. **Consider Approval for Notice of Sale or Transfer** – Monte Vista Water District is purchasing 19.245 acre-feet of water from the San Antonio Water Company. This purchase is made first from San Antonio's net underproduction, if any, in Fiscal Year 2009-2010, with any remainder to be recaptured from storage – Date of Application: June 7, 2010 *(Page 43)*

- 4. **Consider Approval for Notice of Sale or Transfer – Fontana Water Company**  
 (“Company”) has agreed to purchase from The Nicholson Trust annual production right in the amount of 6.082 acre-feet to satisfy a portion of the Company’s anticipated Chino Basin replenishment obligation for Fiscal Year 2009/2010 – Date of Application: June 23, 2010  
*(Page 55)*

**D. LOCAL STORAGE AGREEMENT**

Notice of Application for a Local Storage Agreement – The City of Fontana (“City”) has submitted an application for a Local Storage Agreement for 5,000 acre-feet to be placed into an Excess Carryover Account – Date of Application: May 18, 2010 *(Page 64)*

**II. REPORTS/UPDATES**

**A. WATERMASTER GENERAL LEGAL COUNSEL REPORT**

- 1. Paragraph 31 Motion
- 2. CDA Facilitation
- 3. Policy Manual / Database Management
- 4. Non-Agricultural Pool Volume Vote Changes

**B. CEO/STAFF REPORT**

- 1. Legislative Update
- 2. Recharge Update

**III. INFORMATION**

- 1. Newspaper Articles *(Page 76)*

**IV. POOL MEMBER COMMENTS**

**V. OTHER BUSINESS**

**VI. 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.

**VII. FUTURE MEETINGS**

Thursday, July 1, 2010	1:00 p.m.	Appropriative Pool Meeting @ CBWM
Thursday, July 1, 2010	2:30 p.m.	Non-Agricultural Pool Meeting @ CBWM
Thursday, July 8, 2010	9:00 a.m.	Agricultural Pool Meeting @ IEUA
Thursday, July 15, 2010	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, July 15, 2010	9:00 a.m.	Advisory Committee Meeting @ CBWM
Thursday, July 22, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM
Tuesday, July 27, 2010	9:00 a.m.	GRCC Technical Committee Meeting @ CBWM

**Meeting Adjourn**



# CHINO BASIN WATERMASTER

## I. CONSENT CALENDAR

### A. MINUTES

1. Appropriative Pool Meeting held on June 3, 2010



**Draft Minutes**  
**CHINO BASIN WATERMASTER**  
**APPROPRIATIVE POOL MEETING**  
June 3, 2010

The Appropriative Pool Meeting was held at the offices of Chino Basin Watermaster, 9641 San Bernardino Road, Rancho Cucamonga, CA, on June 3, 2010 at 1:00 p.m.

**APPROPRIATIVE POOL MEMBERS PRESENT WHO SIGNED IN**

Mark Kinsey, Chair	Monte Vista Water District
Ken Jeske	City of Ontario
Marty Zvirbulis	Cucamonga Valley Water District
Josh Swift	Fontana Water Company
Charles Moorrees	San Antonio Water Company
Raul Garibay	City of Pomona
Tom Harder	Jurupa Community Services District
Dave Crosley	City of Chino
John Mura	City of Chino Hills
Shaun Stone	City of Upland

**Watermaster Board Members Present**

Michael Camacho	Inland Empire Utilities Agency
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**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
Mark Wildermuth	Wildermuth Environmental Inc.
Andy Malone	Wildermuth Environmental Inc.

**Others Present Who Signed In**

Ryan Shaw	Inland Empire Utilities Agency
Marv Shaw	City of Ontario

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

**AGENDA - ADDITIONS/REORDER**

Chair Kinsey stated it has been requested by legal counsel that we reorder the agenda to move confidential session/possible action up before we take any action on any of the items; unless there is an objection we will reorder the agenda and for that item to come first at 1:02 p.m.

**I. CONSENT CALENDAR**

**A. MINUTES**

1. Minutes of the Appropriative Pool Meeting held May 13, 2010

**B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of April 2010
2. Watermaster Visa Check Detail for the month of April 2010
3. Combining Schedule for the Period July 1, 2009 through April 30, 2010
4. Treasurer's Report of Financial Affairs for the Period April 1, 2010 through April 30, 2010
5. Budget vs. Actual July 2009 through April 2010

**C. LOCAL AGENCY INVESTMENT FUND**

Revised Resolution 10-02 – Resolution Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF)

*Motion by Jeske, second by Zvirbulis, and by unanimous vote*

***Moved to approve Consent Calendar items A through C, as presented***

**II. BUSINESS ITEMS****A. CHINO CREEK WELL FIELD LOCATIONS**

Mr. Manning noted there was a revised staff report on this item on the back table and it is in redline format. Mr. Manning stated at a previous meeting earlier this morning a discussion took place regarding the word "solely" and the additional language which was added to staff's recommendation. Mr. Manning stated from the discussions at that meeting it appeared the staff report, as it is rewritten in the handout, appeared to better meet the parties' needs, and with those changes staff is asking for the new recommendation to be approved. Mr. Zvirbulis commented on the word "approve" and discussed the presented staff letter and its contents. Mr. Manning offered comment on the intent of the redline language that was added into the recommendation from the original recommendation. Mr. Zvirbulis offered alternative new language for the recommendation and a discussion regarding this matter ensued. Mr. Jeske noted the project manager who attended the earlier meeting is not present at this meeting and stated the new recommendation and the word "approve" is what they were seeking intentionally. Mr. Zvirbulis offered comment on this item which is going to be on the CDA's meeting agenda tonight. A lengthy discussion regarding this matter including location, hydraulic control, number of wells, and design parameters ensued.

*Motion by Jeske, second by Mura, and by unanimous vote*

***Moved to approve the CDA's proposed locations of Wells I-16 and I-18, provided that they are constructed with perforations in the shallow aquifer in accordance with Wildermuth Environmental Inc. ongoing evaluation to achieve hydraulic control and will not conflict with the OBMP goal to minimize or abate permanent subsidence, as presented***

**B. CHINO BASIN WATERMASTER 2010-2011 BUDGET**

Mr. Manning noted after the March Appropriative Pool meeting a sub-committee was formed to work with Watermaster staff in the evaluation of additional reductions in the 2010-2011 budget and those decreases are reflected in the revised 2010-2011 budget presentation which Joe Joswiak will give in a moment. Mr. Joswiak gave the revised budget presentation and reviewed all the reductions thoroughly. Mr. Manning stated staff did not just go in and cut randomly, the changes were made by working with the sub-committee on each category to see where reductions could be made that would not affect what is needed to be accomplished this next fiscal year. Mr. Joswiak reviewed the Budget Assumptions and highlighted the reductions which amounted to \$1,040,298, or 13.5% reduction from fiscal year 2009-2010. A brief discussion regarding the proposed budget ensued.

*Motion by Jeske, second by Stone, and by unanimous vote*

***Moved to approve Watermaster 2010-2000 budget, as presented***

**C. CONDITION SUBSEQUENT NO. 8**

Mr. Manning stated as part of the approval of Peace II there were a series of conditions subsequent that were required by the court; condition subsequent number 8 is the last one. Watermaster will have fulfilled that requirement by the submittal of the Recharge Master Plan. Mr. Manning offered comment on the events that took place with the development of the Recharge Master Plan. Mr. Manning stated because of some of the events that took place, Watermaster has had to look at the Recharge Master Plan differently. Instead of providing a delineative report that's submitted to the court which makes several concrete recommendations, Watermaster is now asking for the court to accept an interim report that outlines the critical issues, and in many cases staff cannot recommend specific actions until there is more information gathered. One of those instances would be for the Urban Water Management Plan which will not be approved by June of 2011. Mr. Manning stated in submitting this, it was decided the best approach for this item would be to construct a resolution that brought together this mechanism. Both Inland Empire Utilities Agency and Watermaster can adopt a resolution and have it accompany the Recharge Master Plan with the commitment that this plan will be continually reviewed. This will then turn the Recharge Master Plan into a living document/plan which provides the court an assurance it will be reviewed periodically; the first review will be 18 months from July 1, 2010. Mr. Manning noted there are various policy issues written into this plan which will need to be discussed and further developed. Staff is asking for an approval of the Resolution 10-03 in satisfaction of the court order condition subsequent number 8.

Mr. Manning stated in 2008 Monte Vista Water District brought up the issue regarding a formula to determine water rights, if in fact safe yield was declining, or if there was not a fix to declining safe yield. Mr. Manning explained how safe yield is being looked at in two different ways. Counsel Fife stated a copy of the December, 2008 Watermaster staff report is on the back table along with a memorandum from Brownstein Hyatt Farber and Schreck on the Proposed Accounting Procedures Regarding Potential Decline in Safe Yield. Counsel Fife reviewed the recommendation which was ultimately approved on December 18, 2008 by the Watermaster Board and was also approved by the Pools and Advisory Committee. Counsel Fife stated part of that motion was to instruct counsel to include a description of the procedures in the filing to be made in compliance with condition subsequent number 8. This was the resolution that was decided under the stipulation with Monte Vista Water Company. Counsel Fife stated what is being proposed now is to not make any alterations to the resolution or the Recharge Master Plan; however, in the pleading staff/counsel will be asking the court to approve two items; 1) the Recharge Master Plan and, 2) the procedures that were adopted to resolve this issue. Counsel Fife noted this is to inform you prior to the pleading being filed with the court later this month. A lengthy discussion regarding this item, the upcoming pleading, safe yield, and Counsel Fife's report ensued.

*Motion by Zvirbulis, second by Mura, and by unanimous vote*

***Moved to approve Resolution 10-03 adopting updated Recharge Master Plan for submittal to the court in fulfillment of Condition Subsequent Number 8 subject to reconsideration if terms and conditions for purchase of water from the Non-Agricultural Pool change as a result of disposition of Paragraph 31 Motion, as presented***

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

Counsel Fife noted this item was discussed during the closed session. There were no further comments regarding this item.



2. ACL Complaint

Counsel Fife stated at the last Watermaster Board meeting the Board approved a settlement agreement with the Regional Board. Counsel Fife noted the basic terms of that settle agreement are that Watermaster and Inland Empire Utilities Agency (IEUA) jointly will pay the fine that was in the Regional Board's complaint. Half of that fine is going to be dedicated to a supplemental environmental project, that is a project within the Chino Basin, and then in exchange for doing that, a new schedule for attainment of hydraulic control will be supplied so that moving forward the parties are in compliance with the permits, and fines are no longer accruing. Counsel Fife stated also being put into place is a process for meeting with the Regional Board on a quarterly basis so that if the Chino Creek Well Field project does not move forward as planned, staff can bring that to the Regional Board's attention and revise the schedule to ensure remaining in compliance. The goal is to prevent a situation from arising again where the Regional Board can issue fines. Counsel Fife stated the Watermaster Board has approved the settlement agreement and it will also go to the IEUA board on their next agenda, and then the Regional Board will consider the agreement at their next board meeting on June 10, 2010. Counsel Fife stated both Mr. Manning and Mr. Love will be making an appearance at the Regional Board meeting on June 10<sup>th</sup> to provide a presentation concerning what is being done in the Chino Basin, compliance with all of the other conditions in the Basin Plan, and the general perspective on progress being made regarding hydraulic control. Mr. Manning offered comment on the supplemental environmental project, which is the water softener removal program. Counsel Fife noted the Watermaster Board did approve the settlement agreement on May 27, 2010; however, it was not a unanimous vote, the Non-Agricultural Pool voted against it.

3. CDA Facilitation

Counsel Fife stated this item is related to the ACL complaint. When the compliant was issued, the Watermaster Board directed Mr. Manning and Mr. Slater to engage in a process of mediation with the CDA parties to try and move the project along to get it back on track. Several meetings and conference calls took place during the month of May and a set of principals was developed for accomplishing the purpose of moving the project forward. Counsel Fife stated the Watermaster Board considered these principals on May 27, 2010, and approved them. These principals will be on the CDA agenda tonight for approval. Counsel Fife stated this project now seems to be moving forward and will continue as planned. A brief discussion regarding this item ensued.

**B. CEO/STAFF REPORT**

1. Legislative Update

Mr. Manning stated time has passed for pieces of legislation within their house of origination of assembly or senate to make the move over to the house. Mr. Manning commented on AB2304, the Recharge Protection Program which has come out of assembly and is going to the senate and will be heard possibly next week. Mr. Manning noted elections are next Tuesday.

2. Recharge Update

Mr. Manning stated there is a significant change and referenced the handout which is on the back table. Mr. Manning reviewed the recharge numbers in detail.

3. Potential Implementation of MWD's Water Supply Allocation Plan Update

Mr. Manning noted this item was put on the agenda as a carryover from it being on the agenda last month. Mr. Manning stated at last month's meeting, the white paper which the Upper District had sent to Metropolitan Water District was discussed and it was suggested that staff start working through AGWA to see if there was any interest in other groundwater agencies having dialog on this matter. Mr. Manning stated he had contacted the new chairman of AGWA, Mr. Zampiello, and he is very interested in this and will be getting together with groundwater managers to discuss this in the near future. Mr. Manning stated

he will keep the parties updated as the meetings take place. A lengthy discussion regarding this item and additional water supplies that may be coming available ensued.

**IV. INFORMATION**

1. Newspaper Articles

No comment was made regarding this item.

**V. POOL MEMBER COMMENTS**

Chair Kinsey complimented the ad-hoc committee for their efforts regarding reducing the 2010-2011 Watermaster budget.

**VI. OTHER BUSINESS**

No comment was made regarding this item.

The Confidential Session was taken out of order:

The regular open Appropriative Pool meeting was convened to hold its confidential session at 1:02 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 convened at 1:38 p.m.

Chair Kinsey stated the committee took no reportable actions.

**VIII. FUTURE MEETINGS**

Thursday, May 27, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM
Thursday, June 3, 2010	1:00 p.m.	Appropriative Pool Meeting @ CBWM
Thursday, June 3, 2010	2:30 p.m.	Non-Agricultural Pool Meeting @ CBWM
Thursday, June 10, 2010	9:00 a.m.	Agricultural Pool Meeting @ IEUA
Thursday, June 17, 2010	8:00 a.m.	IEUA DYY Meeting @ CBWM
Thursday, June 17, 2010	9:00 a.m.	Advisory Committee Meeting @ CBWM
<b>Friday, June 18, 2010</b>	<b>10:30 a.m.</b>	<b>CBWM Court Hearing @ Chino Court Room C1</b>
Thursday, June 24, 2010	11:00 a.m.	Watermaster Board Meeting @ CBWM

The Appropriative Pool meeting was dismissed by Chair Kinsey at 2:30 p.m.

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

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

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# CHINO BASIN WATERMASTER

## I. CONSENT CALENDAR

### **B. FINANCIAL REPORTS**

1. Cash Disbursements for the month of May 2010
2. Watermaster Check Detail for the month of May 2010
3. Combining Schedule for the Period July 1, 2009 through May 30, 2010
4. Treasurer's Report of Financial Affairs for the Period May 1, 2010 through May 30, 2010
5. Budget vs. Actual July 2009 through May 2010





# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730  
Tel: 909.484.3888 Fax: 909.484.3890 www.cbwm.org

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**KENNETH R. MANNING**  
Chief Executive Officer

## STAFF REPORT

**DATE:** July 1, 2010  
**TO:** Committee Members  
**SUBJECT:** Cash Disbursement Report

### SUMMARY

**Issue** – Record of cash disbursements for the month of May 2010.

**Recommendation** – Staff recommends the Cash Disbursements for May 2010 be received and filed as presented.

**Fiscal Impact** – Funds disbursed were included in the FY 2009-2010 Watermaster Budget.

### BACKGROUND

A monthly cash disbursement report is provided to keep all members apprised of Watermaster expenditures.

### DISCUSSION

Total cash disbursements during the month of May 2010 were \$745,654.60. The most significant expenditures during the month were Inland Empire Utilities Agency in the amount of \$375,000.00, Wildermuth Environmental, Inc. in the amount of \$136,366.94 and Brownstein Hyatt Farber Schreck in the amount of \$98,192.72.

### Actions:

7-01-10 Appropriative Pool  
7-01-10 Non-Agricultural Pool  
7-08-10 Agricultural Pool  
7-15-10 Advisory Committee  
7-22-10 Watermaster Board

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**CHINO BASIN WATERMASTER**  
**Cash Disbursement Detail Report**  
**May 2010**

May 2010

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
General Journal	05/01/2010	05/01/10	PAYROLL FOR 04/18/10-05/01/10	-8,394.58
General Journal	05/01/2010	05/01/10	PAYROLL FOR 04/18/10-05/01/10	-25,833.00
Bill Pmt -Check	05/03/2010	14146	A&R BRIDGESTONE FIRESTONE AUTO CARE	-347.72
Bill Pmt -Check	05/03/2010	14147	APPLIED COMPUTER TECHNOLOGIES	-2,337.25
Bill Pmt -Check	05/03/2010	14148	ARROWHEAD MOUNTAIN SPRING WATER	-26.39
Bill Pmt -Check	05/03/2010	14149	COMPUTER NETWORK	-70.69
Bill Pmt -Check	05/03/2010	14150	KONICA MINOLTA BUSINESS SOLUTIONS	-992.41
Bill Pmt -Check	05/03/2010	14151	LOS ANGELES TIMES	-48.00
Bill Pmt -Check	05/03/2010	14152	MET LIFE SMALL BUSINESS CENTER	-50.00
Bill Pmt -Check	05/03/2010	14153	PARK PLACE COMPUTER SOLUTIONS, INC.	-3,450.00
Bill Pmt -Check	05/03/2010	14154	PRE-PAID LEGAL SERVICES, INC.	-77.70
Bill Pmt -Check	05/03/2010	14155	SOLINST CANADA LTD.	-17.76
Bill Pmt -Check	05/03/2010	14156	STANDARD INSURANCE CO.	-549.35
Bill Pmt -Check	05/03/2010	14157	STAPLES BUSINESS ADVANTAGE	-267.46
Bill Pmt -Check	05/03/2010	14158	STATE COMPENSATION INSURANCE FUND	-836.03
Bill Pmt -Check	05/03/2010	14159	THREE VALLEYS MUNICIPAL WATER DIST	-15.00
Bill Pmt -Check	05/06/2010	14160	A&R BRIDGESTONE FIRESTONE AUTO CARE	-239.52
Bill Pmt -Check	05/06/2010	14161	BOWCOCK, ROBERT	-250.00
Bill Pmt -Check	05/06/2010	14162	CAMACHO, MICHAEL	-750.00
Bill Pmt -Check	05/06/2010	14163	CUCAMONGA VALLEY WATER DISTRICT	-3,750.00
Bill Pmt -Check	05/06/2010	14164	DIRECTV	-83.99
Bill Pmt -Check	05/06/2010	14165	FEENSTRA, BOB	-125.00
Bill Pmt -Check	05/06/2010	14166	HAUGHEY, TOM	-250.00
Bill Pmt -Check	05/06/2010	14167	HSBC BUSINESS SOLUTIONS	-398.18
Bill Pmt -Check	05/06/2010	14168	IDEAL GRAPHICS	-1,314.14
Bill Pmt -Check	05/06/2010	14169	INLAND EMPIRE UTILITIES AGENCY	-375,000.00
Bill Pmt -Check	05/06/2010	14170	JAMES JOHNSTON	-870.00
Bill Pmt -Check	05/06/2010	14171	KUHN, BOB	-375.00
Bill Pmt -Check	05/06/2010	14172	OFFICE DEPOT	-271.86
Bill Pmt -Check	05/06/2010	14173	PLATINUM CONSULTING GROUP	-450.00
Bill Pmt -Check	05/06/2010	14174	PURCHASE POWER	-2,500.00
Bill Pmt -Check	05/06/2010	14175	REID & HELLYER	-17,874.14
Bill Pmt -Check	05/06/2010	14176	STAPLES BUSINESS ADVANTAGE	-360.52
Bill Pmt -Check	05/06/2010	14177	STATE COMPENSATION INSURANCE FUND	-1,045.22
Bill Pmt -Check	05/06/2010	14178	UNITED PARCEL SERVICE	-21.19
Bill Pmt -Check	05/06/2010	14179	VANDEN HEUVEL, GEOFFREY	-375.00
Bill Pmt -Check	05/06/2010	14180	VERIZON	-605.67
Bill Pmt -Check	05/06/2010	14181	W.C. DISCOUNT MOBILE AUTO DETAILING	-75.00
Bill Pmt -Check	05/06/2010	14182	WHITEHEAD, MICHAEL	-250.00
Bill Pmt -Check	05/06/2010	14183	WILDERMUTH ENVIRONMENTAL INC	-66,480.50
Bill Pmt -Check	05/06/2010	14184	WILLIS, KENNETH	-500.00
Bill Pmt -Check	05/06/2010	14185	YUKON DISPOSAL SERVICE	-142.88
Bill Pmt -Check	05/11/2010	14186	EL TORITO	-270.67
Bill Pmt -Check	05/12/2010	14187	A&R BRIDGESTONE FIRESTONE AUTO CARE	-287.96

**CHINO BASIN WATERMASTER**  
**Cash Disbursement Detail Report**  
**May 2010**

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Bill Pmt -Check	05/12/2010	14188	NORDBAK'S PROMOTIONAL PRODUCTS	-752.37
Bill Pmt -Check	05/12/2010	14189	PETTY CASH	-374.18
General Journal	05/15/2010	05/15/10	PAYROLL FOR 05/01/10-05/15/10	-7,422.04
General Journal	05/15/2010	05/15/10	PAYROLL FOR 05/01/10-05/15/10	-25,845.88
Bill Pmt -Check	05/20/2010	14190	AWWA	-1,435.00
Bill Pmt -Check	05/20/2010	14191	BANC OF AMERICA LEASING	-3,215.74
Bill Pmt -Check	05/20/2010	14192	CUCAMONGA VALLEY WATER DISTRICT	-5,792.00
Bill Pmt -Check	05/20/2010	14193	FIRST AMERICAN REAL ESTATE SOLUTIONS	-125.00
Bill Pmt -Check	05/20/2010	14194	GUARANTEED JANITORIAL SERVICE, INC.	-865.00
Bill Pmt -Check	05/20/2010	14195	MCI	-1,242.77
Bill Pmt -Check	05/20/2010	14196	PAYCHEX	-223.71
Bill Pmt -Check	05/20/2010	14197	SAFEGUARD DENTAL & VISION	-7.91
Bill Pmt -Check	05/20/2010	14198	SOUTHERN CALIFORNIA WATER COMMITTEE	-850.00
Bill Pmt -Check	05/20/2010	14199	STAPLES BUSINESS ADVANTAGE	-676.87
Bill Pmt -Check	05/20/2010	14200	STAULA, MARY L	-136.61
Bill Pmt -Check	05/20/2010	14201	THE STANDARD INSURANCE COMPANY	-200.64
Bill Pmt -Check	05/20/2010	14202	UNION 76	-141.71
Bill Pmt -Check	05/20/2010	14203	VERIZON WIRELESS	-590.23
Bill Pmt -Check	05/20/2010	14204	WESTERN DENTAL SERVICES, INC.	-28.06
Bill Pmt -Check	05/21/2010	14205	ACWA SERVICES CORPORATION	-214.10
Bill Pmt -Check	05/21/2010	14206	BANK OF AMERICA	-1,064.70
Bill Pmt -Check	05/21/2010	14207	BROWNSTEIN HYATT FARBER SCHRECK	-98,192.72
Bill Pmt -Check	05/21/2010	14208	KONICA MINOLTA BUSINESS SOLUTIONS	-724.67
Bill Pmt -Check	05/21/2010	14209	LIATTI & ASSOCIATES	-1,416.30
Bill Pmt -Check	05/21/2010	14210	MIJAC ALARM	-30.00
Bill Pmt -Check	05/21/2010	14211	PRE-PAID LEGAL SERVICES, INC.	-77.70
Bill Pmt -Check	05/21/2010	14212	PREMIERE GLOBAL SERVICES	-482.74
Bill Pmt -Check	05/21/2010	14213	R&D PEST SERVICES	-85.00
Bill Pmt -Check	05/21/2010	14214	UNITED PARCEL SERVICE	-62.60
Bill Pmt -Check	05/21/2010	14215	W.C. DISCOUNT MOBILE AUTO DETAILING	-75.00
Bill Pmt -Check	05/21/2010	14216	CALPERS	-5,110.13
Bill Pmt -Check	05/26/2010	14217	WILDERMUTH ENVIRONMENTAL INC	-69,886.44
Bill Pmt -Check	05/26/2010	14218	CUCAMONGA VALLEY IAAP	-77.00
				<u><u>-745,654.60</u></u>

May 2010



CHINO BASIN WATERMASTER  
 VISA Check Detail Report  
 May 2010

<u>Type</u>	<u>Num</u>	<u>Date</u>	<u>Name</u>	<u>Account</u>	<u>Paid Amount</u>
Bill Pmt -Check	14206	05/21/2010	BANK OF AMERICA	1012 · Bank of America Gen'l Ckg	
Bill	4024420001939341	04/30/2010		6141.3 · Admin Meetings	-138.28
				6191 · Conferences	-267.05
				6909.1 · OBMP Meetings	-33.01
				6312 · Meeting Expenses	-464.20
				6031.7 · Other Office Supplies	-162.16
TOTAL					<u>-1,064.70</u>

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**CHINO BASIN WATERMASTER**  
**COMBINING SCHEDULE OF REVENUE, EXPENSES AND CHANGES IN WORKING CAPITAL**  
**FOR THE**  
**PERIOD JULY 1, 2009 THROUGH MAY 31, 2010**

	WATERMASTER ADMINISTRATION	OPTIMUM BASIN MANAGEMENT	POOL ADMINISTRATION & SPECIAL PROJECTS			GROUNDWATER OPERATIONS		EDUCATION FUNDS	GRAND TOTALS	BUDGET 2009-2010
			POOL APPROPRIATIVE	AG POOL	NON-AG POOL	GROUNDWATER REPLENISHMENT	SB222 FUNDS			
Administrative Revenues:										
Administrative Assessments			7,215,654	-	225,016				7,440,671	\$7,340,839
Interest Revenue			28,975	2,434	1,249			5	32,663	191,540
Mutual Agency Project Revenue			-	-	-				-	148,410
Grant Income			188	-	-				-	0
Miscellaneous Income			-	-	-				-	0
<b>Total Revenues</b>	<b>111,000</b>	<b>-</b>	<b>7,244,818</b>	<b>2,434</b>	<b>226,265</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>7,584,522</b>	<b>7,680,789</b>

Administrative & Project Expenditures:										
Watermaster Administration	570,238								570,238	580,238
Watermaster Board-Advisory Committee	60,930								60,930	61,901
Pool Administration		22,358	148,056	11,001					181,416	229,860
Optimum Basin Mgmt Administration		1,499,021							1,499,021	1,557,820
OBMP Project Costs		3,375,423							3,375,423	4,109,362
Debt Service		942,042							942,042	1,131,233
Education Funds Use									-	375
Mutual Agency Project Costs									-	10,000
<b>Total Administrative/OBMP Expenses</b>	<b>631,169</b>	<b>5,816,486</b>	<b>148,056</b>	<b>11,001</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,629,071</b>	<b>7,680,789</b>
<b>(520,169)</b>	<b>(5,816,486)</b>									
<b>Net Administrative/OBMP Expenses</b>	<b>520,169</b>									
Allocate Net Admin Expenses To Pools		4,874,444	137,890	18,850						
Allocate Net OBMP Expenses To Pools		3,405,647	1,292,157	176,641						
Allocate Debt Service to App Pool		942,042								
<b>Aggricultural Expense Transfer*</b>		<b>1,578,103</b>	<b>(1,578,103)</b>	<b>206,492</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>6,629,071</b>	<b>7,680,789</b>
<b>Total Expenses</b>	<b>6,311,579</b>		<b>2,434</b>	<b>19,773</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>955,451</b>	<b>-</b>
<b>Net Administrative Income</b>	<b>933,239</b>									

Other Income/(Expense)										
Replenishment Water Assessments			7,073,805						7,073,805	0
Interest Revenue			25,077						25,077	0
Water Purchases									-	0
Balance Adjustment									-	0
Other Water Purchases			(2,166,022)						(2,166,022)	0
Groundwater Replenishment			(6,640,034)						(6,640,034)	0
Net Other Income			<b>(1,707,174)</b>						<b>(1,707,174)</b>	<b>0</b>
<b>Net Transfers To/(From) Reserves</b>	<b>(751,724)</b>		<b>2,434</b>	<b>19,773</b>	<b>-</b>	<b>-</b>	<b>(1,707,174)</b>	<b>5</b>	<b>(751,724)</b>	<b>-</b>

Working Capital, July 1, 2009	5,942,967	470,719	256,577	158,251	995				10,995,966	
Working Capital, End Of Period	6,876,206	473,153	276,350	158,251	1,000				10,244,242	10,244,242

08/09 Assessable Production	84,716,450	32,142,764	4,393,990						121,253,204	
08/09 Production Percentages	69.867%	26.509%	3.624%						100.000%	

\*Fund balance transfer as agreed to in the Peace Agreement.

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**CHINO BASIN WATERMASTER  
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD  
MAY 1 THROUGH MAY 31, 2010**

<b>DEPOSITORIES:</b>			
Cash on Hand - Petty Cash	\$	500	
Bank of America			
Governmental Checking-Demand Deposits	\$	4,240,739	
Zero Balance Account - Payroll	\$	-	
Local Agency Investment Fund - Sacramento			
<b>TOTAL CASH IN BANKS AND ON HAND</b>			5/31/2010
<b>TOTAL CASH IN BANKS AND ON HAND</b>			4/30/2010
	\$	<b>16,315,169</b>	
		17,076,459	
<b>PERIOD INCREASE (DECREASE)</b>	\$	<b>(761,290)</b>	

**CHANGE IN CASH POSITION DUE TO:**

Decrease/(Increase) in Assets:		
Accounts Receivable	\$	-
Assessments Receivable		16,338
Prepaid Expenses, Deposits & Other Current Assets		(1,877)
(Decrease)/Increase in Liabilities		5,350,370
Accounts Payable		(56,101)
Accrued Payroll, Payroll Taxes & Other Current Liabilities		(6,070,020)
Transfer to/(from) Reserves		
<b>PERIOD INCREASE (DECREASE)</b>	\$	<b>(761,290)</b>

**SUMMARY OF FINANCIAL TRANSACTIONS:**

	Petty Cash	Gov't'l Checking Demand	Zero Balance Account Payroll	Local Agency Investment Funds	Totals
Balances as of 4/30/2010	\$ 500	\$ 274,029	\$ -	\$ 16,801,930	\$ 17,076,459
Deposits	-	4,712,365	-	-	4,712,365
Transfers	-	(67,496)	68,618	(4,728,000)	(4,726,877)
Withdrawals/Checks	-	(678,159)	(68,618)	-	(746,778)
Balances as of 5/31/2010	\$ 500	\$ 4,240,739	\$ -	\$ 12,073,930	\$ 16,315,169
<b>PERIOD INCREASE OR (DECREASE)</b>	\$ -	\$ 3,966,710	\$ -	\$ (4,728,000)	\$ (761,290)

**CHINO BASIN WATERMASTER  
TREASURER'S REPORT OF FINANCIAL AFFAIRS FOR THE PERIOD  
MAY 1 THROUGH MAY 31, 2010**

**INVESTMENT TRANSACTIONS**

Effective Date	Transaction	Depository	Activity	Redeemed	Days to Maturity	Interest Rate(*)	Maturity Yield
5/27/2010	Withdrawal		\$ (4,728,000)				
<b>TOTAL INVESTMENT TRANSACTIONS</b>			<b>\$ (4,728,000)</b>				

\* The earnings rate for L.A.I.F. is a daily variable rate; 0.56% was the effective yield rate at the Quarter ended March 31, 2010.

**INVESTMENT STATUS  
May 31, 2010**

Financial Institution	Principal Amount	Number of Days	Interest Rate	Maturity Date
Local Agency Investment Fund	\$ 12,073,930			
<b>TOTAL INVESTMENTS</b>	<b>\$ 12,073,930</b>			

Funds on hand are sufficient to meet all foreseen and planned Administrative and project expenditures during the next six months.

All investment transactions have been executed in accordance with the criteria stated in Chino Basin Watermaster's Investment Policy.

Respectfully submitted,

Joseph S. Joswiak  
Chief Financial Officer  
Chino Basin Watermaster

CHINO BASIN WATERMASTER  
Profit Loss Budget vs. Actual  
July 2009 through May 2010

	YTD Actuals 07/09 - 05/10	FY 2009-2010 Budget	\$Amt Over (Under) Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
4010 · Local Agency Subsidies	111,000	148,410	-37,410	75%
4110 · Admin Asmnts-Approp Pool	7,215,654	7,185,411	30,243	100%
4120 · Admin Asmnts-Non-Agri Pool	225,016	155,427	69,589	145%
4700 · Non Operating Revenues	32,663	191,540	-158,877	17%
4900 · Miscellaneous income	188			
<b>Total Income</b>	<b>7,584,522</b>	<b>7,680,788</b>	<b>-96,266</b>	<b>99%</b>
<b>Gross Profit</b>	<b>7,584,522</b>	<b>7,680,788</b>	<b>-96,266</b>	<b>99%</b>
<b>Expense</b>				
6010 · Salary Costs	454,376	487,838	-33,462	93%
6020 · Office Building Expense	89,795	102,500	-12,705	88%
6030 · Office Supplies & Equip.	29,557	43,500	-13,943	68%
6040 · Postage & Printing Costs	62,436	84,300	-21,864	74%
6050 · Information Services	115,757	148,500	-32,743	78%
6060 · Contract Services	97,235	98,000	-765	99%
6080 · Insurance	15,934	16,730	-796	95%
6110 · Dues and Subscriptions	16,521	17,000	-479	97%
6140 · WM Admin Expenses	2,166	3,000	-834	72%
6150 · Field Supplies	1,024	2,800	-1,776	37%
6170 · Travel & Transportation	26,191	37,800	-11,609	69%
6190 · Conferences & Seminars	21,502	26,500	-4,998	81%
6200 · Advisory Comm - WM Board	17,478	18,078	-600	97%
6300 · Watermaster Board Expenses	43,453	43,823	-371	99%
8300 · Appr PI-WM & Pool Admin	22,358	23,069	-711	97%
8400 · Agri Pool-WM & Pool Admin	24,427	25,114	-687	97%
8467 · Ag Legal & Technical Services	113,579	98,000	15,579	116%
8470 · Ag Meeting Attend -Special	10,050	12,000	-1,950	84%
8471 · Ag Pool Expense	0	65,000	-65,000	0%
8500 · Non-Ag PI-WM & Pool Admin	11,001	6,677	4,324	165%
6500 · Education Funds Use Expens	0	375	-375	0%
9500 · Allocated G&A Expenditures	-362,255	-488,230	125,975	74%
	812,585	872,374	-59,789	93%
6900 · Optimum Basin Mgmt Plan	1,373,017	1,568,880	-195,863	88%
6950 · Mutual Agency Projects	0	10,000	-10,000	0%
9501 · G&A Expenses Allocated-OBMP	126,004	148,448	-22,444	85%
	1,499,021	1,727,328	-228,307	87%

CHINO BASIN WATERMASTER  
 Profit Loss Budget vs. Actual  
 July 2009 through May 2010

	YTD Actuals 07/09 - 05/10	FY 2009-2010 Budget	\$Amt Over (Under) Budget	% of Budget
7101 · Production Monitoring	86,405	131,259	-44,854	66%
7102 · In-line Meter Installation	41,196	56,179	-14,983	73%
7103 · Grdwtr Quality Monitoring	147,933	214,362	-66,429	69%
7104 · Gdwtr Level Monitoring	324,039	366,956	-42,917	88%
7105 · Sur Wtr Qual Monitoring	3,679	43,912	-40,233	8%
7107 · Ground Level Monitoring	277,873	381,406	-103,533	73%
7108 · Hydraulic Control Monitoring	439,833	533,543	-93,710	82%
7109 · Recharge & Well Monitoring Prog	9,113	9,152	-40	100%
7200 · PE2- Comp Recharge Pgm	1,464,624	1,478,560	-13,936	99%
7300 · PE3&5-Water Supply/Desalte	62,387	85,694	-23,307	73%
7400 · PE4- Mgmt Plan	77,945	110,705	-32,760	70%
7500 · PE6&7-CoopEfforts/SaltMgmt	150,587	163,727	-13,140	92%
7600 · PE8&9-StorageMgmt/Conj Use	29,558	29,550	8	100%
7690 · Recharge Improvement Debt Pymt	942,042	1,131,233	-189,191	83%
7700 · Inactive Well Protection Prgm	0	5,066	-5,066	0%
9502 · G&A Expenses Allocated-Projects	260,251	339,782	-79,531	77%
	<u>4,317,465</u>	<u>5,081,086</u>	<u>-763,621</u>	<u>85%</u>
<b>Total Expense</b>	<u>6,629,071</u>	<u>7,680,788</u>	<u>-1,051,717</u>	<u>86%</u>
<b>Net Ordinary Income</b>	955,451		955,451	100%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
4225 · Interest Income	25,077			
4210 · Approp Pool-Replenishment	4,887,364			
4220 · Non-Ag Pool-Replenishment	9,478			
4600 · Groundwater Sales	<u>2,176,962</u>			
<b>Total Other Income</b>	7,098,882			
<b>Other Expense</b>				
5010 · Groundwater Replenishment	6,640,034			
5100 · Other Water Purchases	2,166,022			
9999 · To/(From) Reserves	<u>-751,724</u>			
<b>Total Other Expense</b>	<u>8,054,332</u>			
<b>Net Other Income</b>	<u>-955,451</u>			
<b>Net Income</b>	<u>0</u>		<u>0</u>	<u>0%</u>





# CHINO BASIN WATERMASTER

## I. CONSENT CALENDAR

### C. WATER TRANSACTION

1. **Consider Approval for Notice of Sale or Transfer** – Cucamonga Valley Water District is purchasing 500 acre-feet of water from West Valley Water District. This purchase is made from WVWD's water in storage and is to be placed in CVWD's Excess Carryover Account
2. **Consider Approval for Notice of Sale or Transfer** – The lease and/or purchase of 765 acre-feet from San Antonio Water Company to the City of Ontario. This lease is made first from San Antonio's net under-production in Fiscal Year 2009-2010, with any remainder to be recaptured from storage
3. **Consider Approval for Notice of Sale or Transfer** – Monte Vista Water District is purchasing 19.245 acre-feet of water from the San Antonio Water Company. This purchase is made first from San Antonio's net underproduction, if any, in Fiscal Year 2009-2010, with any remainder to be recaptured from storage
4. **Consider Approval for Notice of Sale or Transfer** – Fontana Water Company ("Company") has agreed to purchase from The Nicholson Trust annual production right in the amount of 6.082 acre-feet to satisfy a portion of the Company's anticipated Chino Basin replenishment obligation for Fiscal Year 2009/2010



***CHINO BASIN WATERMASTER***

**NOTICE**

**OF**

**APPLICATION(S)**

**RECEIVED FOR**

**WATER TRANSACTIONS – ACTIVITIES**

Date of Notice:

June 24, 2010

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

**NOTICE OF APPLICATION(S) RECEIVED**

Date of Application: **June 14, 2010**

Date of this notice: **June 24, 2010**

Please take notice that the following Application has been received by Watermaster:

- Notice of Sale or Transfer – Cucamonga Valley Water District is purchasing 500 acre-feet of water from West Valley Water District. This purchase is made from WVWD's water in storage and is to be placed in CVWD's Excess Carryover Account.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool: July 1, 2010

Non-Agricultural Pool: July 1, 2010

Agricultural Pool: July 8, 2010

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888  
Fax: (909) 484-3890

# **CHINO BASIN WATERMASTER**

## **NOTICE OF TRANSFER OF WATER**

Notification Dated: June 24, 2010

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).

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# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730  
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

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**KENNETH R. MANNING**  
**CHIEF EXECUTIVE OFFICER**

**DATE:** June 24, 2010  
**TO:** Watermaster Interested Parties  
**SUBJECT:** Summary and Analysis of Application for Water Transaction

**Summary –**

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

**Issue –**

- **Notice of Sale or Transfer** – Cucamonga Valley Water District is purchasing 500 acre-feet of water from West Valley Water District. This purchase is made from WVWD's water in storage and is to be placed in CVWD's Excess Carryover Account.

**Recommendation –**

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

**Fiscal Impact –**

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

**Background**

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

The following application for water transaction is attached with the notice of application.

- Cucamonga Valley Water District is purchasing 500 acre-feet of water from West Valley Water District. This purchase is made from WVWD's water in storage and is to be placed in CVWD's Excess Carryover Account.

Notice of the water transaction identified above was mailed on June 24, 2010 along with the materials submitted by the requestors.

#### **DISCUSSION**

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.

The 85/15 Rule does not apply for this water transaction because Cucamonga Valley Water District requested that this water be placed in its Excess Carryover Account.



10440 Ashford Street • Rancho Cucamonga, CA 91729-0638  
P.O. BOX 638 • (909) 987-2591 • Fax (909) 476-8032

**Robert A. DeLoach**  
General Manager  
Chief Executive Officer

June 14, 2010

Kenneth R. Manning, Chief Executive Officer  
Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

**Re: Water Transfer from West Valley Water District to Cucamonga Valley Water District**

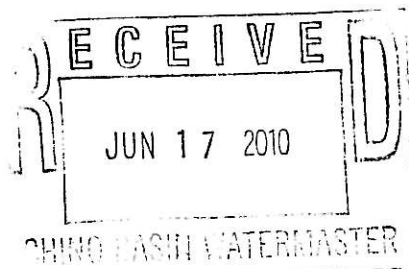
Dear Mr. Manning:

This letter is to notify Watermaster that Cucamonga Valley Water District (CVWD) is purchasing 500 acre-feet of water from West Valley Water District (WVWD). This purchase is made from WVWD's water in storage. Please place this water into CVWD's Excess Carryover Account.

Executed copies of Consolidated Forms 3 and 4 (Application for Sale or Transfer of Right to Produce Water from Storage and Application or Amendment to Application to Recapture Water in Storage) are attached. If you have any question or need additional information please call me.

Yours truly,

Martin E. Zvirbulis  
Deputy General Manager



Attachment: Consolidated Forms 3 & 4

Randall J. Reed  
President

Kathy Tiegs  
Vice President

Oscar Gonzalez  
Director

Henry L. "Hank" Stoy  
Director

James V. Curatalo, Jr.  
Director



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**CONSOLIDATED WATER TRANSFER FORMS:  
 FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE  
 FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE  
 FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD**

**FISCAL YEAR 2009 - 2010**

**DATE REQUESTED:** May 10, 2010

**AMOUNT REQUESTED:** 500 Acre-Feet

<p><b>TRANSFER FROM (SELLER / TRANSFEROR):</b></p> <p><u>West Valley Water District</u> Name of Party</p> <p><u>855 W Baseline Road</u> Street Address</p> <p><u>Rialto</u>                      <u>CA</u>              <u>92376</u> City                              State              Zip Code</p> <p><u>(909) 875-1804</u> Telephone</p> <p><u>(909) 875-7284</u> Facsimile</p>	<p><b>TRANSFER TO (BUYER / TRANSFEREE):</b></p> <p><u>Cucamonga Valley Water District</u> Name of Party</p> <p><u>10440 Ashford Street</u> Street Address</p> <p><u>Rancho Cucamonga</u>              <u>CA</u>              <u>91730</u> City                                      State              Zip Code</p> <p><u>(909) 937-2591</u> Telephone</p> <p><u>(909) 476-8032</u> Facsimile</p>
--	---

Have any other transfers been approved by Watermaster between these parties covering the same fiscal year?              Yes               No

**PURPOSE OF TRANSFER:**

- Pump when other sources of supply are curtailed
- Pump to meet current or future demand over and above production right
- Pump as necessary to stabilize future assessment amounts
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED FROM:**

- Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
- Storage
- Annual Production Right / Operating Safe Yield first, then any additional from Storage
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED TO:**

- Annual Production Right / Operating Safe Yield (common)
- Storage (rare)
- Other, explain Excess Carryover Account

**IS THE 85/15 RULE EXPECTED TO APPLY? (If yes, all answers below must be "yes.")** Yes  No   
Is the Buyer an 85/15 Party? Yes  No   
Is the purpose of the transfer to meet a current demand over and above production right? Yes  No   
Is the water being placed into the Buyer's Annual Account? Yes  No

**IF WATER IS TO BE TRANSFERRED FROM STORAGE:**

1500 - 2500 GPM Current & future years as needed  
Projected Rate of Recapture Projected Duration of Recapture

**METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):**

Pumping

**PLACE OF USE OF WATER TO BE RECAPTURED:**

Cucamonga Valley Water District service area.

**LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):**

**WATER QUALITY AND WATER LEVELS**

Are the Parties aware of any water quality issues that exist in the area? Yes  No

If yes, please explain:

Nitrate concentrations range from 19 to 70 ppm

What are the existing water levels in the areas that are likely to be affected?

Static water levels from 460' to 582'

**MATERIAL PHYSICAL INJURY**

Are any of the recapture wells located within Management Zone 1? Yes  No

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes  No

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

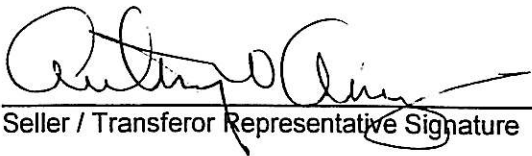
N/A

**SAID TRANSFER SHALL BE CONDITIONED UPON:**


- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

**ADDITIONAL INFORMATION ATTACHED**

Yes  No

  
\_\_\_\_\_  
Seller / Transferor Representative Signature

Anthony W. Araiza  
Seller / Transferor Representative Name (Printed)

  
\_\_\_\_\_  
Buyer / Transferee Representative Signature

Martin E. Zvirbulis  
Buyer / Transferee Representative Name (Printed)

**TO BE COMPLETED BY WATERMASTER STAFF:**

DATE OF WATERMASTER NOTICE: \_\_\_\_\_

DATE OF APPROVAL FROM APPROPRIATIVE POOL: \_\_\_\_\_

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM AGRICULTURAL POOL: \_\_\_\_\_

HEARING DATE, IF ANY: \_\_\_\_\_

DATE OF ADVISORY COMMITTEE APPROVAL: \_\_\_\_\_

DATE OF BOARD APPROVAL: \_\_\_\_\_

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***CHINO BASIN WATERMASTER***

**NOTICE**

**OF**

**APPLICATION(S)**

**RECEIVED FOR**

**WATER TRANSACTIONS – ACTIVITIES**

Date of Notice:

June 24, 2010

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

**NOTICE OF APPLICATION(S) RECEIVED**

Date of Application: **June 21, 2010**

Date of this notice: **June 24, 2010**

Please take notice that the following Application has been received by Watermaster:

- Notice of Sale or Transfer – The lease and/or purchase of 765 AF from San Antonio Water Company to the City of Ontario. This lease is made first from San Antonio’s net under-production in Fiscal Year 2009-2010, with any remainder to be recaptured from storage.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool:	July 1, 2010
Non-Agricultural Pool:	July 1, 2010
Agricultural Pool:	July 8, 2010

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888  
Fax: (909) 484-3890

# **CHINO BASIN WATERMASTER**

## **NOTICE OF TRANSFER OF WATER**

Notification Dated: June 24, 2010

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).



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# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730  
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

---

**KENNETH R. MANNING**  
**CHIEF EXECUTIVE OFFICER**

**DATE:** June 24, 2010  
**TO:** Watermaster Interested Parties  
**SUBJECT:** Summary and Analysis of Application for Water Transaction

### Summary –

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

### Issue –

- **Notice of Sale or Transfer** – The lease and/or purchase of 765 AF from San Antonio Water Company to the City of Ontario. This lease is made first from San Antonio's net under-production in Fiscal Year 2009-2010, with any remainder to be recaptured from storage.

### Recommendation –

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

### Fiscal Impact –

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

### Background

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

The following application for water transaction is attached with the notice of application.

- The lease and/or purchase of 765 AF from San Antonio Water Company to the City of Ontario. This lease is made first from San Antonio's net under-production in Fiscal Year 2009-2010, with any remainder to be recaptured from storage.

Notice of the water transaction identified above was mailed on June 24, 2010 along with the materials submitted by the requestors.

#### **DISCUSSION**

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.

The 85/15 Rule does not apply for this water transaction because the City of Ontario is utilizing this transaction to produce its San Antonio Water Company shares.



PAUL S. LEON  
MAYOR

ALAN D. WAPNER  
MAYOR PRO TEM

SHEILA MAUTZ  
JIM W. BOWMAN

DEBRA DORST-PORADA  
COUNCIL MEMBERS

June 21, 2010

CHRIS HUGHES  
CITY MANAGER

MARY E. WIRTES, MMC  
CITY CLERK

JAMES R. MILHISER  
TREASURER

Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

**SUBJECT: ANNUAL LEASE OF WATER RIGHTS**

Dear Mr. Manning,

This is to notify Watermaster of the lease and/or purchase of 765 AF from San Antonio Water Company to the City of Ontario. This lease is made first from San Antonio's net under-production in Fiscal Year 2009-10, with any remainder to be recaptured from storage.

Executed original Watermaster forms and all supporting documentation are attached for your review. Please agendize the proposed purchase for the first available meeting.

Should you have any questions or require any additional information, please contact Tom O'Neill at (909) 395-2676.

Sincerely,

Scott Burton  
Engineering & Operations Director

Enclosures

cc. Tom O'Neill, Water Production Manger

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**CONSOLIDATED WATER TRANSFER FORMS:  
 FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE  
 FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE  
 FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD**

**FISCAL YEAR 2009 - 2010**

**DATE REQUESTED:** June 16, 2010      **AMOUNT REQUESTED:** 765 Acre-Feet

<p><b>TRANSFER FROM (SELLER / TRANSFEROR):</b></p> <p><u>San Antonio Water Company</u> Name of Party</p> <p><u>139 N. Euclid</u> Street Address</p> <p><u>Upland</u>                      <u>CA</u>                      <u>91786</u> City                                      State                      Zip Code</p> <p><u>909 982-4170</u> Telephone</p> <p><u>909 620-3047</u> Facsimile</p>	<p><b>TRANSFER TO (BUYER / TRANSFEREE):</b></p> <p><u>City of Ontario</u> Name of Party</p> <p><u>1425 S. Bon View Avenue</u> Street Address</p> <p><u>Ontario</u>                      <u>CA</u>                      <u>91761</u> City                                      State                      Zip Code</p> <p><u>909 395-2000</u> Telephone</p> <p><u>909 395-2601</u> Facsimile</p>
---	---

Have any other transfers been approved by Watermaster between these parties covering the same fiscal year?      Yes       No

**PURPOSE OF TRANSFER:**

- Pump when other sources of supply are curtailed
- Pump to meet current or future demand over and above production right
- Pump as necessary to stabilize future assessment amounts
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED FROM:**

- Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
- Storage
- Annual Production Right / Operating Safe Yield first, then any additional from Storage
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED TO:**

- Annual Production Right / Operating Safe Yield (common)
- Storage (rare)
- Other, explain \_\_\_\_\_

**IS THE 85/15 RULE EXPECTED TO APPLY? (If yes, all answers below must be "yes.")** Yes  No

Is the Buyer an 85/15 Party? Yes  No

Is the purpose of the transfer to meet a current demand over and above production right? Yes  No

Is the water being placed into the Buyer's Annual Account? Yes  No

**IF WATER IS TO BE TRANSFERRED FROM STORAGE:**

Varies Projected Rate of Recapture July 1, 2009 to June 30, 2010 Projected Duration of Recapture

**METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):**

Recapture by Ontario will be accomplished by pumping 23 wells.

**PLACE OF USE OF WATER TO BE RECAPTURED:**

Management zones 1, 2 & 3.

**LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):**

\_\_\_\_\_

**WATER QUALITY AND WATER LEVELS**

Are the Parties aware of any water quality issues that exist in the area? Yes  No

If yes, please explain:

Nitrate levels in pumped groundwater varies from less than 5 mg/L to 50 mg/L.

What are the existing water levels in the areas that are likely to be affected?

Static water levels vary from 270 feet to 530feet.

**MATERIAL PHYSICAL INJURY**

Are any of the recapture wells located within Management Zone 1? Yes  No

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes  No

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SAID TRANSFER SHALL BE CONDITIONED UPON:**

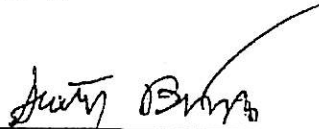
- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

**ADDITIONAL INFORMATION ATTACHED**

Yes  No

  
\_\_\_\_\_  
Seller / Transferor Representative Signature

Charles Moorrees  
\_\_\_\_\_  
Seller / Transferor Representative Name (Printed)

  
\_\_\_\_\_  
Buyer / Transferee Representative Signature

Scott Burton  
\_\_\_\_\_  
Buyer / Transferee Representative Name (Printed)

**TO BE COMPLETED BY WATERMASTER STAFF:**

DATE OF WATERMASTER NOTICE: \_\_\_\_\_

DATE OF APPROVAL FROM APPROPRIATIVE POOL: \_\_\_\_\_

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM AGRICULTURAL POOL: \_\_\_\_\_

HEARING DATE, IF ANY: \_\_\_\_\_

DATE OF ADVISORY COMMITTEE APPROVAL: \_\_\_\_\_

DATE OF BOARD APPROVAL: \_\_\_\_\_



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***CHINO BASIN WATERMASTER***

**NOTICE**

**OF**

**APPLICATION(S)**

**RECEIVED FOR**

**WATER TRANSACTIONS – ACTIVITIES**

Date of Notice:

June 24, 2010

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

**NOTICE OF APPLICATION(S) RECEIVED**

Date of Application: **June 7, 2010**

Date of this notice: **June 24, 2010**

Please take notice that the following Application has been received by Watermaster:

- Notice of Sale or Transfer – Monte Vista Water District is purchasing 19.245 acre-feet of water from the San Antonio Water Company. This purchase is made first from San Antonio’s net underproduction, if any, in Fiscal Year 2009-2010, with any remainder to be recaptured from storage.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool:	July 1, 2010
Non-Agricultural Pool:	July 1, 2010
Agricultural Pool:	July 8, 2010

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888  
Fax: (909) 484-3890

# **CHINO BASIN WATERMASTER**

## **NOTICE OF TRANSFER OF WATER**

Notification Dated: June 24, 2010

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).

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# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730  
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

---

**KENNETH R. MANNING**  
**CHIEF EXECUTIVE OFFICER**

**DATE:** June 24, 2010  
**TO:** Watermaster Interested Parties  
**SUBJECT:** Summary and Analysis of Application for Water Transaction

### Summary –

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

### Issue –

- **Notice of Sale or Transfer** – Monte Vista Water District is purchasing 19.245 acre-feet of water from the San Antonio Water Company. This purchase is made first from San Antonio's net underproduction, if any, in Fiscal Year 2009-2010, with any remainder to be recaptured from storage.

### Recommendation –

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

### Fiscal Impact –

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

### Background

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

The following application for water transaction is attached with the notice of application.

- Monte Vista Water District is purchasing 19.245 acre-feet of water from the San Antonio Water Company. This purchase is made first from San Antonio's net underproduction, if any, in Fiscal Year 2009-2010, with any remainder to be recaptured from storage.

Notice of the water transaction identified above was mailed on June 24, 2010 along with the materials submitted by the requestors.

#### **DISCUSSION**

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.

The 85/15 Rule does not apply for this water transaction because Monte Vista Water District is utilizing this transaction to produce its San Antonio Water Company shares.

# Monte Vista

Dedicated to Quality, Service and Innovation

June 7, 2010

Mark N. Kinsey  
GENERAL MANAGER

Mr. Ken Manning, Chief Executive Officer  
CHINO BASIN WATERMASTER  
9641 San Bernardino Road  
Rancho Cucamonga, California 91730

## Purchase of Water in Storage: Fiscal Year 2009-10

Dear Mr. Manning:

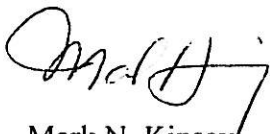
This letter is to notify Watermaster of the purchase of 19.245 acre-feet of water from the San Antonio Water Company. This purchase is made first from San Antonio's net underproduction, if any, in Fiscal Year 2009-10, with any remainder to be recaptured from storage.

This purchase will be utilized by the District to offset projected Fiscal Year 2009-10 or future fiscal year replenishment obligations within the Chino Basin. Attached is an executed application for lease or transfer of a right to produce water from storage and a recapture plan for consideration by Watermaster. Please agendaize this item at the earliest possible opportunity.

If you have any questions or require additional information concerning this matter, please call me at 267-2170. Thank you.

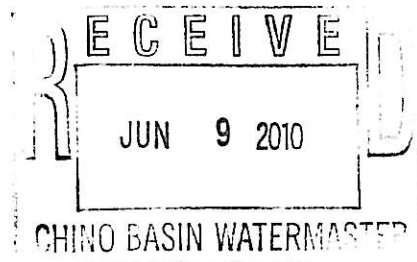
Sincerely,

*Monte Vista Water District*



Mark N. Kinsey  
General Manager

Attachments



# Water District

10575 Central Avenue, Post Office Box 71 • Montclair, CA 91763 • (909) 624-0035 • FAX (909) 624-4725 • [www.mvwd.org](http://www.mvwd.org)

Sandra S. Rose  
PRESIDENT

Maynard B. Lenhart  
VICE PRESIDENT

Tony Lopez  
DIRECTOR

Philip L. Erwin  
DIRECTOR

G. Michael Milhiser  
DIRECTOR



**SAID TRANSFER SHALL BE CONDITIONED UPON:**

- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

**ADDITIONAL INFORMATION ATTACHED**

Yes  No



\_\_\_\_\_  
Seller / Transferor Representative Signature

Charles Moorrees

\_\_\_\_\_  
Seller / Transferor Representative Name (Printed)



\_\_\_\_\_  
Buyer / Transferee Representative Signature

Mark N. Kinsey

\_\_\_\_\_  
Buyer / Transferee Representative Name (Printed)

**TO BE COMPLETED BY WATERMASTER STAFF:**

DATE OF WATERMASTER NOTICE: \_\_\_\_\_

DATE OF APPROVAL FROM APPROPRIATIVE POOL: \_\_\_\_\_

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM AGRICULTURAL POOL: \_\_\_\_\_

HEARING DATE, IF ANY: \_\_\_\_\_

DATE OF ADVISORY COMMITTEE APPROVAL: \_\_\_\_\_

DATE OF BOARD APPROVAL: \_\_\_\_\_

**CONSOLIDATED WATER TRANSFER FORMS:**  
**FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE**  
**FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE**  
**FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD**

FISCAL YEAR 2009 - 2010

DATE REQUESTED: April 5, 2010

AMOUNT REQUESTED: 19,245 Acre-Feet

<b>TRANSFER FROM (SELLER / TRANSFEROR):</b>			<b>TRANSFER TO (BUYER / TRANSFEREE):</b>		
<u>San Antonio Water Company</u>			<u>Monte Vista Water District</u>		
Name of Party			Name of Party		
<u>139 North Euclid</u>			<u>10575 Central Avenue</u>		
Street Address			Street Address		
<u>Upland</u>	<u>CA</u>	<u>91786</u>	<u>Montclair</u>	<u>CA</u>	<u>91763</u>
City	State	Zip Code	City	State	Zip Code
<u>(909) 982-4107</u>			<u>(909) 624-0035</u>		
Telephone			Telephone		
<u>(909) 920-3047</u>			<u>(909) 624-0037</u>		
Facsimile			Facsimile		

Have any other transfers been approved by Watermaster between these parties covering the same fiscal year?      Yes       No

**PURPOSE OF TRANSFER:**

- Pump when other sources of supply are curtailed
- Pump to meet current or future demand over and above production right
- Pump as necessary to stabilize future assessment amounts
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED FROM:**

- Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
- Storage
- Annual Production Right / Operating Safe Yield first, then any additional from Storage
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED TO:**

- Annual Production Right / Operating Safe Yield (common)
- Storage (rare)
- Other, explain \_\_\_\_\_

IS THE 85/15 RULE EXPECTED TO APPLY? (If yes, all answers below must be "yes.") Yes No

Is the Buyer an 85/15 Party? Yes No

Is the purpose of the transfer to meet a current demand over and above production right? Yes No

Is the water being placed into the Buyer's Annual Account? Yes No

IF WATER IS TO BE TRANSFERRED FROM STORAGE:

Projected Rate of Recapture \_\_\_\_\_ Projected Duration of Recapture \_\_\_\_\_

METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):

Pumping

PLACE OF USE OF WATER TO BE RECAPTURED:

Regular production wells

LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):

WATER QUALITY AND WATER LEVELS

Are the Parties aware of any water quality issues that exist in the area? Yes  No

If yes, please explain:

Nitrate concentrations range between 19-70 ppm

What are the existing water levels in the areas that are likely to be affected?

504-533

MATERIAL PHYSICAL INJURY

Are any of the recapture wells located within Management Zone 1? Yes  No

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes  No

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# MONTE VISTA WATER DISTRICT

## Recapture Plan

Location of where the recaptured water will be extracted by the District is within Management Zone 1 of the Chino Basin and will be accomplished by any or all of the 13 wells owned and operated by the District. The approximate daily production capacity of these wells is noted below.

The 19.245 AF transfer will be utilized for delivery to the District's retail customers, for delivery to the City of Chino Hills, or to offset the District's Fiscal Year 2009-10 replenishment obligation.

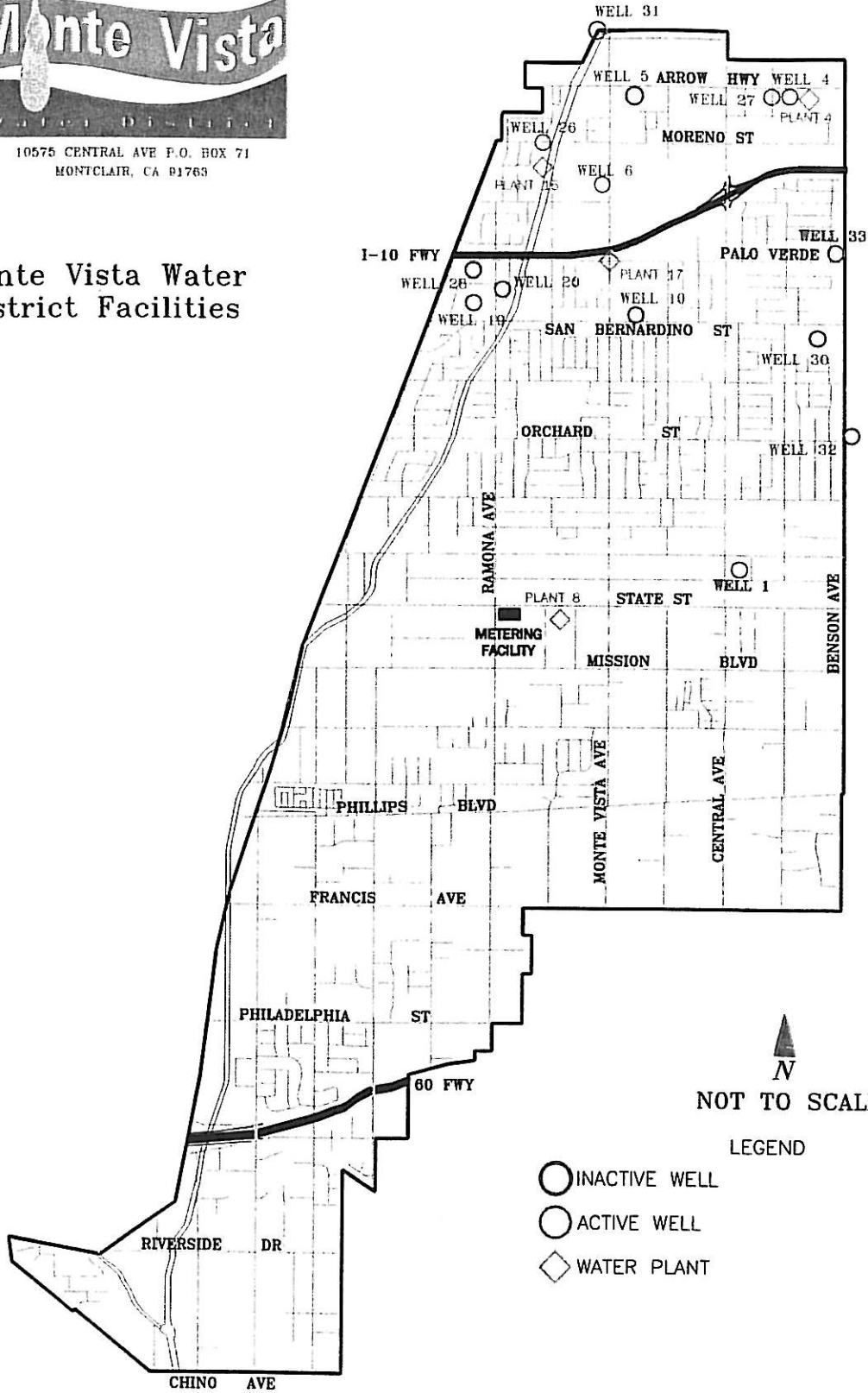
<u>Well</u>	<u>Production Acre-Feet/Day</u>
4	4.2
5	6.1
6	5.2
10	5.2
19	9.0
20	5.8
26	9.0
27	9.0
28	9.0
30	9.0
31	9.0
32	9.0
33	4.5
<hr/>	
Daily Total	94.0

A map showing the location of these wells is attached. The rate of extraction can vary significantly, depending upon system demand and seasonal changes.



10575 CENTRAL AVE P.O. BOX 71  
MONTCLAIR, CA 91763

### Monte Vista Water District Facilities



N  
NOT TO SCALE

- LEGEND
- INACTIVE WELL
  - ACTIVE WELL
  - ◇ WATER PLANT

Jdizon M:\Presentation\Facilities.dwg

***CHINO BASIN WATERMASTER***

**NOTICE**

**OF**

**APPLICATION(S)**

**RECEIVED FOR**

**WATER TRANSACTIONS – ACTIVITIES**

Date of Notice:

June 24, 2010

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.

**NOTICE OF APPLICATION(S) RECEIVED**

Date of Application: **June 23, 2010**

Date of this notice: **June 24, 2010**

Please take notice that the following Application has been received by Watermaster:

- A. Notice of Sale or Transfer – Fontana Water Company (“Company”) has agreed to purchase from The Nicholson Trust annual production right in the amount of 6.082 acre-feet to satisfy a portion of the Company’s anticipated Chino Basin replenishment obligation for Fiscal Year 2009/2010.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool:	July 1, 2010
Non-Agricultural Pool:	July 1, 2010
Agricultural Pool:	July 8, 2010

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888  
Fax: (909) 484-3890

# **CHINO BASIN WATERMASTER**

## **NOTICE OF TRANSFER OF WATER**

Notification Dated: June 24, 2010

A party to the Judgment has submitted a proposed transfer of water for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.3(b)(iii) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the transfer. Watermaster staff is not aware of any evidence to suggest that this transfer would cause material physical injury and hereby provides this notice to advise interested persons that this transfer will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process (comes before Watermaster).



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# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730  
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

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**KENNETH R. MANNING**  
**CHIEF EXECUTIVE OFFICER**

**DATE:** June 24, 2010  
**TO:** Watermaster Interested Parties  
**SUBJECT:** Summary and Analysis of Application for Water Transaction

### Summary –

There does not appear to be a potential material physical injury to a party or to the basin from the proposed transaction as presented.

### Issue –

- Notice of Sale or Transfer – Fontana Water Company (“Company”) has agreed to purchase from The Nicholson Trust annual production right in the amount of 6.082 acre-feet to satisfy a portion of the Company’s anticipated Chino Basin replenishment obligation for Fiscal Year 2009/2010.

### Recommendation –

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the transaction as presented.

### Fiscal Impact –

- None
- Reduces assessments under the 85/15 rule
- Reduce desalter replenishment costs

### Background

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

The following application for water transaction is attached with the notice of application.

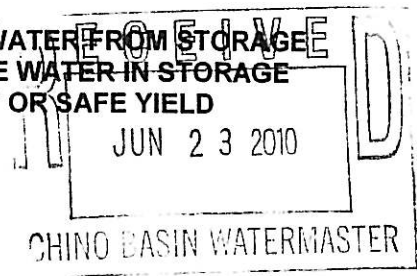
- Fontana Water Company (“Company”) has agreed to purchase from The Nicholson Trust annual production right in the amount of 6.082 acre-feet to satisfy a portion of the Company’s anticipated Chino Basin replenishment obligation for Fiscal Year 2009/2010.

Notice of the water transaction identified above was mailed on June 24, 2010 along with the materials submitted by the requestors.

**DISCUSSION**

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by Wildermuth Environmental pursuant to the Peace Agreement and the Rules & Regulations. There is no indication additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, continued measurement of water levels and the installation of extensometers are planned. Based on no real change in the available data, we cannot conclude that the proposed water transaction will cause material physical injury to a party or to the Basin.

CONSOLIDATED WATER TRANSFER FORMS:  
 FORM 3: APPLICATION FOR SALE OR TRANSFER OF RIGHT TO PRODUCE WATER FROM STORAGE  
 FORM 4: APPLICATION OR AMENDMENT TO APPLICATION TO RECAPTURE WATER IN STORAGE  
 FORM 5: APPLICATION TO TRANSFER ANNUAL PRODUCTION RIGHT OR SAFE YIELD



FISCAL YEAR 2009 - 2010

DATE REQUESTED: June 23, 2010

AMOUNT REQUESTED: 6.082 Acre-Feet

<p><b>TRANSFER FROM (SELLER / TRANSFEROR):</b></p> <p><u>The Nicholson Trust</u> Name of Party</p> <p><u>Post Office Box 6010</u> Street Address</p> <p><u>El Monte</u>                      <u>CA</u>            <u>91734</u> City                                      State            Zip Code</p> <p><u>(626) 448-6183</u> Telephone</p> <p><u>(626) 448-5530</u> Facsimile</p>	<p><b>TRANSFER TO (BUYER / TRANSFEREE):</b></p> <p><u>Fontana Water Company</u> Name of Party</p> <p><u>Post Office Box 987</u> Street Address</p> <p><u>Fontana</u>                              <u>CA</u>            <u>92334</u> City                                      State            Zip Code</p> <p><u>(909) 822-2201</u> Telephone</p> <p><u>(909) 823-5046</u> Facsimile</p>
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Have any other transfers been approved by Watermaster between these parties covering the same fiscal year?      Yes       No

**PURPOSE OF TRANSFER:**

- Pump when other sources of supply are curtailed
- Pump to meet current or future demand over and above production right
- Pump as necessary to stabilize future assessment amounts
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED FROM:**

- Annual Production Right (Appropriative Pool) or Operating Safe Yield (Non-Agricultural Pool)
- Storage
- Annual Production Right / Operating Safe Yield first, then any additional from Storage
- Other, explain \_\_\_\_\_

**WATER IS TO BE TRANSFERRED TO:**

- Annual Production Right / Operating Safe Yield (common)
- Storage (rare)
- Other, explain \_\_\_\_\_

**IS THE 85/15 RULE EXPECTED TO APPLY? (If yes, all answers below must be "yes.")** Yes  No   
Is the Buyer an 85/15 Party? Yes  No   
Is the purpose of the transfer to meet a current demand over and above production right? Yes  No   
Is the water being placed into the Buyer's Annual Account? Yes  No

**IF WATER IS TO BE TRANSFERRED FROM STORAGE:**

**Varies** **2009 – 2010**  
Projected Rate of Recapture Projected Duration of Recapture

**METHOD OF RECAPTURE (e.g. pumping, exchange, etc.):**

**Pumping**

**PLACE OF USE OF WATER TO BE RECAPTURED:**

**Chino Basin Management Zone 3**

**LOCATION OF RECAPTURE FACILITIES (IF DIFFERENT FROM REGULAR PRODUCTION FACILITIES):**

**N/A**

**WATER QUALITY AND WATER LEVELS**

Are the Parties aware of any water quality issues that exist in the area? Yes  No

If yes, please explain:

**Of the wells routinely pumped, perchlorate levels range from non-detect to 2.9 ppb and nitrate levels range from 6.6 ppm to 32.0 ppm.**

What are the existing water levels in the areas that are likely to be affected?

**Static Water Levels ranging from 324 feet bgs to 665 feet bgs.**

**MATERIAL PHYSICAL INJURY**

Are any of the recapture wells located within Management Zone 1? Yes  No

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes  No

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

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**SAID TRANSFER SHALL BE CONDITIONED UPON:**

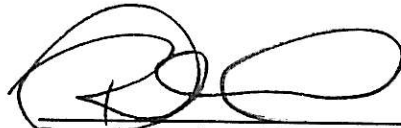
- (1) Transferee shall exercise said right on behalf of Transferor under the terms of the Judgment, the Peace Agreement, the Peace II Agreement, and the Management Zone 1 Subsidence Management Plan for the period described above. The first water produced in any year shall be that produced pursuant to carry-over rights defined in the Judgment. After production of its carry-over rights, if any, the next (or first if no carry-over rights) water produced by Transferee from the Chino Basin shall be that produced hereunder.
- (2) Transferee shall put all waters utilized pursuant to said Transfer to reasonable beneficial use.
- (3) Transferee shall pay all Watermaster assessments on account of the water production hereby Transferred.
- (4) Any Transferee not already a party must Intervene and become a party to the Judgment.

**ADDITIONAL INFORMATION ATTACHED**

Yes  No

  
\_\_\_\_\_  
Seller / Transferor Representative Signature

**Robert H. Nicholson, Jr., Trustee**  
Seller / Transferor Representative Name (Printed)

  
\_\_\_\_\_  
Buyer / Transferee Representative Signature

**Robert K. Young, General Manager**  
Buyer / Transferee Representative Name (Printed)

**TO BE COMPLETED BY WATERMASTER STAFF:**

DATE OF WATERMASTER NOTICE: \_\_\_\_\_

DATE OF APPROVAL FROM APPROPRIATIVE POOL: \_\_\_\_\_

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM AGRICULTURAL POOL: \_\_\_\_\_

HEARING DATE, IF ANY: \_\_\_\_\_

DATE OF ADVISORY COMMITTEE APPROVAL: \_\_\_\_\_

DATE OF BOARD APPROVAL: \_\_\_\_\_



# CHINO BASIN WATERMASTER

## I. CONSENT CALENDAR

### D. LOCAL STORAGE AGREEMENT

Notice of Application for a Local Storage Agreement –  
The City of Fontana (“City”) has submitted an application for a Local Storage Agreement for 5,000 acre-feet to be placed into an Excess Carryover Account – Date of Application: May 18, 2010.



***CHINO BASIN WATERMASTER***

**NOTICE**

**OF**

**APPLICATION(S)**

**RECEIVED FOR**

**WATER TRANSACTIONS –  
LOCAL STORAGE AGREEMENT**

Date of Notice:

June 24, 2010

This notice is to advise interested persons that the attached application(s) will come before the Watermaster Board on or after 30 days from the date of this notice.



**NOTICE OF APPLICATION(S) RECEIVED**

Date of Application: **May 18, 2010**

Date of this notice: **June 24, 2010**

Please take notice that the following Application has been received by Watermaster:

- A. Notice of Application for a Local Storage Agreement – The City of Fontana (“City”) has submitted an application for a Local Storage Agreement for 5,000 acre-feet to be placed into an Excess Carryover Account.

This *Application* will first be considered by each of the respective pool committees on the following dates:

Appropriative Pool:	July 1, 2010
Non-Agricultural Pool:	July 1, 2010
Agricultural Pool:	July 8, 2010

This *Application* will be scheduled for consideration by the Advisory Committee *no earlier than thirty days from the date of this notice and a minimum of twenty-one calendar days* after the last pool committee reviews it.

After consideration by the Advisory Committee, the *Application* will be considered by the Board.

Unless the *Application* is amended, parties to the Judgment may file *Contests* to the *Application* with Watermaster *within seven calendar days* of when the last pool committee considers it. Any *Contest* must be in writing and state the basis of the *Contest*.

Watermaster address:

Chino Basin Watermaster  
9641 San Bernardino Road  
Rancho Cucamonga, CA 91730

Tel: (909) 484-3888  
Fax: (909) 484-3890

# **CHINO BASIN WATERMASTER**

## **NOTICE OF APPLICATION FOR A LOCAL STORAGE AGREEMENT**

Notification Dated: June 24, 2010

A party to the Judgment has submitted a proposed Application for a Local Storage Agreement for Watermaster approval. Unless contrary evidence is presented to Watermaster that overcomes the rebuttable presumption provided in Section 5.2(b)(v) of the Peace Agreement, Watermaster must find that there is "no material physical injury" and approve the storage agreement. Watermaster staff is not aware of any evidence to suggest that this storage agreement would cause material physical injury and hereby provides this notice to advise interested persons that this storage agreement will come before the Watermaster Board on or after 30 days from the date of this notice. The attached staff report will be included in the meeting package at the time the storage agreement begins the Watermaster process (comes before Watermaster).

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# CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, Ca 91730  
Tel: (909) 484.3888 Fax: (909) 484-3890 www.cbwm.org

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**KENNETH R. MANNING**  
**CHIEF EXECUTIVE OFFICER**

**DATE:** June 24, 2010  
**TO:** Watermaster Interested Parties  
**SUBJECT:** Summary and Analysis of Application for a Local Storage Agreement

**Summary –**

There does not appear to be a potential material physical injury to a party or to the basin from the proposed application as presented.

**Issue –**

- Notice of Application for a Local Storage Agreement – The City of Fontana ("City") has submitted an application for a Local Storage Agreement for 5,000 acre-feet to be placed into an Excess Carryover Account.

**Recommendation –**

1. Continue monitoring as planned in the Optimum Basin Management Program.
2. Use all new or revised information when analyzing the hydrologic balance and report to Watermaster if a potential for material physical injury is discovered, and
3. Approve the application as presented.

**Fiscal Impact –** None.

**BACKGROUND**

The Court approved the Peace Agreement, the Implementation Plan and the goals and objectives identified in the OBMP Phase I Report on July 13, 2000, and ordered Watermaster to proceed in a manner consistent with the Peace Agreement. Under the Peace Agreement, Watermaster approval is required for applications to store, recapture, recharge or transfer water, as well as for applications for credits or reimbursements and storage and recovery programs.

Where there is no material physical injury, Watermaster must approve the transaction. Where the request for Watermaster approval is submitted by a party to the Judgment, there is a rebuttable presumption that most of the transactions do not result in Material Physical Injury to a party to the Judgment or the Basin (Storage and Recovery Programs do not have this presumption).

The following application for a Local Storage Agreement is attached with the notice of application.

- Notice of Application for a Local Storage Agreement – The City of Fontana ("City") has submitted an application for a Local Storage Agreement for 5,000 acre-feet to be placed into an Excess Carryover Account.

Notice of the application identified above was mailed on June 24, 2010 along with the materials submitted by the requestors.

## **DISCUSSION**

The City of Fontana intervened into the Judgment in FY 1998-1999. On May 18, 2010, the City submitted Form 1, an application for a Local Storage Agreement. The Application identifies the maximum quantity of the storage account to be 5,000 acre-feet to be placed into an Excess Carryover Account.

The Application states the purposes of storing the water is: 1) to stabilize or reduce future water costs/assessments, and 2) for the City to store recycled water that is recharged by Inland Empire Utilities Agency (IEUA). The City of Fontana, as a member of IEUA, is entitled to approximately 18.5-percent of the total amount of recycled water produced and recharged by IEUA. The City currently has a contract in place with the City of Ontario for the purchase of the first 3,000 acre-feet of this water. IEUA has projected that within the next two years they will recharge an average of 17,000 acre-feet per year and may reach as much as 25,000 acre-feet per year in a dry year. These amounts will exceed the 3,000 acre-feet that is currently under contract to the City of Ontario.

The Application states that the method of placement in storage is via percolation/recharge and a Form 2 application is attached. The Form 2 states that all recharge basins included in the IEUA/CBWM area that accept recycled water will be utilized.

The Application states that the method and location of recapture from storage is transfer to another Party to the Judgment. At that point, the City of Fontana and the other Party will need to submit appropriate water transfer forms.

Per the Peace II Agreement, losses will be applied to all water placed into the City's Excess Carryover Account in a similar manner to all other water in storage.

APPLICATION FOR LOCAL STORAGE AGREEMENT

APPLICANT

City of Fontana Name of Party

May 18, 2010 Date Requested

Date Approved

16489 Orange Way Street Address

5000-Acre-feet Amount Requested

Amount Approved Acre-feet

Fontana CA 92335 City State Zip Code

Telephone: (909) 350-6530

Facsimile: (909) 350-6773

TYPE OF WATER TO BE PLACED IN STORAGE

[ X ] Excess Carry Over [ ] Local Supplemental or Imported [ ] Both

PURPOSE OF STORAGE - Check all that may apply

- [ X ] Stabilize or reduce future water costs/assessments.
[ ] Facilitate utilization of other available sources of supply.
[ ] Facilitate replenishment under certain well sites.
[ ] Preserve pumping right for a changed future potential use.

Other, explain: The City of Fontana as a member Agency of Inland Empire Utilities Agency (IEUA) is entitled to approximately 18.5% of the total amount of recycled water produced and recharged by the agency. The City currently has a contract in place with the City of Ontario for the purchase of the first 3000 acre feet of this water. IEUA has projected that within the next two years they will recharge an average of 17,000 acre feet per year and may reach as much as 25,000 acre feet per year in a dry year. These amounts will exceed the 3000 acre feet that is currently under contract to the City of Ontario. The City is hereby requesting a storage account for this excess recharge water.

METHOD AND LOCATION OF PLACEMENT IN STORAGE - Check and attach all that may apply

- [ X ] Recharge (Form 2)
[ ] Transfer of Right to Water in Storage (Form 3)
[ ] Transfer from another party to the Judgment (Form 5)

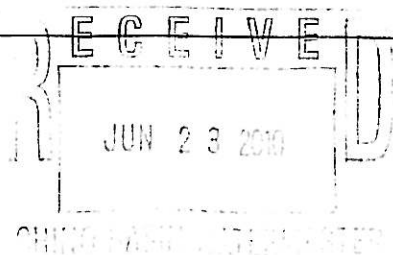
METHOD AND LOCATION OF RECAPTURE FROM STORAGE - Check and attach all that may apply

- [ ] Pump from my wells (Form 4)
[ X ] Transfer to another party to the Judgment (Form 3)

WATER QUALITY AND WATER LEVELS

What is the existing water quality and what are the existing water levels in the areas that are likely to be affected?

No water levels or water quality will be affected. We are not adding any recharge water we are asking to establish a storage account for our share of the recharge currently taking place through the regional recharge master plan.



Form 1 (cont.)

**MATERIAL PHYSICAL INJURY**

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes [ ] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?


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**ADDITIONAL INFORMATION ATTACHED**

Yes [ ] No [X]

  
\_\_\_\_\_  
Chuck Hays, Public Works Director  
City of Fontana

**TO BE COMPLETED BY WATERMASTER:**

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM AGRICULTURAL POOL: \_\_\_\_\_

DATE OF APPROVAL FROM APPROPRIATIVE POOL: \_\_\_\_\_

HEARING DATE, IF ANY: \_\_\_\_\_

DATE OF ADVISORY COMMITTEE APPROVAL: \_\_\_\_\_

DATE OF BOARD APPROVAL: \_\_\_\_\_ Agreement # \_\_\_\_\_

APPLICATION FOR RECHARGE

APPLICANT

City of Fontana
Name of Party

May 18, 2010
Date Requested

Date Approved

16489 Orange Way
Street Address

5,000-Acre-feet
Amount Requested

Acre-feet
Amount Approved

Fontana
City

CA
State

92335
Zip Code

Projected Rate of
Recharge

Projected Duration of
Recharge

Telephone: (909) 350-6530

Facsimile: (909) 350-6773

SOURCE OF SUPPLY

Water from:

- [ ] State Water Project
[ ] Colorado River
[ ] Local Supplemental Source: IEUA
[X] Recycled Water
[ ] Other, explain

METHOD OF RECHARGE

- [X] PERCOLATION Basin Name All basins included in the IEUA/CBWM recharge Water Plan.
Location
[ ] INJECTION Well Number
Location (attach map) See map
[ ] EXCHANGE Facility Name
Share of Safe Yield -0-
Carry Over Right
Water in Storage -0-
Pumping Capacity (cfs) -0-

WATER QUALITY AND WATER LEVELS

What is the existing water quality and what are the existing water levels in the areas that are likely to be affected? Water quality and water levels will not be affected since we are not increasing the amount of recharge. We are requesting a storage account for recharge that is currently taking place. The City is entitled to approximately 18.5% of the total recharged by IEUA.



**MATERIAL PHYSICAL INJURY**

Is the Applicant aware of any potential Material Physical Injury to a party to the Judgment or the Basin that may be caused by the action covered by the application? Yes [ ] No [X]

If yes, what are the proposed mitigation measures, if any, that might reasonably be imposed to ensure that the action does not result in Material Physical Injury to a party to the Judgment or the Basin?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ADDITIONAL INFORMATION ATTACHED**

Yes  No [ ]



\_\_\_\_\_  
Chuck Hays, Public Works Director  
City of Fontana

**TO BE COMPLETED BY WATERMASTER:**

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: \_\_\_\_\_

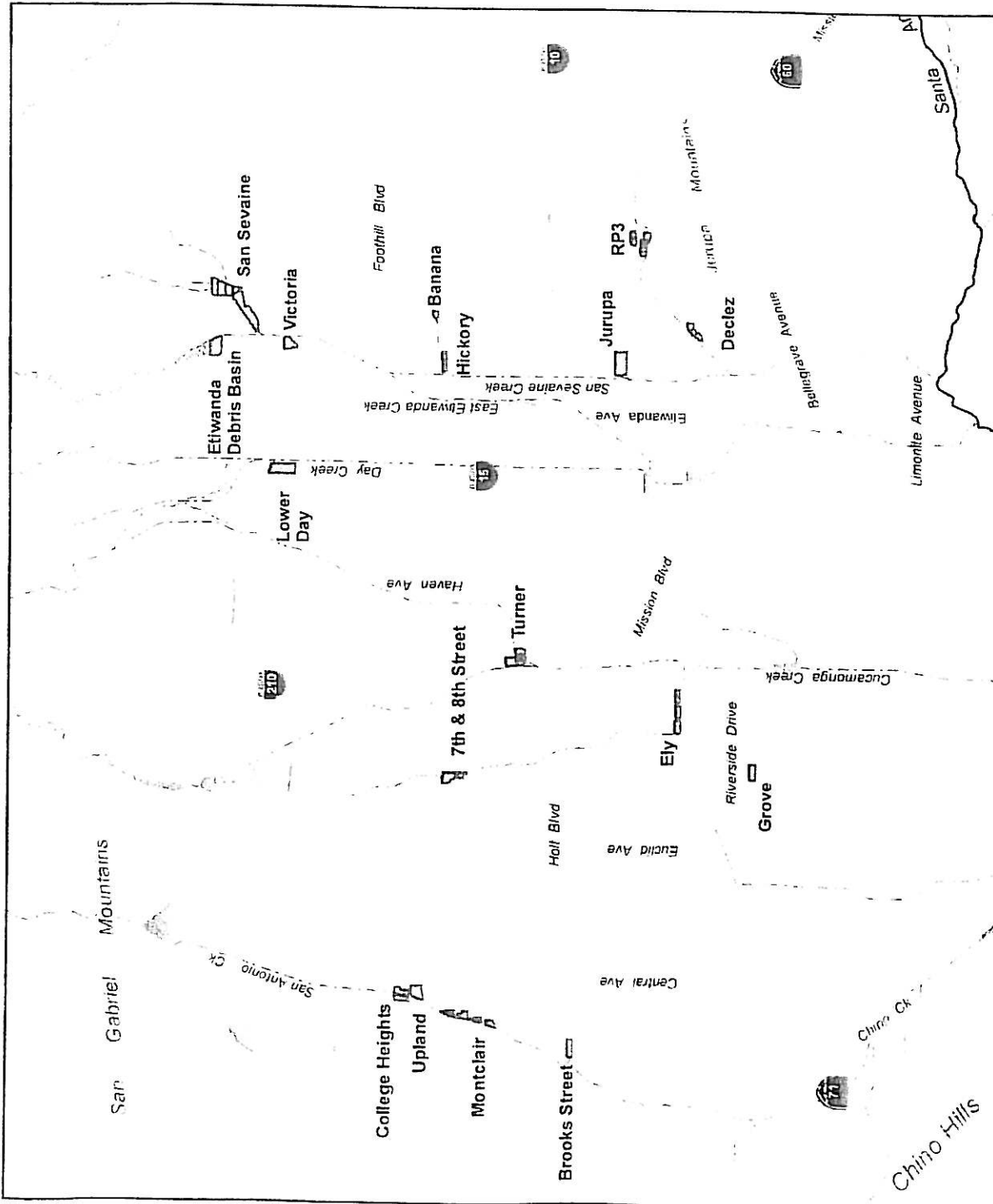
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DATE OF APPROVAL FROM APPROPRIATIVE POOL: \_\_\_\_\_




HEARING DATE, IF ANY: \_\_\_\_\_

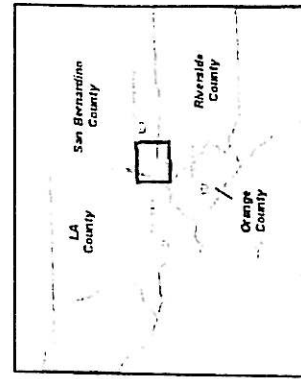
DATE OF ADVISORY COMMITTEE APPROVAL: \_\_\_\_\_

DATE OF BOARD APPROVAL: \_\_\_\_\_ Agreement # \_\_\_\_\_



**Main Map Features**

-  Recharge Basins in the Recycled Water Groundwater Recharge Program
-  Non-program basins
-  Rivers and Streams



**Chino Basin Recycled Water Groundwater Recharge Programs**  
Basin Locations



**Figure 1-1**

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# CHINO BASIN WATERMASTER

## III. INFORMATION

1. Newspaper Articles



latimes.com/news/custom/scimedemail/la-me-water-drought-20100620,0,4400238.story

**latimes.com**

## California's drought may be over, but no one's rushing to lift restrictions

**Precipitation has been above average this year and many state reservoirs are nearly full. But the long-term concerns that politicians and water districts have harped on for years aren't going away.**

By Bettina Boxall, Los Angeles Times

June 20, 2010

Late spring storms smothered the Sierra in snow. The state's biggest reservoir is nearly full. Precipitation across much of California has been above average. By standard measures, California's three-year drought is over.

"From a hydrologic standpoint, for most of California, it is gone," said state hydrologist Maury Roos, who has monitored the ups and downs of the state's water for 50 years.

But Gov. Arnold Schwarzenegger isn't lifting his drought declaration. Los Angeles isn't ending its watering restrictions and Southern California's major water wholesaler isn't reversing delivery cuts. Despite months of rain and snow and rising levels in the state's major reservoirs, water managers aren't ready to celebrate or make the drought's end official.

Caution, politics and a changing water landscape are all at play.

"The concern is, if we return to a dry year next year we're in trouble" said Assemblyman Jared Huffman (D-San Rafael), one of the Legislature's water policy experts. "But you also have to wonder if the drought isn't also a convenient political tool sometimes — especially in an election year."

The Colorado River Basin, a significant water source for the Southland, remains stuck in a long-term drought. Environmental restrictions on pumping water from Northern California will continue to reduce exports to the south. Both are cause for caution.

On the political side, an expensive water bond made its way onto the November ballot with the help of images of shrinking reservoirs and parched fields in the Central Valley.

Data from the state Department of Water Resources paint a [vastly improved water picture](#). As of May 31, statewide precipitation was at 115% of average, reservoir storage was at 95% and runoff at 80%.

advertisement



Lake Oroville, the biggest reservoir in the State Water Project system, has risen 14 feet this month and water levels are still climbing. Shasta Lake, the giant of California reservoirs, is nearly full. Roos expects June runoff to be above average, boosted by snowmelt from storms that kept fattening the Sierra snowpack well into spring.

All in all, Roos said, this is turning out to be the best water year since 2006, before the drought began. "It looks pretty good to me," he said.

But not everything is back to normal. While most farmers in the Central Valley will get their full federal water allotment this year, the hard-hit west side of the San Joaquin Valley is still facing cuts, as are irrigation districts in the state's northeast corner.

The state project that sends water to the Southland has ramped up deliveries from initial projections, but they will remain well below normal. State officials say that is due to strict pumping curbs in the Sacramento-San Joaquin Delta, to protect salmon and smelt populations, and because Oroville has been slower to refill than some other reservoirs.

Water managers warn that even if the drought is over, the days of carefree water use in California are gone forever.

"We're trying to prepare the consumer for the fact that this isn't just a short-term thing — if it's wet or dry. This may be every year," said Debra Man, assistant general manager of the Metropolitan Water District of Southern California, which sells imported water to Los Angeles and other Southland cities. "We're facing more than just weather."

After jumping for much of the past decade, the MWD's imports of Northern California water fell in recent years, not only because of the drought, but because fish protections are restricting pumping from the delta.

The Colorado River Basin, MWD's other big supplier, is in the grip of a stubborn, long-term drought. And a complicated legal agreement struck earlier this decade calls for California to limit its use of the river to the state's historic allotment, an amount that has been exceeded regularly in the past.

All that has diminished MWD's supplies, draining its regional water reserves by half — too much, Man said, for the agency to end the rationing it imposed last year.

In the Bay Area, however, several districts dropped their drought restrictions as conditions improved. Los Angeles is not ready to do the same, even though the city will get slightly more water than usual from the [Eastern Sierra](#) this year.

"Things have improved. I'm happy that they have," said James McDaniel, a senior assistant general manager in the L.A. Department of Water and Power. But "we're still quite concerned about another dry year coming up. We could be in a real bad situation."

Citing the same supply pressures as Man, McDaniel said he has stopped talking about drought and instead refers to "a chronic water-supply shortage. ... I don't know that it will ever be the same as it was before."

From the start, the drought took on political dimensions. When Schwarzenegger announced his June 2008 drought proclamation, he included a plug for a massive bond to fund new water infrastructure.

When lawmakers last year approved the \$11-billion bond package and placed it on this November's ballot, they invoked the drought.

When farm interests staged angry rallies protesting irrigation cutbacks last summer, they stood next to withered fields. When Central Valley politicians attacked the Endangered Species Act, they complained that the act's pumping limits and the drought were wrecking the valley's economy and causing massive job losses (a claim that was not supported by [farm labor statistics](#)).

"This was a real drought. There's no doubt about that," said Huffman, the Assemblyman. "It caused real impacts. At the same time, I would agree the politics were extreme, especially last year and especially in the San Joaquin Valley. I think some folks saw an opportunity."

Deputy Press Secretary Jeff Macedo said the governor has no plans to declare the drought over. "We haven't gotten to that point yet."

"After three years of drought, these communities in the Central Valley have been affected greatly. They still are feeling those effects," he added. "This isn't a political issue. This is part of the governor reacting to a natural disaster."

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