

Casitas Municipal Water District
WATER RESOURCES COMMITTEE
Baggerly/Spandrio
Alternate: Brennan

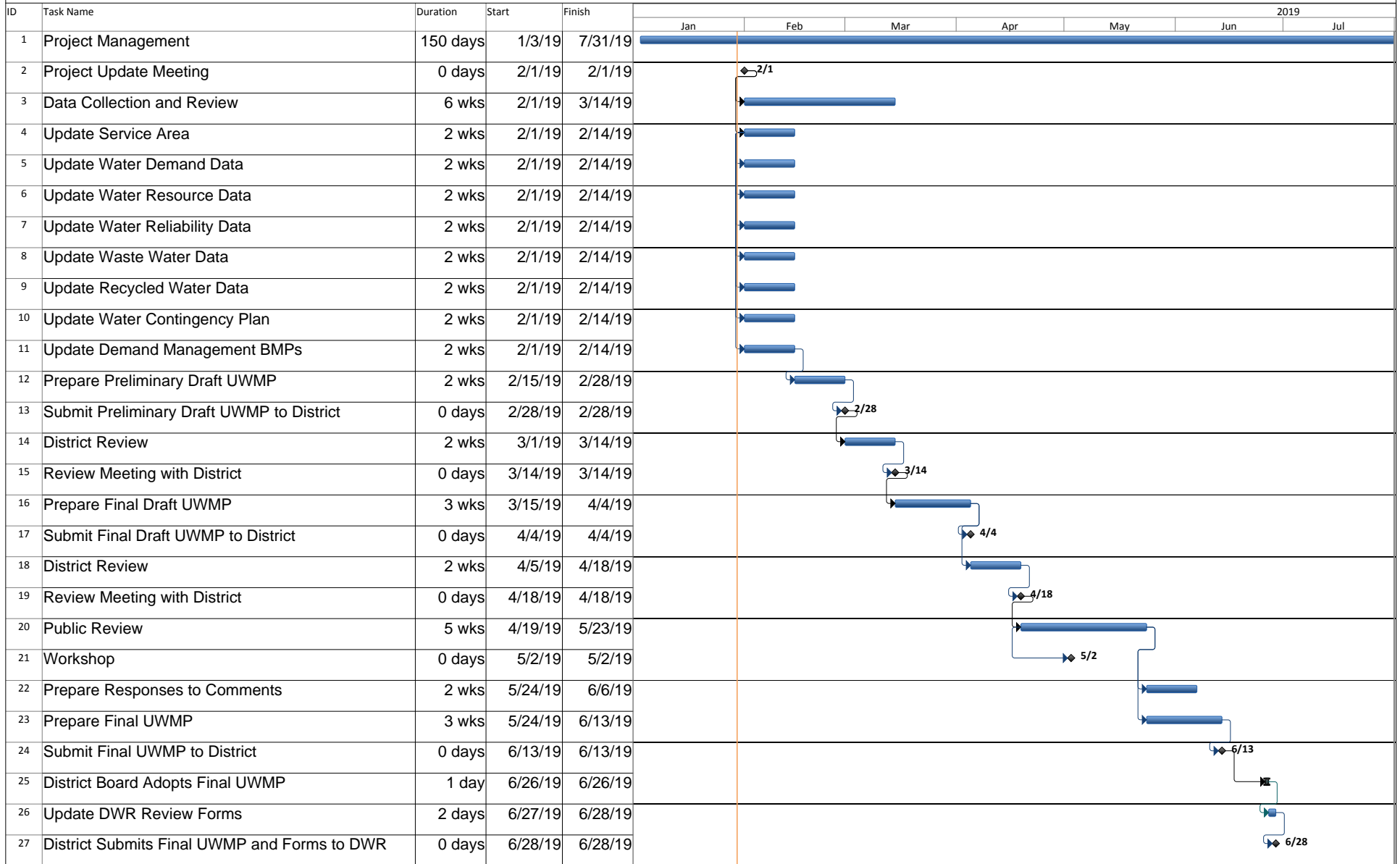
March 19, 2019 – 10:00 A.M.
at
Casitas Municipal Water District
1055 Ventura Ave.
Oak View, CA 93022

AGENDA

1. Roll Call
2. Public Comments
3. Board Comments.
4. Manager Comments.
5. Presentation of the Draft 2019 Urban Water Management Plan Update.
6. Presentation of the Current Status of the Comprehensive Water Resources Plan.
7. Discussion of coordination between the Rates & Regulations, Water Efficiency Allocation Program, Drought Contingency, Urban Water Management Plan and possible other District planning documents.

Right to be heard: Members of the public have a right to address the Board directly on any item of interest to the public which is within the subject matter jurisdiction of the Board. The request to be heard should be made immediately before the Board's consideration of the item. No action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of ¶54954.2 of the Government Code.
If you require special accommodations for attendance at or participation in this meeting, please notify our office in advance (805) 649-2251, ext. 113. (Govt. Code Sections 65954.1 and 54954.2(a). Please be advised that members of the Board of Directors of Casitas who are not members of this standing committee may attend the committee meeting referred to above only in the capacity of observers, and may not otherwise take part in the meeting. (Govt. Code Section 54952.2(c)(6)

**FIGURE 1
REVISED PROJECT SCHEDULE
PREPARE RETAIL UWMP
CASITAS MUNICIPAL WATER DISTRICT**



Project: Project schedule- CMWD Retail UWMP-1-30-2019 Date: 1/30/19 Milner-Villa Consulting	Task	Project Summary	Inactive Milestone	Manual Summary Rollup	Deadline	↓
	Split	External Tasks	Inactive Summary	Manual Summary	Progress	—
	Milestone	External Milestone	Manual Task	Start-only	Progress	—
	Summary	Inactive Task	Duration-only	Finish-only	Progress	—

**TABLE 3-3
PROJECTED RETAIL WATER DEMAND 2020-2040**

CATEGORY (1,2)	2020	2025	2030	2035	2040
CMWD Residential (3)	1,600	1,650	1,700	1,750	1,800
CMWD Commercial	600	622	644	666	690
CMWD Industrial	30	35	40	45	50
CMWD Interdepartmental/Govt.	160	165	170	175	180
CMWD Agriculture (4)	0	0	0	0	0
CMWD Resale (5)	0	0	0	0	0
CMWD Other (6)	220	235	250	265	280
Ojai System Retail (7)	2,331	2,428	2,513	2,567	2,620
TOTAL	4,941	5,135	5,317	5,468	5,620

Notes:

- (1) Source, CMWD, 2018. All values in AF, rounded. Data does not include water losses.
- (2) Excludes sales to other agencies.
- (3) Includes accounts for single-family and multi-family residential.
- (4) Excludes sales for agricultural customers.
- (5) Excludes sales to wholesale agencies.
- (6) Includes accounts for fire, temporary, transfers and exchanges, etc.
- (7) Projections for Ojai system based on Golden State UWMP (GSWC, 2010).

**TABLE 4-3
AVAILABLE WATER SUPPLIES 2020-2040**

WATER SUPPLY SOURCES (1)	2020	2025	2030	2035	2040
Local surface water (Lake Casitas)	20,540	20,540	20,540	20,540	20,540
CMWD system ground water	300	300	300	300	300
Ojai system ground water	2,600	2,600	2,600	2,600	2,600
Imported surface water	0	0	0	0	0
Transfers in or out (2)	0	0	0	0	0
Exchanges in or out	0	0	0	0	0
Recycled water	0	0	0	0	0
Desalination	0	0	0	0	0
Other	0	0	0	0	0
TOTAL	23,440	23,440	23,440	23,440	23,440

Notes:

- (1) Source, CMWD, 2018. All values in AF, rounded.
- (2) Transfer to Carpinteria Valley Water District.

**TABLE 5-2
PROJECTED SUPPLY AND DEMAND COMPARISON FOR NORMAL WATER-YEAR FOR
2020-2040**

	2020	2025	2030	2035	2040
Supply totals (AFY)	23,440	23,440	23,440	23,440	23,440
Retail demand totals (AFY) (1)	4,941	5,135	5,317	5,468	5,620
DIFFERENCE (SUPPLY MINUS DEMAND) (AFY)	18,499	18,305	18,123	17,972	17,820

Notes:

Source, CMWD, 2018. All values in AF, rounded.

(1) Excludes sales for resale and agricultural customers.

**TABLE 5-3
PROJECTED SUPPLY AND DEMAND COMPARISON FOR SINGLE DRY WATER-YEAR
FOR 2020-2040**

	2020	2025	2030	2035	2040
Supply totals (AFY)	23,440	23,440	23,440	23,440	23,440
Demand totals (AFY) (1)	4,941	5,135	5,317	5,468	5,620
DIFFERENCE (SUPPLY MINUS DEMAND) (AFY)	18,499	18,305	18,123	17,972	17,820

Notes:

Source, CMWD, 2018. All values in AF, rounded.

(1) Excludes sales for resale and agricultural customers.

**TABLE 5-4
PROJECTED SUPPLY AND DEMAND COMPARISON FOR MULTIPLE DRY WATER-
YEARS FOR 2020-2040**

		2020	2025	2030	2035	2040
First Year	Supply totals (AFY)	23,440	23,440	23,440	23,440	23,440
	Demand totals (AFY) (1)	4,941	5,135	5,317	5,468	5,620
	DIFFERENCE (SUPPLY MINUS DEMAND) (AFY)	18,499	18,305	18,123	17,972	17,820
Second Year	Supply totals (AFY)	23,440	23,440	23,440	23,440	23,440
	Demand totals (AFY) (1)	4,941	5,135	5,317	5,468	5,620
	DIFFERENCE (SUPPLY MINUS DEMAND) (AFY)	18,499	18,305	18,123	17,972	17,820
Third Year	Supply totals (AFY)	23,440	23,440	23,440	23,440	23,440
	Demand totals (AFY) (1)	4,941	5,135	5,317	5,468	5,620
	DIFFERENCE (SUPPLY MINUS DEMAND) (AFY)	18,499	18,305	18,123	17,972	17,820

Notes:

Source, CMWD, 2018. All values in AF, rounded.

(1) Excludes sales for resale and agricultural customers.

**CASITAS MUNICIPAL WATER DISTRICT
MEMORANDUM**

TO: MICHAEL FLOOD, GENERAL MANAGER
FROM: JULIA ARANDA, ENGINEERING MANAGER
SUBJECT: UPDATE ON COMPREHENSIVE WATER RESOURCES PLAN
DATE: 03/19/19

RECOMMENDATION:

It is recommended the Water Resources Committee receive a presentation on the status of the Comprehensive Water Resources Plan.

BACKGROUND AND DISCUSSION:

Stantec was retained in January 2019 and is currently working on initial tasks for the Comprehensive Water Resources Plan. The Project Management Plan is complete and the Draft Stakeholder Engagement Plan was submitted to the District for review and comment. Staff and Stantec will provide a presentation.

Planning Document Coordination

Water Resources Committee
~~March 19~~~~November 27~~, 2018~~9~~

Formatted: Font: 14 pt

1. Documents Currently Under Review/Development

- Rates and Regulations – ~~document overhaul underway~~ Attached for Review
- Urban Water Management Plan Update – ~~Draft Document under production through Milner Villa Consulting (completion expected in Spring 2019).~~ Presentation today
- Water Efficiency Allocation Program (WEAP) – Latest update in May 2018. Needs error correction and addition of allocation appeals procedure. Appeals procedure underway.
- Water Shortage Contingency Planning - part of 2016 UWMP Update; under review through current Urban Water Management Plan Update
- Comprehensive Water Resources Plan – ~~Qualifications/Proposals due on December 7, 2018; expect to a~~ Update Presentation Today ward at Board meeting of January 23, 2019

2. Current Coordination Needs

- Rates and Regulations – ~~current document includes an outdated version of the WEAP~~ initial draft attached.
- Urban Water Management Plan Update – 2020 UWMP expected to begin development in late 2020 with due date of July 1, 2021.
- Water Efficiency Allocation Program (WEAP) – should become an appendix of the Rates and Regulations document and reflect aspects of the UWMP Allocation penalty procedure to be brought forward for Board approval soon.
- Water Shortage Contingency Planning – should include coordination with upcoming Comprehensive Water Resources Plan.
- Comprehensive Water Resources Plan – coordination with all other planning documents with a particular focus on safe yield analysis. Expect draft late summer 2019.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

RATES AND REGULATIONS FOR WATER SERVICE

TABLE OF CONTENTS

1.	General Provisions	6
2.	Definitions	10
3.	Area Served	14
4.	Arrangements for Regular Water Service	14
4.1	Condition of Priority and Priorities for New Service and Expanded Existing Service After Delay	14
4.2	Availability of Allocations	14
4.3	Priorities	18
4.4	Application for Service	21
4.5	Regular Water Service	21
4.6	Community Developments	22
4.7	Establishment and Maintenance of Credit	22
4.8	Service Facilities Fees	24
4.9	Service Facility Charge	24
4.10	Capital Facilities Charges	25
4.11	Payment of the Fees	31
4.12	Change of Account	31
4.13	Relocation of Existing Service Facilities	31
4.14	Shutoff for Non-Compliance with Rates and Regulations for Water Service	31

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

4.15	Policy for Dealing with Will-Serve Letters	32
4.16	New Services	32
4.17	Requests for Will-Serve or Water Availability Letters	34
4.18	Term of Service	37
4.19	Frequency of Meter Reading	38
5.	Ownership of Service Facilities	38
5.1	Casitas-Installed Facilities	38
5.2	Customer-Installed Facilities	38
5.3	Customer-Installed Regulators	39
6.	Temporary Water Service	39
6.1	Installation Fee	40
6.2	Guarantee Deposit	40
6.3	Relocation Fee	40
6.4	Reimbursable Casitas Facilities	41
6.5	Water Service to New Subdivision	41
6.6	Water Rates for Temporary Service	41
6.7	Disregard of "Rates & Regulations for Water Service"	41
7.	Public and Private Fire Service	42
7.1	Public Fire Service	42
7.2	Private Fire Service	42
8.	Surplus Water	44

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

9.	Water Rates	45
9.1	Classes of Service	46
9.2	Zone of Use	49
9.3	Water rates	49
9.4	Service charges	49
10.	Billing and Collection Charges	50
10.1	Water Service	50
10.2	Payment	50
11.	Billing Adjustments	52
11.1	Types of Adjustments	51
11.2	Billing Appeals	53
12.	Discontinuance and Restoration of Service	55
12.1	Shut Off for Temporary Period of Non-Use	55
12.2	Arrangement for Discontinuance of Service	55
12.3	Discontinuance of Vacant Service	55
12.4	Advance Notice	55
12.5	Restoration of Service	56
12.6	Deductions	56
12.7	Foreclosure	56
13.	Meter Tests	57
13.1	Request for Test	57

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

13.2	Test Results	58
14.	Meter and Service Facilities	58
14.1	Alternate Procedures	58
15.	Water Supply and Interruption of Delivery	60
15.1	Liability	60
15.2	Repairs and Improvements	60
15.3	Water Efficiency and Allocation Program for Extended Drought Period and Water Shortages	61
15.4	Appeals Process	61
15.5	Use of Casitas Water and Water Allocations	62
15.6	Export of Casitas Water	62
16.	Residential, Business, Industrial and Related Classes of Service	63
16.1	20% Voluntary Conservation	63
16.2	No Expansion of Water Service Use During Shortage Emergency	64
16.3	Casitas' Resale Water Agency Customers	65
16.4	Water Service Approved by Resale Agencies	65
17.	Casitas Equipment on Customer's Premises	65
17.1	Right of Access	65
17.2	Responsibility of Customer	65
17.3	Relocation of Casitas Equipment	66
18.	Responsibility for Water Receiving Equipment	68
18.1	Responsibility of Customer	68

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

18.2	Casitas not Liable	68
18.3	Electrical Grounding	68
19.	Protection of Public Water Supply	69
19.1	Responsibility of Customer	69
19.2	Casitas Requirements	70
19.3	Customer Inspection of Protective Devices	71
19.4	Casitas Inspection of Protective Devices	72
19.5	Protection of Customer's Plumbing System	72
20.	Casitas Facilities and Water	72
21.	Charges for Interacting with the Bureau of Reclamation on Requests from Others	74

TABLE OF CONTENTS needs final review and revision to match

77

CASITAS MUNICIPAL WATER DISTRICT
RATES AND REGULATIONS FOR WATER SERVICE

1. GENERAL PROVISIONS:

1.1 DOCUMENT IDENTIFICATION:

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 (the Board) of the Casitas Municipal Water District (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 (a) written notice of any proposed amendment shall have been submitted to each Director at least 14 days prior to any such meeting; (b) 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; and (c) CEQA review and compliance has been completed, if required.

1.2 COMPLIANCE WITH REGULATIONS REQUIRED:

The furnishing of water by the District and the use thereof by a customer shall be subject to the regulations of the District, from time to time in effect; the terms, conditions and undertakings in the customer's application for water service and where applicable a Water Service Agreement; and the District's contracts with the United States Bureau of Reclamation. By applying for or receiving water service from the District, each customer covenants and agrees to be bound by, and to comply with, all regulations of the District from time to time in effect.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

1.3 USE OF WATER:

The recipients of water delivered by the District shall put the water only to reasonable and beneficial use and shall take all reasonable action to prevent the waste or unnecessary use of water. (See Section 22 for water waste definitions.)

1.4 PLACE OF USE OF WATER:

Except with the prior written consent of the Board and on such terms and conditions as the Board shall prescribe, all water furnished by the District shall be limited to beneficial use within the boundaries of the District (California Water Code 71611) and on the land described in the application for water service. Service to lands outside Casitas shall be only on terms and conditions established by the Board respecting the particular service involved.

Comment [s1]: With respect to excess water sales or in accordance with California Water Code, or exchange agreement (Carpinteria WD)

1.5 ACCESS TO FACILITIES:

By applying for or receiving water service from the District, the applicant, on behalf of the applicant and the owners, tenants and occupants of the land where the water is to be used, grants to the district, its employees and representatives, permission to enter said land at reasonable times for the purpose of installing, reading, inspecting, testing, maintaining, repairing or replacing any meter, meter box, pipe valve or other District facility on said land that is reasonably necessary to provide water service to said land. The owners and occupants of the land and the water users thereon shall have the duty to remove or cause to be removed any plant, structure, vehicle or thing that obstructs or impairs said access. If after reasonable notice to the occupant of the land the obstructions is not removed, the district shall have the right in its discretion to remove it and to charge the costs thereby incurred and the District overhead costs to the responsible customer of the District.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

1.6 RESPONSIBILITY FOR HANDLING WATER BEYOND THE POINT OF DELIVERY:

The District is responsible for the handling and transmission of water up to the designated point of delivery of water to the water user. Each water user shall bear the risk of loss, and shall be responsible for the carriage, control, handling, storage, distribution and use of all water furnished by the District from and beyond the point of delivery. Each applicant for water service, customer of the district, and user of water furnished by the district shall hold the District harmless from any damage suffered by the District and shall indemnify the District from liability or claim of liability for property damage or personal injury, including death, resulting from the carriage, control, handling, storage, distribution or use of water after it passes the point of delivery. The point of delivery of water delivered by the District by pipe shall be the discharge side of the District's meter.

1.8 INTERRUPTION OF WATER SERVICE:

The District will exercise reasonable care and diligence to deliver to its customers a continuous and sufficient supply of water. The District reserves the right at any time to shut off water delivery for the purpose of maintaining, repairing, altering or enlarging its facilities. To the extent practical, advance notice of an interruption of service shall be given to all users affected. The District shall not be liable for any loss, damage, or inconvenience to any person by reason of any shortage, reduction, interruption, or discontinuance of water service or the increase or decrease of water pressure, when the same is caused by an act of God, drought, an unavoidable accident, a shutdown, a disturbance or condition of any kind beyond the reasonable control of the District or when same is reasonably necessary for the repair, maintenance, alteration, or extension of any facility of the District.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

1.9 WATER SHORTAGES:

The District reserves the right to fix the time and rate of flow of all deliveries of water to each of its customers and, in the event of shortage, to allocate between its customers the water supply from time to time available to the District and to establish priorities to the available supply as the District shall consider necessary and in the public interest.

1.10 RESTRICTIONS ON RESALE OF WATER:

No water furnished by the District shall be resold, except:

- A. Water supplied to a public or private water utility for resale and use within the utility's jurisdictional boundaries that are also within the District's boundary; or
- B. Water that has been packaged by a business customer in containers of five gallons or less; or
- C. With the prior written authorization of the District only on terms and conditions established by the Board respecting the particular service involved.

1.11 WATER QUALITY:

Treated water shall be fit for human consumption at the point of delivery by the District, no other use is either expressed or implied. Untreated (raw) water furnished by the District is unfit for human consumption or domestic use unless and until it is properly treated. The District makes no warranty, express or implied, with respect to the chemical, biological or physical characteristics of the untreated (raw) water supplied by the District.

1.12 USE OF WATER WITHOUT AN APPLICATION FOR SERVICE: Anyone using water without having made application to the District for water service shall be held liable for the service

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

from the date of any previous meter reading that most nearly coincides with the actual date the service was first used by such customer.

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 or 435.6 Units of water where one Unit is equal to 100 cubic feet.

2.2 “Active Service” shall be one that is currently taking water and paying for service. All other services are inactive.

2.3 “Agricultural Service”: See ‘*Agricultural Irrigation Service*’ in Attachment F.

2.4 “Allocation”: a volume of water (as defined herein hundred cubic feet or acre feet) that is assigned and may be reassigned by Casitas to a Casitas property or Casitas customer for a defined allocation period. An allocation of water shall not mean an entitlement or in any way imply a water right.

2.5 “Allocation Period”: Allocation periods may be monthly or annually during any one fiscal year.

2.6 “Association”: An association shall consist of a single owners who agree 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).

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

2.9 “Business Service”: See ‘*Commercial Service*’ in Attachment F.

Comment [SW2]: Consider moving classification definitions to one section.

2.10 “Capital Facilities Charge”: 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”: the Casitas Municipal Water District.

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

2.13 “District”: the Casitas Municipal Water District

2.14 “Emergency Service”: See ‘*Emergency Service*’ in Attachment F.

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

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

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

2.18 “Inter-Departmental”: See ‘*Inter-Departmental Service*’ in Attachment F.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

2.19 “Industrial Service”: See *‘Industrial Service’* in Attachment F.

2.20 “1989”: Unless otherwise specified herein, 1989 shall mean calendar year 1989.

2.21 “Landscape Irrigation Service”: See *‘Landscape Irrigation Service’* in Attachment F.

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

2.23 “Multi-family Residential Service”: See *‘Residential Multiple-Unit Service’* in Attachment F.

2.24 “Other Service”: See *‘Public Authority Service’* in Attachment F.

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

2.26 “Qualifying Acreage”: Agricultural lands planted eligible for irrigation service and under irrigation during 1989 and prior to April 11, 1990, and meet the requirements of Casitas and the Bureau of Reclamation.

2.27 “Resale Service”: See *‘Resale Service’* in Attachment F.

2.28 “Residential Service”: See *‘Residential Single-Unit Service’* in Attachment F.

2.29 “Service”: shall mean the furnishing of water to a customer through an approved and appropriate service facilities of the Casitas Municipal Water District.

2.30 “Service Facilities”: shall mean those materials and facilities between Casitas' water conveyance line or lateral and the outlet of the service meter, valve, fire hydrant, or riser for fire service. 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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

2.31 “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.

2.32 “Sources Other Than Casitas”: A water source that is available to the customer, the origin of which is not Lake Casitas or any Groundwater Well owned by the District, such as groundwater produced with wells or diverted surface water which the customer places to beneficial use.

2.33 “Supplemental Ag Rate”: As of December 2009, Casitas has noticed the termination of the Supplemental Ag rate and removed the availability of this rate.

2.34 “Temporary Service”: See ‘*Temporary Service*’ in Attachment F.

2.35 “Unit”: A volume of water that is equal to 100 cubic feet or 748 gallons.

2.36 “Water Agency”: Public water supply agencies, public water utilities, and mutual water companies that are permitted by the State of California to supply water. A water agency has all services metered, bills its water customers for water consumption through the meters, and maintains its own water system in accordance with all applicable standards, regulations and laws.

2.37 “Water Use”: The volume of water delivered through a Casitas metered service facility to the customer during a set period of time.

2.38 “Water Year”: A 12-month period beginning July 1 and ending June 30.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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.

4. ARRANGEMENTS FOR REGULAR WATER SERVICE:

4.1 CONDITIONS OF PRIORITY AND PRIORITIES FOR NEW SERVICE AND EXPANDED EXISTING SERVICE: 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

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

Program, 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.

Comment [s3]: This has always seemed problematic, could lead to lawsuit, many problems. Recommend deletion of this paragraph

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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

The combined properties in each land use agency's jurisdiction qualifying for new water each time that 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 to 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.

Comment [s4]: May reference program differently??

4.2.7. 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 through agreement with Casitas at the time the property is divided. Failure to divide the allocation at the time of dividing the property 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.

4.2.8. CLASS 6 LANDS: Class 6 lands have been identified by the Bureau of Reclamation as lands not suitable for irrigation, and thus not eligible to receive water being generated from a federal project. The Ventura River Project, including Casitas Dam and associated water delivery systems are the local federal project. The Bureau of Reclamation has identified Class 6 lands on maps that are available for public viewing at Casitas. Applicants with water service

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

serving planted Class 6 lands or new applicants requesting service to Class 6 lands shall receive no new or additional water supplies or allocation.

4.2.9. PAYMENT OF CONNECTION CHARGES: 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.

4.2.10. 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.

Comment [SW5]: Redefine the Capital Facilities Charge

4.2.11. EXPANSION OF SERVICE: Customers requiring additional water for 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 fees and charges.

4.2.12. 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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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 and charges.

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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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

Comment [s6]: Delay was past -rephrase to reflect current and future - delete this section? Some of the conditions should apply to other section - owner of parcel...

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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. No more than one commercial building or one premise shall be served through a single service connection and meter. Additionally, the District determines a premise by evaluation of such building features as contiguous roofline, separate exterior entrances, individual mailing addresses, and other property characteristics. In general, a duplex, town homes and detached in-law/secondary units will require individual connections. 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

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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".

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 the service has not received a shut-off notice hanging tag (48-hour notice of shut-off), a shut-off or a Delinquency Charge for a period of one year.* 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 as per Attachment B: Account Deposits by Meter Size (attached).

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 owner's 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. *In the event that several tenants have been sent to collection for non-payment while the property is owned by the same owner, it is to the discretion of Casitas to no longer allow tenants of said property to open an account with Casitas with the owner bearing responsibility.*

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

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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 (CFC): These charges are as follows:

Capital Facilities Charge: *See Attachment C: Capital Facilities Charges (attached)*

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 and do not fall into one of the categories below unless referred here from that other category. *This also includes customers with accounts within Golden State Water Company's Ojai system as of the date of final acquisition by Casitas Municipal Water District.*

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 the water service and meter, rather than add a new meter.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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 for new structure(s) 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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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.

4.10.3.5 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.

4.10.3.6 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:

Meter Size (Inches)	Maximum Flow Rate (Gallons per Minute)
5/8	20
3/4	30
1	50
2	160

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

3	320
4	1,000

4.10.3.7 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.

4.10.3.8 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.

4.10.3.9 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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

4.10.3.10 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.

4.10.3.11 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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

4.10.5 NEW DWELLING STRUCTURES: Each new dwelling structure added to any land with an existing 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".

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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:

Comment [s7]: Move to Section 4.17??

4.15.1 Will-serve letters say “Will Serve” only, and not otherwise be stated as a conditional water availability letter or be responses to information requests, 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 issued.

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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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 or 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:

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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, in compliance with State and local regulations,

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

standards, and requirements, 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 letter 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

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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.

4.18 TERM OF SERVICE: *Treated water service pursuant to an approved application shall be provided until the service is terminated by the customer or the District.*

4.18.1 TERMINATION OF SERVICE FOR NON-USE: *The District may, at its discretion, treat non-use of water for a period of 12 consecutive months as termination by the customer.*

4.18.2 TERMINATION OF SERVICE BY CUSTOMER REQUEST: *A customer may terminate service at any time by notice to the District.*

4.18.3 TERMINATION OF SERVICE FOR NON-COMPLIANCE OR DEFAULT: *The District may terminate service at any time for non-compliance with any regulation of the District or default in any payment due to the District.*

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

4.18.4 RESTORATION OF TERMINATED SERVICE: Restoration of a terminated service shall be treated as an application for new water service and charged applicable fees.

4.19 FREQUENCY OF READING:

Treated water meters will normally be read monthly. Raw water meters will normally be read in a manner consistent with this same schedule. As it is not always possible to read meters at intervals, the period between reading dates may vary. Special readings will be made on commencement and termination of service and as required by special circumstances.

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-

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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. *A written request for extending a temporary service in excess of six months is required prior to the expiration of the original six months.* 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.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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: The District will provide water service for fire hydrants and other facilities used exclusively for fire protection at such pressure and at such rates of flow as may be available from time to time as a result of the operation of the District's storage, transmission, and distribution facilities. The District will review all fire protection system changes upon receipt of notification. All connections will be required to meet current District standards. The District does not warrant or guarantee any pressure or range of pressures or rates of flow. The District shall not be liable for any damage in any manner arising out of the non-availability of water or water pressure at any hydrant or facility used for fire protection.

7.1.1 PUBLIC FIRE HYDRANTS: Public fire hydrants will be installed and connected to the District's mains when requested by the public fire protection entity having jurisdiction or when required as a condition of a building permit or subdivision. When a hydrant is installed on an existing main at the request of the public fire protection entity, the work will be performed by the entity's approved contractor or the District's forces and the entity will pay all costs associated with either option. When a hydrant is installed as a condition of a building permit or subdivision, the District's cost of design, materials and installation of the connection to the District's main, fire hydrant assembly, and all facilities and appurtenances thereto shall be paid by the holder of the building permit or the developer of the subdivision. Alternatively, with the approval of the District, the developer may use their own design engineer and contractor but must place a plan check and construction inspection deposit with the District prior to commencement of the project.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

7.1.2 OWNERSHIP AND RELOCATION OF DISTRICT FIRE HYDRANTS: The District owns, repairs, inspects and maintains fire hydrants and bury units. Fire hydrants will be removed or relocated at the expense of the person or entity requesting it.

7.1.3 USE OF FIRE PROTECTION FACILITIES: 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.

7.2 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. *The District must approve the placement of private fire hydrants and mains to eliminate parallel private hydrants and mains being placed in close proximity to District mains and fire hydrants. The fire authority responsible for approval of fire protection related requirements shall determine fire protection requirements. The District shall solely and conclusively approve the*

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

number, location, and alignment of each fire service and required backflow equipment. A single fire service shall not be allowed to serve multiple buildings or premises. The reduced pressure backflow prevention device shall be satisfactory to the District. The location of the assembly shall be determined by the District. The District reserves the right to disconnect a privately owned fire protection system or to require a metered service to be installed in lieu thereof in the event water is taken through the detector check assembly for any use other than fire protection.

7.2.2 FIRE SERVICE CHARGES FOR COMMERCIAL AND INDUSTRIAL FIRE

PROTECTION FACILITIES: Water used for fire suppression shall be furnished without charge.

Comment [s8]: Move to Rates page

Effective July 1, 1996, the bimonthly Service Charges for private fire service shall be in accordance with Attachment D (attached).

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 required by the Ventura County Fire Prevention Department for fire protection. 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

Comment [s9]: How many do we have, what are they being charged? Do we allow or just keep to the meter size at a residential rate - I know of only two such services, Fairview Road and McConkie in Upper Ojai.

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.

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 use 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 RATE CLASSIFICATIONS: In establishing water rates, account shall be taken of class of service, zone of use, and capacity of service.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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, recreation, temporary, and other purposes.

9.1.2 CLASS 2 SERVICE: *Not currently offered.*

9.1.3 CLASS 3 SERVICE: Class 3 service shall apply to all services qualifying as irrigation services.

9.1.3.1 REQUIREMENTS FOR IRRIGATION SERVICE: Irrigation service requires 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 classified to the full irrigation water rate. Said classification 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

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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 upon written notification by Casitas, on a form provided by Casitas by March 1 of each year. The customer's timely submittal of a completed crop report is a condition for continued irrigation service. *Any irrigation customer who fails to submit said reports, information and documents required, shall receive 30 day notice of default in writing and thereafter Class 3 irrigation service will be changed to Class 1 Residential service for the duration of the following water fiscal year.* The crop report requires the customer to provide 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

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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 submit said reports, information and documents required, shall receive 30 day notice of default in writing and thereafter Class 3 irrigation service will be changed to Class 1 Residential service for the duration of the following water fiscal year. 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 EXPANSION OF AGRICULTURAL SERVICE DURING WATER SHORTAGE EMERGENCY: 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**.

Comment [SW10]: These section need to be relocated to appropriate sections.

DRAFT DOCUMENT - SUBJECT TO REVISION - April XX, 2017
This Document is from the 12/17/09 version, changes accepted and new revisions made in April 2017

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: *Customers are billed monthly.* 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 (attached).

9.4 SERVICE CHARGES: 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

Rev. 03/17

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.

9.4.1 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.

10. BILLING AND COLLECTION CHARGES:

10.1 WATER SERVICE: *Bills for water service shall be rendered monthly or 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 *the last business day of the month.*

Rev. 03/17

10.2.2.1 DELIQUENCY CHARGES, CUSTOMER SHUTOFF

NOTIFICATION AND WATER SERVICE SHUTOFF PROCEDURES: 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 hanging tag shall be given to one of the residents if the manager cannot be found. ~~If the bill remains unpaid after the hanging 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

Rev. 03/17

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. *Additionally, any customer subject to the returned check charge may be placed on a probationary cash or credit card basis for a period of twelve (12) billing cycles or as determined by the General Manager. Checks will not be accepted from customers that have been placed on a probationary cash or credit card basis until after the conclusion of the probationary period.*

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 NON-REGISTERING 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% respectively. These percentages total 100% and become the usage for the averaged period.

11.1.3 LEAK ADJUSTMENT:

11.1.3.1. QUALIFICATION FOR A 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

Rev. 03/17

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 ~~and~~ 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 BILLING APPEALS:

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.

Rev. 03/17

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 she/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 a final determination.

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 deposit and written statement of appeal request from the customer, Casitas shall schedule and give written notice to the customer of the date and time of the meetings at which the bill will be considered by the appropriate 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.

Rev. 03/17

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.

Comment [S11]: Need to discuss the options for discontinuance, greater of standby charges or allocation charge. Written notice the service is permanently terminated. Rental or sales of homes, we would not act upon in this manner, see 12.7. Temporary v. discontinuance.

Rev. 03/17

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.

Comment [s12]: Could reference Attachment A.

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 allocation 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 Casitas 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 Casitas. 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 *as described in Attachment B (attached)*.

Comment [s13]: Repeat of 9.4 Service deposits, do we need

12.7.3 **SERVICE CHARGE DEPOSIT:** Service Charge Deposit is taken at time of application for water service. *The Service Charge is billed monthly.* 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 will be required to pay a meter test fee of \$ 50.00 to partially cover the cost of testing the meter. The District will test the accuracy of any of its meters upon request of a customer, who will advance the cost of such test, as determined by District. The customer may, if he desires, witness the test. If a meter is found to be working improperly, it will be repaired or replaced by the District. If it is determined that the meter is registering more than 2% over the actual quantities passing through it, the cost of said test deposited by the customer shall be refunded.*

Rev. 03/17

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 it is determined that the meter is registering more than 2% over the actual quantities passing through it, the cost of said test deposited by the customer shall be refunded.*

Old Text: 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. METER AND SERVICE 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 NEW SERVICE-FACILITIES REQUIRED: *No new service connection shall be made to the District's treated water distribution system unless there is a District water main in a street or right-of-way satisfactory to the District opposite the proposed location of the applicant's meter, and the main shall have a capacity and pressure adequate to provide safe and*

Rev. 03/17

reliable water service as solely and conclusively determined by the District. In determining the adequacy of existing facilities, the District may take into consideration any fact or circumstance it considers relevant, including without limitation the water requirements of the land to be served by the new connection, the flows required for fire protection, and whether such use of water will substantially impair service to the District's existing customers. If the District determines that its existing facilities are not adequate to serve a new connection, the new service shall not be connected to the system unless and until such extensions of or additions to the District's facilities as the District shall consider necessary are constructed. The location, capacity, and design of such extensions or additions shall be determined solely and conclusively by the District, taking into consideration such factors as anticipated future land uses and water requirements, the desirability of looping water mains to increase reliability of service, flows needed for fire protection, and the District's long-range plans for capital improvements of the system.

If needed due to low operating pressure conditions, new service shall not be provided unless and until the applicant installs a pump on the applicant's side of the meter which shall be maintained by the applicant at no cost to the District and installs one (1) inch nominal diameter piping from the meter throughout the remainder of the water supply system, excepting connections to faucets, sinks, and the like. Said pump shall provide pressure service to the applicant within the drinking water standard at the point of use. The customer shall also cause to be installed a low suction cut off switch in order to protect their pump as the District shall assume no liability for failure of pump due to lack of pressure or water in the system. The property must be within the boundaries of the District.

14.1.3 INSTALLATION BY CUSTOMER: The works may be financed and installed by the applicant in accordance with plans and specifications previously approved by Casitas. The

Rev. 03/17

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.

14.1.4 REMOTE METERS:

A District meter will be set near the limit line of a street or right-of-way in which a District main exists, or where a new main will be installed for service to a lot that does not abut the street or right-of-way if all of the following conditions are met:

A. The customer's service line from the meter to the lot is entirely within a recorded permanent easement for roadway purposes.

B. The area including and entirely surrounding the lot and the area susceptible of service by the roadway to the lot cannot be developed with more than two premises with remote meters.

C. There is no reasonable probability that a public thoroughfare to the lot will be dedicated, improved, and accepted for maintenance by a public agency.

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

Rev. 03/17

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 (WEAP) FOR EXTENDED DROUGHT PERIOD AND WATER SHORTAGES:

15.3.1 **THE WEAP PROGRAM:** The Water Efficiency and Allocation Program (WEAP) shall establish, through a staged process, Casitas' customer allocation program and associated rate schedules, in which the objective is to result in a balance between supplies and demand through an equitable distribution of the existing supplies. *A copy of the most recently enacted Water Efficiency and Allocation Program is provided in Attachment E (attached).*

15.4 APPEALS PROCESS:

15.4.1 **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.

15.4.2 **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.

Rev. 03/17

15.4.3 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.

15.4.4 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.

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

15.5 USE OF CASITAS WATER AND WATER ALLOCATIONS:

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

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

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

15.6 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:

15.6.1 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.

Rev. 03/17

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

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

15.6.3.1 Exported water shall be charged at five (5) times the Temporary Service rate and an additional one-twelfth (1/12th) 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.

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

15.6.5 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.

15.6.6 Section 15.6, 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. 20% VOLUNTARY CONSERVATION: 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.

Rev. 03/17

16.2. NO EXPANSION OF WATER SERVICE USE DURING AN EMERGENCY: 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 NO ADDITIONAL PLUMBING FIXTURES: 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 ADDITIONAL PLUMBING FIXTURES: 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.

Rev. 03/17

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.

Comment [SW14]: Meaning and way stated??

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

Rev. 03/17

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. *Additionally, the customer shall be liable for any interference with the operation or maintenance of Casitas facilities and equipment that is encountered by Casitas or its agents such as parked vehicles, temporary or permanent structures, etc.* The bill for such damage *or interference* will be determined by Casitas based upon the extent of the damage *or interference* 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: *Relocation of District-owned facilities or equipment shall be subject to the following:*

17.3.1 RELOCATION OF DISTRICT EQUIPMENT OF PRIVATE PROPERTY: *Any equipment of the District that is on private property and needs to be relocated pursuant to customer's request shall be paid by customer.*

Rev. 03/17

17.3.2 DISTRICT-INITIATED RELOCATIONS: If the District determines that relocation of an active service connection is necessary or desirable because of operations of the District, the relocation will be done without cost to the customer served by the connection. The District shall give ten days' prior written notice of its intended action to the owner of the land that the service connection is on or adjacent to. The notice shall be mailed to the owner at the address shown on the last equalized assessment roll of Ventura County.

17.3.2.1 DISTRICT REMOVAL OF INACTIVE SERVICES: If the service connection has no meter and is not being used, the District may elect to sever the connection without relocating it. Before doing so, it shall give ten days prior written notice of its intended action to the owner of the land that the service connection is on or adjacent to. The notice shall be mailed to the owner at the address shown on the last equalized assessment roll of Ventura County.

17.3.3 CUSTOMER-REQUESTED RELOCATIONS: If relocation or removal of a service connection is requested by a customer for reasons related to the District's provision of adequate water service to the customer's property, or to facilitate the use or maintenance of the customer's property by either the customer or the District, and if such a request is approved by the District (in its sole discretion), the District will perform the work upon payment of the amount of its costs thereby incurred, but not less than \$200.00. Costs shall include materials, labor, engineering, and overhead. Estimated costs shall be solely and conclusively determined by the District. The District's consideration of customer requests will take into account potential impacts to the cost effective, long-term operation of District facilities. The customer will enter into a Relocation Agreement with the District and deposit the amount of the estimated costs with the District prior to performance of the work.

Rev. 03/17

18. RESPONSIBILITY FOR WATER RECEIVING EQUIPMENT:

18.1 RESPONSIBILITY OF CUSTOMER: The customer shall be responsible for connecting their pipeline to Casitas' meter. The customer shall furnish and install at their 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 they 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, they 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 their 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 their tenants, agents, employees, contractors, licensees, or permittee in installing, maintaining, using, operating, or interfering with any water receiving equipment. *The District shall not be liable for any loss, damage, or inconvenience to any person by reason of any shortage, reduction, interruption, or discontinuance of water service or the increase, decrease of water pressure including transient pressure surges.* 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.

Comment [SW15]: Need review of liability clause - pressure swings and damage to customer's property?

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

Rev. 03/17

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:

The purpose of this section is to prevent water from unapproved sources, or any other substance, from entering the District's treated water distribution system, in accordance with the regulations of the State of California relating to cross-connections (Title 17 California Administrative Code, Section 7583, et seq.). This chapter is intended to supplement, but not supersede, state statutes, codes, ordinances, and regulations relating to water supply and plumbing.

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 back-flowing 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.

Rev. 03/17

When requested, the customer, at their 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. This includes a well or other additional source of water, or a connection to or access to an additional source of water, including recycled water. 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.

Rev. 03/17

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. This includes such cases as:

A. Any substance handled under pressure in such fashion as to permit entry into the water system;

B. A swimming pool supplied by a separate water service or without a satisfactory air gap or anti-siphon device on the inlet line.

C. customers with more than one connection to the District's facilities and flow from one service to another can occur.

D. Any internal pressure boosting system.

E. An irrigation system supplied by a separate water service, including recycled water, or without a satisfactory anti-siphon device on the inlet line.

F. Water hauling equipment that fills from hydrants.

G. Fire protection systems which have an actual or potential contamination hazard to the District's distribution system.

19.3 CUSTOMER INSPECTION OF PROTECTIVE DEVICES: The regulations of Casitas and the State of California 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 **certified 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

Rev. 03/17

the inspection. Failure to carry out the annual inspection, and take and document corrective actions as directed by either Casitas or the Ventura County 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:

20.1 UNLAWFUL TAKING OF WATER:

No person shall open any valve or fire hydrant or by other means take or draw any water from any reservoir, pipe, canal, or other facility owned or operated by the District without the prior specific authorization of the District. The District may prosecute violators of Section 498 and 625 of the California Penal Code which make it a misdemeanor to tamper with or bypass meters, to take water without payment, or to take water from or through a connection that has been shut off by the District.

Rev. 03/17

20.2 POLLUTION OF WATER SUPPLIES:

No person shall place any waste matter, rubbish, or foreign material in any canal, well, reservoir, tank, or conduit operated by the District. The District may prosecute violators of Section 374.7 and 592 of the California Penal Code, which makes it a misdemeanor to pollute public water supplies.

20.3 DAMAGE TO FACILITIES:

The District may prosecute violators of Section 607 and 624 of the California Penal Code which make it a misdemeanor to damage willfully properties and facilities owned or operated by the District. The District may also bring a civil action for treble damages under Section 1882.2 of the Civil Code.

20.4 TRESPASS ON RIGHT-OF-WAY:

The District may prosecute violators that trespass on any portion of the right-of-way of the Robles Diversion Canal not designated as a recreational trail or to swim or fish in the Canal.

20.5 ELECTRICAL GROUNDS PROHIBITED:

No electric circuit shall be grounded to any pipe or other facility of the District or to any plumbing or metal in contiguity therewith. Any person who makes, or permits to be made, such a connection will be liable for any damage to the District and for personal injury resulting therefrom.

20.6 ADDITIONAL ACTIONS: *At the District's sole discretion, violation of any of part of this section (Section 20) the District may take the following additional actions as deemed appropriate:*

20.6.1 Termination of water service to the perpetrator.

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

Rev. 03/17

20.7 ADMINISTRATIVE HEARING: The person or persons charged with one or more of the acts prescribed in Section 20 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.).

20.7.1 ACTIONS BY THE GENERAL MANAGER PENDING HEARING: Pending said administrative hearing, the General Manager shall determine whether water service to the person or persons so charged shall be continued or discontinued. The General Manager's determination shall be based on the following factors:

- A. Amount of damage to Casitas facilities.
- B. Amount of water lost through such damage.
- C. 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.

Rev. 03/17

22. REGULATION FOR PROHIBITING OF 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.

Rev. 03/17

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.

Comment [s16]: Is this ALL? Changes in 2008?