

Bighorn-Desert View Water Agency

Board of Directors

Terry Burkhart, President
J. Larry Coulombe, Vice President
Michael McBride, Director
David Larson, Director



Agency Office
622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone
760/364-3412 Fax

Marina D West, P.G., General Manager
Joanne L Keiter, Board Secretary

A Public Agency

www.bdvwa.org

August 17, 2010

Ms. Kathleen Rollings-McDonald
Executive Officer
Local Agency Formation Commission
215 North "D" Street, Suite 204
San Bernardino, CA 92415-0490

RE: LAFCO 3148 – Service Review and Sphere of Influence Update for Bighorn-
Desert View Water Agency

Ms. Rollings-McDonald:

Since the initiation of the Municipal Sphere Review/Sphere of Influence Update for Bighorn Desert View Water Agency, several open meetings have been held to solicit public input regarding the possibility that LAFCO might suggest changes to the Sphere of Influence (SOI). Our desire to obtain public input is directly related to LAFCO's Department Review Committee meeting report dated March 17, 2010 and our responses dated May 13, 2010.

To date the Agency has received correspondence from one private property owner, Mr. Chris Gubler of Gubler Orchids (attached). Subsequent to Mr. Gubler's inquiries, the matter was agendaized for the discussion at the July 27, 2010 regular meeting of the Board of Directors.

Following a discussion between the Directors and Mr. Gubler, the Board directed that LAFCO be notified that the Bighorn Desert View Water Agency concurs with Mr. Gubler's request that his private properties be excluded from any further consideration for expansion of BDVWA's SOI. The mutual understanding between the BOD and Mr. Gubler is that BDVWA does not desire to expand SOI over Mr. Gubler's property unless that service is desired by Mr. Gubler. Further, that LAFCO should limit its opinion to an



analysis of logical service provision and in this case Mr. Gubler pumps all his own water from several private wells.

Should you have any further questions regarding this matter, please don't hesitate to contact me directly at (760) 364-2315.

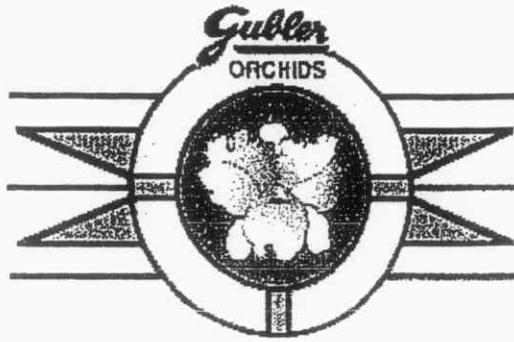
Sincerely,



Marina D. West, PG
General Manager

CC: The Honorable Neil Derry, 3rd District, County of San Bernardino
Mr. Chris Gubler, Gubler Orchids
Mr. Alan Rasmussen, Co. San Bernardino, 3rd District, Field Representative





June 2, 2010

Bighorn-Desert View Water Agency.
Directors of the Bighorn Desert View Water Agency
622 S. Jemez Trail
Yucca Valley, CA 92284

Dear Board of Directors,

Gubler Orchids and The B.D.V.W.A have a solid working relationship over the past twenty years. Gubler Orchids has been a viable asset to the community for over 37 years. Our organizations share the same concerns on water issues such as quality and overdraft. Throughout our tenure here our water usage has remained constant.

We recognize the importance to the community of adding W-1 into the sphere of influence of B.D.V.W.A. Fixed costs can only be lowered by adding more volume (customers). From my understanding, the request made to LAFCO was to expand the sphere of influence to your borders to the south east to include W-1. LAFCO became more aggressive, and somehow in this process we were thrown into the sphere of influence review for community identity. LAFCO failed to notify Gubler's in any form of this sphere of influence change, and thankfully, Marina West gave me a last minute heads up on the workshop held at the Water District office.

I am requesting that the Board of Directors reconsider their position on including Gubler Orchids in the sphere of influence. Gubler Orchids feels that this action could lead to a forced annexation into the district down the road. The current interpretation of the law says this could not happen without my permission, however with creative lawyers and liberal interpretation of the law; this could become a reality possibly forcing Gublers to close their doors.

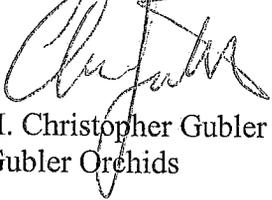
I realize that some members of this board do not share this view, but I think we can all agree that this Agency is known for the political unrest within its electorate. Board members and the direction of the agency have changed many times over the last 15 years. The LAFCO proposal goes through as written; could lead to catastrophic events for my company.

PHONE: 760.364.2282 FAX: 760.364.2285 Email: Chris@Gublers.com
2200 Belfield Blvd. PO Box 3100, Landers, California 92285-0100

We understand that the B.D.V.W.A twenty year plan does not include Gubler Orchids, at this time. So, why given our history would we want to include Gubler Orchids in sphere of influence? Our business model requires stability in water supply outside the boundaries of B.D.V.W.A. Please add this issue to the June agenda for further discussion. We are asking the board to remove Gubler Orchids: Section 1, Township 2N Range 5E from the sphere of influence and notify LAFCO of your decision.

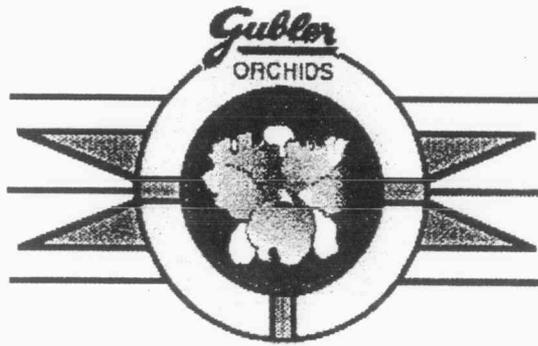
Thank You

Respectfully Submitted,



H. Christopher Gubler
Gubler Orchids

CC: Supervisor Derry
LAFCO Commissioner Jim Bagley
Kathleen Rollings-McDonald, Executive Officer LAFCO



RECEIVED
MAY 13 2010
BY: _____

March 19, 2010

Subject: Annexation into Bighorn Desert View Water District.

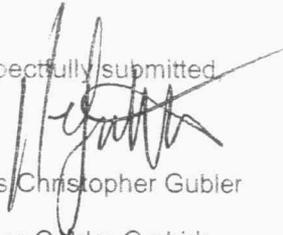
To Whom it may Concern and all interested parties,

I, Hans Christopher Gubler Trustee of the Hans Gubler Trust Parcels 0629-361-13-0, 0629-361-12-0 located at 2200 Belfield Blvd. Landers California is the largest private land owner in Section 1, Township 2N Range 5E, San Bernardino Base and Meridan is strongly apposed to the plan of LAFCO to extend the Bighorn Desert View Water Agency Sphere of Influence to "match up" with the Homestead Valley Community Plan which includes Section 1.

I, Hans Christopher Gubler, Owner of Parcels 0635-631-25-0, 0635-631-36-0, 0635-631-35-0, 0635-631-28-0, 0635-631-27-0, 0635-631-17-0, 0635-631-16-0, with the physical address of 57488 Linn Rd. Landers California located in Section 36, Township 3N, Range 5E San Bernardino Base and Meridan is strongly apposed to the plan of LAFCO to extend the Bighorn Desert View Water Agency sphere of influence to include our Section 36.

We have enjoyed a strong working relationship with Bighorn Desert View Water Agency over the last 30 years. We have worked together in protecting overdrafts caused by over pumping water to Yucca Valley. Our Water usage has remained constant for the last twenty years. We pay our fair share for the Mojave Pipeline project. We feel that including Gubler Orchids in the sphere of influence of BDVWD could yield catastrophic results, which could cease our operations in the future.

Respectfully submitted,


Hans Christopher Gubler

Owner Gubler Orchids

Trustee Hans Gubler Trust

LAFCO 3148 BDVWA Response
Exhibit 5
5/13/2010

PHONE: 800.482.5377

FAX: 760.364.2285

Email: Chris@Gublers.com

2200 Belfield Blvd. PO Box 3100, Landers, California 92285-010

**Board of Supervisors
County of San Bernardino**

NEIL DERRY
SUPERVISOR, THIRD DISTRICT



September 23, 2010

RECEIVED
SEP 26 2010

LAFCO
San Bernardino County

Kathleen Rollings-McDonald
Executive Director
Local Agency Formation Commission
215 North D St., Ste 204
San Bernardino, CA 92415

RE: LAFCO 3148 – Bighorn-Desert View Water Agency Sphere of Influence

Dear Ms. McDonald:

I am in receipt of a letter from the Bighorn-Desert View Water District stating that they have reached a mutual understanding with Chris Gubler of Gubler Orchids whereby both parties have expressed a desire to have the Gubler properties excluded from any further consideration with respect to the expansion of BDVWA's sphere of influence.

I believe that as a result of this resolution by the parties involved, LAFCO should honor this agreement by removing the Gubler properties from any future consideration.

Respectfully,

NEIL DERRY
SUPERVISOR, THIRD DISTRICT