

Temporary Water Supply Agreement for Service to Vado Elementary School

Interested Parties:

Gadsden Independent School District
Vado Mutual Domestic Water Consumer's Association
Mesquite Mutual Domestic Water Consumers & Mutual Sewage Water Association
United States Department of Agriculture Rural Development (non-signatory)

Background

The Gadsden Independent School District (GISD) has completed construction of the new Vado Elementary School (ES) located at the intersection of Holguin Road and Vado Road (NM Highway 227). The permanent water supply for this facility is anticipated to be supplied by Mesquite Mutual Domestic Water Consumers & Mutual Sewage Works Association (MMDWC&MSWA) once improvements scheduled for construction have been completed. Therefore, GISD has need for a temporary supply of water for both domestic use and fire suppression.

Vado Mutual Domestic Water Consumer's Association (VMDWCA) water storage and booster pump facilities are located across Holguin Road from the Vado ES site. VMDWCA currently has a 6-inch water main on the east side of Holguin Road, adjacent to Vado ES. This water main is supplied by the booster station and has a pressure of approximately 50 psi. Thus the VMDWCA system represents the best temporary source of water supply for serving domestic and fire flow water to the Vado ES. The possibility of VMDWCA entertaining this water supply agreement was discussed with members of the Vado MDWCA board in May 2005 and subsequently again in August 2005 with the addition of fire flow requirements.

The following concerns were raised at the meeting with the Vado MDWCA board:

- Need to avoid reducing water pressure in Vado system.
- Additional water demand will increase electric costs beyond those addressed in the current water rates based on need to operate larger booster pump(s) for a longer period than occurs at the present.
- Water supply agreement with Mesquite MDWC&MSWA for Vado MDWCA is based on an increasing block rate, which the temporary water service for the Vado Elementary School may trigger.
- Limitation of time of service to one year.
- Requirement for separate water metering and direct billing by Mesquite MDWC&MSWA and installation of a backflow prevention device on Vado ES grounds

Mesquite MDWC&MSWA is aware of GISD's request for water supply for the Vado ES and has received an application and check for \$1,000.00 to secure a water system

connection once the infrastructure is in place. A Water Users agreement is a requirement of USDA-RD as a good faith effort by any customer that will be receiving service as part of a project funded entirely or in part by the agency. The \$1,000.00 is the customer's contribution to the project and should the project not be constructed then the customer would receive reimbursement for the entire amount. MMDWC&MSWA also provides the water supply for VMDWCA and thus is an interested party in any agreement between VMDWCA and GISD for water supply. MMDWCA is aware of and supportive of the temporary domestic water supply for Vado ES by VMDWCA. MMDWC&MSWA has raised the following concerns:

- Water rights necessary to offset the anticipated usage will need to be transferred to MMDWC&MSWA or a cash payment in lieu of water rights will need to be paid whether water is supplied through the MMDWC&MSWA system or through the VMDWCA, since MMDWC&MSWA is the ultimate provider of the water.
- MMDWC&MSWA is concerned that approval of design and construction of the necessary improvements to provide the water supply for both domestic and fire flow for Vado ES will be delayed, thus extending the length of time a temporary water supply agreement would be needed.
- The cost of installation of the size of pipe necessary to provide adequate fire flow and residual pressure to Vado ES will not be completely paid through USDA RD funding but most likely will need to be supplemented for the cost of oversizing from the approved 6-inch pipeline.

Gadsden Independent School District is nearing completion of the Vado ES and learned recently that the water service available to the school through MMDWC&MSWA is currently not adequate for either domestic or fire service due to delays in construction of anticipated improvements. The school was scheduled for opening during July 2005, but this date has been pushed back due to problems with the actual school construction as well as water supply problems. The concerns of GISD are:

- Timeliness of obtaining a water supply for the Vado ES in order to open the school.
- Provision of a water supply with a minimum pressure of 50 psi under non-fire flow conditions, which is the pressure needed for operation of toilet flush valves in the Vado ES.
- Availability of adequate volume and residual pressure to meet New Mexico Fire Marshall temporary requirements of 1,000 gallons per minute (gpm) with a residual pressure of 20 psi and permanent requirement of 2,000 gpm with a residual pressure of 20 psi.
- Need for temporary waiver of fire flow requirements from NM Fire Marshall to obtain a certificate of occupancy.
- Need for reimbursement for all costs for water pipeline installation that were planned as part of the Mesquite MDWC&MSWA water system improvements project currently under way. This would not include costs for oversizing and extension of pipelines not included in current project.
- Reasonable costs for water rates, infrastructure and water rights.

The New Mexico State Fire Marshall's Office representative, Archie Koenemund Jr. agreed to the following fire flow requirements for Vado ES during a meeting at the Bohannon-Huston, Inc. offices on August 8, 2005 in order to approve the facility for occupation:

Short Term Temporary (3-6 weeks (until fire pump is delivered)):

- Flow of 1,000 gpm from the fire system at Vado ES as a whole with a residual pressure of 20 psi.
- Volume of 105,540 gallons available for a given fire event at Vado ES.

Long Term Temporary (with fire pump on Vado ES system):

- Flow of 2,000 gpm from the fire system at Vado ES as a whole with a residual pressure of 20 psi.
- Volume of 105,540 gallons available for a given fire event at Vado ES.

Permanent:

- Flow of 2,000 gpm from the fire system at Vado ES as a whole with a residual pressure of 20 psi.
- Volume of 105,540 gallons available for a given fire event at Vado ES.

Based on these concerns and the requirements for the water service for the new Vado Elementary School, the following scenario for temporary water service will occur at this time:

Short Term Temporary Water Service:

- Vado MDWCA will allow a 6" service line to be constructed by GISD construction contractors from the 6" water line on the east side of Holguin Road, east along the south side of Vado Road to the proposed water meter site on school property. The pipeline will provide water for both domestic use and fire suppression.
- A water meter and backflow device will be installed on Vado ES property and will be the responsibility of GISD to provide. These items will need to meet the standards of the Mesquite MDWC&MSWA.
- It is understood that the water supplied through this pipeline has a design pressure of approximately 50 psi, which is generated through the Vado MDWCA booster station. The booster station has a recommended capacity of 800 gpm but is capable of producing the required 1,000 gpm fire flow for an undetermined period of time as system pressures drop. Operation of the system beyond the 800 gpm rate may lead to damage of the pumps, which would be the responsibility of GISD to repair.
- The short term temporary agreement is to be in place until a fire pump rated at 2,000 gpm is in place at Vado ES. The fire pump is anticipated to take approximately 3-6 weeks for delivery and installation.

Long Term Temporary Water Service:

- The long term temporary water service will be provided by VMDWCA through continued use of the short term temporary piping for domestic water supply. Fire

suppression water service will be provided through installation of an 8" pipeline connected to VMDWCA's water tank piping upstream of the booster station and to the fire pump on Vado ES property. This arrangement will eliminate the need for the VMDWCA booster station to provide fire flow.

- This temporary agreement will expire after one year from the date of authorization of this agreement, at which time, Vado MDWCA will no longer supply water to GISD, unless an extension of this agreement is approved by the Vado MDWCA board of directors. GISD will continue discussions with Mesquite MDWC&MSWA regarding provision of a permanent water supply for both domestic and fire suppression water requirements. If provision of fire suppression water service by Mesquite MDWC&MSWA is determined not to be feasible, GISD will pursue purchase of tanks and booster pumps to be installed on the school site.

General Terms:

- Billing and meter reading for the water used by GISD for Vado Elementary School is proposed to be done by Mesquite MDWC&MSWA, with this volume subtracted from the Vado MDWCA meter reading prior to billing Vado MDWCA. GISD will pay Mesquite MDWC&MSWA for the water usage each month.
- Payment of the water bill will be made as outlined in the Mesquite MDWC & MSWA Rules and Regulations.
- Each month, Vado MDWCA will provide GISD with electric bills for review of consumption and costs and pay any amounts over the three-year average for the comparable month that are not due to any outside extraordinary events not related to Vado Elementary School usage. In addition, a 10% fee above this amount will be paid by GISD as an operation and maintenance fee to Vado MDWCA.
- The school's landscape and irrigation system shall not be connected to the domestic or fire flow distribution systems.
- This agreement may be terminated earlier if an adequate alternative water supply is secured, in the opinion of GISD.
- This agreement does not obligate any of the interested signatory parties for any terms or conditions not included in this agreement.
- If and when Mesquite MDWC&MSWA completes its water system improvements, the fire flow distribution line will have a water meter and backflow device installed and will be the responsibility of GISD to provide as per the proposed permanent plan. The water and backflow device will not be needed if GISD does not have a fire flow tank and pump and Mesquite MDWC&MSWA has adequate sized distribution system to meet fire flow requirements as outlined by the Fire Marshall(s). These items will need to meet the standards of the Mesquite MDWC&MSWA.
- If and when Mesquite MDWC&MSWA completes its water system improvements, the school's landscape and irrigation system shall not be connected to the fire flow distribution line. If the landscape and irrigation system is connected to the domestic distribution line a backflow device shall be installed and is the

responsibility of GISD to provide. These items will need to meet the standards of the Mesquite MDWC&MSWA.

Approved:

Roosevelt Boyer, President

Date

Vado Mutual Domestic Water Consumer's Association

Luz Vargas, Board President

Date

Gadsden Independent School District

Robert M. Nieto, President

Date

Mesquite Mutual Domestic Water Consumers & Mutual Sewage Works Association