



**OPERATING RULES AND REGULATIONS
OF THE
SILVER SPRINGS MUTUAL WATER COMPANY
EFFECTIVE July 19, 2018**

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This document cancels and supersedes all prior rules addressing the subject matter.



Chapter 1.04
GENERAL PROVISIONS

Sections:

1.04.010 Short Title.

1.04.020 Water System.

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1.04.080 Refusal to Sell Water.

1.04.100 Information Available to Members



1.04.010 Short Title. This article shall be known and may be cited as the Silver Springs Mutual Water Company Rules and Regulations. The Silver Springs Mutual Water Company is referred to herein as the “Utility.”

1.04.020 Water System. The Utility will furnish a system, plant, works, and undertaking used for and useful in obtaining, conserving and dispensing water for public and private uses, including all parts of the water system, all appurtenances to it, and lands, easements, rights in land, water rights, contract rights, franchises, and other water supply, storage and distribution facilities and equipment.

1.04.030 Pressure Conditions. All applicants for connection or water service accept such conditions of pressure and service as are provided by the Utility at the location of the proposed service connection and hold the Utility harmless for any damages arising out of low pressure or high-pressure conditions or interruptions in service.

1.04.040 Maintenance of Water Pressure; Shut Down for Maintenance or Repair. The Utility accepts no responsibility for the maintenance of pressure and it reserves the right to discontinue service while making repairs required in the operation of the water system. Customers dependent upon constant pressure and a continuous supply shall provide their own equipment and storage to satisfy those needs.

1.04.050 Tampering with Utility Property. No one except an employee or representative of the Utility shall at any time, in any manner, operate, adjust, manipulate, molest or interfere with any equipment owned by Utility including but not limited to curb cocks, main cocks, gates or valves; or interfere with meters or their connection, street mains or any other part of the water system. A charge of \$250 will be assessed for each occurrence.

1.04.060 Penalty for Violation. For the failure of a Customer to comply with all or any part of these Rules and Regulations, or any ordinance, resolution or order fixing rates and charges of the Utility (collectively, “tariffs”), a penalty for which has not hereafter been fixed, the Customer's service shall be discontinued until he/she has complied with the tariff which he/she has violated or, in the event that he/she cannot comply with said tariff, until he/she shall have satisfied the Utility that he/she will in the future comply with all tariffs established by the Utility.

1.04.070 Ruling Final. All rulings of the Board shall be final. All decisions of the General Manager shall be final unless appealed in writing to the Board within five days of the General Manager’s decision. When appealed, the Board's ruling shall be final.

1.04.080 Refusal to Sell Water. The Utility may refuse permission to purchase water for resale for outside service during any hardship as determined by the Utility.

1.04.100 Information Available to Members. The Utility shall maintain at its office for member



or Customer inspection, during regular working hours, the following information:

A. A written description of the quality of water furnished with copies of the most recent water quality tests performed by the Utility; whether the water is filtered or unfiltered; and whether the water is treated or untreated.

B. Copies of the Utility's Tariffs and resolutions of the Board.

C. When optional rates are available for certain classes of Customers, the Utility shall, upon request by the Member or Customer, explain the optional rates and shall assist the Member or Customer in selecting the rate schedule best suited for the Customer's service requirements.

D. When rates for service are increased or revised, the Utility shall notify all Customers affected.

E. A member may inspect and copy the member ledger and other documents contemplated by NRS 82.181. Prior to inspecting the member ledger, the member shall be required to provide the Utility with the affidavit identified in that section, and the member's request may be refused for the reasons provided therein. The above reference to NRS 82.181 refers to that section as it existed on the effective date of these Rules and Regulations, and as that statute may be amended or succeeded from time to time.

F. The financial and other records identified in NRS 82.186, as amended or succeeded from time to time, are available to a member or other authorized person upon satisfaction of the requirements of that section and may be denied by the Utility as provided therein. The affidavit authorized by that section shall be required before the records may be inspected. In lieu of allowing the inspection of the records identified in NRS 82.186, the Utility may make available at no cost to its Members a detailed annual financial statement as permitted by NRS 82.186(6).

G. The Board shall periodically approve a financial statement, stating the general financial condition of the Utility, which shall be available to any Member of the Utility upon request.

H. The Utility may, in its discretion, aurally record its meetings and the meetings of the Members, whether special or annual. Said recordings may be destroyed after one year. Recordings are not official records of the Utility; only the approved minutes are considered the official record of any meeting.



Chapter 1.08 DEFINITIONS

Sections:

- 1.08.010 Board.
- 1.08.020 Connection.
- 1.08.030 Costs.
- 1.08.040 Cross-Connection.
- 1.08.043 Customer.
- 1.08.045 Fee Schedule
- 1.08.050 General Manager
- 1.08.060 Main.
- 1.08.070 Person.
- 1.08.080 Premises.
- 1.08.090 Private Fire Protection Service.
- 1.08.100 Public Fire Protection Service.
- 1.08.110 Owner.
- 1.08.120 Regular Water Service.
- 1.08.130 Temporary Water Service.
- 1.08.140 Water Department.

1.08.010 Board. "Board" means the Utility's Board of Directors.

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1.08.020 Connection. "Connection/Hook-up" means the pipeline and appurtenant facilities such as the curb stop, meter and meter box, used to extend water service from a main to a Customer's premises, the laying thereof and the tapping of the main. Where services are divided at the curb or property line to serve several Customers, each such branch service shall be deemed a separate connection.

1.08.030 Costs. "Costs" means the cost of labor, material, transportation, supervision, engineering, legal and all other necessary overhead expenses.

1.08.040 Cross-Connection. "Cross-Connection" means any physical or other connection between the Utility's system and that of any other water supply that is not, or cannot be, approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the Utility's distribution mains.

1.08.043 Customer. The person in possession of the premises served, whether the owner thereof.

1.08.045 Fee Schedule. That schedule of fees as adopted by the Board from time-to-time and maintained at the Utility's office.

1.08.050 General Manager. "General Manager" means that person appointed by the Board to oversee and direct the day-to-day operations of the Utility.

1.08.060 Main. "Main" means a water line in a street, highway, alley, easement or other location used for public or private fire protection or for general distribution of potable water.

1.08.070 Person. "Person" means an individual or a company, association, co-partnership or public or private corporation.

1.08.080 Premises. "Premises" means a lot or parcel of real property under one ownership, except where there are well defined boundaries or partitions such as fences, hedges or other restrictions preventing the common use of the property by the several tenants, in which case each portion shall be deemed separate premises. Apartment houses and office buildings may be classified as single premises in the sole discretion of the Utility.

1.08.090 Private Fire Protection Service. "Private Fire Protection Service" means water service and facilities for building sprinkler systems, hydrants, hose reels and other facilities installed on private property for fire protection and the water available therefore.

1.08.100 Public Fire Protection Service. "Public Fire Protection Service" means the service, facilities and water of the Utility's entire water supply, storage and distribution system, including the fire hydrants affixed thereto, but excepting house service connection, private systems and appurtenances



thereto.

1.08.110 Owner. "Owner" means the person in whose name the legal title to the property appears, by deed duly recorded in the county recorder's office, or the person in possession of the property under claim of or exercising acts of ownership for himself, or as executor, guardian or trustee of the owner.

1.08.120 Regular Water Service. "Regular Water Service" means water service and facilities rendered for normal domestic, commercial and industrial purposes on a permanent basis, and the water available therefore.

1.08.130 Temporary Water Service. "Temporary Water Service" means the water service and facilities rendered for construction work and other uses of limited duration, and the water available therefore.

Chapter 1.12
NOTICES

Sections:

1.12.010 to Customers.

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1.12.020 from Customers.

1.12.010 to Customers. Notices from the Utility to a Customer will normally be given in writing, delivered or mailed to him/her at his/her last known address. Where conditions warrant and in emergencies, the Utility may give notices either by telephone or messenger. In emergencies no advance notification is required.

1.12.020 from Customers. Notice from a Customer to the Utility must be given:

A. In writing, if the notice involves a billing or business issue or dispute, at the Utility's office during normal business hours; or

B. By the most expeditious means if the notice involves service related or emergency issues.



Chapter 1.16 APPLICATION AND REGULAR SERVICE

Sections:

- 1.16.010 Form - Information.
- 1.16.020 Applicant Compliance.
- 1.16.030 Payment for Previous Service.
- 1.16.040 Installation Charge.
- 1.16.050 Installation of Services
- 1.16.060 Changes in Customer's Equipment.
- 1.16.070 Service Size and Location.
- 1.16.080 Curb Cock.
- 1.16.090 Domestic, Commercial and Industrial Service Connection.
- 1.16.100 Service Connections.
- 1.16.110 Rejection of Application.

1.16.010 Form - Information. The owner or his agent must make application for water service on the Utility's application form #300. The Utility shall endeavor to commence service within two business days of accepting an application for service at a property where water service already exists.

1.16.020 Applicant Compliance. Applications signify the Customer's willingness, intention and agreement to comply with the Utility's tariffs and to make payments for water service as required.

1.16.030 Payment for Previous Service. An application will not be approved unless payment in full has been made for water service previously rendered to the applicant by the Utility. No service will be provided if an applicant misrepresents the recipient of water services.

1.16.040 Installation Charge. The charge for a service connection shall be paid in advance by the applicant as reflected on the Fee Schedule.

1.16.050 Installation of Services. Only the Utility's duly authorized employees or agents are authorized to install service connections.



1.16.060 Changes in Customer Equipment. No changes to a Customer's service, including but not limited to, change in the size, character or extent of the equipment, shall be made without prior written approval from the Utility.

1.16.070 Service Size and Location. The Utility reserves the right to determine the size of service connection and their location with respect to the boundaries of the premises to be served. The laying of a yard line to the curb shall not be done until the location of the service connection has been approved by the Utility.

1.16.080 Curb Cock. Every service connection shall be equipped with a curb cock valve on the inlet side of the meter. Such curb cock is for the exclusive use of the Utility.

1.16.090 Domestic, Commercial and Industrial Service Connection. Only connections in conformity with the following rules shall be permitted:

A. Separate Building. Each house, lot, or commercial building shall be provided with a separate service connection. Two or more buildings under one ownership and on the same lot or parcel may be supplied through the same service connection only with the prior approval of the Utility; provided that for each building under a separate roof an additional monthly rate will be applied to the single meter servicing said buildings, or a separate service connection may be charged for each building. The Utility may limit the number of houses or the area of land under one ownership to be supplied by one service connection.

B. Single Connection. Not more than one service connection for domestic or commercial supply shall be installed for one building, except under special conditions as determined by the Utility.

C. Different Owners or Physical Barriers. A single service connection shall not be used to supply adjoining property under separate ownership; nor to serve separate parcels under common ownership when divided by a street or alley.

D. Divided Property. When property provided with a service connection is divided into multiple parcels, the existing service connection shall belong to the lot or parcel that it directly enters. The new parcels will be serviced from separate connections as approved by the Utility with water rights provided by the owner or owners thereof.

1.16.100 Service Connections. The service connections extending from the water main to the property line and including the meter, meter box and curb cock valve, on the supply side of the meter shall be maintained by the Utility. All pipes and fixtures extending from the outlet side of the meter shall be installed and maintained by the owner.

1.16.110 Rejection of Applications. Applications for service through existing or new service connections may be rejected if:

A. The applicant's account at the same or other location is delinquent.



B. The purpose of the applicant, in the opinion of the Utility, is to circumvent discontinuance of service in another name because of non-payment or other infraction of these rules. If this is found to be the case a two hundred fifty (\$250.00) dollar fee will be assessed.

C. The applicant does not comply with all the Utility's tariffs.



Chapter 1.20
APPLICATION AND REGULAR SERVICE
WHEN MAIN EXTENSION REQUIRED

Sections:

1.20.010 Application for Main Extension.

1.20.020 General.

1.20.030 Advance Cost.

1.20.040 Facilities Exceeding Needs.

1.20.050 Specification and Construction.

1.20.060 Cost Adjustment.

1.20.070 Extensions by the Utility.

1.20.080 Reimbursement Agreements.

1.20.010 Application for Main Extensions. The following rules and procedures are established for making main extensions.

A. (1) Applications for Main Line Extension Fifty (50) Feet or Less. Any owner of one or more lots or parcels desiring the extension of one or more water mains to serve such property shall make a written application therefore. The application shall include the legal description of the property to be served, the purpose for the extension, the size of connection requested, any additional information which may be required by the Utility, and a map showing the location of the proposed extension and connection(s). After construction has been completed as-built maps are to be supplied to the Utility at no cost, and before service is established.

A. (2) Applications for Main Line Extension Over Fifty (50) Feet. In addition to that information set forth in the preceding section, applications for main line extensions over Fifty (50) feet must be accompanied by wet-stamped engineered drawings and cost estimates.

B. Investigation. Upon receipt of an application for fifty feet or less, the General Manager shall make an investigation and survey of the proposed extension and shall report his findings to the Board,



including the estimated cost thereof.

C. Ruling. The Board shall thereupon consider said application and shall reject it, approve it, or approve it with conditions.

D. Utility System Lines. All extensions permitted in accordance with these regulations shall be dedicated to and remain the property of the Utility.

E. Dead-End Lines. No dead-end lines shall be permitted, except at the discretion of the Utility. Circulation lines (“loops”) as determined necessary by the Utility shall be installed by and be paid for by the applicant.

1.20.020 General. A party requiring a main extension or any other infrastructure to serve their property is responsible for all costs related thereto; and will dedicate to or otherwise provide the Utility with all easements, maps, drawings, rights and other items related thereto.

1.20.030 Advance Cost. When the Board so determines, the applicant shall advance the amount of such estimate, and the line shall be installed by the Utility, or a licensed contractor with the approval of the General Manager.

1.20.040 Facilities Exceeding Needs. In the event the Utility requires facilities of greater size or capacity than is required to serve the applicant’s needs, the Utility may require the installation of the greater facilities, with the Utility responsible for the difference in cost.

1.20.050 Specifications and Construction. All material and construction will be done following all state and county laws and Utility guidelines. No Utility infrastructure construction shall begin unless it is first approved by the Utility in writing. The minimum size of any main to be constructed as a part of the distribution system shall be 6" in diameter, unless a smaller size is first approved by the Utility for its operating convenience.

1.20.060 Cost Adjustments. Adjustment and payment of any difference between the estimated and actual total installed cost of any improvements shall be made immediately after the completion of the installation, and before service begins.

1.20.070 Extensions by the Utility. The Utility may make extensions to its facilities without obligation to anyone.

1.20.080 Reimbursement Agreements. An applicant installing significant infrastructure capable of serving property not that person’s may request the Board to consider a reimbursement agreement. Such requests will be considered on a case-by-case basis. The Board’s decision whether to enter into such agreement is final.



Chapter 1.24
SUBDIVISIONS, MOBILE HOME AND RV PARKS

Sections:

1.24.010 Application - Required.

1.24.020 Application - Contents.

1.24.030 Investigation.

1.24.040 Specification and Construction.

1.24.050 Utility Property; Warranty.

1.24.060 Mobile Home Parks.

1.24.070 Water Rights.

1.24.080 Payment Agreements.

1.24.010 Application - Required. A person desiring water service for a housing subdivision, mobile home or RV park shall make written application therefore.

1.24.020 Application - Contents. The application shall state the number of housing units or park spaces; the name of the subdivision or park; and its location. It shall be accompanied by a copy of the Lyon County Building Department SITE DEVELOPMENT PLAN REQUIREMENTS FOR UTILITY PLANS and shall state the quantity of water rights needed for service.

1.24.030 Investigation. Upon receiving the application, the General Manager shall make an investigation to determine if the Utility has the capacity and ability to serve the development and that water rights are available to be provided to meet all legal and other requirements. The General Manager shall report his findings to the Board, including a recommendation as to the facilities required to serve the proposed development.

1.24.040 Specification and Construction. The size, type and quality of materials and location of the infrastructure shall be specified by the Utility.

1.24.050 Utility Property; Warranty. All water infrastructure shall be dedicated to and become the property of the Utility and include a one (1) year parts and labor warranty from date of acceptance by the Utility. Owner shall provide recorded easements as deemed necessary by the Utility.



1.24.060 Mobile Home Parks.

A. Existing Parks: A master meter may be used for existing mobile home parks with entire water consumption billed to the owner as shown in the water rate schedule.

B. New Parks: Each space of all new parks will be individually connected, metered and billed.

1.24.070 Water Rights: Multifamily Units, Apartments, Motels, Hotels, Mobile Home Parks, and RV Parks:

When any multifamily unit, apartment, motel, hotel, mobile home park or RV park are established in the Utility's service area, the owner will provide the Utility with one-half unit of water right per each living unit or space, in multifamily unit, apartment, motel, hotel, mobile home park and one fourth water right per RV space, plus one-half unit for the administration, laundry, or other proposed facilities To insure that the right amount of water is dedicated SSMWC will use the current Unified Plumbing Codes Unit Fixture Count method (see form sumac #217)

. These water units may be obtained from the Utility or, if none are available, from an outside source, and before water service is rendered.

1.24.080 Payment Agreements: Partial Payments may be accepted for Capacity fee with 20% down and under the following conditions:

- A. Payments will be applied to a APN number.
- B. All Payments shall remain with the parcel to which it was applied.
- C. There will be no refunds from the Utility for any reason.
- D. Before service is rendered, all fees shall be paid in full.
- E. The Utility will pay no interest on the partial payments received.
- F. An Agreement shall be effective for one (1) year and will lock in the Capacity fee at the time of signing.
- G. An agreement may be renewed on an annual basis by the Utility, applying the Capacity fee applicable at the time of the renewal application. A nonrefundable renewal application fee will apply. Renewal applications must be submitted 30 days before the existing agreement expires.
- H. Meter installation fees shall not be included in such agreements.



Chapter 1.28
GENERAL USE REGULATIONS

Sections:

- 1.28.010 Number of Services Per Premises.
- 1.28.020 Water Waste.
- 1.28.030 Responsibility for Equipment on Customer Premises.
- 1.28.040 Damage to Water System Facilities.
- 1.28.050 Ground Wire Attachments.
- 1.28.060 Control Valve on Customer Property.
- 1.28.070 Cross-Connection - Back Flow Protective Devices.
- 1.28.080 Cross-Connection - Special Cases.
- 1.28.090 Relief Valves.
- 1.28.100 Back Flow Device - When Required on All Supply Lines to One premises.
- 1.28.110 Back Flow Device - Inspection.
- 1.28.120 Back Flow Device - Discontinued Service.
- 1.28.130 Liability for Interruption in Service.
- 1.28.140 Right of Entry.
- 1.28.150 Owner Responsible for Service Lateral.

1.28.010 Number of Services Per Premises. An applicant may apply for as many connections as may be reasonably required for his premises and further provided for each service will be independent of the others and not interconnected.



1.28.020 Water Waste. No Customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a Customer's premises which seriously affects the general service as determined by the Utility, the Utility may discontinue service if such conditions are not corrected within five days after giving the Customer written notice. However, if the condition constitutes an immediate threat to the Utility's ability to service other Customers, disconnection may occur immediately and without notice.

1.28.030 Responsibility for Equipment on Customer Premises. All facilities installed by the Utility on private property shall remain the property of the Utility and may be maintained, repaired or replaced by it without consent or interference of the owner or occupant of the property. The owner of such property shall grant all necessary easements therefor. The property owner shall use reasonable care in the protection of the facilities.

1.28.040 Damage to Water System Facilities. The Customer shall be liable for any damage to the service facilities when such damage is from causes originating on the premises by an act or omission of the Customer or his tenants, agents, employees, contractors, licensees or permittees, including the breaking or destruction of locks by the Customer or others on or near a meter, and any damage to a meter. The Utility shall be reimbursed by the Customer or owner for any damage to property promptly on presentation of a bill therefor, or water service may be terminated as for non-payment of services.

1.28.050 Ground-Wire Attachments. All persons are prohibited from attaching any ground-wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the Utility. The Utility will hold the Customer liable for any damage to its property occasioned by such ground-wire attachments.

1.28.060 Control Valve on Customer Property. The Customer shall provide a valve on his side of the service installation, as close to the meter location as possible, to control the flow of water to the piping on his premises. The Customer shall not use the service curb stop to turn water on and off for his convenience.

1.28.070 Cross-Connection - Back Flow Protection Devices. The Customer must comply with all Utility tariffs and state and federal laws governing the separation of dual water systems or installation of back flow devices to protect the public water supply from the danger of cross-connection. Back flow devices must be installed as near the service connection as practicable and shall be open to test and inspection by the Utility. Plans for installations of back flow devices must be approved by the Utility prior to installation. Only backflow devices approved by the State of Nevada may be connected to the Utility's system.

1.28.080 Cross-Connection - Special Cases. In exceptional circumstances, when the Customer is engaged in the handling of dangerous or corrosive liquids or industrial or process water, the Utility may require the Customer to eliminate or modify certain plumbing or piping connections as an additional precaution or as a protection to the back-flow devices.

1.28.090 Relief Valves. As a protection to the Customer's plumbing system, a suitable pressure



relief valve must be installed and maintained by the Customer, at the Customer's expense, when check valves or other protective devices are used. The relief valve shall be installed consistent with all applicable plumbing codes.

1.28.100 Back Flow Device - When Required on All Supply Lines to One Premise. Whenever back flow protection has been found necessary on a water supply line entering a Customer's premises having more than one supply, all water supply lines from the Utility's mains entering such premises, building or structures shall be protected by an approved back flow device, regardless of the use of the additional water supply line. Cost for the devices and installation shall be the responsibility of the Customer, and service to the premises will be disconnected until installation is completed.

1.28.110 Back Flow Device – Inspection. Approved back flow devices shall be inspected and tested annually by a Nevada certified backflow tester at the property owner's expense. A copy of the test form shall be provided to the Utility each year. The devices shall be serviced, overhauled or replaced whenever found defective and all cost of repair, maintenance or replacement shall be borne by the Customer.

1.28.120 Back Flow Device - Discontinued Service. Service to any premises may be immediately discontinued by the Utility if any defect is found in the check valve installation or other protective devices; or if it is found that dangerous unprotected cross-connections exist; or if annual test results are not timely provided to the Utility. Service shall not be restored until full compliance is achieved.

1.28.130 Liability for Interruption in Service. The Utility shall not be liable for damage which may result from an interruption in service from any cause.

1.28.140 Right of Entry. Representatives from the Utility shall have the right of ingress and egress to the Customer's premises at reasonable hours for any purpose reasonably connected with the furnishing of water service.

1.28.150 Owner Responsible for Service Lateral. The property owner shall be solely responsible for the condition of its service lateral until the meter is installed and service to the property is commenced. This includes all water components between the service main and the meter pit.



Chapter 1.32 METERS

Sections:

1.32.010 Installations.

1.32.020 Change in Location.

1.32.030 Testing - Deposit.

1.32.040 Adjustment for Errors - Fast Meters.

1.32.050 Adjustment for Errors - Slow Meters.

1.32.060 Non-registering Meters.

1.32.065 Estimated Water Used.

1.32.070 Damage to Meters.

1.32.010 Installations. All service shall be metered. Meters will be installed in the street or sidewalk easement area and shall be owned by the Utility.

1.32.020 Change in Location. Meters moved for the convenience of the Customer will be relocated at the Customer's expense. Meters moved by the Utility for its convenience will be moved at its expense.

1.32.030 Testing - Deposit. All meters will be tested prior to installation. No meter will be installed which registers more than two percent fast or slow. If the Customer desires to have the meter serving his premises tested, he shall first deposit twenty-five (\$25.00) dollars. The Customer shall be present when the meter is tested at the Utility's shop. Should the meter register more than two percent fast, the deposit will be refunded; but should the meter register less than two percent fast, the deposit will be retained by the Utility.

1.32.040 Adjustment for Errors - Fast Meters. If a meter tested at the request of a Customer is found to be more than two percent fast, there will be adjustments made back six months to the Customer, in an amount equal to the percentage of the meter's inaccuracy.

1.32.050 Adjustment for Errors - Slow Meters. If a meter tested at the request of a Customer is found to be more than twenty-five percent slow, the Utility may bill the Customer for undercharge based



upon corrected meter readings for the period, not exceeding six months that the meter was in use.

1.32.060 Non-registering Meters. If a meter is non-registering, the charges for service shall be the minimum monthly rate plus the estimated consumption as determined by the Utility.

1.32.065 Estimated Water Used. In the event a meter is not or cannot be read the Utility may estimate water usage. If the estimation is later found to have been high or low, an adjustment on the following monthly bill will be made.

1.32.070 Damage to Meters. The Utility may set and maintain a meter on any service connection. The Customer shall be liable for any damage to the meter due to his negligence or carelessness.



Chapter 1.36 CREDIT

1.36.010 Credit Establishment - Maintenance.

1.36.020 Guarantee Deposit.

1.36.030 Loss and Re-establishment.

1.36.040 Return of Deposit.

1.36.050 Deposit by Other Than Owner.

1.36.010 Credit Establishment - Maintenance. Each applicant for service shall establish or provide acceptable proof of good credit with two utility companies and maintain credit to the satisfaction of the Utility by a cash guarantee deposit, as provided in this chapter, or otherwise, before service will be rendered.

1.36.020 Guarantee Deposit. The amount of deposit is equal to three times the base rate of a regular billing period, or any amount decided by the Utility when extraordinary circumstances exist. If a Customer receives two 24-hour notices in a one-year period, a deposit must be made as set forth above.

1.36.030 Loss and Re-establishment. Any amount due for water service that remains unpaid for fifteen days after presentation of a bill may be deducted from the guarantee deposit, and service shall be subject to discontinuance until the deposit is restored and the account brought current.

1.36.040 Return of Deposit. A guarantee deposit by a Customer who owns the premises for which the deposit was made and whose account has not been delinquent at any time nor suffered any return checks during the first year of service is returnable after said year. If service is discontinued in less than one year, the deposit will be returned provided all outstanding bills have been paid.

1.36.050 Deposit by Other Than Owner. Deposits made by applicants other than the owner shall be refunded in two years if the account has remained in good standing during that time.



Chapter 1.40 BILLING; RATES

Sections:

- 1.40.010 Rate Schedule.
- 1.40.020 Billing Period.
- 1.40.030 Meter Reading.
- 1.40.040 Reserved.
- 1.40.050 Opening and Closing Bills.
- 1.40.060 Water Charges.
- 1.40.070 Payments.
- 1.40.080 Billing of Separate Meters Not Combined.
- 1.40.090 Owner's Guarantee.
- 1.40.100 Reserved.
- 1.40.110 Damages Through Leaking Pipes and Fixtures.
- 1.40.120 Disputed Bills
- 1.40.130 Vacation/Vacancies Disconnect

1.40.010 Rate Schedule. Rates for water service shall be determined from time-to-time by the Board as shown on the Fee Schedule.

1.40.020 Billing Period. The regular billing period will be monthly unless determined otherwise by the Board.

1.40.030 Meter Reading. All metered services shall be billed based on meter readings unless estimated usage is permitted as provided in these Rules. Meters will be read as nearly as practical on the



same day of each month.

1.40.040 Reserved.

1.40.050 Opening and Closing Bills. Customer is responsible for payment from the start date until a shut-off form is signed and dated. Prorated final closing bills will be based on thirty (30) day monthly billing period. The base amount prorated will be based on the minimum monthly billing charge.

1.40.060 Water Charges. Water charges are as set forth in the Fee Schedule.

1.40.070 Payment. Bills for metered water service shall be rendered at the end of each billing period. Bills shall be payable on presentation. Water charges are due and payable at the office of the Utility on the date of mailing and are delinquent on the fifteenth day of the month. Service may be discontinued for non-payment after 24-hour notice. When a 24-hour notice is issued an additional charge will be assessed as set forth on the Fee Schedule. Partial payments will not be accepted.

1.40.080 Billing of Separate Meters Not Combined. Separate bills will be rendered for each meter except where the Utility has, for its own convenience, installed two or more meters in place of one meter. Where such installations are made the meter, readings may be combined for billing purposes as determined by the Utility.

1.40.090 Owner's Guarantee. Charges begin when a service connection is installed, and the meter is on, unless service is ordered to be left off. Before water is turned on, the owner shall guarantee payment of future water bills. The owner is always ultimately responsible to the Utility for the bills related to his or her property. No service will be established, or re-established once disconnected, until the account with the Utility is current.

1.40.100 Reserved.

1.40.110 Damages Through Leaking Pipes and Fixtures. When water is requested to be turned on or restored at a service location, the owner or his designee must be present to check for leaks. If leaks are found, the water will be left off. The Utility will in no case be liable for damages occasioned by water running from open or faulty fixtures, or from broken or damaged pipes, valves or equipment.

1.40.120 Disputed Bills. In case of a dispute between a Customer or owner and the Utility as to the correct amount of any bill, the Customer or owner will deposit with the Utility the amount claimed by the Utility to be due. Failure to make such deposit within fifteen (15) days after written notice by the Utility that such deposit be made, or service discontinued shall warrant the Utility in discontinuing service without further notice. In the event of dispute respecting any bill, charge or service, the Utility shall



forthwith make such investigation as shall be required by the particular case and report the result thereof.

1.40.130 Vacation / Vacancies Disconnect. Owners of vacant properties may request to be billed accordingly as provided in the Fee Schedule.



Chapter 1.44
DISCONTINUANCE OF SERVICE

Sections:

- 1.44.005 Disconnection.
- 1.44.010 Disconnection for Nonpayment.
- 1.44.020 Liability.
- 1.44.030 Reconnection Charge.
- 1.44.040 Unsafe Apparatus.
- 1.44.050 Cross-Connection.
- 1.44.060 Outside Water Distribution Violation.
- 1.44.070 Protection Against Fraud or Abuse.
- 1.44.080 Noncompliance with Regulations.
- 1.44.090 Notification by Customer Prior to Vacation Premises.
- 1.44.100 Late Charges.
- 1.44.110 Collection of Moneys Owing.
- 1.44.120 Fees and Costs.
- 1.44.130 Returned Checks.
- 1.44.140 Program of Deferred Payments
- 1.44.150 Postponement of Discontinuance of Service

1.44.005 Disconnection. Service may be discontinued for any of the following causes, or for



causes as provided elsewhere in the Utility's tariff:

1. Non-payment of water bills.
2. Non-compliance with the Utility's rules or tariffs.
3. Inter-connection or cross-connection.
4. Waste of water.
5. Damage to Utility property.
6. Theft of water.

1.44.010 Disconnection for Nonpayment. Disconnection for nonpayment may occur on the fifteenth day following the date of billing. Should Customer reactivate service without consent of Utility, additional charge of \$250 will be assessed for each occurrence.

1.44.020 Liability. Failure to receive a bill does not relieve the Customer of liability for payment. Any amount due shall be deemed a debt to the Utility and any person failing, neglecting or refusing to pay said indebtedness shall be liable to the Utility in any court of competent jurisdiction for the amount thereof, including attorney's fees and costs.

1.44.030 Reconnection. Service will not be restored until full payment for past service is paid in full for the property. A reconnection charge plus penalties will be made and collected prior to renewing service following a discontinuance in an amount set forth in the Fee Schedule.

1.44.040 Unsafe Apparatus. Water service may be refused or discontinued to any premises where apparatus or appliances are in use which might endanger or disturb service to other Customers or cause harm to Utility or other property.

1.44.050 Cross-Connection. Water service may be refused or discontinued to any premises where there exists a cross-connection in violation of these rules or state or federal laws. The Utility will not be responsible for the installation or maintenance of the water lines beyond the end of the Utility's service connection or meter. It is the owner's and/or Customer's responsibility to determine that fixtures and piping conform to the requirements of all state, county or municipal ordinances, codes, laws and regulations and be properly installed.

1.44.060 Outside Water Distribution. No Customer shall at any time sell, give, or distribute water to other persons from his service. The Utility may immediately disconnect the Customer's water service



for such action. Customer will be assessed a penalty. See Fee Schedule. A Customer who distributes water shall be responsible for any health or other hazards for violations of this section resulting from such distribution.

1.44.070 Protection Against Fraud or Abuse. Service will be discontinued if necessary to protect the Utility against fraud or abuse. The Utility will not be responsible for any loss or damage caused by any negligence or wrongful act of a Customer or his authorized representative in installing, maintaining, operating or using any appliances, facilities or equipment for which water service is supplied. Customer and or owner are responsible for damage to Utility's facilities and other property resulting from the use or operation of appliances and facilities on Customer's premises.

1.44.080 Noncompliance with Regulations. Service may be discontinued for noncompliance with this or any other tariff relating to the water service.

1.44.090 Notification by Customer Prior to Vacating Premises. Customers desiring to discontinue service shall notify the Utility two days prior to vacating the premises. Unless discontinuance of service is ordered, the Customer shall be liable for charges whether water is used.

1.44.100 Late Charges. Rates and charges that are not paid on or before the fifteenth day of the month shall be subject to a late charge of 10% per month.

1.44.110 Collection of Moneys Owning. All unpaid rates, charges and penalties set forth herein may be collected by suit or any other lawful means.

1.44.120 Fees and Costs. Customer shall pay all attorney's fees and costs of suit in any judgment rendered in favor of the Utility.

1.44.130 Returned Checks. There shall be a charge on all returned checks as set forth in the Fee Schedule. If a check is returned, all moneys owed become immediately due and payable. The Utility reserves the right to put the Customer on a cash basis and require or increase the Customer's deposit. A twenty-four hour disconnect notice shall be given after receiving a returned check.

1.44.140 Program of Deferred Payments. Prior to discontinuing service for non-payment, the Utility shall first offer the Customer a program of deferred payment as set forth next. To avoid discontinuing service for non-payment, the Customer must agree in writing to pay, and must pay:

a. the entire balance due within sixty days after execution of the agreement, in three equal payments, with the first payment to be made upon execution of the agreement; and

b. all future bills, in full, when due.

1.44.150 Postponement of Discontinuance of Service. If the Utility intends to discontinue service for non-payment as provided herein, the Utility will postpone the discontinuance if it would occur during a forecasted period of extreme heat in the Utility's service area. "Forecasted period of extreme heat" means any period of twenty-four hours for which the National Weather Service



predicts that the outside temperature will be 105 degrees Fahrenheit or higher during that time.



Chapter 1.48
PUBLIC FIRE PROTECTION

Sections:

1.48.010 Use of Fire Hydrants.

1.48.020 Moving of Fire Hydrants.

1.48.010 Use of Fire Hydrants. Fire hydrants are for use by the Utility or by organized fire protection agencies. Other parties desiring to use fire hydrants for any purpose must obtain written permission from the Utility prior to use. Those granted permission shall operate the hydrant in accordance with instruction issued by the Utility. Unauthorized use of hydrants will be prosecuted according to law.

1.48.020 Moving of Fire Hydrants. If a property owner or other party desires a change in the size, type or location of a fire hydrant, he shall bear all costs of such changes. Any change in the location of a fire hydrant must be approved by the Utility as well as the proper authority.



Chapter 1.52
PRIVATE FIRE PROTECTION

Sections:

1.52.010 Payment of Cost.

1.52.020 No Connection to Other System.

1.52.030 Use.

1.52.040 Reserved.

1.52.050 Rates.

1.52.060 Water for Fire Storage Tanks.

1.52.070 Violation of Agreement.

1.52.080 Water Pressure and Supply.

1.52.090 Valve.

1.52.010 Payment of Cost. The applicant for private fire protection service shall pay the total actual cost of installation of the service from the distribution main to the Customer's premises.

1.52.020 No Connection to Other System. There shall be no connections between the fire protection system and any other water distribution system.

1.52.030 Use. There shall be no water used through the fire protection service except to extinguish fires and for testing the firefighting equipment.

1.52.040 Reserved.

1.52.050 Rates. All rates and charges are set forth on the Fee Schedule.

1.52.060 Water for Fire Storage Tanks. Water may be obtained by a private fire service for filling



a tank connected for fire service, but only if written permission is secured from the Utility and an approved means of measurement is available. The regular water rates will be applied.

1.52.070 Violation of Agreement. If water is used from a private fire service in violation of the agreement or of these regulations, the Utility may discontinue and remove the service.

1.52.080 Water Pressure and Supply. The Utility assumes no responsibility for loss or damage due to lack of water or pressure, either high or low, and merely agrees to furnish such quantities and pressures as are available in its general distribution system. Service is subject to shutdowns and variation required by the operation of the system.

1.52.090 Valve. When a fire service connection is installed, the valve governing it will be closed and sealed and remain so until a written order is received from the owner to turn the water on.



Chapter 1.56
TEMPORARY SERVICE

Sections:

1.56.010 Duration.

1.56.020 Deposit.

1.56.030 Installation and Operation.

1.56.040 Supply from Fire Hydrants.

1.56.050 Unauthorized Use of Hydrants.

1.56.010 Duration. Temporary service connections shall be disconnected and terminated not more than six months after installation unless an extension of time is requested by the owner 30 days prior thereto, and the request is granted by the Utility.

1.56.020 Deposit. The applicant shall make a deposit for the projected water usage and site rehabilitation in an amount determined by the General Manager.

1.56.030 Installation and Operation. The applicant shall be responsible for cost of installing and removal of the service. Upon discontinuance of service, the applicant shall remove all installed equipment within 15 business days. If service is supplied through a fire hydrant the applicant shall deposit such sum as determined by the Utility and will be charged in accordance with the Fee Schedule. Temporary service shall be both metered and backflow protected with equipment approved by the Utility and supplied by the applicant.

1.56.040 Supply from Fire Hydrant. An applicant for temporary use of water from a fire hydrant must secure a permit from the Utility; pay the regular fee charged for the installation and removal of a meter; provide himself with a hydrant wrench necessary to operate such hydrant or pay five dollars for the loan of such equipment, if available; and pay for the water used in accordance with the meter readings.

1.56.050 Unauthorized Use of Hydrants. Tampering with any fire hydrant for any purpose is a crime. The Utility will report all suspected tampering to the appropriate law enforcement agency.



Chapter 1.60
SPECIAL PROVISIONS

Sections:

1.60.010 Pools and Tanks.

1.60.020 Responsibility for Equipment.

1.60.030 Utility Equipment and Facility Access.

1.60.010 Pools and Tanks. When an abnormally large quantity of water is desired for filling a swimming pool or for other purposes, arrangements must be made with the Utility prior to taking such water. Permission to take water in unusual quantities will be given only if it can be safely delivered through Utility facilities and if other Customers are not affected thereby.

1.60.020 Responsibility for Equipment. The Customer shall, at his own expense, furnish, install and keep in good and safe condition all equipment that may be required. The Utility shall not be responsible for any loss or damage caused by the improper installation of such equipment, or the negligence or wrongful act of the Customer or any of his tenants, agents, employees, contractors, licensees, or permittees installing, maintaining, operating or interfering with such equipment.

1.60.030 Utility Equipment and Facility Access. Any vehicle or other item blocking, or obstructing Utility meters, equipment or facilities will be towed at the owner's expense.

1.60.040 Current Water Rates. See Fee Schedule.



Chapter 1.64 WATER RIGHTS

Sections:

1.64.010 Property Water Service.

1.64.020 Domestic Well Credit.

1.64.030 Banking of Water Rights.

1.64.010 Property Water Service. For a water service to be provided the property must have water rights for the size and type of service requested and must be within the Utility's service area.

1.64.020 Domestic Well Credit. The State Engineer has ordered a Domestic Well Credit Program for certain parcels of land located in the Utility's service area. The order establishes a program for a public water system to receive credits for new Customers who are now served by domestic wells or who could drill a domestic well on a lot created prior to July 1, 1993. Applicants who believe this program may apply to them should consult with the General Manager.

1.64.030 Banking of Water Rights. The Utility may enter into agreements with persons who need to demonstrate beneficial use of their water rights. Persons interested in entering into such agreements should contact the General Manager.

These regulations, consisting of thirty-four pages, are effective this ___ day of _____, 2018.

Secretary

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