

1 WAYNE K. LEMIEUX (Bar No. 43501)
2 LEMIEUX & O'NEILL
3 200 N. Westlake Boulevard, Suite 100
4 Westlake Village, California 91362-3755
5 805/495-4770; FAX: 805/495-2787

FILED-West District
San Bernardino County Clerk

SEP 29 1998

6 Attorneys for
7 Chino Basin Watermaster

By  Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF SAN BERNARDINO

10
11 CHINO BASIN MUNICIPAL WATER
12 DISTRICT,

13 Plaintiff,

14 v.

15 CITY OF CHINO, et al.,

16 Defendants.

CASE NO. RCV 51010

QUARTERLY PROGRESS REPORT
FOR PERIOD ENDING SEPTEMBER
30, 1998

Specially assigned to the Honorable
Judge J. Michael Gunn

17
18 PRELIMINARY

19 In February, 1998, the Court entered an order requiring the Chino Basin Watermaster
20 ("Watermaster") to provide quarterly reports on progress in implementing the Optimum Basin
21 Management Program ("OBMP"). On September 9, 1998, the court determined progress
22 reports should be filed on September 30, 1998, and every 90 days thereafter. The following
23 is the September 30, 1998 report.

24 This report concentrates on the OBMP. However, the Watermaster engages in a
25 variety of basin management activities even in the absence of the OBMP. For example, the
26 Watermaster annually reviews production reports and safe yield. This progress report will
27 only discuss matters directly related to the OBMP, but it would be a mistake to conclude the
28 OBMP represents the totality of the Watermaster's activities.

1 **SCOPE AND LEVEL OF DETAIL**

2 The Court's February order required the Watermaster to present the proposed Scope
3 and Level of Detail of the OBMP to the court for review and approval by June 30, 1998. The
4 Scope and Level for the Optimum Basin Management Program was submitted as required.
5 The Special Referee submitted comments in July 1998. The Watermaster responded to the
6 comments in August 1998. The court tentatively approved much of the Scope and Level of
7 Detail on September 9, 1998, but ordered added work. Specifically, the Scope must include
8 a more detailed list of problems to be addressed. Watermaster anticipates this work will be
9 completed in October 1998. A more detailed list of "problems" will be presented to the court
10 at a hearing on November 5, 1998. When the list of problems is established, the goals and
11 objectives to be addressed will be revisited.

12 **OBMP TASKS**

13 The OBMP contemplates gathering data, evaluation of data, adoption of a Program
14 to use the data, and implementation of the management Program. This work is divided into
15 several tasks. Task 1 ("Optimum Basin Management Program Criteria"), Task 2 ("Current
16 Physical State of the Basin") and Task 3 ("Water Demands and Water Supply Plans") are
17 virtually complete. The Watermaster expects to discuss and approve Tasks 1, 2 and 3, and
18 finalize preliminary drafts of the reports at its October 1998 meeting. The "task reports" will
19 be the first three chapters of the OBMP and form the basis for the more detailed list of
20 problems. Discussion regarding subsequent chapters will occur at the regularly scheduled
21 workshops when the reports of consultants are available. The Watermaster will continue to
22 meet at least twice each month to consider OBMP issues. Added meetings and hearings will
23 be scheduled when the need arises. For example, the following meetings were held in
24 September 1998:

- 25 September 10, 1998: consider court's ruling
- 26 September 23, 1998: review Tasks 1, 2, 3
- 27 September 24, 1998: institutional items and financials
- 28 September 30, 1998: review Tasks 1, 2, 3 (with Special Referee)

OBMP GOALS AND OBJECTIVES

A key element of the OBMP is the establishment of goals and objectives. The following goals and objectives have been proposed:

- ▶ Enhance Basin Water Supplies
- ▶ Protect and Enhance Water Quality
- ▶ Enhance Management of the Basin
- ▶ Equitably Finance the OBMP

An elaboration of these goals is available. The greater detail and objectives will be included in the OBMP.

DATA BASE

During the September 9 hearing, the Court and the Special Referee referred to the need to establish a data base for the Basin. The data should include verifiable production data and water quality information.

Production data is easily compiled by the installation of meters. Not all wells are metered. Watermaster anticipates reviewing and acting on a staff recommendation in this matter in the near future.

The OBMP will identify what portions of the current water quality monitoring program should be continued and for how long, and whether it needs to be expanded by Watermaster. Pending approval of the OBMP, the Watermaster will inventory existing data bases.

IMPLEMENTATION OF PROGRAMS

The OBMP contemplates the adoption of a comprehensive plan to implement recommendations for basin management.

Broad scale implementation of the program to solve problems identified is not possible until the OBMP is approved. However, some programs can be implemented without waiting for the OBMP. For example:

- ▶ The Watermaster will work with many agencies to implement the Salinity Management Plan of the Metropolitan Water District of Southern California and the United States Department of Interior (Bureau of Reclamation).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- ▶ The Watermaster is investigating the possible impact of an application by the Orange County Water District ("OCWD") to appropriate more water from the Santa Ana River. This could adversely impact projects designed to capture storm water and recycled water for the Chino Basin.
- ▶ Groundwater level monitoring.
- ▶ Water quality monitoring.
- ▶ Web page (www.CBWM.ORG) is a source of up to date information.

CONSULTANTS

The Watermaster employs a small, full-time staff to deal with the OBMP and other Watermaster issues. The Watermaster has contracted with consultants to provide specialized services with respect to general work for the Watermaster and the OBMP, including:

- Wildermuth Environmental, Inc: hydrogeologic
- Bookman-Edmonston Engineers, Inc.: financial (OBMP only)
- Lemieux & O'Neill: legal
- Park Place Computer Solutions, Inc.: Web page
- Alice Licht: controller

CONCLUSION

Watermaster respectfully requests the foregoing progress report be received and filed by the Court.

Dated: September 25, 1998

LEMIEUX & O'NEILL

By: 
Wayne K. Lemieux

CHINO BASIN MUNICIPAL WATER DISTRICT V. CITY OF CHINO et al.
CASE NO. RCV 51010

PROOF OF SERVICE

I, Mary L. Staula, declare:

1. I am over the age of 18 and not a party to this action. My business address is Chino Basin Watermaster, 8632 Archibald Avenue, Suite 109, Rancho Cucamonga, California 91730.

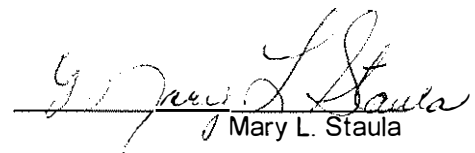
2. On today's date, I served the documents identified below by placing a true and correct copy of same in sealed envelopes addressed to each of the addresses shown on the attached mailing lists.

- **QUARTERLY PROGRESS REPORT FOR PERIOD ENDING SEPTEMBER 30,1998.**

3. I then placed said envelopes for collection, processing and mailing by Chino Basin Watermaster personnel with the United States Postal Service on today's date, following Chino Basin Watermaster's ordinary business practices. Pursuant to these practices, with which I am familiar, such sealed, addressed envelopes are deposited in the ordinary course of business with the United States Postal Service on the same date they are collected and processed, with postage thereon fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on September 29, 1998, at Rancho Cucamonga, California.


Mary L. Staula

ATTORNEY SERVICE LIST

RICHARD ADAMS II
DEPUTY COUNSEL - POMONA
ALVAREZ-GLASMAN & CLOVEN
505 S GAREY AVE
POMONA CA 91766

ROBERT DOUGHERTY
GENERAL COUNSEL-ONTARIO
COVINGTON & CROWE
P O BOX 1515
ONTARIO CA 91762

MARK HENSLEY
ATTORNEY-CITY OF CHINO HILLS
BURKE WILLIAMS & SORENSON
611 W 6TH ST STE 2500
LOS ANGELES CA 90071-1469

ARTHUR KIDMAN
ATTORNEY-MVWD
MC CORMICK KIDMAN & BEHRENS
695 TOWN CENTER DR STE 1400
COSTA MESA CA 92626-1924

JAMES L MARKMAN
RICHARDS WATSON & GERSHON
P O BOX 1059
BREA CA 92822-1059

JOHN SCHATZ
COUNSEL-JCSD
P O BOX 2279
MISSION VIEJO CA 92690-2279

GENE TANAKA
BEST BEST & KRIEGER LLP
P O BOX 1028
RIVERSIDE CA 92502-1028

WAYNE K LEMIEUX
LEMIEUX & O'NEILL
200 N WESTLAKE BLVD STE 1400
WESTLAKE VILLAGE CA 91362-3755

WILLIAM J. BRUNICK ESQ.
BRUNICK ALVAREZ & BATTERSBY
P O BOX 6425
SAN BERNARDINO CA 92412

FREDERIC FUDACZ
NOSSAMAN GUTHNER KNOX & ELLIOTT LLP
445 S FIGUEROA ST 31ST FL
LOS ANGELES CA 90071-1672

BOYD HILL
ATTORNEY-CITY OF UPLAND
RICHARDS WATSON & GERSHON
333 S HOPE ST 38TH FL
LOS ANGELES CA 90071-1469

JEFFREY KIGHTLINGER
DEPUTY GENERAL COUNSEL MWD
P O BOX 54153
LOS ANGELES CA 90054

THOMAS H MC PETERS
MC PETERS MC ALEARNEY SHIMFF & HATT
P O BOX 2084
REDLANDS CA 92373

ANNE J SCHNEIDER
ELLISON & SCHNEIDER
2015 H ST
SACRAMENTO CA 95814-3109

ANNE T THOMAS
BEST BEST & KRIEGER LLP
P O BOX 1028
RIVERSIDE CA 92502-1028

JEAN CIHIGOYENETCHE
GENERAL COUNSEL-IEUA
CIHIGOYENETCHE GROSSBERG & CLOUSE
3602 INLAND EMPIRE BLVD STE C315
ONTARIO CA 91764

JIMMY GUTIERREZ
ATTORNEY-CITY OF CHINO
EL CENTRAL REAL PLAZA
12612 CENTRAL AVE
CHINO CA 91710

STEVEN KENNEDY
GENERAL COUNSEL-TVMWD
BRUNICK ALVAREZ & BATTERSBY
P O BOX 6425
SAN BERNARDINO CA 92412

MARILYN LEVIN
STATE OF CALIFORNIA
OFFICE OF THE ATTORNEY GENERAL
300 S SPRING ST 11TH FL N TOWER
LOS ANGELES CA 90013-1232

DAN MC KINNEY
SPECIAL COUNSEL-AG POOL
REID & HELLYER
P O BOX 1300
RIVERSIDE CA 92502-1300

TIMOTHY J RYAN
SAN GABRIEL VALLEY WATER COMPANY
P O BOX 6010
EL MONTE CA 91734

SUSAN TRAGER
LAW OFFICES OF SUSAN M TRAGER
2100 SE MAIN ST STE 104
IRVINE CA 92614-6238

AAA AA
MAILING LIST 1
UPDATED 07/30/98

HAROLD ANDERSEN
MONTE VISTA IRRIGATION CO
2529 W TEMPLE ST
LOS ANGELES CA 90026-4819

CHET ANDERSON
SOUTHERN CALIFORNIA WATER CO
401 S SAN DIMAS CANYON RD
SAN DIMAS CA 91773

JOHN L. ANDERSON
CBWM BOARD
12455 HOLLY AVE
CHINO CA 91710-2633

RICHARD ANDERSON
1365 W FOOTHILL BLVD STE 1
UPLAND CA 91786

RICHARD ANDERSON
BEST BEST & KRIEGER
P.O. BOX 1028
RIVERSIDE CA 92501

A W ARAIZA
WEST SAN BERNARDINO C W D
P.O. BOX 920
RIALTO CA 92376-0920

STEVE ARBELBIDE
CBWM BOARD
417 PONDEROSA TR
CALIMESA CA 92320

RICHARD ATWATER
BOOKMAN-EDMONSTON ENG INC
225 W BROADWAY SUITE 400
GLENDALE CA 91204-1331

RODNEY BAKER
P.O. BOX 438
COULTERVILLE CA 95311-0438

VICTOR BARRION
MTN VISTA POWER GEN CO
8996 ETIWANDA AVE
ETIWANDA CA 91739

DANIEL BERGMAN
PYRITE CANYON GROUP INC
3200 C PYRITE ST
RIVERSIDE CA 92509

BOB BEST
NAT'L RESOURCES CONS SVS
25809 BUSINESS CENTER DR B
REDLANDS CA 92374

GERALD BLACK
FONTANA UNION WATER CO
P.O. BOX 638
RCHO CUCA CA 91729-0638

KATHIE BLYSKAL
SUNKIST GROWERS INC
760 E SUNKIST ST
ONTARIO CA 91761

PATTI BONAWITZ
CHINO BASIN MWD
P.O. BOX 697
RCHO CUCA CA 91729-0697

GEORGE BORBA JR
7955 EUCALYPTUS AVE
CHINO CA 91710-9065

BEVERLY BRADEN
WEST END CONS WATER CO
P.O. BOX 460
UPLAND CA 91785

KATHRYN H K BRANMAN
MOBILE COMMUNITY MGMT CO
1801 E EDINGER AVE #230
SANTA ANA CA 92705-4754

RICK BUFFINGTON
STATE OF CA CIM
P.O. BOX 1031
CHINO CA 91710

TERRY CATLIN
CBWM BOARD
2344 IVY CT
UPLAND CA 91784

MANAGER
CITY OF FONTANA
8353 SIERRA AVE
FONTANA CA 92335-3598

TERRY COOK
KAISER VENTURES INC
3633 E INLD EMP BLVD STE 850
ONTARIO CA 91764

GEORGE COSBY
CALMAT PROPERTIES CO
3200 N SAN FERNANDO RD
LOS ANGELES CA 90065

DAVE CROSLY
CITY OF CHINO
5050 SCHAEFER AVE
CHINO CA 91710-5549

DULCIE CROWDER
CTY SAN BERN DEPT COMM CULT RES
777 E RIALTO AVE
SAN BERNARDINO CA 92415-0763

STEVE CUMMINGS
155 BUCKNELL AVE
VENTURA CA 93003-3919

JIM DABER
METROPOLITAN WATER DISTRICT
P.O. BOX 54153
LOS ANGELES CA 90054-0153

ROBERT DEBERARD
CHAIRMAN-AG POOL
P.O. BOX 1223
UPLAND CA 91785-1223

ROBERT DELOACH
CUCAMONGA COUNTY WATER DIST
P.O. BOX 638
RANCHO CUCA CA 91729-0638

BILL DENDY
BILL DENDY & ASSOCIATES
429 F ST SUITE 2
DAVIS CA 95616-4111

GREG DEVEREAUX
CITY OF ONTARIO
303 E "B" ST
ONTARIO CA 91764

GERALD A. DUBOIS
CBWM BOARD
303 E B ST
ONTARIO CA 91764

DICK DYKSTRA
10129 SCHAEFER
ONTARIO CA 91761-7973

RALPH FRANK
2566 OVERLAND AVE # 680
LOS ANGELES CA 90064-3398

SAM FULLER
SAN BERNARDINO VALLEY MWD
P.O. BOX 5906
SAN BERNARDINO CA 92412-5906

MARK GAGE P E
GEOMATRIX CONSULTANTS INC
100 PINE ST 10TH FL
SAN FRANCISCO CA 94111

JIM GALLAGHER
SOUTHERN CALIFORNIA WATER CO
2143 CONVENTION CTR WAY STE 110
ONTARIO CA 91764

ALLAN E GLUCK
N AMERICAN COMM REAL EST
123 S. FIGUEROA ST STE 190 B
LOS ANGELES CA 90012-5517

JACK HAGERMAN
STATE OF CA CIM
4158 CENTER ST
NORCO CA 91760

RICK HANSEN
THREE VALLEYS M W D
P.O. BOX 1300
CLAREMONT CA 91711

DONALD HARRIGER
CBWM BOARD
P.O. BOX 5286
RIVERSIDE CA 92517-5286

CARL HAUGE
DEPT OF WATER RESOURCES
1020 9TH ST 3RD FL
SACRAMENTO CA 95814

SCOTT HENDRIX
ARROWHEAD WATER COMP
5772 JURUPA RD
ONTARIO CA 91761-3672

ATTORNEY AT LAW
HIGGS FLETCHER & MACK
401 W A STREET
SAN DIEGO CA 92101-7908

PAUL HOFER
CBWM BOARD
11248 S TURNER AVE
ONTARIO CA 91761

NINA JAZMADARIAN
METROPOLITAN WATER DISTRICT
P.O. BOX 54153
LOS ANGELES CA 90054-0153

KEN JESKE
CITY OF ONTARIO
1425 S BON VIEW AVE
ONTARIO CA 91761-4406

JOSEPHINE JOHNSON
CBWM BOARD
3635 RIVERSIDE DR
CHINO CA 91710

GENERAL MANAGER
JURUPA COMM SVCS DIST
8621 JURUPA RD
RIVERSIDE CA 92509-3229

BARRETT KEHL
CBWCD
P.O. BOX 2400
MONTCLAIR CA 91763-0900

VERN KNOOP
DEPT OF WATER RESOURCES
770 FAIRMONT AVE
GLENDALE CA 91203-1035

GENE KOOPMAN
CHAIRMAN-ADV COMM
13898 ARCHIBALD AVE
ONTARIO CA 91761-7979

J KOPALD & L HAIT
KOPALD & MARK
8888 OLYMPIC BLVD
BEVERLY HILLS CA 90211

MANAGER
KRONICK MOSKOVITZ TIEDEMANN &
GIRARD
400 CAPITOL MALL 27TH FL
SACRAMENTO CA 95814-4417

A. A. KRUEGER
CBWM BOARD
3736 TOWNE PARK CR
POMONA CA 91767

KENNETH KULES
METROPOLITAN WATER DISTRICT
P.O. BOX 54153
LOS ANGELES CA 90054-0153

ARTHUR LITTLEWORTH
BEST BEST & KRIEGER
P.O. BOX 1028
RIVERSIDE CA 92501

ALAN MARKS
CTY OF SAN BERN CTY CNSL
157 W 5TH ST
SAN BERNARDINO CA 92415

MIKE MCGRAW
FONTANA WATER COMPANY
P.O. BOX 987
FONTANA CA 92334-0987

BILL MILLS
ORANGE COUNTY WATER DIST
P.O. BOX 8300
FTN VALLEY CA 92728-8300

GENERAL MANAGER
MONTE VISTA WATER DISTRICT
P.O. BOX 71
MONTCLAIR CA 91763-0071

RUBEN MONTES
SAN BERNARDINO CTY FLD CONT DIS
825 E THIRD ST
SAN BERNARDINO CA 92415

JIM MOODY
CITY OF UPLAND
P.O. BOX 460
UPLAND CA 91785-0460

CHRIS NAGLER
DEPT OF WATER RESOURCES
770 FAIRMONT AVE SUITE 102
GLENDALE CA 91203-1035

ROBERT NEUFELD
CHAIRMAN CBWM BOARD
14111 SAN GABRIEL CT
RANCHO CUCAMONGA CA 91739

DANA OLDENKAMP
MILK PRODUCERS COUNCIL
3214 CENTURION PL
ONTARIO CA 91761

ROBERT OLISLAGERS
CNTY OF SAN BERNARDINO
7000 MERRILL AVE BOX 1
CHINO CA 91710-9027

BOB PAGE
DAILY BULLETIN
P.O. BOX 4000
ONTARIO CA 91761

HENRY PEPPER
CITY OF POMONA
505 S GAREY AVE
POMONA CA 91766

JEFFREY PIERSON
UNITEX /CORONA FARMS
3090 PULLMAN ST STE 209
COSTA MESA CA 92626

ROBB D QUINCEY
INLAND EMPIRE UTILITIES AGENCY
P.O. BOX 697
RCHO CUCA CA 91729-0697

LEE R REDMOND III
KAISER VENTURES INC
3633 E INLD EMP BLVD STE 850
ONTARIO CA 91764

BILL RICE
RWQCB - SANTA ANA REGION
3737 MAIN ST STE 500
RIVERSIDE CA 92501-3339

DAVID RINGEL
MONTGOMERY WATSON
P.O. BOX 7009
PASADENA CA 91109-7009

ARNOLD RODRIGUEZ
SANTA ANA RIVER WATER CO
10530 54TH ST
MIRA LOMA CA 91752-2331

GLEN ROJAS
CITY OF CHINO
P.O. BOX 667
CHINO CA 91708-0667

MICHAEL RUDINICA
RBF & ASSOCIATES
14725 ALTON PARKWAY
IRVINE CA 92619-7057

MANAGER
RUTAN & TUCKER
611 ANTON BLVD STE 1400
COSTA MESA CA 92626

PATRICK SAMPSON
P.O. BOX 660
POMONA CA 91769

JOSEPH C SCALMANINI
500 FIRST ST
WOODLAND CA 95695

JOHN SCHATZ
FOR JURUPA COMM SVS DIST
P.O. BOX 7775
LAGUNA NIGUEL CA 92607-7775

JOE SCHENK
CITY OF NORCO
P.O. BOX 428
NORCO CA 91760-0428

DONALD SCHROEDER
CBWM BOARD
3700 MINTERN
RIVERSIDE CA 92509

DAVID SCRIVEN
KRIEGER & STEWART
3602 UNIVERSITY AVE
RIVERSIDE CA 92501

GUS JAMES SKROPOS
CBWM BOARD
303 E B ST
ONTARIO CA 91764

MARILYN SMITH
SECY ONTARIO CITY COUNCIL
303 E "B" STREET
ONTARIO CA 91764

MICHAEL SMITH
NICHOLS STEAD BOILEAU & KOSTOFF
223 W FOOTHILL BLVD #200
CLAREMONT CA 91711-2708

MS. PHIL SMITH
STATE OF CA
P.O. BOX 942883
SACRAMENTO CA 94283-0001

BILL STAFFORD
MARYGOLD MUTUAL WATER CO
9715 ALDER ST
BLOOMINGTON CA 92316-1637

DAVID STARNES
MOBILE COMMUNITY MGMT CO
1801 E EDINGER AVE STE 230
SANTA ANA CA 92705

MIKE STENBERG
PRAXAIR
5735 AIRPORT DR
ONTARIO CA 91761

ED STRAUB
CALIFORNIA SPEEDWAY
P.O. BOX 9300
FONTANA CA 92334-9300

SWRCB
DIVISION OF WATER RIGHTS
P.O. BOX 2000
SACRAMENTO CA 95809-2000

LENNA TANNER
CITY CLERK - CITY OF CHINO
P.O. BOX 667
CHINO CA 91708-0667

JIM TAYLOR
CITY OF CHINO HILLS
2001 GRAND AVE
CHINO HILLS CA 91709-4869

JERRY THIBEAULT
RWQCB - SANTA ANA REGION
3737 MAIN ST STE 500
RIVERSIDE CA 92501-3339

MICHAEL THIES
SPACE CENTER MIRA LOMA INC
3401 S ETIWANDA AVE BLDG 503
MIRA LOMA CA 91752-1126

DAVID THOMPSON
GE-MGR ENV REMEDIATION PROGRA
640 FREEDOM BUSINESS CTR.
KING OF PRUSSIA PA 19406

JOHN THORNTON
PSOMAS AND ASSOCIATES
3187 RED HILL AVE, SUITE 250
COSTA MESA CA 92626

HAROLD TREDWAY
10841 PARAMOUNT BLVD
DOWNEY CA 90241

ARLAN VAN LEEUWEN
FAIRVIEW FARMS
6829 PINE AVE
CHINO CA 91709

GEOFFREY VANDEN HEUVEL
CBWM BOARD
7551 KIMBALL AVE
CHINO CA 92710-9269

ERICK VAUGHN
ANGELICA RENTAL SERVICE
P.O. BOX 1209
BREA CA 92822-1209

WILLIAM C. WALKER JR.
CBWM BOARD
3768 E GRAND AVE
POMONA CA 91766

JAMES WARD
THOMPSON & COLGATE
P.O. BOX 1299
RIVERSIDE CA 92502

MARK WARD
AMERON INTERNATIONAL
13032 SLOVER AVE
FONTANA CA 92335-6990

RAY WELLINGTON
SAN ANTONIO WATER COMPANY
139 N EUCLID AVE
UPLAND CA 91786-6036

CHARLES R. WHITE
DEPT WATER RESOURCES-SO DIST
770 FAIRMONT AVE
GLENDALE CA 91203-1035

MICHAEL WHITEHEAD
SAN GABRIEL VALLEY WATER CO
P.O. BOX 6010
EL MONTE CA 91734

MARK WILDERMUTH
WILDERMUTH ENVIRONMENTAL INC
415 N EL CAMINO REAL STE A
SAN CLEMENTE CA 92672

JEROME WILSON
CBWM BOARD
6035 FALLING TREE LN
ALTA LOMA CA 91737