

REASONS FOR THE RATE ADJUSTMENTS AND INCREASES

The Agency is committed to providing the highest quality water at the lowest possible rates for our customers. To meet this commitment, over the last five years the Agency has worked to manage operations and maintenance costs as well as establish a robust cash reserve for emergency and other necessary contingencies, but there are outside influences from the state legislature regarding issues of access and affordability, tightening water quality standards, environmental compliance and system reporting as well as rapid inflation affecting the actual cost of goods and services. In the same time period, the Agency has experienced a 26% decrease in water consumption primarily due to eradication of illegal cannabis but also voluntary conservation by our customers. Legal challenges to “tiered” consumption rates have forced the Agency to abandon them entirely after just instituting them in response to the illegal cannabis operations in 2021. Lastly, there is little to no new development water meter sales forecast, which means the costs are spread over the same number of customers. To navigate these challenges, the Agency sought an independent review of its long-term financial health and current application of water service rates. In February 2025, the Agency Board of Directors engaged the professional services of NBS to independently develop a sustainable financial plan incorporating all financial obligations including contribution to reserve funds for at least a 20-year period. NBS utilized the financial model to complete a water rate study and evaluate the infrastructure, programs, operations and maintenance costs of the Agency’s water services and the rates necessary to recover the costs of those services for the next five years.

The NBS cost of service and rate study demonstrates what it costs the Agency to provide water service and appropriately allocates the costs of providing water to our customers. The cost of providing water includes not only the water the Agency pumps and purchases, but the infrastructure that treats and delivers the water to ensure that there is safe and reliable water to meet the various demands of our water customers twenty-four hours a day, seven days a week.

Based on NBS’s evaluation, it has been determined that rate adjustments and increases are necessary for the Agency’s water service charges to enable the Agency to:

- Recover current and long-term projected costs of operating and maintaining the water system.
- Fund capital infrastructure improvements needed to repair and update the Agency’s water system.
- Maintain the operational and financial stability of the water system.
- Comply with State mandated drinking and groundwater water regulatory requirements.
- Avoid operational deficits and depletion of reserves.

PROPOSED RATES AND HOW THEY WERE CALCULATED

The proposed rates are calculated to recover the cost of providing water services and to proportionately allocate those costs on a per meter basis among the Agency’s customers. The proposed water rate structure is applicable to ALL properties for which a meter(s) is installed, whether or not the property has any water usage. It is also applicable to bulk water accounts with a meter (1-inch or 2-inch) or “Cash Account” bulk hauling customers. The proposed water rate structure will be modified to reflect up to three customer classes—Residential, Commercial/Agriculture/ Institutional/Fire/Construction/Other, and Bulk Water. To clarify, “Bulk Water” users with a 2-inch meter will pay both Service Charge and Volumetric charges. The proposed rate structure has three components—a Service Charge, a Volume Charge, and a Fire Service Charge. The proposed rates are described in more detail below.

The proposed Service Charge is a fixed bi-monthly charge calculated to recover a portion of the Agency’s fixed costs, such as meter reading, billing and collections, and the cost of operating and maintaining the water system infrastructure. The proposed Service Charges are established based on the size of the meter (in inches) serving a property to recover the *(continues on reverse)*



BIGHORN-DESERT VIEW  
WATER AGENCY  
1720 NORTH CHEROKEE TRAIL  
LANDERS, CA 92285

IMPORTANT  
NOTIFICATION OF  
PROPOSED UPDATE  
TO WATER SERVICE RATES

Proposition 218

NOTICE OF PUBLIC HEARING

PROPOSED INCREASE OF WATER SERVICE RATES

Tuesday, February 10, 2026, at 6:00 p.m.

1720 North Cherokee Trail, Landers, CA 92285

The BIGHORN-DESERT VIEW WATER AGENCY, in compliance with Article XIIIID of the California Constitution and the Proposition 218 Omnibus Implementation Act, is hereby notifying all affected property owners and ratepayers of the following:

- The Bighorn-Desert View Water Agency (the “Agency”) is proposing to increase its water service rates. The proposed increases are needed to invest in and maintain modern and reliable water infrastructure and adequately fund the ongoing costs of providing water service to properties within its service area. Revenue from the water service rates pays for the operation and maintenance of, and capital improvements to, the Agency’s water system.
- This notice includes the proposed schedule of rates for January 2026 through 2030. If the proposed rates are adopted by the Agency Board of Directors, the proposed rates will become effective for services provided on and after February 11, 2026, and will be adjusted each January 1 thereafter beginning January 1, 2027, through and including, January 1, 2030.

A Public Hearing on the proposed water service rates will be held on Tuesday, February 10, 2026, at 6:00 p.m., to consider the adoption of a 5-year schedule of water rates. The public hearing will be held at the Agency boardroom located at 1720 North Cherokee Trail, Landers, CA 92285. The purpose of the public hearing is to consider all oral testimony and written protests to, and the adoption of, the proposed rates.

AGENCY BACKGROUND

The Bighorn-Desert View Water Agency is a consolidated independent special district, formed in 1990, operating pursuant to the provisions of the Bighorn-Desert View Water Agency Law, California Water Code Appendix, Sections 112-1 et. seq. The Agency is governed by a five-member Board of Directors, elected at-large from within the Agency’s service area. The General Manager administers the day-to-day operations of the Agency in accordance with policies and procedures established by the Board of Directors. The Agency provides water service to approximately 2,550 active residential customers and 145 non-residential customers within its fifty-one (51) square-mile service area, located in the eastern desert of San Bernardino County. The Agency encompasses the unincorporated communities in the county known as Flamingo Heights, Landers and Johnson Valley.

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incremental costs of facilities to sufficiently deliver water to properties. The Volume Charge is a variable charge imposed per unit of delivered water, with one unit equal to one hundred cubic feet (HCF), or 748 gallons, and is calculated to recover a portion of the Agency’s fixed costs and its variable costs of providing water service. The Fire Service Charge is imposed on customers who have separate and distinct connections for fire sprinklers or on-site fire hydrants or other fire suppression devices. The Fire Service Charge recovers the Agency’s fixed costs of operating and maintaining infrastructure for private fire service.

Under the proposed rates for the Residential and Commercial/Agriculture/Institutional/Fire/ Construction/Other customer classes the Volume Charge will be a uniform rate per HCF of water delivered during a billing period.

The amount of the Service Charge and the Fire Service Charge imposed will differ by water meter size per two-month billing period. The amount of the Volume Charge imposed varies each two-month period, depending on the number of units of water each customer uses. The current rates and the proposed maximum rates and effective dates for the Service Charges, Fire Service Charges, and Volume Charges are set forth in the tables below.

Water Rate Schedule		Current Rates	Proposed Rates				
			1/1/2026	1/1/2027	1/1/2028	1/1/2029	1/1/2030
Fixed Meter Charges							
Bi-Monthly Fixed Service Charges:							
3/4 inch		\$72.27	\$77.76	\$81.18	\$84.75	\$88.48	\$92.37
1 inch		\$72.27	\$77.76	\$81.18	\$84.75	\$88.48	\$92.37
1.5 inch		\$130.27	\$143.80	\$150.13	\$156.74	\$163.64	\$170.84
2 inch		\$199.88	\$223.05	\$232.86	\$243.11	\$253.81	\$264.98
3 inch		\$385.51	\$434.38	\$453.49	\$473.44	\$494.27	\$516.02
4 inch		\$594.32	\$672.13	\$701.70	\$732.57	\$764.80	\$798.45
6 inch		\$1,174.38	\$1,332.54	\$1,391.17	\$1,452.38	\$1,516.28	\$1,583.00
Bi-Monthly Fire Service Charges:							
3/4 inch		\$35.81	\$59.40	\$62.01	\$64.74	\$67.59	\$70.56
1 inch		\$35.81	\$59.40	\$62.01	\$64.74	\$67.59	\$70.56
2 inch		\$83.23	\$164.34	\$171.58	\$179.13	\$187.01	\$195.24
3 inch		\$165.12	\$345.61	\$360.82	\$376.70	\$393.27	\$410.57
4 inch		\$315.97	\$679.52	\$709.42	\$740.63	\$773.22	\$807.24
6 inch		\$703.86	\$1,538.15	\$1,605.83	\$1,676.49	\$1,750.26	\$1,827.27
8 inch		\$1,221.05	\$2,682.99	\$2,801.04	\$2,924.29	\$3,052.96	\$3,187.29
Commodity Charges							
Rate per hcf of Water Consumed:							
Residential Customers <sup>1</sup>							
Tier 1	0-25 hcf	\$3.55	\$4.41	\$4.61	\$4.81	\$5.02	\$5.24
Tier 2	26+ hcf	\$5.40	NA	NA	NA	NA	NA
Commercial, Ag, Institutional,							
Construction, Fire & Other		\$4.18	\$4.41	\$4.61	\$4.81	\$5.02	\$5.24
Bulk Meters <sup>2</sup>		\$9.16	\$12.19	\$12.73	\$13.29	\$13.87	\$14.48

1.
- Current rates are structured based on consumption tiers. Proposed rates are uniform based on total consumption.
2.
- Bulk Meters, including 1 inch and cash accounts have no fixed meter charge and are charged for usage based on commodity charges per hcf only. 2 inch and larger bulk meters are charged for the fixed meter charge and usage based on the commodity charge.

PROTESTS & OBJECTIONS TO THE PROPOSED MAXIMUM RATES

**Protests:** Property owners or customers of record subject to the proposed water service rates may file a written protest and/or a written objection to the proposed maximum rates. Protests to the proposed rates may be submitted pursuant to section 6 of Article XIII D of the California Constitution, and if protests are submitted by a majority of parcels receiving water services, then the Board of Directors cannot adopt the proposed rates.

Requirements for a Valid Protest

1.
- Must be in writing.
2.
- Must include a statement that it is a protest against the proposed change in water rates.
3.
- Must provide the name of the record owner or customer of record submitting the protest.
4.
- Must identify the parcel associated with the person filing the request by assessor’s parcel number or service address.
5.
- Must include the original signature of the record owner or customer of record submitting the protest. As such, electronic protests will not be counted.

**Protests will not be counted if any of the required elements of a written protest are omitted. Written protests must be received at the address below by 4:00 p.m. on February 10, if mailed or submitted in person prior to the public hearing. Written protests may also be hand delivered to the Board Secretary at the Board of Directors meeting on February 10, 2026, up until the close of the public input portion of the public hearing on the matter. Prior to the public hearing, hours for in person protest submittal are 8:00 a.m. – 4:30 p.m. Monday through Friday.**

ATTN: Board Secretary (Water Service Charge Protest)  
Bighorn-Desert View Water Agency  
622 S. Jemez Trail  
Yucca Valley, CA 92284

If prior to the close of the public input portion of the public hearing, written protests are presented by a majority of parcels that receive water services, the Board of Directors will not increase the water service rates from their existing level. Only one written protest per parcel will be counted in calculating a majority protest.

**Objections:** Objections may be submitted pursuant to Government Code section 53759.1, and any person that wishes to challenge the rates in a legal proceeding must file an objection, which complies with the requirements detailed below. While the same person or entity may submit both a protest and an objection, to be valid, protests and objections must be submitted separately, as clearly labeled, distinct documents.

Requirements for a Valid Objection

1.
- Must include a clear statement that it is an objection to the proposed water service rates.
2.
- Must be filed separately from protests.
3.
- Must include the name of the record owner or customer of record and the assessor’s parcel number or service address associated with the objector’s parcel that is subject to the proposed water service rates.
4.
- Must include the specific subsections of the California Constitution Article XIII D, section 6(b) or any other applicable law that the objector believes would be violated by the approval and/or imposition of the proposed water service rates.
5.
- Must include a detailed explanation, with references to the Water Rate Study, legal authority, and any additional data or evidence the objector chooses to present that will enable the Agency to understand the grounds for the objector’s claim that the proposed water service rates do not comply with Proposition 218 or any other applicable law.
- a)
- An objection may include expert analysis in support of the objection.
- b)
- If an objection includes expert analysis, the expert’s contact information and statement of their qualifications must be included.
6.
- Must include the original signature of the objector. As such, electronic objections will not be valid.

**To be valid, all written objections must include the information listed above and be received by the Board Secretary by 4:30 p.m. on February 2, 2026, at the address below. Hours for in-person objection submittal are 8:00 a.m. – 4:30 p.m. Monday through Friday.**

ATTN: Board Secretary (Water Service Charge Objection)  
Bighorn-Desert View Water Agency  
622 S. Jemez Trail  
Yucca Valley, CA 92284

**Failure to timely object in writing bars any right to challenge the proposed water service rates through a legal proceeding and any such action may be limited to issues identified in the challenger’s objection.**

If any of the requirements for a valid, written objection are not met, then the objection will be deemed invalid and will not be considered by the Agency. Objections must be submitted separately from protests and any written submission labeled as both a protest and an objection shall be deemed invalid.

Prior to the close of the public hearing, the Board of Directors will consider and respond in writing to any timely, valid written objection. The Agency’s response will explain the substantive basis for retaining or altering the proposed water service rates in response to the written objection, and, if applicable, the grounds for not making any amendments in response to the objection.

The proposed water service rates are subject to Government Code section 53759. You are hereby notified pursuant to Government Code section 53759 that any judicial action or proceeding to attack, review, set aside, void, validate, or annul the Board of Directors’ adoption of the proposed water service rates must be commenced within 120 days of the effective date or the date of the final passage, adoption, or approval of the ordinance or resolution adopting the water service rates, whichever is later.