



## RATES AND REGULATIONS FOR WATER SERVICE

Adopted by the  
Board of Directors  
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## RATES AND REGULATIONS FOR WATER SERVICE

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CASITAS MUNICIPAL WATER DISTRICT  
RATES AND REGULATIONS FOR WATER SERVICE

1. **GENERAL**. This document shall be known as "Rates and Regulations for Water Service" of the Casitas Municipal Water District. Unless otherwise approved by the Board of Directors of the Casitas Municipal Water District, all water service shall be made in accordance with these rates and regulations. These rates and regulations may be amended by resolution or ordinance at any regular or special meeting of the Board of Directors, provided that:

1.1 Written notice of any proposed amendment shall have been submitted to each Director at least 14 days prior to any such meeting;

1.2 One or more public hearings have been held, if required, with at least 14 days advance public notice and legal notice of any such hearings;

1.3 CEQA review and compliance has been completed, if required.

2. **DEFINITIONS**. Whenever the words defined in this article occur in these rates and regulations, they shall have the meaning here defined:

2.1 "Acre Foot" 43,560 cubic feet of water.

2.2 "Active Service" shall be one that is currently taking water and paying for service or has taken water and paid for services in the past where the unpaid service charges do not equal connection charges. All other services are inactive.

2.3 "Agricultural or Irrigation Service or Use" shall include all parcels of land consisting of not less than 2.0 acres devoted to commercial agricultural production, in compliance with federal law, having a minimum one-inch meter.

2.4 "Allocation" means a volume of water measured in units (as defined herein hundred cubic feet or acre feet) provided to a Casitas property or customer for a defined allocation period. Allocations are based on Type of Service as set forth in Tables 1- 14. Allocation shall not mean an entitlement or in any way imply a water right.

2.5 "Allocation Period" Allocation periods may be monthly, quarterly, annually, or any other defined increment of time.

2.6 “Association” An association shall consist of a single owners who agrees to burden their property with the responsibility for (a) installing, operating and maintaining its own distribution and fire protection facilities, (b) providing water to its members, (c) payment of the cost of the installation of the master metering facilities, and (d) payment of the water bill, the service charges and other related fees and deposits required by Casitas. The rates paid by an Association shall be the highest rate for the types of service actually provided.

2.7 “Billing Period” The Billing Period is the period during which water service is provided and for which the customer is billed. The Billing Period and frequency of bills shall be one month (monthly) or two months (bi-monthly).

2.8 “Board” shall mean the Board of Directors of the Casitas Municipal Water District.

2.9 “Business/Industrial” Business/Industrial service shall be for the purposes of public services, commercial services, product processing, and product production. To qualify for Business service the customer must provide Casitas evidence of a commercial business license from the appropriate licensing agency and the property served must be zoned for commercial use by the appropriate land use agency or the customer must demonstrate that the property served is publicly owned, non-profit, or provides some public service. Industrial Service shall use the Business requirements and rates.

2.10 “Capital Facilities Charge” means a one-time, non-returnable buy-in charge based on allocation or requests for new or enlarged meters. This charge includes, but is not limited to, funds for meeting Casitas’ financial reserve needs and requirements and for obtaining funds for capital projects necessary to maintain service within Casitas’ existing service area.

2.11 “Casitas” shall mean the Casitas Municipal Water District.

2.12 “Delay” means a period of time where the Board of Directors has adopted a policy which does not allow the sale of new services or the expansion of existing services.

2.13 “Emergency Service” Shall include all services with a Casitas approved water use which is intended to provide a customer temporary service as a result of an interruption or contamination of the customer’s primary source of supply.

2.14 “General Manager” shall mean the person holding the position or acting in the capacity of General Manager of the Casitas Municipal Water District.

2.15 “Gravity” Gravity shall refer to all Casitas services that receive water from non-pumped zones of service.

2.16 “Hearing Officer” shall mean the person in the position of Accounting Manager/Treasurer.

2.17 “Inter-Departmental” shall include all services to Casitas facilities.

2.18 “Industrial Service” shall mean service to production and manufacturing related business including refineries, with proper zoning and which actually conducts business.

2.19 “1989” Unless otherwise specified herein, 1989 shall mean calendar year 1989.

2.20 “Legal Service” A service with a current application, which complies with all Casitas’ Rates and Regulations, in good standing with Casitas.

2.21 “Other Service” means schools, parks, non-profit organizations and government services.

2.22 “Penman Equation” An aerodynamic equation for approximating the energy balance for a climatic environment. Reference: Irrigation Management Program, California Dept. of Water Resources and University of California Cooperative Extension Service.

2.23 “Pumped” Pumped shall mean all water service that is delivered from Casitas’ pumped zones.

2.24 “Qualifying Acreage” Agricultural lands planted eligible for irrigation service and under irrigation during 1989 and prior to April 11, 1990.

2.25 “Recreation” rate means the water rate charged interdepartmentally to Lake Casitas Recreational Area.

2.26 “Resale Service” shall mean service to another water agency which has been legally formed to supply water and which has a permit to supply water from the California Department of Health Services, and has no other rates provided for their system, has individual meters to all services, bills on the basis of water consumption, and does not combine resale service within any other service.

2.27 “Residential service” shall mean and include all service to any single-family residence, multiple-family residences, apartment and condominium complexes and mobile home parks or other types of community development for domestic purposes. Residential service excepts service to any water agency, any business or industrial facility, any other facility, or agricultural service through which service to a residence or residences may be obtained.

2.28 “Service” shall mean the furnishing of water to a customer through a connection to facilities of the Casitas Municipal Water District.

2.29 “Service Facilities” shall mean those materials and facilities between Casitas' conveyance line and the outlet of the meter if the meter is owned by Casitas. If said meter is not owned by Casitas, "service facilities" shall mean that Casitas-owned facility closest to the customer-owned-and-maintained meter or other facility.

2.30 “Service Size” Service Size is based upon the rated inside diameter of the water meter at each service connection and the associated flow capacity of that meter.

2.31 “Service-Type Customer” A customer of any class who provides a community service such as a base ball league or service club who are not in attendance at the property on a regular basis as defined by Casitas Board.

2.32 “Sources Other Than Casitas” Shall mean any water source available to the customer the origin of which is not Lake Casitas or the Mira Monte Well, such as groundwater produced with wells or surface water diverted from surface waters.

2.33 “Spill” Spill occurs when the surface elevation of Lake Casitas reaches 565 feet above sea level at which point no additional water can be diverted for storage from the Ventura River.

2.34 “Standard & Conservation Service Subclass” Each type of service shall qualify for one of the following sub-classes:

2.34.1 “Standard Service” Standard Service shall include all services qualifying for one of the Types of Service defined in Section 16.3.5.

2.34.2 “Conservation Service” Customers may qualify for conservation service by implementing and maintaining proven conservation and water saving practices described in the customer classification tables. Casitas may maintain and provide its customers a list of approved water-efficient plumbing devices, landscape audit services, and irrigation advisors. Casitas may also make available to agricultural customers California irrigation Management Information System (CIMIS) data on irrigation requirements.

2.35 “Supplemental Ag Rate” is the supplemental Commodity Rate for Agricultural Service which is available to those Agricultural customers who have alternative water supplies and would normally utilize their existing Casitas Service only under emergencies or prolonged drought conditions. Under this rate, all charges by Casitas are based upon the need to use District water instead of/or with their alternative water supply, and no charges are based upon fixed costs or size of meter. A contract is necessary to establish this kind of service

2.36 “Temporary Service” means temporary service primarily for construction, sanitary sewer flushing or irrigation within Casitas’ direct service area for a period not to exceed six months unless otherwise approved by the General Manager.

2.37 “Temporary Service” Shall include all services having a Casitas approved water use and the term of the service from Casitas shall not exceed 90 days or a time frame established by a contract approved by the Casitas Board of Directors.

2.38 “Unit” 100 cubic feet of water or 748 gallons.

2.39 “Water Agency” shall mean and include public water supply agencies, public water utilities, and mutual water companies. A water agency has all services metered, bills in accordance with

the consumption through the meters and has a permit to supply water from the California Department of Health Services.

2.40 “Water Service Policy” Casitas’ regulations and practices pertaining to new water service connections and expansion of existing connections as set forth in the Rates and Regulations for Water Service as most recently revised.

2.41 “Water Use” Water Use is the amount of water delivered through a Casitas metered service facility to the customer.

2.42 “Water Year” A Water Year shall be a 12-month period beginning July 1 and ending June 30.

3. **AREA SERVED.** The rates and regulations set forth herein pertain to service to land and/or improvements lying within the boundaries of Casitas. They do not generally pertain to direct service by Casitas to lands and/or improvements within boundaries of other water agencies located within Casitas’ boundaries. Service to lands outside Casitas shall be only on terms and conditions established by the Board respecting the particular service involved.

#### 4. **ARRANGEMENTS FOR REGULAR WATER SERVICE**

4.1 **CONDITIONS OF PRIORITY AND PRIORITIES FOR NEW SERVICE AND EXPANDED EXISTING SERVICE AFTER A DELAY.** When the Board of Directors determine that additional new water supplies are available, either from the safe yield of the existing Casitas project supply or additional new supplies, supplies shall be allocated in accordance with the following criteria:

##### 4.2. **AVAILABILITY OF ALLOCATIONS**

4.2.1. **PURPOSE OF USE:** As water becomes available, 50 percent shall be allocated to applicants for agricultural uses and 50 percent shall be allocated to applicants for municipal and industrial uses. In the event applicants for one type of use are satisfied without utilizing the entire designated allocation, 20 percent of the remaining water will be allocated to other uses each year. Agricultural uses are commercial agricultural uses as defined in Casitas’ Rates and Regulations. Municipal and Industrial uses are all other water uses.

4.2.2. **SIZE OF ALLOCATION:** As water becomes available, no single property owner or applicant for the given type of service (Municipal and Industrial or Agricultural) shall receive a new water allocation greater than 10 percent of the total new available supply or the minimum standard residential allocation as defined in Casitas’ Water Efficiency and Allocation Program (Section 15.3.1), whichever is greater. If the applicant’s allocation requirements are not fully met, the applicant may maintain a position of priority until more water is available.



All applicants seeking priority listing shall provide Casitas with a detailed description of the project or use of water for which the water is sought. Applicant shall provide information on peak flow and annual water requirements. Meter size and amount of allocation shall be determined by Casitas based upon reasonable and necessary needs and Casitas' Rules and Regulations.

4.2.3. USE OF ALLOCATION: Upon receiving a water allocation, a qualified applicant must place the allocation to the prescribed use within two years of the date of receipt. Extension may be granted by the General Manager for documented reasonable and normal progress.

Failure to place the allocated water to the prescribed use will result in loss of the allocation and re-application for additional water or new service will be required. Such reapplication shall place applicant at the end of the allocation priority list. Once an applicant is allocated water, the customer shall begin paying all service charges.

4.2.4. PRIOR APPROVAL BY LAND USE AGENCY: There are three land use authorities within Casitas' boundaries. The City of Ojai, the City of San Buenaventura, and the County of Ventura are responsible for the planning and approving of land use projects in their respective jurisdictions. Applicants for new or additional water allocations related to projects requiring land use approval by the appropriate agency must receive such approval prior to receiving any water allocations from Casitas.

The combined properties in each land use agency's jurisdiction qualifying for new water each time new water is available shall receive no more than 50% of the total available new Municipal and Industrial (M&I) water. If after all M&I applicants are satisfied additional water remains available, properties within a land use agency may receive an additional 25% of the remaining M&I water each year after all others are satisfied.

Casitas shall seek formal agreements with each land use agency to assure that:

4.2.4.1. Property owners without land use approval are not allocated water and that properties with land use approval receive allocations when water is available.

4.2.4.2. Required applications fees, capital facilities charges, and all services charges are paid to Casitas either directly by the property owner or through the land use agency.

4.2.4.3. Casitas is given an opportunity to review the property's estimated water requirements as defined by the land use.

4.2.4.4. The land use agency and the property owner agree that water allocated by Casitas is subject to Casitas' Rates and Regulations and that neither the property owner nor the land use agency assume any vested rights in Casitas water.

4.2.4.5. The water allocated to the property and the property's limited rights to the allocation are duly recorded.

4.2.5 **Limited Percentage Requirements Terminated:** Once a new water supply meets all demand for new water requests, percentage requirements to customer types shall terminate.

4.2.6. **RESALE AGENCIES:** All resale water agencies who receive service from Casitas shall apply for additional and new water service for their customers, meet the application requirements, and collect and pay to Casitas all required application and connection fees or shall be responsible for their additional customers on any water already allocated to the resale agency. Properties within Casitas' resale agencies' service areas that apply for or receive new water allocations, are subject to all the same conditions as the properties within Casitas' service area. Once new water is allocated a property, the new allocation shall be added to the appropriate resale agency's total allocation. If a resale agency refuses to pay such connection charges and comply with these conditions, that resale agency shall be responsible for drought proofing its agency and for all incentive billings under the allocation program for a failure to purchase additional allocation.

4.2.7. **APPLICATION AND APPLICATION MAINTENANCE FEES:** In order to recover the costs of processing and reviewing applications for the waiting list, an initial application fee of \$50 per service, per application shall be required. In addition, in order to maintain the waiting list and insure that the applicants are diligent in their desire to receive the allocation, a \$50 fee shall be charged annually to each applicant to maintain an active application for water. Failure to pay the annual fees will result in loss of priority on the allocation waiting list and request for water will require re-application.

4.2.8. **TRANSFERS:** Water allocations are assigned to the property. No transfers are permitted from one property to another. If the property is divided, allocations may be divided proportionately or through agreement with Casitas at the time the property is divided. Failure to divide the allocation at the time of division shall result in all the water being assigned to the property with the meters. Water allocations shall not be sold, bartered, or traded. All private agreements regarding such transfers are void.

4.2.9. **CLASS 6 LANDS:** Applicants with water service serving planted Class 6 lands or new applicants requesting service to Class 6 lands shall receive no new or additional water supplies or allocation unless they execute an agreement absolving Casitas from liability should Casitas be unable to serve water to Class 6 land in the future.

4.2.10. **PAYMENT OF CONNECTION FEES:** Property owners or resale water agencies shall be required to pay Service Facility Charges upon notice of availability of water. Applicant shall have 30 days to pay such fees upon notice of availability. Failure to pay the connection fees in the required time frame drops the applicant to the bottom of the priority list.

4.2.11. **NEW WATER:** In addition to Service Facility Charges, whether they are paid or not, applicants shall be subject to a fee established by the Board of Directors based upon the cost of new water divided by the yield of the project. A per-acre-foot allocated fee shall be established upon operation of the new project.

4.2.12. EXPANSION OF SERVICE: Customers requiring additional water for second dwellings, also known as “granny flats”, development of additional Agricultural lands, or any other projects requiring an increase in water use shall apply for an additional allocation and shall be required to pay all associated application and connection fees.

4.2.13. APPLICANT MUST BE OWNER: All applicants for new service, or expansion of existing service, must be the legal owner of the property for which the water is allocated.

4.3. PRIORITIES:

The allocation of the new or additional water supplies shall be distributed and prioritized based upon the following order of priority, date of application, land use agency approval, and payment of fees:

4.3.1. PRIOR COMMITMENTS: Water shall be allocated to the Casitas Municipal Water District to satisfy the requirements of properties deemed by the Board of Directors to hold commitments from Casitas for future water service. Such future water service shall be subject to all Casitas application and connection fees.

4.3.2. INTER-DEPARTMENTAL: Water shall be allocated to Casitas for inter-departmental uses deemed by the Board of Directors to be in the best interest of Casitas’ customers.

4.3.3. EXPANSION OF EXISTING SERVICES: Existing customers of Casitas shall have an opportunity to receive priority to apply for additional water prior to the delay under the following conditions:

- 4.3.3.1. The customer has an active meter service account.
- 4.3.3.2. The request for additional water does not require an enlargement in the size of the existing service.
- 4.3.3.3. The applicant satisfies the requirements of the application for additional water.
- 4.3.3.4. The applicant pays all required application fees.

4.3.4. INACTIVE SERVICES: Property owners who have inactive services shall have priority for water service immediately after the requirements of all of the above applicants are met. Applicant’s priority will be subject to the following conditions:

- 4.3.4.1. The request for service does not require an enlargement of the existing facilities.
- 4.3.4.2. The applicant satisfied the requirements of the application for additional water service prior to the delay.
- 4.3.4.3. The applicant has paid all required application fees.

4.3.5. REQUEST FOR SERVICE RECEIVED PRIOR TO THE DELAY: Property owners who began but were not able to complete the application for service process prior to the delay

will receive priority immediately after the requirements of the above applicants are satisfied. Priority will be subject to the following conditions:

- 4.3.5.1. A property owner has documented evidence that the application for service process had begun prior to the delay and the applicant can demonstrate the ability to have paid all fees and installation costs for such application.
- 4.3.5.2. The applicant has satisfied the application requirements for new water service prior to three (3) months after the delay.
- 4.3.5.3. The applicant pays all required application fees requirement.
- 4.3.5.4. The applicant is the legal property owner.
- 4.3.5.5. The applicant is placed on a county or city priority list for development in the year water is available.

4.3.6. NEW CUSTOMER AND EXPANSION OF EXISTING SERVICES (AFTER A DELAY): Property owners who apply for new service, enlargement of existing services, or those who apply for expansion of existing service after a delay shall be prioritized by priority for development given by a county or city and date of application after the requirements of the above applicants are satisfied. To receive priority, the property owner must meet the following requirements:

- 4.3.6.1. The applicant must satisfy all application requirements.
- 4.3.6.2. The applicant must pay all required application fees.

4.4 APPLICATION FOR SERVICE: Application for service shall be made in writing on a form provided by Casitas and available at Casitas' office. Meter size and/or capacity of service, allocations, and applications for service shall be approved by the General Manager or his designee, where adequate distribution systems have been installed, after the credit of the applicant has been established as hereinafter provided, and arrangements completed for cash or installment payment of meter installation charge, capital facilities charge, or other facilities provided by Casitas. All applications for service shall be considered to be a written request for water and other services in accordance with Section 72094 of the California Water Code.

4.5 REGULAR WATER SERVICE. With the exception of water agencies, regular water service to each property ownership shall be through a separate water meter. Provided, that for community developments and at the sole discretion of Casitas, application for service to such properties through a single master meter may be made providing that a formal recordable agreement has been developed and executed between Casitas and the applicants for service.

4.6 COMMUNITY DEVELOPMENTS. When approved by Casitas, an association, incorporated or unincorporated, which constructs a condominium or subdivision development in which parcels of land therein are sold to individual members of the association wherein the association retains ownership of various portions of the property within the confines of the development and mobile home parks may make application for service on a special Community Development Water Service Application form. See also Section 14, Distribution Facilities. All rates, fees, and provisions for community

development service shall conform with the applicable portions of these "Rates and Regulations for Water Service". The water rate shall be at the residential rate provided for in subsection 9.3 Attachment A and 9.4.1.

4.7 ESTABLISHMENT AND MAINTENANCE OF CREDIT.

4.7.1 DEPOSITS. Customers are required to establish and maintain credit to the satisfaction of Casitas. If the customer is a water agency, credit will be deemed established. All other customers shall be required to furnish a deposit to guarantee payment of the customer's obligations to Casitas until good credit has been established to the satisfaction of Casitas. A customer's credit shall be considered established and maintained to the satisfaction of Casitas if service has not been turned off during any one year period. When a customer has established and maintained credit to the satisfaction of Casitas, the customer's deposit, without interest, will be refunded by crediting the account. If the deposit is applied to a closing bill and the balance is less than \$1.00, a deposit refund will be made by request only. In the event the customer does not continue to maintain his credit to the satisfaction of Casitas after the deposit has been refunded, the full deposit will again be required in order to continue water service. The customer will be notified in writing with the first turn-off notice that another turnoff shall require re-deposit of the amount of deposit required and the date the deposit is due. Deposits shall be in accordance with the following schedule:

<u>Meter Size</u>	<u>Amount</u>
Up to 1" Meters:	\$ 60.00
Up to 2" Meters: Residential	100.00
Up to 2" Meters: Agricultural	150.00
3" and Larger Meters:	200.00

4.7.2 OUTSTANDING OBLIGATIONS. Payment in full of any outstanding obligations in connection with Casitas water service at a previous location shall be prerequisite to initiation of service to a customer at a new location.

4.7.3 RENTERS. The owner of the property must approve for a renter to open an account in the renter's name. If the renter closes their account without another renter assuming the water service agreement, the account will revert back into the owners name and responsibility for all services and charges that are incurred after the time which the prior renter closes their account, and until a change of account to another renter occurs. Renters are responsible for the charges incurred during their agreement and owners are responsible for the charges incurred for the time between renter agreements and shall have current owner agreement for water service on file at the District office.

4.8 WATER SERVICE FACILITIES. Water service facilities include adequately sized lateral pipelines, water service fire protection laterals, meters, and public fire hydrants that are attached to Casitas water distribution system. Water service to each customer is provided from Casitas' water distribution system through a service lateral and meter facility. The water service facility installation to each customer should consider the customer's water demand maximum flow rates, classification of service, water system pressures and capacities, location of facilities within either a right-of-way or Casitas easement, and protection of Casitas' water quality and supply. Casitas shall maintain ownership is described in Section 5.

4.8.1 The installation, relocation and re-sizing of a meter and service lateral are subject to the appropriate fees that include: a) service facility charges for installation of the water facilities necessary to serve the customer; b) Capital Facility Charges; c) service charges; and d) water rates.

4.9. SERVICE FACILITY CHARGE: The charges paid by the customer for all new water service installations including increases or reductions in the size of a meter and service shall be based on actual cost of service facilities and meter including installation, construction contracts, inspection, materials, permits, and overhead costs. If the customer desires to have his/her own contractor rather than Casitas' contractor install the facilities, the contractor shall be licensed in California and experienced with such work and be approved by Casitas and the installations are subject to inspection and approval by Casitas.

4.9.1 Work that does not meet Casitas' standards shall not be accepted by Casitas. Service shall be isolated and not permitted until the service complies with Casitas' standards.

4.9.2 Contractors will provide to Casitas a Certificate of Insurance as defined by Casitas.

4.9.3 Any repairs by Casitas within five (5) years of acceptance will be paid by the property owner.

4.9.4 Payment of the fees for all size services for Casitas' installed services will be based on estimated costs and an adjustment of the estimated costs to actual costs shall be made when the service installation is completed. No refunds of estimated costs prior to installation of service will be made when will-serve letters have been issued for a new service.

4.10 CAPITAL FACILITIES CHARGES: These charges are as follows:

Capital Facilities Charge: \$ 18,644.00 per acre foot

Capital Facilities Charges (CFC), once paid, are not refundable.

4.10.1 NEW CUSTOMERS: New customers are parcels which do not have an existing service or have not received legal service from an existing meter of Casitas or do not fall

into the categories below. New customers are subject to CFC. The new customer shall specify on the application the type and size of service and the proposed allocation consistent with other services in the District based upon annual demands and peak demands required through the water service.

4.10.2 EXISTING CUSTOMERS: Existing customers are those parcels which have a legal existing service or have received legal water service from an existing meter for at least eight (8) years and do not fall into one of the categories below unless referred here from that other category.

4.10.2.1 Existing customers who request enlargement of existing meters for a new or existing structure, new or existing agricultural plantings, or expansion of agricultural plantings after April, 1991 or who request additional allocation will be subject to both CFC. An existing customer with existing service must enlarge his/her service rather than add a new meter.

4.10.2.2 Existing Customers who have an adequately sized meter, in the opinion of Casitas based upon average usage and size in the Casitas service area, who wish to add allocation, a new structure, or new agricultural plantings after April, 1991 shall be charged CFC.

4.10.3 DIVIDING SERVICES. Dividing services is where the customer divides one parcel into two or more legal parcels anticipated to be under separate ownership, or has several contiguous parcels legally connected to one meter and proposes to place these parcels under different ownership and the parcels do not fall into one of the categories below, unless referred here from that former category.

The customer may divide the service in any way the customer wants amongst the divided parcels provided:

4.10.3.1. The customer divides the services and allocation prior to selling the property and prior to the issuance of a will-serve letter for a parcel split.

4.10.3.2. The total allocation does not change. The combined allocation of the divided parcels does not exceed the allocation of the original whole parcel. If the divided parcels require additional water allocation and said allocation is available from Casitas, the fees for the determined allocation shall be based on the acre-feet of additional allocation required times the rate for the capital facilities charge, as defined in Section 4.10.

4.10.3.3. The combined maximum flow rate of the meters to serve the divided parcels does not exceed the maximum flow rate of the single meter that served the original whole parcel.

4.10.3.4. Each parcel must have an adequately sized meter and allocation to deal with existing houses and agriculture on the resulting parcel as determined by Casitas' assessment.

If a customer divides an existing meter so that a parcel receives an inadequate size or allocation for existing uses, a recordable document must be executed and recorded on the property before sale making it plain to purchasers.

If additional allocation and/or maximum flow rate is required beyond that which exists, the parcel will be treated as an existing customer requiring a new meter or larger meter. The minimum charge for additional meter maximum flow rate shall be the difference between the maximum flow rate of the original single meter and the combined maximum flow rates of the resultant meters, resulting in the change of flow rate on the system, 0.47 times the CFC for each 40 gallons per minute of resultant change in flow rate, or the requested allocation, whichever is larger. The existing meter must be reduced if either water allocation or flow capacity is redistributed to divided parcels. There is no refund to the customer for the sum flow capacity of the divided meters being less than the original meter flow capacity. The following table shall be used for this calculation:

<u>Meter Size</u>	<u>Maximum Flow Rate (gpm)</u>
5/8	20
3/4	30
1	50
2	160
3	320
4	1,000

4.10.3.5 DIVIDING SERVICES WITH SIZING BASED UPON FIRE FLOW. Domestic and fire services combined into one service shall be divided as follows:

If a service to be divided were increased in size in the past for inclusion of fire flow, the increased sized meter area for the fire service shall be excluded in the dividing of services. The parcel identified with the fire flow shall be provided with allocation and area of meter based upon full build out of the parcel based upon the average allocation and service size within Casitas. Any remaining allocation and area of meter except that for the fire service shall be divided as described under Dividing of Services.

4.10.3.6 DIVIDING SERVICES WITH SIZING BASED UPON LOW PRESSURE. It is the policy of Casitas that low pressure situations will be solved by the customer's pumping at the customer's expense. A service that has been increased in size for low pressure can be divided in accordance with dividing of service above subject to paying CFC for increasing the size from the average allocation and service size within Casitas.



4.10.3.7 INCREASING SIZE OF SERVICES FOR FIRE FLOW.

Casitas will allow an increase a service size for fire flow and the customer will be responsible for the cost of the service facility charge to install a meter/service upgrade and the removal of the undersized meter/service.

4.10.3.8 INCREASING SIZING AFTER OBTAINING A SMALLER

METER. A customer can always downsize the meter size at any time at the cost of installing a smaller meter only if, in the opinion of Casitas, the smaller meter can pass adequate flow without damage to the meter and the customer can verify a lower water demand capacity required by the private system. If in the future a customer wants to return to the original size meter or a meter no larger than the original size, the customer shall pay the lesser of the charge based on 0.47 times the CFC for each 40 gallons per minute of resultant change in flow rate or the sum of the original service charges avoided since the reduction in size. Meters that have been divided per Section 4.10.3.4 shall require full CFC for the additional capacity of the meter added to the system by the meter flow rate increase proposed. The customer shall also pay the service facilities charge necessary to cause the physical increase in the meter and service size.

4.10.3.9 CONVERSION.

A conversion occurs when there is a change from one type of classification to another. An example is a change from commercial agricultural to a housing tract with less than 2.5 acres per parcel and the parcel no longer meets the minimum agricultural acreage replacement. Allocation for agricultural land is allocated to the entire agricultural community. New housing tracts must purchase a housing allocation at the CFCs for each new house.

4.10.4 SERVICE CHARGES.

Service charges on every meter purchased or divided shall begin upon payment of Capital Facilities Charges, order for change of size if no CFCs involved or agreement on dividing services, whichever occurs first.

4.10.5 NEW HOUSES.

Each new dwelling structure added to any land with service from Casitas shall be required to pay CFC for a ¾-inch meter despite any allocations above.

4.10.6 SPECIAL FACILITY INSTALLATIONS.

Where the conditions of service require special facilities, as determined by Casitas, fees shall be the actual cost of furnishing and installing such special facilities. Such special facilities may include, but are not limited to, turnouts, heavy duty pipeline, fittings, and regulators required when pipeline pressures exceed 150 pounds per square inch; excess pipeline, trenching, installation of casing, and paving, when required, when the length of service pipeline required is in excess of 60 feet; or the conditions of the service require the crossing of a State highway or special equipment not normally required in the installation of individual service connections.

4.10.7 ANNUAL ADJUSTMENT OF CAPITAL FACILITIES CHARGE.

Each year, the capital facilities charge shall be adjusted by an increment based on the change in the ENR 20 Cities Average Construction Cost Index over the prior year, with the changed fee adopted by Board resolution. However, the Board may, at its discretion, determine by resolution adopted prior

thereto that such adjustment shall not be effective for the next year, or may determine other amounts as appropriate.

4.10.8 BACKFLOW PREVENTION DEVICES. The customer may be required to furnish, install and provide an annual certification for a backflow prevention device at his sole expense in compliance with the requirements as set forth in Protection of Water Supply, Section 19 of these "Rates and Regulations for Water Service".

4.11 PAYMENT OF THE FEES. The fees or estimated fees shall be paid in full at the time application is made for water service. Any adjustment of the estimated fees to actual cost shall be made within 60 days of when the service installation is completed.

4.12 CHANGE OF ACCOUNT. A new customer requesting service through an existing service connection shall make application for change of account as provided in subsection 4.4 of these "Rates and Regulations for Water Service" and deposits in Section 4.7.1.

4.13 RELOCATION OF EXISTING SERVICE FACILITIES. When a change in the location of existing service facilities is deemed necessary by Casitas, such change in location shall be accomplished at Casitas expense. When the relocation of existing service facilities is required, as determined by Casitas, as a result of action taken by the customer or when such relocation is requested by a customer for his convenience, and upon approval by the General Manager, such relocation shall be accomplished at the customer's expense using a Casitas approved contractor. In either event, the cost of reconnecting the customer's private plumbing system to the relocated Casitas-owned service facilities shall be at the customer's sole expense. Costs associated with the relocation of facilities at the customer's expense shall be determined according to standard Casitas accounting procedures.

4.14 SHUTOFF FOR NONCOMPLIANCE WITH 'RATES AND REGULATIONS FOR WATER SERVICE'. Water service may be shut off for violation of, or noncompliance with, these "Rates and Regulations for Water Service" and may be resumed only upon satisfactory evidence that violations have been corrected and that provisions of "Rates and Regulations for Water Service" have been complied with.

4.15 POLICY FOR DEALING WITH WILL-SERVE LETTERS: For the purpose of this policy, will-serve letters defined in this policy shall be only those letters which are valid promises to provide water without conditions. Without conditions means will-serve letters include all of the following requirements:

- 4.15.1 Will-serve letters say will-serve only, not conditional will serves or the like.
- 4.15.2 Will-serve letters have no conditions other than following the general rules of the agenda and requirements for water conservation devices.
- 4.15.3 All fees have been paid.
- 4.15.4 All agreements are complete.
- 4.15.5 It is a final commitment to serve.

4.15.6 The will-serve letter has an expiration date of one year from the date issues. Without the above, they are not will-serve letters.

4.16 NEW SERVICES: As a result of Casitas' declaration of the water shortage emergency, application for new services are subject to the following delays for 12 months or longer if the water shortage emergency should continue as prescribed by the Board of Directors in Resolution No. 90-43.

4.16.1 All requests for new services received by Casitas or Casitas' resale customers after the declaration of a delay shall be delayed.

4.16.2 Casitas shall honor will-serve letters issued for residential parcels prior to a delay for a period of one year from the date of issue or until one year after the day of the delay if the will-serve letter is not dated nor has no expiration.

4.16.3 Casitas will reissue confirming commitments to service for will-serve letters issued prior to the delay through the end of the calendar year in which the delay was passed with the following conditions:

4.16.3.1 The property owner can demonstrate that the re-issuance will not result in any changes in the original construction plans which could result in increased water requirements and the property owner provides Casitas with the number and type of plumbing fixtures, description of landscaping, and total estimated annual water requirements.

4.16.3.2 The structure for which a building permit has or will be issued must include water efficient plumbing devices as specified by Casitas in the reissued will-serve letter.

4.16.3.3 Residential units which request re-issuance of will-serve letters shall agree that the water allocation for the unit shall be fixed at the allocation assigned a standard 10,000 square foot residential lot. This allocation shall not be increased until the end of the delay in new services and expansion of existing services.

4.16.4 After the end of the calendar year in which the delay was passed, will-serve letters will not be reissued unless the applicant agrees to the above 4.16.3.1, 4.16.3.2, and 4.16.3.3 and one of the following conditions is met:

4.16.4.1 The property owner can demonstrate that the re-issuance will not result in any changes in the original construction plans which could result in increased water requirements and the property owner provides Casitas with the number and type of plumbing fixtures, description of landscaping, and total estimated annual water requirements.

4.16.4.2 The applicant has obtained and holds an active building permit from the appropriate land use agency.

4.16.4.3 The applicant filed an application for a building permit on or before the first of the next calendar year after the delay was passed. For those applicants who have applied for a building permit prior to January 1, 1991, and who have made normal and reasonable progress after January 1, 1991 in the building process and have secured documented evidence from the appropriate land use agency that such progress has been made. The determination of normal and reasonable progress shall be at the discretion of the land use agency.

4.16.5 Exceptions to the delay of new services or expansion of existing services for the following community services are:

- 4.16.5.1 Fire protection.
- 4.16.5.2 School classrooms
- 4.16.5.3 Hospitals.

#### 4.17. REQUEST FOR WILL-SERVE OR WATER AVAILABILITY LETTERS.

4.17.1 GENERAL. Upon request by the owner, or his designee, of any parcel of land within the boundaries of Casitas and the resolution of all water service and fire protection requirements in a manner satisfactory to Casitas, Casitas may issue letters with or without additional terms, conditions or restrictions.

Letters will not be issued for any parcel which is located within the service area of another water purveyor unless the water purveyor has granted written permission to Casitas to serve the parcel. Issuance of all Will-Serve letters by Casitas is subject to conditions 4.15, "Policy on Dealing with Will-serve Letters."

4.17.2 SINGLE PARCELS. Single parcels are defined as those parcels which are zoned so that further splits cannot be made. Water service will be provided in accordance with one of the following alternates as determined by Casitas:

4.17.2.1 INSTALL METERS ONLY. Install a metering facility to serve the single parcel. The metering facility will be installed within Casitas' right-of-way at a mutually agreeable location. This alternate assumes that the Ventura County Fire Protection District and/or Casitas are completely satisfied that adequate fire protection can be afforded to the single parcel from Casitas' existing distribution facilities.

4.17.2.2 INSTALL DISTRIBUTION FACILITIES. Install the distribution facility necessary to provide adequate fire protection and to serve the single parcel through a metering facility. This alternate assumes that the Ventura County Fire Protection District and/or Casitas require that distribution facilities be installed in order to provide domestic and fire protection to the single parcel in accordance with the Ventura County Waterworks Standards, as amended from time to time. Such facilities shall be limited where, in the opinion of the Casitas General Manager, the water quality of the service could affect the health of customers.

4.17.3 **INSTALL MASTER METER FOR ASSOCIATION.** Install a master metering facility to serve said single parcel for which the owners thereof have joined together and formed an association as described in subsection 2.6, "Association." All of the owners of the various parcels will be required to enter into an agreement for the purpose of installing said distribution and fire protection facilities at a future date. All issues relative to assignment of water allocations to owners and/or the Association are to be resolved through the agreement.

4.17.4 **FIVE OR LESS MULTIPLE PARCELS.** Multiple parcels are defined as those parcels which are being subdivided into five (5) or less lots from a single parcel. Water service will be provided in accordance with one of the following alternates as determined by Casitas:

4.17.4.1 **SEPARATE METER INSTALLATION.** Install a separate metering facility to serve each of the multiple parcels. These metering facilities will be installed within Casitas' right-of-way at a mutually agreeable location. This alternate assumes that the Ventura County Fire Protection District and/or Casitas are completely satisfied that adequate fire protection can be afforded to each of the multiple parcels from Casitas' existing distribution facilities.

4.17.4.2 **INSTALL DISTRIBUTION FACILITIES.** Install the distribution facilities necessary to provide adequate fire protection and to install separate metering facilities to serve each of the multiple parcels from the new distribution facilities. This alternate assumes that the Ventura County Fire Protection District and/or Casitas require that distribution facilities be installed in order to provide domestic service and fire protection to each of the parcels in accordance with the Ventura County Waterworks Standards, as amended from time to time.

4.17.4.2.1 **REIMBURSABLE AGREEMENT.** All of the owners of the multiple parcels will be required to enter into an agreement with Casitas for the installation of the distribution facilities described above.

4.17.5 **SUBDIVISION - FIVE OR MORE PARCELS.** Letter may be issued for any parcel which is being subdivided in accordance with the Subdivision Map Act and for which the County of Ventura requires that the developer construct the necessary water distribution and fire protection facilities as a condition for approval of the subdivision. Such letter will request that approval of the subdivision not be granted until after an agreement between the developer and Casitas has been fully executed and notice thereof has been forwarded to the County.

## **5. OWNERSHIP OF SERVICE FACILITIES**

5.1 **CASITAS-INSTALLED FACILITIES.** Casitas shall retain ownership of all Casitas-installed meters, appurtenances, and connection piping ahead of the meter. The valve on the outlet side of the meter, pressure regulators, backflow prevention devices, and other special facilities beyond the meter are considered to be owned by the customer and their proper operation and maintenance are the responsibility of the customer. Casitas regulations relating to assurances

regarding proper operation of such special facilities are set forth in Section 19 of “Protection of Public Water Supply.”

5.2 CUSTOMER-INSTALLED FACILITIES. By special agreement and with the consent of the Board, the customer may furnish and install all of the required meter installation except the meter to Casitas specifications at his sole expense in lieu of payment to Casitas of the established connection fee. Under such circumstances, the customer may be required to pay to Casitas the costs for legal services, engineering, plan check and inspection services, operation and maintenance shutdown costs, the meter and other related work occasioned by such installation. Such customer-installed facilities between Casitas' pipeline and the customer's side of the meter normally shall become the property of Casitas and shall thereafter be maintained by Casitas; provided, that where meters have been provided by a water agency customer of Casitas in connection with related features of its water system and it is deemed impracticable for Casitas to maintain the meter, then the customer shall retain ownership of such meter and shall maintain it in proper working condition. Casitas shall have the right to require the customer to test such meters for accuracy at reasonable intervals and shall have access to such meters for inspection, testing and meter reading purposes.

5.3 CUSTOMER INSTALLED REGULATORS. A regulator on the District side of the meter, maintained by the customer may be a condition of getting water service off the high pressure water main. Casitas maintains ownership of the meter, but the customer is required to maintain the pressure regulator at the customer's expense.

6. TEMPORARY WATER SERVICE. Application for temporary water service shall be made in writing on a form provided by Casitas. Temporary service is intended primarily for construction and sanitary sewer flushing purposes. Provision of temporary water service shall not be considered mandatory, but shall be made at the sole discretion of Casitas. Temporary service will not be provided in those instances where Casitas determines that a permanent service would be more appropriate. Such determination by Casitas will be based in part upon the ultimate classification of the service to the applicant. Temporary water service, including temporary irrigation service, may be provided for a maximum period of six months. Periods of time in excess of six months may be approved by the Board of Directors. Casitas may remove such service at any time for any reason. Temporary irrigation service shall comply with all the applicable portions of Section 9, Water Rates, and Section 15, “Water Supply and Interruption of Delivery.”

6.1 INSTALLATION FEE. A meter installation fee of \$50.00 shall be paid by the applicant at the time temporary water service is requested; provided, that where temporary water service is desired from an outlet other than a fire hydrant and/or special piping or other fittings are required for the connection, the installation and relocation fees shall be increased to cover the actual cost of installation. No charge shall be made to the applicant for the cost of the meter. Credit for any salvageable materials used in the installation shall be in accordance with established Casitas policy and procedure.

6.2 GUARANTEE DEPOSIT. The applicant shall be required to deposit the sum of \$100.00 as a guarantee of payment of charges for temporary water service and as a guarantee of payment for any damage to Casitas property for which the customer is liable. If the customer is a water agency, or if the customer has established good credit to the satisfaction of Casitas as stated in Subsection 4.7.1, DEPOSITS, the \$100.00 deposit may be waived by Casitas' Hearing Officer.

6.3 RELOCATION FEE. If a temporary water service customer requires service consecutively at two or more points in Casitas' system, a relocation fee of \$50.00 shall be paid by the customer for each such change of location, the cost of which shall be accrued or paid at the time of billing. Relocations will be made by Casitas upon 24 hours notice, excluding Saturdays, Sundays and holidays, by the customer.

6.4 REIMBURSABLE CASITAS FACILITIES. Temporary water or temporary irrigation service shall not be provided to property that is liable for repayment to Casitas of costs associated with financing and construction of distribution facilities to serve said property.

6.5 WATER SERVICE TO NEW SUBDIVISION. Prior to receiving any water to a new subdivision, the developer must enter into an agreement to construct additions to the Casitas distribution system. During construction, the developer may receive water from a temporary meter connected to a fire hydrant, or other approved outlet in accordance with Section 6, "Temporary Water," herein, and will be charged the rates called for in subsection 6.6, "Water Rates For Temporary Service." Prior to acceptance of the new distribution facilities by Casitas, developer will take out an application, or have an application taken out, for each service in the subdivision. Deposits will be in accordance with subsection 4.7.1, "Deposits", "Service Facility Fees" will be in accordance with subsection 4.8, "Water Rates", in accordance with subsection 9.3, and "Service Charges" in accordance with subsection 9.4.

6.6 WATER RATES FOR TEMPORARY SERVICE. The water rates and service charges for temporary service, except for temporary irrigation service shall be in accordance with Subsections 9.3.1, "Rate Schedule", and 9.4.2, "Service Charges", respectively.

6.7 DISREGARD OF "RATES AND REGULATIONS FOR WATER SERVICE". Willful disregard of these "Rates and Regulations for Water Service" or special arrangements made for temporary service shall result in immediate discontinuance of such service and forfeiture of the deposit.

## 7. PUBLIC AND PRIVATE FIRE SERVICE.

7.1 PUBLIC FIRE SERVICE. Casitas may enter into contracts for fire hydrants and the supplying of water for fire protection use to any other district, public agency, or municipality located within Casitas under such terms and conditions as may be mutually acceptable to Casitas and the agency. Water shall not be used from fire protection facilities for other than fire suppression

purposes without regular application having been made to Casitas and Casitas having approved such application.

7.1.1 FIRE SERVICE CHARGES FOR PUBLIC FIRE SERVICE. Effective July 1, 1996, the bimonthly Service Charges for un-metered fire hydrants that are maintained by Casitas shall be as follows, unless otherwise agreed to by contract:

<u>Fire Hydrant Size</u>	<u>Bimonthly Charge</u>
4"	\$43.18
6"	\$62.54

7.2 PRIVATE FIRE SERVICE.

7.2.1 APPLICATIONS FOR COMMERCIAL AND INDUSTRIAL FIRE PROTECTION FACILITIES. Casitas may grant applications for private fire service for sprinkler service or private fire hydrants. A detector-check-type meter or tattle-tail-type meter shall be required on all private fire service connections. The customer's installation must be such as to effectively separate the fire system from that of the regular water service system. The required meter installation may be installed by the customer in accordance with plans previously approved by Casitas or may be constructed by Casitas at the customer's expense. New water service connections solely for fire protection purposes shall be exempt from payment of the capital facilities charge. Any usage will require an explanation. If other than fire flow testing or fire related, Casitas may require an installation of a domestic meter. Casitas' responsibility stops at the riser of the detector check.

7.2.2 FIRE SERVICE CHARGES FOR COMMERCIAL AND INDUSTRIAL FIRE PROTECTION FACILITIES. Water used for fire suppression shall be furnished without charge. Effective July 1, 1996, the bimonthly Service Charges for private fire service shall be:

<u>Meter Size</u>	<u>Bimonthly Charge</u>
4"	\$43.18
6"	\$62.54
8"	\$84.88
10"	\$174.74

7.2.3 APPLICATION FOR RESIDENTIAL FIRE PROTECTION FACILITIES. Casitas may grant application for private fire service or private fire hydrant for residential fire protection purposes on a single parcel. A meter shall be required which will be sized to furnish the requested flow and the anticipated low flows. The customer shall pay for all costs associated with the installation of the fire service. New water service connections or connections of equal or lesser size installed for domestic or agriculture, but not resale water, thus allowing the original connections to be used solely for fire protection purposes shall be exempt from payment of the capital facilities



charge. Service installed solely for fire protection service may not be modified in the future to provide other water without payment of capital facilities charge. The customer may be required to install the appropriate backflow prevention device in accordance with the provisions set forth in Section 19, "Protection of Public Water Supply", herein. The required meter installation may be installed by the customer by agreement and in accordance with the plans and specifications as approved by Casitas or may be constructed by Casitas at the customer's expense. The customer is responsible for constructing and maintaining private fire lateral and appurtenances from the meter to said parcel. Customer shall provide separate piping for fire protection from that of other water uses, including, but not limited to, separate metering facility for other water uses, piping and backflow prevention, as required.

7.2.4 FIRE SERVICE CHARGE FOR RESIDENTIAL FIRE PROTECTION FACILITIES. All water uses on a residential fire protection facility shall be charged at the bi-monthly water rate as set forth in Section 9 herein for the temporary class of service and bi-monthly service charge as set forth for fire Service Charges for commercial and industrial fire protection installation.

8. **SURPLUS WATER**. Division 20, Part 5, Chapter 2, Section 71612 of the California Water Code provides in part that whenever the Board shall find that there is a surplus of water above that which may be required by consumers within Casitas, it may sell or otherwise dispose of such surplus water to any persons, public corporations or agencies, or other consumers. Water declared surplus to needs of consumers within Casitas shall be offered for sale to consumers only within the boundaries of Casitas. Rates and regulations for regular water service shall apply to such surplus water service, provided that any surplus water service shall be pursuant to a special service agreement establishing maximum rate of use, quantity to be purchased, duration of service, and other matters pertinent to such service which are not covered by Casitas' "Rates and Regulations for Water Service". The water rate for surplus water service shall be established by the Board for each such service at the rate charged in the zone plus a surcharge and shall be set forth in the special service agreement described above for any such service.

9. **WATER RATES**. In establishing water rates, account shall be taken of class of service, zone of use, and capacity of service.

9.1 CLASSES OF SERVICE. For rate purposes, water service shall be divided into four classes as follows:

9.1.1 CLASS 1 SERVICE. Class 1 service shall apply to services supplied with water which is used for residential, business, industrial, resale or other purposes.

9.1.2 CLASS 2 SERVICE. Class 2 service shall apply to services supplied with raw or partially treated water which is used for non-domestic purposes.

9.1.3 CLASS 3 SERVICE. Class 3 service shall apply to all services qualifying as irrigation services, as hereinafter defined, regardless of the quality of the water served.

9.1.3.1 IRRIGATION SERVICE DEFINED. Irrigation service is defined as the use of water delivered through a 1-inch or larger meter to irrigate not less than two acres in a single ownership for commercial agricultural purposes. An irrigation service which also provides water to a residence shall be billed monthly for water usage at the residential rate and at the appropriate irrigation rate for water usage, in accordance with Attachment A. An irrigation service, which does not utilize water for any residential purpose, shall be reclassified to the full irrigation water rate. Said reclassification shall be considered by Casitas, upon the customer's request. All service which does not qualify as irrigation shall be considered residential, business, industrial, resale or other service. Each irrigation service shall have an approved backflow prevention device in accordance with these Rates and Regulations.

9.1.3.2 COMMERCIAL AGRICULTURE. Commercial agricultural production shall mean the growing of crops or the raising of fowl or livestock, in conformity with the recognized practices of husbandry, for human consumption, or for the market. When requested in writing by the General Manager, the applicant for irrigation service must furnish proof satisfactory to Casitas that the agricultural production is commercial in nature.

9.1.3.3 CROP REPORT. Each irrigation service customer shall be required to file an annual crop report, on a form provided by Casitas by March 1, of each year. Such requirement for crop report is a condition for irrigation service. Any irrigation customer who fails to submit the crop report as required may, at the sole discretion of Casitas and upon 30 days written notice, have his Class 3 irrigation service changed to a Class 1 residential service. The crop report shall include pertinent information regarding the acreage under cultivation, the types of crops grown, the type of irrigation system used, the sources of water, and other related information as requested by Casitas. Such information is required as a part of Casitas' requirement to furnish an annual crop report to the United States Bureau of Reclamation agreed thereto in the repayment contract.

9.1.3.4 COMPLIANCE WITH RECLAMATION ACT OF 1902 AS AMENDED AND THE RECLAMATION REFORM ACT OF 1982. Each irrigation service customer shall be required to comply with the provisions of the Reclamation act of 1902 as amended and the Reclamation Reform Act of 1982. Such provisions include the completion and submittal, by each irrigation service customer, of land ownership, excess lands, ownership entitlement, water conservation or other related reports, certifications and/or documents as requested by Casitas and set forth in the Reclamation Act of 1902 as amended and the Reclamation Reform Act of 1982. Because the Ventura River Project is a project constructed by the U.S. Bureau of Reclamation under the laws of the Reclamation Acts noted above, said requirements are a condition for irrigation service by Casitas. Any irrigation customer who fails to complete and submit said reports, information and/or documents as required, shall receive thirty (30) days notice of his default, in writing, and thereafter his Class 3 irrigation service will be changed to a Class 1 residential service. The irrigation service customer shall be responsible for the timely maintenance and updating of the information provided to Casitas and remedy invalid information in order to comply with said Acts.

The irrigation service customer shall comply with the limits to irrigation water application as provided by the Acts.

9.1.3.5 No expansion of agricultural service will be permitted during the period of water shortage emergency.

During a period of the water shortage emergency, lands classified by the U. S. Bureau of Reclamation as Class 1-4 and not previously irrigated regularly, will not receive water from Casitas. All such Class 1-4 lands must have been under regular irrigation prior to the declaration of the water shortage emergency unless a request for such expansion was submitted to Casitas for consideration prior to the water shortage emergency or delay.

Under no circumstances will expansion of irrigation usage onto Class 6 lands be permitted.

9.1.3.6 Trees and crops which have been damaged within the past two years may be replaced upon approval by Casitas. Application outlining crop type, acreage, and schedule of replacement must be filed with Casitas prior to replacement.

9.1.3.7 U.S. BUREAU OF RECLAMATION FEES AND FULL WATER COST CHARGES.

Each irrigation service shall be responsible for the payment of any fee or full charge that is applied by the Bureau of Reclamation for the failure of an irrigation service to follow and comply with the requirements of the Reclamation Act of 1902 and Reclamation Reform Act of 1982, and amendments thereto, or other reporting requirements of the Bureau of Reclamation. The irrigation service shall be invoiced said fees and/or charges by Casitas, the irrigation customer shall pay said fees and/or charges in accordance with Section 10.2. "Payment". Upon receipt of the payment from the irrigation customer, Casitas will forward said fees and/or charges to the Bureau of Reclamation.

9.1.4 COMBINATION (CLASS C) SERVICE. Class C service shall apply to mutual water companies needing a water supply allocation from DOHS-type services supplied with more than one class of service through a single connection. For those combination (Class C) services having irrigation services, the agency shall submit annual crop reports and landholding reports for each of its irrigation customers to Casitas in compliance with subsections for Class 3 Service of these regulations. Where more than one class of water service or use is provided through a single connection, the General Manager shall make an equitable pro-ration of rates and fees, which pro-ration shall be conclusive unless appealed within 30 days by the customer to the Board, in which case the determination of the Board shall be conclusive. The resale rate shall not be combined with any other rate.

9.2 ZONE OF USE. It is the intention of Casitas that rates for water take into account the cost of electrical energy required to raise the water above the level of Casitas Reservoir. To this end, two rate zones, known as gravity zone and pumped zone, are hereby established.

9.3 WATER RATES. Some customers are billed monthly and others are billed bimonthly. The water rates schedule shall remain in effect as amended until further revision. The water rates for the respective classifications, zones, and capacities of service are hereby established as shown on Attachment A:

#### 9.4 SERVICE CHARGES.

9.4.1 A Service Charge shall be paid by each customer for each billing period during which a service connection exists. Such charge for any billing period in which such a connection has existed for less than the whole of such period shall be prorated. Such charge shall not entitle the customer to any quantity of water and is in addition to the charges set forth in subsections 9.3. The Service charge will be based on the meter size as set forth in the rate schedule in Attachment A. Service connections exist on the date of approval of the Application for Service. Service Charges are billed from the date that service application is made by the customer.

9.4.2 MULTIPLE SERVICE CONNECTIONS. Where a customer obtains service through more than one service connection, each such connection for billing purposes shall be treated as a separate service. In the interest of providing uninterrupted service, or for some other valid reason, two or more meters may be installed in parallel to measure the flow through a single service connection. For purpose of determining the service charge, such installations shall be treated as a single meter of a capacity that would provide an approximately equivalent maximum flow.

#### 9.5 SUPPLEMENTAL COMMODITY RATE FOR AGRICULTURE.

9.5.1 SUPPLEMENTAL AG WATER RATE. The Supplemental Ag Water Rate are charges based on when there is use of water and no charges are based upon fixed cost or sizes of meter.

9.5.2 COST OF SUPPLEMENTAL AG WATER RATE. The commodity rate for Supplemental AG water service is equal to the cost for agriculture plus the power delivery costs for agriculture. The full cost for agriculture equals the cost of service to irrigation customers less power, divided by the usage of irrigation customers. The power cost for delivery in the following zones will be re-evaluated periodically and the adjustments to the Supplemental Ag water rate be established annually in Attachment B..

9.5.3 APPLICATION FOR THE SUPPLEMENTAL AG WATER RATE. In order for an agricultural customer to receive the all-commodity rate the Supplemental AG Water Rate, the customer shall apply to Casitas for that rate. The customer shall stay in the supplemental ag water rate a minimum of five years. The supplemental Ag water rate shall be renewed upon expiration of the agreement automatically unless there was notice to the contrary by the customer or the District.

9.5.4 AVAILABILITY OF RATE. As a result of Board action taken on November 18, 2009, the current agreements for the Supplemental Commodity Rate for Agriculture are to be terminated as each agreement reaches its five-year term and there will be no new agreements issued

for this rate. This rate is not available to resale customers or agricultural customers who receive a pass through from a resale customer. Agricultural customers with more than one service from Casitas to a single property or to customer pipeline interconnected properties or who receive water from another agency that has another Ag rate shall not be eligible. In general, a customer may not be connected to Casitas and be able to obtain two different rates for agricultural water.

9.5.5 RE-EVALUATING ENTIRE PROPERTY. Upon application for the flat rate for the all-commodity Supplemental AG Water Rate for agriculture, Casitas will re-evaluate the entire property should that property have combination uses. If the evaluation indicates that the property has a more intensive use of residential or other uses than previously determined, Casitas shall make an estimate of what that residential use is, shall assign an appropriate allocation, and shall charge that customer at the residential rates for that amount of water prior to implementing the all-commodity rate for agriculture. Casitas shall, no more frequently than every two years, re-evaluate that customer's premises to ensure that the customer is paying the proper amount.

9.5.6 ELIMINATION OF THE SERVICE CHARGE. The supplemental ag water rate customer shall have the service charge removed from the bill. The service charge shall remain removed from the bill until that customer or the District terminates the all-commodity rate.

9.5.7 WATER SERVICE CONVERSION UPON TERMINATION OF THE SUPPLEMENTAL AG WATER RATE. Upon termination of the Supplemental Ag Water Rate agreement, the customer shall inform in writing within ten (10) days after the agreement termination date whether the customer desires to continue the water service or terminate water service. The customer's failure to notice the District within ten days shall result in the service being billed the monthly service charge and for water usage at the applicable water rate. The conditions of water service, restoration of water service, and application for temporary water service shall be in accordance with the Casitas Rates and Regulations for Water Service.

## 10. **BILLING AND COLLECTION CHARGES.**

10.1 WATER SERVICE. Bills for water service shall be rendered either monthly or bimonthly as determined by the General Manager.

10.1.1 SURCHARGES ON WATER BILL. Bills covering amounts due as scheduled for collection as a surcharge on water service shall be rendered as a separate charge on the bill for water service.

10.1.2 CLOSING BILLS. Closing bills shall be prepared upon request of the customer, upon change of account, or upon discontinuance of service for nonpayment of a delinquent bill.

## 10.2 PAYMENT

10.2.1 DATE DUE. Amounts due Casitas pursuant to bills rendered in conformance with subsection 10.1, ‘Water Service’, above shall be due and payable upon deposit of said bills in the United States mails addressed to the customer at the mailing address designated by customer or presented to the customer.

10.2.2 DELINQUENCY. Payment for water service shall become delinquent 30 days following the date of billing. When the bill becomes delinquent due to non-payment, a delinquency percentage equal to ten percent (10%) of the bill shall be added to the bill. Within ten (10) days after the delinquent date has passed, a shut-off notice hanging tag (48-hour notice of shut off) shall be hung on the door, or for a multi-residential structure, the tag shall be given to one of the residents if the manager cannot be found. If the bill remains unpaid after the tag is hung, a charge of twenty dollars (\$20.00) shall be made for hanging the tag. Two days later shall be the shut off day. Shut offs shall be made for all services remaining unpaid two days following the hanging of the tag. A charge of twenty dollars (\$20.00) shall be made for each service shut off if the bill remains unpaid.

10.2.3 RESTORATION OF WATER SERVICE. In order to restore water service following turn off for non-payment, the customer shall be required to pay the twenty dollar (\$20.00) turn-on charge in addition to water service charges which have become delinquent pursuant to subsection 10.2.2, “Delinquency”, and 10.2.4 “Remedies for Non-Payment Charges”. In the event that payment is by check which is subsequently returned by the bank for any reason, the aforementioned turn-off charge shall again be added to the customer’s account in addition to the returned unpaid check charge provided for in paragraph 10.2.5, “Returned Checks”.

No service will be turned off on weekends or holidays, or the day preceding said weekend or holiday.

10.2.4 REMEDIES FOR NONPAYMENT. The General Manager may institute action in any court of competent jurisdiction, cause the delinquent amount to be added to and become a part of the annual tax levied upon the property in accordance with Section 72094, et seq. of the California Water Code, and/or take any other steps to effect collection for services rendered by Casitas.

10.2.5 RETURNED CHECKS. Should a check be returned by a bank for any reason, the customer shall be charged \$30.00 for each such check returned.

## 11. BILLING ADJUSTMENTS.

### 11.1 TYPES OF ADJUSTMENTS.

11.1.1 DISPUTED BILLS. A customer may request Casitas to review a water bill by following the procedures in Section 11.2.

11.1.2 NONREGISTERING METERS. Should any meter in service fail to register during any billing period or a portion thereof, the customer shall be billed for the estimated use of water during such period as determined by Casitas after consultation with the customer.

11.1.2.1 ADJUSTMENT FOR NON-REGISTERING METER: If the meter is mis-registering or is non-registering the water usage will be averaged. The average usage will be calculated by averaging the usage (units used), for the previous two billing periods and the previous billing a year ago, same time period, using 33%, 33% and 34% respectfully. These percentages total 100% and become the usage for the averaged period.

### 11.1.3 LEAK ADJUSTMENT.

11.1.3.1. Qualification for Leak Adjustment: In order to qualify for economic relief from water leaks, the request for leak adjustment must be submitted in writing, with appropriate documentation, by the customer within one year of the leak occurrence. The usage during the period of the leak must be at least twice the average of the three year historical usage for any leak relief to be considered. No leaks may have occurred for the requesting customer for the previous five years. The Leak Adjustment provision is provided only to the Residential classification.

11.1.3.2. Documentation: The customer is responsible for providing to the District adequate written and pictorial documentation to prove the leak occurred and has been repaired. The documentation shall include, but not be limited to repair receipts from a plumber, receipts for materials used in the repair, pictures of the leak and/or repair, and any other evidence that the leak has been repaired.

11.1.3.3 Substitution of Larger Leaks: A person may substitute a larger leak for a smaller leak during the 5-year period but must refund the amount of the smaller leak adjustment and the five-year period begins with the new, larger leak.

11.1.3.4 Leak Adjustment Calculation: The Leak Adjustment calculation is the difference in the quantity of water of the 4-month leak period, less the average of the same period in the prior three years. This water cost amount that is determined to have been the leak is divided by two, equally splitting the District's calculation of the water cost that is eligible for leak adjustment between the customer and the District.

11.1.4. OTHER ADJUSTMENTS. Should other adjustments become necessary because of actions by the District, such as the District causing a leak or a meter mis-registering or a non-registering meter; the General Manager can adjust those issues.

## 11.2 PROCEDURE

11.2.1 NOTIFICATION TO CASITAS. If a customer believes his/her bill to be in error, he/she shall so advise Casitas, setting forth the basis for the claim.

11.2.2 TIME LIMIT. Within 60 days from the billing date, the customer shall deposit the full amount of the bill with Casitas together with a statement of reasons for believing the bill to be in error.

11.2.3 ADJUSTMENT BY BILL HEARING OFFICER. The Bill Hearing Officer shall have the authority to make such adjustment in the disputed bill as he feels is appropriate in the circumstances up to \$500.00. Amounts over \$500.00 require the approval of the General Manager. Should the customer and the Bill Hearing Officer or the General Manager fail to agree on the amount to be paid to Casitas on account of the disputed bill, the customer shall have the right to appeal the matter to the Board for settlement.

11.2.4 ADJUSTMENT BY BOARD. The procedure for appeal to the Board shall be as follows:

11.2.4.1 WRITTEN NOTICE. After receiving said deposit and statement, Casitas shall give written notice to the customer of the date and time of the meetings at which the bill will be considered by the committee and/or Board.

11.2.4.2 PRESENTATION OF EVIDENCE. The customer or the customer's representative may appear at said meeting of the Board and present whatever evidence he/she may have concerning the alleged error in the bill.

11.2.4.2 BOARD DETERMINATION FINAL. The Board shall consider the alleged error and give its decision within 30 days after the conclusion of said meeting. The decision of the Board shall be final and conclusive.

## 12. **DISCONTINUANCE AND RESTORATION OF SERVICE.**

12.1 SHUTOFF FOR TEMPORARY PERIOD OF NON-USE. For the convenience of all residential services 1 inch and smaller, the service may be discontinued at the request of the customer for a temporary period of non-use.

12.2 ARRANGEMENT FOR DISCONTINUANCE OF SERVICE. Water service will be turned off on the date requested by the customer, provided 72 hours advance notice, excluding Saturdays, Sundays and holidays, is furnished to Casitas. Turn offs are normally made on Mondays and Thursdays. The customers shall be held responsible for all service rendered to their premises until the date of turnoff specified in a notice to Casitas. For services larger than 1 inch, the meter shall be removed when service is discontinued and customers requesting their service be discontinued shall sign a statement that indicates that they acknowledge that they are giving up their allocation. All services shall have the meter removed when the owners request in writing that they wish to discontinue the service, the owner shall be required to sign a form indicating the service will be discontinued, which will mean termination of the allocation and the removal of the meter



12.3 DISCONTINUANCE OF VACANT SERVICE. When a service becomes vacant with no consumption for over sixty (60) days, the District shall contact the owner by registered mail, return receipt requested, to determine whether the owner wishes to continue the service by paying the service charges or if the owner wishes to discontinue the service as in Subsection 12.1 above. If the owner does not respond within an additional sixty (60) days, the General Manager may discontinue the service and have the meter removed.

12.4 ADVANCE NOTICE. Regardless of whether restoration of service is requested by a current customer or a new customer, Casitas shall be provided a minimum of 72 hours notice, excluding Saturdays, Sundays and holidays, in advance of such restoration of service.

12.5 RESTORATION OF SERVICE. Restoration of a service shall require the payment of all service charges, as set forth in subsections 9.4.1, "Service Charges", and 9.4.2, "Rate Schedule", for the period from the date of discontinuance of service to the date of restoration, or the payment of a new meter connection fee, whichever is the lesser. Restoration of a service that has been formally discontinued by the customer shall require the payment of all application fees, capital facility charges, and service facility charges as set forth for a new meter installation.

12.6 DEDUCTIONS. If service is discontinued for any reason, deductions may be made from customer's guarantee deposit to cover any unpaid bill due at time service was shut off, in which case service shall not be resumed until the deposit is restored to the original amount.

12.7 FORECLOSURE: In those instances where service is discontinued due to a foreclosure, the allocations shall remain with the property. The meter shall not be removed, the General Manager can place a lien on the property to recover outstanding charges and the new owner will not have to pay back service charges.

12.7.1 APPLICATION FOR SERVICE BY A REALTOR: Criteria for transferring water service(s) out of previous owner, on foreclosed (Bank Owned) property ONLY, into Realtor and/or Agent name:

Written Authorization: Realtor and/or Agent must provide to CMWD written authorization from Financial Institution owning property (Asset Management Department or Bank) naming the Realtor and/or Agent stating property service address and effective date, assigning them as responsible party.

Application for service: must be filled out with responsible party's signature and submitted with all deposits, charges and fees prior to turning service on.

Turn On Fee: \$20.00 (Non Refundable)  
Turn Off Fee: \$20.00 (Non Refundable)

12.7.2 SERVICE DEPOSIT: Service Deposit can be waived if customer has previous good standing credit for one year continuously with CMWD. Service Deposits are applied to or refunded if applicable to the balance when service is turned off, or after

one year of good credit history. Service Deposits are per meter size:

- \$ 60.00 – up to 1”
- \$100.00 – up to 2” Residential
- \$150.00 – up to 2” Agricultural
- \$200.00 – up to 3” or Larger

12.7.3 SERVICE CHARGE DEPOSIT: Service Charge Deposit is taken at time of application for water service. The Service Charge is billed either Monthly or Bi-Monthly depending on Created on Classification of the Customer and are determined by meter size. When service is disconnected, the Service Charge will be pro-rated. Realtor and/or Agent will be responsible for all Service Charges as long as the service is in their name. See 9.4.1 Service Charges for current Service Charge Rates.

12.7.4 CONSUMPTION: Realtor and/or Agent will be responsible for all water used while the service is in their name. Meter reads will be taken at the beginning of service, monthly or bi-monthly (depending on Classification of Customer) and at the end of service to determine the usage of water.

### 13. **METER TESTS.**

13.1 REQUEST FOR TEST. A customer who believes that the water meter serving the customer’s premises is not accurately measuring the water delivered may request a test of the meter. When such a test is requested, the customer is required to pay a meter test fee to partially offset the cost of the test. The schedule for meter tests is as follows:

<u>Meter Size</u>	<u>Amount</u>
5/8" through 2"	\$ 16.00
3" and larger	62.00

If Casitas believes that a meter is inaccurately measuring the water delivered to a customer's premises, it may initiate a test of the meter to determine its accuracy. In the case of Casitas-initiated tests, the customer is not charged a fee.

13.2 TEST RESULTS. If the meter is found to be registering at a rate less than 95 percent of true flow or greater than 105 percent of true flow, appropriate adjustment of the customer's water bills for the immediately preceding four months will be made, and the customer's account credited or charged, as determined by Casitas to be appropriate in light of the test results. If the test shows registrations outside the limits set forth above, the meter test fee shall be refunded.

### 14. **DISTRIBUTION FACILITIES.**

14.1 ALTERNATE PROCEDURES. Whenever extension of the water system is required because the lands to be served do not lie along a pipeline of adequate capacity or proper pressure, or special facilities for water service are required, the works may be installed in accordance with one of the following procedures:

14.1.1 PAYMENT AT TIME OF APPLICATION. The works may be installed by Casitas with the cost associated with service to the applicant's property paid by the applicant in accordance with payment of "Service Facility Charge" under subsection 4.9.

14.1.2 INSTALLATION BY CUSTOMER. The works may be financed and installed by the applicant in accordance with plans and specifications previously approved by Casitas. The applicant may be required to pay to Casitas the cost of engineering and inspection services incurred in connection with the works. Customer must enter into a binding, written agreement with Casitas prior to proceeding with the work.

## 15. WATER SUPPLY AND INTERRUPTION OF DELIVERY.

15.1 LIABILITY. Casitas will attempt to deliver to customers a continuous and sufficient supply of water at the meter. Casitas, however, shall not be liable for interruption of service or shortage or insufficiency of supply or for any loss or damage occasioned thereby.

15.2 REPAIRS AND IMPROVEMENTS. For the purpose of making repairs or installing improvements to the system, Casitas shall have the right to temporarily suspend the delivery of water. Casitas may notify customers in advance of such action, except in cases of emergency. Repairs or improvements may be performed during regular working hours except in the case of emergencies as defined by Casitas. Casitas shall not be liable for any loss or damage occasioned by such suspension of service.

## 15.3 WATER EFFICIENCY AND ALLOCATION PROGRAM FOR EXTENDED DROUGHT PERIOD AND WATER SHORTAGES.

15.3.1 The Water Efficiency and Allocation Program shall establish, through a staged process, Casitas' customer allocation program and associated rate schedules, which will result in a balance between supplies and demand through an equitable distribution of the existing supplies.

### 15.3.2 IMPLEMENTATION

15.3.2.1 This program shall be implemented in five stages. Stage 1 is voluntary water conservation and was implemented on April 11, 1990.

15.3.2.2 Stage 2 allocations shall be implemented upon adoption of this ordinance. Associated Stage 2 water rates shall be implemented at the discretion of the Casitas Board of Directors based upon the General Manager's report on current water storage, current water use, weather conditions, and recurrent hydrologic conditions of the local ground water basins.

15.3.2.3 Stage 3 may be implemented at the discretion of the Casitas Board of Directors based upon the General Manager's report as stated in 15.3.2.2 above and an evaluation of the Stage 2 measured success or assessed potential to achieve the objective of this program.

15.3.2.4 Stage 4 may be implemented at the discretion of the Casitas Board of Directors based upon the General Manager's report as stated in 15.3.2.2 above and an evaluation of Stage 2 and Stage 3s measured success or Stage 2 and Stage 3s assessed potential to achieve the objectives of this program.

15.3.2.5 Stage 5 may be implemented in the event Lake Casitas' storage is reduced to 65,000 acre feet or less. Stage 5 may remain in effect until Casitas' storage reaches 90,000 acre feet.

15.3.2.6 The Board of Directors may at their discretion implement a lesser stage of this ordinance based upon the General Manager's report and the assessed potential of the lesser stage to achieve the objectives of this program.

15.3.3 CUSTOMER CLASS: Customer class shall be defined by Type of Service and the customer's demonstrated compliance with prescribed water efficient and/or water saving practices. Each service account shall qualify for no more than one classification at any time.

15.3.3.1 TYPE OF SERVICE: Casitas provides water service for seven basic types of service. These types of service are Agriculture, Business, Resale, Residential, Temporary, Emergency and Inter-departmental as defined in Section 2, "Definitions":

#### 15.3.4 RATES.

15.3.4.1 ALLOCATION: Each customer, except as noted in Section 15.11, "Priorities", shall receive a water allocation measured in Units of Water for a defined period of time based upon Type of Service as shown in Tables 1-14, which may be modified by Section 15.3.14, "Allocation Changes". Allocation shall not mean an entitlement or imply a water right.

15.3.5 SERVICE CHARGES: A service charge shall be applied to each Unit of Water allocated each month or to one-twelfth of the annual amount. This charge shall reflect the fixed costs of providing production, storage, and maintaining service of the allocation to the customer. Upon implementation of stage 2 of the Water Efficiency and Allocation Program, service charges specified in Section 9.4.2, "Rate Schedule", shall be replaced by applicable service charges for each Type of Service as shown in Tables 1 through 14. If a customer of a Type of Service has no allocation, the service charge shall be based on the size of meter charge contained in the Rates and Regulations for water service.

15.3.6 WATER RATE: Upon implementation of Stage 2 thru Stage 5 of the Water Efficiency and Allocation Program, water charges specified in Sections 9.3.1, 9.3.2, 9.3.3, Rate

Schedule, shall be replaced by a charge per unit of water purchased each billing period shall be applied based upon delivery and other variable costs for each Type of Service as shown in Tables 1 through 14.

15.3.7 DISCOUNTS: The water rate shall be discounted by “Water Use” divided by allocation. The maximum discount for each Type of Service as shown on the applicable Tables 1-14 are based upon each Type of Service’s conservation potential.

15.3.8 EXCESS WATER USE CHARGES: In the event water use exceeds the water allocation, the water rate shall be increased in proportion to excess water use by dividing water use by allocation and multiplying the result times the rate. The result shall not exceed two (2.0).

15.3.9 TIERS: In addition to excess water use charges, a multiplier shall be applied to customer charges for repeated use of water above the customer’s allocation.

15.3.9.1 TIER 1: Tier 1 multiplier shall be 1.0 and shall apply to all Types of Service and subclasses whose water use does not exceed the water allocation by more than 10% rounded to the lowest whole unit or four units per month, whichever is greater, in any allocation period.

15.3.9.2 TIER 2: Tier 2 multiplier shall be 2.0 and applied to all Standard Class Types of Service accounts in Stages 3 through 5 that exceed the allocation by more than 10 percent, or 4 units per month, whichever is greater in two or more months during the same water year.

15.3.9.3 TIER 3: Tier 3 shall be 5.0 and applied to all Standard Class Types of Service accounts in Stages 4 through 5 which exceed the allocation by more than 10 percent, or 4 units per month, whichever is greater for three or more months during the same water year.

15.3.9.3.1 If, at the end of each fiscal year the customer’s total water use has not exceeded their total annual water allocation by more than 10%, all excess water use charges resulting from the application of Tier 2 and Tier 3 multipliers shall be credited to the account.

15.3.10 BILLING EQUATION: As an example of the billing equation, the following water bill would apply to a Stage 2 Standard Residential account with a 20-unit monthly allocation with water use of 18 units:

Water Charge: 18 units X \$1.631 water charge =	\$29.36
Discount on	
Water Charge: 18 Units divided by 20 units	
20 unit allocation =	.90
Net Water Charge: 29.36 X .9	= \$26.42
Service Charge: 20 unit Allocation -	

	10 Unit Lifeline X \$0.78 =	7.80		
TOTAL WATER BILL:	\$26.42 + \$7.80	=		\$34.22

The following example would apply to a Stage 3 Standard Residential Account with an allocation of 20 units, water use of 28 units, and which has exceeded the allocation for two or more Billing Periods:

Water Charge: 28 Units X \$1.787	=		\$50.04	
Excess Water Charge: 18 units divided by 20 units				
20units =		1.40		
Net Water Charge: \$50.04 X 1.40 X Tier 2	=		\$140.11	
Service Charge: 20 Units Allocation -				
1 Unit over Lifeline X \$0.90	=		16.20	
Total Water Bill	=		\$156.31	

15.3.11 CUSTOMER CLASSIFICATION TABLES: The following customer classifications are available to Casitas’ customers. The requirements for each classification, the associated allocations, and water rate schedules are contained in Tables 1 through 14 and herein made a part of this ordinance.

<b>RESIDENTIAL</b>	<b>Table No.</b>
Standard Residential	1
Residential Conservation	2
Standard Multi-Residential	3
Multi-Residential Conservation	4
Large Residential	5
<b>AGRICULTURE</b>	
Standard Agriculture	6
Agriculture Conservation	7
<b>RESALE</b>	
Standard Resale	8
Resale Conservation	9
<b>BUSINESS</b>	
Standard Business	10
Business Non-Irrigation Conservation	11
Business Irrigation Conservation	12
<b>TEMPORARY SERVICE</b>	13
<b>EMERGENCY SERVICE</b>	14

15.3.12 **EMERGENCY FIRE PROTECTION:** In the event customers exceed their allocation as a result of a fire, the customer shall be charged the regular water rate assigned their classification. The customer shall not be subject to rate increases as a result of water use for fire protection. Customer has the obligation to provide evidence of such use at the time of such use.

15.3.13 **CHANGES IN TYPES OF SERVICE.**

15.3.13.1 The customer may qualify for a change in Type of Service which results in a lower annual water allocation at any time.

15.3.13.2 Customers' requests for a change in Type of Service which results in a higher annual water allocation shall be granted based upon availability of water supply, but only once per customer.

15.3.13.3 Customers reclassified as a result of a failure to meet ongoing classification requirements shall be subject to all of the Rates and Regulations of the reclassification, but shall not receive any allocation changes which result in net increase in the total annual allocation.

#### 15.3.14 ALLOCATION CHANGES.

15.3.14.1 A customer may request and receive a reduced water allocation at any time throughout the program.

15.3.14.1.1 Residential or business customers who have no 1989 recorded water use, or only partial 1989 water use, shall receive an allocation based upon an analysis of the historical water use available, size of property, and the allocations provided similar properties within Casitas' service area. In order to obtain a review of the allocation, the property owner shall submit a request for review to the Water Conservation Supervisor.

15.3.14.2 A residential customer may, at any time throughout stage 2 through stage 5 of the Allocation Program, request and receive the next largest residential allocation on a one-time-only basis as long as the customer's need is not due to an expanded or new use requiring a building permit.

15.3.14.3 Business customers may, at any time throughout stage 2 through stage 5 of the Allocation Program, request and receive an increase in water allocation by meeting all of the following criteria:

15.3.14.3.1 The need for an allocation increase must be the result of verifiable increases in production, sales, or service volume.

15.3.14.3.2 The need for an increased allocation does not require an increased "service size".

15.3.14.3.3 The increase in water allocation requirement is not the result of the expansion or replacement of existing buildings, landscaping, or decorative fixtures.

15.3.14.3.4 The increase in water allocation shall not be greater than 20% of the 1989 water use.

15.3.14.3.5 The total increase in allocation may not exceed an annual amount of five (5) acre feet.

15.3.14.4 The Casitas Board of Directors reserves the right to alter allocations for any customer class at any time.

15.4 AGRICULTURAL ALLOCATIONS: Customers in the Agricultural Type of Service shall be allocated a collective water allocation equal to 80 percent of 1989 Prime agriculture and Irrigation class water sales. Individual water allocations for agricultural customers shall be developed based upon the qualifying acreage, that is, planted lands served by Casitas and under irrigation during 1989 and prior to April 11, 1990 less water from sources other than Casitas.

15.4.1 STANDARD AGRICULTURE SUBCLASS: Customers choosing not to qualify for Conservation Class service shall receive no allocation. Water shall be provided on demand subject to availability.

15.4.2 AGRICULTURE CONSERVATION SUBCLASS: Each qualifying acre shall receive an allocation based upon each year's evapotranspiration requirement for the crop in place in 1989 and adjusted for soil type, annual rainfall, local climate conditions, and irrigation system uniformity distribution less water from sources other than Casitas.

15.4.2.1 The standard for determining the evapotranspiration shall be the Penman Equation. The constants used to adjust the result of the standard equation for crop type, effective rainfall, soil type, and distribution uniformity shall be developed based upon the conclusions of studies conducted by the Department of Water Resources, University of California, and Casitas. These constants shall be subject to adjustments as new and additional information is made available to Casitas through the term of this ordinance. The degree of flexibility in arriving at the appropriate adjustments shall be governed by the total long-term water requirements for agriculture. Those estimated long-term requirements shall not exceed the total agriculture water allocation.

15.4.2.2 EVAPOTRANSPIRATION (ET) DATA: Actual ET values shall be collected from the East Ojai and Rincon weather stations daily and the total values accumulated. Effective rainfall will be deducted from the values. Additional weather stations may be included at a later date. In the event one or both stations fail to report, Casitas shall estimate the ET value based upon correlations with other available data. Casitas may provide daily ET information; however, Casitas shall not be liable for interruptions in the reporting process. The data developed by Casitas' approved station is developed as a benchmark for managing supplies. Casitas recognizes that inaccuracies and disputes over methods of measurement and calculation shall occur. However, Casitas shall be the sole judge of the source and method of calculation.

15.5 RESERVE ALLOCATIONS: Customers in the Conservation Subclass who are provided reserve allocations shall be subject to the following criteria and limitations for the use of such allocations:



15.5.1 A reserve allocation is water which is set aside by a customer for use during periods when the customer's alternate water sources are not fully available.

15.5.2 The customer establishes a reserve allocation by agreeing to annually set aside a portion of the customer's total annual allocation for a period of at least 5 years but not more than 20 years. Each qualifying customer's water reserve shall be replenished in full equal to the amount annually set aside, multiplied by the number of years agreed upon, each time Lake Casitas reaches maximum storage.

15.5.3 Customers qualifying for water reserves shall receive water reserves proportional to Lake Casitas storage on the date the application for a reserve is approved. Both the term of the reserve to be set aside and the total reserve shall be in proportion to the amount of water stored. No application for reserves will be accepted when total storage is at or below 65,000 acre feet.

15.5.4 Customers shall evaluate the reliability of their sources of water supply and determine an adequate reserve for their individual needs. Customers may elect to set aside water for reserve by requesting the reserve in writing to Casitas. Casitas, however, shall have the right to limit the total volume of water reserves.

15.5.5 Customers in the Resale Type of Service who purchased negligible or no water from Casitas in 1989, as determined by Casitas, may apply for an annual reserve allocation up to a maximum of 1/20<sup>th</sup> of 80 percent of 1989 water from "Sources Other Than Casitas."

15.5.6 Agricultural customers who purchased little or no water in 1989 may qualify for a maximum reserve of 1/20<sup>th</sup> of the average annual evapotranspiration requirement for the customer's total qualifying acreage as defined in Section 9.1.4, "Class 3 Service".

#### 15.5.7 USE OF WATER RESERVES.

15.5.7.1 Water reserves shall be used by the customer when purchases from Casitas exceed the annual water allocation, and the sum of Casitas' purchases and water from "Sources Other Than Casitas" does not exceed eighty percent of the 1989 totals.

15.5.7.2 Agricultural water reserves shall be used by the customer when purchases from Casitas exceed the annual water allocation per Section 15.4 and the sum of Casitas purchases and water from "Sources Other Than Casitas" does not exceed the total per acre ET based water allocation. Data on water from "Sources Other Than Casitas" shall be supplied to Casitas based upon qualification in the Conservation Class acceptable to Casitas.

15.5.7.3 Reserve water purchases by the customer under the above conditions shall be billed at the base rate for the appropriate Type of Service and the customer shall receive no excess water use charges.

15.5.7.4 If the customer is reclassified from Conservation to Standard Subclass, and the customer has water remaining in reserve, the reserve shall be held by Casitas for two years or until the customer qualifies for the Conservation Subclass, whichever comes first, after which time the reserve shall be forfeited.

15.5.7.5 If a customer re-qualifies for the Conservation Subclass within the two-year period referenced in the preceding part, the reserve allocation shall be reinstated minus any Purchases during the period which exceeded the total allocation.

15.5.7.6 Unless the customer applies for a reserve change in its reserve agreement, the reserve allocation shall be automatically reestablished each time Lake Casitas spills and at the end of the term of the customer's reserve agreement.

15.6 WATER BANKING: Water banking is water delivered to Casitas by customers with an express written agreement with Casitas for the banking of water. The intent of banked water is to reduce the use of Casitas water when other sources are available. The specific terms and conditions of water banking are governed by a separate agreement not contained herein. This ordinance, however, governs the use of banked water as it relates to water allocations. The conditions of banked water use are as follows:

15.6.1 Banked water shall be considered water from "Sources Other Than Casitas".

15.6.2 Banked water shall not be used when total production that is the sum of "Sources Other Than Casitas" and purchases from Casitas exceeds 80% of 1989 totals.

15.6.3 Banked water may be used to offset purchases from Casitas within the customer's water allocation and may be used to supplement production from "Sources Other Than Casitas."

## 15.7 APPEALS PROCESS.

15.7.1 CLASSIFICATION APPEALS: Customers denied a request for a Type of Service change may request a review of the request by submitting a written appeal to the designated Water Conservation Supervisor stating the nature of the appeal. The appeal shall be reviewed by the Water Conservation Supervisor and the Principal Civil Engineer and a final recommendation reported to the General Manager. Decision of the General Manager shall be reported to the customer in writing and to the Casitas Board of Directors.

15.7.2 ALLOCATION APPEALS: Customers who are denied a request for increased allocations may request a review by submitting a written appeal to the designated Water Conservation Supervisor stating the nature of the request. The Water Conservation Supervisor shall review the appeal and related information and prepare a recommendation for the General Manager. The General Manager's decision on the appeal shall be reported to the customer in writing and to the Casitas Board of Directors.

15.7.3 WATER BILL APPEAL: Customers wishing to appeal a water bill for reasons other than billing errors or a meter malfunction must submit their appeal to the General Manager, who shall review the nature of the appeal and submit his recommendation to the Casitas Board of Directors for final approval.

15.7.4 BILLING ERRORS: Appeals resulting from billing errors or meter malfunction may be submitted to the Bill Hearing Officer and resolved upon verification of the error.

15.7.5 APPEALS TO BOARD OF DIRECTORS: Nothing in this ordinance shall restrict or prevent any customer from appealing to the Casitas Board of Directors.

#### 15.8 USE OF CASITAS WATER AND WATER ALLOCATIONS.

15.8.1 Water allocations provided by Casitas are assigned to properties or water purveyors and are not transferable from one property or water purveyor to another.

15.8.2 Casitas water allocations shall not be sold, bartered or traded by Casitas' customers.

15.8.3 Casitas water shall not be transported from the property or any agency served to any other property or agency without written agreement with Casitas.

15.9 EXPORT OF CASITAS WATER: All customers receiving Casitas water into water conveyance systems which cross Casitas boundaries shall meet the following requirements as a condition of service:

15.9.1 Customers shall submit to Casitas a certified report on the last day of each month that demonstrates that no Casitas water was transported or used outside Casitas boundaries during the prior month without written approval by Casitas.

15.9.2 Customers shall install and maintain Casitas approved metering devices and shall be required to account for all Casitas water delivered.

15.9.3. In the event Casitas water is exported during any month, the customer shall be billed as follows:

15.9.3.1 Exported water shall be charged at five (5) times the Temporary Service rate and an additional one-twelfth (1/12<sup>th</sup>) the Temporary Service rate each month thereafter until said water is returned to Casitas unless Casitas has agreed otherwise, then the charge shall be as agreed.

15.9.4 Returned water shall be water from a "Source Other Than Casitas". Casitas water allocations shall not be accepted as returned water.

15.9.5 In the event the customer fails to comply with Sections 16.9, Export of Water, all water purchased in excess of the month's water allocation shall be considered export and shall be billed in accordance with the foregoing.

15.9.6 Section 15.9, Export of Water, is effective at all times, before, during or after the staged implementation of the Water Efficiency and Allocation Program.

## **16. RESIDENTIAL, BUSINESS, INDUSTRIAL AND RELATED CLASSES OF SERVICE.**

16.1. Casitas is committed to the policy of providing information and educational materials to existing customers which will help them achieve the goal of 20% voluntary conservation during the current year, and prepare them to be able to stay within any allocations which may be assigned in the future. Casitas may provide such information and educational materials through appropriate means such as newsletters, handouts, workshops, billing enclosures, etc.

16.2. It is Casitas' basis policy that no expansion of water service use will be permitted during the period of the water shortage emergency. In some cases, however, expansion involving installation of additional plumbing fixtures, landscape, etc. will be permitted if it can be demonstrated that such expansion can be mitigated through installation of water-efficient plumbing devices and that increased total water use should not occur as a result of the expansion.

The following minimum requirements shall be a condition of approval for residential and business remodels, additions, and replacements:

### **16.2.1 REMODELS AND ADDITIONS TO EXISTING BUILDINGS:**

16.2.1.1 If no additional plumbing fixtures are required, the project may be approved and a standard will-serve letter may be issued.

16.2.1.2 If additional plumbing fixtures are required, the installation of ultra-low flow toilets and low-flow shower heads will be required throughout the building. This requirement, plus evidence that total water use should not increase as a result of the remodel, will be included in any will-serve letter issued. The basis for judging such uses will be the 1989 water use minus 20% of the basis residential allocation.

16.2.2 SWIMMING POOLS, SPAS, AND POOL CABANAS: Swimming pools, spas, and pool cabanas normally involve installation of additional plumbing fixtures and result in an ultimate increase in total water demand. Such additions may be permitted if the applicant can provide documented evidence that the total water demand for the property will not increase.

16.2.3 REPLACEMENT OF RESIDENTIAL UNITS: The replacement of structures may be approved contingent upon installation of water efficient plumbing devices and documented evidence of no additional water use.

16.2.4 BUSINESS AND COMMERCIAL: Existing commercial structures which have inactive water services may reactivate service based upon evidence that water use will not exceed the standard allocation or the historical water use.

16.3 CASITAS' RESALE WATER AGENCY CUSTOMERS: All of the above policies shall apply both to Casitas and resale water agencies which are customers of Casitas.

16.4 WATER SERVICE APPROVED BY RESALE AGENCIES: Water service approved by resale agencies in compliance with this resolution shall be supplied by that resale agency without reliance upon Casitas water. A statement to that effect shall be indicated on any revised will-serve letters by a resale agency.

## 17. CASITAS EQUIPMENT ON CUSTOMER'S PREMISES.

17.1 RIGHT OF ACCESS. All service pipe and equipment needed to serve a customer up to and including the meter shall be owned by Casitas whether installed (1) on public or private property, or (2) at applicant's or Casitas' expense. Casitas equipment required for service which is installed on a customer's premises may be repaired, replaced, or removed by Casitas. Authorized representatives of Casitas shall have the right of safe access to such equipment for any purpose reasonably connected with furnishing service. Casitas shall make no payment for placing or maintaining equipment which is required solely for providing service to the customer's premises.

17.2 RESPONSIBILITY OF CUSTOMER. The customer shall exercise care to prevent damage to or interference with the operation or servicing of Casitas equipment. The customer shall be liable for any damage to Casitas owned meters, locks, or other equipment which is caused by himself or his tenants, agents, employees, contractors, licensees, or permittee and must promptly reimburse Casitas on presentation of a bill for any such damage. The bill for such damage will be determined by Casitas based upon the extent of the damage and the bill will be added to the customer's account and the customer will become eligible for turn-off procedures if the bill is not paid in a timely manner as described in Section 10.2, Payment.

17.3 RELOCATION OF CASITAS' EQUIPMENT: Any equipment of Casitas that is on private property and needs to be relocated pursuant to customer's request shall be paid by customer.

## 18. RESPONSIBILITY FOR WATER RECEIVING EQUIPMENT.

18.1 RESPONSIBILITY OF CUSTOMER. The customer shall be responsible for connecting his pipeline to Casitas' meter. The customer shall furnish and install at his own risk and expense that portion of the water system which begins at the outlet side of the meter. Such water receiving equipment shall remain the property of the customer and he shall be responsible for its maintenance and repair. Casitas may, at its sole discretion, require the customer to install protective devices or adjust, replace, or discontinue using any water receiving or regulating equipment when

surges or other potentially damaging effects to Casitas' water system are caused by the customer's operations or equipment. Casitas may require the customer to submit plans of this proposed water receiving equipment for approval by Casitas prior to the installation of its service connection facilities. Where reduced or increased pressure is desired by the customer, he shall be responsible for installing and maintaining the necessary regulators, pumps, and relief valves. In such cases, the equipment shall be installed on the customer's side of the meter and at his expense.

18.2 CASITAS NOT LIABLE. Casitas shall not be responsible for any loss or damage caused by the negligence, want of proper care, or wrongful act of the customer or any of his tenants, agents, employees, contractors, licensees, or permittee in installing, maintaining, using, operating, or interfering with any water receiving equipment. Furthermore, Casitas shall not be responsible for damage caused by faucets, valves, and other equipment which may be open at any time that water is turned on at the meter.

18.3 ELECTRICAL GROUNDING. Casitas is not responsible for providing an electrical ground through water service equipment. Accordingly, customers are cautioned not to attach any ground wiring to plumbing which is or may be connected to Casitas service equipment, unless the customer installs an approved insulating device between the customer's and Casitas' system. Casitas may hold the customer liable for any damage to Casitas property resulting from a ground wire attachment.

## 19. **PROTECTION OF PUBLIC WATER SUPPLY**

19.1 RESPONSIBILITY OF CUSTOMER. In making plumbing connections, the customer is required to comply with the regulations of the Department of Health Services, as set forth in Title 17 of the California Administrative Code and the United States Environmental Protection Agency. Such regulations prohibit (1) unprotected cross-connections between a public water supply and any unapproved source of water and (2) unprotected water service connections to premises where there is a possibility of contaminated water backflowing into the public water system.

If Casitas has any reason to believe that a backflow prevention device may be necessary, the customer may be required to verify the need for such devices with the Ventura County Environmental Resource Agency-Environmental Health Division. However, Casitas reserves the right to impose whatever requirement it deems necessary to protect the public water supply.

When requested, the customer, at his sole expense, shall furnish and install an approved backflow device to the satisfaction of Casitas and/or the Ventura County Environmental Resource Agency-Environmental Health Division.

19.2 CASITAS REQUIREMENTS. Casitas, in compliance with Public Health Regulations, will require the installation of approved backflow prevention devices or other protective devices before granting or continuing service under such conditions as set forth hereafter:

19.2.1 ALTERNATE SUPPLY. Where another source of water is in use or is available for use unless otherwise granted an exclusion in writing by the Casitas General Manager. Periodic water quality test results and other requirements shall be required by the Casitas General Manager of alternate supplies of water which have been granted an exception. When such periodic water quality test results are required by Casitas, they shall be obtained and provided at the sole expense of the customer.

19.2.2 CONTAMINATED SUBSTANCES. Where contaminated liquid or soluble substances of any kind are used, produced or processed.

19.2.3 FERTILIZERS OR OTHER CHEMICALS. When service is made to land or facilities upon which the customer utilizes his water system for the application of fertilizers or other chemicals through injection of such substances.

19.2.4 AGRICULTURAL APPLICATIONS. Where service is made to land or facilities upon which the customer has the potential to utilize the private water system for purposes of irrigating crops, watering of livestock, supply to ponds or lakes, or private water systems which, at the sole discretion of Casitas, may pose a threat to the public water system's water quality.

19.2.5 SPECIAL CASES. In special cases, at the sole discretion of Casitas, Casitas may require the customer to eliminate certain plumbing or piping connections as an additional precaution to prevent backflow.

19.3 CUSTOMER INSPECTION OF PROTECTIVE DEVICES. The regulations of Casitas and the California State Department of Health Services require that the owner of any premises on or for which protective devices are installed for the protection of Casitas facilities shall cause these devices to be inspected and checked for proper operation at least once per year by a backflow prevention device tester that is certified by the Ventura County Environmental Resource Agency-Environmental Health Division. All defective devices shall be serviced, overhauled, or replaced at the customer's expense. A written report on this annual inspection, including any required corrective action taken, shall be submitted to Casitas by the certified tester who made the inspection. Failure to carry out the annual inspection, and take and document corrective actions as directed by either Casitas or the Environmental Health Division, shall result in discontinuance of water service by Casitas.

19.4 CASITAS INSPECTION OF PROTECTIVE DEVICES. Protective devices may be inspected and tested for proper operation by Casitas. Service to any premises may be immediately discontinued if it is found that dangerous unprotected cross-connections exist or if any defect is found in the operation of the protective devices. Service shall not be restored until such defects are corrected by the customer.

19.5 PROTECTION OF CUSTOMER'S PLUMBING SYSTEM. As a protection to the customer's water system, a suitable pressure relief valve must be installed where check valves or other backflow prevention devices are installed. Such installation must conform to the requirements

of the plumbing code as adopted by the local jurisdictional agency. Such installation shall be installed and maintained at the customer's sole expense.

20. **CASITAS FACILITIES AND WATER.**

Intentional damage to, destruction of, or tampering with Casitas facilities, and the unauthorized appropriation or theft of Casitas water shall be punishable as follows:

20.1. By termination of water service to the perpetrator.

20.2. By the assessment of liquidated damages in an amount not to exceed the actual damages incurred or \$1,000.00, whichever is greater.

The person or persons charged with one or more of the acts prescribed above shall be entitled to a hearing to be conducted substantially in accordance with the applicable provisions of the Administrative Procedures Act (Government Code Section 11500, et seq.).

Pending said hearing, the General Manager shall determine whether water service to the person or persons so charged shall be continued or discontinued. His determination shall be based on the following factors:

20.2.1 Amount of damage to Casitas facilities.

20.2.2 Amount of water lost through such damage.

20.2.3 Likelihood of the damage being repeated.

21. **CHARGES FOR INTERACTING WITH THE BUREAU OF RECLAMATION ON REQUESTS FROM OTHERS.**

Upon request from private parties or agencies other than the Bureau of Reclamation for Casitas to review any action which the Bureau of Reclamation needs to approve, Casitas shall charge the actual cost of that review and any charges that the Bureau of Reclamation shall charge for that review to the private party or agency other than the Bureau of Reclamation. Casitas shall make an estimate of the cost for that review and the private party or other agency shall make payment prior to the review. Any extra costs shall result in Casitas updating the cost and the private party or other agency shall pay the additional estimate prior to Casitas' submittal of the document(s) to Reclamation for approval. The actual cost shall include direct labor and equipment plus a cost for overhead.

22. **REGULATION PROHIBITING WATER WASTE**

**22.1 WASTEFUL WATER USE** All water provided to customers of Casitas Municipal Water District shall be put to reasonable beneficial use. No water provided by Casitas Municipal Water District shall be wasted.



Prohibitions and charges for improper use of water shall be based on the current stage of the Water Efficiency and Allocation Program.

**22.2 DEFINITION** Waste of water includes, but is not limited to, the following:

**All Stages 1-5:**

1. Permitting water to leak from any device or facility on his/her property and the failure to repair any water leak in a timely manner.
2. Use of non-recirculating systems in all new and renovations of existing conveyer car washes.
3. Use of non-recirculating systems in all new and renovations of existing commercial laundry facilities.
4. Use of non-recirculating decorative water fountains.
5. Use of water in single pass cooling systems.

**Stages 3 through 5**

1. Use of water for cleaning of sidewalks, driveways or other paved or hard surface.
2. The observable use of water for any purpose **without reasonable control over the application of using the water for a beneficial use that** results in water flowing down sidewalks, driveways, streets, gutter, ditch or other surface drain. For example, the washing of cars, boats, trailers, aircraft, or other vehicles by hose without a shutoff nozzle and bucket except to wash such vehicles at commercial or fleet vehicle washing facilities using water recycling equipment.
3. Use of water for decorative fountains and ponds.
4. Outside landscape or garden watering after 9:00 a.m. and before 6:00 p.m.
5. Washing Streets with District water except in cases of emergency or essential operations.
6. Failure of any customer to use a viable alternative water source that is available without a contract for a specified amount of water service from the district.

**22.3 ENFORCEMENT** As of June 30, 2008, a District customer allegedly

engaged in the wasting of the District's water as defined in Section 22.2 during Stage 5 shall be responded to as set forth below.

1. The Water Conservation Manager will mail a written letter of notification to the customer. It will inform the customer of alleged water waste, the importance of water conservation and that their water rate shall increase by \$1 per unit over their current water rate for each unit of usage that exceeds their water allocation.

Table 1

Purpose of Use - Residential  
Standard Residential Class

PURPOSE:

The Standard Residential Class is for customers using water for ordinary domestic purposes. The allocation and rate schedule are designed to encourage efficient use of water both in and outside the home.

REQUIREMENTS:

Any customer qualifying for Residential water service from Casitas is automatically a Standard Residential Class customer.

ALLOCATION:	Stage 2:	The allocation assigned shall be determined by the allocation value nearest to 80% of 1989 purchases. The allocations shall be monthly based on the following:										
		<table border="0"> <tr> <td>April - November</td> <td>December - March</td> </tr> <tr> <td>20 units</td> <td>11 units</td> </tr> <tr> <td>45 units</td> <td>18 units</td> </tr> <tr> <td>90 units</td> <td>36 units</td> </tr> <tr> <td>144 units</td> <td>36 units</td> </tr> </table>	April - November	December - March	20 units	11 units	45 units	18 units	90 units	36 units	144 units	36 units
April - November	December - March											
20 units	11 units											
45 units	18 units											
90 units	36 units											
144 units	36 units											

Stage 3-4:	The following optional monthly allocations shall be based upon 80% of 1989 water use:																						
	<table border="0"> <tr> <td>April - November</td> <td>December - March</td> </tr> <tr> <td>13 units</td> <td>10 units</td> </tr> <tr> <td>20 units</td> <td>11 units</td> </tr> <tr> <td>29 units</td> <td>14 units</td> </tr> <tr> <td>45 units</td> <td>18 units</td> </tr> <tr> <td>60 units</td> <td>24 units</td> </tr> <tr> <td>76 units</td> <td>28 units</td> </tr> <tr> <td>90 units</td> <td>36 units</td> </tr> <tr> <td>108 units</td> <td>36 units</td> </tr> <tr> <td>126 units</td> <td>36 units</td> </tr> <tr> <td>144 units</td> <td>36 units</td> </tr> </table>	April - November	December - March	13 units	10 units	20 units	11 units	29 units	14 units	45 units	18 units	60 units	24 units	76 units	28 units	90 units	36 units	108 units	36 units	126 units	36 units	144 units	36 units
April - November	December - March																						
13 units	10 units																						
20 units	11 units																						
29 units	14 units																						
45 units	18 units																						
60 units	24 units																						
76 units	28 units																						
90 units	36 units																						
108 units	36 units																						
126 units	36 units																						
144 units	36 units																						

Stage 5: 12 units per month or 50% of preceding year's allocation, whichever is greater.

RATES:

Service Charge	Per unit over 10 Units per month	Water Rate	Discount per unit
Stage 2:	0.78	1.631	20%
Stage 3:	0.90	1.787	10%
Stages 4-5	1.032	2.055	0%

One unit equals 748 gallons of water

Table 2

Purpose of Use - Residential

Residential Conservation Class

PURPOSE:

The purpose of the Residential Conservation Class is to provide economic incentives for customers to adopt proven water efficiency practices in both indoor plumbing devices and outside landscaping design. This rate is for residential customers who will maintain the requirements to receive the incentive rates. Failure to maintain the requirements reverts customer to Standard Residential Class.

**REQUIREMENTS:**

In addition to qualifying for the Residential Class, customers may qualify for the Residential Conservation Class by meeting the following requirements:

1. Undertake a residential water audit from Casitas every 4 years or when high consumption occurs.
2. Complete an approved landscape audit.
3. Implant audit recommendations.
4. Implement Best Management Practices adopted by Casitas including: retrofit all plumbing devices with Casitas approved devices including 1.6 gallon toilets, low-flow shower heads with shutoff valve and faucet aerators and maintain these devices in place.
5. Customers shall agree not to exceed their total annual water allocation each year.
6. In the event the customer is disqualified from the Conservation Class, requalification will require the customer to have maintained the allocation for at least the last 12 months.

ALLOCATION: The following monthly allocations shall be available to the conservation class based upon 80% of 1989 water use:

Stages 2-4	April - November	December - March
	13 units	10 units
	20 units	11 units
	29 units	14 units
	45 units	18 units
	60 units	24 units
	76 units	28 units
	90 units	36 units
	108 units	36 units
	126 units	36 units
	144 units	36 units
Stage 5:	12 units per month or 50% of preceding year's allocating, whichever is greater.	

RATES:

	Service Charge Per unit over 10 Units per month	Water Rate per unit	Discount
Stages 2-5:	0.78	1.554	20%

One unit equals 748 gallons of water

Table 3

Purpose of Use - Residential  
Standard Multi-Residential Class

PURPOSE:

The Standard Multi-Residential Class is for customers qualifying for the Standard Residential Class having multi-family residences on a single property such as mobile home parks, apartments, and condominium complexes.

REQUIREMENTS:

Customers may qualify for Multi-Residential class if their Casitas service provides water to three or more family residential units.

ALLOCATION:            Stages 2 - 4: Shall be monthly allocations based upon 80% of 1989 purchases.

                                 Stage 5:                    Shall be 50% of Stages 2-4 above.

RATES:

	Service Charge Per unit over 10 Units per month	Water Rate per unit	Discount
Stage 2:	0.42	1.631	20%
Stage 3:	0.47	1.787	10%
Stages 4-5	0.55	2.055	0%

One unit equals 748 gallons of water

Table 4

Purpose of Use - Residential  
Multi-Residential Conservation Class

PURPOSE:

The purpose of the Multi-residential Conservation Class is to provide economic incentives for customers to adopt proven water efficient practices in both indoor plumbing devices and outdoor landscaping. This rate is an incentive for Multi-residential customers who will maintain the requirements to receive the incentive rate. Failure to maintain the requirements returns the customer to the Multi-residential class.

**REQUIREMENTS:**

In addition to qualifying for the Multi-Residential classification, customers may qualify for the Multi-Residential Conservation Class by meeting the following requirements:

1. Complete an approved landscape and indoor water audit.
2. Implement audit recommendations.
3. Implement Best Management Practices adopted by Casitas including: retrofit all plumbing devices with Casitas approved devices including 1.6 gallon per flush toilets, low-flow shower heads with shutoff valve and faucet aerators and maintain these devices in place.
4. Residential water audit every 4 years or when high consumption occurs.
5. Customers shall agree not to exceed their total annual water allocation each year.
6. In the event the customer is disqualified from the conservation Class, re-qualification will require the customer to have maintained the allocation for at least the last 12 months.

ALLOCATION: Stages 2 - 4: Monthly allocations based on the total number of residential units and types as follows:

	<u>Per Month</u>	
	<u>Summer</u>	<u>Winter</u>
Standard residential units on one lot	20 units	11 units
Apartments, condominiums, mobile homes	10 units	8 units

Stage 5:

Standard residential units on one lot	12 units
Apartments, condominiums, mobile homes	7 units

RATE:

	Service Charge Per unit over 10 Units per month	Water Rate per unit	Discount
Stages 2 - 5:	0.42	1.554	20%

One unit equals 748 gallons of water

Table 5

Purpose of Use - Residential  
Large Residential Service

PURPOSE:

The Large Residential Class is for residential customers requiring more than the maximum residential allotment to maintain large landscape areas which were established prior to the Declaration of Emergency.

REQUIREMENTS:

The Large Residential Class customer shall meet the minimum requirements of the Standard Residential Class. The parcel served shall be two acres, or more, and the customer shall have purchased in excess of 130 units of water per month during calendar year 1989.

AVAILABILITY: Stages 2 - 5

ALLOCATION: Stages 2 - 4: Shall receive monthly allocations not to exceed 80% of 1989 purchases.

Stage 5: 36 units per residence, per month.

RATES:

	Service Charge Per unit over 10 Units per month	Water Rate	Discount per unit
Stage 2:	0.78	1.631	0%
Stage 3:	1.10	1.787	0%
Stages 4	1.22	2.085	0%

One unit equals 748 gallons of water

Table 6

Purpose of Use - Residential  
Standard Agricultural Class

**PURPOSE:**

The Standard Agricultural Class is for customers whose primary Purpose of Use is commercial agriculture and who choose not to qualify for Agriculture Conservation Class service. This classification provides incentives to minimize the use of Casitas water as supplies are reduced.

**REQUIREMENTS:**

Customers shall be classified in the Standard Agriculture Class by meeting the minimum requirements for irrigation or prime agriculture service as defined in Casitas' Rates and Regulations and this ordinance..

**ALLOCATION:**

Standard Agriculture Class customers shall receive no allocation. Service shall be on demand subject to availability.

**RATES:**

	Service Charge Per acre* per month	IRRIGATION Water Rate per unit	Discount
Stage 2:	\$ 12.63	.542	
Stage 3:	\$ 13.89	.676	
Stage 4:	\$ 15.14	.845	
Stage 5:	\$ 17.57	1.267	

\*Per acre of qualifying land as defined in Section 11

One unit equals 748 gallons of water



Purpose of Use - Agriculture  
Agriculture Conservation Class

PURPOSE:

The Agriculture Conservation Class is for customers able to make the most efficient use of Casitas water. This classification recognizes the customer's efforts and ability to better manage water use and provides incentives to continue such practices in both rates and flexibility of the allocation. This rate is a contract for agricultural customers who will maintain the requirements to receive the incentive rate. Failure to maintain the requirements will return the customer to the Standard Agriculture Class.

REQUIREMENTS:

1. Complete and submit an application for Agriculture Conservation Class service by March 1, 1992. Applicant must provide Casitas with all the information requested in the application and the information must be accurate. Failure to complete the application, or falsification of information, shall disqualify the applicant from Conservation service.
2. Applications received after March 1, 1992 shall be accepted based upon water availability.
3. The applicant shall agree to utilize the evapotranspiration data provided by Casitas for irrigation.
4. The applicant shall agree to complete a distribution uniformity evaluation of their irrigation system every four (4) years.
5. The applicant shall agree to achieve and maintain a distribution uniformity of 80%, or more, within two (2) years of implementation of this program.
6. The applicant shall agree not to exceed their annual allocation each year.
7. In the event the applicant is disqualified from the Conservation Class, re-qualification will require the customer to have maintained their allocation for at least the last twelve (12) months.

ALLOCATION:

Each qualifying acre shall receive an allocation based upon monthly evapotranspiration requirements as provided by Casitas. The Conservation Class may also qualify for reserve allocations to supplement other water sources as defined in Section 12 by demonstrating that those other sources are being utilized in compliance with the evapotranspiration based allocations.

Stage 5: Shall be 85% of Evapotransporation Requirements.

RATES:

Service Charge	Water Rate	Discount
Per unit	per unit	
per month		

IRRIGATION:

Stages 2-5:	0.1392	.411	40%
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One unit equals 748 gallons of water

Table 8

Purpose of Use - Resale  
Standard Resale Class

PURPOSE:

The Standard Resale Class is for resellers of Casitas.

REQUIREMENTS:

Standard Resale customers shall meet the minimum requirements for resale service as defined in the Casitas Rates and Regulations.

ALLOCATION: Stages 2 - 4: Monthly allocations based upon 80% of monthly purchases used within the boundaries of Casitas during the 1989 calendar year.

Stage 5: Shall be 70% of monthly allocation contained in Stages 2-4.

RATES:

		GRAVITY	
	Service Charge Per unit per month	Water Rate per unit	Discount
Stage 2:	\$ .704	.303	20%
Stage 3:	\$ .888	.318	10%
Stages 4-5:	\$ 1.183	.334	0%

  

	Service Charge Per unit per month	PUMPED Water Rate per unit	Discount
Stage 2:	\$ .60	.819	20%
Stage 3:	\$ .69	.860	10%
Stages 4-5:	\$ .80	.898	0%

One unit equals 748 gallons of water

Purpose of Use - Resale  
Resale Conservation Class

**PURPOSE:**

The Resale Conservation Class is for resale customers having other sources of supply who have adopted and implemented long-term supply and demand management policies and have been able to make most efficient use of their supply.

**REQUIREMENTS:**

1. Resellers shall provide Casitas certified 1989 production data for all water sources other than Casitas.
2. Resellers shall have installed water metering devices on all alternate sources and shall provide Casitas monthly meter data by the 30<sup>th</sup> day of the following month.
3. Resellers shall provide Casitas all annual water sales data by customer class on or before September 30<sup>th</sup> of each year for the preceding fiscal year.
4. Resellers shall provide Casitas with annual water audit data which demonstrates 10% or less total water losses on or before January 30<sup>th</sup> of the preceding fiscal year.
5. Reseller shall have adopted and implemented Best Management Practices Memorandum of Understanding in pace with Casitas' implementation.
6. Reseller shall not exceed 80% of 1989 total water production which is the sum of production from other sources of supply and Casitas' purchases.
7. Resellers shall determine the reliability of those sources and set aside an adequate water reserve to ensure the average annual water requirements from Casitas do not exceed their water allocation as provided in Section 12 of this ordinance.
8. Resellers may qualify for service under this classification upon application and compliance with the above requirements. Reclassification shall require, in addition to the above, that the customer has remained within their allocation during the preceding 12 months

**ALLOCATION:** Customers with multiple Resale Conservation services may be aggregated into one account.

Stages 2 - 4: Shall be annual based upon 80% of 1989 purchases from Casitas used within the boundaries of Casitas. The customer may elect to reserve additional water as specified in Section 12 herein.

Stage 5: The allocations shall be annual based upon 75% of the allocations contained in Stages 2-4.

**RATES:**

	Service Charge Per unit per month	Water Rate per unit	GRAVITY Discount
Stages 2 - 5 allocation:	\$ .704	.289	20%
Stages 2 - 5 Reserve:	\$ .740	.282	0%
	Service Charge Per unit per month	PUMPED Water Rate per unit	Discount
Stages 2 - 5 allocation:	\$ .60	.779	20%
Stages 2 - 5 Reserve:	\$ .69	.722	0%

One unit equals 748 gallons of water

Table 10

Standard Business Class

PURPOSE:

The Standard Business Class is for commercial customers who are both business and industrial.

REQUIREMENTS:

Standard Business Class customers shall meet the minimum requirements for business service as defined in the Casitas Rates and Regulations.

ALLOCATION: Stages 2 - 4: Each Standard Business Class customer shall receive an allocation not to exceed 80% of the water purchased from Casitas during calendar year 1989. The allocation shall be equally distributed over 12 monthly allotments with a minimum monthly allotment of 8 units. The customer may request seasonal distributions as long as the total allocation does not exceed 80% of 1989 purchases.

Stage 5: Shall be 75% of monthly allocations defined in Stages 2-4.

RATES:

	Service Charge Per unit per month	Water Rate per unit	Discount
Stage 2:	\$ .57	.893	20%
Stage 3:	\$ .71	.935	10%
Stages 4-5:	\$ .85	1.029	0%

One unit equals 748 gallons of water

Purpose of Use - Business  
Business Non-Irrigation Conservation Class

**PURPOSE:**

The Business Non-Irrigation Conservation Class is for business customers using Casitas water primarily for non-irrigation purposes. This rate is a contract for business customers who maintain the requirements to receive incentive rates. Failure to maintain the requirements returns the customer to the Standard Business Class.

**REQUIREMENTS:**

**Customers shall qualify for service as Standard Business Class and submit a certified annual report to Casitas which demonstrates that less than 10% of the total water purchases is used for irrigation purposes, as well as:**

1. **Complete a water audit and efficiency evaluation approved by Casitas every four years.**
2. Adopt and implement Best Management Practices including the installation and maintenance of water efficient and water saving devices recommended by the evaluation.
3. Customers shall agree not to exceed their total annual water allocation each year.
4. In the event the customer is disqualified from the Conservation Class, requalification will require the customer to have maintained the allocation for at least the last 12 months.

**ALLOCATION:** Customers with multiple Business Non-Irrigation Conservation services may be aggregated into one account.

Stages 2 - 4: Each  
Business Non-Irrigation customer shall receive an allocation not to exceed 80% of the water purchased from Casitas during calendar year 1989 purchases. The allocation shall be equally distributed over 12 monthly allotments with a minimum monthly allotment of 8 units. The customer may request seasonal distributions as long as the total allocation does not exceed 80% of 1989 purchases.

Stage 5: Shall be 85% of the allocations defined in Stage 2.

**RATES:**

	Service Charge per unit per month	Water Rate per unit	Discount
Stages 2 - 5:	\$ .57	.850	20%

One unit equals 748 gallons of water

Purpose of Use - Business  
Business Irrigation Conservation Class

**PURPOSE:**

The Business Irrigation Conservation Class is for business customers using Casitas waters primarily for irrigation purposes and able to implement and maintain water saving and water efficient practices. This rate is a contract for business customers who maintain the requirements to receive incentive rates. Failure to maintain the requirements returns the customer to the Business Class.

**REQUIREMENTS:**

Business Irrigation customers shall meet the minimum requirements for Standard Business Class and complete an approved irrigation evaluation of the property served which shall include a quantification of the acreage irrigated as well as:

1. Complete an approved irrigation uniformity evaluation every two years if demand records shows more than 2.5 acre feet of water per year usage.
2. Achieve and maintain a distribution uniformity of 80% or greater as determined by the evaluation.
3. Customers shall agree not to exceed their total annual water allocation each year.
4. In the event the customer is disqualified from the Conservation Class, requalification will require the customer to have maintained the allocation for at least the last 12 months.

**ALLOCATION:** Shall be developed based upon 2.5 acre feet of water per acre, per year, of irrigated land prior to April 11, 1990 plus the estimated Non-Irrigation requirements not to exceed the total water purchased during calendar year 1989. Customers with Business Irrigation Conservation services may be aggregated into one account. These allocations shall be quarterly as listed below:

Stages 2 - 4: Shall be quarterly water allotments per acre of qualifying lands:

	A/F	Units
Winter	.384	167
Spring	.825	359
Summer	.852	371
Fall	.439	191

Stage 5: Shall be 100% of the Non-Irrigation requirements plus 80% of Irrigation requirements in quarterly allotments.

**RATE:**

	Service Charge per unit per month	Water Rate per unit	Discount
Stages 2 - 5:	\$ .57	.850	20%

One unit equals 748 gallons of water

Purpose of Use - Other  
Temporary Service

**PURPOSE:**

The Temporary Class is for residential customers using water to serve and maintain facilities such as storm drains, sewers, roads and highways, or other uses which do not require continuous water service.

**REQUIREMENTS:**

**The Temporary Class customer shall apply for temporary service and include in the application intended purpose and an estimation of water required.**

**ALLOCATION:** An allotment shall be estimated for a period not to exceed 30 days based upon Casitas' review of the application. No Temporary Service shall be provided in Stage 5. Temporary service and allocation may be extended by written agreement with Casitas.

**RATES:**

Service Charge: \$1.61 per unit allotted per month

Water Rate: \$8.134 per unit within the allotment  
and \$14.14 per unit over the  
allotment

One unit equals 748 gallons of water

Purpose of Use - Other  
Emergency Service

PURPOSE:

The Emergency Class is for residential customers having an active service connection with Casitas which is used solely as a standby water supply in the event of a temporary failure to the customer's own source of supply.

**REQUIREMENTS:**

**The Emergency Class customer must have a permanent service connection to property from Casitas and hold no water allocation from Casitas.**

ALLOCATION: No allocation is available under this class of service.

RATES:

Service Charge:	\$ .291 per gallon/per minute meter capacity
Water Rate:	\$4.73 per unit

One unit equals 748 gallons of water



ATTACHMENT B

Supplemental Ag Rate – Effective January 1, 2010

ZONE	2008-09 AG WATER COMMODITY RATE (\$/HCF)	2008-09 ZONE POWER COST (\$/HCF)	SUPPLEMENTAL AG RATE (\$/HCF)
1	\$0.852	\$0.00	\$0.852
2	\$0.852	\$0.053	\$0.895
3	\$0.852	\$0.091	\$0.943
4	\$0.852	\$0.151	\$1.003
5	\$0.852	\$0.192	\$1.044
6	\$0.852	\$0.168	\$1.020
7	\$0.852	\$0.241	\$1.039
8	\$0.852	\$0.135	\$0.987
9	\$0.852	\$0.250	\$1.102

(The basis for calculation of zone power cost is energy cost from FY 2008-2009)