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April 2, 2026

R & L Capital, Inc.  
Attn: Robbie Barker  
82740 Trona Rd,  
Trona, CA 93562

**Re:** Water and Sewer Service Will Serve

**Project:** RB Inyokern Data Center — APNs 084-010-43, 084-010-44, 084-010-45, 084-010-48

**Location:** Inyokern, CA

Dear Mr. Barker:

Inyokern Community Services District ("District") has reviewed the project description for water and sanitary sewer service to serve the above-referenced data center development project ("Project"). Subject to the conditions set forth herein, the District is providing this conditional will-serve letter regarding water and sewer service to the Project, based on the demand envelope identified in Section 1 and contingent upon compliance with all applicable California Energy Commission (CEC), Kern County, Indian Wells Valley Groundwater Authority, District, and other applicable regulatory agency rules, regulations, capacity fees, connection requirements, and environmental review obligations as further described below. For clarity, this letter does not guarantee service and does not constitute a CEQA determination or a fee lock unless expressly stated herein.

**1. PROJECT DESCRIPTION**

**Project Name:** RB Inyokern Data Center

**Applicant / Developer:** R & L Capital, Inc.

**General Plan / Zoning:** Industrial / M-2 PD

**Proposed Use:** Data Center

**Total Site Area:** Approx. 50 acres

**Total Building Area (Gross):** 238,000 sq. ft.

**IT Load (Critical Power):** Phase 1: 60 MW; Ultimate Build-Out: 99 MW

**Cooling System Type:** Conceptual Design- Hybrid dual chilled-water plant setup with air-cooled chillers plus adiabatic (tower) assist, feeding CRAH units in the IT suites, with liquid-assist capability for HPC racks

**Planned Construction Start:** April 2027

**Estimated Occupancy:** November 2028

**Design Envelope.** The water demand and wastewater flow estimates in this letter are based on the IT loads stated above and a Power Usage Effectiveness (PUE) of 1.41

(±10%). So long as the Project remains within ±10% of these parameters, the District's preliminary findings regarding system capacity and infrastructure herein shall remain applicable, subject to applicable law.

## **2. WATER SERVICE**

### **2.1 Estimated Water Demand**

Based on the Project description and supporting hydraulic calculations submitted by the Applicant, the District has estimated the following water demands:

**Average Day Demand (ADD):** Approx. 40,430 GPD (28.1 GPM)

**Maximum Day Demand (MDD):** Approx. 60,645 GPD

**Peak Hour Demand (PHD):** Approx. 101,075 GPD

**Fire Flow Requirement:** 3,000 GPM @ 20 psi residual

**Fire Flow Duration:** 4 hours minimum

**Cooling Tower Makeup Water:** Approx. 28,500 GPD (dominant demand driver)

**Potable Domestic / Sanitary:** Approx. 1,900 GPD

**Irrigation / Landscaping:** Approx. 500 GPD (recycled water preferred)

Demand estimates are preliminary and based on the MW of critical IT load identified in Section 1 with an assumed Power Usage Effectiveness (PUE) of 1.41 (±10%). Final demands shall be verified by Applicant's licensed civil engineer and confirmed by the District prior to issuance of a Water Service Agreement. If verified final demands remain within the Design Envelope in Section 1, no further capacity re-evaluation shall be required, subject to applicable law.

### **2.2 Meter and Service Requirements**

The following meters and service connections are anticipated: (a) domestic potable service and (b) fire service. Applicant and District will determine meter sizes and locations during design review. If recycled water becomes available for irrigation and/or process, the Applicant will install separate metering and purple-pipe infrastructure per District standards.

## **3. SEWER SERVICE**

### **3.1 Estimated Wastewater Flow**

**Average Dry Weather Flow (ADWF):** Approx. 6,670 GPD

**Peak Wet Weather Flow (PWWF):** Approx. 2.5 × ADWF for pipeline sizing

**Primary Discharge Source:** Sanitary / domestic (restrooms, break rooms, locker facilities)

**Secondary Discharge Source:** Cooling tower blowdown (requires pretreatment evaluation)

**HVAC Condensate:** Volume TBD at final engineering. This letter assumes primary routing of all sanitary wastewater to the District's collection system. If Applicant proposes to route any portion of the wastewater stream to an on-site industrial septic or other alternative disposal system, Applicant shall notify the District in writing and obtain District concurrence prior to permitting. This letter does not authorize partial service or split-routing arrangements without a separate written amendment.

### **3.2 Industrial Pretreatment**

The District operates a publicly owned treatment works (POTW) subject to the pretreatment standards established under 40 C.F.R. Part 403 and state law. Cooling tower blowdown may contain concentrations of conductivity, total dissolved solids, corrosion inhibitors, and biocides that require evaluation. Applicant shall submit a Wastewater Characterization Report to the District no later than 120 days prior to issuance of the first building permit for the Project.

Within 45 days of receipt of a complete report, the District will provide interim numeric acceptance criteria (e.g., conductivity/TDS, phosphate/phosphonate, molybdate, biocide residuals, and any applicable metals) sufficient to support basis-of-design and permitting. The District will determine whether a Significant Industrial User (SIU) permit is required. Battery energy storage systems (BESS) present on site shall be

assessed for potential fluoride, lithium, and PFAS contributions to the waste stream. If the Applicant's blowdown meets the District's interim criteria and any SIU permit conditions, no additional pretreatment beyond the specified controls will be required.

#### **4. SYSTEM CAPACITY AND INFRASTRUCTURE**

The District has conducted a preliminary capacity review of its water distribution and wastewater collection systems in the vicinity of the Project. Based on currently available system data, the District has sufficient capacity to serve the Project subject to the following findings and conditions:

- **Water Supply:** The District has contracted and/or developed water supplies sufficient to serve the Project's projected demands within the District's planning horizon, subject to the conditions and conservation requirements stated herein.
- **Distribution System:** A water main extension is anticipated to provide adequate fire flow and domestic pressure to the Project site. All extensions shall be designed and constructed at Applicant's sole cost per District standards. If the District requests oversizing beyond Project need, the parties shall execute a reimbursement agreement as described in Section 5.6.
- **Wastewater Collection:** Existing trunk sewer facilities are preliminarily found to have sufficient capacity; however, upsizing of the lateral connection may be required based on final hydraulic modeling.
- **Water Storage:** Applicant may need to provide additional storage capacity; however, Applicant shall verify hydropneumatic or on-site pressure zone requirements with the District's Engineer. The District notes that Applicant proposes on-site water storage of approximately 388,000 gallons and a supplemental on-site well for emergency and fire suppression purposes. To the extent these private systems reduce demand on District facilities during peak periods, that reduction shall be reflected in the final hydraulic analysis, subject to District Engineer review and approval. The Applicant's private well and storage shall not be interconnected to the District's potable distribution system without prior District approval and cross-connection controls in compliance with CCR Title 17.
- **Treatment Capacity:** The District's treatment facility has available capacity to accept the Project's projected flows as of the date of this letter. Capacity reservations are subject to current Connection Fee agreements as further described in Section 6.
- **Fire Flow Coordination.** Upon receipt of 30% utility plans, the District will provide preliminary confirmation of required off-site main sizes/looping and any on-site storage or pumping needed to achieve 3,000 gpm at 20 psi for 4 hours, within 45 days.

#### **5. CONDITIONS OF SERVICE**

This Will Serve Letter is conditioned upon Applicant's full compliance with each of the following requirements. This letter does not constitute a binding service agreement, a vested right to service, or a commitment to waive any applicable fee or regulatory requirement.

##### **5.1 Applications and Agreements.**

- Execution of the District's standard Water Service Agreement and Sewer Service Agreement prior to commencement of construction.
- Submission and approval of complete water and sewer improvement plans prepared by a California-licensed civil engineer, stamped, and signed.
- Submittal of a Hydraulic Study / Water Demand Analysis consistent with District Engineering Design Standards. If verified demands remain within the Design Envelope, no additional capacity re-evaluation will be required, subject to applicable law.

##### **5.2 Fees and Charges.**

- Payment of all applicable Connection Fees (water and sewer capacity fees) at the rate in effect at the time of building permit issuance.
- Payment of plan check, inspection, and meter installation fees.

- Reimbursement to District for any oversized facilities constructed per District direction (reimbursement agreement to be executed separately).

All fees are subject to annual adjustment and are not locked by issuance of this letter. Notwithstanding the foregoing, upon execution of the Service Agreements and payment of 25% of Phase 1 capacity fees as estimated by the District in writing within 30 days of Service Agreement execution, the Phase 1 capacity fee rates shall be fixed for 18 months, with the balance due at building permit issuance.

### **5.3 Environmental Review**

This letter does not constitute a CEQA determination. Service commitment is conditioned upon completion of CEQA review for the Project by the Lead Agency, including analysis of water supply impacts pursuant to Water Supply Assessment (WSA) requirements under Water Code §10910 et seq., if applicable. Should the Project trigger a WSA, Applicant shall provide written notice to the District no less than 120 days prior to the Lead Agency's public hearing to allow preparation of the assessment. Upon receipt of a complete WSA application and payment of applicable fees, the District will provide a draft WSA within 60 days, subject to statutory timelines. Service may be conditioned upon mitigation measures identified in the environmental review.

### **5.4 Water Conservation and Efficiency**

- All plumbing fixtures and fittings shall comply with California's Building Standards Code (Title 24) water efficiency requirements.
- Cooling towers shall be equipped with conductivity controllers, side-stream filtration, and drift eliminators; minimum cycles of concentration of  $\geq 5.0$  (unless an alternative is approved by the District based on water chemistry and POTW criteria) are required.
- Applicant shall prepare and submit a Water Efficiency Plan for District review prior to issuance of building permits.
- A water audit shall be conducted and submitted to the District within 12 months of initial occupancy.

### **5.5 Additional Requirements**

- Backflow prevention assemblies shall be installed and tested per California Code of Regulations Title 17.
- All on-site water and sewer facilities shall be constructed per District Standard Drawings and Specifications.
- Applicant shall execute a Developer's Agreement for construction of off-site infrastructure no later than 30 days prior to permit issuance.
- District inspection and observation rights shall be granted throughout construction.
- As-built drawings in PDF and DWG/GIS format shall be delivered to the District within 60 days of project completion.
- Applicant will implement spill containment and isolation measures to prevent any BESS-related discharges to the sanitary system and will identify sampling points for any required pretreatment monitoring.
- Applicant will coordinate pressure regulation/surge control devices where required to protect District systems, consistent with District standards.
- Prior to execution of a Water Service Agreement, Applicant will submit a statement identifying the source of water for the cooling tower, whether potable, recycled, or private.

Applicant shall obtain LAFCo annexation approval prior to commencement of construction, and service is conditioned upon such approval being obtained.

- Prior to commencement of construction, Applicant shall execute a separate Construction Water Service Agreement with the District for temporary construction water supply. Construction water rates and meter sizing shall be determined at that time. Construction water service is not guaranteed by this letter and is subject to District system availability.

### **5.6 Oversizing Reimbursement; Assignment; Design Envelope & Fee Lock**

(a) Oversizing Reimbursement. If the District requests facilities sized beyond the Project's needs, the parties shall execute a reimbursement agreement with a 10-year term using a pro-rata methodology (e.g., EDU/gpm) collected via connection fee surcharge on benefiting parcels.

(b) Assignment. This letter and any subsequent service agreements may be assigned to Project affiliates, successors, or construction lenders upon 30 days' prior written notice to the District, provided the assignee assumes the Applicant's obligations herein in writing.

(c) Design Envelope. As provided in Section 1, the District's findings remain applicable if verified demands remain within  $\pm 10\%$  of the IT load/PUE envelope.

(d) Fee Lock Option. As provided in Section 5.2, upon partial prepayment the Phase 1 capacity fee rates shall be fixed for 18 months.

## **6. LIMITATIONS AND DISCLAIMERS**

This Will Serve Letter is valid for a period of 24 months from the date of this letter and may be extended once for 12 months upon written request and evidence of good-faith progress; such extension shall not be unreasonably withheld by the District's General Manager. This letter is non-transferable without prior written consent of the District. Consent to assignment under Section 5.6(b) shall not be unreasonably withheld, conditioned, or delayed. This letter is issued in reliance upon information provided by Applicant; any material change in Project scope, water demand, discharge characteristics, or phasing outside the Design Envelope may render this commitment null and void and require re-evaluation. The District reserves the right to impose additional conditions or modify this commitment in response to changes in water supply availability, regulatory requirements, or system capacity constraints. Nothing herein constitutes a guarantee of service or waiver of any applicable law, regulation, fee, or District policy.

This letter is issued solely in the District's capacity as a water and sewer service provider and does not constitute a water supply assessment under Water Code §10910 et seq. unless expressly prepared and adopted as such by the District's Board of Directors. The District is not a responsible or trustee agency under the Applicant's pending Small Power Plant Exemption (SPPE) Application before the California Energy Commission, and this letter shall not be construed as the District's participation in or approval of that proceeding.

## **7. NEXT STEPS**

To proceed, Applicant should contact the District's Engineer to initiate the formal service application process. The District recommends scheduling a pre-application meeting to discuss phasing, infrastructure design, and fee estimates prior to plan preparation. Following the pre-application meeting, the Applicant will submit 30% utility plans for District review; the District will provide consolidated comments within 30 days. The parties will then target execution of the Service Agreements and any required Developer's Agreement no later than 30 days prior to building permit issuance. The District looks forward to working with the Applicant on this project. Questions regarding this letter should be directed to the Engineering Services Division at the contact information above.

Sincerely,



Holly Gallier  
General Manager