

**AGENDA**  
**Borrego Water District Board of Directors**  
**Regular Meeting**  
**January 28, 2015 9:00 a.m.**  
**806 Palm Canyon Drive**  
**Borrego Springs, CA 92004**

**I. OPENING PROCEDURES**

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approval of Agenda
- E. Approval of Minutes
  - Regular meeting of December 17, 2014 (2-6)
- F. Comments from Directors and Requests for Future Agenda Items
- G. Comments from the Public and Requests for Future Agenda Items (comments will be limited to 3 minutes)
- H. Correspondence:

**II. CURRENT BUSINESS MATTERS**

- A. Selection of board officers
- B. Solar Request For Proposal Presentation, discussion and possible approval (7-18)
- C. Discussion of Club Circle Lease agreement which expires June 30, 2015
- D. Approval of agreement with Best Best & Krieger LLP for bond counsel services for restructuring of debt for CFD 2007-1; authorization for President to execute the Agreement in such form as approved by the President and General Counsel. (19-24)
- E. Discussion of draft Town Hall meeting agenda
- F. Review of planning calendar (25-26)

**III. STAFF REPORTS**

- A. Financial Reports – December 2014 (27-29)
- B. General Manager / Operations Report (30-32)
- C. Water and Wastewater Operations Report – December 2014 (33)
- D. Water Production/Use Records – December 2014 (34-37)

**IV. ATTORNEY'S REPORT**

**V. COMMITTEE REPORTS & PROPOSALS:**

**Ad Hoc Committees**

- |                                      |                      |
|--------------------------------------|----------------------|
| 1. Audit Committee                   | (L. Brecht, Tatusko) |
| 2. Due-Diligence                     | (L. Brecht, Tatusko) |
| 3. Strategic Planning Committee/IRWM | (Hart, L. Brecht)    |
| 4. Executive Committee               | (Estep, Hart)        |
| 5. Operations & Management Committee | (Delahay, Tatusko)   |
| 6. Negotiating Committee             | (Hart, Estep)        |
| 7. CFD Committee                     | (Estep, Delahay)     |

**VI. INFORMATIONAL ITEMS**

**VII. CLOSED SESSION**

Conference with Legal Counsel – Anticipated Litigation

- A. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. One potential case.

**VIII. CLOSING PROCEDURE**

The next Special Meeting of the Board of Directors is scheduled for February 17, 2015 at the Borrego Water District  
The next Regular Meeting of the Board of Directors is scheduled for February 25, 2015 at the Borrego Water District

**Borrego Water District**  
**MINUTES**  
**Regular Meeting of the Board of Directors**  
**Wednesday, December 17, 2014**  
**9:00 AM**  
**806 Palm Canyon Drive**  
**Borrego Springs, CA 92004**

**I. OPENING PROCEDURES**

- A. Call to Order:** President Hart called the meeting to order at 9:00 a.m.
- B. Pledge of Allegiance:** Those present stood for the Pledge of Allegiance.
- C. Roll Call:** Directors: Present: President Hart, Vice-President Lyle Brecht, Delahay, Estep  
Absent: Secretary/Treasurer Marshal Brecht

Staff: Jerry Rolwing, General Manager  
Kim Pitman, Administration Manager  
Greg Holloway, Operations Manager  
Diana Del Bono, Administrative Assistant  
Morgan Foley, McDougal Love Eckis Boehmer & Foley  
David Aladjem, Downey Brand (via teleconference, Item VII only)  
Wendy Quinn, Recording Secretary

Public: Joe Tatusko Jeannie Beck, *Borrego Sun*  
Dick Walker Jim Engelke, Jack Light  
Ray Shindler Maureen Kirby  
Gene Noble Beth Noble  
Trey Driscoll, Dudek Emily Brooks

- D. Approval of Agenda:** *MSC: L.Brecht/Delahay approving the Agenda as written.*

- E. Approval of Minutes:**

Regular meeting of November 19, 2014

*MSC: L.Brecht/Delahay approving the Minutes of the Regular Meeting of November 19, 2014 as corrected (Item V.2, second paragraph, third line, remove the words, “more expensive to the District and”; Item V.5, first two sentences, amend to read in part, “. . . the Committee had requested Chris Gadomski’s review of the solar proposal. The professor suggested . . .).”*

- F. Comments from Directors and Requests for Future Agenda Items:** None

**G. Comments from the Public and Requests for Future Agenda Items:** Ray Shindler urged the Board to reject the Borrego Water Coalition proposal relative to the Groundwater Sustainability Plan and to pay closer attention to the terms of the Groundwater Sustainability Act itself for a solution to the aquifer overdraft. He opined that the BWC plan was structurally and fatally flawed, contained loopholes and was not likely to be approved by the State. He recommended agricultural fallowing by willing buyers and sellers, an option already available, and limitations on extraction from wells. President Hart suggested that Mr. Shindler send a written statement to Jerry Rolwing so it can be included in the District’s website. Dick Walker expressed his agreement with Mr. Shindler.

- H. Correspondence:** None

## II. CURRENT BUSINESS MATTERS

A. Swearing in and Seating of the New Board Members for 2015-2018 District Board: Morgan Foley administered the oath of office to President Hart, Director Lyle Brecht and newly elected Director Joe Tatusko. Director Tatusko took his seat with the Board, introduced himself to the public and urged them to continue participating in the Board meetings.

B. Discussion and possible approval of assigning Board members to ad-hoc committee members and as designated JPIA liaison: After discussion, the following committee assignments were made: Director Tatusko will serve on the Audit, Due Diligence and Operations & Management Committees. The Strategic Planning, Executive and Negotiating Committees will remain as is. The Parks and Asset Ad Hoc Committees will be dissolved. The Asset Ad Hoc Committee's responsibilities will be transferred to the Negotiating Committee. Director Delahay will serve on the CFD Committee. Director Tatusko will serve as the JPIA liaison, with Mr. Rolwing as alternate.

C. Board to consider and approve new signers for District bank accounts: Director Tatusko agreed to sign the payroll checks for the balance of calendar year 2014. ***L.Brecht/Delahay removing Marshal Brecht as a signatory on the District's Umpqua and Wells Fargo bank accounts and adding Joe Tatusko.***

D. Discussion and possible action for donation of property from Jack Light: Mr. Rolwing explained that Jack Light, whose proposed donation of land to the District had been previously discussed, needs something for the County in writing from the District indicating its intent to accept the donation. Jim Engelke showed the location of the property on a map, and the proposed 60-acre donation which includes a flood area and could be used for storm water retention. A letter from the District to Mr. Light would indicate to the County that he plans a conservation subdivision with a public benefit, allowing greater density.

President Hart expressed concern regarding the District's liability, should they accept the property and it subsequently floods. Mr. Foley explained that since the property has a history of flooding, the District would be liability only if it made changes to the land to increase the flooding. However, he recommended further investigation. He suggested a conditional letter of intent to accept, leaving the District the option to change its position. That was acceptable to Mr. Engelke. The letter could just indicate that the District is considering acceptance. He further confirmed that the District would be free to drill a well on the property in the future, and there would be no property tax. ***MSC: L.Brecht/Delahay requesting Messrs. Rolwing and Foley to prepare a letter to Mr. Light as discussed.***

E. Discussion and possible approval of Warren B. Diven, Best, Best & Krieger (San Diego office) as District bond counsel for the CFD Mello-Roos bonds to work w/T2 Borrego (owner of bonds) on restructuring these bonds: Mr. Foley reported that he was awaiting a response from Warren Diven as to whether he is willing to serve as District bond counsel. Director Lyle Brecht recommended notifying Stradling Yocca Carlson & Rauth that the District is pursuing other bond counsel, and Mr. Rolwing agreed to do so once T2 Borrego has completed its payments to the firm. ***MSC: L.Brecht/Delahay approving the retention of Warren B. Diven of Best, Best & Krieger as District bond counsel for the CFD Mello-Roos bonds to work with T2 Borrego on restructuring these bonds, subject to Mr. Foley's negotiation with Mr. Diven. Director Tatusko abstained from the vote, and all others voted aye.***

F. Discussion and possible approval of setting a schedule for public comment on the Borrego Water Coalition's (BWC) policy recommendations and discussion of how policy recommendations will be used for the Groundwater Sustainability Plan (GSP) required under the



state's Sustainable Groundwater Management Act (SGMA): Director Lyle Brecht invited the Board's attention to a proposed schedule for public comment on the BWC's policy recommendations relative to the GSP. He urged the District to work with the County on this, noting that it would be expensive for the District to serve as the Groundwater Sustainability Agency. Director Tatusko offered to investigate grant opportunities to fund implementation of the GSP.

G. Discussion and possible approval for District staff to prepare a draft application to DWR, in consultation with County staff and Borrego Water Coalition counsel, for becoming a Groundwater Sustainability Agency (GSA) for the Borrego Valley Groundwater Basin (BVGB), as required under the SGMA: This was discussed during the previous item.

H. Review of planning calendar: Director Lyle Brecht corrected line 1 of the calendar to reference T2 instead of Viking. He further suggested that line 27, Business Plan, include an investigation of pricing in March. President Hart referred to line 8, Club Circle, noting the District's option to renew the golf course lease by February 28. She asked that the matter be included on the January Agenda and that the CFD Committee meet prior to that to prepare a recommendation to the Board. Mr. Rolwing reported he had submitted the CASGEM report (line 17). Director Tatusko suggested adding a line to reflect Director Lyle Brecht's recommended schedule for GSP implementation.

### **III. STAFF REPORTS**

A. Financial Reports – November 2014: Kim Pitman reported that she had paid Dudek's bill and expected to be reimbursed by T2 in January. The employees' medical insurance was paid twice last month, so there will be no current balance due. Ms. Pitman offered to answer questions on her report.

B. General Manager/Operations Report: Mr. Rolwing reported that the USGS report would not be completed by the end of the year, due to issues associated with the drought and the SGMA. He will be in weekly contact with them after the holidays.

Greg Holloway explained a dripping problem in the storm drains, noting that the County may require a storm water runoff plan.

Mr. Rolwing reported that staff is continuing to monitor gas levels in the La Casa Del Zorro area.

Mr. Holloway reported that a pressure relief valve had been installed today at Di Giorgio and Tilting T in the Club Circle area.

C. Water and Wastewater Operations Report – November 2014: The Water and Wastewater Operations Report was included in the Board package.

D. Water Production/Use Records - November 2014: Mr. Rolwing reported that usage was slightly higher, primarily in ID 1, and there was some water loss in ID 4.

### **IV. ATTORNEY'S REPORT**

Mr. Foley reported he had been working with counsel for T2 to draft an assignment of water credits. T2 is acquiring property to lease back in accordance with its prior commitment to the District. He expected the assignment to be signed today or tomorrow.

Mr. Foley further reported he was continuing to work with Mr. Rolwing and Charlie White regarding Mr. White's proposed donation of property to the District.

Mr. Foley will be meeting with Director Tatusko after today's meeting to brief him on laws affecting public officials. Director Tatusko reported he had completed the on-line ethics training.

## V. COMMITTEE REPORTS & PROPOSALS

### Ad Hoc Committees

#### 1. Audit Committee

No report.

#### 2. Due-Diligence

Director Lyle Brecht invited the Board's attention to a brief he had compiled concerning the formation and background of the Committee. He noted that the District may not be in a position to borrow money in 2016-17 as hoped; this may be delayed until 2019-20. Additional cash may be required for deferred maintenance at the wastewater treatment plant. Director Lyle Brecht felt the current rate structure was inadequate, particularly in view of upcoming GSP costs.

Discussion followed over whether to add to the District's staff, but most agreed consultants would be preferable. Director Lyle Brecht emphasized that the District is in a far better position today than four years ago, when the current Board assumed office.

Director Lyle Brecht reported he had attended a dinner in San Diego where the Chairman of the State Water Resources Control Board spoke. Water quality is becoming an issue of equal importance to water supply. A member of the public noted that land use is another important, related issue; Director Lyle Brecht replied that he had recently briefed the Community Sponsor Group, which deals with land use, regarding the SGMA.

#### 3. Strategic Planning Committee/IRWM

President Hart reported that the Committee continues to work with the BWC.

#### 4. Executive Committee

No report.

#### 5. Operations & Management Committee

Director Delahay reported that the Committee heard a presentation from a solar expert and toured the wastewater treatment plant, whose condition has improved in the last four years. He commended Cody Cox for his work. Mr. Rolwing reported he expected a recommendation to the Board on the Tandem Solar proposal in January.

#### 6. Parks Committee

No report.

#### 7. Asset Ad Hoc Committee

No report.

#### 8. Personnel Committee

No report.

#### 9. Negotiating Committee

No report.

#### 10. CFD Committee

This report was covered previously.

## VI. INFORMATION ITEMS

None.

## **VII. CLOSED SESSION**

Conference with Legal Counsel – Anticipated Litigation

A. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code section 54956.9. One potential case: The Board adjourned to closed session at 10:45 a.m., and the open session reconvened at 11:45 a.m. There was no reportable action.

## **VIII. CLOSING PROCEDURE**

There being no further business, the Board adjourned at 11:45 a.m. The next Special Meeting of the Board of Directors is scheduled for January 20, 2015 at the Borrego Water District. The next Regular Meeting of the Board of Directors is scheduled for January 28, 2015 at the Borrego Water District.

REQUEST FOR PROPOSAL (RFP) TO PROVIDE A 50kW SOLAR POWER SYSTEM

**January 28, 2015**

# **BORREGO WATER DISTRICT**

## **REQUEST FOR PROPOSALS TO PROVIDE A 50 kW PV SOLAR POWER SYSTEM (Expandable to 100 kW)**

Due By: February 18, 2015 at 2:00 PM

## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A SOLAR POWER SYSTEM

- 1. Purpose of RFQ:** The purpose of this RFQ is to identify a qualified contractor/vendor to provide the Borrego Water District (District) with a reliable electrical energy source from solar power, and to provide the District with the ongoing electrical power at a lower cost than is currently available from SDG&E for a minimum of 25 years.
- 2. District's Immediate Objectives:** The objective of this Request for Proposal (RFP) is to identify and select the most qualified turnkey photovoltaic (PV) system Contractor/Vendor to develop, design, permit (including any costs for environmental work), fabricate, deliver, install, operate, insure, maintain, and own a PV solar system at the District wastewater treatment plant (WWTP) located at 4861 Borrego Springs Road in Borrego Springs, California. Upon selection of the most qualified Contractor/Vendor, The District intends to purchase the entire system outright. The size of the proposed PV solar system shall be **50 kW, expandable to 100 kW at a future date.**
- 3. Background:** The District is a small public water and wastewater district serving approximately 2,200 customers in beautiful Borrego Springs, California (Borrego), a retirement and resort community located about 90 miles drive NE of San Diego in San Diego County (county) and surrounded by the Anza-Borrego Desert State Park (the park), the largest state park and wilderness area in the State of California (state).

The District is a significant power consumer in Borrego Springs, relying on grid-purchased electricity from SDG&E to run its various facilities, including the Waste Water Treatment Plant ("WWTP") located at 4861 Borrego Springs Rd. The District consumes approximately **161,000 kWh** annually for the WWTP operations.

With SDG&E steadily increasing the kWh electricity rates charged to BWD year after year, BWD is seeking a means to minimize its reliance on SDG&E and to achieve both long-term electricity cost savings and cost certainty through the use of solar. The proposed solar system would interconnect to the grid under the



## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A 50KW SOLAR POWER SYSTEM

SDG&E Net Energy Metering (“NEM”) program. Under NEM, the electric energy generated by on-site solar is used to offset the electric energy provided by SDG&E to the District’s WWTP. NEM is the standard program for commercial and residential solar systems in SDG&E territory and in the State of California. The proposed solar system would reduce, or eliminate in full, the net amount of electricity purchased from SDG&E.

#### **4. General:**

The scope of services provided by the Contractor/Vendor shall include all tasks required to design, fabricate, deliver, install, operate, and maintain the PV system for the District. The scope shall also include, but not be limited to, securing all permits and approvals from governing agencies, all labor, taxes, services, permit fees, and equipment necessary to produce a fully operational solar PV system. The proposal shall contain a detailed explanation of the complete project and delineation of all work tasks to be performed by the awarded Contractor/Vendor.

Contractor/Vendor should prepare system summary detailing the equipment/size, and a sample cash flow analysis detailing expected savings (both kwh and dollar) and potential buyout implications to long-term savings.

The PV system will be located on property owned by the District. Proposer is to determine the feasibility and costs for installing the PV system at the District WWTP.

#### **5. Scope of Project:**

##### **5-1 Design, Engineering, & Permitting**

Design/engineer the solar PV system to maximize the solar energy resources, taking into consideration the District’s electrical demand and load patterns, proposed installation site, available solar resources, existing site conditions, proposed future site improvements, and other relevant factors.

Provide design documents that provide the following minimum information:

- Timeline/Project Schedule

## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A SOLAR POWER SYSTEM

- System description
- Equipment details and description
- Preliminary Layout of installation
- Preliminary Layout of equipment
- Selection of key equipment
- Specifications for equipment procurement and installation
- All engineering associated with structural and mounting details
- Performance of equipment components, and subsystems
- Integration of solar PV system with other power sources
- Electrical grid interconnection requirements
- Controls, monitors, and instrumentation
- System performance monitoring

Awarded Contractor/Vendor will secure from governing agencies and the utility company all required rights, permits, approvals, and interconnection agreements at no additional cost to the District. The District will become the signatory on applications, permits, and utility agreements only where necessary. The awarded Contractor/Vendor will complete and submit in a timely manner all documentation required to qualify for available rebates and incentives.

### **5-2 Installation**

Supply all equipment, materials, and labor necessary to install the solar PV systems and integrate them with other power sources.

### **5-3 Electrical Interconnections**

Supply and install all equipment required to interconnect the solar PV systems to SDG&E distribution system. The awarded Contractor/Vendor will fulfill all application, studies, and testing procedures to complete the interconnection process. All costs associated with utility interconnection shall be borne by the awarded Contractor/Vendor.

## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A 50kW SOLAR POWER SYSTEM

### **5-4 Commissioning & Acceptance Testing**

During the start-up, the District, and/or its independent engineer/consultant, shall observe and verify each system performance. Required commissioning and acceptance test services include:

- Starting up the solar PV systems until it achieves the performance requirements
- Conducting the performance testing over a consecutive twenty-four (24) hour period
- Conducting the successful delivery of power within thirty (30) days following completion of the system, meeting each benchmark.

### **5-5 Operation and Maintenance Manuals and As-Built Drawings**

Provide three (3) sets of operation, maintenance, and parts manuals for the solar PV system. The manual shall cover all components, options, and accessories supplied. It shall include maintenance, trouble-shooting, and safety precautions specific to the supplied equipment. It shall also delineate responsibilities of both parties.

Provide three (3) sets of as-built drawings including one (1) on CAD. These requirements shall be delivered prior to acceptance of the solar PV system.

### **5-6 Monitoring**

Monitoring of system performance and providing public education and outreach is a required element of the RFP.

Provide the equipment and services to tie into the SDG&E system to allow the District to monitor, analyze, and display historical and live solar electricity generation data. The regularly collected data should reflect, but not be limited to, the following:

- System performance
- System availability
- Average and accumulated output

## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A SOLAR POWER SYSTEM

- Capacity factor
- Degradation
- Cost avoidance

The data acquisition system shall be designed for turnkey, remote operation. Data shall be transmitted via Internet or telephone from the site to a server. Data format shall be coordinated with requirements of the SDG&E. The data acquisition system must not require a dedicated or always-on personal computer.

Provide a long term cost for electricity (kWh) for the term of the awarded contract and any assumptions used in these calculations.

### **6. Warranties and Guarantees**

Identify the warranties to be transferred to the District.

### **7. Operation and Maintenance**

Provide a financial impact or price for operating and maintaining the PV system on the District's behalf for a twenty five (25) year service term. Perform all required regularly scheduled maintenance activities (at an additional cost as identified in the cost proposal) in order to keep the system operational and performing to production guarantees.

### **8. Insurance**

The contractor/vendor is responsible and shall pay for insurance for the project during construction and maintenance activities. Insurance shall include both general liability (\$2,000,000) and property insurance (\$1,000,000). The District shall be named as additional insured on the policies.

### **9. Licensing/Certification**

Contractor/Vendor must be properly licensed in the State of California. The Contractor license shall appear clearly on Contractor/Vendor's proposal and the license expiration date appear on the Contractor/Vendor's Proposal.

## 10. Operation & Maintenance Requirements

The Contractor's operation and maintenance service program should provide the following minimum requirements:

- Annual on-site system inspection, including:
- System testing (operating current of each electrical string)
- Routine preventive maintenance
- Repair and/or replacement of regularly scheduled replacement parts (including equipment and labor)
- System performance monitoring and historical data access for customer via secure website. Data should include:
  - System energy and power production
  - Ambient temperature
  - Wind speed
  - Insolation

## 11. Contractor Qualification

Please provide the following information:

- Status (private/publicly-held)
- Number of employees
- States in which you do business
- Target customers (residential, commercial, industrial, government, etc.)
- Project team profile, including resumes of personnel to be directly involved with the development of the proposed systems.
- Team leader identification for the entire Proposal, including full contact information.
- Identification of each entity, sub-contractor, person or firm involved in the Proposal and their role/responsibility, e.g. design, installation, permitting, equipment supply by component, operations and maintenance.
- Identification of the lead person responsible for each of the entities or firms described in above.



## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A SOLAR POWER SYSTEM

### 12. Contractor Experience

Provide overview of the firm(s) commercial grid-connected PV experience (do not include residential PV experience)

- Average commercial grid-connected PV system size installed by your company during the last five years.
- Total commercial MW of grid-connected PV systems installed
- Experience with SDG&E.
- Experience with local government projects.

### 13. Contractor References

List five (5) or more commercial grid-connected PV projects installed in the United States over the last five years. Include for each project:

- Exact role(s) your organization performed for the project (e.g. material supplier, lead contractor, electrical subcontractor, design, consulting, etc.).
- Location.
- Application description.
- Product name/type.
- Customer name and contact information.
- Date installed.
- Project cost.
- PV module used.
- KW rating.
- Current operational status of system.

Provide actual system data for five (5) of the grid-connected projects that demonstrates 90% or better availability of the PV projects used as customer references. Proposals shall demonstrate a proven, robust data acquisition system that includes tracking of site-specific actual kWh production and actual meteorological data including tracking of solar irradiance, ambient temperature, and module temperature, with data available remotely.

## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A 50kW SOLAR POWER SYSTEM

Proposals shall provide evidence that the proposed technology and equipment would meet or exceed all currently applicable and proposed safety and interconnection standards. All equipment components must be UL certified, and meet existing facility structural and fire safety requirements.

Proposals shall provide evidence that the proposed technology and equipment would meet or exceed all currently applicable and proposed environmental standards.

### **14. Pricing**

Provide pricing for a turnkey (design/build) PV system located at the District WWTP. Pricing shall include:

1. US dollars for selling the entire 50 kW PV system to the District upon completion of construction and acceptance by the District.

The lump sum price shall be broken down into the following

- (1) Preliminary activities: including but not limited to site review, equipment specifications, engineering, design package submittal, prepare SDG&E interconnection applications, prepare application for rebates, coordinate final design with suppliers, hold pre-construction meeting, electrical engineer PE review and stamp, and permitting.
  - (2) Delivery and installation of equipment: Included but not limited to all necessary equipment, trenching wiring, mounting, etc. to make a functional 50 kW system (expandable to 100 kW at a later date). Also include construction inspections, meetings and documentation.
  - (3) Final start-up, commissioning and reports.
2. Include estimated regular and scheduled maintenance of the 50 kW PV system over the 25 year period.

## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A SOLAR POWER SYSTEM

3. When comparing District cost savings, assume a 3.0% annual escalator in SDG&E prices.
4. Proposed payment terms.

### **15. Schedule**

The Contractor/Vendor shall provide a proposed schedule for completion of the project.

### **16. Walk Through**

A non-mandatory project walkthrough date for all interested vendors/contractors has been scheduled for **February 4, 2015 at 10:00am** at the project site located at 4861 Borrego Springs Road in Borrego Springs, California. Access to the project site is available only on the scheduled walk through date.

### **17. Incurring Cost**

The District is not liable for any cost incurred by entities prior to executing a contract.

### **18. Selection Process**

The Strategic Planning Committee has been tasked with overseeing the identification and recommendation of a qualified contractor/vendor for the board of directors of the District to approve.

Proposals will be evaluated by the District based on:

- The competence to perform the services as reflected by past experience in providing the services outlined herein.
- The ability to meet the requirements of this RFP.
- Overall package and financial benefit to the District.

The District reserves the right to select or short-list any Contractor/Vendor that, in its opinion and at its sole discretion, is deemed to be most advantageous and in the best interests of the District, including granting a preference to local contractors. The District also reserves the right to delay or discontinue this selection process at any time during the process. The District shall not be liable

## REQUEST FOR PROPOSAL (RFP) TO PROVIDE A 50kW SOLAR POWER SYSTEM

for any cost incurred by any Contractor/Vendor during the selection process. The District also reserves the right to reject the selected Contractor/Vendor and contract with another party if the District and the selected Contractor/Vendor cannot successfully negotiate a contract for the proposed work.

### **19. Proposal Deadline**

Three copies of the Proposal to Provide a Solar Power System must be delivered to:

Jerry Rolwing, General Manager  
Borrego Water District  
806 Palm Canyon Drive  
Borrego Springs, CA 92004

By: **February 18, 2015 at 2:00 PM**

### **20. Inquires**

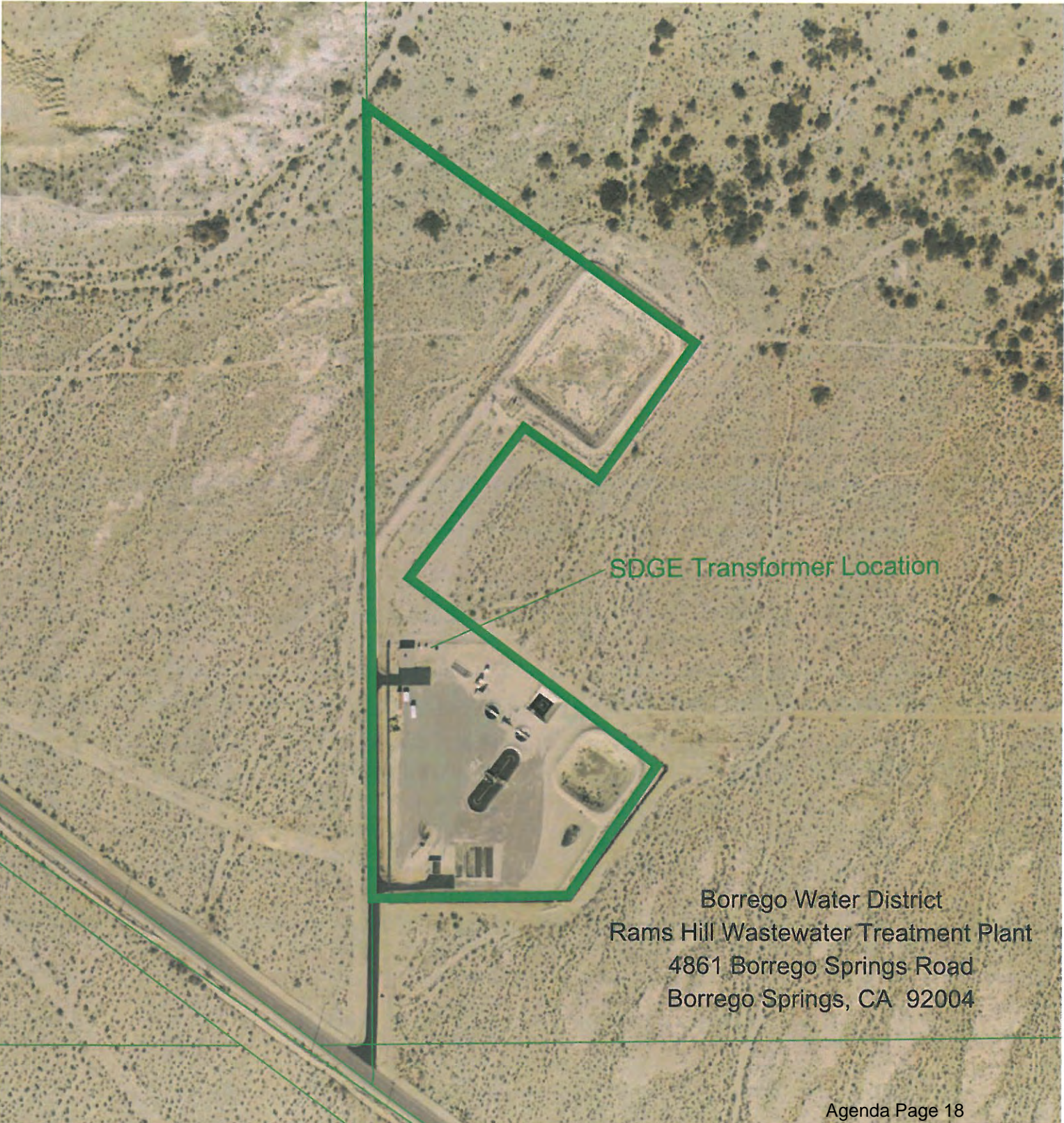
Inquiries can be directed to Jerry Rolwing, General Manager at

Borrego Water District  
806 Palm Canyon Drive  
Borrego Springs, CA 92004

or by phone at 760-767-5806

or email at [jerry@borregowd.org](mailto:jerry@borregowd.org)





SDGE Transformer Location

Borrego Water District  
Rams Hill Wastewater Treatment Plant  
4861 Borrego Springs Road  
Borrego Springs, CA 92004



Indian Wells  
(760) 568-2611

Irvine  
(949) 263-2600

Los Angeles  
(213) 617-8100

Ontario  
(909) 989-8584



**BEST BEST & KRIEGER**  
**ATTORNEYS AT LAW**

3390 University Avenue, 5th Floor, P.O. Box 1028, Riverside, CA 92502  
Phone: (951) 686-1450 | Fax: (951) 686-3083 | www.bbklaw.com

Sacramento  
(916) 325-4000

San Diego  
(619) 525-1300

Walnut Creek  
(925) 977-3300

Washington, DC  
(202) 785-0600

January 22, 2015

ENGAGEMENT LETTER

Board of Directors  
Borrego Water District  
806 Palm Canyon Drive  
Borrego Springs, California 92004

Re: Community Facilities District No. 2007-1 (Montesoro)

Dear President Hart and Members of the Board Directors:

ABOUT OUR REPRESENTATION

Best Best & Krieger LLP is pleased to represent the Borrego Water District (“Water District”), for itself and Community Facilities District No. 2007-1 (Montesoro) of the Borrego Water District (CFD No. 2007-1”). Specifically, we will represent the Water District in the restructuring or refunding of the Community Facilities District No. 2007-1 (Montesoro) of the Borrego Water District 2007 Special Tax Bonds (the “Bonds”). This letter constitutes our agreement setting the terms of our representation. If you want us to represent you and agree to the terms set forth in this letter, after you review the letter please sign it and return the signed copy to us.

CONFIDENTIALITY AND ABSENCE OF CONFLICTS

An attorney-client relationship requires mutual trust between the client and the attorney. It is understood that communications exclusively between counsel and the client are confidential and protected by the attorney-client privilege.

To also assure mutuality of trust, we have maintained a conflict of interest index. The California Rules of Professional Conduct defines whether a past or present relationship with any party prevents us from representing your firm. Similarly, your firm's name will be included in our list of clients to ensure we comply with the Rules of Professional Conduct with respect to your firm.

We have checked the following names against our client index: Borrego Water District, Beth Hart, Lyle Brecht, Joe Tatusko, Lee Estep, Ray Delahay, Jerry Rowling, T2 Borrego LLC, Terry Considine; McDougal Love Eckis Boehmer and Foley and Morgan Foley. Based on that



**BEST BEST & KRIEGER LLP**  
ATTORNEYS AT LAW

Borrego Water District  
January 22, 2015  
Page 2

check, we can represent your firm. Please review the list to see if any other persons or entities should be included. If you do not tell us to the contrary, we will assume that this list is complete and accurate. We request that you update this list for us if there are any changes in the future.

We do want to make you aware that we do represent the Borrego Springs Fire Protection District ("BSFPD") as their general counsel. By execution of this engagement letter you would be consenting to our dual representation of the Water District and BSFPD.

YOUR OBLIGATIONS ABOUT FEES AND BILLINGS

We will represent the Water District in the restructuring of the Bonds on an hour basis. My current billing rate is \$505 per hour. We will require an advance deposit for fees and costs of \$20,000. It is our understanding that the Water District may be reimbursed for our fees and expenses by T2 Borrego LLC. It will be necessary that the advance deposit be maintained with a balance of \$20,000.

In the event that the Water District and T2 Borrego LLC determine to refund the Bonds, we will be paid a separate fee on a contingent basis to be mutually agreed upon by Water District, T2 Borrego LLC and Best Best & Krieger LLP for the services to be provided to refund the Bonds.

The billing rates for others and the advanced deposit are described in the memorandum attached to this letter which is entitled "Best Best & Krieger LLP's Billing Policies." It also describes the other aspects of our firm's billing policies. You should consider the Billing Policies memorandum part of this agreement as it binds both of us. For that reason, you should read it carefully.

INSURANCE

We understand that you are not now insured or have any insurance that may cover potential liability or attorneys' fees in this case. If you think you may have such insurance, please notify me immediately.

We are also pleased to let you know that Best Best & Krieger LLP carries errors and omissions insurance with Lloyd's of London. After a standard deductible, this insurance provides coverage beyond what is required by the State of California.



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Borrego Water District  
January 22, 2015  
Page 3

HOW THIS AGREEMENT MAY BE TERMINATED

You, of course, have the right to end our services at any time. If you do so, you will be responsible for the payment of fees and costs accrued but not yet paid, plus reasonable fees and costs in transferring the case to you or your new counsel. By the same token, we reserve the right to terminate our services to you upon written notice, order of the court, or in accordance with our attached Billing Policies memorandum. This could happen if you fail to pay our fees and costs as agreed, fail to cooperate with us in this matter, or if we determine we cannot continue to represent you for ethical or practical concerns.

CLIENT FILE

If you do not request the return of your file, we will retain your file for five years. After five years, we may have your file destroyed. If you would like your file maintained for more than five years or returned, you must make separate arrangements with us.

THANK YOU

On a personal note, we are pleased that you have selected Best Best & Krieger LLP to represent you. We look forward to a long and valued relationship with you and appreciate your confidence in selecting us to represent you in this case. If you have any questions at any time about our services or billings, please do not hesitate to call me.

If this letter meets with your approval, please sign and date it, and return the original to us. Unless you sign, date and return the original and deposit the \$20,000 advance for fees and costs by February 1, 2015, we will not represent you in any capacity, and we will assume that you have made other arrangements for legal representation. We have enclosed a separate signed copy of this letter for your records.



**BEST BEST & KRIEGER**  
ATTORNEYS AT LAW

Borrego Water District  
January 22, 2015  
Page 4

Very truly yours,

Warren Diven  
for BEST BEST & KRIEGER LLP

AGREED AND ACCEPTED:

By: \_\_\_\_\_  
Dated: \_\_\_\_\_

## BEST BEST & KRIEGER LLP'S BILLING POLICIES

Our century of experience has shown that the attorney-client relationship works best when there is mutual understanding about fees, expenses, billing and payment terms. Therefore, this statement is intended to explain our billing policies and procedures. Clients are encouraged to discuss with us any questions they have about these policies and procedures. Clients may direct specific questions about a bill to the attorney with whom the client works or to our Accounts Receivable Department. Any specific billing arrangements different from those set forth below will be confirmed in a separate written agreement between the client and the firm.

### Fees for Professional Services

Unless a flat fee is set forth in our engagement letter with a client, our fees for the legal work we will undertake will be based in substantial part on time spent by personnel in our office on that client's behalf. In special circumstances which will be discussed with the client and agreed upon in writing, fees will be based upon the novelty or difficulty of the matter, or the time or other special limitations imposed by the client.

Hourly rates are set to reflect the skill and experience of the attorney or other legal personnel rendering services on the client's behalf. Time is accrued on an incremental basis for such matters as telephone calls (minimum .3 hour) and letters (minimum .5 hour), and on an actual basis for all other work. Our attorneys are currently billed at rates from \$245 to \$725 per hour, and our administrative assistants, law clerks, litigation analysts, research analysts, and paralegals are billed at rates from \$140 to \$290 per hour. These hourly rates are reviewed annually to accommodate rising firm costs and to reflect changes in attorney status as lawyers attain new levels of legal experience. Any increases resulting from such reviews will be instituted automatically and will apply to each affected client, after advance notice.

**Non-Attorney Personnel:** BBK may employ the services of non-attorney personnel under the supervision of a BBK attorney in order to perform services called for in the legal services agreement. The most common non-attorney personnel utilized are paralegals. Other types of non-attorney personnel include, but are not limited to, case clerks, IT analysts, and specialty consultants. The client agrees that BBK may use such

non-attorney personnel to perform its services when it is reasonably necessary in the judgment of the responsible BBK attorney. Hourly fees for non-attorney personnel will be charged at the rate then in effect for such personnel. A copy of BBK's current rates and titles for non-attorney personnel will be provided upon request. Except for paralegals, BBK will not incur more than \$500 in fees for a non-attorney's work on a client matter without first confirming by email or written correspondence with the client the intended use of the non-attorney and the hourly rate for that person.

### Fees For Other Services, Costs and Expenses

We attempt to serve all our clients with the most effective support systems available. Therefore, in addition to fees for professional legal services, we also charge separately for some other services and expenses to the extent of their use by individual clients. These charges include but are not limited to, mileage at the current IRS approved rate per mile, extraordinary telephone and document delivery charges, copying charges, computerized research, court filing fees and other court-related expenditures including court reporter and transcription fees. No separate charge is made for secretarial or word processing services; those costs are included within the above hourly rates.

**ESI:** BBK provides Electronically Stored Information (ESI") services for matters requiring ESI support – typically litigation or threatened litigation matters. BBK shall receive payment for ESI support, if needed, at BBK's then current rates. A copy of BBK's current rates for such services will be provided upon request. BBK shall not incur costs for ESI support on a particular matter without first confirming by email or written correspondence with the client that the client agrees such services are necessary for the matter at hand.

We may need to advance costs and incur expenses on your behalf on an ongoing basis. These items are separate and apart from attorneys' fees and, as they are out-of-pocket charges, we need to have sufficient funds on hand from you to pay them when due. We will advise the client from time to time when we expect items of significant cost to be incurred, and it is required that the client send us advances to cover those costs before they are due.



### Advance Deposit Toward Fees And Costs

Because new client matters involve both a substantial undertaking by our firm and the establishment of client credit with our accounting office, we require an advance payment from clients. The amount of this advance deposit is determined on a case-by-case basis discussed first with the client, and is specified in our engagement letter.

Upon receipt, the advance deposit will be deposited into the firm's client trust account. Our monthly billings will reflect such applications of the advance deposit to costs and not to attorney's fees (unless otherwise noted in our accompanying engagement letter). At the end of engagement, we will apply any remaining balance first to costs and then to fees. We also reserve the right to require increases or renewals of these advanced deposits.

By signing the initial engagement letter, each client is agreeing that trust account balances may be withdrawn and applied to costs as they are incurred and to our billings, when we issue our invoice to the client. If we succeed in resolving your matter before the amounts deposited are used, any balance will be promptly refunded.

### Monthly Invoices and Payment

Best Best & Krieger LLP provides our clients with monthly invoices for legal services performed and expenses incurred. Invoices are due and payable upon receipt.

Each monthly invoice reflects both professional and other fees for services rendered through the end of the prior month, as well as expenses incurred on the client's behalf that have been processed by the end of the prior month. Processing of some expenses is delayed until the next month and billed thereafter.

Our fees are not contingent upon any aspect of the matter and are due upon receipt. All billings are due and payable within ten days of presentation unless the full amount is covered by the balance of an advance held in our trust account. If a bill is not paid within 30 days, a late charge of one percent per month on the unpaid invoice shall be added to the balance owed, commencing with the next statement and continuing until paid.

It is our policy to treat every question about a bill promptly and fairly. It is also our policy that if a client does not pay an invoice within 60 days of mailing, we assume the client is, for whatever reason, refusing to pay. We reserve the right to terminate our engagement and withdraw as attorney of record whenever our invoices are not paid. If an invoice is 60 days late, however, we may advise the client by letter that the client must pay the invoice within 14 days or the firm will take appropriate steps to withdraw as attorney of record. If the delay is caused by a problem in the invoice, we must rely upon the client to raise that with us during the 14-day period. This same policy applies to fee arrangements which require the client to replenish fee deposits or make deposits for anticipated costs.

From time to time clients have questions about the format of the bill or description of work performed. If you have any such questions, please ask them when you receive the bill so we may address them on a current basis.

### Changes in Fee Arrangements and Budgets

It may be necessary under certain circumstances for a client to increase the size of required advances for fees after the commencement of our engagement and depending upon the scope of the work. For example, prior to a protracted trial or hearing, the firm may require a further advance payment to the firm's trust account sufficient to cover expected fees. Any such changes in fee arrangements will be discussed with the client and mutually agreed in writing.

Because of the uncertainties involved, any estimates of anticipated fees that we provide at the request of a client for budgeting purposes, or otherwise, can only be an approximation of potential fees.

BEST BEST & KRIEGER LLP

09960.00000\9525320.1

1/21/15

Contract / Project	January	February	March	April	May	June
<b>PAYMENTS</b>						
1 Viking - payment due on 5th anniversary						
2 T2 Borrego	1/1/15: Pay spare cost in advance			Raftelis spare capacity cost analysis	5/1/15 Notice of 2015/2016 spare capacity due.	6/15/15: commitment of annual spare capacity due from T2 6/30/15: T2 to fallow 200 acre feet 6/30/15: T2 to pay BWD \$110 per a/f over 800.
3 Airport Access Permits						Annual Renewal Due
4 P & I Payment for ID4 COP's			1st half of payments due			
<b>CONTRACTS</b>						
6 American Red Cross-can cancel any time for any reason						
7 Club Circle (Cameron)		option to renew lease by 2/28/2015				Lease expires 6/30/2015
8 Green Desert Landscape		discuss w/ Bob the option of continuing with contract 2/28/2015				Agreement expires 6/30/2015
9 Konika Minolta						
10 Secap - postage machine				4/1/2017 send letter of cancellation if desired		
11 San Diego Mailing Solutions (Annual maintenance - postage and stuffer machine)						
12 Ramona Disposal - Club Circle						
13 Ramona Disposal - BWD Dumpsters						
<b>REPORTS</b>						
15 CASGEM				Submit CASGEM water level data		
16 CCR						
17 Cameron Bros. Water Usage Report (golf course) to county						
18 Santago Estate						Occupancy report due
19 Annual EAR Report (CDHS)			Due 3/31 for previous year			
20 Check fallow property for water usage						
<b>ADMINISTRATIVE</b>						
22 Audit					Begin audit	
23 Budget			Pump check	CIP meeting, draft budget document	Final Budget document / FY Rate Resolution	
24 Business Plan	January 2016 - Update Availability Fees (property tax assessments)		March 2015-Identify & Implement Mechansim to pay for GSP costs. March 2016- Update rate structure & water, sewer & WWT rates			
25 Groundwater Sustainability Plan (GSP)	District Meeting Jan. 20 to discuss policy recommendations, DRAFT MOU between County & District	District Meeting February 17th to discuss policy recommendations, Draft MOU of County and Distict with Coalition; proposal for mechanism(s) to pay for GSP development	District Meeting March 17th to discuss policy recommendations, Draft MOU between County and District; DRAFT MOU of County and District with Coalition; proposal for mechanism(s) to pay for GSP development	Implement GSP funding mechanism; start GSP development		
26 Investment Policy						Investment polices restated
27 Special Assessments / tax bill resolutions-Taussig						Special Assessments resolutions due
28 Town Hall Meeting			3/25/2015			
29 Water Credit repricing			2015- Check if pricing needs to be adjusted			

	July	August	September	October	November	December
1	7/8/2017 early payment due for Viking					
2	7/1/17: establish water budget					12/31/14: T2 to purchase land to fallow 12/31/18 lease expires
3						
4			2nd half of payments due			
5						
6						
7						
8	Cost of Water Adjustment each July 1st. With Cameron					
9	Lease contract expires 7/2015					
10	lease expires 7/2017					
11		Annual maintenance contract expires 10/6/15.				
12		contact RDS re: contract renewal 2015				rate valid until 12/2015
13		contact RDS re: contract renewal 2015				rate valid until 12/2015
14						
15					Submit CASGEM water level data	
16				10/1/14 Mail CCR Certification form		
17				Send to County DPLU by 10/31		
18						
19						
20			Annual fallow property check			
21						
22			Review of draft audit report			
23						
24				November 2015-Update Development Fees (water credits & infrastructure buy-in costs for new connections)		
25						
26						
27						
28						
29						

BORREGO WATER DISTRICT  
 FOR BOARD CONSIDERATION AND APPROVAL  
 DECEMBER 31, 2014

GENERAL ACCOUNT

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
19637	01/09/15	U.S.BANK CORPORATE PAYMENT SYS SEE INVOICE FOR DETAILS	
		SEE INVOICE FOR DETAILS	4,738.26
19598	12/22/14	ABILITY ANSWERING/PAGING SER ANSWERING SERVICE	246.86
19599	12/22/14	CB&T ACWA-JPIA HEALTH BENEFITS	16,299.11
19615	12/30/14	ACWA/JPIA WORKERS COMPENSATION PROGRAM PE: 10/1/14 - 12/31/14	4,012.00
19600	12/22/14	AFLAC EMPLOYEE PAID SUPPLEMENTAL INS	1,864.46
19616	12/30/14	AIRGAS USA, LLC ACETYLENE GAS, CLOTH ROLL	126.52
19638	01/09/15	AMERICAN LINEN INC. UNIFORMS FOR CREW	379.93
19623	01/05/15	AT CONFERENCE CONFERENCE CALLS	16.76
19624	01/05/15	AT&T MOBILITY CELL PHONES FOR CREW	510.62
19625	01/05/15	AT&T-CALNET 2 PHONES FOR OFFICE, WWTP, SHOP	303.63
19626	01/05/15	BORREGO SPRINGS BOTTLED WATER WATER FOR CREW	51.11
19601	12/22/14	BORREGO SUN ORDINANCE ADVERTISEMENT	94.25
19627	01/05/15	COUNTY OF SAN DIEGO UNIFIED PROGRAM FACILITY FEES DEH2002-HUPFP-105388 CERS ID: 10363609	922.00
19648	01/12/15	DATASTREAM BUSINESS 2014 LASER TAX FORMS	27.58
19628	01/05/15	JAMES G HORMUTH/DBA TRUE VALUE SEE INVOICE FOR DETAILS	275.71
19602	12/22/14	DEBBIE MORETTI PEST CONTROL: OFFICE, YARD WWTP	113.00
19629	01/05/15	DOWNEY BRAND PROFESSIONAL SERVICES	7,371.07
19603	12/22/14	E.S. BABCOCK & SONS, INC. SAMPLES TO LAB	1,050.00
19639	01/09/15	E.S. BABCOCK & SONS, INC. WATER SAMPLES TO LAB	1,065.00
19640	01/09/15	EMPIRE SOUTHWEST 420 CAT BACKHOE SERVICE & REPAIR	718.23
19604	12/22/14	FED EX SHIPPING CHARGES	24.57
19605	12/22/14	GRAINGER CABLE BRACES FOR AERTION JOB	



BORREGO WATER DISTRICT  
FOR BOARD CONSIDERATION AND APPROVAL  
DECEMBER 31, 2014

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
		AT THE WWTF	298.36
19630	01/05/15	GREEN DESERT LANDSCAPE	
		MANAGEMENT FEE CLUB CIRCLE	5,210.80
19617	12/30/14	HIDDEN VALLEY PUMP SYSTEMS INC	
		FABRICATE FLANGE FOR PRESSURE	
		RELIEF VALVE AT DIGIORGIO &	
		TILTING T	335.08
19641	01/09/15	HOME DEPOT CREDIT SERVICES	
		SEE INVOICE FOR DETAILS	158.26
19642	01/09/15	HVAC	
		REPAIR HEATER, REPLACE THERM.	
		ON MAIN OFFICE UNIT	380.04
19649	01/12/15	JC LABS & MONITORING SERVICE	
		WASTEWATER CONSULTING SERVICES	1,500.00
19618	12/30/14	JOE'S PAVING CO.INC.	
		GRADE AND COMPACT ROADS TO	
		WELLS AND RESERVOIRS	8,970.00
19631	01/05/15	KAPPA SURVEYING	
		PREPARE LEGAL DESCRIPTION AND	
		EXHIBIT FOR CHARLIE WHITE	
		DONATION PROPERTY	600.00
19606	12/22/14	KARE LOCKSMITHING	
		REPAIR EXIT DOOR	110.00
19607	12/22/14	KENNY STRICKLAND, INC.	
		FUEL FOR DISTRICT VEHICLES	350.86
19619	12/30/14	KENNY STRICKLAND, INC.	
		FUEL FOR DISTRICT VEHICLES	460.53
19632	01/05/15	KENNY STRICKLAND, INC.	
		12165636 FUEL FOR DISTRICT	
		VEHICLES	1,145.77
19643	01/09/15	KONICA MINOLTA	
		COPIER LEASE	1,319.59
19608	12/22/14	McDOUGAL LOVE ECKIS	
		PROFESSIONAL SERVICES	1,036.65
19644	01/09/15	PACIFIC PIPELINE SUPPLY INC	
		INVENTORY SPARE PARTS	
		METER BOXES	
		INVENTORY SPARE PARTS 1"	
		BACKFLOWS	4,143.92
19650	01/12/15	PACIFIC PIPELINE SUPPLY INC	
		INVENTORY	103.06
19609	12/22/14	PUBLIC EMP'S RETIREMENT SYSTEM	
		RETIRMENT BENEFITS	8,089.26
19620	12/30/14	PUBLIC EMP'S RETIREMENT SYSTEM	
		EMPLOYEE RETIRMENT BENEFITS	8,521.02
19610	12/22/14	QUILL CORPORATION	
		OFFICE SUPPLIES	277.65
19633	01/05/15	QUILL CORPORATION	
		OFFICE SUPPLIES	88.66
19634	01/05/15	RAMONA DISPOSAL SERVICE	
		TRASH DISPOSAL	
		CLUB CIRCLE, OFFICE, SHOP	3,184.50
19645	01/09/15	RECORDER/COUNTY CLERK'S OFFICE	
		RELEASE OF LIENS	



BORREGO WATER DISTRICT  
 FOR BOARD CONSIDERATION AND APPROVAL  
 DECEMBER 31, 2014

CHECK#	DATE	PAYEE & DESCRIPTION	AMOUNT
		04-0054-3, 04-0602-0, 4-03402	39.00
19621	12/30/14	SAN DIEGO GAS & ELECTRIC ELECTRICITY CHARGES	34,476.41
19611	12/22/14	SECAP FINANCE POSTAGE MACHINE LEASE	137.49
19622	12/30/14	SUNSET ELECTRIC POWER RE-PLUM CONTROL VALVE AT DI GIORGIO AND TILTING T	266.40
19646	01/09/15	SYNECO SYSTEMS, INC BIOLOGIC OF ODOR CONTROL	1,863.24
19651	01/12/15	SYNECO SYSTEMS, INC BIOLOGIC FOR ODOR CONTROL	1,022.62
19612	12/22/14	TEMECULA VALLEY PIPE & SUPPLY 4" VALVE, SCHEDULE 80 FITTING BOLTS FOR ID5 VAULT@ TILTING T PARTS FOR ID5 VAULT @TILTING T	375.77
19635	01/05/15	TITO'S AUTO CARE REPAIR F600 DRIVE SHAFT, U JOINT	119.64
19652	01/12/15	TITO'S AUTO CARE CARBURATOR REBUILD F600	226.66
19613	12/22/14	U.S. POSTAL SERVICE ANNUAL PO BOX RENTAL	86.00
19647	01/09/15	UNDERGROUND SERVICE ALERT DIG ALERTS	15.00
19653	01/12/15	VERIZON WIRELESS EMERGENCY PHONES	149.85
19636	01/05/15	WENDY QUINN RECORDING SERVICES	100.00
19614	12/22/14	WESTERN PUMP, INC MAINTENANCE ON GAS PUMPS	339.20
TOTAL			----- 125,711.96 =====

## **Borrego Water District Management Report – January 2015**

By: Jerry Rolwing

### **FEDERAL LEVEL**

U.S. Geological Survey: The USGS final report entitled "Hydrogeology, Hydrologic Effects of Development, and Simulation of Groundwater Flow in the Borrego Valley, San Diego County, California" is still delayed. On January 20th I received this email from Claudia Faunt of the San Diego USGS office:

*"Yes, there has been progress on the report and I will get you an updated version of the report by the end of the week. All of the reviews have been incorporated and the responses documented."*

U.S. Bureau of Reclamation: The Reclamation final report entitled "Southeast California Regional Basin Study" has been held up due to a reorganization of upper management at Reclamation and the Department of the Interior. On January 12th I received the following from Jack Simes of Reclamation: *"I spoke to our Policy Office late last week and they said it should be soon. Several basin studies were being reviewed in DC and they are releasing them accordingly. Thank you for your patience. I let the Policy Office know that you've made another inquiry."*

### **STATE LEVEL**

The California Department of Water Resources has set up a new informational webpage pertaining to the Groundwater Sustainability Act. The site can be found at:

<http://water.ca.gov/groundwater/index.cfm>

Included on this site is the first Groundwater Sustainability Agency Notification (attachment A).

### **COUNTY LEVEL**

The Borrego Water District is working with the County Department of Planning and Development Services to structure a relationship as we move forward with the Groundwater Sustainability Plan for the Borrego Valley Groundwater Basin. County Staff will first work to address aspects of the County Groundwater Ordinance and Memorandum of Understanding with the District. The intent is to clean up some of the language to allow more flexibility in farmland fallowing to create water credits.

### **DISTRICT LEVEL**

The "Historical Production Well Pumpage" report has been updated for 2014 (attachment B). Although Rams Hill Golf Course had no request for spare capacity water in January, staff was notified they would be requiring water at the regular water rate as per the T2/BWD agreement. Dudek Engineering has made an application to drill two more test holes (#13 and 14) on their property and are presently performing aquifer testing on RH#4. To date they have completed two test holes into production wells (RH#3 and 4) and have the two irrigation wells sold by the District last year (formerly ID1-1 and 2, now RH#1 and 2).

Cross connection control and master metering of the Villas Borrego will be completed this month. As per Board Direction from December, a letter was sent to Jack Light on the possible land donation off Big Horn Road and Borrego Springs Road and Legal Counsel Morgan Foley is assisting with the finalizing of the Charlie White property donation.

## Groundwater Sustainability Agencies

The Sustainable Groundwater Management Act (SGMA) established a new structure for managing the State's groundwater resources at a local level. The SGMA requires the formation of locally-controlled Groundwater Sustainability Agencies (GSAs) which must develop Groundwater Sustainability Plans (GSPs) in groundwater basins or subbasins that the Department of Water Resources (DWR) designates as medium or high priority.

A GSA, according to Water Code Section 10721(j), is defined as “*One or more local agencies that implement the provisions of this part [Part 2.74, Sustainable Groundwater Management]. For purposes of imposing fees pursuant to Chapter 8 (commencing with Section 10730) or taking action to enforce a groundwater sustainability plan, 'groundwater sustainability agency' also means each local agency comprising the groundwater sustainability agency if the plan authorizes separate agency action.*”

Pursuant to Water Code Section 10733.3, DWR is required to post all notices it receives from GSAs. Below is a list of GSA notifications that DWR has received from local agencies. More information about GSAs and the information GSAs are required to submit to DWR is included in Water Code Section 10723 et seq.

List of Groundwater Sustainability Agency Notifications		
Name of Local Agency	Date of Posting	Status
<u>Ojai Basin Groundwater Management Agency</u>	01/15/2015	Identified in Water Code Section 10723 as the exclusive local agency within their respective statutory boundary.

HISTORICAL PRODUCTION WELL PUMPAGE																				
(units acre feet, period based on calendar year)																				
YEAR	TOTAL	ID1-1*	ID1-2*	ID1-8	ID1-10	ID1-12	ID1-16	ID3 Wells	ID4-2	ID4-3	ID4-4	ID4-5	ID4-10	ID4-11	ID4-18	Wilcox	ID5-5	TOTAL	Less 85% ID1-12 Rams Hill Wells	
2014	2,277	157.5	101	2.59	240.7	471.2	159.81				559.1		115.7	577.3	43.82	0.13	107	2,277.26	258.57	
2013	1,813	0	0	36.02	75.1	273.3	0				174.1		120.7	885.5	49.25	1.89	197.1	1,812.99		
2012	1,941	0	0	34.36	138.3	295.1	12.56				548		121.2	395	90.3	0.1	306.3	1,941.05		
2011	2,461	0.93	1.18	2.19	156	409	284.54		Inactive		547.1		128.5	644.3	59.17	2.13	225.8	2,460.84		
2010	2,731	11.08	13.49	44.47	195.7	385.9	439.76		26.84		584.8		111.7	734.7	58.29	3.48	120.3	2,730.50		
2009	3,127	38.66	20.99	24.11	325.83	834.83	583.25		122.07	Failed	571.25		104.43	786.25	97.42	71.94	6.16	3,127.05	3127.05	
2008	3,676	91.51	77.56	111.30	359.25	589.80	654.98		123.38	283.93	606.18		105.00	553.54	71.36	47.91	10.98	3,675.70	2693.55	
2007	4,257	114.20	96.30	251.36	328.09	843.61	737.18		135.31	557.29	592.58		118.02	393.84	71.48	17.56	209.11	4,256.82	3562.94	
2006	3,610	18.54	27.45	215.91	186.52	682.09	625.88		163.14	604.05	489.59		134.26	385.54	86.71	10.71	242.89	3,610.39	2617.91	
2005	3,136	15.00	65.41	77.81	322.74	478.72	415.85		196.58	581.41	229.27		134.31	534.31	78.89	5.69	311.60	3,135.99	2357.06	
2004	3,692	15.31	6.31	6.17	217.31	741.49	834.59		209.45	311.84	385.10		140.92	737.68	74.52	11.45		3,692.14	3128.94	
2003	3,926	52.35	51.35	0.72	288.93	864.50	650.24		241.95	526.03	275.23		182.15	703.93	89.01			3,926.39	3054.05	
2002	4,090	24.16	26.39	8.71	421.40	829.43	734.95		251.84	631.46	184.74		182.86	702.14	91.56			4,089.64	3072.58	
2001	3,586	22.15	23.39	64.74	368.90	607.90	610.07		244.22	639.00	392.71		179.81	344.98	87.29	0.92		3,586.08	2610.28	
2000	4,033	60.85	30.95	12.00	168.68	710.59	1012.72		209.84	660.74	454.55		168.73	389.76	153.18	Start up		4,032.59	3317.41	
1999	3,859	30.67	33.70	55.37	137.44	732.43	924.68		164.66	667.54	406.04		182.38	274.68	249.88			3,859.47	3023.48	
1998	3,926	21.39	20.56	41.28	88.03	722.68	1054.58		174.01	730.37	417.04		221.24	319.49	115.60			3,926.27	3064.59	
1997	4,050	36.87	26.76	73.85	130.11	636.15	1056.08		197.20	623.35	657.71		211.33	286.80	114.28			4,050.49	3200.28	
1996	4,111	24.67	15.15	2.80	102.67	702.20	1091.95		192.72	657.57	631.52	Stopped	164.33	392.89	132.93			4,111.40	3362.99	
1995	3,804	168.59	3.77	18.58	34.46	55.88	557.06	1072.59				no data for this year on water company wells~	Start up					1,742.34	916.22	
1994	4,008	125.84	39.10	24.85	523.29	971.61			366.73	384.81	491.23	3.90	213.47		616.78			3,804.36	3149.00	
1993	4,175	231.50	3.60	153.11	25.35	570.06	974.05		267.47	411.12	446.92	32.09	219.43		676.61			4,007.72	3392.08	
1992	3,982	63.94	64.43	373.30	544.02	961.04	6.96		333.73	474.91	466.17	54.98	202.45		684.75			4,174.66	3520.31	
1991	3,900	85.51	61.66	305.88	451.11	942.39	Start up		140.00	253.81	504.50	503.78	15.08	143.56	407.51			3,981.93	3311.27	
1990	3,808	223.01	104.68	333.45	329.38	764.16			144.00	221.80	822.87	546.65	172.65	19.61	126.26			3,900.39	2769.75	
1989	4,141	168.99	87.95	374.53	784.42	755.60			144.00	238.17	548.87	495.01	255.75	Start up	371.23			3,807.71	2699.02	
1988	3,344	99.76	75.32	337.92	656.55	317.55			144.00	294.21	658.04	541.55	43.27		288.86			4,141.42	3242.41	
1987	3,133	0.01	0.01	387.88	578.75	354.13			144.00	327.98	324.57	515.79	Start up		544.84			3,344.28	2455.34	
1986	3,162	1.40	35.34	407.09	600.78	316.90			153.00	466.52	325.10	504.14			363.42			3,132.96	2759.37	
1985	2,997	38.00	48.00	450.00	695.00	Start up			141.00	466.52	325.10	504.14			363.42			3,161.69	2745.07	
1984									130.00	466.52	325.10	481.06			363.42			2,997.10	2624.28	
1983									440.58	215.51	469.19				501.44			1,626.72		
Total																		108,580.32	75,777.22	258.57

NOTES:  
 Early Rams Hill well data and ID3 well data estimated by Lin Burzell  
 1991: Consolidated with Golden Sands Mutual Water Co. (Deep Well Trail and La Casa del Zorro), now service area #3  
 1997: Purchased Borrego Springs Water Co. (Indian Head Ranch to San Pablo Rd), now service area #4  
 2007: High water usage from redesigned Rams Hill golf course (Fazio course)  
 2008: Began serving Borrego Springs Park Community Services Dist. (Club Circle and BS Resort), consolidated 2009, now service area #5  
 2009: BWD purchased the remaining 85% of well ID1-12, prior to this date the District only sold 15% of the well's pumpage  
 \* Wells sold to Rams Hill Golf Course in February 2014



# **BORREGO WATER DISTRICT**

**December 2014**

## **WATER OPERATIONS REPORT**

<u>WELL</u>	<u>TYPE</u>	<u>FLOW RATE</u>	<u>STATUS</u>	<u>COMMENT</u>
ID1-8	Production	350	In Use	
ID1-10	Production	300	In Use	
ID1-12	Production	950	In Use	
ID1-16	Production	850	In Use	
Wilcox	Production	150	In Use	Diesel backup well for ID-4
ID4-4	Production	350	In Use	
ID4-10	Production	80	In Use	
ID4-11	Production	1000	In Use	Diesel engine drive exercised monthly
ID4-18	Production	250	In Use	
ID5-5	Production	900	In Use	

**System Problems:** All Production Wells and reservoirs are in operating condition.

## **WASTEWATER OPERATIONS REPORT**

Rams Hill Water Reclamation Plant serving ID-1, ID-2 and ID-5 Total Cap. 0.25 MGD (million gallons per day):

**Average flow:** 81,408 (gallons per day)

**Peak flow:** 118979 gpd Wednesday December 31, 2014





# BORREGO WATER DISTRICT

## WATER PRODUCTION SUMMARY

December 2014

DATE	ID-1	ID-3	ID-4	ID-5	DISTRICT-WIDE TOTALS
Jan-13	15.18	10.21	103.59	2.05	131.03
Feb-13	11.65	9.60	76.50	2.26	100.01
Mar-13	10.26	8.33	85.01	4.54	108.14
Apr-13	12.26	10.88	135.54	7.10	165.78
May-13	22.86	11.86	118.08	5.37	158.17
Jun-13	26.59	12.71	133.18	2.86	175.34
Jul-13	27.81	14.19	153.49	2.42	197.91
Aug-13	27.96	13.26	123.17	2.45	166.84
Sep-13	30.51	11.16	117.30	0.92	159.89
Oct-13	29.63	10.86	137.93	4.34	182.76
Nov-13	21.45	11.58	113.46	5.28	151.77
Dec-13	16.85	6.75	89.16	3.48	116.24
Jan-14	12.51	7.44	99.13	4.12	123.20
Feb-14	20.59	6.37	90.06	3.81	120.83
Mar-14	34.62	6.90	89.53	3.93	134.98
Apr-14	29.52	8.32	118.08	6.35	162.27
May-14	72.93	8.46	111.16	5.15	197.70
Jun-14	87.66	9.52	121.42	2.34	220.94
Jul-14	132.29	9.13	138.73	2.72	282.87
Aug-14	132.62	9.72	112.59	2.17	257.10
Sep-14	127.21	10.49	140.83	1.99	280.52
Oct-14	128.61	9.71	124.41	5.97	268.70
Nov-14	102.51	10.32	118.23	4.77	235.83
Dec-14	45.15	6.96	95.47	0.00	147.58
<b>12 Mo. TOTAL</b>	<b>926.22</b>	<b>103.34</b>	<b>1359.64</b>	<b>43.32</b>	<b>2432.52</b>

*Totals reflect individual improvement district usage. Interties from ID-3 and ID-5 have been subtracted from well pumpage totals and applied to respective ID's. All figures in Acre Feet of water pumped or recorded on intertie meters.*

## WATER LOSS SUMMARY (%)

DATE	ID-1	ID-3	ID-4	ID-5	DISTRICT-WIDE AVERAGE
Dec-14	-17.24	0.29	18.84	N/A	0.63
<b>12 Mo. Average</b>	<b>0.02</b>	<b>1.69</b>	<b>12.80</b>	<b>N/A</b>	<b>4.84</b>

BORREGO WATER DISTRICT  
 Water Production / Use Records  
 ID # 1  
 Month of December 2014

----- Water Production (Acre Feet) -----									
Date	Well 1	Well 2	Well 8	Well 10	Well 12	Well 16	Wells 1&2	Total	LessID3&4
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
DEC'13	0.00	0.00	0.94	7.26	15.40	0.00	0.00	23.60	16.85
JAN'14	0.00	0.00	0.00	0.09	19.86	0.00	0.00	19.95	12.51
FEB'14	0.00	0.00	0.20	8.03	18.73	0.00	0.00	26.96	20.59
MAR'14	5.35	6.74	0.00	27.26	17.92	0.00	12.09	45.18	50.37
APR'14	0.00	0.00	0.07	32.69	31.33	0.00	0.00	64.09	55.77
MAY'14	24.66	25.30	1.52	27.76	43.65	0.00	49.96	72.93	114.43
JUN'14	15.43	13.90	0.04	24.42	63.20	0.00	29.33	87.66	107.47
JUL'14	18.94	13.16	0.03	39.19	70.10	0.00	32.10	109.32	132.29
AUG'14	23.93	7.56	0.61	27.67	59.88	22.69	31.49	110.85	132.62
SEP'14	26.13	11.75	0.06	19.00	48.79	31.97	37.88	99.82	127.21
OCT'14	18.53	10.42	0.01	19.36	46.55	43.45	28.95	109.37	128.61
NOV'14	19.97	10.60	0.05	15.19	30.76	36.26	30.57	82.26	102.51
DEC'14	4.60	1.60	0.00	0.00	20.47	25.44	6.20	45.91	45.15
TOTALS	157.54	101.03	2.59	240.66	471.24	159.81	258.57	874.30	1029.53
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====

----- Water Use (Acre Feet) -----										
Date	Domestic	Irrigat'n	Constrt'n	Golf Course	Golf Spare Cap	ID 3	ID 4	Total	Water Loss	% Loss
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
DEC'13	8.09	7.67	0.00	0.00	0.00	6.75	0.00	22.51	1.09	4.62%
JAN'14	8.40	8.29	0.00	0.00	0.00	7.44	0.00	24.13	-4.18	-20.90%
FEB'14	6.66	5.11	0.00	0.00	6.00	6.37	0.00	24.14	2.82	10.46%
MAR'14	6.88	4.98	1.88	3.62	15.75	6.90	0.00	40.01	5.17	11.43%
APR'14	9.20	8.32	1.90	6.96	26.25	8.32	0.00	60.95	3.14	4.90%
MAY'14	8.85	8.90	0.19	10.21	37.71	8.46	0.00	74.32	-1.39	-1.90%
JUN'14	10.03	12.25	0.00	4.32	50.52	9.52	0.00	86.64	1.02	1.17%
JUL'14	11.26	16.13	0.62	12.03	58.98	9.13	0.00	108.15	1.17	1.07%
AUG'14	13.27	17.82	0.18	0.00	68.48	9.72	0.00	109.47	1.38	1.25%
SEP'14	13.51	13.13	0.00	0.00	61.73	10.49	0.00	98.86	0.96	0.97%
OCT'14	12.23	15.39	0.01	0.00	71.55	9.71	0.00	108.89	0.48	0.45%
NOV'14	10.77	11.82	0.18	0.35	51.35	10.32	0.00	84.79	-2.53	-3.08%
DEC'14	9.05	6.94	0.04	0.00	30.83	6.96	0.00	53.82	-7.91	-17.24%
TOTALS	120.11	129.08	5.00	37.49	479.15	103.34	0.00	874.17	0.13	0.02%
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====

BORREGO WATER DISTRICT  
 Water Production / Use Records  
 ID # 3  
 Month of December 2014

Date	La Casa del Zorro Total Acre Feet		Deep Well Trail / Others Acre Feet			Total	Total	Total
	Irrigat'n	Domestic	Irrigat'n	Domestic	Total	Irrigat'n	Domestic	Acre Feet
DEC'13	0.20	3.22	0.10	3.77	3.87	0.30	6.99	7.29
JAN'14	0.00	2.60	0.12	4.65	4.77	0.12	7.25	7.37
FEB'14	0.00	2.04	0.04	4.15	4.19	0.04	6.19	6.23
MAR'14	0.00	3.02	0.08	3.78	3.86	0.08	6.80	6.88
APR'14	0.00	3.37	0.06	4.80	4.86	0.06	8.17	8.23
MAY'14	0.00	3.24	0.04	5.15	5.19	0.04	8.39	8.43
JUN'14	0.00	3.32	0.21	5.81	6.02	0.21	9.13	9.34
JUL'14	0.00	2.88	0.14	5.96	6.10	0.14	8.84	8.98
AUG'14	0.00	3.30	0.17	5.91	6.08	0.17	9.21	9.38
SEP'14	0.00	3.19	0.11	6.97	7.08	0.11	10.16	10.27
OCT'14	0.00	2.94	0.11	6.23	6.34	0.11	9.17	9.28
NOV'14	0.00	4.80	0.25	5.21	5.46	0.25	10.01	10.26
DEC'14	0.00	2.65	0.06	4.23	4.29	0.06	6.88	6.94
TOTALS	0.00	37.35	1.39	62.85	64.24	1.39	100.20	101.59

Date	Water Produced Acre Feet	Water Delivered Acre Feet	Wtr Loss	% Loss
DEC'13	6.75	7.29	-0.54	-8.00%
JAN'14	7.44	7.37	0.07	0.94%
FEB'14	6.37	6.23	0.14	2.20%
MAR'14	6.90	6.88	0.02	0.29%
APR'14	8.32	8.23	0.09	1.08%
MAY'14	8.46	8.43	0.03	0.35%
JUN'14	9.52	9.34	0.18	1.89%
JUL'14	9.13	8.98	0.15	1.64%
AUG'14	9.72	9.38	0.34	3.50%
SEP'14	10.49	10.27	0.22	2.10%
OCT'14	9.71	9.28	0.43	4.43%
NOV'14	10.32	10.26	0.06	0.58%
DEC'14	6.96	6.94	0.02	0.29%
TOTALS	103.34	101.59	1.75	1.69%

BORREGO WATER DISTRICT  
 Water Production / Use Records  
 ID # 4  
 Month of December 2014

----- Water Production (Acre Feet) -----											
Date	Well 2	Well 3	Well 4	Well 5	Well 10	Well 11	Well 18	Wilcox	Well 85	Total	Less ID5
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====
DEC'13	0.00	0.00	15.89	5.63	9.26	59.13	2.32	0.41	0.00	92.64	89.16
JAN'14	0.00	0.00	53.25	6.89	10.82	29.03	3.24	0.02	0.00	103.25	99.13
FEB'14	0.00	0.00	45.47	6.06	9.34	29.74	3.26	0.00	0.00	93.87	90.06
MAR'14	0.00	0.00	42.13	6.11	8.97	33.10	3.12	0.03	0.00	93.46	89.53
APR'14	0.00	0.00	52.05	10.17	10.42	47.59	4.20	0.00	0.00	124.43	118.08
MAY'14	0.00	0.00	43.37	10.03	8.83	50.44	3.64	0.00	0.00	116.31	111.16
JUN'14	0.00	0.00	46.08	10.57	9.43	54.04	3.64	0.00	0.00	123.76	121.42
JUL'14	0.00	0.00	49.84	11.88	10.39	64.30	4.96	0.08	0.00	141.45	138.73
AUG'14	0.00	0.00	31.96	8.53	8.86	61.91	3.50	0.00	0.00	114.76	112.59
SEP'14	0.00	0.00	54.73	10.38	10.84	62.48	4.39	0.00	0.00	142.82	140.83
OCT'14	0.00	0.00	43.63	12.00	8.66	62.73	3.36	0.00	0.00	130.38	124.41
NOV'14	0.00	0.00	46.53	9.13	9.26	54.05	4.03	0.00	0.00	123.00	118.23
DEC'14	0.00	0.00	50.05	5.20	9.88	27.86	2.48	0.00	0.00	95.47	95.47
TOTALS	0.00	0.00	559.09	106.95	115.70	577.27	43.82	0.13	0.00	1402.96	1359.64
=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====	=====

Date	Water Produced Acre Feet	Water Use Acre Feet	Wtr Loss	% Loss	ID 5 Acre Feet
=====	=====	=====	=====	=====	=====
DEC'13	92.64	85.79	6.85	7.39%	3.48
JAN'14	103.25	91.70	11.55	11.19%	4.12
FEB'14	93.87	83.03	10.84	11.55%	3.81
MAR'14	93.46	82.18	11.28	12.07%	3.93
APR'14	124.43	110.90	13.53	10.87%	6.35
MAY'14	116.31	102.57	13.74	11.81%	5.15
JUN'14	123.76	108.72	15.04	12.15%	2.34
JUL'14	141.45	121.06	20.39	14.41%	2.72
AUG'14	114.76	101.69	13.07	11.39%	2.17
SEP'14	142.82	118.54	24.28	17.00%	1.99
OCT'14	130.38	118.49	11.89	9.12%	5.97
NOV'14	123.00	107.03	15.97	12.98%	4.77
DEC'14	95.47	77.48	17.99	18.84%	0.00
TOTALS	1402.96	1223.39	179.57	12.80%	43.32
=====	=====	=====	=====	=====	=====