

CHINO BASIN WATERMASTER



NOTICE OF MEETING

Thursday, February 22, 2024

11:00 a.m. – Watermaster Board Meeting

**CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING**

11:00 a.m. – February 22, 2024

Mr. Jim Curatalo, Chair

Mr. Jeff Pierson, Vice-Chair

At The Offices Of

Chino Basin Watermaster

9641 San Bernardino Road

Rancho Cucamonga, CA 91730

AGENDA

CALL TO ORDER

FLAG SALUTE

ROLL CALL

PUBLIC COMMENTS

This is an opportunity for members of the public to address the Board on any short non-agenda items that are within the subject matter jurisdiction of the Chino Basin Watermaster. No discussion or action can be taken on matters not listed on the agenda, per the Brown Act. Each member of the public who wishes to comment shall be allotted three minutes, and no more than three individuals shall address the same subject.

I. CONSENT CALENDAR

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

A. MINUTES

Approve as presented:

Minutes of the Watermaster Board Meeting held January 25, 2024 *(Page 1)*

B. FINANCIAL REPORTS

Receive and file as presented:

Monthly Financial Report for the Reporting Period Ended December 31, 2023 *(Page 7)*

C. WATER TRANSACTION – CITY OF ONTARIO TO CUCAMONGA VALLEY WATER DISTRICT

Approve the proposed transaction. *(Page 23)*

D. APPLICATION: RECHARGE – CITY OF POMONA

Approve The City of Pomona’s application for recharge and direct staff to account for the same. *(Page 30)*

II. BUSINESS ITEMS

A. PEACE AGREEMENT TIMELINE (INFORMATION ONLY) *(Page 40)*

III. REPORTS/UPDATES

A. LEGAL COUNSEL

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

B. ENGINEER

1. Ground-Level Monitoring Program
2. Water Quality Committee
3. 2025 Safe Yield Reevaluation

C. GENERAL MANAGER

1. Regional Reliability Study
2. Diversion Permits Reporting
3. San Sevaine Drone Footage
4. Other

IV. BOARD MEMBER COMMENTS

V. OTHER BUSINESS

VI. CONFIDENTIAL SESSION - POSSIBLE ACTION

Pursuant to Article II, Section 2.6, of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

1. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTERS

VII. FUTURE MEETINGS AT WATERMASTER

02/22/24	Thu	9:30 a.m.	Watermaster Orientation - Chino Basin Judgement: Historical context*
02/22/24	Thu	11:00 a.m.	Watermaster Board
02/27/24	Tue	9:00 a.m.	Groundwater Recharge Coordinating Committee (GRCC)
03/07/24	Thu	10:00 a.m.	Ground-Level Monitoring Committee (GLMC)
03/07/24	Thu	1:00 p.m.	2025 Safe Yield Reevaluation – Scenario Design #2
03/14/24	Thu	9:00 a.m.	Appropriative Pool Committee
03/14/24	Thu	11:00 a.m.	Non-Agricultural Pool Committee
03/14/24	Thu	1:30 p.m.	Agricultural Pool Committee
03/21/24	Thu	9:00 a.m.	Advisory Committee
03/21/24	Thu	10:00 a.m.	Prado Basin Habitat Sustainability Committee
03/26/24	Tue	10:00 a.m.	Fiscal Year 2024/25 Budget Release
03/28/24	Thu	9:30 a.m.	Watermaster Orientation*
03/28/24	Thu	11:00 a.m.	Watermaster Board

* The Watermaster Orientation series are held in person only with no remote access.

ADJOURNMENT

DRAFT MINUTES
CHINO BASIN WATERMASTER
WATERMASTER BOARD MEETING

January 25, 2024

The Watermaster Board meeting was held at the offices of the Chino Basin Watermaster located at 9641 San Bernardino Road, Rancho Cucamonga, CA, and via Zoom (conference call and web meeting) On January 25, 2024.

WATERMASTER BOARD MEMBERS PRESENT AT WATERMASTER

James Curatalo, Chair	Appropriative Pool – Minor Representative
Jeff Pierson, Vice Chair	Agricultural Pool – Crops
Bob Bowcock, Secretary/Treasurer	Non-Agricultural Pool – CalMat Co.
Bill Velto	City of Upland
Bob Kuhn	Three Valleys Municipal Water District
Jimmy Medrano	Agricultural Pool – State of CA
Mike Gardner	Western Municipal Water District
Scott Burton	City of Ontario
Steve Elie	Inland Empire Utilities Agency

WATERMASTER STAFF PRESENT

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

WATERMASTER CONSULTANTS PRESENT AT WATERMASTER

Brad Herrema	Brownstein Hyatt Farber Schreck, LLP
Scott Slater	Brownstein Hyatt Farber Schreck, LLP
Andy Malone	West Yost
Garrett Rapp	West Yost

WATERMASTER CONSULTANTS PRESENT ON ZOOM

Scott Nelsen	Eide Bailly, LLP
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OTHERS PRESENT AT WATERMASTER

Gino Filippi	Agricultural Pool – Crops
Bob Feenstra	Agricultural Pool - Dairy
Tariq Awan	Agricultural Pool – State of CA
Imelda Cadigal	Agricultural Pool – State of CA
Lewis Callahan	Agricultural Pool – State of CA
Brian Geye	California Speedway Corporation
Kati Parker	Chino Basin Water Conservation District
Dave Crosley	City of Chino
Hye Jin Lee	City of Chino
Ron Craig	City of Chino Hills
Chris Diggs	City of Pomona
Nicole deMoet	City of Upland
Braden Yu	City of Upland
John Bosler	Cucamonga Valley Water District
Amanda Coker	Cucamonga Valley Water District

Jimmie Moffat
Mikayla Coleman
Eddie Lin
John Russ
Chris Berch
Bryan Smith
Justin Scott-Coe
Justin Scott-Coe
Alyssa Coronado
Nicole deMoet
Braden Yu
Mallory O'Conor

Cucamonga Valley Water District
CV Strategies
Inland Empire Utilities Agency
Inland Empire Utilities Agency
Jurupa Community Services District
Jurupa Community Services District
Monte Vista Irrigation Company
Monte Vista Water District
Santa Ana River Water Company
West End Consolidated Water Co.
West End Consolidated Water Co.
Western Municipal Water District

OTHERS PRESENT ON ZOOM

Nathan deBoom
Marilyn Levin
Eunice Ulloa
Michael Meyer
Eduardo Espinoza
Mark Gibboney
Rob Hills
Kevin Kenley
Randall Reed
Jiwon Seung
Tracy Egoscue
Derek Hoffman
Ben Lewis
Jesse Pompa
Manny Martinez
Brian Lee
John Lopez
David De Jesus
Matt Litchfield
Joshua Aguilar
Ryan Shaw
Richard Rees
Jess Singletary

Agricultural Pool – Dairy
Agricultural Pool – State of CA
City of Chino
County of San Bernardino
Cucamonga Valley Water District
Cucamonga Valley Water District
Cucamonga Valley Water District
Cucamonga Valley Water District
Cucamonga Valley Water District
Cucamonga Valley Water District
Egoscue Law Group, Inc.
Fennemore Law
Golden State Water Company
Jurupa Community Services District
Monte Vista Water District
San Antonio Water Company
Santa Ana River Water Company
Three Valleys Municipal Water District
Three Valleys Municipal Water District
Western Municipal Water District
Western Municipal Water District
WSP USA

CALL TO ORDER

Mr. Curatalo called the Watermaster Board meeting to order at 11:00 a.m.

FLAG SALUTE

Mr. Curatalo, the 2023 Chair, led the Board in the flag salute.

ROLL CALL

(0:00:48) Ms. Moore conducted the roll call and announced that a quorum was present.

PUBLIC COMMENTS

(0:02:05) Mr. Gino Filippi offered the Stakeholders the chance to view historic pictures of a storm that happened in the 1960's.
(0:03:22) Mr. Bob Feenstra stated Mr. Paul Hofer will be a representative back on the Agricultural Pool Committee.

AGENDA – ADDITIONS/REORDER

None

INTRODUCTIONS – CALENDAR YEAR 2024 WATERMASTER BOARD MEMBERS

(0:05:20) Mr. Curatalo invited the Board, Watermaster Staff, Engineers, and Legal Counsel to introduce themselves; he welcomed the 2024 Board members. A discussion ensued.

Appropriative Pool	Scott Burton (City of Ontario)
Appropriative Pool	Jim Curatalo (Cucamonga Valley Water District)
Appropriative Pool	Bill Velto (City of Upland)
Overlying (Non-Ag) Pool	Bob Bowcock (CalMat Co.)
Overlying (Ag) Pool	Jimmy Medrano (State of California)
Overlying (Ag) Pool	Jeff Pierson (Crops)
Municipal	Steve Elie (Inland Empire Utilities Agency)
Municipal	Mike Gardner (Western Municipal Water District)
Municipal	Bob Kuhn (Three Valleys Municipal Water District)

I. CALENDAR YEAR 2024 OFFICERS – ACTION

A. ELECTION OF OFFICERS

Chair	<u>Jim Curatalo</u>
Vice-Chair	<u>Jeff Pierson</u>
Secretary/Treasurer	<u>Bob Bowcock</u>

(0:07:35) Mr. Curatalo turned the annual Elections of Officers over to Mr. Scott Slater to conduct.

Mr. Scott Slater called for nominations for Chair.

Mr. Steve Elie nominated Mr. Jim Curatalo as the Chair, and passed unanimously by voice vote.

Mr. Scott Slater called for nominations for Vice-Chair.

Mr. Mike Gardner nominated Mr. Jeff Pierson as Vice-Chair, and passed unanimously by voice vote.

Mr. Scott Slater called for nominations for *Secretary/Treasurer*.

Mr. Scott Burton nominated Mr. Bob Bowcock as the Secretary/Treasurer; Mr. Steve Elie nominated Mr. Bill Velto as the Secretary/Treasurer.

Mr. Bob Bowcock was elected by majority voice vote.

II. CONSENT CALENDAR

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

A. MINUTES

Approve as presented:

1. Minutes of the Watermaster Board Meeting held November 16, 2023
2. Minutes of the Watermaster Board Special Meeting held December 22, 2023

B. FINANCIAL REPORTS

Receive and file as presented:

Monthly Financial Reports for the Reporting Periods Ended October and November 2023.

C. CHINO BASIN WATERMASTER 2024 INVESTMENT POLICY – RESOLUTION NO. 2024-01

Adopt Resolution 2024-01 – Resolution of the Chino Basin Watermaster, San Bernardino County, California, Re-Authorizing the Watermaster’s Investment Policy.

D. CHINO BASIN WATERMASTER 46TH ANNUAL REPORT (FISCAL YEAR 2022/23)

Adopt the 46th Annual Report, along with filing a copy with the Court, subject to any necessary non-substantive changes.

E. NOTICE OF INTENT TO CHANGE THE OPERATING SAFE YIELD OF THE CHINO GROUNDWATER BASIN

F. 2024 HEARING OFFICER PANEL APPOINTMENT

Approve and appoint the recommended panel of five to serve in calendar year 2024, to be reconsidered periodically and no less frequently than annually.

(00:15:10)

Motion by Mr. Bob Kuhn, seconded by Vice-Chair Jeff Pierson, there being no dissent, the item passed unanimously.

Moved to approve the Consent Calendar as presented.

III. BUSINESS ITEMS

A. PROFESSIONAL SERVICES AGREEMENT BETWEEN WELL TEC SERVICES AND CHINO BASIN WATERMASTER

Approve and authorize the Acting General Manager to execute the contract on behalf of Watermaster subject to any non-substantive changes.

(0:16:41) Mr. Tellez Foster invited Mr. Jurado to give a report. A discussion ensued.

(0:18:53)

Motion by Mr. Mike Gardner, seconded by Vice-Chair Jeff Pierson, there being no dissent, the item passed unanimously.

Moved to approve the Professional Services Agreement between Well Tec Services and Chino Basin Watermaster (Business Item III.A.) as presented.

IV. REPORTS/UPDATES

A. WATERMASTER LEGAL COUNSEL

1. December 1, 2023 Court Hearing (OBMP Semi-Annual Status Report and 2023 Recharge Master Plan Update)
2. February 2, 2024 Court Hearing (Watermaster Board Reappointment and GLMP Annual Report)
3. Court of Appeal Case No. E079052 (City of Chino, MVIC, MVWD, City of Ontario appeal re OAP Expenses and Attorney Fees)
4. Court of Appeal Consolidated Cases No. E080457 and E082127 (City of Ontario appeal re 2021- 22 and 2022-23 Assessment Packages)
5. Court of Appeal Case No. E080533 (Cities of Chino, Ontario appeal re 2022-23 Watermaster budget expenses to support CEQA analysis)
6. Kaiser Permanente Lawsuit

(0:21:32) Mr. Slater gave a report. A discussion ensued.

B. ENGINEER

1. Safe Yield Court Order Implementation
2. Storage and Recovery Master Plan
3. Water Quality Committee
4. Updated Schedules on Watermaster Website

(0:28:16) Mr. Rapp gave a report.

C. GENERAL MANAGER

1. CBWM Newsletter
2. Fiscal Year 2023/24 Exhibit "G" Physical Solution Transfers
3. DYY Deliveries
4. OBMP Update CEQA
5. New Employee Introduction
6. Other

(0:32:06) Mr. Tellez Foster gave an update on item 1, he invited Mr. Yoo to give a report on item 2. Under item 3, Mr. Tellez Foster gave an update indicating that DYY deliveries will stop in January, on item 4, he mentioned that IEUA has received all comments for the OBMP Update CEQA, and the IEUA Board will bring this item for certification in February; Item 5, he introduced Watermaster's new staff member, Daniela Uriarte, the Senior Accountant. Under other, he reported that Watermaster has discontinued its fax line as a cost savings due to low usage.

IV. BOARD MEMBER COMMENTS

(0:40:56) Mr. Gardner requested an update on the San Sevaine Basins.

(0:41:59) Mr. Elie requested a visual update on the San Sevaine Basins, he also welcomed and congratulated the new Watermaster Board Members.

V. OTHER BUSINESS

None

VI. CONFIDENTIAL SESSION – POSSIBLE ACTION

Pursuant to Article II, Section 2.6, of the Watermaster Rules & Regulations, a Confidential Session may be held during the Watermaster Board meeting for the purpose of discussion and possible action.

The Board convened into confidential session at 11:48 a.m. to discuss the following:

1. CONFERENCE WITH LEGAL COUNSEL – PERSONNEL MATTERS
2. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION:
 - a) Chino Basin Municipal Water District v. City of Ontario et al., 4th District Court of Appeal Case No. E0790523
 - b) Kaiser Foundation Health Plan, et al. v. Chino Basin Water Conservation District, et al., San Bernardino County Superior Court Case No: CIV DS 1933655

Confidential session concluded at 1:45 p.m. with the reportable action:

Mr. Slater reported that the Board met in closed session to discuss the Kaiser Permanente lawsuit, the watermaster Board has agreed to pay \$150,000 for litigation.

ADJOURNMENT

Chair Curatalo adjourned the Watermaster Board meeting at 1:47 p.m.

Secretary: _____

Approved: _____



CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, CA 91730
Tel: 909.484.3888 www.cbwm.org

EDGAR TELLEZ FOSTER, PhD
Acting General Manager

STAFF REPORT

DATE: February 2024
TO: Watermaster Committees & Board
SUBJECT: Monthly Financial Reports (For the Reporting Periods Ended December 31, 2023)
(Consent Calendar Item I.B.)

SUMMARY

Issue: Record of Monthly Financial Reports for the reporting periods ended December 31, 2023.
[Normal Course of Business]

Recommendation: Receive and file Monthly Financials Reports for the reporting periods ended December 31, 2023 as presented.

Financial Impact: None.

Future Consideration

Watermaster Board – February 22, 2024: Receive and File

ACTIONS:

Appropriative Pool – February 8, 2024: Received and Filed
Non-Agricultural Pool – February 8, 2024: Received and Filed
Agricultural Pool – February 8, 2024: Received and Filed
Advisory Committee – February 15, 2024: Received and Filed
Watermaster Board – February 22, 2024:

*Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court,
and to develop and implement an Optimum Basin Management Program*

BACKGROUND

A monthly reporting packet is provided to keep all members apprised of Watermaster revenues, expenditures, and other financial activity. Monthly reports include the following:

1. Cash Disbursements – Summarized report of all payments made during the reporting month.
2. Credit Card Expense Detail – Detail report of all credit card activity during the reporting month.
3. Combining Schedule of Revenues, Expenses & Changes in Net Assets – Detail report of all revenue and expense activity for the fiscal YTD, summarized by pool category.
4. Treasurer’s Report – Summary of Watermaster investments holdings and anticipated earnings as of month end.
5. Budget to Actual Report – Detail report of actual revenue and expense activity, shown for reporting month and YTD, comparatively to the adopted budget.
6. Monthly Variance Report & Supplemental Schedules – Supporting schedule providing explanation for major budget variances. Also provides several additional tables detailing pool fund balance, salaries expense, legal expense, and engineering expense.

DISCUSSION

Detailed explanation of major variances and other additional information can be found on the “Monthly Variance Report & Supplemental Schedules.”

Watermaster staff is happy to provide additional explanation or respond to any questions on these reports.

ATTACHMENTS

1. Monthly Financial Reports (December 31, 2023)



**Chino Basin Watermaster
Cash Disbursements
December 2023**

Date	Number	Vendor Name	Description	Amount
12/01/2023	24471	BOWCOCK, ROBERT		\$ (125.00)
12/01/2023	24472	BROWNSTEIN HYATT FARBER SCHRECK	October legal services	(149,053.56)
12/01/2023	24473	ELIE, STEVEN		(250.00)
12/01/2023	24474	GEYE, BRIAN		(1,250.00)
12/01/2023	24475	PIERSON, JEFFREY		(1,500.00)
12/01/2023	24476	RUBEN LLAMAS		(500.00)
12/06/2023	24477	ACWA JOINT POWERS INSURANCE AUTHORITY	January life insurance	(80.16)
12/06/2023	24478	APPLIED COMPUTER TECHNOLOGIES	November computer services	(4,250.00)
12/06/2023	24479	CALIFORNIA BANK & TRUST	Account ending 6198 - See detail attached	(5,197.00)
12/06/2023	24480	CALIFORNIA DEPARTMENT OF TAX AND FEE ADM	Water Rights Fee 094-014458, 094-014940, 094-14939, TIN: 014-	(12,941.23)
12/06/2023	24481	STATE COMPENSATION INSURANCE FUND	FY 24 Worker's compensation insurance	(2,768.91)
12/06/2023	24482	TOM DODSON & ASSOCIATES	OBMP update project	(21,075.40)
12/06/2023	24483	UNION 76	November fuel purchases	(86.46)
12/06/2023	24484	VANGUARD CLEANING SYSTEMS	December cleaning service	(1,000.00)
12/06/2023	24485	VCS, INC.	November IT services	(6,587.81)
12/06/2023	24486	VISION SERVICE PLAN	December vision insurance coverage	(86.95)
12/06/2023	24487	WEST YOST	October engineering services	(222,817.31)
12/07/2023	24488	BURRTEC WASTE INDUSTRIES, INC.	December waste services	(160.73)
12/07/2023	24489	CHEF DAVE'S CATERING & EVENT SERVICES	Catering services for Board meetings	(2,063.35)
12/07/2023	24490	CORELOGIC INFORMATION SOLUTIONS	November computer services	(125.00)
12/07/2023	24491	CURATALO, JAMES		(1,125.00)
12/07/2023	24492	DE BOOM, NATHAN		(125.00)
12/07/2023	24493	FRONTIER COMMUNICATIONS	Office alarm services	(152.14)
12/07/2023	24494	INLAND EMPIRE UTILITIES AGENCY	FY 24 Q1 & Q2 Groundwater Recharge O&M Cost Reimb	(611,841.38)
12/07/2023	24495	NAKANO, JUSTIN	ACWA Reimbursement - hotel and mileage expense	(357.88)
12/07/2023	24496	ULTIMATE STAFFING SERVICES	Temporary employment services	(295.12)
12/07/2023	24497	WESTERN MUNICIPAL WATER DISTRICT		(250.00)
12/11/2023	24498	CUCAMONGA VALLEY WATER DISTRICT	January lease	(11,727.00)
12/11/2023	24499	EIDE BAILLY LLP	October consulting services	(13,311.02)
12/11/2023	24502	NELSON, ANNA	2024 Tuition Reimbursement	(5,250.00)
12/13/2023	24503	BAY ALARM COMPANY	Alarm service	(177.87)
12/13/2023	24504	CLEANTECH SERVICES	Window cleaning services	(371.50)
12/13/2023	24505	SOUTHERN CALIFORNIA EDISON	Electricity services	(1,372.12)
12/13/2023	24506	SPECTRUM ENTERPRISE	December internet services	(1,105.33)
12/13/2023	24507	ULTIMATE STAFFING SERVICES	Temporary employment services	(1,475.60)
12/13/2023	24508	VERIZON WIRELESS	December telephone expense	(276.47)
12/14/2023	24509	BOWCOCK, ROBERT		(250.00)
12/14/2023	24510	EGOSCUE LAW GROUP, INC.	November AG legal and technical services	(21,400.00)
12/14/2023	24511	FILIPPI, GINO		(250.00)
12/14/2023	24512	LAW OFFICE OF ALLEN W. HUBSCH	November legal services	(2,530.00)
12/14/2023	24513	PIERSON, JEFFREY		(1,625.00)
12/14/2023	24514	VANGUARD CLEANING SYSTEMS	Electrostatic spraying - November	(440.00)
12/14/2023	24515	JOHN J. SCHATZ	Partial May & June 2023	(12,543.32)
12/21/2023	24516	CUCAMONGA VALLEY WATER DISTRICT - UTILITY	Water utility services for meter #018166034	(31.85)
12/21/2023	24517	DORA CERVANTES	Annual carpet cleaning	(800.00)
12/21/2023	24518	EMPOWER LAB	November coaching services	(500.00)
12/21/2023	24519	GREAT AMERICA LEASING CORP.	November copy machine lease	(2,601.45)
12/21/2023	24520	LEGAL SHIELD	December employee legal insurance	(145.45)
12/21/2023	24521	READY REFRESH	Office water bottle lease	(113.03)
12/21/2023	24522	SOCALGAS	Gas utilities	(91.41)
12/21/2023	24523	TALENT ADVISERS, LLC	November human resources consulting services	(4,100.00)
12/21/2023	24524	ULTIMATE STAFFING SERVICES	Temporary employment services	(1,475.60)
12/22/2023	24525	BROWNSTEIN HYATT FARBER SCHRECK	November legal services	(169,523.38)
12/22/2023	24526	WEST YOST	November engineering services	(132,706.44)
12/22/2023	24527	UNITED HEALTHCARE	January dental insurance coverage	(1,073.01)
Total for Month				\$ (1,438,582.24)



Chino Basin Watermaster

Credit Card Expense Detail

December 2023

Date	Number	Expense Account	Description	Amount
12/06/2023	24479	CALIFORNIA BANK & TRUST		
		6141 · Meeting Expenses	Management meeting- P. Kavounas, A. Nelson, E. Tellez Foster	(58.34)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(24.50)
		6141 · Meeting Expenses	OPS meeting breakfast	(145.23)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(33.92)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(101.29)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(57.21)
		6141 · Meeting Expenses	Meeting - C. Berch, C., C. Diggs, P. Kavounas	(53.81)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(20.46)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(185.47)
		6031.7 · Other Office Supplies	Misc. Office Supplies- Edgar's mouse	(102.34)
		6112 · Subscriptions/Publications	REV max starter subscription	(28.49)
		6042 · Postage - General	BHFS check	(62.09)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(57.40)
		6141 · Meeting Expenses	Rudy welcome lunch - E. Tellez Foster, A. Nelson, Rudy Nunez	(50.65)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(32.51)
		6031.7 · Other Office Supplies	Anna 10 year work Anniversary	(66.51)
		6141 · Meeting Expenses	Mezzaterranean - Peter Retirement celebration	(234.61)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(5.01)
		6061.2 · Bamboo HR Consultant	Payroll System	(216.17)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(251.25)
		6054 · Computer Software	QuickBooks renewal fee	(2,133.30)
		6042 · Postage - General	Jeff Pierson and Paul Hofer pools packet	(61.72)
		6193 · Employee Training	J. Nakano and A. Jurado Preparing for Supervision class	(208.96)
		6042 · Postage - General	Jeff Pierson and Paul Hofer Board packet	(61.72)
		6016 · New Employee Search Costs	Premium Career Monthly Subscription	(19.00)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(46.36)
		6054 · Computer Software	Zoom Annual fee	(427.13)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(149.24)
		6031.7 · Other Office Supplies	Anna 10 year Anniversary plaque	(76.16)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(117.28)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(14.09)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(2.63)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(28.12)
		6042 · Postage - General	Kelli Hills Severance check	(43.62)
		6031.7 · Other Office Supplies	Misc. Office Supplies	(20.41)
Total for Month				\$ (5,197.00)



Chino Basin Watermaster

Combining Schedule of Revenues, Expenses & Changes in Net Assets

For the Period of July 1, 2023 through December 31, 2023

	TOTAL			POOL ADMINISTRATION & SPECIAL PROJECTS			GROUND WATER REPLENISH.	GRAND TOTALS	ADOPTED BUDGET 2023-2024
	JUDGMENT ADMIN.	OPTIMUM BASIN MGMT.	JUDGMENT ADMIN & OBMP	AP POOL	OAP POOL	ONAP POOL			
Administrative Revenues:									
Administrative Assessments	\$ 5,636,711	\$ 3,678,686	\$ 9,315,397	\$ 646,000	\$ -	\$ 31,000	\$ -	\$ 9,992,397	\$ 9,314,915
Interest Revenue	-	141,144	141,144	1,921	19,695	841	25,291	188,892	312,500
Groundwater Replenishment	-	-	-	-	-	-	349,825	349,825	-
Mutual Agency Project Revenue	186,412	-	186,412	-	-	-	-	186,412	186,412
Miscellaneous Income	-	-	-	-	-	-	-	-	-
Total Administrative Revenues	5,823,123	3,819,830	9,642,953	647,921	19,695	31,841	375,116	10,717,526	9,813,827
Administrative & Project Expenditures:									
Watermaster Administration	1,862,002	-	1,862,002	-	-	-	-	1,862,002	2,993,430
Watermaster Board-Advisory Committee	136,131	-	136,131	-	-	-	-	136,131	366,923
Optimum Basin Mgmt Administration	-	472,224	472,224	-	-	-	-	472,224	1,215,309
OBMP Project Costs	-	1,868,442	1,868,442	-	-	-	-	1,868,442	5,409,723
Pool Legal Services	-	-	-	-	64,700	10,962	-	75,662	241,578
Pool Meeting Compensation	-	-	-	-	15,250	2,375	-	17,625	45,807
Pool Special Projects	-	-	-	-	-	-	-	-	-
Pool Administration	-	-	-	-	-	-	-	-	327,067
Debt Service	-	-	-	-	-	-	-	-	1,665,475
Agricultural Expense Transfer ¹	-	-	-	79,950	(79,950)	-	-	-	-
Total Administrative Expenses	1,998,133	2,340,666	4,338,799	79,950	-	13,337	-	4,432,086	12,265,312
Net Ordinary Income	3,824,990	1,479,164	5,304,154	567,971	19,695	18,504	375,116	6,285,440	(2,451,485)
Other Income/(Expense)									
Replenishment Water Assessments	-	-	-	-	-	-	(1,920,791)	(1,920,791)	-
Refund-Basin O&M Expenses	(1,542,183)	-	(1,542,183)	-	-	-	-	(1,542,183)	-
Refund-Recharge Debt Service	-	-	-	-	-	-	-	-	-
Net Other Income/(Expense)	(1,542,183)	-	(1,542,183)	-	-	-	(1,920,791)	(3,462,973)	-
Net Transfers To/(From) Reserves	\$ 2,282,807	\$ 1,479,164	\$ 3,761,971	\$ 567,971	\$ 19,695	\$ 18,504	\$ (1,545,675)	\$ 2,822,467	\$ (2,451,485)
Net Assets, July 1, 2023			9,768,099	41,205	1,343,226	57,841	1,715,286	12,925,657	
Net Assets, End of Period			13,530,070	609,176	1,362,921	76,345	169,611	15,748,124	
Pool Assessments Outstanding ²				(238,028)	(731,123)	-			
Pool Fund Balance				\$ 371,149	\$ 631,798	\$ 76,345			

¹ Fund balance transfer as agreed to in the Peace Agreement.

² Outstanding balance of Pool Special Assessments



Chino Basin Watermaster

Treasurer's Report

December 2023

	Type	Monthly Yield	Cost	Market	% Total
Cash & Investments					
Local Agency Investment Fund (LAIF) *	Investment	3.53%	\$ 7,553,516	\$ 7,504,744	43.0%
CA CLASS Prime Fund **	Investment	5.48%	8,096,262	8,096,814	46.4%
Bank of America	Checking		1,860,282	1,860,282	10.7%
Bank of America	Payroll		-	-	0.0%
Total Cash & Investments			\$ 17,510,060	\$ 17,461,840	100.0%

* The LAIF Market Value factor is updated quarterly in September, December, March, and June.

** The CLASS Prime Fund Net Asset Value factor is updated monthly.

Certification

I certify that (1) all investment actions executed since the last report have been made in full compliance with Chino Basin Watermaster's Investment Policy, and (2) Funds on hand are sufficient to meet all foreseen and planned administrative and project expenditures for the next six months.

Anna Nelson, Director of Administration

Prepared By:

Daniela Uriarte, Senior Accountant



Chino Basin Watermaster

Budget to Actual

For the Period July 1, 2023 to December 31, 2023

	December 2023	YTD Actual	FY 24 Adopted Budget	\$ Over / (Under) Budget	% of Budget
1 Administration Revenue					
2 Local Agency Subsidies	\$ -	\$ 186,412	\$ 186,412	\$ -	100%
3 Admin Assessments-Appropriative Pool	-	9,669,482	8,886,165	783,317	109%
4 Admin Assessments-Non-Ag Pool	-	322,914	428,750	(105,836)	75%
5 Total Administration Revenue	-	10,178,809	9,501,327	677,482	107%
6 Other Revenue					
7 Appropriative Pool-Replenishment	-	335,840	-	335,840	N/A
8 Non-Ag Pool-Replenishment	-	13,985	-	13,985	N/A
9 Interest Income	19,038	188,892	312,500	(123,608)	60%
10 Miscellaneous Income	-	-	-	-	N/A
11 Total Other Revenue	19,038	538,717	312,500	226,217	172%
12 Total Revenue	19,038	10,717,526	9,813,827	903,699	109%
13 Judgment Administration Expense					
14 Judgment Administration	49,957	199,241	721,698	(522,457)	28%
15 Admin. Salary/Benefit Costs	37,316	874,884	1,413,610	(538,726)	62%
16 Office Building Expense	16,774	109,035	208,510	(99,475)	52%
17 Office Supplies & Equip.	63	29,898	49,438	(19,540)	60%
18 Postage & Printing Costs	2,601	13,120	33,806	(20,686)	39%
19 Information Services	5,355	65,736	199,818	(134,082)	33%
20 Contract Services	13,311	66,936	60,200	6,736	111%
21 Watermaster Legal Services	100,314	446,179	565,964	(119,785)	79%
22 Insurance	-	46,256	50,468	(4,212)	92%
23 Dues and Subscriptions	-	28,597	40,027	(11,430)	71%
24 Watermaster Administrative Expenses	-	4,247	7,550	(3,303)	56%
25 Field Supplies	-	583	3,200	(2,617)	18%
26 Travel & Transportation	603	12,051	29,570	(17,520)	41%
27 Training, Conferences, Seminars	11,241	25,230	50,400	(25,170)	50%
28 Advisory Committee Expenses	3,066	25,978	105,823	(79,845)	25%
29 Watermaster Board Expenses	26,366	110,153	261,100	(150,947)	42%
30 ONAP - WM & Administration	2,559	14,577	106,194	(91,617)	14%
31 OAP - WM & Administration	3,053	20,715	108,700	(87,985)	19%
32 Appropriative Pool- WM & Administration	3,772	38,606	112,173	(73,567)	34%
33 Allocated G&A Expenditures	(25,158)	(133,890)	(440,829)	306,939	30%
34 Total Judgment Administration Expense	251,194	1,998,133	3,687,420	(1,689,286)	54%
35 Optimum Basin Management Plan (OBMP)					
36 Optimum Basin Management Plan	86,100	472,224	1,215,309	(743,086)	39%
37 Groundwater Level Monitoring	58,213	195,474	459,625	(264,151)	43%
38 Program Element (PE)2- Comp Recharge	637,244	712,562	1,672,577	(960,015)	43%
39 PE3&5-Water Supply/Desalte	5,226	9,957	105,677	(95,720)	9%
40 PE4- Management Plan	33,389	170,257	817,643	(647,385)	21%
41 PE6&7-CoopEfforts/SaltMgmt	64,113	276,742	1,117,623	(840,882)	25%
42 PE8&9-StorageMgmt/Conj Use	93,841	369,559	795,750	(426,191)	46%
43 Recharge Improvements	-	-	1,665,475	(1,665,475)	0%
44 Administration Expenses Allocated-OBMP	8,214	61,997	222,160	(160,163)	28%
45 Administration Expenses Allocated-PE 1-9	16,944	71,893	218,669	(146,776)	33%
46 Total OBMP Expense	1,003,284	2,340,666	8,290,508	(5,949,842)	28%
47 Pool Administration					
48 Appropriative Pool-Legal Services	-	-	-	-	N/A
49 OAP Legal & Technical Services	21,400	64,700	186,612	(121,912)	35%
50 OAP Meeting Compensation	3,625	15,250	40,932	(25,682)	37%
51 OAP Expense - Special Projects	-	-	-	-	N/A
52 ONAP - Legal Services	2,530	10,962	54,966	(44,004)	20%
52 ONAP - Meeting Compensation	-	2,375	4,875	(2,500)	49%
53 Total Pool Administration	27,555	93,287	287,384	(194,097)	32%
55 Other Expense					
56 Groundwater Replenishment	1,874,730	1,920,791	-	1,920,791	N/A
57 Reserve Refunds	-	1,542,183	-	1,542,183	N/A
58 Total Other Expense	1,874,730	3,462,973	-	3,462,973	N/A
59 Total Expenses	3,156,763	7,895,059	12,265,312	(4,370,252)	64%
60 Increase / (Decrease) to Reserves	\$ (3,137,725)	\$ 2,822,467	\$ (2,451,485)	\$ 5,273,952	



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Budget to Actual

The Budget to Actual report summarizes the operating and non-operating revenues and expenses of Chino Basin Watermaster for the fiscal year-to-date (YTD). Columns are included for current monthly and YTD activity shown comparatively to the FY 24 adopted budget. The final two columns indicate the amount over or under budget, and the YTD percentage of total budget used. As of December 31st, the target budget percentage is generally 50%.

Revenues

Lines 1-5 Administration Revenue – Includes local agency subsidies and administrative assessment for the appropriative, agricultural and non-agricultural pools. Below is a summary of notable account variances at month end:

- Line 2 Local Agency Subsidies is at 100% of budget due to annual administrative assessment received from Metropolitan Water District.
- Lines 3-4 Administrative Assessments for the Agricultural and Non-Agricultural pools include annual assessment invoices issued in November of each year, as well as special assessments issued at the direction of the respective pools. The Appropriative pool line is over budget due to changes in actual versus projected production, and special assessments issued.

Lines 6-11 Other Revenue – Includes pool replenishment assessments, interest income and other miscellaneous income.

Expenses

Lines 13-34 Judgment Administration Expense – Includes Watermaster general administrative expenses, contract services, insurance, office and other administrative expenses. Below is a summary of notable account variances at month end:

- Line 15 Admin Salary/Benefit Costs includes wages and benefits for Watermaster administrative staff. YTD is at 62% of budget due to vacation, sick time, and severance payouts.
- Line 17 Office Supplies and Equipment includes office supplies, minor office furniture, and other miscellaneous office items including bank fees. YTD is at 60% due to timing of office furniture purchases and timing of shredding services.
- Line 20 Contract Services includes outside services for the annual audit report, HR consulting, court filings, and accounting consulting. YTD is over budget due to increased consulting services not anticipated in the budget. These increased consulting service costs should be offset by a savings in administrative salaries and benefits.
- Line 22 Insurance includes general liability insurance, directors' and officers' liability, municipalities coverage, environmental pollution liability and other various insurance policies. YTD is at 92% of budget due to timing of annual renewals for the directors' and officers' policy and municipalities coverage.
- Line 23 Dues and Subscriptions is at 71% of budget due to timing of annual dues for ACWA and CA Groundwater Coalition.
- Line 24 Watermaster Administrative Expenses including meeting expenses and supplies for admin, committee and other meetings. YTD is at 56% due to increased meeting activity in the first half of the fiscal year.

Lines 35-46 Optimum Basin Management Plan (OBMP) Expense – Includes legal, engineering, groundwater level monitoring, allocated administrative expenses, and other expenses.



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Lines 47-53 Pool Administration Expenses – Includes expense activity relating to pool specific fund balances. These include legal services for each pool, Ag pool meeting compensation, and Ag pool special projects.

Lines 55-58 Other Expense – Includes groundwater replenishment, and various refunds as appropriate. YTD activity includes refunds for prior year recharge basin O&M expenses and excess reserves.

Pool Services Fund Accounting

Each Pool has a fund account created to pay their own legal service invoices. The legal services invoices are funded and paid using the fund accounts (8467 for the Overlying Agricultural Pool (OAP), 8567 for the Overlying Non-Agricultural Pool (ONAP), and 8367 for the Appropriate Pool (AP)). Along with the legal services fund account for the OAP (8467), the OAP also has two other fund accounts for Ag Pool Meeting Attendance expenses (8470), and Special Projects expenses (8471). The ONAP also have a meeting compensation fund account (8511) Additionally, the OAP has a reserve fund that is held by Watermaster and spent at the direction of the OAP. The AP also has an account 8368 relating to the Tom Harder contract. These fund accounts are replenished at the direction of each Pool, and the legal service invoices are approved by the Pool leadership and when paid by Watermaster, are deducted from the existing fund account balances. If the fund account for any pool reaches zero, no further payments can be paid from the fund and a replenishment action must be initiated by the pool.

The following tables detail the fund balance accounts as of December 31, 2023 (continued next page):

Fund Balance For Non-Agricultural Pool Account 8567 - Legal Services		Fund Balance For Appropriate Pool Account 8367 - Legal Services	
Beginning Balance July 1, 2023:	\$ 56,965.90	Beginning Balance July 1, 2023:	\$ (12,415.36)
Additions:		Additions:	
Interest Earnings	841.38	Interest Earnings	1,921.24
Payments received on ONAP Assessment invoices issued 11/18/23	25,000.00	Payments received on AP Pool Assessment invoices issued 10/30/23	178,107.17
Subtotal Additions:	25,841.38	Subtotal Additions:	180,028.41
Reductions:		Reductions:	
Invoices paid July 2023 - December 2023	(10,962.00)	Invoices paid July 2023 - December 2023	-
Budget Transfers	(2,000.00)	Subtotal Reductions:	-
Subtotal Reductions:	(12,962.00)		
Available Fund Balance as of December 31, 2023	\$ 69,845.28	Available Fund Balance as of December 31, 2023	\$ 167,613.05

Fund Balance For Non-Agricultural Pool Account 8511 - Meeting Compensation		Fund Balance For Appropriate Pool Account 8368 - Tom Harder Contract	
Beginning Balance July 1, 2020:	\$ 875.00	Beginning Balance July 1, 2023:	\$ -
Additions:		Additions:	
Payments received on ONAP Assessment invoices issued 11/18/23	\$ 6,000.00	Interest Earnings	-
Budget Transfers	2,000.00		
Subtotal Additions:	8,000.00	Payments received on AP Pool Assessment invoices issued 10/30/23	20,577.61
Reductions:		Subtotal Additions:	20,577.61
Compensation paid July 2023 - December 2023	(2,375.00)	Reductions:	
Subtotal Reductions:	(2,375.00)	Invoices paid July 2023 - December 2023	-
Available Fund Balance as of December 31, 2023	\$ 6,500.00	Subtotal Reductions:	-
		Available Fund Balance as of December 31, 2023	\$ 20,577.61



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Pool Services Fund Accounting – Cont.

Fund Balance for Agricultural Pool Account 8467 - Legal Services

Beginning Balance July 1, 2023:	\$ 41,675.63
Additions:	
Payments received on AP Pool Assessment invoices issued 10/30/23	144,935.99
Total Additions:	<u>144,935.99</u>
Reductions:	
Invoices paid July 2023 - December 2023	<u>(64,700.00)</u>
Subtotal Reductions:	<u>(64,700.00)</u>
Available Fund Balance as of December 31, 2023	<u>\$ 121,911.62</u>

Agricultural Pool Reserve Funds As shown on the Combining Schedules

Beginning Balance July 1, 2023:	\$ 612,103.32
Additions:	
YTD Interest earned on Ag Pool Funds FY 24	19,694.86
Transfer of Funds from AP to Special Fund for Legal Service Invoices	64,700.00
Total Additions:	<u>84,394.86</u>
Reductions:	
Invoices paid July 2023 - December 2023	<u>(64,700.00)</u>
Total Reductions	<u>(64,700.00)</u>
Agricultural Pool Reserve Funds Balance as of Dec. 31, 2023:	<u>\$ 631,798.18</u>

Fund Balance For Agricultural Pool Account 8470 - Meeting Compensation

Beginning Balance July 1, 2023:	\$ 950.98
Additions:	
Payments received on AP Pool Assessment invoices issued 10/30/23	28,987.20
Budget Transfers ¹	10,993.67
Subtotal Additions:	<u>39,980.87</u>
Reductions:	
Compensation paid July 2023 - December 2023	<u>(15,250.00)</u>
Subtotal Reductions:	<u>(15,250.00)</u>
Available Fund Balance as of December 31, 2023	<u>\$ 25,681.85</u>

Fund Balance For Agricultural Pool Account 8471 - Special Projects

Beginning Balance July 1, 2023:	\$ 10,993.67
Additions:	
Payments received on AP Pool Assessment invoices issued 10/30/23	35,364.38
Subtotal Additions:	<u>35,364.38</u>
Reductions:	
Invoices paid July 2023 - December 2023	-
Budget Transfers ¹	(10,993.67)
Subtotal Reductions:	<u>(10,993.67)</u>
Available Fund Balance as of December 31, 2023	<u>\$ 35,364.38</u>

¹Per action taken at September pool committee meeting.

¹Per action taken at September pool committee meeting.



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Watermaster Salary Expenses

The following table details the Year-To-Date (YTD) Actual Watermaster burdened salary costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of December 31st, the target budget percentage is generally 50%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
WM Salary Expense				
5901.1 · Judgment Admin - Doc. Review	24,067	82,794	(58,728)	29.1%
5901.3 · Judgment Admin - Field Work	2,314	7,760	(5,446)	29.8%
5901.5 · Judgment Admin - General	40,580	60,129	(19,549)	67.5%
5901.7 · Judgment Admin - Meeting	4,892	2,633	2,259	185.8%
5901.9 · Judgment Admin - Reporting	490	31,033	(30,543)	1.6%
5910 · Judgment Admin - Court Coord./Attendar	8,774	19,098	(10,324)	45.9%
5911 · Judgment Admin - Exhibit G	979	2,370	(1,391)	41.3%
5921 · Judgment Admin - Production Monitorin	2,892	11,322	(8,430)	25.5%
5931 · Judgment Admin - Recharge Applicator	-	4,634	(4,634)	0.0%
5941 · Judgment Admin - Reporting	54	1,316	(1,262)	4.1%
5951 · Judgment Admin - Rules & Regs	-	12,726	(12,726)	0.0%
5961 · Judgment Admin - Safe Yield	612	26,330	(25,718)	2.3%
5971 · Judgment Admin - Storage Agreements	1,347	4,739	(3,392)	28.4%
5981 · Judgment Admin - Water Accounting/Da	62,224	109,793	(47,569)	56.7%
5991 · Judgment Admin - Water Transactions	1,959	8,688	(6,729)	22.5%
6011.11 · WM Staff - Overtime	7,528	15,000	(7,472)	50.2%
6011.4 · 457(f) NQDC Plan	18,494	55,467	(36,973)	33.3%
6011.10 · Admin - Accounting	97,860	367,685	(269,825)	26.6%
6011.15 · Admin - Building Admin	2,334	18,359	(16,025)	12.7%
6011.20 · Admin - Conference/Seminars	17,870	57,083	(39,213)	31.3%
6011.25 · Admin - Document Review	659	6,846	(6,187)	9.6%
6011.50 · Admin - General	272,711	569,850	(297,139)	47.9%
6011.60 · Admin - HR	64,501	43,489	21,012	148.3%
6011.70 · Admin - IT	23,726	53,975	(30,249)	44.0%
6011.80 · Admin - Meeting	20,539	90,440	(69,901)	22.7%
6011.90 · Admin - Team Building	5,430	41,304	(35,874)	13.1%
6011.95 · Admin - Training (Give/Receive)	9,414	34,312	(24,898)	27.4%
6017 · Temporary Services	6,815	24,000	(17,185)	28.4%
6201 · Advisory Committee	18,980	55,149	(36,169)	34.4%
6301 · Watermaster Board	37,275	61,818	(24,543)	60.3%
8301 · Appropriative Pool	20,385	53,761	(33,376)	37.9%
8401 · Agricultural Pool	5,431	51,549	(46,118)	10.5%
8501 · Non-Agricultural Pool	3,375	50,443	(47,068)	6.7%
6901.1 · OBMP - Document Review	24,675	89,136	(64,461)	27.7%
6901.3 · OBMP - Field Work	643	7,003	(6,360)	9.2%
6901.5 · OBMP - General	47,120	124,049	(76,929)	38.0%
6901.7 · OBMP - Meeting	15,398	57,589	(42,191)	26.7%
6901.9 · OBMP - Reporting	3,362	2,370	992	141.8%
7104.1 · PE1 - Monitoring Program	75,242	171,515	(96,273)	43.9%
7201 · PE2 - Comprehensive Recharge	24,257	57,925	(33,668)	41.9%
7301 · PE3&5 - Water Supply/Desalter	-	4,791	(4,791)	0.0%
7301.1 · PE5 - Reg. Supply Water Prgm.	-	2,633	(2,633)	0.0%
7401 · PE4 - MZ1 Subsidence Mgmt. Plan	802	13,055	(12,253)	6.1%
7501 · PE6 - Coop. Programs/Salt Mgmt.	3,140	8,027	(4,887)	39.1%
7501.1 · PE 7 - Salt Nutrient Mgmt. Plan	459	6,582	(6,123)	7.0%
7601 · PE8&9 - Storage Mgmt./Recovery	2,032	11,217	(9,185)	18.1%
Subtotal WM Staff Costs	981,641	2,591,787	(1,610,146)	38%
60184.1 · Administrative Leave	15,428	6,799	8,629	226.9%
60185 · Vacation	142,748	119,130	23,618	119.8%
60185.1 · Comp Time	1,194	-	1,194	100.0%
60186 · Sick Leave	8,210	83,123	(74,913)	9.9%
60187 · Holidays	-	-	-	0.0%
Subtotal WM Paid Leaves	167,580	209,052	(41,472)	80%
Total WM Salary Costs	1,149,220	2,800,839	(1,651,619)	41.0%



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Engineering

The following table details the Year-To-Date (YTD) Actual Engineering costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of December 31st, the target budget percentage is generally 50%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
Engineering Services Costs				
5901.8 · Judgment Admin - Meetings-Engineering Services	\$ -	\$ 45,097	\$ (45,097)	0.0%
5906.1 · Judgment Admin - Watermaster Model Update	-	41,235	(41,235)	0.0%
5906.71 · Judgment Admin - Data Requests-CBWM Staff	16,250	126,204	(109,954)	12.9%
5906.72 · Judgment Admin - Data Requests-Non-CBWM Staff	2,256	42,832	(40,576)	5.3%
5925 · Judgment Admin - Ag Production & Estimation	11,861	34,376	(22,515)	34.5%
5935 · Judgment Admin - Mat'l Physical Injury Requests	2,551	36,072	(33,521)	7.1%
5945 · Judgment Admin - WM Annual Report Preparation	11,671	15,416	(3,745)	75.7%
5965 · Judgment Admin - Support Data Collection & Mgmt Process	3,469	36,336	(32,867)	9.5%
6206 · Advisory Committee Meetings-WY Staff	3,874	23,466	(19,592)	16.5%
6306 · Watermaster Board Meetings-WY Staff	13,040	23,466	(10,426)	55.6%
8306 · Appropriative Pool Meetings-WY Staff	12,696	23,467	(10,771)	54.1%
8406 · Agricultural Pool Meetings-WY Staff	9,760	23,466	(13,706)	41.6%
8506 · Non-Agricultural Pool Meetings-WY Staff	5,677	23,466	(17,789)	24.2%
6901.8 · OBMP - Meetings-WY Staff	29,418	45,096	(15,678)	65.2%
6901.95 · OBMP - Reporting-WY Staff	24,003	57,316	(33,313)	41.9%
6906 · OBMP Engineering Services - Other	19,212	46,992	(27,780)	40.9%
6906.26 · 2020 OBMP Update	4,508	24,016	(19,508)	18.8%
7104.3 · Grdwtr Level-Engineering	118,222	256,445	(138,223)	46.1%
7104.8 · Grdwtr Level-Contracted Services	-	10,000	(10,000)	0.0%
7104.9 · Grdwtr Level-Capital Equipment	-	9,915	(9,915)	0.0%
7202 · PE2-Comp Recharge-Engineering Services	3,575	29,084	(25,509)	12.3%
7202.2 · PE2-Comp Recharge-Engineering Services	22,179	202,362	(180,182)	11.0%
7208 · SB88 Specs-Compliance-50% IEUA	-	54,012	(54,012)	0.0%
7210 · OBMP - 2023 RMPU	37,768	94,328	(56,561)	40.0%
7220 · Integrated Model Mtg./Tech. Review-50% IEUA	-	24,618	(24,618)	0.0%
7302 · PE3&5-PBHSP Monitoring Program	8,043	69,121	(61,078)	11.6%
7303 · PE3&5-Engineering - Other	635	15,632	(14,998)	4.1%
7306 · PE3&5-Engineering - Outside Professionals	1,280	6,500	(5,220)	19.7%
7402 · PE4-Engineering	101,504	262,544	(161,040)	38.7%
7402.10 · PE4-Northwest MZ1 Area Project	41,687	271,703	(230,016)	15.3%
7403 · PE4-Eng. Services-Contracted Services-InSar	21,365	175,000	(153,635)	12.2%
7406 · PE4-Engineering Services-Outside Professionals	-	76,552	(76,552)	0.0%
7408 · PE4-Engineering Services-Network Equipment	4,899	14,081	(9,182)	34.8%
7502 · PE6&7-Engineering	151,574	384,163	(232,589)	39.5%
7505 · PE6&7-Laboratory Services	30,266	49,164	(18,898)	61.6%
7508 · HC Mitigation Plan-50% IEUA (TO #6)	9,771	10,703	(933)	91.3%
7510 · PE6&7-IEUA Salinity Mgmt. Plan	7,742	34,631	(26,890)	22.4%
7511 · PE6&7-SAWBMP Task Force-50% IEUA	9,488	24,610	(15,122)	38.6%
7517 · Surface Water Monitoring Plan-Chino Creek - 50% IEUA	30,302	69,821	(39,519)	43.4%
7520 · Preparation of Water Quality Mgmt. Plan	28,149	157,692	(129,543)	17.9%
7610 · PE8&9-Support 2020 Mgmt. Plan	13,687	69,306	(55,618)	19.7%
7614 · PE8&9-Support Imp. Safe Yield Court Order	349,146	663,747	(314,601)	52.6%
7620 · OBMP - Evaluation of Extreme Future Planning Scenarios	4,693	51,130	(46,437)	9.2%
Total Engineering Services Costs	\$ 1,161,527	\$ 3,755,182	\$ (2,588,963)	30.9%

* West Yost and Subcontractor Engineering Budget of \$2,884,956 plus Carryover Funds from FY 2022/23 of \$870,226



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Legal

The following table details the YTD Brownstein Hyatt Farber Schreck (BHFS) expenses costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of December 31st, the target budget percentage is generally 50%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
6070 · Watermaster Legal Services				
6071 · BHFS Legal - Court Coordination	\$ 148,837	\$ 171,260	\$ (22,423)	86.9%
6072 · BHFS Legal - Rules & Regulations	-	92,900	(92,900)	0.0%
6073 · BHFS Legal - Personnel Matters	147,070	10,820	136,250	1359.2%
6074 · BHFS Legal - Interagency Issues	-	43,704	(43,704)	0.0%
6077 · BHFS Legal - Party Status Maintenance	1,205	13,730	(12,525)	8.8%
6078 · BHFS Legal - Miscellaneous (Note 1)	105,716	233,550	(127,834)	45.3%
Total 6070 · Watermaster Legal Services	402,827	565,964	(163,137)	71.2%
6275 · BHFS Legal - Advisory Committee	3,125	26,708	(23,583)	11.7%
6375 · BHFS Legal - Board Meeting	43,347	85,272	(41,925)	50.8%
6375.1 · BHFS Legal - Board Workshop(s)	-	18,499	(18,499)	0.0%
8375 · BHFS Legal - Appropriative Pool	5,525	33,385	(27,860)	16.5%
8475 · BHFS Legal - Agricultural Pool	5,525	33,385	(27,860)	16.5%
8575 · BHFS Legal - Non-Ag Pool	5,525	33,385	(27,860)	16.5%
Total BHFS Legal Services	63,046	230,634	(167,588)	27.3%
6907.3 · WM Legal Counsel				
6907.31 · Archibald South Plume	-	12,085	(12,085)	0.0%
6907.32 · Chino Airport Plume	720	12,085	(11,365)	6.0%
6907.33 · Desalter/Hydraulic Control	1,358	37,200	(35,842)	3.7%
6907.34 · Santa Ana River Water Rights	311	20,595	(20,285)	1.5%
6907.36 · Santa Ana River Habitat	-	30,090	(30,090)	0.0%
6907.38 · Reg. Water Quality Cntrl Board	725	30,090	(29,366)	2.4%
6907.39 · Recharge Master Plan	33,673	30,495	3,178	110.4%
6907.40 · Storage Agreements	-	16,960	(16,960)	0.0%
6907.41 · Prado Basin Habitat Sustainability	-	9,900	(9,900)	0.0%
6907.44 · SGMA Compliance	-	9,900	(9,900)	0.0%
6907.45 · OBMP Update	157,455	172,880	(15,425)	91.1%
6907.47 · 2020 Safe Yield Reset	12,498	33,920	(21,422)	36.8%
6907.48 · Ely Basin Investigation	-	126,040	(126,040)	0.0%
6907.90 · WM Legal Counsel - Unanticipated	-	37,395	(37,395)	0.0%
Total 6907 · WM Legal Counsel	206,738	579,635	(372,897)	35.7%
Total Brownstein, Hyatt, Farber, Schreck Costs	\$ 672,611	\$ 1,376,233	\$ (703,622)	48.9%



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Optimum Basin Management Plan (OBMP)

The following table details the Year-To-Date (YTD) Actual OBMP costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of December 31st, the target budget percentage is generally 50%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
6900 · Optimum Basin Mgmt Plan				
6901.1 · OBMP - Document Review-WM Staff	\$ 24,675	\$ 89,136	\$ (64,461)	27.7%
6901.3 · OBMP - Field Work-WM Staff	643	7,003	(6,360)	9.2%
6901.5 · OBMP - General-WM Staff	47,120	124,049	(76,929)	38.0%
6901.7 · OBMP - Meeting-WM Staff	15,398	57,589	(42,191)	26.7%
6901.8 · OBMP - Meeting-West Yost	29,418	45,096	(15,678)	65.2%
6901.9 · OBMP - Reporting-WM Staff	3,362	2,370	992	141.8%
6901.95 · OBMP - Reporting-West Yost	24,003	57,316	(33,313)	41.9%
Total 6901 · OBMP WM and West Yost Staff	144,618	382,559	(237,941)	37.8%
6903 · OBMP - SAWPA				
6903 · OBMP - SAWPA Group	24,071	24,071	0	100.0%
Total 6903 · OBMP - SAWPA	24,071	24,071	0	100.0%
6906 · OBMP Engineering Services				
6906.1 · OBMP - Watermaster Model Update	18,889	41,235	(22,346)	45.8%
6906.15 · Integrated Model Mtgs. - IEUA Costs	-	-	-	0.0%
6906.21 · State of the Basin Report	-	-	-	0.0%
6906.26 · 2020 OBMP Update	4,508	24,016	(19,508)	18.8%
6906.71 · OBMP - Data Requests - CBWM Staff	-	-	-	0.0%
6906.72 · OBMP - Data Requests - Non CBWM	-	-	-	0.0%
6906 · OBMP Engineering Services - Other	19,212	46,992	(27,780)	40.9%
Total 6906 · OBMP Engineering Services	42,609	112,243	(69,634)	38.0%
6907 · OBMP Legal Fees				
6907.31 · Archibald South Plume	-	12,085	(12,085)	0.0%
6907.32 · Chino Airport Plume	720	12,085	(11,365)	6.0%
6907.33 · Desalter/Hydraulic Control	1,358	37,200	(35,842)	3.7%
6907.34 · Santa Ana River Water Rights	311	20,595	(20,285)	1.5%
6907.36 · Santa Ana River Habitat	-	30,090	(30,090)	0.0%
6907.38 · Reg. Water Quality Cntrl Board	725	30,090	(29,366)	2.4%
6907.39 · Recharge Master Plan	33,673	30,495	3,178	110.4%
6907.40 · Storage Agreements	-	16,960	(16,960)	0.0%
6907.41 · Prado Basin Habitat Sustainability	-	9,900	(9,900)	0.0%
6907.44 · SGMA Compliance	-	9,900	(9,900)	0.0%
6907.45 · OBMP Update	157,455	172,880	(15,425)	91.1%
6907.47 · 2020 Safe Yield Reset	12,498	33,920	(21,422)	36.8%
6907.48 · Ely Basin Investigation	-	126,040	(126,040)	0.0%
6907.90 · WM Legal Counsel - Unanticipated	-	37,395	(37,395)	0.0%
Total 6907 · OBMP Legal Fees	206,738	579,635	(372,897)	35.7%
6908 · OBMP Updates				
6908.1 · 2020 OBMP Update-Dodson & Assoc.	54,188	107,578	(53,390)	50.4%
Total 6908 · OBMP Updates	54,188	107,578	(53,390)	50.4%
6909 · OBMP Other Expenses				
6909.1 · OBMP Meetings	-	1,500	(1,500)	0.0%
6909.3 · Other OBMP Expenses	-	2,724	(2,724)	0.0%
6909.6 · OBMP Expenses - Miscellaneous	-	5,000	(5,000)	0.0%
Total 6909 · OBMP Other Expenses	-	9,224	(9,224)	0.0%
Total 6900 · Optimum Basin Mgmt Plan	\$ 472,224	\$ 1,215,309	\$ (743,086)	38.9%



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

Judgment Administration

The following table details the Year-To-Date (YTD) Actual Judgment Administration costs compared to the FY 24 adopted budget. The “\$ Over Budget” and the “% of Budget” columns are a comparison of the YTD actual to the annual budget. As of December 31st, the target budget percentage is generally 50%.

	Year to Date Actual	FY 23-24 Budget	\$ Over / (Under) Budget	% of Budget
5901 · Admin-WM Staff				
5901.1 · Admin-Doc. Review-WM Staff	\$ 24,067	\$ 82,794	\$ (58,728)	29.1%
5901.3 · Admin-Field Work-WM Staff	2,314	7,760	(5,446)	29.8%
5901.5 · Admin-General-WM Staff	40,580	60,129	(19,549)	67.5%
5901.7 · Admin-Meeting-WM Staff	4,892	2,633	2,259	185.8%
5901.8 · Admin-Meeting - West Yost	-	45,097	(45,097)	0.0%
5901.9 · Admin-Reporting-WM Staff	490	31,033	(30,543)	1.6%
Total 5901 · Admin-WM Staff	72,342	229,446	(157,104)	31.5%
5900 · Judgment Admin Other Expenses				
5906.71 · Admin-Data Req-CBWM Staff	16,250	126,204	(109,954)	12.9%
5906.72 · Admin-Data Req-Non CBWM Staff	2,256	42,832	(40,576)	5.3%
5910 · Court Coordination/Attend-WM	8,774	19,098	(10,324)	45.9%
5911 · Exhibit G-WM Staff	979	2,370	(1,391)	41.3%
5921 · Production Monitoring-WM Staff	2,892	11,322	(8,430)	25.5%
5925 · Ag Prod & Estimation-West Yost	11,861	34,376	(22,515)	34.5%
5931 · Recharge Applications-WM Staff	-	4,634	(4,634)	0.0%
5935 · Admin-Mat'l Phy Inj Requests	2,551	36,072	(33,521)	7.1%
5941 · Reporting-WM Staff	54	1,316	(1,262)	4.1%
5945 · WM Annual Report Prep-West Yost	11,671	15,416	(3,745)	75.7%
5951 · Rules & Regs-WM Staff	-	12,726	(12,726)	0.0%
5961 · Safe Yield-WM Staff	612	26,330	(25,718)	2.3%
5965 · Support Data Collect-West Yost	3,469	36,336	(32,867)	9.5%
5971 · Storage Agreements-WM Staff	1,347	4,739	(3,392)	28.4%
5981 · Water Acct/Database-WM Staff	62,224	109,793	(47,569)	56.7%
5991 · Water Transactions-WM Staff	1,959	8,688	(6,729)	22.5%
Total 5900 · Judgment Admin Other Expenses	126,899	492,252	(365,353)	25.8%
Total 5900 · Judgment Administration	\$ 199,241	\$ 721,698	\$ (522,457)	27.6%



Chino Basin Watermaster

Monthly Variance Report & Supplemental Schedules

For the period July 1, 2023 to December 31, 2023

“Carry Over” Funding:

During the month of July 2023, the “Carry Over” funding was calculated. The Total “Carry Over” funding amount of \$2,277,561.54 has been posted to the general ledger accounts. The total amount consisted of \$870,226.24 from Engineering Services, \$816,709.78 from Capital Improvement Projects, \$464,627.66 from OBMP Activities, \$111,461.18 from Pool Funding Accounts, and \$14,536.68 from Administration Services. More detailed information is provided in the table below.

Carry Over Budget Detail - FY 23/24

Description	Amount	Account	Fiscal Year	Type
Other Office Equipment - Boardroom Upgrades	\$ 10,037.93	6038	FY 2020/21	ADMIN
Board Workshop Expenses - Misc.	4,498.75	6375.2	FY 2021/22	ADMIN
Meter Installation - New Meter Installation	175,400.00	7540	FY 2018/19	OBMP
Meter Installation - Calibration and Testing	181,650.00	7545	FY 2018/19	OBMP
2022 OBMP Update - Dodson & Asso.	107,577.66	6908.1	FY 2022/23	OBMP
Watermaster Model Update	34,206.75	5906.1	FY 2022/23	ENG
Groundwater Level Monitoring Program	2,700.00	7104.3	FY 2022/23	ENG
PE2 - Comprehensive Recharge - Eng. Services	27,943.64	7202.2	FY 2020/21	ENG
PE2 - Comprehensive Recharge - Eng. Services	18,441.85	7202.2	FY 2021/22	ENG
PE2 - Comprehensive Recharge - Eng. Services	72,788.26	7202.2	FY 2022/23	ENG
SB88-Specs-Ensure Compliance-50% IEUA	54,012.38	7208	FY 2020/21	ENG
OBMP - 2023 RMPU	60,000.00	7210	FY 2022/23	ENG
Integrated Model - Meetings - 50% IEUA Costs	24,617.63	7220	FY 2021/22	ENG
PBHSP - Monitoring, Data Analysis, Reporting	21,000.00	7302	FY 2022/23	ENG
OBMP - Engineering Services	65,208.75	7402	FY 2022/23	ENG
PE4 - Northwest MZ-1 Area Project	23,805.91	7402.1	FY 2021/22	ENG
PE4 - Northwest MZ-1 Area Project	126,194.09	7402.1	FY 2022/23	ENG
PE4/MZ-1: InSAR - Outside Pro	85,000.00	7403	FY 2022/23	ENG
Ground Level Monitoring - Capital Equipment	5,000.00	7408	FY 2022/23	ENG
PE6-7: Coop Efforts/Salt Management:	40,000.00	7502	FY 2022/23	ENG
Groundwater Quality Monitoring Program	16,194.00	7505	FY 2022/23	ENG
Hydraulic Control Mitigation Plan Update-50% IEUA	9,687.25	7508	FY 2021/22	ENG
Hydraulic Control Mitigation Plan Update-50% IEUA	1,016.00	7508	FY 2022/23	ENG
IEUA - Update Recycle Water Permit - Salinity	19,752.23	7510	FY 2021/22	ENG
PE8&9 - Support Imp. 2020 Storage Mgmt. Plan	42,657.50	7610	FY 2020/21	ENG
Support Implementation of the Safe Yield Court Order:	120,000.00	7614	FY 2022/23	ENG
Upper Santa Ana River HCP (TO #7)	15,062.88	7690.7	FY 2014/15	PROJ
Upper Santa Ana River HCP (TO #7)	5,000.00	7690.7	FY 2015/16	PROJ
Lower Day Basin RMPU (TO #2)	238,646.90	7690.8	FY 2016/17	PROJ
Jurupa Basin Berm & Trash Boom	358,000.00	7690.23	FY 2022/23	PROJ
Funds on Hold for Projects/Refund	200,000.00	7690.9	FY 2017/18	PROJ
Agricultural Pool - Legal Services	41,675.63	8467	FY 2022/23	AP
Agricultural Pool - Mtg. Attendance Compensation	950.98	8470	FY 2022/23	OAP
Agricultural Pool - Special Project Funding	10,993.67	8471	FY 2021/22	OAP
Non-Agricultural Pool - Meeting Compensation	875.00	8511	FY 2022/23	ONAP
Non-Agricultural Pool - Legal Services	56,965.90	8567	FY 2022/23	ONAP
Balance at 7/31/23	\$ 2,277,561.54			



CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, CA 91730

Tel: 909.484.3888 www.cbwm.org

EDGAR TELLEZ FOSTER, PhD
Acting General Manager

STAFF REPORT

DATE: February 22, 2024

TO: Board Members

SUBJECT: Application: Water Transaction – City of Ontario to Cucamonga Valley Water District
(Consent Calendar Item I.C.)

SUMMARY:

Issue: The Purchase of 1,265 acre-feet of water from City of Ontario by Cucamonga Valley Water District. This purchase is made from City of Ontario's Local Excess Carry Over Storage Account. [Within WM Duties and Powers]

Recommendation: Approve the proposed transaction.

Financial Impact: None.

Future Consideration

Watermaster Board – February 22, 2024: Approval.

ACTIONS:

Appropriative Pool – January 11, 2024: Unanimously recommended Advisory Committee to recommend Watermaster Board approval.

Non-Agricultural Pool – January 11, 2024: Unanimously recommended its representatives to support at Advisory Committee and Watermaster Board subject to changes they deem appropriate.

Agricultural Pool – January 11, 2024: Unanimously recommended Advisory Committee to recommend Watermaster Board approval.

Advisory Committee – February 15, 2024: Unanimously recommended Watermaster Board to approve.

Watermaster Board – February 22, 2024:

Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program

BACKGROUND

On July 13, 2000, the Court approved the Peace Agreement, the Implementation Plan, and the goals and objectives identified in the OBMP Phase I Report 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 date of this application is October 30, 2023. Notice of the transaction along with the materials submitted by the requestors was transmitted to stakeholders electronically on January 5, 2024.

DISCUSSION

Beyond confirmation of the source of the water to be transferred (Supplemental Water or Excess Carryover), Watermaster will evaluate the eventual disposition of the transferred water (e.g., production, storage, etc.) at the end of the production year and account for the same consistent with the Watermaster Guidance Documents.

Water transactions occur each year and are included as production by the respective entity (if produced) in any relevant analyses conducted by West Yost pursuant to the Peace Agreement and the Rules & Regulations. There is no indication that additional analysis regarding this transaction is necessary at this time. As part of the OBMP Implementation Plan, measurement of groundwater levels and ground level changes are ongoing, and based on current data, we cannot conclude that the proposed water transaction will cause material physical injury to a Party to the Judgment, or to the Basin.

At the Pool Committee meetings held on January 11, 2024, the Appropriative and Overlying (Agricultural) Pools unanimously recommended Advisory Committee to recommend to the Watermaster Board to approve the proposed transaction; the Overlying (Non-Agricultural) Pool unanimously recommended its representatives to support at Advisory Committee and Watermaster Board subject to changes they deem appropriate.

On February 15, 2024, the proposed transaction was presented to the Advisory Committee for consideration. The Advisory Committee unanimously recommended Watermaster Board to approve the proposed transaction.

ATTACHMENTS

1. Consolidated Form 3, 4, & 5
2. Notice Forms

**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 2023 - 2024

DATE REQUESTED: October 30, 2023

AMOUNT REQUESTED: 1.265 Acre-Feet

<p>TRANSFER FROM (SELLER / TRANSFEROR):</p> <p><u>Ontario, City of</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) 395-2605</u> Telephone</p> <p>_____ Facsimile</p>	<p>TRANSFER TO (BUYER / TRANSFEREE):</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>91730-2779</u> City State Zip Code</p> <p><u>(855) 654-2893</u> Telephone</p> <p>_____ 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 City of Ontario's Local Excess Carry Over Storage Account

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 _____ Projected Duration of Recapture _____

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

Pumping

PLACE OF USE OF WATER TO BE RECAPTURED:

MZ2 (within CVWD's service area)

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

NA

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:

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

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

Scott Burton, General Manager
Seller / Transferor Representative Name (Printed)



Buyer / Transferee Representative Signature

John Bosler, General Manager/CEO
Buyer / Transferee Representative Name (Printed)

TO BE COMPLETED BY WATERMASTER STAFF:

DATE OF WATERMASTER NOTICE: January 5, 2024

DATE OF APPROVAL FROM APPROPRIATIVE POOL: January 11, 2024

DATE OF APPROVAL FROM NON-AGRICULTURAL POOL: January 11, 2024

DATE OF APPROVAL FROM AGRICULTURAL POOL: January 11, 2024

HEARING DATE, IF ANY: N/A

DATE OF ADVISORY COMMITTEE APPROVAL: February 15, 2024

DATE OF BOARD APPROVAL: _____



CHINO BASIN WATERMASTER

NOTICE

OF

APPLICATION(S)

RECEIVED FOR

TRANSFER OF WATER

Date of Notice:

January 5, 2024

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.

APPLICATION FOR TRANSFER OF WATER

The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process.

NOTICE OF APPLICATION(S) RECEIVED

Date of Application: **October 30, 2023**

Date of this notice: **January 5, 2024**

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

- Notice of Sale or Transfer – The purchase of 1,265 acre-feet of water from City of Ontario by Cucamonga Valley Water District. This purchase is made from City of Ontario’s Local Excess Carry Over Storage Account.

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

Appropriative Pool: January 11, 2024

Non-Agricultural Pool: January 11, 2024

Agricultural Pool: January 11, 2024

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, as **Contests** must be submitted a minimum of fourteen (14) days prior to the Advisory Committee’s consideration of an **Application**, 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

9641 San Bernardino Road, Rancho Cucamonga, CA 91730
Tel: 909.484.3888 www.cbwm.org

EDGAR TELLEZ FOSTER, PhD
Acting General Manager

STAFF REPORT

DATE: February 22, 2024
TO: Board Members
SUBJECT: Application: Recharge - City of Pomona (Consent Calendar Item I.D.)
SUMMARY:

Issue: On January 4, 2024, The City of Pomona submitted an application for recharge for up to 1390.6 acre-feet from January 2024 until December 2025. [Within WM Duties and Powers]

Recommendation: Approve The City of Pomona's application for recharge and direct staff to account for the same.

Financial Impact: None

Future Consideration

Watermaster Board – February 22, 2024: Approval

ACTIONS:

Appropriative Pool – January 11, 2024: Unanimously recommended Advisory Committee to recommend Watermaster Board approval.

Non-Agricultural Pool – January 11, 2024: Unanimously recommended its representatives to support at Advisory Committee and Watermaster Board subject to changes they deem appropriate.

Agricultural Pool – January 11, 2024: Unanimously recommended Advisory Committee to recommend Watermaster Board approval.

Advisory Committee – February 15, 2024: Unanimously recommended Board approval

Watermaster Board – February 22, 2024:

Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program

BACKGROUND

The Court approved the Peace Agreement, the OBMP 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 (MPI), Watermaster must approve the application. Where the request for Watermaster approval is submitted by a Party to the Judgment, there is a rebuttable presumption that most of the proposed activities 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).

DISCUSSION

On January 04, 2024, The City of Pomona (Pomona) submitted an application for recharge for up to 1390.6 acre-feet from January 2024 through December 2025. The application states that the method of recharge will be surface spreading of State Project Water into the Montclair Basins through OC-59 (Attachment 1).

West Yost, Watermaster's Engineer, completed an MPI analysis on January 5, 2024, declaring no negative impacts to the Basin from this proposed recharge event (Attachment 2).

Notice of the transaction along with the materials submitted by the requestors was transmitted to stakeholders electronically on January 5, 2024 (Attachment 3).

Once approved, Pomona must complete Form 2b *Request to Recharge Supplemental Water by a Person to Watermaster* for each recharge event during the application's proposed period. During the recharge event, Watermaster will collect data to ensure the water is properly accounted for. Upon completion of the recharge event, Pomona will be required to submit Form 2c *Report of Supplemental Water Recharge by a Person to Watermaster* for final review and accounting.

At the Pool Committee meetings held on January 11, 2024, the Appropriative and Overlying (Agricultural) Pools unanimously recommended Advisory Committee to recommend to the Watermaster Board to approve the application; the Overlying (Non-Agricultural) Pool unanimously recommended its representatives to support at Advisory Committee and Watermaster Board subject to changes they deem appropriate.

On February 15, 2024, the application was presented to the Advisory Committee for consideration. The Advisory Committee unanimously recommended Watermaster Board to approve the application.

ATTACHMENTS

1. City of Pomona Recharge Application Dated January 4, 2024
2. January 5, 2024 letter from West Yost to Watermaster: *Analysis of Material Physical Injury for a Recharge Application submitted by The City of Pomona to the Chino Basin Watermaster on January 4, 2024*
3. Notice Forms

Form 2a - Application for Supplemental Water Recharge

Applicant Information and Recharge Request			
Person	City of Pomona	Date Requested	01/04/2024
Contact (individual)	Chris Diggs	Date Approved	
Street Address	148 North Huntington Street	Proposed Period of Time Covered by Recharge Application (mm/yyyy to mm/yyyy)	01/2024 - 12/31/2025
City	Pomona		
State	CA		
Zip Code	91768		
Telephone	909-802-7412	Requested Total Amount of Recharge Over the Application Period (AF)	1,390.6 AF
Fax		Approved Total Amount of Recharge Over the Application Period (AF)	
Email	chris.diggs@pomonaca.gov		

Source(s) of Supply (check box and provide supporting information)	
<input checked="" type="checkbox"/>	State Water Project
<input type="checkbox"/>	Colorado River Aqueduct
<input type="checkbox"/>	Local Supplemental (identify source and attach source water quality characterization including TDS and TN; use as many sheets as necessary)
<input type="checkbox"/>	Recycled Water (identify source and attach source water quality characterization including TDS and TN; use as many sheets as necessary)
<input type="checkbox"/>	Other (identify source and attach source water quality characterization including TDS and TN; use as many sheets as necessary)

Method of Recharge (check box and provide supporting information)	
<input checked="" type="checkbox"/>	Surface Spreading
	Recharge Basin Name(s) Montclair Basins through OC-59
	Expected Period of Recharge (mm/dd to mm/dd) 01/12/2024 - 12/31/2025
	Depth to Water in Recharge Area (ft-bgs)
	Water Quality in Recharge Area (attach characterization)
<input type="checkbox"/>	Injection
	Well Names and Locations (attach well completion report if not on file with the Watermaster)
	Expected Period of Recharge (mm/dd to mm/dd)
	Depth to Water in Recharge Area (ft-bgs)
	Water Quality in Recharge Area (attach characterization)
<input type="checkbox"/>	In-Lieu Exchange
	Treatment Plant and Turnout
	Share of Safe Yield (percent and AFY)
	Carryover Right, if Applicable (AF)
	Water in Storage (AF)
	Pumping Capacity (mgd or AFM)
	Expected Period of Recharge (mm/dd to mm/dd)
	Depth to Water in Area Impacted by In-Lieu Recharge (ft-bgs)
	Water Quality in Area Impacted by In-Lieu Recharge (attach characterization)

Form 2a - Application for Supplemental Water Recharge

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?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> 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 or the Basin (provide list of mitigation measures and rational either below or attach one to this application)	
<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

BY: **Chris Diggs** Digitally signed by Chris Diggs
Date: 2024.01.04 11:42:12
-08'00' _____
Applicant Date

To Be Completed by Watermaster	
Is the Person a Party to the Judgment that has:	
Previously contributed to the implementation of the OBMP?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Is in compliance with their continuing covenants under the Peace Agreement?	<input type="checkbox"/> YES <input type="checkbox"/> NO
(If answer to previous question is NO)	
Paid or delivered to Watermaster "financial equivalent" consideration to offset the past performance prior to the OBMP implementation?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Promised continued future compliance with Watermaster Rules and Regulations?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Date of Approval from Appropriative Pool (mm/dd/yyyy)	_____
Date of Approval from Overlying Non-Ag Pool (mm/dd/yyyy)	_____
Date of Approval from Overlying Ag Pool (mm/dd/yyyy)	_____
Hearing Date (if any) (mm/dd/yyyy)	_____
Date of Approval by Advisory Committee (mm/dd/yyyy)	_____
Date of Approval from Board (mm/dd/yyyy)	_____
Recharge Agreement Number	_____



23692 Birtcher Drive
Lake Forest CA 92630

949.420.3030 phone
530.756.5991 fax
westyost.com

January 5, 2024

Project No.: 941-80-20-04
SENT VIA: EMAIL

Chino Basin Watermaster
Attention: Mr. Edgar Tellez Foster, Acting General Manager
9641 San Bernardino Road
Rancho Cucamonga, CA 91730

SUBJECT: Analysis of Material Physical Injury for the City of Pomona Recharge Application, Submitted to the Chino Basin Watermaster on January 4, 2024

Mr. Tellez Foster:

Pursuant to your direction, West Yost Associates, Inc. (West Yost) conducted a material physical injury (MPI) analysis on a Recharge Application submitted by the City of Pomona (Pomona) to the Chino Basin Watermaster on January 4, 2024 (hereafter, January 4, 2024 recharge application). This MPI analysis was completed pursuant to the Watermaster Rules and Regulations and the Peace Agreement.

In 2016, Watermaster approved a procedure for the recharge of supplemental water. This procedure includes three main steps:

1. Apply for and obtain Watermaster approval to recharge Supplemental Water;
2. Plan, schedule, coordinate, and execute a Supplemental Water recharge event; and
3. Provide the monitoring and accounting necessary to enable the applicant and Watermaster to determine how much water was actually recharged during a recharge event and to account for the recharged water

Under Step 1, Any Person seeking to recharge Supplemental Water is required to complete Watermaster Form No. 2a *Application for Recharge*.¹ Watermaster staff reviews the completed application and conducts an analysis to determine if the proposed recharge as described in the recharge application will cause potential MPI.

Pursuant to the Peace Agreement (page 8), MPI is defined as:

“[...] material injury that is attributable to Recharge, Transfer, storage and recovery, management, movement or Production of water or implementation of the OBMP, including, but not limited to, degradation of water quality, liquefaction, land subsidence, increases in pump lift and adverse impacts associated with rising groundwater.”

¹ <https://www.cbwm.org/pages/forms/>

Article 10 of the Watermaster Rules and Regulations (paragraph 10.10) requires that:

“[...] Watermaster prepare a written summary and analysis (which will include an analysis of the potential for material physical injury) of the Application and provide the Parties with a copy of the written summary and advanced notice of the date of Watermaster’s scheduled consideration and possible action on any pending Applications.”

The MPI analysis presented herein is based on our professional experience and judgment in the Chino Basin, including the past analyses of monitoring data, past evaluations of Chino Basin storage programs, past groundwater modeling of various groundwater management alternatives in the Chino Basin, and prior MPI analyses.

POMONA’S RECHARGE APPLICATION OF JANUARY 4, 2024

Pomona proposes to recharge up to 1,390.6 acre-feet (af) of State Water Project (SWP) water into the Chino Basin during the 2-year period of January 12, 2024 to December 31, 2025. Pomona proposes to discharge and divert SWP from the OC-59 turnout on San Antonio Creek for recharge into Montclair Basins 1-4. Diversions into the Montclair Basins would occur through the existing San Antonio Creek diversion into Montclair Basin 1 and subsequently be routed to other basins in the Montclair Basins complex. Pomona will need to coordinate their proposed diversions for recharge with the Inland Empire Utilities Agency (IEUA), the Chino Basin Water Conservation District, and Watermaster to ensure that their water is diverted as proposed, measured and accounted for, and its recharge activities do not interfere with other recharge operations and stormwater management.

West Yost evaluated for the following to determine the potential for MPI from the proposed recharge:

- Impacts to groundwater levels that could result in liquefaction, land subsidence, and/or increases in pump lifts at wells.
- Impacts to the balance of recharge and discharge in every area and subarea of the Chino Basin.
- Impacts to groundwater quality.

Potential Impacts to Groundwater Level

The proposed project will produce a localized increase in groundwater levels in the vicinity of the Montclair Basins where the recharge occurs. The temporary increase in groundwater levels will be followed by a return to the groundwater levels that would occur had the water not been recharged. The impacts of these localized changes in groundwater levels are described below:

- *Liquefaction.* As of fall 2023, the depth to groundwater is about 500 feet below ground surface (bgs) beneath the Montclair Basins. Provided that Pomona conducts recharge at these basins such that groundwater levels remain below 50 feet bgs,² there will be no threat of liquefaction due to the localized increases in groundwater levels.

² Per the County of Riverside’s 2003 Riverside County Integrated Project (RCIP) Environmental Impact Report (EIR), areas with depth to groundwater of greater than 50 feet are considered low risk for liquefaction.

- *Land subsidence.* Land subsidence due to changes in groundwater levels typically occurs with declining groundwater levels. Thus, there will be no threat of aquifer-system compaction and land subsidence due to the localized increases in groundwater levels caused by the recharge.
- *Pumping lifts.* Because of the temporary increases in groundwater levels, pumping lifts and pumping costs may be slightly reduced for wells in the vicinity of the recharge.

Balance of Recharge and Discharge in Every Area and Subarea

Pomona did not provide information on how it plans to recover the recharged water, so the location of future recovery remains unknown; thus, the balance of recharge and discharge has not been analyzed.

Water Quality Impacts

The source of the supplemental water in Pomona's January 4, 2024 recharge application is the SWP. West Yost obtained water quality data of the SWP water from its database for the period of 2018 to 2023. These data indicate no exceedances of primary California Title 22 maximum contaminant levels (MCLs).

Impacts to Receiving Waters

The proposed recharge water is of equal or better quality than current groundwater in the area of recharge; hence, recharge of this water will likely improve the general water quality in the vicinity of the Montclair Basins.

We compared observed concentrations of chemicals regulated under Title 22 drinking water regulations at Monte Vista Water District (MVWD) wells located near the Montclair Basins to the MCLs. Contaminants with observations exceeding MCLs included 1,2,3-Trichloropropane (TCP), 1,2-Dibromo-3-chloropropane (DBCP), nitrate, and perchlorate—with all being commonly observed contaminants in areas previously used for citrus cultivation in the Chino Valley area.

Exhibit 5-5 from the 2022 State of the Basin Report (West Yost, 2023)³ shows the maximum observed TCP concentration at municipal wells in the Chino Basin during the five-year period of July 2017 to June 2022. Review of this exhibit indicates that several wells in the northwest area of the Chino Basin have TCP concentrations that exceed the California maximum contaminant level (MCL) of 0.005 ug/L. The potential source(s) of TCP contamination in groundwater in this area were investigated in 2019 and it was concluded that the likely source of the TCP appears to be from land applications of soil fumigants.⁴ The investigation also concluded it is unlikely that managed aquifer recharge operations in the area will have a significant impact on the TCP concentrations at MVWD wells.

The proposed recharge amount in Pomona's January 4, 2024 recharge application is not unusually large compared to historical recharge at the Montclair Basins, and it will not significantly change the direction and speed of groundwater flow in the area between the recharge and the wells owned by the MVWD.

³ cbwm.org/docs/engdocs/State_of_the_Basin_Reports/SOB_2022/2022_State_of_the_Basin_Report.pdf

⁴ WEI (2019). "Investigation of the Likely Source of 1,2,3-Trichloropropane (1,2,3-TCP) in Groundwater near Recharge Basins in Management Zone 1 (MZ1) and the Impact of Managed Aquifer Recharge (MAR) on It." Technical Memorandum dated December 16, 2019.

Additionally, Watermaster recently conducted a groundwater modeling study to evaluate a 100,000 af storage and recovery program in the Chino Basin, which included recharge in the Montclair Basins. The study concluded that the "displacements [of contaminant plumes due to the storage and recovery program] are negligible and are not potential MPI."⁵ Based on these results and the location and magnitude of the proposed recharge, our professional opinion is that the proposed recharge will not change the direction and/or speed of movement of known contaminant plumes in the Chino Basin.

Basin Plan Compliance

The proposed recharge will occur in the Chino North Groundwater Management Zone (GMZ). The 2004 Regional Water Quality Control Plan for the Santa Ana Basin (Basin Plan) has maximum benefit-based TDS and nitrate (expressed as nitrogen) concentration objectives in the Chino-North GMZ of 420 milligrams per liter (mg/L) and 5 mg/L, respectively. Pursuant to the Basin Plan, Watermaster and the IEUA are required to manage artificial recharge in Chino North GMZ such that the five-year, volume-weighted average TDS and nitrate concentrations of the recycled water, imported water, and new stormwater recharged across all recharge facilities does not exceed the maximum benefit-based Basin Plan objectives.

Water quality data from 2018 to 2023 indicate that the TDS concentration of SWP water averaged 240 mg/L (ranging from 108 to 327 mg/L) and the nitrate concentration averaged 0.3 mg/L (ranging from 0.07 to 0.7 mg/L). The current ambient TDS and nitrate concentrations in the Chino-North GMZ (covering the 20-year period from 2001 to 2021) are 360 mg/L and 10.8 mg/L,⁶ respectively. Thus, the proposed recharge will not encroach on the current assimilative capacity or interfere with Watermaster and the IEUA's regulatory obligations.

Conclusion

Based on the information available at this time, our professional opinion is that there will be no MPI due to Pomona's proposed recharge as described in its January 4, 2024 recharge application.

Please contact me if you have any questions or concerns regarding this MPI analysis.

Sincerely,
WEST YOST



Carolina Sanchez, PE
Senior Engineer
RCE #85598

cc: Justin Nakano

⁵ West Yost (2021). *Evaluation of the Local Storage Limitation Solution*. February 2021.

⁶ West Yost (2023). *2021 Ambient Water Quality Pilot Study*. Prepared for the Santa Ana Watershed Project Authority Basin Monitoring Program Task Force. October 2023.



CHINO BASIN WATERMASTER

NOTICE

OF

APPLICATION(S)

RECEIVED FOR

RECHARGE

Date of Notice:

January 5, 2024

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.

APPLICATION FOR RECHARGE

The attached staff report will be included in the meeting package at the time the transfer begins the Watermaster process.

NOTICE OF APPLICATION(S) RECEIVED

Date of Application: **January 04, 2024** Date of this notice: **January 05, 2024**

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

- Notice of Application for Recharge – On January 04, 2024, City of Pomona submitted an application for recharge for up to 1,390.6 acre-feet from January 2024 until December 2025.

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

Appropriative Pool:	January 11, 2024
Non-Agricultural Pool:	January 11, 2024
Agricultural Pool:	January 11, 2024

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, as **Contests** must be submitted a minimum of fourteen (14) days prior to the Advisory Committee’s consideration of an **Application**, 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	Tel: (909) 484-3888
9641 San Bernardino Road	Fax: (909) 484-3890
Rancho Cucamonga, CA 91730	



CHINO BASIN WATERMASTER

9641 San Bernardino Road, Rancho Cucamonga, CA 91730
Tel: 909.484.3888 www.cbwm.org

EDGAR TELLEZ FOSTER, PhD
Acting General Manager

STAFF REPORT

DATE: February 22, 2024
TO: Board Members
SUBJECT: Peace Agreement Timeline (Business Item II.A.)

SUMMARY:

Issue: Watermaster has identified critical dates regarding the negotiation, extension, and expiration of the Peace Agreement and we are providing this information proactively to allow parties adequate time to consider. [Information Only]

Recommendation: Information Only

Financial Impact: None

Future Consideration

Advisory Committee – February 15, 2024: Information Only
Watermaster Board – February 22, 2024: Information Only

ACTIONS:

Appropriative Pool – February 8, 2024: No Action
Non-Agricultural Pool – February 8, 2024: No Action
Agricultural Pool – February 8, 2024: No Action
Advisory Committee – February 15, 2024: No Action
Watermaster Board – February 22, 2024:

Watermaster's function is to administer and enforce provisions of the Judgment and subsequent orders of the Court, and to develop and implement an Optimum Basin Management Program

BACKGROUND

The Peace Agreement is an agreement signed by the Chino Basin Parties in 2000, ordered by the Court for Watermaster to implement, that establishes the framework for the implementation of the Optimum Basin Management Program, and outlines the assurances needed from parties for the continued implementation of the OBMP, among other provisions.

The Peace Agreement Section VIII outlines the commencement and expiration of the agreement as well as the conditions for extension of the agreement.

Peace Agreement Section 8.2 provide that “Unless extended pursuant to paragraph 8.3, this Agreement shall expire and thereupon terminate on December 31, of the thirtieth (30th) calendar year, starting on January 1, of the first calendar year, following the Effective Date.”

This means that the term of the Peace Agreement is 30 years, plus the period of time elapsed between the Effective Date and January 1 in Year 1. As the Effective Date is the year in which all conditions precedent were satisfied, the remainder of that calendar year, plus all of the next year is Year 1. On these facts, it includes all periods within 2000 and combined with 2001 is the first year of the Peace Agreement. As such, January 1, 2001 is the expiration of the first year of the Peace Agreement. The renewal right under Section 8.4 expires on December 31, 2025, the 25th Year of the Peace Agreement.

Pursuant to Section 8.3, the Parties agree to meet and confer on any new terms in the 25th year of the Peace Agreement. No outcome is required. This would be considered an exhaustion requirement.

Either the Appropriative or Agricultural Pool may unilaterally extend the Peace Agreement for an additional 30 years by issuing written notice as required by Section 8.4 before December 31, 2025.

DISCUSSION

Watermaster wishes to bring these dates to the attention of the parties, and it is ready to assist in the development of any necessary studies, including but not limited to socio-economic studies, as well as retaining the services of a facilitator at the parties' request.