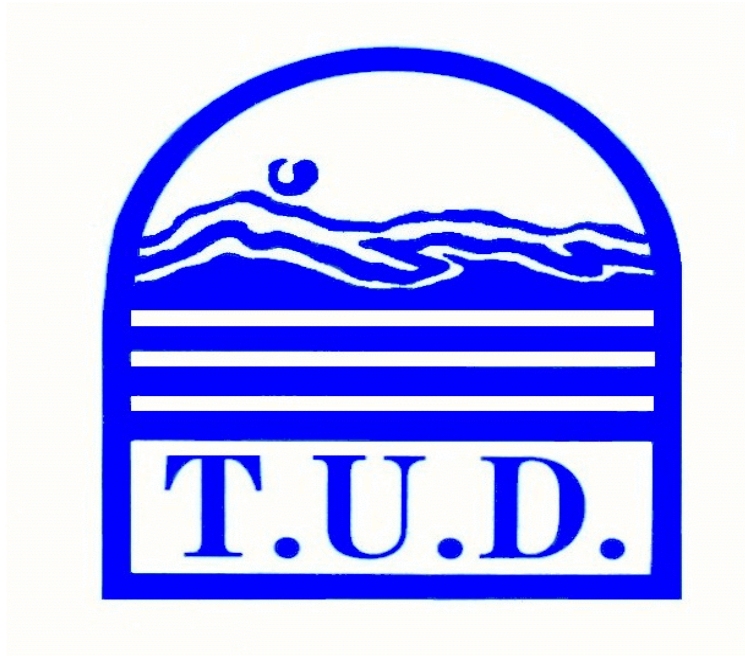


TUOLUMNE UTILITIES DISTRICT



WATER RULES & REGULATIONS

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REGULATION NO. 1

DEFINITIONS

1.01 Definitions

"Accessory Dwelling" - A secondary dwelling with a floor space of 850 square feet or less which is located on a parcel which also has a primary residence.

"Adequate and Reserve Capacity" - Water mains capable of supplying, to applicant's land, potable water within the velocity and pipe size specifications set forth in the District Regulations, contained herein.

"Application for Service" - Written application requesting Tuolumne Utilities District service to a specific parcel of land, as indicated on a form provided by the District, together with such plans, specifications and fees as the District's Regulations shall, from time-to-time, require.

"AWWA" - American Water Works Association, a national association of water purveyors.

"Backflow Prevention Device" - Equipment used to protect the District's public water supply against actual or potential cross-connection with other sources of water supply or with sources of possible contamination.

"Board" - The Board of Directors of the Tuolumne Utilities District.

"Bulk Usage" - Water sold to temporary customer by the truck load usually through fire hydrants, measured by a portable meter supplied by the District.

"Capacity Charge" - A charge required for the purpose of replacing the capacity of the District's facilities to be used by a project or a new service where such capacity has not been previously provided by a developer.

"Certificate of Lien" - Written certificate of an overdue balance owing to the District by any user, duly recorded with the Tuolumne County Recorder.

"Change of Use" - When the primary water use changes from single family residential to commercial, industrial or multi-family residential.

"Check Valve Assembly" - A mechanical device installed on a water line to restrict the flow of water in one direction only.

"Conduit" - A water conveyance facility including a ditch, canal or pipeline.

"Connection Fee" - A charge imposed upon all applicants for service, the purpose of which is to provide the District with reserve funds to cover the cost of improving or replacing capital assets.

"Control Valve" - A device used to control the flow of water in water line or in fire hydrant laterals.

"Controller" - The Controller of the Tuolumne Utilities District.

"District" - Tuolumne Utilities District, a County Water District organized under Division 12 (Sections 30000 et. seq.) of the Water Code.

“Ditch System” - Is defined as the system of canals and ditches commonly known as the Tuolumne Ditch System which conveys untreated water from the South Fork Stanislaus River at Lyons Reservoir to various parts of Tuolumne County, each ditch or canal consisting of the excavated portion of the canal and the fill or berm of the canal, together with such areas as are reasonably required for access to or alongside the canals for inspection, operation, cleaning, maintenance, repair, reconstruction or improvement. The right of ingress to an egress from the ditch or canal together with the rights to inspect, operate, clean, maintain, repair, reconstruct and improve the ditches and canals is based upon and was confirmed by the Acts of Congress of July 26, 1866 and July 9, 1870. As the owner of the land on which the canals are located holds title subject to this easement granted by the Federal Government, any interference with the canals or ditches or with the District’s right to reasonable access to the ditches or canals for the aforesaid purposes would be unlawful.

"Engineer" - The District Engineer of the Tuolumne Utilities District.

"Extension Facilities" - Water supply, treatment, storage and distribution facilities of whatever type or nature which has as its purpose the improvement or expansion of existing District water service.

"Final Approval" - Written certification that the installed water facilities have complied with all District Regulations, has been delivered to the District as District property, and has been accepted by the District as evidenced by a District form dated and signed by the General Manager.

"ISO" - Fire demand pipe size requirements as specified by the fire suppression rating schedule published by the Insurance Service Office, edition 6-80, or current edition.

"Landowner" - That person who possesses an interest in real property, greater than that of leasehold interest, in land located within the geographical boundaries of the District.

"Manager" - The General Manager of the Tuolumne Utilities District.

“Master Meter Service” - Water accounts that purchase treated water for resale to their metered customers, provide the storage and distribution components of their water system and are regulated by the California Public Utilities Commission or are mutual water companies within the meaning of Section 2705 of the Public Utilities Code.

"Meter" - The mechanical equipment capable of measuring the quantity of water delivered to a designated parcel.

“Miner’s Inch Day” - A term used in water measurement. By California statute, one miner’s inch flowing for one day is equivalent to 1.5 cubic feet per minute or 11.22 gallons per minute.

"Minimum Monthly Charge" - A monthly service charge for every account to which water service is provided and readily available through a connection to the District’s system, irrespective of actual water usage, to compensate the District for the cost of operating, maintaining and improving the water system in a ready to serve state.

"New Service" - Refers to application for metered or non-metered water service to lands not previously served by the District.

"Parcel" - A piece of real property designated by the County of Tuolumne by a single assessor's parcel number.

“Parcel Owner” – The person or persons whose name or names appear on the Tuolumne County Tax Assessor’s latest equalized assessment roll as the owner of a parcel that is receiving utility service. The owner is responsible for the payment of all rates, charges, and fees, including penalties thereon regarding such furnished services.

"Plan Approval" - The issuance by the District of its approval of the applicant's final plans, as evidenced by date and authorized signature in box provided on said plans.

"Private Fire System" - Fire suppression service in the form of a sprinkler system to a designated parcel of land.

"Raw Water" - Untreated water to be utilized for purposes other than human consumption. This water is generally provided through the District's Tuolumne Ditch System in a series of canals and ditches to the point of delivery to the customer.

"Secretary" - The Secretary of the Board of Directors of the Tuolumne Utilities District.

"Service Connections" - Water facilities including a tap on a water main and the service lateral pipe from the main to and including the meter as located by the District and including the curb stop and meter box.

"Service Valve" - The equipment located on the District's lateral pipe to the user's property, and which is the method by which service to the affected land is controlled.

"Shall and Will" - "Shall" is mandatory and "Will" is permissive.

"Standard Specifications and Plans of the District" - This refers to the specific requirements of the District relative to plumbing facilities and equipment and includes Improvement Standards and Specifications as well as detailed drawings and all Amendments thereto and changes thereof.

"Supplemental Water" - Raw water that is annually determined by the District to be available and surplus to other water delivery requirements as a result of projected annual estimates of water from the South Fork Stanislaus River. Supplemental water is available only on a seasonal basis as solely determined by the District.

"Unimproved Property" - Refers to parcels of land upon which no structure requiring water service has heretofore been placed or presently exists.

"Wholesale Meter Service" – See Master Meter Service.

"Wholesale Usage" - Water supplied to an individual account through a master meter which is then privately distributed to individual consumers who are not customers of the District.

REGULATION NO. 2

CONDITIONS OF SERVICE

2.01 Service Subject to Regulations

Water service will be provided to areas served by the Tuolumne Utilities District in accordance with Rules and Regulations governing said service adopted and amended from time to time by the Board of Directors.

2.02 Non-Liability of District

The District will exercise reasonable care and diligence to deliver to its customers a continuous, sufficient supply of water of good quality at the District connection to the customer's premises. However, the District is not, and will not be liable for any loss, damage or inconvenience to any person or equipment by reason of shortage, insufficiency, suspension, discontinuance, interruption in supply, increase or decrease of water pressure, or by a water quality problem.

2.03 Service Interruption

The District reserves the right at any and all times to shut off water delivery for the purpose of maintenance, making repairs, or alterations to the system. Reasonable effort will be made when feasible to give advance notice of interruption of service to all water users affected.

2.04 Access to Facilities

By applying for or receiving service from the District, each water user irrevocably licenses the District, and its authorized employees and agents, to enter upon the water user's property at reasonable times for the purpose of reading, inspecting, testing, checking, repairing, maintaining or replacing the District's meters, backflow prevention devices and other facilities.

2.05 Water Users' Responsibility for Control of Water Delivered

Title of water furnished by the District, and the risk of loss or damage resulting from its use, passes from the District to the water user at the outlet of a District valve, meter, backflow device, or double check valve assembly. Land owners retain total responsibility in instances of tenant occupancy of property. Landowner further warrants that water will be used for the purpose identified on the application for service and that water will be used in a reasonable manner consistent with all District Rules and Regulations. Water users are also responsible for all privately owned equipment, pumps, appliances, pipes, or other facilities connected to the public water supply on the discharge side of the water meter. Damage to private facilities resulting from water outages, volume or pressure variations or accumulations of line sediment, discoloration or scale formation will not be compensated by the District. It is the responsibility of the water user to protect private facilities by installation of switches, valves, sensors, or sediment traps or screens or other protective devices which may be required.

2.06 District Responsibility for Facilities

District facilities shall include only that portion of the system which the District acquires or constructs by action of the Board of Directors. The District's ownership of and responsibility for operation and maintenance of facilities shall end at the discharge side of water meters that are installed by the District, and at the underground fitting prior to the inlet side of fire sprinkler check valve assemblies. (See Regulation 11.02). District will be responsible to operate, maintain and replace District's water mains, pipelines and other works of the District-owned total supply, distribution and collection system. District works shall be under exclusive control and management of duly appointed District personnel and no one shall have any right to interfere with District system in any manner.

2.07 Place of Use of Water: Resale Prohibited

Except with the prior written authorization of the District, no user shall use, or permit the use of, any water furnished by the District on any premises other than specified in the user's application for service, nor shall any user resell any water furnished by the District. An individually metered water service shall be required for each separate single family residential or commercial building, as determined solely by the District. (See Regulation 7.01).

2.08 Electric Grounds

No electric circuit shall be grounded to the District's facilities or to any plumbing or metal in contiguity therewith. Any person who makes, or permits to be made such a connection, will be liable for damages to the District's facilities and for personal injury resulting therefrom.

2.09 Water User's Compliance with Regulations

By applying for or receiving water service from the District, each user covenants and agrees to be bound by and to comply with all regulations of the District from time-to-time in effect.

2.10 Water Pressure

2.10.1 Minimum Pressure and Booster Pumps

District will provide a minimum of 20 psig (pounds per square inch measured on a gauge) at the meter for each District user. User may, upon their own discretion, install a booster pump facility on the user side of the meter, however, all operation and maintenance shall be the responsibility of the user and the District assumes no liability for its use, condition, deterioration or damage. If the District determines that a new service will have a normal pressure of less than 20 psig at the meter, the customer will be required to sign an agreement that acknowledges such pressure prior to the District's approval of the application.

2.10.2 Pressure Regulators Required

All applicants for new or amended water service connections shall be required to install, at applicant's expense, an appropriately sized and located pressure regulating device. Said device shall be set and operated so as to allow a maximum of 60 pounds per square inch of water pressure at the most elevated or most remote point of usage on the private property facility. Said devices shall not be required where the pressure at the building would be reduced to less than 30 psi. The intent of this Regulation is to limit excessive and wasteful use of water as a result of high pressures at point of use.

REGULATION NO. 3

WATER SERVICE CHARGES AND RATES

3.01 Charge for Water Service

A monthly charge for treated water service per meter size as established in Exhibit B.1 shall, irrespective of quantity used, be applied to all connections, except for master metered users. Where more than one existing single family residence or commercial building share a single water meter, a separate monthly service charge shall be required for each such building.

3.01.2 Quantity Charge

A usage charge, per hundred cubic feet, shall be applied to all connections for water delivered as determined in Exhibit B.1.1.

3.01.3 Surcharges

A monthly surcharge as established in Exhibit B.3 shall be applied to all connections in the areas designated, to fund acquisition costs or special improvements needed to provide service to those areas. Where more than one existing single family residence or commercial building share a single water meter, except for master metered users, a separate surcharge shall be required for each such building.

3.01.4 Wholesale usage - Master Meter Service

Per agreement as authorized by Board of Directors.

3.01.5 Bulk Usage from Fire Hydrant

Where bulk water usage is required, i.e. for construction purposes, the District shall charge for metering and usage as specified in Exhibit B.5

3.01.6 Gateway Beautification Projects

Monthly base rate charges shall be waived for irrigation of District approved "Gateway Beautification Projects" which are less than 400 square feet in size, and which are located on public property. Quantity usage charges as established in Exhibit B.1.1 shall apply.

3.01.7 Conservation Water Rate

Single family residences may qualify for the Conservation Water Rate described herein. Where District residential water customers use an average of 500 cubic feet of water per month or less, a reduced base rate for metered water service is available as provided in Exhibit B.1.2. Customers that qualify for this rate are required to complete an application form at the District's main office. Before this rate can be approved, the historical average of the customer's account will need to show that the average water usage per month has been 500 cubic feet or less during the most recent twelve (12) month period. The District shall periodically monitor all accounts approved for the Conservation Water Rate, and will reclassify accounts to the normal residential water rate category when water consumption exceeds the 500 cubic feet average per month usage for two consecutive billing periods or more.

3.02 Monthly Service Charge for Privately Owned Fire Protection Systems

A monthly charge shall be paid for fire service connections to the District's water distribution system which supplies water to privately owned and maintained sprinklers and fire hydrants used exclusively for fire fighting, and based on the minimum service charge for a 3/4" meter as specified in Exhibit B.6. Bypass lines, including meters and backflow prevention devices shall be retrofitted at the customer's expense on all fire sprinkler backflow assemblies where such bypass lines do not already exist.

3.03 Miscellaneous Services Provided

Miscellaneous services provided by the District to any person or agency shall be compensated on the basis of cost. The District may participate in joint projects or cooperative arrangements by which direct compensation is not required.

3.04 Request for Service Location, Temporary Shut Off or Turn On, Suspension of Service

Each time the District is required to locate the customer's service connection or make a temporary shut off or turn on, a service charge, in accordance with Exhibit B.7, shall be paid by the user. Water service shall be terminated between 8:00 a.m. and 3:00 p.m. on any business day (not a Saturday, Sunday or holiday) requested by the customer, provided that the request is received by the District not later than two business days prior to the date of termination. The customer will be responsible for the costs of all services furnished by the District prior to the suspension of his service. The District may allow a maximum six month suspension of monthly service charges for meters that have been shut-off at the request of the customer if all of the following conditions are met:

1. The service has been continuously utilized and maintained by the customer, and in an active billing status for at least one-year.
2. Any applicable monthly surcharges under Exhibit B.3 shall be charged to the customer's account and be payable during any suspension period.
3. The request is the result of a catastrophic event such as fire where the structure is uninhabitable.

Upon written request of the property owner and written agreement with the General Manager, such suspension period may be extended on a month to month basis up to a total of three additional months in the event of documentable delays in reconstruction of the structure with circumstances beyond the control of the property owner.

3.04.1 Inactivation of Service

A customer may, by written request, permanently inactivate service in the event of demolition or removal of all habitable structures on the property. Upon approval by the General Manager of the request for permanent inactivation of service, the General Manager shall order the removal or permanent decommissioning of the water service connection serving the property and shall discontinue all regular monthly fees and charges for water service, including surcharges. Once service is permanently inactivated on a property, such parcel shall be treated as if it were a vacant parcel and the District's connection fees and charges shall apply for any new service as detailed in Section 3.05 herein.

3.05 Connection Fees

Charges for new services or change of service will be as follows:

3.05.1 Capital Reserve Charge

Every applicant for connection to the District's water system, and applicants for connections to water systems served by the District through a master meter shall be required to pay a Capital Reserve Charge in addition to any other fee, cost, reimbursement or separate agreement entered with the District. The reserve fund so established shall be used to replace capacity and facilities used up by new applicants for service upon connection to the water system and to provide for the continuous capability to serve new applicants for water service.

The Board shall establish the amount from time to time as required to provide the continuous capability of serving applicants for water service.

The Capital Reserve Charge shall be computed by reference to the user classification schedule on Exhibit A as applied at the sole discretion of the District. The Capital Reserve Charge for one equivalent single family residence is specified on Exhibit B.8.

3.05.2 Meter

- a. District charges for installation and setting of meter(s) shall consist of the District's actual cost as established on Exhibit B.9.
- b. Performance of accuracy tests on meters in accordance with Regulation 7.06 of this Ordinance shall incur a service charge as shown on Exhibit B.10.

3.05.3 Service Line Charge

The applicant shall be responsible for the costs incurred by the District for the installation of service line(s) from the existing mainline to the applicant's property. The applicant shall deposit with the District an amount equal to the District's estimate of such work. All costs in excess of the estimate shall be payable by the applicant upon completion of work. Such costs shall equal the District's actual cost of materials, installation, labor, equipment, encroachment permit and overhead rate. The applicant may have the service connection line constructed by others with prior written permission from the District. All such work shall be done by licensed California contractor approved by General Manager. All work shall be inspected and approved before acceptance by the District, and any construction completed or covered up before such inspection shall not be acceptable for connection with District's distribution pipes. The actual connection to District's mainline pipe shall be accomplished by District personnel only, and under no conditions shall any other person interfere with District facilities in any way. The applicant will be charged by the District for inspection and connection to main equal to actual costs incurred for such work.

3.05.4 Service Line Relocation

The District's charges for the relocation of the District's service line and water meter from an existing site on the applicant's property to another requested location shall be equal to the District's actual costs of materials, installation, labor, equipment encroachment permit and normal overhead charges. Such relocations shall be subject to District approval.

3.05.5 Charges for Reimbursement of Oversized Facilities

Charges may include the payment of a prorata share of previously constructed main or line extensions, when required under District reimbursement agreements as described in Regulation 8.14. Additional charges to the District for certain facilities, either proposed or previously constructed, are listed on Exhibit C.

3.05.6 Capacity Charges - Water Supply, Treatment, Storage, Transmission - Exhibit B-13

These charges are instituted to insure that all applicants pay a fair share of the cost burden to provide for essential components of water service infrastructure. They are generally established as a one-time charge levied against developments or new water accounts as a way to recover a part or all of the cost of additional system capacity. Capacity Charges are imposed upon applicants (or parcels) where sufficient water supply, treatment and storage facilities have not been provided by a developer or by an assessment on those parcels to cover those costs, and for service to any parcels that do not have a District water main in a street or right of way fronting the Applicant's property. The charges are specified on Exhibit B. 13.

In those areas where adequate supply, treatment and storage facilities have been provided by the developer or by an assessment on each parcel, water service equivalent to one single-family residence (ESFR) on each parcel shall be allowed without payment of capacity charges. In areas where connection fee surcharges are in effect to repay loans for water treatment or storage improvements, and the surcharge amount is less than those specified on Exhibit B.13, the lower amount shall be applicable for water service for one equivalent single-family residence on an existing lot or parcel. Water service for improvements that result in more than one ESFR per parcel (i.e., due to a parcel split or duplex construction), shall require payment of commensurate capacity charges specified in Exhibit B.13. Parcels within the City of Sonora and within the townsites of Tuolumne, Columbia and Jamestown, which were in existence and are shown on the Tuolumne County Assessor's 1992 assessment maps as a separate assessor's parcel (1992 being the year in which TUD came into existence), shall not be subject to payment of capacity charges for one ESFR for each such parcel. If the boundaries of a lot in such townsites does not match the boundary of an assessor's parcel on the 1992 County Assessor's Map, that lot will not be credited with one ESFR and water service will be subject to payment of the capacity charge. Where property line adjustments are made that do not result in a greater number of assessor's parcels than shown on the 1992 Assessor's map, the resulting parcels may be entitled to the one ESFR credit against capacity charges. The appropriateness of the capacity charges shall be analyzed on a case-by-case basis and determined by the General Manager.

All applicable Capacity charges must be paid to the District before service will be provided. All District agreements with developers of subdivisions with six or more lots shall provide that all applicable Capacity charges for water service must be paid to the District before District acceptance of developer-constructed facilities for the development and before any proof of service or other documentation is given by the District indicating that such facilities are accepted or that service shall be provided. The District will make no agreements with developers, or amendments to agreements with developers to allow deferment of payment of the applicable charges or payment by installments or otherwise. This shall not apply to other connection charges payable for actual hook-up of individual units in such development, which must be paid before the individual connections for service.

Supply. This fee shall apply to applicants for water service, where the property involved has not been provided with water supply by previous dedication of supply, agreement or assessment. The standard charge shall be computed on an estimated average annual water demand per single family equivalent (ESFR) of 0.42 acre feet, as determined by the District's Engineer, at the rate shown on Exhibit B.13.

Treatment. This fee shall apply to new applicants for water service, which require a treated water supply which has not been previously provided by dedication of treatment capacity, agreement or assessment. The standard charge for treatment cost mitigation shall be computed on estimated maximum daily flow plus 96 hours storage tank refill as required by County Ordinance (Fire Safety Standards - Section 15.20.010 (f)(2) or as may be amended), as determined by District's Engineer, at the rate shown on Exhibit B.13.

Storage. This fee shall apply to new applicants for water service in an area that has not been previously provided with adequate water storage facilities by dedication of storage, agreement or assessment. The standard charge for mitigation of storage construction shall be computed at the rate shown on Exhibit B.13 and based on a combination of the estimated annual average daily gallonage of consumption over a seven day period and required fireflow or the estimated maximum daily gallonage of usage over a three day period of usage and required fireflow as determined by District's Engineer.

Transmission. This fee shall be the actual cost of construction, or reimbursement share of prior construction cost, as required in Regulation 8.

Change in Use. The foregoing fees shall also be applicable to a change of use on an existing service connection under Regulation 6.03 where such fees were payable on the existing connection.

3.05.7 Connection Charges in Specific Areas

Applicants for water service in those certain areas listed on Exhibit C shall be required to pay the specific charges in addition to the connection fees described above.

3.06 Standby Assessments

Standby Assessments shall be calculated and levied against all parcels in any subdivision containing fifty parcels or more and receiving approval by the Board of Directors after adoption of this regulation. Such assessments shall be a condition of approval of providing service to the subdivision to fund the cost of maintaining the water system and its capacity in a readiness to serve status for the benefit of unimproved parcels of land.

The District shall direct the preparation of the necessary Assessment Engineer's Report and conduct the required election in accordance with the applicable provisions of the State Constitution. All costs associated with the preparation of the Engineer's Report and conduct of the election, including reasonable District administrative expenses, shall be paid by the project developer. The standby fee or charge will be detailed in the Agreement between the Developer and the District. Standby Assessments shall terminate for each parcel upon application for water service and payment of applicable connection fees and charges.

New or Increased Charges, Assessments, etc.

The District may from time to time increase its rates and charges or adopt new charges, standby charges, surcharges, improvement district assessments, or other charges pursuant to the applicable provisions of law relating thereto.

3.07 Security Deposits

3.07.1 Determination of Satisfactory Credit

For the purposes of this regulation, determination of whether the credit of a customer is satisfactory shall be made solely by the District. The credit of a customer, who has paid all rates and charges without default for twelve months, last past, shall be deemed satisfactory. In the event that the General Manager or Finance Director determines that a customer's credit is less than satisfactory, the District shall require a security deposit for the account.

3.07.2 Amount: Residential or Business

The amount of the deposit shall be in the amounts detailed in Exhibit B.12.

3.07.3 Application of Deposit

The District will apply the security deposit to any account owing to the District that is delinquent for more than 30 days and will notify the customer of such application. Service may be discontinued if the account is not fully paid and the security deposit restored within 10 days after such notice.

3.07.4 Refunds

The security deposit will be returned to the customer without interest, upon termination of the service and payment of all rates and charges owed to the District by the customer, or at such earlier time as the District may determine that the credit of the customer is satisfactory. Deposits that remain unclaimed after the expiration of two (2) years from the date the deposit shall be credited to the account for which the deposit was originally paid.

3.08 Direct Billing of Tenants

Owners that rent or lease the property with water service may have the service billing sent directly to the tenant or tenant's agent. To accomplish this, the owner shall first fill out an Owner - Water & Sewer Application. The tenant is also required to fill out a Tenant - Water & Sewer Application and pay the amount of the security deposit as detailed in Exhibit B.12 prior to the District changing the billing name and address. The owner will be responsible, however, for all billings to the tenant that are not paid promptly by the tenant and any penalties thereon. The owner shall have access to information regarding the account status of their tenant upon request.

3.08.1 Deposit Amount

A deposit shall be required for all accounts billed directly to tenants or a tenant's agent. The amount of the deposit shall be in the amounts detailed in Exhibit B.12.

3.08.2 Application of Deposit

The District will apply the security deposit to any account owing the District that is delinquent for more than 30 days and will notify the tenant and owner of such application. Service may be discontinued if the account is not fully paid and security deposit restored within 10 days after such notice.

3.08.3 Refunds

The security deposit shall be returned to the customer without interest, upon termination of the service and payment of any charges owed the District by the customer.

3.08.4 Delinquent Notices

Delinquent notices of past due amounts shall be sent to both tenants and property owners of the property receiving water service.

REGULATION NO. 4

BILLING PAYMENTS AND MISCELLANEOUS FEES

4.01 Service or User Charges

4.01.1 Billing

Billing shall commence upon installation of a water meter. Bills for water service will be mailed, following the reading of the meter, to the address of the property owner or tenant. If a tenant does not pay the bill, it becomes the responsibility of the property owner. The bills are payable upon receipt and are delinquent thirty (30) days after the billing date. The owner of the property which is furnished service is the customer and shall be responsible for the payment of all rates, charges and fees, including penalties, thereon regarding such furnished service. Unpaid obligations shall run with the land, and shall lead to delinquency and termination of service for the residential unit or other real property involved without regard to any changes of residency or occupancy by persons different than the persons shown on District records as obligated to pay said bill. User shall be responsible to keep the District advised of the address to which bills are to be mailed. Non-receipt of a bill shall not relieve owner of any obligation to the District.

4.01.2 Billing Interval

Bills for water service or user charges shall be rendered to users at not more than bi-monthly intervals. Bills are due and payable upon presentation and become delinquent thirty (30) days thereafter.

4.01.3 Subscriber and User Billings

TUD water service user charges are contained in Exhibit B of this Ordinance. The rates in effect, shall be adjusted annually using the March Consumer Price Index published by the State of California, Division of Labor Statistics for California Urban Wage Earners Clerical Workers, upon the condition that each year before such adjustment is made, staff shall provide information to the Board and the Board shall determine that the District's estimated costs of providing water service has increased or decreased in the amount of any such change in that CPI Index.

4.02 Payment

Bills shall be due and payable on mailing or presentation. Payment shall be mailed to the District at 18885 Nugget Blvd., Sonora, CA 95370, made at the District office, paid online through the District's website, or to a collector authorized by the District.

4.03 Returned Checks

A charge of \$25.00 per occurrence shall be paid for each check tendered as a payment to the District that is not honored by the bank.

4.04 Estimated Bills

If a meter fails to register correctly or cannot be read, the bill will be based on the District's estimate of the quantity of water delivered, taking into consideration seasonal water demand and any other factors that are material and significant in arriving at a fair charge.

4.05 Prorated Bills

For bills calculated for less than a full billing period, the bill will be prorated from the first day of the billing period to the date of termination of service or from the commencement of service until the last day of the billing period.

4.06 Vacancies in Multiple Family Residences

No credit or discount will be allowed or approved for any vacancies of residential water service account.

4.07 Disputed Bills

4.07.1 Review

The Notice of Delinquency shall inform the user that any disputed portion of the billing may be reviewed with the General Manager (or a designated management employee) within ten (10) days of the date of the Notice. The person requesting review shall send a written statement supporting the basis for dispute to the District office, attention of the General Manager.

4.07.2 Review by Board

If the General Manager (or designated management employee) does not resolve the dispute to the user's satisfaction within five (5) working days, the user may request in writing that the dispute be scheduled with the Board of Directors at their next regular meeting at which the customer will be given an opportunity to be heard by the Board. No termination of service shall occur while such review is under consideration, providing provisions of Regulation 4.07.3 are complied with.

4.07.3 Payment to Avoid Discontinuance of Service

To avoid discontinuance of service, full payment of the undisputed portion of the bill must accompany the written statement by the due date.

REGULATION NO. 5

DISCONNECTION AND RESTORATION OF SERVICE

5.01 Disconnection by the District

The District reserves the right to disconnect any connection to its water distribution system and to discontinue water service for any of the following reasons, without notice unless otherwise indicated.

1. The customer fails to comply with any of the District's Rules and Regulations, after notice by mail or in person;
2. The service is being furnished without proper application;
3. There is evidence of unauthorized tampering or interference with the District's facilities;
4. The District or a State or County Public Health Officer finds that there exists a known or potential hazard to the health or safety of the customer or any water user of the District;
5. The customer fails, after notice from the District, to remove an obstruction that prevents access to the water meter;
6. Excessive or wasteful use of water as described in Section 12, after notice by mail or in person that the same be terminated.

5.02 Discontinuance of Service for Delinquent Bills

The following procedure for termination of service for nonpayment of bills shall be followed:

5.02.1 Delinquent

Unpaid water bills shall become delinquent thirty (30) days after the billing date.

5.02.2 Notice of Delinquency and Impending Termination

A written notice of delinquency and impending termination shall be mailed at least fifteen (15) days prior to the date of the termination of service to the service address and the owner of record. An administration fee of \$10 shall be added to amounts due and payable for continued water service upon implementation of the 15 day termination notice.

5.02.3 48 - Hour Notice

A second notification, either in person or by mail to the service address and to the owner of record, shall be given 48-hours prior to the termination of service. An additional administration fee of \$10 shall be added to amounts due and payable for continued water service upon implementation of the 48 hour termination notice.

5.02.4 Service Discontinuance

When water service is disconnected for non-payment, the meter shall be placed in the locked-off position. Service charges listed in Exhibit B.7.2, B.7.3, and B.7.4 shall apply. After a sixty (60) day period, if the delinquent bill is not paid or the dwelling at the service site is vacant, the meter shall be removed. Once the meter has been removed, the account may be subject to a property lien which will be filed with the County Recorder's office (see Section

5.04). The customer/owner continues to be responsible for the minimum monthly service charges and also any surcharges accruing to the service connection up to and after the time when the meter is turned off. When the meter is removed, the customer/owner also continues to be responsible for the minimum monthly service charges and all surcharges accruing to the service connection up to and after the time the meter is removed.

5.03 Restoration of Service Upon Payment of Charges

Restoration of service to property which has been terminated requires a new service application and prior payment of charges, penalties and interest due, plus the actual cost of disconnection and reconnection as determined by the General Manager and payment of a security deposit. Service shall not be restored to a property which has been in an inactive status in excess of five (5) years until the District's Connection Charges applicable to new services are paid (consisting of the Capital Reserve Charge and the Meter Set Charge set forth in Exhibit B, Sections B.8 and B.9). The District's then-applicable connection fees for water supply, treatment and storage capacity charges must also be paid, less the amount of any supply, treatment and storage capacity charges which can be determined to have been previously paid for such connection.

5.04 Certificate of Lien for Delinquent Water Charges

When water service has been discontinued as provided for in Regulations 5.01 and 5.02 above, and when the General Manager or the Finance Director has determined that the recovery of the amount due may be uncertain, then the General Manager or the Finance Director shall cause to be filed with the County Recorder a Certificate of Lien, setting forth the amount of the delinquent charges, including any interest and penalties therein, the name and address of the person(s) liable therefor, and the same shall therefor become a lien upon all real property owned by such person(s) in accordance with Section 31701.7 of the Water Code.

5.05 Placing Unpaid Charges on the County Tax Rolls

The amount of any charges for water service requested in writing by the owner of the property that are delinquent and unpaid for sixty (60) days or more on or before July 1, shall upon notice being given to the owner thereof be added to and become a part of the annual taxes upon such property, and shall constitute a lien on that property as of the same time and in the same manner as general taxes upon such property, all as provided for in Sections 31701.5-31701.6 of the Water Code; provided that in such cases, the District Controller shall furnish to the County Board of Supervisors and the County Auditor a statement of such delinquent and unpaid charges on or before August 10 of that year.

5.05.1 Payment of Connection Charges After Termination of Service

In the event that service to property for which there are delinquent and unpaid water charges has been discontinued, and the property is foreclosed upon resulting in the extinguishment of any District's liens upon the property for such delinquent charges, service shall not be restored to the property until the District's Connection Charges applicable to new services are paid (consisting of the Capital Reserve Charge and the Meter Set Charge set forth in Exhibit B Sections B.8 and B.9), unless the applicant pays in lieu thereof all of the delinquent water charges on the property, plus any penalties and costs of reconnection.

5.06 Unlawful Acts

The District will cause the prosecution of all violations of Sections 498, 624 and 625 of the Penal Code of the State of California and all Ordinances and Regulations which make the interference with the orderly supply of water to the District users a crime.

5.07 Drawing Water From Fire Hydrants

No person, other than authorized fire district personnel shall open, or draw water from, any fire hydrant connected to the District's distribution system without prior specific authorization of the District. First violators of this section who withdraw water without authorization shall receive a warning and instruction on proper procedure. Upon second violation, violators shall be prohibited from utilizing district bulk facilities for a period of three months. Subsequent violations by the same entity shall be prohibited from utilizing district facilities for a period of one year.

5.08 Damage to District Facilities

The user, by applying for water service from the District, covenants and agrees that, in addition to any right of remedy available to the District by law, he shall pay to the District its cost for repairing or replacing any of the District's facilities damaged as a result of construction or other work or activities on the user's property.

5.09 Unauthorized Service Connections

No person shall cause a service connection to be made without prior authorization of the District, and every person who does so shall be guilty of a misdemeanor. Such person may be required to pay a penalty for the unauthorized service connection equal to twice the estimated user's charges in effect during the period of time such unauthorized service connection was made and used and twice the Connection Fee in effect at the time connection is authorized. Such unauthorized connections may be disconnected by District at such person's expense, until such service connection is authorized and the penalties and other charges or fees are paid. The payment penalties as provided herein may be reduced to 25% of the user charges and then-applicable Connection Fee provided such person makes application and pays all charges and fees within ten (10) working days of written notification that such service connection is unauthorized and provided that the connection is not in violation of any other provisions contained herein or as provided by law.

5.10 Tampering with District Facilities

No person other than those designated and authorized by the District, shall open any water valve covers or tamper with such covers in any manner, operate any District owned water valves, hydrants, standpipes or other appurtenances.

No person other than those designated and authorized by the District, shall enter any District facilities, such as any water storage tank, chlorinator site or spring.

No person shall maliciously, willfully or negligently break, damage, destroy, deface any structures, appurtenance or equipment which is a part of the District's water system. No person without previous written authorization from the District shall uncover, make any connection with, opening into, use, alter, or disturb any public water main, service or appurtenance thereof.

Any of the foregoing actions which are misdemeanors under the California Penal Code shall be referred to the District Attorney for prosecution.

5.11 Water Misuse

No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, the District may discontinue the service.

REGULATION NO. 6

SERVICE CONNECTIONS

REQUIREMENTS FOR NEW CONNECTION OR CHANGE OF USE

6.01 Application for Service and Payment of Fees

1. No service shall be granted or continued unless the present owner of the affected parcel of land has filed an application and paid the appropriate connection fees as outlined in Section 3.05 of Regulation No. 3.
2. Application for treated water service shall be made in writing on forms provided by the District, and signed by the legal owner of the subject property.
3. Applications for treated water shall be supported by plot maps, assessor's parcel number, construction type and number of living or service units, plans of water distribution, date the service is to begin, the name and billing address of the owner, and the domestic water requirements in gallons per minute.
4. In areas where the District also provides sewer service, the applicant shall be required to apply and pay connection fees for both treated water and sewer service simultaneously.

6.02 Treated Water Service Connections

No new service connection shall be connected to the District's treated water distribution system unless there exists a District water main in a street or right of way fronting the Applicant's property and opposite the proposed location of the Applicant's service. The main shall have adequate capacity and pressure to provide safe and reliable water service for domestic and fire protection use as solely and conclusively determined by the District. The District, in determining the adequacy of the existing facilities, will take into consideration all factors such as the water requirements of the project to be served by a new connection, the flows required for fire protection and whether such use of the water will significantly impair service to the existing District customers. Should the determination reveal that the District's existing facilities are inadequate to serve a new connection, the new service or services shall not be allowed to connect into the system unless and until the Applicant provides such adequate extension and improvements, including additional water supply, treatment, storage and distribution system, and/or pays capacity charges as required by the District. The location, capacity and design of such extensions and improvements shall be determined solely and conclusively by the District as outlined in Section 8.

Service will be connected, provided the following conditions are fulfilled:

1. The land to be served is within the geographical boundaries of the Tuolumne Utilities District, and within or adjacent to an area being served or servable by the District.
2. The District possesses, or is provided by the applicant, with an adequate water supply including treatment and storage facilities, and distribution pipe system, to provide such service.
3. Service to such property will be supplied upon filing of an application as further defined in Regulation 6.01.
4. Payment of applicable fees.

6.03 Change of Use

In those cases where the parcel has been improved since the original service installation causing any of the following conditions to exist, the parcel owner must file an application for service and submit fees as described in Regulation 6.01 hereof.

1. The improvement requires an increase in water pressure or quantity to serve the subject property and adds another user classification to the applicant's service or converts the service to a new user classification as listed on Exhibit A.
2. The improvement requires increased water pressure or quantity in order to satisfy the Tuolumne County fire suppression standards as more specifically described in Section 9 hereof.
3. The improvement changes property use including parcel splits, additional buildings, or other possible multiple use divisions requiring separate water hookup for each unit.

REGULATION NO. 7

METERS

7.01 **Number of Meters**

A service connection and meter shall be established for each separate single family residential or commercial building on each parcel, unless otherwise determined by the General Manager. Service to accessory dwellings may not require separate meters as determined by the General Manager. When a parcel or building receiving water service through one connection is subdivided into smaller lots, parcels or units, then the existing service connection shall be deemed appurtenant to the parcel or building unit upon which it is situated or most immediately adjacent, and additional meters shall be required for each lot, parcel or unit. The District reserves the right to limit the number of houses or buildings, or the area of the land under one ownership, to be supplied by one service connection. A service connection shall not be used to supply adjoining property of a different owner or to supply the property of the same owner on opposite sides of a public street or alley.

7.02 **Location of Meters**

The location of meters shall be installed in accordance with District's applicable standard Details and Specification at a convenient location approved by the District.

7.03 **Size of Meter**

With District approval, the Applicant may determine the size of the meter for each service connection compatible with provisions of the American Waterworks Association Standard as revised at the date of the application.

7.04 **Change of Size**

The meter will be replaced by a meter of different size upon the request of the user with District approval or as required by a change of usage. The applicant shall be responsible for all costs associated with the meter installation including, but not limited to the cost of the meter, plus additional connection fees, administrative, labor and overhead charges.

7.05 **Meter Reading**

7.05.1 **Measurement of Water Supplies**

All metered water supplied by the District will be measured by means of water meters installed, owned and maintained by the District, with the exception of bypass meters on fire sprinkler system check valve assemblies as described in Sections 9 and 11. The cubic foot is the unit of measure, and the amount charged for service shall be based on the current rates established by the District.

7.05.2 **Frequency of Meter Reading**

District will attempt to read meters on a monthly basis. As it is not always possible to read meters at equal intervals, the period between reading dates may vary. Special readings will be made on commencement and termination of service as required by special circumstances.

7.05.3 Meters that Cannot be Read

Where a meter cannot be read because of an obstruction or adverse weather conditions, the billing for that period will be estimated, and the water user will be notified and shall correct the condition.

7.06 Testing Meters

The District will test the accuracy of any of its meters upon the written request of a customer. If a meter is found to be working improperly, it will be repaired or replaced by the District. Not more than one test per year per customer will be performed by the District at no cost to the customer. A service charge of \$50.00 for each additional test requested by the customer shall be borne by the customer when it is determined that the meter is operating within +/- 1.5% of actual flow.

REGULATION NO. 8

EXTENSION OR IMPROVEMENT OF FACILITIES

8.01 Scope of Regulation

When water is requested for property within the District which does not abut an adequate District water system, an extension or improvement of the District's system shall be required. Extensions or improvements shall include facilities to provide water supply, treatment, storage and distribution as determined solely by the District. Provision of the required elements or payment of in-lieu fees as determined by the District for any element of service not physically constructed or supplied, shall be addressed by agreement between the District and the developer and shall, in all cases, require approval by District Board of Directors. Water service includes fire hydrant installations throughout the Scope of this Regulation.

8.02 Application

An extension or improvement of facilities shall be initiated by completing an application and depositing an application fee with the District, as described in Regulation 8.09. The application must be signed by the property owner. The application shall become null and void:

1. Three (3) months after the date of the application unless an extension has been granted or improvement of facilities agreement has been signed by the Board of Directors and the developer.
2. Eighteen (18) months after the date of the executed agreement unless construction has been completed, and accepted by District. A maximum twelve (12) month extension of time may be granted upon request of the developer and approved in writing by the General Manager.

8.03 Project Approval

Extension or improvement of facilities applications shall be reviewed by the District Engineer or District Engineer's designate. If further information is required, the developer's Engineer or the District Engineering Department at the developer's expense, will prepare the additional information needed. The property owner shall sign the extension or improvement of facilities agreement which incorporates the requirements of the District. The agreement shall be placed on the Board of Director's Agenda accompanied by a staff recommendation, and if authorized, the President and Secretary of the Board shall sign the Agreement.

No additional work shall be commenced until the agreement has been signed by all parties.

8.04 Environmental Review Charge

Unless any required environmental processing has been done by the County or another agency, the District may determine that an initial study or environmental impact report is required for a proposed extension facility necessary to serve a developer's land. The developer shall be responsible for the costs of preparing such a study and/or report, including associated costs incurred by the District for overhead, preparation, and hearings.

8.05 Design, Installation and Ownership of Extension of Facilities

The character and design of the extension or improvement of facilities required to serve any parcel of land shall be determined solely by the District. The developer shall have the facilities designed by a qualified registered civil engineer. All costs associated with facilities design and installation shall be

born by the developer. Design of the facilities shall be in accordance with good engineering practice and not less than the District's Minimum Design Standards. Improvement plans shall be approved by the District Engineer. The facilities shall be installed in accordance with the approved plans and specifications and the District's Standard Plans and Specifications as they exist at the time of approval.

Unless installed by the District, the developer shall have the facilities installed by an experienced, licensed contractor approved by the District. District reserves the right to waive this requirement at its discretion.

All construction materials such as pipe, valves, fittings, concrete, sand, asphalt, etc., shall be supplied in accordance with Standard District Specifications. The District reserves the right to construct, with its own personnel or by contract, taps on existing mains, extensions involving complicated connection to, or interference with the District's existing facilities or other unusual facilities. The developer may be required to furnish an irrevocable letter of credit, bond or other acceptable surety to insure payment for construction of any facilities for which the District assumes responsibility. Upon completion, inspection and acceptance by the District, the facilities shall be owned and operated by the District as part of its water system.

8.06 Sizing of Facilities and Minimum Pressure

Pipeline sizing shall be in accordance with the following:

1. The normal minimum pipeline size for water shall be eight (8) inches (except as provided below).
2. The District Engineer or his designate may require larger or allow smaller pipeline size, if in his opinion, a larger size is needed or a smaller pipeline size would be appropriate.
3. Each new distribution system that expands the existing system service connections by more than 20 percent or that may otherwise adversely affect the distribution system pressure shall be designed to provide a minimum operating pressure throughout the new distribution system of not less than 40 pounds per square inch at all times excluding fire flow.

8.07 Location of Facilities

The extension or improvement of facilities shall be located only on land owned by the District in fee, in streets with an acceptable encroachment permit, existing public utilities easements, or in an easement granted to the District. The location is subject to the District's approval of alignment, accessibility and safety of the facilities. The developer shall convey or grant to the District without cost such land and/or easements the District determines necessary for the facilities. The District may also require an easement for future extensions. Land shall be conveyed to the District, free and clear of liens or encumbrances except encumbrances of record that are acceptable to the District. Easements shall be granted in a form satisfactory to the District. The pipeline shall abut all parcels served. An easement shall be granted to District along the entire length of the developer's parcel except in cul-de-sacs, dead-end roadways or other situations where the District determines that the pipeline may terminate and remote service be provided.

8.08 Land Right Schedule

The developer shall provide all land, easements and rights-of-way to the District prior to District acceptance of facilities.

8.09 Payment of Costs

The developer shall pay the District's actual costs as specified in Exhibit D including, but not limited to: Engineering analysis, designs, plan review or preparation of environmental impact documents, hearings, review or preparation of improvement plan, construction inspection, as-built drawings, project management and usual overhead expenses allocated to such work. The developer shall deposit District's estimate of engineering review and project administrative costs not later than the time the District signs the agreement and prior to performance of additional work. Prior to improvement plan approval by the District, the balance of the estimated cost of District service is due and payable. This deposit shall be in cash. Upon completion of the work, if the amount deposited with the District is less than actual costs, the difference shall be paid to the District prior to the commencement of service. Any amount deposited in excess of actual cost will be refunded.

8.10 Inspection and Notice of Completion

The District Engineering Department shall inspect the construction of all facilities. The District will not accept or provide service through a facility which has not been inspected, is satisfactory to and is accepted by the District Engineering Department.

8.11 Acceptance of Facilities

Upon completion of the construction, final inspection and approval by the District Engineering Department, submission of as-built drawings acceptable to the District and payment of any outstanding monies due, the project shall be accepted by the District Engineering Department. The District shall then issue proof of service to the County Building Department. The facilities shall be owned, operated and maintained by the District except as otherwise specified in an agreement.

8.12 First Year Warranty Responsibilities

For a period of one (1) year from the date of acceptance by the District, the property owner shall warrant for the repair of all defects, leaks or failure occurring in the facilities, which are, as determined by the District, due to negligence in the manufacture and/or installation of the facilities and not due to improper operation of the system by the District or its agents, acts of a third party or acts of God. Failure by the property owner to pay for any of the repairs described above after being billed by the District may result in a discontinuance of service.

The developer, or the developer's representative, shall submit a one year warranty surety bond, (in form acceptable to the District), certificate of deposit, or irrevocable letter of credit, in an amount established by contract with the District.

8.13 Documentation of Project Costs

The developer shall provide the District with copies of all invoices for materials, equipment, labor and District costs for construction of the project marked "PAID" and signed by the developer or his authorized agent, or at Districts' option an estimate may be prepared at the developer's expense either by the District or by a registered professional engineer establishing the best possible value of the project for accounting, warranty and other purposes.

8.14 Cost Reimbursed by the District

Reimbursement of documented project costs to a developer for extension or improvement of permanent facilities, when other users later benefit from such facilities, shall be subject to a reimbursement agreement. It shall be the intent of this regulation to provide a fair and equitable return to the original developer provided others within an area designated by the District make use of the extended or improved facilities within a ten year period following completion of construction. The District will collect and disburse funds for repayment of verified project costs under the conditions set

forth below.

1. The District shall be under no obligation to make any reimbursement payment whatsoever, except as outlined in this section. All questions as to the meaning of any portion of this section shall be as interpreted by the District.
2. Reimbursable facilities must be constructed in accordance with District's standard specifications from plans submitted and approved prior to construction, inspected by the District during and after construction and the costs must be documented to District's satisfaction.
3. Any applicant within an Area of Benefit designated by the District who requires service through facilities or improvements constructed by others pursuant to a reimbursement agreement and who did not contribute to the cost of construction or required in-lieu fees, shall pay a pro rata reimbursement fee prior to service being supplied. An area of benefit which identifies parcels having access to the constructed facility or improvement shall be determined by District's Engineer and a map of the area shall be attached as Exhibit A to the reimbursement agreement. In no case shall reimbursement exceed the documented cost of construction less the proportionate share of the project utilized by the original developer. Reimbursement payments required of future applicants for service within the area of benefit shall be based solely upon parcel area according to the following formula:

$$\begin{array}{rclcl} \text{Developer's} & & \text{Verified Construction} & & \text{Area of} \\ \text{Payment} & & \text{Cost (dollars)} & & \text{Applicant's} \\ \text{Obligation} & = & \text{Total Area of Benefit} & \times & \text{Parcel} \\ \text{(dollars)} & & \text{(acres)} & & \text{(acres)} \end{array}$$

Where extensions are constructed in subdivisions, reimbursement amounts may be based on the number of lots within the area of benefit instead of acreage.

4. District shall also collect an administration fee, in addition to the pro rata reimbursement fee, from each applicant for service under the terms of the reimbursement agreement. Such administration fee shall amount to three (3) percent of the reimbursement fee or two hundred fifty dollars (\$250), whichever is larger.
5. On an annual date specified in the reimbursement agreement, the District will disburse collected reimbursement funds to the developer without interest. developer shall keep the District informed of any change of mailing address. If the developer is an entity of more than one individual, District shall disburse funds to a designated escrow account and shall have no responsibility or liability for the further distribution of such funds.
6. The developer's rights to reimbursement funds shall not be transferable or assignable without the express written consent of the District Board of Directors.
7. Any expense for collection, enforcement, disbursement, litigation or any other reason connected with administration of a reimbursement agreement which exceeds the administration fee cited in paragraph four (4) above, may be deducted from reimbursement funds collected by the District before disbursement of the remainder of such funds to the developer.
8. The District will not administer reimbursement from the developer's own existing or proposed parcels or from parcels to be acquired by the Developer.
9. Parcel owners within the area of benefit will not be required to connect to the developer's extension if an alternate route is preferable in the sole opinion of the District.

REGULATION NO. 9

FIRE SERVICE

9.01 **Conditions of Service**

The District will provide water service for fire hydrants and other facilities used exclusively for fire protection, at such pressures and at such rates of flow, as are available from time to time from the District's operation of its storage, transmission, and distribution facilities. The District shall not be liable for any damage in any manner arising out of the nonavailability of adequate water flows or water pressure, at any hydrant or facility used for fire protection.

9.02 **Public Fire Hydrants**

1. Public fire hydrants may, at the District's option, be installed and connected to the District's mains when requested by the public fire protection entity having jurisdiction, or when required as a condition to the issuance of a building permit or the acceptance by the County Board of Supervisors of a subdivision plat.
2. When a hydrant is installed on an existing main and the construction is to be performed by the District, the applicant shall deposit with the District the estimated cost of labor, materials, engineering, inspection and usual overhead expenses in the installation of the hydrant assembly, hydrant lateral, control valve and the connection to the District facilities.
3. A hydrant may be installed by the applicant with District approval. The installation shall be performed at applicant's expense, by a contractor holding a Class A or C34 license. The applicant shall deposit, prior to installation, the estimated cost of District inspection, engineering and usual overhead expenses
4. The type of hydrant shall be determined by the District and the site location shall be jointly determined by the District and the responsible public fire protection entity, excluding those hydrants that are installed by the District for the District's sole use as a means of flushing the District's water mains.
5. All installed fire hydrants shall be for the sole use of the appropriate fire district for the suppression of fire and for other obvious protection emergency use. The only exception to this rule is the permitted use, granted by the District, to contractors for construction water, or fire districts for the testing of hydrant flows.
6. All fire hydrants shall belong to and be maintained by the District. Fire hydrants shall be installed within a permanent easement granted to the District or in an existing Public Right of Way. The District will bear the expense of performing hydrant maintenance resulting from normal wear and tear when such conditions are reported by the responsible agency or when otherwise brought to the attention of the District.
7. The hydrant design, corrected for inlet and outlet velocity head shall not exceed the permissible head loss based on the American Water Works Association, (AWWA) Standards as amended from time to time: ANSI/AWWA C502-80 for dry-barrel fire hydrant, Table 4.
8. For hydrants designed or intended to deliver more than 1,000 g.p.m., the permissible head loss shall not exceed 5 psi when discharging at the design or intended rate of flow. The Applicant's engineer shall furnish to the District all the test data, design drawings, flow charts, specifications and findings for all hydrants that are specifically designed to flow above 1,000 g.p.m. All information submitted to the District shall comply with the AWWA Standards as described in Section 7 above.

9.03 Requirements for Private Protection System

1. The land to be served is within the geographical area of the Tuolumne Utilities District and within an area served or servable by the District.
2. The Applicant's land has been annexed to the District and has become subject to any bonded indebtedness of the District.
3. The District possesses an adequate supply of surplus water capable of serving a private fire system.
4. The private fire suppression system is for the sole and exclusive benefit and use of the Applicant and is located entirely within Applicant's property.
5. The said private fire suppression system will be connected to an isolated service to be used exclusively for the suppression of fire or for the testing of the fire prevention system.
6. The type and location of the said private fire suppression system has been approved by the responsible fire protection agency.
7. The Applicant assumes full responsibility for all maintenance and repair of the said system from the underground fitting prior to the inlet side of the backflow preventer.
8. The size and design of the service connection, backflow preventer and cold water fire service type meter shall be subject to approval by the District and shall comply with all applicable ISO standards and requirements.
9. The backflow preventer with the bypass meter shall be furnished by the Applicant and installed in compliance with the District's Standards and Specifications.
10. In the event that water is taken through an existing fire service connection for any other use than fire fighting or testing, the District reserves the right to disconnect such a system, or in the alternative, to require the installation of an upgraded detector check valve assembly at the expense of the Applicant upon whose land the system is installed.
11. An application for service is required on forms provided by the District, and signed by the legal owner of the subject property.
12. The applicant will be required to maintain a current billing status and pay service charges as described in Exhibit B.6.
13. Applicants for new fire service connections will be required to install and maintain a backflow preventer as described in Section 11.

REGULATION NO. 10

TEMPORARY SERVICE

10.01 Installation and Payment

Temporary service shall be limited to one (1) year. Thereafter renewable in one (1) year increments at the discretion of the District General Manager. Service which does not require installation of a permanent connection shall require the installation of a meter, payment of a total estimated cost of installing and removing the connection and reasonable security deposit for the meter. For one-year renewals, an administrative fee in the same amount as the District's Meter Set Charge as specified in Exhibit B shall be required. Service charges shall be determined for metered service at rates established by this ordinance.

10.02 Service Through Fire Hydrants

Temporary service for water used in construction shall be provided at locations approved by the District through portable meters furnished by the District. The District shall require, as a condition to such service, the payment of a reasonable security deposit for the meter and service charges and rates as specified in Exhibit B.5. Existing customers who have active water service accounts and are current with their account balances may be issued temporary hydrant meters without initial payment of a security deposit. Once a hydrant is checked out at the District office, a customer is required to return the hydrant within 48 hours of the original date it was checked out. If not returned within 48 hours, a security deposit in the amount of \$1,550.00 will be charged to their account.

REGULATION NO. 11

BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL

11.01 Purpose

The purpose of this section of the Water Regulation is:

1. To protect the public potable water supply, provided by the Tuolumne Utilities District (TUD), from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the consumer's private water system(s) such contaminants or pollutants which could backflow into the public water system; and,
2. To promote the elimination or control of existing cross-connections, actual or potential, between the consumer's in-plant potable water system(s) and non-potable water system(s), plumbing fixtures and industrial piping systems; and,
3. To provide for the maintenance of a continuing Program of Cross-Connection Control which will systematically and effectively prevent the contamination or pollution of all potable water system.

11.02 Responsibility

The General Manager shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgement of the General Manager, an approved backflow prevention assembly is required (at the customer's water service connection) for the safety of the water system, he (the District General Manager) or his designated agent shall give notice in writing to said customer to install such an approved backflow prevention assembly(s) at specific location(s) on his premises. The customer shall immediately install such approved assembly(s) at the customer's own expense. Failure, refusal or inability on the part of the customer to install, have tested, and maintain said assembly(s) within thirty (30) days shall constitute a ground for discontinuing water service to the premises until such requirements have been satisfactorily met. The District has the option to have the assembly(s) tested at the customer's expense.

The District's ownership of and responsibility for operation and maintenance of facilities shall end at the discharge side of water meters that are installed by the District, and at the underground fitting prior to the inlet side of the fire sprinkler check valve assemblies. If there is an underground valve on the District's side of the fire sprinkler check valve assembly within 40' of the assembly, the District's responsibility shall end at the underground valve.

11.03 Definitions

1. **"General Manager"**

The General Manager in charge of the Tuolumne Utilities District is vested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this ordinance.

2. **"Approved"**

Accepted by the General Manager as meeting an applicable specification stated or cited in this ordinance, or as suitable for the proposed use.

3. **"Auxiliary Water Supply"**

Any water supply on or available to the premises other than the purveyor's approved public water supply will be considered as an auxiliary water supply. These auxiliary waters may include water from another purveyor's public potable water supply or any natural source(s) such as a well, spring, river, stream, harbor, etc. These waters may be contaminated or polluted or they may be objectionable and constitute an unacceptable water source over which the water purveyor does not have sanitary control.

4. **"Backflow"**

The reversal of the normal flow of water caused by either back pressure or backsiphonage.

5. **"Backpressure"**

The flow of water or other liquids, mixture or substances under pressure into the distribution pipes of a potable water supply system from any source or sources other than the intended source.

6. **"Backsiphonage"**

The flow of water or other liquids, mixture or substances into the distribution pipes of a potable water supply from any source other than its intended source caused by the reduction of pressure in the potable water supply system.

7. **"Backflow Preventer"**

As assembly or means designed to prevent backflow.

a. Air Gap

The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet supplying water to a tank, plumbing, fixture, or other device and the flood level rim of said vessel. An approved air-gap shall be at least double the diameter of the supply pipe, measured vertically, above the overflow rim of the vessel; and in no case less than one inch.

b. Reduced Pressure Principle Assembly

An assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The entire assembly shall meet the design and performance specifications as determined by a laboratory and a field evaluation program performed by a recognized testing agency which has demonstrated their competency to perform such tests to the California State Department of Health Services for backflow prevention assemblies. The assembly shall operate to maintain the pressure in the zone between the two check valves at an acceptable level less than the pressure on the public water supply side of the assembly. At cessation of normal flow, the pressure between the two check valves shall be less than the pressure on the public water supply side of the device. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these assemblies must

be readily accessible for in-line testing and maintenance and be installed in location where no part of the assembly will be submerged.

c. **Double Check Valve Assembly**

An assembly of two independently operating approved check valves with tightly closing shut-off valves on each end of the check valves, plus properly located test cocks for the testing of each check valve. The entire assembly shall meet the design and performance specifications as determined by a laboratory and field evaluation program performed by a recognized testing agency which has demonstrated their competency to perform such tests to the California State Department of Health Services for backflow prevention assemblies. To be approved, these assemblies must be readily accessible for in-line testing and maintenance.

d. **Detector Check Valve Assembly**

A double check valve assembly (see c. above) designed for fire sprinkler systems, which includes a bypass line with a separate backflow prevention device and a meter for registering low flows.

8. **"Contamination"**

Means an impairment of the quality of the potable water by sewage, industrial fluids or waste liquids, compounds or other materials to a degree which creates an actual or potential hazard to the public health through poisoning or through the spread of disease.

9. **"Cross Connection"**

Any physical connection or arrangement of piping or fixtures between two otherwise separate piping systems, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system. This would include any temporary connections, such as swing connections, removable sections, four way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multiport tube.

10. **"Cross Connections - Controlled"**

A connection between a potable water system and a non-potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

11. **"Cross Connection Control by Containment"**

The installation of an approved backflow prevention assembly at the water service connection to any customer's premises where it is physically and economically infeasible to find and permanently eliminate or control all actual or potential cross-connection within the customer's water system; or, it shall mean the installation of an approved backflow prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross-connections which cannot be effectively eliminated or controlled at the point of the cross-connection.

12. **"Degree of Hazard"**

The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

a. Hazard - Health

Any condition, device or practice in the water supply system and its operation which could create, or in the judgement of the General Manager, may create a danger to the health and well-being of the water customer.

b. Hazard - Plumbing

A plumbing type cross-connection in a customer's potable water system that has not been properly protected by an approved air-gap or approved backflow prevention assembly.

c. Hazard - Pollution

An actual or potential threat to the physical properties of the water system or to the potability of the public or the customer's potable water system but which would constitute a nuisance or be aesthetically objectionable or could cause damage to the system or its appurtenances, but would not be dangerous to health.

d. Hazard - System

An actual or potential threat of severe damage to the physical properties of the public potable water system or the customer's potable water system or of a pollution or contamination which would have a protracted effect on the quality of the potable water in this system.

13. **"Industrial Fluids System"**

Any system containing a fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, system, pollutional, or plumbing hazard if introduced into an approved water supply. This may include, but not be limited to: polluted or contaminated waters; all types of processed waters and "used waters" originating from the public potable water system which may have deteriorated in sanitary quality; chemicals in fluid form, plating acids and alkalines, circulating cooling waters connected to an open cooling tower and/or cooling towers that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, etc.; oils, gases, glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes or for fire-fighting purposes.

14. **"Pollution"**

Means the presence of any foreign substance (Organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and unreasonably affect such waters for domestic use.

15. **"Water - Potable"**

Any water which, according to recognized standards, is safe for human consumption.

16. **"Water - Nonpotable"**

Water which is not safe for human consumption or which is of questionable potability.

17. **"Water - Service Connection"**

The terminal end of a service connection from the public potable water system; i.e., where the Water Purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed by the District at the end of the service connection, then the service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter or any backflow prevention assembly located at the point of delivery to the customer's water system. Service connection shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

18. **"Water - Used"**

Any water supplied by a Water Purveyor from a public potable water system to a customer's water system after it has passed through the point of delivery and is no longer under the sanitary control of the Water Purveyor.

11.04 Requirements for Backflow Prevention Devices

11.04.1 Water System

The water system shall be considered as made up of two parts: the utility system and the customer system.

a. Utility System

The utility system shall consist of the source facilities and the distribution system; and shall include all those facilities of the water system under the complete control of the District, up to the point where the customer's system begins.

i. Source

The source shall include all components of the facilities utilized in the production, treatment, storage, and delivery of water to the distribution system.

ii. Distribution System

The distribution system shall include the network of conduits used for the delivery of water from the source to the customer's system.

b. Customer's System

The customer's system shall include those parts of the facilities beyond the termination of the utility distribution systems which are utilized in conveying utility-delivered domestic water to points of use.

11.04.2 Policy

a. Service

No water service connection to any premises shall be installed or maintained by Tuolumne Utilities District unless the water supply is protected as required by State laws and regulations as described in Title 17 - Public Health Regulations Relating to Cross Connections and this Water Ordinance. Service of water to any premises shall be discontinued by Tuolumne Utilities District if a backflow prevention assembly has

been removed, by-passed or an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

b. Inspection

The customer's system shall be open for inspection at all reasonable times to authorized representatives of Tuolumne Utilities District, the State Department of Health Services, or the Tuolumne County Department of Environmental Health to determine whether cross-connections or other structural or sanitary hazards, including violations of these regulations exist. When such a condition becomes known, the General Manager shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the customer has corrected the condition(s) in conformance with the State statutes relating to plumbing and the water supplies and the regulations adopted pursuant thereto.

c. Conditions Requiring Backflow Prevention Assemblies

An approved backflow prevention assembly shall be installed on each service line to a customer's water system at or near the property line or immediately inside the building being served; but in all cases, before the first branch line leading off the service line wherever the following conditions exist:

- i. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the State Department of Health Services, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard.
- ii. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system which have been subject to deterioration in quality.
- iii. In the case of premises having (1) internal cross-connection that cannot be permanently corrected or controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.
- iv. In the case of premises having a fire sprinkler system, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.

d. Type of Protection Assemblies Required

The minimum types of backflow protection required to protect the community water supply at the user's water connection to premises with varying degrees of hazard are also given in Table 1.

The type of protective assembly required under subsection 'i' shall depend upon the

degree of hazard which exists as follows:

- i. In the case of any premises where there is an auxiliary water supply as stated in subsection 11.04.2 "c" "I" of this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation, or an approved reduced pressure principle backflow prevention assembly.
- ii. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public water system, the public water system shall be protected by an approved double check valve assembly.
- iii. In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an **air-gap separation** or an approved **reduced pressure principle** backflow prevention assembly. Examples of premises where these conditions will exist include sewage treatment plant, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.
- iv. In the case of any premises where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved **air-gap separation** or an **approved reduced pressure principle** backflow prevention assembly at the service connection.
- v. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved **air-gap separation** or by an approved **reduced pressure principle** backflow prevention assembly on each service to the premises.
- vi. In the case of premises having a fire sprinkler system, the public water system shall be protected against backflow from the sprinkler system by an approved **detector check valve assembly**. If an anti-freeze material is used in the sprinkler system, the detector check assembly shall have reduced pressure principle backflow prevention on both the main line and the bypass line.

e. Approval of Backflow Prevention Assemblies

Any backflow prevention assembly required herein shall be a model and size approved by the California State Department of Health Services. The term "Approved Backflow Prevention Assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled:

AWWA C506-84 Standards for Reduced Pressure
Principle and Double Check Valve Backflow
Prevention Devices

and have met completely the laboratory and field performance specifications for the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California established by

Specifications of Backflow Prevention Assemblies
Section 10 of the most current issue of the
MANUAL OF CROSS-CONNECTION CONTROL

Said AWWA and FCC&HR Standards and Specifications have been adopted by the Tuolumne Utilities District. Final approval shall be evidenced by a "Certificate of Approval" issued by an approved testing laboratory certifying full compliance with the said AWWA standards and FCC&HR specifications.

The following testing laboratory has been qualified by Tuolumne Utilities District to test and certify backflow preventers:

Foundation for Cross-Connection Control
and Hydraulic Research
University of Southern California
University Park
Los Angeles, CA 90089-0231

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the California Department of Health Services.

Backflow prevention devices which may be subjected to backpressure or back siphonage that have been fully tested and have been granted a Certificate of Approval by said qualified laboratory and are listed on the laboratory's current list of "Approved Backflow Prevention Assemblies" may be used without further test or qualification.

- f. Installation of Backflow Prevention Devices
 - i. Backflow prevention devices shall be installed in a manner prescribed in Section 7603, Title 22 of the California Administrative Code. Location of the devices should be as close as practical to the user's connection. The District shall have the final authority in determining the required location of a backflow prevention device.
 - aa. Air gap separation (AG) - the air gap separation shall be located on the user's side of and as close to the service connection as is practical. All piping from the service connection to the receiving tank shall be above grade and be entirely visible. No water use shall be provided from any point between the service connection and the air gap separation. The water inlet piping shall terminate a distance of at least two (2) pipe diameters of the supply inlet, but in no case less than one (1) inch above the overflow rim of the receiving tank.
 - bb. Reduced pressure principle backflow prevention device (RP) - The approved reduced pressure principle backflow prevention device shall be installed on the user's side of and as close to the service connection as is practical. The device shall be installed a minimum of twelve inches (12") above grade and not more than thirty-six inches (36") above grade measured from the bottom of the device and with a minimum of twelve inches (12") side clearance. The device shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP device shall be protected in a manner approved by the District.

- cc. Double check valve assembly (DC) - The approved double check valve assembly shall be located as close as practical to the user's connection and shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance. If a double check valve assembly is put below grade it must be installed in a vault such that there is a minimum of six inches (6") between the bottom of the vault and the bottom of the device so that the top of the device is no more than a maximum of eight inches (8") below grade, so there is a minimum of six inches (6") of clearance between the side of the device with the test cocks and the side of the vault, and so there is a minimum of three inches (3") clearance between the other side of the device and the side of the vault. Special consideration must be given to double check valve assemblies of the "Y" type. These devices must be installed on their "side" with the tests cocks in a vertical position so that either check valve may be removed for service without removing the device. Vaults which do not have an integrated bottom must be placed on a three inch (3") layer of gravel.
- dd. Detector check valve assembly. (DCA) The approved detector check valve assembly shall be installed above grade and housed within an approved enclosure. The assembly shall be located where it is readily accessible for testing and maintenance. The enclosure shall allow easy access. The assembly and its installation shall conform to the District's detail drawing.

g. Initial Testing

The initial test for backflow preventers on domestic water services shall be performed by TUD personnel at no expense to the customer-user. The initial test for fire system detector check valve assemblies shall be performed by a certified tester at the applicant's expense.

h. Periodic Testing

It shall be the duty of the customer-user at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made at least once per year. In those instances where the General Manager deems the hazard to be great enough he may require certified inspections at more frequent intervals. These inspections and tests shall be performed, at customer-user expense, by individuals approved and certified by TUD. It shall be the duty of the General Manager to see that these tests are performed as outlined under the Districts' Backflow Prevention Program. The customer-user shall notify TUD in advance when the tests are to be undertaken so that an official representative may witness the tests if so desired. These assemblies shall be repaired, overhauled, or replaced at the expense of the customer-user whenever said assemblies are found to be defective. Records of such tests, repairs and overhauls shall be kept and made available to Tuolumne Utilities District.

- i. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection 'f' be excluded from the requirements of these rules so long as the General Manager is assured that they will satisfactorily protect the utility system. Bypass lines, including meters and backflow preventers, shall be retrofitted at the customer's expense where they do not already exist. Whenever the existing device is moved from the present location, requires more than minimum maintenance, or when the General Manager finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.

TABLE 1

TYPE OF BACKFLOW PROTECTION REQUIRED

<u>Degree of Hazard</u>	<u>Minimum Type of Backflow Prevention</u>
a. Sewage and Hazardous Substances	
1. Premises where the public water system is used to supplement the reclaimed water supply.	AG
2. Premises where there are wastewater pumping and/or treatment plants and there is no interconnection with the potable water system. This does not include a single family residence that has a sewage lift pump. An RP may be provided in lieu of an AG if approved by the health agency and the District.	AG
3. Premises where reclaimed water is used and there is no interconnection with the potable water system. An RP may be provided in lieu of an AG if approved by the health agency and the District.	AG
4. Premises where hazardous substances are handled in any manner in which the substances may enter a potable water system. This does not include a single family residence that has a sewage lift pump. An RP may be provided in lieu of an AG if approved by the health agency and the District.	AG
5. Premises where there are irrigation systems into which fertilizers, herbicides, or pesticides are, or can be, injected.	RP
6. Water meters that are solely used for irrigation service.	RP
7. Premises where a booster pump is used to increase pressure. An AG may be provided in lieu of an RP if approved by the District.	RP
b. Auxiliary Water Supplies	
1. Premises where there is an unapproved auxiliary water supply which is interconnected with the public water system. An RP may be provided in lieu of an AG if approved by the District.	AG
2. Premises where there is an unapproved auxiliary water supply and there are no interconnections with the public water system.	RP

TABLE 1
(continued)

TYPE OF BACKFLOW PROTECTION REQUIRED

<u>Degree of Hazard</u>	<u>Minimum Type of Backflow Prevention</u>
c. Fire Protection Systems	
1. Premises where the fire sprinkler system or privately-owned fire hydrants are directly supplied from the public water system.	DCA
2. Premises where the fire system is supplied from the public water system and interconnected with an unapproved auxiliary water supply. An RP may be provided in lieu of an AG if approved by the District.	AG
3. Premises where an anti-freeze material is used in the fire sprinkler system.	RPA
d. Dockside Watering Points and Marine Facilities	
1. Pier hydrants for supplying water to vessels for any purpose.	DC
2. Premises where there are marine facilities.	RP
e. Premises where entry is restricted so that inspections for cross connections cannot be made with sufficient frequency or at sufficiently short notice to assure that cross connections do not exist	RP
f. Premises where there is a repeated history of cross connections being established or re-established	RP

REGULATION NO. 12

CONSERVATION

12.01 General

It is the District's Policy to take reasonable and prudent measures to conserve all natural resources and to adopt and implement a conservation program. It is further the District's policy to take reasonable and prudent measures to conserve water and energy in the operations and development of the District.

12.02 Specific Concerns

The District in its operation shall:

1. Develop pricing structures to encourage conservation of water and energy.
2. Promote through public relations a public consciousness of the need to conserve.
3. Assist customers to optimize efficient use of water.
4. Maintain facilities to conserve water.
5. Design facilities with conservation of water and energy in mind.
6. Construct facilities to conserve or retrieve water and energy.
7. Seek to halt all illegal use of water.

12.03 Water Conservation Programs to be Activated in Phases

The District shall have the power to restrict use of District water during any shortage or other emergency, upon the making of any findings or the taking of any other actions that may be authorized or required by law, including Sections 350-358 and 31026-31029 of the Water Code.

12.03.1 Phase I - Ongoing Water Management

- a. Education programs including County Schools programs.
- b. Ultra low-flow toilet rebate program. Water customers of the District shall be eligible to receive a \$45.00 conservation rebate, up to a maximum of three toilets per residential customer account, and with no maximum for a commercial business, for the replacement of toilets that were designed to use in excess of 3.0 gallons per flush, with District approved low-flow models using 1.6 gallons per flush or less. Participants must register a purchase receipt for each rebate and authorize District inspection of the completed replacement before payment shall be made.
- c. Promotion of water-saving landscaping.
- d. Community education programs;
 - i. Mailings (i.e. distribute "Lawn Watering Guide")
 - ii. Demonstrations (Xeriscape Garden, Home Improvement Event)

- iii. Seminars
- iv. Video library
- v. Public speaking
- e. Requirement of low-flow fixtures in new developments.
- f. Water audit and retrofit programs.
 - i. Low flow showerhead distribution
 - ii. Water conservation kit distribution
- g. Signatory to and implementation of Best Management Practices Memorandum of Understanding.
- h. Meter and/or flow control for all customer accounts and plant production activities.
- i. Maintain tiered water rates for treated water.
- j. Prohibit wasteful use of water.
- k. Review for accuracy water measuring and/or metering devices.
- l. "Agricultural Enterprise Water Rate" customers shall be required to design, construct, operate and maintain irrigation water systems in such a manner as to contain and put to beneficial use all delivered water.
- m. Raw water "General Metered Service" accounts, in which an open flowing ditch is the point of service, shall be converted to a "General Irrigation Service" account, and the mechanical meter serving the property shall be replaced with an open flow measuring devices and water shall be billed at the appropriate comparable rate. "General Metered Service" accounts with a point of service and meter connection from a pressurized (minimum pressure at point of service 20 psi) delivery system shall not be converted to a "General Irrigation Service" account under this action.
- n. It is desirable that all properties served by raw water measured by the miners inch have on site storage equipped with an automatic shutoff device. Minimum storage for property receiving winter raw water should equal seven (7) days of usage (300 cubic feet).

12.03.2 Phase II - Conservation Measures During Low Water Years

Immediately upon the completion of the March snow survey of the South Fork of the Stanislaus River a forecast of anticipated annual yield will be undertaken and rated as a percent of normal. When such forecast, or any subsequent survey, projects a water runoff yielding less than 50% of normal the District Board of Directors shall find that a threat of an emergency or shortage exists and the following measures shall be implemented:

System Wide

1. Increase public awareness:

District to hold additional landscape and irrigation seminars; prepare radio announcements, newspaper articles and ads; and send notices to Tuolumne County teachers, school boards, local businesses, restaurants, community service groups,

Chamber of Commerce, Board of Supervisors, Board of Realtors, Building Department, etc., stressing the need to conserve water and request methods of support.

2. Fire hydrant flow testing is prohibited.
3. Restaurants shall serve water only upon customer request.

Treated Water Accounts

1. Voluntary reduction in usage:

District to mail special notices to all water customers advising of low water year and requesting reduction from previous years usage if possible, and containing information on conservation methods as well as advising customers of the financial impact.

2. Contact high water users:

District to send notices to high water use customers and initiate a water usage audit.

3. Monitor and police outside water use:

District to educate the public to recognize and remedy excessive water use and waste.

4. Household use:

Customers should obtain conservation kits from the District and should request assistance from the District and local plumbing supply companies on availability of low-use fixtures.

5. Outside use:

Customers shall eliminate water runoff; use drip or spot irrigation methods; shut off faucet when hose is not in actual use; modify existing watering schedule and request assistance from Master Gardeners and local nurseries to promote low water use (native) plants.

Raw Water Accounts - Voluntary Reductions

Notice of voluntary reduction:

District to mail special notices to all raw water customers advising of low water year and requesting reduction from previous years usage if possible.

Industrial and Commercial

District to send notices to high water use customers requesting any possible water conservation measures and initiate a water usage audit.

Resale Service - Treated and Raw Water

District to mail notices advising of low water year and requesting a reduction in individual water use. Notice to include copy of District's Conservation Policy along with a request to implement similar action.

12.03.3 Phase III - Critical Years - Restricting Use of Potable Water

A public hearing shall be held during which customers shall have the opportunity to be heard to protest against the declaration of the water shortage emergency condition and to present their respective needs to the Board.

Following a public hearing the Board of Directors may implement Phase III conservation measures whenever it determines that the amount of available water supply may be less than the projected water system demand.

District shall proclaim through resolution that a state of emergency exists and shall remain in effect until projected water availability exceeds projected demand for both the short and long term period.

System Wide - In Addition to those Measures Contained within Phase II

1. Determine system reduction goals (a function of projected runoff weighed against previous years usage) and update as conditions warrant.
2. Curtail to life maintenance the watering of lawns, gardens and any other irrigation. Individual plants or trees must be irrigated by the use of buckets or other containers or properly maintained irrigation drip systems. Water use which results in water running onto driveways, gutters, streets, adjoining property, and/or any other water runoff is prohibited.
3. Washing of cars, boats, trailers, or other vehicles by hose or by use of water directly from faucets or outlets connected to the public water supply is prohibited.
4. Washing of sidewalks, walkways, driveways, patios, parking lots, tennis courts or other hard-surfaced areas, including commercial establishments, by hose or by use of water from faucets or other outlets connected to the public water supply is prohibited.
5. New construction service applications shall be granted upon condition that water shall be used only for interior purposes and landscaping shall be delayed until repeal of Phase III restrictions. Installation of landscaping prior to the repeal of Phase III restrictions shall be a violation of this regulation and customer's service shall be restricted to life line rates by a device installed by the District. The device shall remain in place until the Board of Directors repeals the state of emergency or threat of emergency or shortage and upon payment of \$500.00 penalty.
6. Use of water in decorative fountains, pools, recreational ponds and the like shall be limited to the minimum necessary to preserve aquatic life if present.
7. Dust control, earth compaction, and other construction use of raw or potable water is prohibited. Reclaimed water may be used for such purposes if authorized by the District in accordance with regulations.
8. Filling of new or existing swimming pools is prohibited.
9. Excessive water usage is prohibited and shall be remedied by restriction of the customer's service to life line water delivery rates by a device installed by the District or discontinuance of water service until the excessive usage is remedied, or the Board of Directors repeals the Phase III water restrictions, and the payment of a \$500 penalty. Excessive water usage is defined as:
 1. Allowing plumbing system leaks, including sprinkler and drip systems, to

remain un-repaired for fourteen (14) calendar days following written notification by the District.

2. Without reasonable cause, water usage in excess of 200% of the prior year's usage during the same month of the year.

Treated Water and Raw Water (Metered) Domestic Accounts

1. Both raw and treated water metered customers, (where water is sold by the cubic foot) shall be required to restrict outside water usage between the period 12 noon and 7 p.m. and shall restrict usage to alternating days. Those accounts with a property address ending in an even number shall confine their outside usage to Tuesday, Thursday, and Saturday; those with an odd number shall confine their outside usage to Wednesday, Friday, and Sunday. There shall be no restriction on Monday.
2. Implement Emergency Water Delivery Rate Schedule predicated upon current established rates:
 - i. A life line rate shall be established covering the first 500 cubic feet of water usage per month. The cost per cubic foot within the life line rate shall remain at the lowest bracket of the then current rate schedule.
 - ii. Water consumption charges shall be based upon actual water used per month times the rate factors below.
 - iii. Life Line Rate

First 500 cu ft.	Current lowest tier price of established rate
next 500 cu ft.	1.25 times life line rate
next 500 cu ft.	1.50 times life line rate
next 3,000 cu ft.	1.75 times life line rate
over 4,500 cu ft.	2.00 times life line rate

Raw Water Accounts

1. All raw water accounts with the exception of domestic accounts shall be reduced to an amount equal to the system wide reduction goal.
2. Raw water domestic accounts which are not metered will be restricted by the District to the extent possible up to the system wide reduction goal.
3. All interruptible accounts shall be reduced to sustained maintenance quantities.
4. Agricultural (irrigation/stock watering) water rate accounts:

All "agricultural (irrigation/stock watering) water rate" accounts shall be reduced by a minimum of 1.25 times the System Wide Reduction Goal. The maximum reduction under this section shall not exceed fifty percent (50%) of previous years delivery. All interruptible accounts shall be reduced by a factor of fifty percent (50%).
5. Postponing irrigation season:

Irrigation season shall be postponed, provided Lyons Reservoir is not spilling or projected to spill, to begin no earlier than May 1st and last no longer than September 31st.

Industrial and Commercial

Customers shall reduce consumption to the lowest possible amount which would allow continued operation. Conservation measures to be taken shall be established on an individual basis by the District.

Resale Service - Treated and Raw Water

1. Mandatory reduction in percent of usage equal to District's reduction goal.
2. Resaler shall restrict all outside water usage within his area of service to alternating days in a manner consistent with the policy established herein.

12.04 Enforcement

In addition to, and/or exercise of, any and all lawful remedies, violations of this section shall result in the following penalties:

First Violation:

Written warning from District that further violation will result in possible water restrictions and imposing of fines.

Second Violation:

Customers water service shall be restricted by a device installed by the District for a period of thirty days and the device will be removed upon payment of a \$200.00 penalty.

Third Violation:

Customers water service shall be restricted to life line or life sustaining rates by a device installed by the District. The device shall remain in place until the Board of Directors repeals the state of emergency or threat of emergency or shortage and upon payment of \$500.00 penalty.

12.05 Variances

Variances may be granted from any of the above regulations upon application in writing stating in detail the circumstances meriting special consideration. Appeals of decisions by the General Manager may be taken to the Board of Directors.

12.06 Low Water Use Plumbing Fixtures Required

All applicants for new water service connections for new construction shall be required to furnish proof of installation in residential, commercial and/or industrial buildings, ultra low flow toilets with a maximum tank size or flush capacity of 1.6 gallons and shower heads with a maximum flow capacity of 3 gallons per minute.

12.07 Water Conserving Landscape Requirements

All applicants for new or amended water service connections for governmental, public, commercial or industrial premises shall be required to utilize California native plant materials or approved low water demand plant materials in landscaping designs.

REGULATION NO. 13

INCORPORATION OF PRIVATE WATER WELLS

13.01 **General Requirements**

13.01.1 **Responsible Parties**

This Policy shall apply to any developer, subdivider, individual, or other Applicant, (Applicant), who plans to construct and transfer to the District a new or existing water well. The Applicant shall be the property owner of record of the parcel on which the well under consideration is or will be located.

13.01.2 **Agreement**

The District and the Applicant shall execute an agreement for installation, testing, evaluation, and transfer of the well and appurtenances prior to the commencement of any work on a new well or remedial work on an existing well.

13.01.3 **Permits, Easements and Related Costs**

The Applicant shall obtain all necessary local, county and state permits and shall arrange for inspection and pay any necessary fees and deposits. Applicant shall obtain all permanent and temporary easements necessary for the purpose of installation, operation, maintenance and removal of said facilities, and said easements shall be in a form approved by the District and shall be recorded and submitted to the District prior to acceptance of the facilities. Title insurance for transferred easements and/or real property may be required as determined by the District.

13.01.4 **Well Construction Standards**

All facilities to be transferred to the District shall be constructed in accordance with the requirements of the following documents:

- a. Tuolumne County Well Ordinance Adopting Chapter II and Appendices A and B of Water Well Standards, Bulletin 74-81, December 1981 and Bulletin 74-1, Cathodic Protection Well Standards, March 1973, Ord. 1472, 1986.
- b. Tuolumne Utilities District Standard Specification and Drawing for Well Pumphouse.
- c. Tuolumne Utilities District Standard Specification for Telemetry Equipment.
- d. Water Well Standards: State of California, Dept of Water Resources Bulletin 74-81.

All water wells to be transferred shall have a separate wellhouse which houses mechanical and electrical equipment. All such wells shall be equipped with telemetry equipment which monitors well operating parameters and transmits information to the District telemetry control center. The cost of providing the well pumphouse and the telemetry equipment in accordance with District standards shall be borne solely by the Applicant.

13.01.5

Plans and Specifications for Transferred Facilities

The Applicant shall provide the District with a site map showing well facilities in relationship to property boundaries and easements along with any interconnecting pipelines to District owned distribution systems. The map shall indicate the method of pump control in relation to water levels in the system water storage tank using either telemetry equipment or control wire. The map, along with specifications for pumps, valves, controls, and meters to be used, shall be submitted to the District for approval prior to construction or refurbishment of a well. All such drawings and specifications shall be prepared by a licensed Civil Engineer in the State of California. Prior to acceptance of the facilities by the District such drawings and specifications shall be revised to indicate accurate as-constructed conditions.

13.01.6

Groundwater Supply Evaluation Requirements

It shall be the responsibility of the Applicant to perform tests, pay fees and submit plans as required by District's Groundwater Supply Evaluation Requirements. Applicant shall provide the District with a complete and detailed plan and schedule for well testing prepared by a qualified, licensed Professional Geologist or Engineer for the determination of production capacity and water quality. The well test plan must be reviewed and approved by the District prior to starting the test procedure. Water produced by the well must be analyzed by a registered laboratory and meet water quality standards specified in Title 22 of the California Code. A qualified Professional Geologist, chosen by the District, shall utilize the well test data to determine the Rated Water Production Capacity of the well and other significant factors affecting the well's ability to provide an acceptable water supply. The "Maximum Safe Yield" of the well to be transferred shall be determined by dividing the Rated Water Production Capacity established by the well test, by a safety factor determined by the District. The safety factor used to calculate Maximum Safe Yield shall be determined by appropriate physical parameters and direction by federal or state officials and/or the Board of Directors. The design flowrate of the well shall not exceed its Maximum Safe Yield. Once all factors of water quality, quantity, facility construction and production capacity are established and completed, the Board of Directors shall determine whether the well is acceptable and transferable as a qualified water supply.

13.01.7

Transfer of Overlying Groundwater Rights

If the water well(s) under consideration for transfer is to serve as a "stand alone" or sole supply for a subdivision or parcel development, the Applicant shall be required to transfer to the District the overlying groundwater rights of the property comprising the subdivision or parcel. All parcels sold within the subdivision or which result from a parcel split, regardless of size, shall be prohibited with recorded deed restrictions from drilling wells for private water supply. The District may require the abandonment of other water wells that exist within the subdivision or parcel development. In instances where the well(s) is not a sole supply, (supply is composed of groundwater and surface water components), the District may require that parcels zoned smaller than RE-2, and parcels of any size within a zone of influence which is determined to have a probable adverse impact on production capacity of publicly owned well(s), shall be prohibited with recorded deed restrictions from drilling wells for private water supply. In subdivisions or parcel developments supplied solely by surface water sources, overlying groundwater rights shall be transferred to the District by recorded deed restrictions on parcels zoned smaller than RE-2.

13.01.8 **Contingency Plan and Warranties**

Applicant shall provide the District with a contingency plan in case the transferred well fails to produce 100% of the required water supply at some time in the future. The contingency plan shall include the conceptual design of an alternate or replacement water supply and estimated cost of construction. This contingency plan shall be included in the conceptual presentation made to the Board of Directors and shall require Board approval as a part of the facilities agreement. Surety (in the form of a bond, letter of credit, or cash deposit) may be required of the applicant for the full or partial estimated cost of the alternative water supply. The surety will be used to ensure water production of the well facility for a period of three years from date of acceptance. Additional surety, (in a form acceptable to the District) in the amount established by contract shall be required to ensure against failure due to faulty materials, poor workmanship or defective equipment for a period of one year following the date of acceptance.

13.01.9 **Well Disinfection**

Well disinfection will be required in the event of failure to conform with Title 22 of the California Code of Regulations, Chapter 15, Article 3 - Primary Standards - Bacteriological Quality. Disinfection shall be performed in accordance with Appendix C of the Water Well Standards: State of California, at the Applicants expense.

13.01.10 **Water Treatment Facilities**

Provisions for housing hypochlorination equipment and for chlorine injection have been considered in the TUD Standard Specification and Drawing for Well Pumphouse. The installation of chlorination equipment and controls will be required of the Applicant and at the Applicants sole expense. Dependant on results of water quality testing, other water treatment equipment may be required to be installed by, and at the expense of, the Applicant. Special attention shall be given to the tested levels of iron and manganese. If such levels are greater than 80% of the maximum contaminant levels listed in Title 22 of the California Code of Regulations, Chapter 15, Article 8 - Secondary Drinking Water Standards, water treatment equipment designed to reduce such levels shall be provided by the Applicant, subject to District approval.

13.01.11 **Policy Modifications, Alterations**

This policy shall not be retroactive to any existing agreement. The District reserves the right to make any modifications or alterations to, or to discontinue, the foregoing policy, or to make exceptions thereto from time to time, as the circumstances may so justify, all as the District shall in its sole discretion determine.

13.01.12 **Indemnification**

Applicant and any successors, assigns, or heirs shall indemnify Tuolumne Utilities District (in writing) against any and all claim for loss or damage, personal injury, or death resulting from, or arising out of the construction or evaluation of said facilities, the products used or material furnished; including, but not limited to attorneys' fees and court costs, in a form acceptable to the District. The requirement for such indemnification shall terminate upon written acceptance of the water well and appurtenances by the District.

13.01.13 **Enlargement of Facilities**

If, in the District's opinion, the groundwater source(s) has a capacity greater than that which the Applicant intends or is obligated to provide, the District may require installation of enlarged facilities. Provisions for reimbursements or compensation for the Applicant's additional costs shall be covered under agreement between the District and the Applicant.

13.01.14 **Insurance**

Applicant shall provide a comprehensive builders risk and public liability insurance policy at an amount established by contract to cover construction and testing activities for wells and related appurtenances under consideration for transfer. Said policy shall be satisfactory to District as to form and amount of coverage and shall be placed with a carrier or carriers licensed to do business in the State of California. This policy shall name the District as an additional named insured and shall cover Applicants contractual liability to District hereunder. A certificate of insurance shall be delivered to the District which shall include a statement that thirty (30) days written notice shall be given by the carrier to District prior to any cancellation of, or material change in, said policy.

13.01.15 **Assignment**

Neither the well transfer agreement nor any of the Applicants rights under it shall be transferable or assignable without the express written consent of the District, prior to the completion and acceptance of the construction, testing and evaluation of the water well and related appurtenances and payment of necessary fees required by Applicant.

13.01.16 **California Environmental Quality Act**

Documentation shall be provided to show compliance with the requirements of CEQA. Determination must be made if the Applicant's "project" is exempt or not exempt from the CEQA process. If the project is not exempt, a determination must be made as to whether the environment is significantly effected. The County of Tuolumne is normally the "lead agency" which makes such determinations relative to parcel and subdivision developments. The District will make such determinations if the Applicant's project does not involve the County approval and review process. The payment of any fees relating to the preparation of CEQA documents, mitigation, or to other public agencies such as the California Department of Fish and Game, shall be the Applicant's sole responsibility.

13.01.17 **Acceptance**

Acceptance of the water well and appurtenances to be transferred will be contingent on District approval of the well evaluation and rated well production capacity; of the construction of the well and appurtenances and of all documents and payment of necessary fees required by the Agreement to affect a complete transfer of ownership. The responsibilities of maintenance, operation and ownership by the District shall commence upon acceptance of the facilities in writing by the District. Nothing in this policy shall constitute or be deemed a sale, to or exchange of, facilities or property with the District.

13.02 Work Performed by District

1. The District will review and approve all drawing and specification submittals and well test plan prior to construction, refurbishment, or testing. All expenses incurred by the District, including overhead and fringe costs, in reviewing submittals and data will be borne by the Applicant.
2. The District will inspect the construction of facilities and startup of equipment. The District will witness the well pump test on a periodic basis. All expenses incurred by the District, including overhead and fringe costs, in inspecting the work will be borne by the Applicant.
3. The District Board will review the results of the well test and evaluation reports to determine acceptance or rejection of the application.
4. The District shall provide applicant an estimate of total cost for plan review, inspection and other reimbursable charges that may be incurred on the project. Applicant shall be fully informed and billed on a regular basis during progressive steps to project completion.

13.03 Work Performed by Applicant

1. The Applicant shall furnish all labor, materials, and service required for the complete installation of the water well and appurtenances. It is the intent of these specifications that the work performed shall result in a complete operating system in accordance with approved plans and specifications.
2. The Applicant shall retain the services of a licensed Civil Engineer or other approved professional to perform the well test, water quality tests, recovery test and prepare a summary report.
3. District shall retain the services of a licensed professional Geologist to perform the well evaluation in accordance with TUD Groundwater Supply Evaluation Requirements. Applicant shall reimburse the District for costs incurred in evaluation of well test data obtained in paragraph 2 (above).
4. The Applicant shall acquire all permits required for the construction and testing of the well and appurtenant facilities including but not limited to:
 - Tuolumne County Health Department Well Permit
 - Tuolumne County Building Department Building Permit
5. The Applicant shall execute all deeds necessary for the complete transfer of the well and appurtenances and water rights to the District.

13.04 Procedure

13.04.1 Application

The Applicant shall make an application for the purpose of transferring an existing well or constructing and transferring a new well.

13.04.2 **Presentation**

The Applicant shall make a conceptual presentation to the District Board of Directors for comment covering the size, location, estimated cost, and extent of the facilities to be transferred. Also, the Contingency Plan shall be presented and discussed.

13.04.3 **Agreement**

The District and the Applicant shall execute an agreement covering the construction, testing, evaluation and transfer of the facilities.

13.04.4 **Deposit**

The Applicant shall deposit with the District an amount established by the District Engineer to cover the cost of administrative services and estimated inspection costs as determined by the District from time to time.

13.04.5 **Plans and Specifications**

Plans and specifications and other documents for the proposed facilities shall be submitted to the District for approval.

13.04.6 **District Review**

Within fifteen (15) calendar days after submission of said plans, specifications and documents to the District, or revisions thereto, the District shall give approval, conditional approval, or disapproval of the documents submitted.

13.04.7 **Well Test and Evaluation**

Well testing and evaluation commences after District approval of well test plan submitted under 13.04.5 above.

13.04.8 **Termination**

Unless Applicant submits the well test plan and commences work within 180 days from the date the agreement is executed, the District may, at its sole discretion, terminate the agreement by giving Applicant written notice of said termination. Upon termination by the District, all funds deposited, less actual costs incurred, including overhead and fringes, shall be refunded to Applicant by the District prior to the date of said termination.

13.04.9 **Risk**

All risk of loss and damage to said facilities is assumed by the Applicant until the facilities are completed and accepted by the District in writing.

13.04.10 **Cost**

Upon completion of the construction and testing of the well and appurtenances by the Applicant, the District will compute its total cost of providing inspection services. If the total actual cost is less than the estimated deposit collected, the District will refund the difference to the Applicant. If actual cost exceeds the estimate, Applicant will reimburse costs incurred by the District, prior to transfer of ownership of the facilities.

13.04.11 **Warranty Bond**

Following completion of construction and testing of the well and appurtenances, Applicant shall furnish the District with surety for contingencies and warranties as provided in Article 13.01.8.

13.04.12 **Ownership and Operation**

Upon completion of installation of facilities, well testing and evaluation and installation of any water treatment equipment, and acceptance thereof by the District, all right, title and interest in and to, said facilities shall become and thereafter remain, the property of the District. Such facilities shall thereafter be operated and maintained by the District and shall be merged with, and be part of, the District water system.

REGULATION NO. 14

RAW WATER SERVICE

14.01 Raw Water Service

14.01.1 Existing Service

Raw water service may be granted where a measuring device exists to serve the property requesting service and the District's requirements are met as stated in these regulations.

14.01.2 New Service

Raw water service may be granted provided the applicant meets the District's general requirements as stated elsewhere in these regulations and:

1. Water is available in the District's ditch or raw water pipe.
2. The size of the service is approved by the District; and
3. The applicable District connection charges have been paid.

The District shall install the measuring device at the sole expense of the applicant. If the property to which the water is to be applied is not adjacent to a District ditch or raw water pipe, a recorded easement for conveying water across other affected properties must be obtained by the property owner requesting water service, and a copy of the easement must be provided to the District.

14.01.3 Raw Water Service Not for Human Consumption

Raw water service is not provided for or intended or offered for human consumption including drinking, cooking or bathing. Any such use shall constitute a misuse of the water and will be grounds for the District's discontinuance of such water delivery. The District shall have no liability for any illness, injury or harm resulting from such use of water.

14.02 Responsibilities of Raw Water Customers

Water must not be used wastefully. Any customer may be refused water until conditions causing waste of water or injury to others is remedied. Customers shall not place any obstructions, diversions or foreign materials into the raw water system. Including but not limited to petroleum products, hazardous waste, liquids or toxic materials.

All orders for irrigation service from the District's ditch system or shut off are to be placed through the District's phone (532-5536), between the hours of 7:00 a.m. and 11:00 a.m., weekdays only. Orders for delivery or shut-off must be made at least twenty-four (24) hours before the delivery or shut-off is to be made.

14.02.1 Customer Conduit System

Customer Responsibilities

Before water is turned into a conduit not owned by the District, the conduit shall be in proper condition to receive water. All such conduits must be kept free from weeds and other obstructions and shall be of sufficient capacity and be properly constructed and maintained to carry the head of water applied for without danger of breaks, overflow, or undue seepage. If said conduit is obstructed or not maintained, the General Manager may refuse or shut off the

delivery of water thereto. The General Manager may order any such conduit cleaned, repaired, and reconstructed if necessary, before water is made available. Failure to comply with the order of the General Manager shall relieve the District of any liability or responsibility for not delivering water. Nothing herein shall be construed as an assumption of liability on the part of the District, its Directors, officers or employees for any damages occasioned by reason of improper construction, maintenance, or use of any private conduit or by reason of permitting the flow of water or turning water therein. The District is not responsible for maintenance of conduits it does not own.

District Cleaning, Etc.

The District's cleaning, repair and maintenance of its ditch system may require the removal of material from the canal and re-depositing it on or along the berm-side.

14.02.2 Customer Pipe System

1. Responsibility. All water facilities on the water customer's side of the meter or vent riser are the responsibility of the customer. In cases where the customer has a day tank, pump, or other related facilities on the District's side of the meter, the customer shall be responsible for the operation, maintenance and liability of these facilities. The District is not responsible for loss of water or damage that might be caused by excessive pressure, loss of pressure or any lack or failure of any District conduits, valves, regulators or other facilities. It is the customer's responsibility to install and maintain safety devices to protect against hazards.

2. Customer Facility Repairs. The District assumes no responsibility for any repairs beyond the water customer's meter or other measuring device. Responsibility for making on-the-spot repairs to privately owned systems rests with the water customer.

14.03 Pumping From District Ditch or Water Pipe

Pumps taking water by suction from the District facility require an encroachment permit. Applicant shall submit plans and specifications for the proposed installation to the District. Irrigation customers pumping water from TUD facilities shall be responsible for any damage to their pump(s) resulting from the absence of water in said facilities. All private pumps should be equipped with low-water cut out switches (pressure, float, etc.).

14.04 Customer Private Pipelines

A water measuring device/meter will be installed by the District on District's facility at the point where the private line is attached. Near the measuring device, a valve will be installed by the District to allow for water to be turned off in the event of a pipeline breakage. If the private line is not attached, a water box would be installed. In gravity flow situations, a vertical pipe riser shall be installed to act as a vent mechanism to maintain a gravity flow condition. Said vent pipe shall not be closed or sealed in any way. New private lines shall not serve more than one party. It is recommended that private parties using one existing common pipeline have a maintenance agreement, which includes a response plan in the event of breakage. In the event of breakage, water loss is charged to the customers. Therefore, it is incumbent upon customers receiving District water through their privately owned pipelines to keep them in good repair, have a rapid response plan in case of breakage, and have an agreement among them that clearly spells out who is responsible for liability.

14.05 Control of District Facilities

No fence shall be built, or trees or vines or other obstruction placed in or on any District canal or pipeline right of way or easement, or on other property belonging to the District without written permission of the District. Any permitted fence shall require a main gate to be installed for access by District personnel. Meters and vent pipes must not be obstructed by structures, planting of trees, shrubs and other vegetation. Suitable access for the meter reader shall be maintained by the property owner. If, after notice to the property owner, the obstruction is not removed, the District may remove the obstruction or the meter at the expense of the property owner, who shall pay such cost upon billing. Easements and rights of way for District canals, ditches, pipelines, and access trails include sufficient width on either side of said canal, ditch, pipeline and berm to accommodate necessary equipment and personnel. The District's operations require that unobstructed access along the canal and berms be maintained by the District in order to inspect, maintain, clean and operate the canal, and to safely and efficiently transport equipment and personnel. Crossings or culverts are allowed to be constructed within the District's right of way. All crossings or culverts shall be at the expense of the interested landowners and to the District's specifications. District encroachment permits for such work shall be obtained from the District prior to commencing such work.

The District may shut off water at any time for making repairs or improvements or for other purposes. Except in the case of an emergency or disruptions in service beyond the District's control, the District will attempt to give a minimum 48-hour notice by telephone to customers who might be affected by the temporary absence of water in a ditch. The annual ditch outage notice will include the beginning time and estimated length of the shut off. Except for routine maintenance (e.g., repair of minor leaks, ditch cleaning by hand or with a small backhoe, repairing existing flumes, repairing existing siphons, etc.), customers will be notified by telephone, mail, or publication in the local newspaper a minimum of three days in advance when major repair or improvement projects are planned for raw water system facilities within the boundaries of their property. The notification will inform owners of the extent of the work proposed.

Only District employees have authority to open, close, or adjust diverting valves and gates in District works. Diverting gates, valves and meters may be equipped with locks, and the keys shall be under the control of the District. The operation and control of the works of the District are under the exclusive management and control of the General Manager and no person other than authorized District employees shall do any of the following:

1. Change, disturb or tamper with any District works or make any opening therein or change any setting of control devices.
2. Place, construct or install any opening, take out pipe, siphon, pump, culvert, bridge, dam wall or other obstruction or structure in any District conduit or works, without the express approval of the General Manager or the ditch tender in charge.
3. Take or divert water from District works or from conduits supplied by the District without permission of the General Manager or ditch tender in charge.
4. Use a District conduit as an irrigation service ditch.

14.06 Untreated Supplemental Water During Irrigation Season

Supplemental Water is such untreated raw water that is determined or estimated annually to be available for delivery that is in excess of District's other anticipated water delivery requirements. Supplemental Water is not intended or offered for human consumption including drinking, cooking or bathing. Any such use shall constitute a misuse of this water and will be considered grounds for the immediate discontinuance of such water delivery.

The District shall annually estimate the quantity and availability of Supplemental Water for that year. Delivery of Supplemental Water shall be made available on a "first come, first serve" basis among applicants, conditioned on an "if and when available" basis, and without guarantee of availability. The availability and delivery of Supplemental Water shall have the lowest priority for delivery as compared against other classes or types of waters delivered by the District. Such availability and

delivery shall not interfere with or impair the availability and distribution of higher priority water supplies furnished by the District.

Supplemental Water shall only be made available to water customers who have executed an Application and Annual Agreement for Supplemental Water Service (hereinafter Application) for that year with the District. The annual quantity of Supplemental Water shall be allocated among water use applicants based upon: 1) availability and timing of availability of Supplemental Water as determined annually by the District, and 2) the date of Application on a "first come, first serve" basis. The rate of delivery of Supplemental Water shall be subject to reduction due to distribution delivery restraints.

The District shall endeavor by posting on the District's website and/or by other means, notify the public on or about April 11th of each year of the availability of Supplemental Water as determined or estimated by the District. Such notification shall include an estimate of the amount and timing of availability of such water for the remainder of the irrigation season. The irrigation season as used herein shall be that period of time between April 15 through October 15th of each year, unless changed by action of the Board of Directors of the District.

Each year applicants must complete and return to the District an Application requesting the delivery of Supplemental Water. The District shall attempt to deliver, but does not guarantee the delivery of the amount of water requested, but will allocate and deliver Supplemental Water based upon estimates of availability, ability to deliver, and other priority needs and obligations to provide water. No applications for Supplemental Water shall be accepted for a property with any outstanding fees from the previous year until such fees have been paid.

The point of delivery for water delivered from the District's distribution system to the Applicant shall be at the Applicant's normal conveyance point or as identified on a map attached to the application, or as otherwise specified or approved by the District. Applicant will be responsible for conveyance; custody and control of all water passing beyond the District's point of delivery. Applicant will be responsible for compliance with all laws, ordinances, and regulations, applicable to the conveyance, use, custody and/or control of Supplemental Water beyond the point of delivery. All costs of connecting to District's point of delivery, including mainline extensions and measuring devices shall be borne by the water customer. By making Supplemental Water available, the District shall not be obligated to construct, add or extend any facilities to provide delivery of said water other than the service connection and related facilities at the point of connection, all at the sole cost of the applicant.

All water made available by the District shall be provided individually through measuring device(s) as determined necessary by the District at the sole cost of Applicant. The District shall attempt to locate such device(s) as near to the point of delivery as it determines practical. Final determination of type and location of such measuring device(s) shall be at the sole discretion of the District. The District shall take ownership of such measuring device(s) upon their installation and shall thereafter be solely responsible for their maintenance and replacement.

The price for the delivery of Supplemental Water is set forth in Exhibit B. The minimum amount of Supplemental Water available for delivery from the District shall be one (1) acre-foot. For the purposes of billing, all deliveries of Supplemental Water shall be rounded up to the next nearest acre-foot. A deposit for one acre-foot of water shall be paid for in advance at the time of Application. In certain years it may be necessary for the District to purchase additional water from the Pacific Gas and Electric Company (PG&E) under its water supply contract for water used over and above its free allotment for that year. During years when the District must purchase water from PG&E, applicants for Supplemental Water shall be billed for the additional cost per acre foot incurred by the District that is greater than the Exhibit B cost per acre foot stated therein applied to the quantity of water purchased by the applicant from the District during that same year. Said billing shall be made on or before March 1 of the following year. No PG&E power fees apply for water purchased by customer during spill. The District does not guarantee the delivery of Supplemental Water to the applicants, but will make reasonable effort to deliver the amounts of water which it estimates to be available. The delivery of such water to an applicant in one or more years does not guarantee nor represent any assurance that the District will determine that such water will be available in following years. The District, its agents,

and employees shall not be held responsible for any claim of damage, injury or death arising out of or in connection with the delivery or failure of delivery of water, including Supplemental Water, or the failure to deliver water in amounts and/or flows less than those agreed upon or requested. Nor shall the District, its agents or employees be responsible for any claim of damage, injury or death arising out of or in connection with the control, custody, conveyance, distribution or use of such water beyond the point of delivery as defined herein.

14.07 Agricultural Irrigation Water Contracts

1. Issuance of Agricultural Irrigation water contracts are subject to the existing conveyance capacity and water availability. This water is to be only used for Agricultural purposes.
2. Agricultural purposes are defined as those Qualifying Uses for Commercial Agriculture included in Rule 8A of the Tuolumne County Regulations for Implementing the California Land Conservation Act (Resolution 106-04) For any questionable use, the District, in consultation with the Tuolumne County Agricultural Commissioner, will determine if the water is or is not for agricultural purposes. Commercial agriculture shall not include general landscaping improvements or property beautification or recreation facilities on private property.
3. The Source Water Capacity fee for 1 miner's inch of agricultural irrigation water shall be equivalent to the total cost for one ac-ft of supply as shown in the District Water Rules and Regulations in place at the time of application for agricultural Irrigation Water. (The amount on November 12,2009 is \$3,074.00).
4. Agricultural irrigation water is only available in 1 miner's inch blocks.
5. Agricultural irrigation water is available from April 15th to October 15th.
6. Water may be available outside of the dates listed above for twice the Source Water Capacity Fee detailed in #3 above, minus 10%.
7. All current and future TUD monthly base and agricultural water consumptive rates shall apply.
8. Water purchased for agricultural purposes cannot be converted to any other use in the future.
9. Water purchased for agricultural irrigation shall be set aside for such agricultural uses, subject to availability of supply and the District's authority to adopt and amend rules and regulations for the distribution of the available water supply.
10. Purchaser must show a need for the contract amount purchased and must put the entire amount of the contract purchased to beneficial use every three (3) years or the water service will be terminated.

14.08 Unlawful Acts - Ditch System

No person shall cause any damages or injury to works of the District or shall allow, participate or permit any of the following to be done:

- a. Permitting livestock, poultry, or waterfowl to go on or in District conduits.
- b. Burning or otherwise injuring or destroying works of the District.
- c. Dumping or flowing into District conduits rubbish, soil, filth, or other substances that would pollute or impede the flow of water therein.
- d. Erecting signs, fences or other structures on or across or otherwise obstructing District rights-of-way without written permission of the District.
- e. Shutting off or reducing the flow of water from a District conduit into a private conduit or field without giving reasonable prior notice of such proposed action to the General Manager or ditch tender in charge.
- f. Grading on ditch banks, or any grading near the ditch that may undermine the integrity of the ditch or cause subsequent erosion that may affect the ditch.

Such persons shall pay to the District all costs incurred by District in repairing the damage or removing the obstructions described above.

Under the Penal and Water Code Sections set forth below, it is unlawful to do any of the following without authority of the District:

- a. Take water from a District conduit with intent to defraud.

- b. Disturb any facility for the control of measurement of water.
- c. Cause to be emptied or placed into any District conduit any rubbish, filth or pollutant, or obstruction to the free flow of water.
- d. Willfully and maliciously cut, break, injure, or destroy any bridge, dam or District conduit.

Section 347 Penal Code:

"(a) Every person who willfully...places any poison or harmful substance in any spring, well, reservoir, or public water supply, where the person knows or should have known that the same would be taken by any human being to his or her injury, is guilty of a felony punishable by imprisonment in the state prison..."

Section 498 Penal Code:

"(b) Any person who, with intent to obtain for himself or herself utility services without paying the full lawful charge therefore, or with intent to enable another person to do so, or with intent to deprive any utility of any part of the full lawful charge for utility services it provides, commits, authorizes, solicits, aids, abets and of the following shall be guilty of a misdemeanor:

1. Diverts or causes to be diverted utility services, by any means whatsoever.
2. Prevents any utility meter...from accurately performing its measuring function by tampering or by any other means.
3. Tampers with any property owned by or used by the utility to provide utility services.
4. Makes or causes to be made any connection with or reconnection with property owned or used by the utility to provide utility services without the authorization or consent of the utility.
5. Uses or receives the direct benefit of all or a portion of utility services with knowledge or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of that use, or that the use of receipt water otherwise without the authorization or consent of the utility."

Section 588 Penal Code:

"Every person who...sprinkles, drains, diverts or in any manner permits water from any sprinkler, ditch, canal, flume, or reservoir to flow upon or saturate by seepage any public highway, which act tends to damage such highway or tends to be a hazard to traffic thereon, shall be guilty of a misdemeanor."

Section 592 Penal Code:

"(a) Every person who shall, without authority of the owner or managing agent, and with intent to defraud, take water from any canal, ditch, flume or reservoir used for the purpose of holding or conveying water for manufacturing, agricultural, mining, irrigating, generation of power, or domestic uses is guilty of a misdemeanor."

Section 594 Penal Code:

"Every person who maliciously defaces, damages, or destroys any real or personal property not his or her own is guilty of vandalism."

Section 607 Penal Code:

"Every person who willfully and maliciously cuts, breaks, injures, or destroys, or who, without the authority of the owner or managing agent, operates any gate or control of, any bridge, dam, canal, flume, aqueduct, levee, embankment, reservoir, or other structure erected to create hydraulic power, or to drain or reclaim any swamp, overflow, tide, or marsh land, or to store or conduct water for mining, manufacturing, reclamation, or agricultural purposes, or for the supply of the inhabitants of any city or town, or any embankment necessary to the same, or either of them, or willfully or maliciously makes, or causes to be made, any aperture or plows up the bottom or sides in such dam, canal, flume, aqueduct, reservoir, embankment, levee, or structure, with intent to injure or destroy the same; is guilty of vandalism under Section 594. Nothing in this section shall be construed so as to in any manner prohibit any person from digging or removing soil from any water course, reclamation ditch, or drainage ditch for the purpose of mining."

Section 624 Penal Code:

"Every person who willfully breaks, digs up, obstructs, or injures any pipe or main for conducting

water, or any works erected for supplying buildings with water, or any appurtenances or appendages connected thereto, is guilty of a misdemeanor.”

Section 11418 Penal Code:

“(b)(2) Any person who uses any chemical, biological, nerve, choking, blood, blister, nuclear agent in a form that may cause widespread damage to and disruption of the water of food supply shall be punished by imprisonment in the state prison.”

Section 4175 Water Code:

“Every person who willfully and without authority opens, closes, changes, or interferes with any headgate, water box, or measuring device while it is under the control of the water master, or who willfully takes or uses water which has been denied him by the water master under the provisions of this part is guilty of a misdemeanor”.

14.09 Unlawful Acts - Phoenix Reservoir

Swimming, bathing, and other water body contact activities, washing of clothes, or the use of motorized boats, or houseboats is prohibited in or at Phoenix Reservoir. This prohibition is in accord with state law provisions that includes the following:

- a. No person shall bathe, except as permitted by law, or wash clothes in any stream, pond, lake, or reservoir from which water is drawn for the supply of any portion of the inhabitants of this state, or by any other means foul or pollute the waters of any such stream, pond, lake, or reservoir. (See Health and Safety Code § 117000 and 117010.)
 - I. Every person who violates, or refuses or neglects to conform to the regulations prescribed by the Department of Health for the prevention of the pollution of springs, streams, rivers, lakes, wells, or other waters used or intended to be used for human or animal consumption, is guilty of a misdemeanor. (See Health and Safety Code § 117015.)
 - II. Violation of these regulations may be enjoined by any court of competent jurisdiction at the suit of any person whose supply of water for human or animal consumption or for domestic purposes is or may be affected, or by the Department of Health. (See Health and Safety Code § 117030.)
 - III. Anything done, maintained, or suffered, in violation of any of the provisions of these regulations is a public nuisance, dangerous to health, and may be summarily abated as such. (See Health and Safety Code § 117035.)

REGULATION NO. 15

ADMINISTRATION

15.01 Appeals to the Board of Directors

Any rule, regulation, finding, or requirement which is enforced upon a customer, applicant or other person or entity doing business with Tuolumne Utilities District may be appealed to the Board of Directors for dispensation or waiver of the subject requirement. The appeal shall, in all cases, be submitted according to the following described procedure:

1. All appeals shall be submitted in writing within 30 days after the party has been made aware of the violation, for hearing at a regularly scheduled meeting of the Board of Directors.
2. The appellant must specifically include the following information in the notice of appeal:
 - a. The identity of the appellant and his interest in the decision.
 - b. The nature of the decision or condition appealed from.
 - c. A brief statement of the reasons why, in the opinion of the appellant, the decision or conditions imposed were unjustified or unappropriated.
 - d. A statement of appellant's goal or desired outcome of proposed Board action regarding the appeal.

EXHIBIT A

WATER SERVICE USER CLASSIFICATION SCHEDULE

<u>User Classification</u>	<u>Usage Factor</u>
Single family residence	1.0
Accessory dwelling	0.8
Apartment	
Each unit with washer	1.0
Each unit without washer	0.8
Apartment complex with central laundry facility	0.6/machine
Mobile home	
Each unit with washer	1.0
Each unit without washer	0.8
Mobile home park with central laundry facility	0.6/machine
Motels and hotels	0.25/room
Rooming house	0.25/room
Bed & Breakfast	0.25/room
Campgrounds	
Overnight & trailer w/central facilities	0.2/space
RV w/individual hookup	0.3/space
Barber shops	0.3/station
Beauty shops	0.3/station
Service station	
with restrooms	2.0
self service (no restroom)	0.8
Recreational vehicle dump station	2.0/station
Automobile repair shop	1.0
Mortuary	0.4/employee
Bakeries, catering service	0.3/employee
Restaurants	
Walk-in	0.07/seat
24 hour	0.09/seat
Drive-in, short order	0.09/seat
Bars, cardrooms, casinos, taverns	0.1/seat
Bowling alley	0.1/alley
Theaters, indoor	
(Based on maximum seat capacity)	0.02/seat
Laundries & laundromats	0.6/machine
Cleaners	
Plant w/office	0.1/employee + 1.0/machine
Fire station	0.2/employee
Offices, including	0.1/employee
Accountants	
Attorneys	
Engineers	
Other (insurance, real estate, etc.)	
Dentists	0.5/chair
Physician office or clinic	1.0/office or M.D.

EXHIBIT A (continued)

Retail stores, incl.	0.1/employee
Clothing	
Building supply, hardware, appliance	
Furniture	
Real estate	
Warehouse	
Drug store	
Pet shops	
Other retail stores	
Public swimming pools	2.5/pool
Car wash, self serve	3.0/stall
Food markets	0.1/employee
w/garbage grinders	4.0
Public buildings	0.1/employee
Schools	0.07/enrollment
Meeting halls and churches	0.01/seat
Fairground complex	4.0
Restroom buildings	1.0/toilet
Hospitals	0.8/bed
Long term care facilities	0.3/bed
Industrial bldg., Assembly, etc.	Per calculations of Estimated Usage
 Minimum Usage Factor For all Classifications	 0.8

EXHIBIT B

WATER SERVICE CHARGES AND RATES

B.1 Charge for Treated Water Service

Meter Size: Minimum Monthly Service Charges

5/8 by 3/4 inch meter (Conservation)	\$ 16.64
5/8 by 3/4 inch meter	\$ 27.06
3/4 inch meter	\$ 27.06
1 inch meter Residential/Fire Protection	\$ 27.06
1 inch meter	\$ 33.95
1 ½ inch meter	\$ 42.50
2 inch meter	\$ 65.07
3 inch meter	\$ 161.19
4 inch meter	\$ 236.54
6 inch meter	\$ 341.29
8 inch meter	\$ 479.13

Where more than one existing single family residence or commercial building share a single water meter for service from the District, except for master metered users, a separate minimum monthly service charge (per the rates listed above) and/or any special assessment or surcharge affecting such water service (listed on B.3 below) shall be required for each such building or residential dwelling unit.

B.1.1 Quantity Rates

First 1,500 cu. ft. per 100 cu. ft.	\$ 1.50
Next 3,500 cu. ft. per 100 cu. ft.	\$ 1.61
Over 5,000 cu. ft. per 100 cu. ft.	\$ 1.96

B.1.2 Conservation Rate

Single Family Residential customers whose average monthly water usage over the most recent twelve (12) months is less than 500 cubic feet may apply for and pay a reduced conservation water rate of \$16.64 minimum monthly service charge and \$1.14 per 100 cu. ft. instead of \$1.50 per 100 cu. ft. See Regulation 3.01.7.

B.2 Charge for Raw Water Service (Untreated)

B.2.1 Metered Customers

Monthly Base Service Rates

Meter Size: Minimum Monthly Service Charges

5/8 by 3/4 inch meter	\$ 10.40
3/4" inch meter	\$ 10.40
1 inch meter	\$ 14.56
1 ½ inch meter	\$ 17.68
2 inch meter	\$ 26.00
3 inch meter	\$ 26.00
4 inch meter	\$ 74.88
6 inch meter	\$106.08
8 inch meter	\$148.72

Exhibit B (continued)

Quantity Rates – Contract and Supplemental Service

First 300 cu. ft. per 100 cu. ft.	\$.14
Next 9,700 cu. ft. per 100 cu. ft.	\$.17
Over 10,000 cu. ft. per 100 cu. ft.	\$.20

B.2.2 Unmetered Rate of Flow Customers

B.2.2.1 Residential Service

Monthly Base Service Rates

First ½ miner's inch of contract capacity	\$ 12.00
Additional capacity, per ½ miner's inch	\$ 5.00

Quantity Rates

First 23 miner's inch-days per MID.	\$ 3.97
Next 57 miner's inch-days per MID.	\$ 4.07
Over 80 miner's inch-days per MID.	\$ 4.12

B.2.2.2 Resale Service

Monthly Base Service Rates

First ½ miner's inch of contract capacity	N/A
Additional capacity, per ½ miner's inch	N/A

Quantity Rates

First 23 miner's inch-days per MID.	\$ 4.00
Next 57 miner's inch-days per MID.	\$ 4.10
Over 80 miner's inch-days per MID.	\$ 4.25

B.2.2.3 Industrial Service

Monthly Base Service Rates

First ½ miner's inch of contract capacity	\$12.00
Additional capacity, per ½ miner's inch	\$ 5.00

Quantity Rates

First 23 miner's inch-days per MID.	\$ 3.22
Next 57 miner's inch-days per MID.	\$ 3.27
Over 80 miner's inch-days per MID.	\$ 3.32

B.2.2.4 Irrigation Service - Supplemental

Monthly Base Service Rates

First ½ miner's inch of contract capacity	\$ 6.50
Additional capacity, per ½ miner's inch	\$ 4.60

Exhibit B (continued)

Quantity Rates

\$ 2.97 per MID or \$59.89 per ac. ft.

B.2.2.5 Flat Rate Service

Monthly Base Service Rates

Flat Rate 1	\$ 40.00
Flat Rate 2	\$ 45.00
Flat Rate 3	\$ 50.00

B.3 Treated Water Surcharges and/or Assessments

The surcharges listed below are for a 3/4" meter treated water service. Surcharges for meters larger than 3/4" will be based upon the same increase factors for monthly service charges for larger meters. In areas where water systems are interconnected, more than one of the surcharges listed below may apply.

Big Hill	\$ 17.79 per month
Crystal Falls	2.00
Cedar Ridge	7.38
Columbia	2.18
Curtis Creek	36.14
Gibbs Ranch	4.31
Monte Grande	17.79
Monte Grande – Curtis Creek Interconnection Route	26.99
Oak Garden	3.95
Oak Ridge	2.65
Upper Basin (Brentwood, Lakewood, Confidence)	2.25
Ponderosa System	6.50
Railbed Road	6.30
Railbed Road w/backflow preventer	11.97
Scenic View / Scenic Brook	7.77
Soulsbyville	9.00
Valle Vista	10.00
Sugar Pine	10.08
Wards Ferry Ranches	25.66

B.4 Wholesale Usage - Master Meter

Same as B.1.1 except where there is a special agreement as authorized by Board of Directors.

B.5 Bulk Usage from Fire Hydrant

	2½"	1"
Rental charge per day	\$ 5.00	\$ 2.00
Usage per 100 cu. ft.	1.61	1.61
Meter Deposit	1,550.00	200.00

B.6 Service Charge for Privately Owned Fire Protection Systems

Same as monthly charge for 3/4" meter - See B.1.

B.7 Request for Service Location, Temporary Shut Off or Turn On

Each time the District is required to locate the customer's service connection or make a temporary shut off or turn on, a service charge, in accordance with the following provisions, shall be paid by the user. These charges will not apply when there is an emergency request by the customer due to a leak.

Exhibit B (continued)

<u>B.7.1</u>	Service charge with a minimum notice of two (2) full work days and with the location or shutoff to be accomplished between 7:00 a.m. and 4:00 p.m. on a regular day (not including 6-month maximum suspensions):	No Charge
<u>B.7.2</u>	Service charge with less than the required minimum notice and with location or shutoff to be accomplished between 7:00 a.m. and 4:00 p.m. on a regular day:	\$ 50.00
<u>B.7.3</u>	Service charge with the location or shutoff to be accomplished between 4:00 p.m. and 7:00 a.m.:	\$130.00
<u>B.7.4</u>	Service charge with the location or shutoff on Saturday, Sunday or District Holiday:	\$130.00

B.8 Capital Reserve Charge

The Capital Reserve Charge shall be used to establish a capital reserve fund that shall be used to replace capacity and facilities used by new applicants for service upon connection to the water system and to provide for the continuous capability to serve new applicants for treated water service. The capital reserve fund would specifically be used to replace equipment and facilities that reach the end of their useful life and to construct improvements necessary to maintain service and capacity in water treatment, storage, transmission, distribution, pumping facilities, and control systems as periodically needed in each of the service areas within the District's jurisdiction.

The Capital Reserve Charge shall be computed by reference to the user classification schedule attached as Exhibit A, applied according to the factors indicated at the sole discretion of the District. The fee stated herein is equivalent to a Factor of 1.0.

Capital Reserve Charge: \$985.00

B.9 Meter Set Charge

	Installation of Meter & Valve Only	If New Box & Lids are Also Required
3/4 inch meter	\$296.00	\$422.00
1 inch meter	390.00	517.00
1 ½ inch meter	550.00	676.00
2 inch meter	694.00	843.00
3 & 4 inch meters	Actual Cost	

B.10 Meter Accuracy Tests

Customers requesting meter tests shall be charged \$ 50.00 for all tests beyond one test per year.

B.11 Service Line Charge Actual cost

B.12 Security Deposit Amount \$80.00

B.13 Capacity Charges

Water Capacity Charges shall be collected and placed in a fund to construct improvements to any of the water systems described above for the purpose of increasing supply, treatment, storage, or transmission capacity used up by new connections to the water systems. The charges are uniform to all systems and are collected and used to construct improvements as needed in any individual water system. These charges are applied as described below.

Exhibit B (continued)

Application criteria: Water capacity charges apply to all applicants for water service whose parcels to be served are located where sufficient water supply, treatment, and storage facilities have not been provided through previous improvement as described in Regulation 3.05.6. For raw water service, only the supply component described below shall apply.

- Supply \$ 3,074 per acre foot per year. For raw water service to agricultural and irrigation customers, service will be turned off during the non-irrigation season (October 16th through April 14th).
- Treatment \$2,386 per gallon per minute of maximum daily flow in addition to compliance as may be required by County Ordinance (Fire and Safety Standards 15.20.010.(f)(2) or as may be amended).
- Storage \$1.31 per gallon of the greater amount of either: a.) seven days of the estimated annual average consumption, or b.) three days of the maximum daily consumption. Also the storage needs as may be required by County Ordinance (Fire and Safety Standards 15.20.010 (f)(2) or as may be amended) will be in addition to the consumption storage requirement.
- Transmission Actual Cost.

B.14 Water Connection Fees

Description of TUD Water Systems to Which the Foregoing Charges are Applicable

The water systems serving treated water referred to herein are all located within the boundaries of and under the jurisdiction of the Tuolumne Utilities District. Uniform rates, fees, and charges apply to each and every system except as otherwise noted. Water systems currently serve the communities and surrounding areas of Sonora, Jamestown, Cuesta Serena, Valle Vista, Volponi Acres, Sonora Water Company through a master meter, Columbia, East Sonora, Cuesta Center, Lambert Lakes, Tuolumne, Cedar Ridge, Crystal Falls, Mono Vista, Willow Springs, Camp Sunshine, Ranchos Poquitos, Soulsbyville, Comstock Ranch, Sonora Meadows through a master meter, Oak Garden Estates, Lakewood Park, Brentwood Park, Goldmont Forest, Sonora Vista, Confidence, Forest Vista Estates, Meadowbrook, Sugar Pine, Peaceful Pines, Oak Haven, Apple Valley, Scenic View and Scenic Brook Estates, Phoenix Lake Park, Ponderosa Hills, Muller and Mira Monte through a master meter, Gibbs Ranch and Rancho Sonora Estates, Monte Grande, Big Hill, Mono Village, Curtis Creek Ranch area, and Wards Ferry Ranches. Other communities that could be transferred to or acquired by the District in the future that would be subject to these rates, fees, and charges include, but may not be limited to, Alpine Acres, and Last Chance Water Company Service areas.

Raw water is provided to the following resale customers: Twain Harte Community Services District, Twain Harte Valley Mutual Water District, Mi Wuk Mutual Water Company, Last Chance Water Company, Peppermint Creek Mobile Home Park, Pulpit Rock Water Company, Sawmill Flat Water Association, and Oneta Estates Water Association.

Purpose and Use

The purpose of the rates, fees, and charges stated herein are for meeting operation and maintenance expenses, purchasing or leasing supplies, equipment, or materials, meeting financial reserve needs, and for obtaining funds for capital improvements necessary to maintain service to all customers within the District's existing service areas. The capital improvements include water storage tanks, treatment facilities, water distribution and transmission facilities, and pumping facilities, including related electrical and telemetry control systems.

EXHIBIT C

ADDITIONAL CONNECTION CHARGES IN SPECIFIC DISTRICTS

<u>Area/Subdivision</u>	Charge Per Equivalent Single <u>Family Residence</u>
C.1 Upper Basin - Crystal Falls Interconnection Reimbursement:	\$ 1,067.00
C.2 Christian Heights Supply and Storage Fee:	1,620.00
C.3 Cedar Ridge Capital Improvement Loan:	1,000.00
C.4 Columbia Capital Improvement Loan:	990.00
C.5 East Sonora Distribution System Charge:	Varies*
C.6 Big Hill Road Pipeline Extension Reimbursement:	Varies*
C.7 Valle Vista Pipeline Extension Reimbursement:	Varies*
C.8 East Sonora Interconnection Reimbursement:	563.00
C.9 Columbia Airport Crossing Pipeline Extension Reimbursement:	Varies*
C.10 Cuesta Center Interconnection Reimbursement:	617.00
C.11 Twain Harte Interconnection Reimbursement:	Varies*
C.12 Oakhaven Interconnection Reimbursement:	2,000.00
C.13 Monte Grande – Crystal Falls Interconnection Reimbursement:	335.00

* Refer to lists, maps or resolutions in Engineering files.

EXHIBIT D

PAYMENT OF ADMINISTRATION, ENGINEERING AND INSPECTION COSTS

Charge	Main Line Extension Projects	Main Line Extension Projects	Main Line Extension Projects	Devlpmt >5<20 Lots or ESFR ¹	Devlpmt >20<100 Lots or ESFR	Devlpmt >100 Lots or ESFR
	< 300 lf	>300 lf <1200 lf	>1200 lf			
A. Project Administration Charge ²	\$ 100	\$ 100	\$ 200	\$ 100	\$ 300	\$ 500
B. Engineering Labor Deposit ^{3, 7}	\$ 300	\$ 400	\$ 600	\$ 600	\$ 900	\$1100
a. Engineering Labor		\$ 120 /man hour				
C. Inspection Charges ⁴						
a. Deposit for Inspection ⁵	\$ 300	\$ 500	\$ 700	\$1100	\$2100	\$4100
b. Camera Truck Equipment		\$ 16 /hour plus \$60 /man hour				
c. Mini Cam Equipment		\$ 8 /hour plus \$60 /man hour				
d. Flush Truck Equipment		\$ 43 /hour plus \$60 /man hour				
e. Vacuum Truck Equipment		\$ 18 /hour plus \$60 /man hour				
f. Inspection Labor		\$ 85 /man hour				
g. Vacon		\$ 115 /hour plus \$60 /man hour				
D. Construction Labor (Hot Taps, etc.) ⁶		\$ 80 /man hour				

1. *ESFR: Equivalent Single Family Residential connection.*
2. *Project administration charge is a one time charge paid at the time of application that covers staff time involving assistance to the applicant regarding District procedures, agreement preparation, agenda scheduling and accounting. This charge will also apply to lateral installations for hydrants, fire sprinkler system connections, etc.*
3. *Engineering labor includes CEQA review, plan reviews, easement review, and project management. Any funds collected but not used will be refunded and any charges in excess of the deposit will be billed monthly. Expended time will be rounded to the nearest ½ hour.*
4. *For actual time expended on construction site facility inspections. Inspection charge deposits will be paid prior to commencing construction of facilities and any additional inspection or testing charges will be billed monthly through project completion and acceptance by the District. An estimate of typical project costs can be provided prior to the initiation of construction. This hourly rate applies to time spent by TUD personnel for inspections, and any camera testing, pressure testing, vacuum tests, etc. that requires the services of personnel in addition to inspection staff.*
5. *Deposits paid are credited to the inspection charges incurred. Any funds collected but not used will be refunded and any charges in excess of the deposit will be billed monthly. If the charges incurred exceed the deposit during the course of construction, another deposit in the same amount as the first is required from the applicant. For larger projects this could occur several times.*
6. *In the event that District field crews are requested or required for assistance with construction, the charges above will apply to actual time expended. Expended time outside normal working hours will be charged at 1 ½ times the fees listed above.*
7. *If the District is requested to perform flow analysis modeling, a charge in the amount of \$44.00 per man hour will be required for any time expended over and above thirty (30) minutes.*

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For the purposes of this fee structure, should both off-site main extensions and on-site developments both apply, charges for both project classifications shall be paid. For projects or developments with less than 5 lots, parcels, or ESFR, the Main Line Extension classification shall apply.