

CCWD wins case filed by former La Contenta Golf owner

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The Calaveras County Water District was notified earlier this month it prevailed in a lawsuit filed in 2011 by a former owner of La Contenta Golf Club.

The lawsuit between Ryan Voorhees, one of the former owners of La Contenta Golf Club, and CCWD regarding \$1.8 million in sewer capacity credits. Voorhees claimed CCWD owed his company in exchange for using a specified amount of recycled water from CCWD's treated wastewater plant to irrigate the golf course.

CCWD and Voorhees' company had an agreement that his company would use a certain amount of recycled water. The agreement also provided sewer capacity credits if certain improvements were made, or the company increased its use of recycled water over a certain threshold. To receive those credits, however, the company was required to increase its use of recycled water over an agreed-upon minimum quantity.

Having the golf course increase its use of recycled water would alleviate the need for CCWD to pay for other projects to increase effluent disposal capacity. CCWD's position is that Voorhees and his company did not make improvements to accommodate additional capacity and did not meet the contractual requirements that would have obligated CCWD to award them additional credits.

Voorhees claimed CCWD's infrastructure was unable to deliver the agreed-upon amount of recycled water and thus his company was entitled to recover the full amount of potential credits under the parties' agreement, which CCWD disputed.

After nearly 10 years of litigation, the judge found CCWD met all of its contractual obligations and Voorhees' company had not earned any additional sewer capacity credits, CCWD announced in a press release. The court found CCWD had no obligation to compensate Voorhees and his company. CCWD's general counsel, Matt Weber of Downey Brand LLP, handled the litigation and is now seeking to recover CCWD's legal defense costs.

CCWD relies on its golf course partners in Valley Springs, Copperopolis, and Forest Meadows to dispose of its clean, reclaimed water through irrigation. These partnerships are critical to the district's wastewater operations and are mutually beneficial relationships that reduce costs for CCWD's ratepayers and decrease golf courses' reliance on surface water for irrigation.

"It was unfortunate that this matter resulted in litigation, but the outcome of this case has no bearing on the district's ongoing relationships with its current golf course partners or with Mr. Voorhees, as his business enterprises continue to invest in local development," CCWD said in the press release.

Voorhees sold La Contenta Golf Club in 2018 and is not associated with the current golf course owners who have a productive partnership with CCWD, the water district added.