



August 28, 2023

Desert Valley Hospital, LLC  
3480 E Guasti Rd, 3<sup>rd</sup> Floor  
Ontario, CA 91761

Re: Water Service For EWTR23-00321  
APN 3091-371-01 & 3091-371-07  
Expiration Date: 08/28/2024

Dear Desert Valley Hospital, LLC:

This document will hereinafter be referred to as the "Will Serve Letter" or the "Letter". Based upon the application for water service submitted by Desert Valley Hospital, LLC (hereinafter "Developer") to the Victorville Water District ("District") the District Board of Directors has authorized the issuance of a this Will Serve Letter to the above-referenced property and/or development (hereafter "Development"), which lies within the service area of the District. The District is prepared to provide water service to the Development, subject to the following terms, conditions and reservations:

1. **Engineering Special Conditions:** Developer shall prepare water improvement plans as outlined in the **Final Water Feasibility Study for Water Will Serve Letter # EWTR23-00321, Development Pre-Submittal # PSUB23-00039** recommendations dated **08/28/2023**, submit to City of Victorville Development Developer shall prepare water improvement plans in accordance with the current Standard Specifications for Public Improvements and submit to City of Victorville Development Department for review and approval. Prior to construction, the Developer shall pay all necessary fees and obtain a Water/Excavation permit from the Engineering Department. Developer shall install and have District staff test and approve reduced pressure (RP) assemblies on all domestic and irrigation services prior to water service activation when used. City of Victorville Fire Department requirements must be met and additional pipelines and/or appurtenances may be required.
2. When an engineering Feasibility Study is required by the District, construction of a water system adequate to serve the Development and connect to existing and proposed District facilities must be provided for, pursuant to the recommendation of the engineering Feasibility Study, and pursuant to the District's Rules and Regulations, Ordinances and Standards in effect at the time of connection.
3. Payment of all District connection fees, charges and expenses necessary to serve the Development pursuant to the District's Rules and Regulations and Ordinances in effect at the time of water service activation.
4. Water service will be provided strictly pursuant to the District's Rules and Regulations and Ordinances in effect at the time of connection and is subject to the availability of water at the time of connection. **As of January 1, 2008 a separate service connection and meter is required for landscape irrigation, on all nonresidential/commercial customers with one thousand square feet or more of irrigated landscape.** (*Victorville Municipal code 10.04.040 - District services. d(6);*

**PLEASE NOTE:**

This Letter becomes null and void if the signed Page 4 is not returned to the Victorville Water District by **09/28/2023**

**EXECUTED  
WILL SERVE LETTER  
09/07/2023**

*CA Water Code Section 535 ; CCR Title 24, Part 11, Section 5.304 and other applicable statutes as may be enacted or amended from time to time.)*

5. Developer understands and acknowledges that, in relying upon this Will Serve Letter, Developer is aware that California was recently in a drought state of emergency as evidenced by the Governor's Executive Order No. B-29-15; that the District's ability to serve the Development may at any time be impacted by further State conservation mandates and/or regulations of the State Water Resources Control Board; and that the ability of the District to serve the Development is contingent upon factors which are not currently within the District's control. The Developer recognizes that this Letter does not in any way guarantee that at the time of connection such connections will be available to service the above-referenced Development. The acknowledgements of the Developer set forth in this paragraph shall survive the early termination of this Letter.
6. Developer further acknowledges that, in relying upon this Will Serve Letter, Developer is aware that the groundwater basin from which the District extracts its water an adjudicated basin subject to the continuing jurisdiction of the Court over the Judgment entering in *City of Barstow et al. vs. City of Adelanto et al.* (Riverside County Superior Court Case No 208568); that portions of this groundwater basin remain in overdraft; and that the ability of the District to serve the Development may be impacted by reason of the Court's continued jurisdiction over the basin. The Developer recognizes that this Letter does not in any way guarantee that at the time of connection such connections will be available to service the above-referenced Development. The acknowledgements of the Developer set forth in this paragraph shall survive the early termination of this Letter.
7. The Developer, for himself/herself, and on behalf of his/her successors in interest, agrees as a condition of issuance of this Letter, to defend at his/her sole cost and expense, any action brought against the District and/or its directors, officers, employees and/or agents, because of the issuance of any approvals or authorizations contained herein, or in the alternative, to relinquish such approval. The Developer shall reimburse the District and/or its directors, officers, employees and/or agents, for any court costs and attorneys fees which the District and/or its directors, officers, employees and/or agents may be required to pay as a result of such action(s). The District may, in its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve Developer of his/her obligations hereunder. The obligations of the Developer set forth in this paragraph shall survive the early termination of this Letter.
8. This Will Serve Letter is exclusive for the Development referenced above, for the number of lots or units provided and may not be transferred or assigned for any other purpose or project.
9. Issuance of water service is contingent upon the Development meeting the requirements of the City of Victorville and/or the County of San Bernardino.
10. This Letter, and any representations made herein shall be null and void twelve (12) months from the date of this Letter, if water service has not been installed. Any individual connections not made at the time of expiration of this Letter shall be null and void. Upon expiration of this Letter, the Developer may submit an application for a Will Serve extension. Extensions may be granted at the discretion of the Director of Water District and will be valid for a maximum of twelve (12) months from the original date of expiration. No more than one extension may be requested.

11. The District reserves the right to void this Letter and to notify Developer that this Letter has been voided upon a determination by the District that the Developer has failed to timely pay any required fee or to comply with any applicable Rule, Ordinance, statute or administrative regulation prior to the connection of service to any lot within or the Development in its entirety.
12. At any time prior to connection, and upon a finding by the District Board of Directors that the District is unable to serve the Development for reasons beyond its control, this Letter may be revoked in writing.
13. Developer understands and agrees that he/she shall pay any and all fees that have become due to the District regardless of the subsequent expiration or termination of this Letter.
14. All meter and connection fees paid become the property of the District and are not subject to refund except as provided by law. Paid connection fee credits will accrue to the benefit of the Developer for the development referenced above and shall not expire.
15. No rights shall vest in Developer to receive water service by the District or to install future connections by reason of the prepayment of any meter, connection or other charges, fees or expenses, or by the construction of any off-site water facilities.
16. Ordinances are in effect regarding unlawful operation of valves and unlawful taking of water and all conditions of the applicable Ordinances must be met for this Will Serve Letter to remain in full force and effect. It is the responsibility of the Developer to become familiar with and comply with these Ordinances.

**EXISTING FACILITIES:**

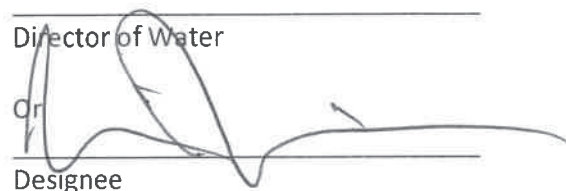
According to our District Records the following are existing:

- Pipe size: 12-inch Asbestos Cement Pipe on Bear Valley Rd, referenced from Water Plan WP-0595  
**(POINT OF CONNECTION)**
- 12-inch Asbestos Cement Pipe on 2<sup>nd</sup> Ave, referenced from Water Plan WP-0595

If we can be of further assistance in this matter, please contact the undersigned at (760) 955-5158.

Respectfully,

Director of Water  
Or  
Designee



Desert Valley Hospital, LLC  
Will Serve Expiration Date: 08/28/2024  
EWTR23-00321

**PLEASE NOTE:**  
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the signed Page 4 is not returned to  
the Victorville Water District by  
09/28/2023**

APPLICANT CERTIFICATION

The undersigned certifies that he/she has requested this Will Serve Letter for water service to the following property

**APN 3091-371-01 & 3091-371-07**

which is the subject of this Will Serve Letter, and that he/she understands and agrees to the terms, conditions and reservations stated herein.

Rakesh Seth

\_\_\_\_\_  
(Name of Applicant)



\_\_\_\_\_  
(Signature)

Please return signed original to:

Victorville Water District  
Engineering Department  
14343 Civic Drive  
Victorville, CA 92395-5001

Desert Valley Hospital, LLC  
Will Serve Expiration Date: 08/28/2024  
EWTR23-00321

**PLEASE NOTE:**  
Information on this page is for  
reference only to provide the  
appropriate language to be used on  
the map regarding water service.

PROPOSED LANGUAGE FOR MAP CERTIFICATE:

WATER SERVICE NOTICE

NOTICE: Water Services will be provided to

**APN 3091-371-01 & 3091-371-07**

In accordance with the terms, conditions and restrictions of the Will Serve Letter issued by the District on 08/28/2023 which is hereby referenced and made a part of this certification, water service will be made to this property subject to availability of water at the time of connection and subject to the District's Rules and Regulations and Ordinances in effect at the time of connection.

\_\_\_\_\_  
Date

Distribution Manager  
Victorville Water District