

# **COLUSA COUNTY WATER DISTRICT**

## **RULES & REGULATIONS**

### **1. Water Service Season**

Water is generally available all year round. Service may be temporarily discontinued at any time while maintenance or repair work is done. In the event of a water supply shortage announcement by the U. S. Bureau of Reclamation, water is allocated to the users in accordance with the District's Drought Ordinance 2022-2.

### **2. Water Use**

The District's water service contract (WSC) with the Bureau of Reclamation permits water to be used for both agricultural and municipal and industrial purposes. The District does not provide potable water for domestic uses; currently the District's municipal and industrial uses are strictly landscaping.

### **3. Application & Payment for Water**

District water is allocated across the District's assessed acreage pro rata, according to the annual water allocation received by the District under its WSC. Users' annual water order must be received in the office before April 1st of each year, unless an earlier deadline has been identified by the District. In water short years, users may be asked to provide an estimate of usage by March 1 in order to evaluate the District's transfer needs.

To ensure the full and efficient use of the District's annual WSC allocation, landowners are expected to use, and pay for, the full amount of District water they request in a given season. Effective \_\_\_\_\_, 2023, all water orders shall be considered "take or pay". Applicants will be billed for the full amount of water requested, even if they later decide not to take delivery of that water.

Exceptions to the take-or-pay policy will be considered on a case-by-case basis. There are two primary bases for such exception, each of which are grounded in the District's policy that District water must be put to its fullest beneficial use:

- Water that has been re-assigned to another District landowner: The District will endeavor, at a landowner's request, to re-assign water that has been requested but is no longer needed. Re-assignment of unused water allocations will be based on demand, and is not guaranteed.
- Water that cannot be delivered for circumstances outside water user's control: If a user is unable to take delivery of requested water due to failures of infrastructure, conveyance issues, or other circumstances beyond his/her/its control, the user may apply to the District Board of Directors for a refund on undelivered water. Requests for refunds must be received by October 31 of the calendar year in which the water was requested.

After water has been initially allocated each year, any water not yet spoken for will be reallocated to those with additional needs or those on the secondary-service list. If requests are greater than water available through the District's WSC, the District will attempt to meet the additional demand through water transfers, which may incur additional fees.

#### **4. Water Rates**

Water rates are reviewed annually by the Board of Directors Rates are considered “pass through” charges as they only increase due to changes in the Bureau of Reclamation yearly posted rates and the TC conveyance costs. Transfer water has additional costs above and beyond those stated previously.

#### **5. Payments**

The District must pay the Bureau of Reclamation in advance for the estimated water usage for the coming irrigation season. To accommodate for that schedule, the first half of each water users’ water order payment is due prior to April 1st, and the second half is due on July 1st. Where the District is experiencing a Water Shortage Emergency pursuant to District Ordinance 2022-2, full payment shall be due on April 15. Any balance due or credit is determined by final meter readings. No water will be delivered until installments are paid.

#### **6. Statements of Accounts**

Statements will be sent annually and will indicate quantity of water used, balance due or credit. Credits can be applied to the following irrigation season or refunded on request.

#### **7. Delinquent Accounts; Liens**

Balances due are payable 30 days from date of the statement and become delinquent after this time. Interest at the rate of 1½% per month will be added to delinquent accounts. In the event of tenant default the landowner will bear the responsibility of the balance due plus any added interest. No water will be delivered for any purpose until the delinquent account has been paid in full.

Once an account becomes delinquent, the District may exercise its authority to record a lien against the landowner’s parcels within the District for the delinquent amount. The District will first notify the landowner that they are delinquent and must remit their account within thirty days in order to avoid a lien. If the delinquent landowner fails to do so within thirty days of the letter, the District will record a lien against all property owned by the delinquent landowner within Colusa County. The lien shall have the full force and effect of a judgment lien, and shall accrue interest at the rate of 1½ % per month.

The lien shall only be satisfied upon payment of the full delinquent amount, including interest. The District will notify the landowner that the lien was satisfied and released by mail.

#### **8. Water Orders**

Orders for water must be received in the office before 1:00 p.m. the day before starting irrigation. The District must be notified before 1:00 P.M. the day prior to finishing irrigation. While the office is closed, water orders may be placed on a recorder by calling 530-476-2669. Orders must be placed by delivery number, gallons per minute (GPM) and total hours/days running. During droughts or reduced allocations schedules longer than a week will not be allowed. Deadlines for ordering may be changed at any time by the District. Deliveries found taking water with no water order recorded are subject to shut off.

#### **9. Water Delivery**

Water ordered will be delivered but may be limited in quantity or delayed in delivery. In the event of an extreme water demand, delivery may be granted on a first-ordered, first-served basis. The District cannot and does not guarantee the delivery of water as to the time of delivery, quality or amount.

#### **10. Waste of Water**

To avoid drainage problems, it shall be the responsibility of every water user to control the water applied to his land. Any water user who deliberately, carelessly or otherwise wastes water on roads, adjoining land or creeks will be informed by District personnel that he is not complying with this rule. He will be allowed a reasonable time to correct the situation. If he makes no prompt effort of correction his water service will be discontinued.

#### **11. Connection to District Turnouts**

The water user shall at his own expense take water from District turnouts in a manner approved by the District and shall provide all necessary materials and labor. No modifications or additions may be made to District outlets by other than District personnel. To prevent sudden surges and water hammer in District pipelines no rapid closing valves of any type will be permitted to be installed.

#### **12. Right of Access**

District personnel shall have right of access, at any time, to deliveries, pipelines, air release valves, and any other District facility for operation, inspection, maintenance or repair. Precautions will be taken to protect trees, crops, soil surface or any other property from damage.

#### **13. Land Clearing and Leveling**

It shall be the landowner or his agents' (tenant) responsibility to obtain District permission before any clearing, leveling, ripping, changing of water channels, setting of utility poles, excavations for any purpose, or any work performed within District easements. Underground Dig must be contacted at 811/1-800-227-2600 so that District personnel can be notified to locate and mark pipelines or other District facilities in the area.

#### **14. Damages and Repairs**

Damage to District property such as aluminum pipelines, air release valves, meters, meter and valve key well, and delivery outlets, caused by reason of acts of omissions of the water user or landowner or his agents, will be repaired by the District and the cost of repairs will be charged to the landowner or water user responsible.

#### **15. Metered Water Service**

It is the District policy that all water service connections shall contain a metering device, to be installed at landowners' expense. Water available to the District through its water service contract with the United States Bureau of Reclamation is required to be measured at each service connection. Said metering devices must be adequately sized to meter water use as accurately as possible.

#### **16. Water Meter Failure**

In the event of the failure of a water meter to accurately record the water delivery every reasonable effort will be made to determine accurate water usage and such estimated usage will be charged to the water user's account. Estimated use will be calculated using existing water orders or through a crop needs analysis.

#### **17. Delivery Areas**

Delivery areas shall be kept clean and free from weeds, brush, empty chemical containers and any other debris.

#### **18. New Outlets**

The District shall not provide additional turnouts or meters to property already served by a District turnout nor to newly created parcels except at the expense of the landowner. This includes modifications (meter replacement) necessary to insure meters are adequately sized to record use. The entire installation including pipelines, valves, meter, etc., shall remain the property of the District. Turnouts to lands hereafter annexed to the District, which connect to existing laterals, will be installed only at the expense of the landowner. Further, any significant modification of an existing delivery at the request of the landowner or to accommodate a change in the property size of a newly created parcel will only be done at the expense of the landowner.

#### **19. Tools & Equipment**

District-owned tools and equipment will not be loaned.

#### **20. Violations of District Rules & Regulations**

Each landowner is responsible for assuring that his/her water usage is in compliance with these Rules and Regulations. Any violation of these rules may, after notice and opportunity to be heard, result in termination or restriction of water service.

#### **21. Changes in Rules and Regulations**

The Rules and Regulations shall become effective immediately and may be added to, amended or repealed at any time by Resolution of the Board of Directors.