TUOLUMNE UTILITIES DISTRICT

WATER RULES AND REGULATIONS

Adopted: January 26, 1993

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REGULATION NO. 1

PURPOSE AND POLICY OF DEFINITIONS

1.01 Purpose and Policy

These Water Rules and Regulations set uniform requirements for design, methods of construction, operation and maintenance of both public and private water supply, storage and distribution facilities and water service connections served by the water system of the Tuolumne Utilities District (hereinafter referred to as "District"). Uniform application of this ordinance to all customers served by the District water system shall enable the District to comply with the water quality requirements set by the Environmental Protection Agency (EPA) and the California Department of Health Services and such other state and/or national standards of performance which may apply. This Ordinance also provides for the setting of user charges and fees for the equitable distribution of cost to all users, and the issuance of permits to certain users.

1.02 Definitions

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

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

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

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

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

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

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

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

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

Change of Use - When the primary water use changes from one classification to another, increases quantity, and/or adds multiple uses per Section 6.03.

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

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

Connection Fees - A charge imposed upon all applicants for service at the time service is sought from the District. "Connection fee" is a general term that encompasses a variety of one-time charges imposed upon applicants for service. A "connection fee" includes, but is not limited to, the fees charged to make the physical connection to the District's system, meter set charges, capacity charges (which compensate the District for expenses in incurred in providing existing capacity or an increase in needed capacity), and a variety of surcharges and assessments that are based upon the applicants geographical location. *See* Section 3.05 for a full description of connection fees.

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

Customer – Any person or entity, including wholesalers and including without limitation a parcel or property owner, or tenant, supplied or entitled to be supplied with water service by the District in accordance with established rules, regulations, rates and charges.

Disconnection – A water meter has been physically removed from the meter box; the water service lateral has cut and capped; or some other method has been employed to ensure that water is not able to flow into the property. Disconnection may apply to treated and untreated water.

Discontinuance – A water meter is still physically present but a District controlled valve has been closed to prevent water from flowing to the customer.

District - Tuolumne Utilities District, a County Water District organized under Division 12 (Sections 30000 et. seq.) of the Water Code. An action of the District may be taken by either its appropriate management staff or as approved by its Board of Directors. May also be referred to as TUD.

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

Engineer - The District Engineer of the Tuolumne Utilities District.

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

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

Finance Director – The Finance Director of the Tuolumne Utilities District.

General Manager – The General Manager of the Tuolumne Utilities District.

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

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

Meter - The mechanical or electronic device capable of measuring the quantity of water delivered to a designated parcel.

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

Monthly Fixed Charge – For every account to which water service is provided and readily available through a connection to the District's system, the monthly fixed charge a customer will pay for a baseline quantity for up to 400 cubic feet (cf) per month for treated water customers and up to 5000 cubic feet per month for metered raw (untreated) water customers

Multi-Family Water User - A customer with a water meter which serves more than one single-family residence or dwelling unit, including apartments, mobile homes and accessory dwellings,

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

Operations Manager – The Operations Manager of the Tuolumne Utilities District.

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

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

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

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

Property Owner – *See* Parcel Owner.

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

Resale Water - Raw water supplied to an individual account through a master meter which is then privately distributed to individual consumers who are not customers of the District through a distribution system not owned or operated by the District.

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

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

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

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

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

Supplemental Water User – A user of raw water prior to January 1, 2016, that contracted annually with the District for water determined to be in surplus of then needed supply.

Tenant – A person who occupies land or property rented from a landlord, including without limitation a parcel or property owner. *See* Customer.

Turn-off – The act by District to turn off the water supply valve on a meter.

TUD – *See* District.

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

Water Service – Water or water infrastructure that is provided, including but not limited to, residential, non-residential, agricultural, commercial, industrial, and raw water customers.

Water System – The District water conveyance system, including treatment plants, tanks, pumps, pipes, canals, ditches, flumes, tunnels, reservoirs, siphons, and drainage courses and any other appurtenance that exists in support of the water system. Any water system constructed or reconstructed by the District; or any private water system acquired by the District by whatever means.

Water User – The term Water User includes those types of users receiving water service as defined herein, specifically under Water Service in this section.

Wholesale Meter Service - Treated water service supplied to an individual account through a master meter which is then privately distributed to individual metered consumers who are not customers of the District through a distribution system not owned or operated by the District. Wholesale customers provide the storage and distribution components of their water system, and are regulated by the California Public Utilities Commission or are mutual water companies within the meaning of Section 2705 of the Public Utilities Code.

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

REGULATION NO. 2

CONDITIONS OF SERVICE

2.01 Service Subject to Regulations

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

2.02 Non-Liability of District

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

2.03 Service Interruption

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

2.04 Access to Facilities

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

2.05 Water Users' Responsibility for Control of Water Delivered

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

2.06 District Responsibility for Facilities

District facilities shall include only that portion of the system which the District acquires or constructs by action of the Board of Directors. The District's ownership of and responsibility for operation and maintenance of facilities shall end at the discharge side of water meters that are installed by the District, and at the underground fitting prior to the inlet side of fire sprinkler check valve assemblies. (*See* Regulation 11.02). District will be responsible to operate, maintain and replace District's water mains, pipelines and other works of the District-owned total supply,

distribution and collection system. District works shall be under exclusive control and management of duly appointed District personnel and no one shall have any right to interfere with the District system in any manner.

2.07 Place of Use of Water: Resale Prohibited

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

2.08 Electric Grounds

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

2.09 Water User's Compliance with Regulations

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

2.10 Treated Water Pressure

2.10.1 Minimum Pressure and Booster Pumps

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

2.10.2 Pressure Regulators Required

All applicants for new or amended water service connections may be required to install, at applicant's expense, an appropriately sized and located pressure regulating device which size and pressure set point shall be determined in the sole discretion of District and in accordance with the provisions of the plumbing code as may be amended from time to time.

REGULATION NO. 3

TREATED WATER SERVICE CHARGES AND RATES

3.01 Charge for Water Service

A monthly fixed charge for treated water service per meter size as established in Exhibit B.1 shall, irrespective of quantity used, be applied to all connections, except for master metered users.

3.01.1 Quantity Charge

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

3.01.2 Surcharges

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

3.01.3 Wholesale Usage - Master Meter Service

Per agreement as authorized by Board of Directors.

3.01.4 Bulk Usage from Fire Hydrant

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

3.02 Monthly Service Charge for Privately Owned Fire Protection Systems

A monthly charge shall be paid for fire service connections to the District's water distribution system which supplies water to privately owned and maintained sprinklers and fire hydrants used exclusively for firefighting, and based on the minimum service charge for a 1" meter as specified in Exhibit B.6. Bypass lines, including meters and backflow prevention devices shall be retrofitted at the customer's expense on all fire sprinkler backflow assemblies where such bypass lines do not already exist.

3.03 Miscellaneous Services Provided

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

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

Each time the District is required to locate the customer's service connection or make a temporary shut off or turn on, a service charge may be charged, in accordance with Exhibit B.7,.

Water service shall be terminated between 8:00 a.m. and 3:00 p.m. on any business day (not a Saturday, Sunday or holiday) requested by the customer, provided that the request is received by the District not later than two business days prior to the date of termination. The customer will be responsible for the costs of all services furnished by the District prior to the suspension of his service. The District may allow a maximum six month suspension of monthly service charges for meters that have been shut-off at the request of the customer if each of the following conditions are met:

1. The service has been continuously utilized and maintained by the customer, and in an active billing status for at least one-year.

2. Any applicable monthly surcharges under Exhibit B.3 shall be charged to the customer's account and be payable during any suspension period.

3. The request is the result of a catastrophic event such as fire where the structure is uninhabitable.

4. Customer's account must be paid current to be considered for suspension of service.

Upon written request of the property owner and written agreement with the General Manager, such suspension period may be extended on a month to month basis up to a total of three (3) additional months in the event of documentable delays in reconstruction of the structure with circumstances beyond the control of the property owner.

3.05 Connection Fees

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

3.05.1 Capital Reserve Charge

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

The Capital Reserve Charge shall be computed by reference to the user classification schedule on Exhibit A as applied at the sole discretion of the District. Charges for classifications not specifically listed in Exhibit A will be based upon the most similar classification listed, or upon usage records of a similar establishment as determined by the District Engineer. The Capital Reserve Charge for one equivalent single family residence is specified on Exhibit B.9.

3.05.2 New Account Administration Fee

The new Account Administration Fee is a one-time charge for an application for service to be paid at the time of application. The purpose of this fee is to cover staff time review of the application and for new account setup. Payment of the application fee does not guarantee the application will be accepted.

3.05.3 Meter Set Fee

a. District charges for installation and setting of meter(s) shall consist of the District's actual cost as established on Exhibit B.10.

3.05.4 Service Lateral Installation Charge

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

3.05.5 Service Line Relocation

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

3.05.6 Charges for Reimbursement of Oversized Facilities

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

3.05.7 Capacity Charges - Water Supply, Treatment, Storage, Transmission - Exhibit B-14

These charges are instituted to insure that all applicants pay a fair share of the cost burden to provide for essential components of water service infrastructure. They are generally established as a one-time charge levied against developments or new water accounts as a way to recover a part or all of the cost of additional system capacity, or the purchase of capacity existing within the system. Capacity Charges are not imposed upon applicants (or parcels) where sufficient water supply, treatment and storage facilities have been provided by a developer or by an assessment on those parcels to cover those costs. The amount of capacity required in any of these facilities changes periodically based on average customer water use trends, changing regulatory requirements, fire standards and other operational considerations. Under normal circumstances the District required capacity built into a developer constructed system will remain constant for a period of 10 years, therefore after a period of 10 years, applicants shall pay the prorated share of the cost of the increased capacity required to serve the property, if applicable. Capacity Charges are also applicable for service to any parcels that do not have a District

water main in a street or right of way fronting the Applicant's property. The charges are specified on Exhibit B. 14.

In those areas where adequate supply, treatment, storage and transmission facilities have been provided by the District, Capacity Fees shall be charged to reimburse the District for its previous investment in the infrastructure with capacity necessary to serve the new connection(s).

In those areas where adequate supply, treatment and storage facilities have been provided by the developer or by an assessment on each parcel, water service equivalent to one single-family residence (ESFR) on each parcel, shall be allowed without payment of capacity charges. In areas where connection fee surcharges are in effect to repay loans for water treatment or storage improvements, and the surcharge amount is less than those specified on Exhibit B.14, the lower amount shall be applicable for water service for one equivalent single-family residence on an existing lot or parcel. Water service for improvements that result in more than one ESFR per parcel (i.e., due to a parcel split or duplex construction), shall require payment of commensurate capacity charges specified in Exhibit B.14. Parcels within the City of Sonora and within the town sites of Tuolumne, Columbia and Jamestown, which were in existence and are shown on the Tuolumne County Assessor's 1992 assessment maps as a separate assessor's parcel (1992 being the year in which District came into existence), shall not be subject to payment of capacity charges for one ESFR for each such parcel. If the boundaries of a lot in such town sites does not match the boundary of an assessor's parcel on the 1992 County Assessor's Map, that lot will not be credited with one ESFR and water service will be subject to payment of the capacity charge. Where property line adjustments are made that do not result in a greater number of assessor's parcels than shown on the 1992 Assessor's map, the resulting parcels may be entitled to the one ESFR credit against capacity charges. The appropriateness of the capacity charges shall be analyzed on a case-by-case basis and determined by the General Manager.

All applicable Capacity charges must be paid to the District before service will be provided. The Capacity charges shall be paid by the individual service applicant prior to the setting of any individual service meter by the District. The individual service applicant will be required to pay all Capacity charges not paid for or capacity not constructed by the developer. Where applicable, at the discretion of the District Engineer, if adequate capacity does not exist the developer will be required to either pay for or construct the necessary capacity prior to acceptance of all developer constructed facilities and prior to installation of any individual service meter.

Supply - This charge shall apply to applicants for water service, where the property involved has not been provided with water supply by previous dedication of supply, agreement or assessment. The standard charge shall be computed on an estimated average annual water demand per single family equivalent (ESFR), as determined by the District Engineer, at the rate shown on Exhibit B.14.

Treatment - This charge shall apply to new applicants for water service, where the property involved has not been provided with sufficient water treatment capacity through a previous dedication, agreement or assessment with the District. The standard charge to mitigate the cost to construct treatment capacity shall be computed on estimated maximum daily flow, as determined by the District Engineer, at the rate shown on Exhibit B.14.

Storage - This charge shall apply to new applicants for water service, where the property involved has not been previously provided with adequate water storage facilities by dedication of storage, agreement or assessment. The standard charge for mitigation of

storage construction shall be computed at the rate shown on Exhibit B.14 and based on a combination of the estimated annual average daily volume consumed over a seven day period and required fire flow storage volume as determined by District's Engineer.

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

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

3.05.8 Connection Fees and Capacity Charges in Specific Areas

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

3.06 Standby Assessments

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

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

New or Increased Charges, Assessments, etc.

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

REGULATION NO. 4

BILLING PAYMENTS AND MISCELLANEOUS FEES

4.01 Service or User Charges

4.01.1 Billing

A. A monthly charge for water service will be billed to a customers who:

1. Receive water service, treated or untreated, from the District; or

2. Have capacity allocated to the property, regardless of whether a service lateral or meter has been installed; or

3. Had water service discontinued or a water meter removed for any reason.

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

4.01.2 Billing Interval

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

4.02 Payment

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

4.03 Returned Checks or ACH

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

4.04 Estimated Bills

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

4.05 Prorated Bills

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

4.06 No Vacancy Credits or Discounts

No credit or discount will be allowed or approved for any vacant properties regardless of the reason for the vacancy.

4.07 Disputed Bills

4.07.1 Review

The Notice of Delinquency shall inform the user that any disputed portion of the billing may be reviewed with the General Manager or Finance Director within thirty (30) days of the date of the Notice. The person requesting review shall send a written statement supporting the basis for dispute to the District office, attention of the General Manager.

4.07.2 Payment to Avoid Discontinuance of Service

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

4.07.3 Refunds or Adjustments to Accounts

Refunds or other adjustments to a customer account shall only be considered based on an actual history of use and shall only apply to a maximum period of 12 months from the date the customer requests a refund or adjustment.

4.08 Direct Billing of Tenants

As a courtesy, property owners that rent or lease property with water service may have the billing sent directly to the tenant or tenant's agent. To accomplish this, the owner shall first complete an Owner – Water/Sewer Application, which application may be required to be updated from time to tome at the District's sole determination. The tenant is then required to complete a Tenant – Water/Sewer Application and pay the amount of the security deposit as detailed in Exhibit B.13 prior to the District changing the billing name and address. However, even if a tenant completes a Water/Sewer Application and pays the security deposit, if that tenant becomes delinquent, the property owner shall ultimately be responsible for all delinquent billings of any delinquency term including interest and penalties thereon after the tenant's security deposit has been exhausted. The property owner shall have access to information regarding the account status of their tenant upon request. If tenant becomes more than 30 days delinquent, TUD may revoke tenant billing privileges and the account will be closed in the tenant's name and billing will be placed back into the owner's name. The tenant's security deposit will be applied to the delinquent bill and any

remaining monies owed will be transferred to the owner's account. Billing will remain in property owner's name once tenant privileges have been revoked.

4.08.1 Delinquent Notices

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

4.08.2 Security Deposits

A deposit is required for all tenants that wish to establish a water account with the District. Once the application and deposit have been processed, upon moving out of the property, the deposit will be used towards the remaining portion that is owed to the District. If there is a remaining credit on the account, the tenant will receive a refund check, without interest, within 30 days of closing their account.

4.08.3 Security Deposit Amount

Equal to the Districts current bi-monthly fixed water rate as detailed in Exhibit B.9

REGULATION NO. 5

DISCONNECTION, DISCONTINUANCE, AND RESTORATION OF SERVICE

5.01 Disconnection by the District

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

1. The customer fails to comply with any of the District's Rules and Regulations, after notice by mail or in person;

2. The service is being furnished without proper application;

3. There is evidence of unauthorized tampering or interference with the District's facilities;

4. The District or a State or County Public Health Officer finds that there exists a known or potential hazard to the health or safety of the customer or any water user of the District;

5. The customer fails, after notice from the District, to remove an obstruction that prevents access to the water meter;

6. Excessive or wasteful use of water as described in Section 12, after notice by mail or in person that the same be terminated.

5.02 Discontinuance of Service for Delinquent Bills

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

5.02.1 Delinquent

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

5.02.2 Notice of Delinquency and Impending Termination

If a customer's account is not paid 35 days after the billing date (5 days delinquent), a $10 penalty and 1% interest charge will be applied to the past due balance on a monthly basis until paid. If a customer's account is not paid 45 days after the billing date (15 days delinquent), a written notice of delinquency and impending termination shall be mailed to the service address and the owner of record. The written notice shall specify the date of service termination, which shall be no less than fifteen (15) days after the date on which the written notice is mailed to the service address and the owner of record.

5.02.3 48-Hour Notice

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

5.02.4 Service Discontinuance – Service Charges

When water service is discontinued for non-payment, the meter shall be placed in the locked-off position. Service charges listed in Exhibit B.7.2, B.7.3, and B.7.4 shall apply. After a sixty (60) day period, if the delinquent bill is not paid or the dwelling at the service site is vacant, the account may be subject to a property lien which will be filed with the County Recorder's Office and the meter shall be removed. The customer or property owner continues to be responsible for the minimum monthly service charges and without limitation any surcharges, penalties and interest accruing to the service connection up to and after the time when the meter is turned off. When the meter is removed, the customer or property owner also continues to be responsible for the minimum monthly service charges and all surcharges, penalties and interest accruing to the service connection up to and after the time the meter is removed.

5.02.5 Interest and Penalties

A delinquent account shall continue to accrue interest from the delinquent date at the rate of 1% per month until the past due amount, plus interest and penalties, is paid in full.

5.03 Disconnection by Customer from Water System Prohibited

Once a service connection is extended to a parcel, the customer may not disconnect the service connection under any circumstances and the property owner shall be responsible for base and volumetric charges related thereto. No refunds of connection or capacity fees shall be allowed. Capacity shall not be allowed to be transferred amongst parcels except through the conditions of approval contained in a development agreement for a subdivision which development agreement is issued by the District.

5.04 Certificate of Lien for Delinquent Water Charges

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

5.05 Placing Unpaid Charges on the County Tax Rolls

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

5.06 Unlawful Acts

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

5.07 Drawing Water From Fire Hydrants

No person, other than authorized fire district personnel shall open, or draw water from, any fire hydrant connected to the District's distribution system without prior specific authorization of the District. First violators of this section who withdraw water without authorization shall receive a warning and instruction on proper procedure. Upon second violation, violators shall be $500 and prohibited from utilizing district bulk facilities for a period of three months. Subsequent violations by the same entity shall be prohibited from utilizing district facilities for a period of one year and shall be fined $1000 per offense.

5.08 Damage to District Facilities

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

5.09 Unauthorized Service Connections

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

5.10 Tampering with District Facilities

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

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

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

The cost of repairing any damage resulting from tampering with District Facilities will be billed to the responsible party and shall include, without limitation, the cost of labor, materials and equipment.

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

5.11 Water Misuse

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

REGULATION NO. 6

SERVICE CONNECTIONS
REQUIREMENTS FOR NEW CONNECTION OR CHANGE OF USE

6.01 Application for Service and Payment of Fees

1. No service shall be granted or continued unless the present owner of the affected parcel of land has filed an application and paid the appropriate connection fees as outlined in Section 3.05 of Regulation No. 3.

2. Application for treated water service shall be made in writing on forms provided by the District, and signed by the legal owner of the subject property.

3. Applications for treated water shall be supported by plot maps, assessor's parcel number, construction type and number of living or service units, plans of water distribution, date the service is to begin, the name and billing address of the owner, and where deemed necessary by the District the domestic water requirements in gallons per day.

4. In areas where the District also provides sewer service, the applicant shall be required to apply and pay connection fees for both treated water and sewer service simultaneously.

6.02 Treated Water Service Connections

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

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

1. The land to be served is within the geographical boundaries of the Tuolumne Utilities District, and within or adjacent to an area being served or servable by the District.

2. The District possesses, or is provided by the applicant, with an adequate water supply including treatment and storage facilities, and distribution pipe system, to provide such service.

3. Service to such property will be supplied upon filing of an application as further defined in Regulation 6.01.

4. Payment of applicable fees and charges.

6.03 Change of Use

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

1. The improvement requires an increase in water pressure or quantity to serve the subject property and adds another user classification to the applicant's service or converts the service to a new user classification as listed on Exhibit A.

2. The improvement requires increased water pressure or quantity in order to satisfy the Tuolumne County fire suppression standards as more specifically described in Section 9 thereof.

3. The improvement changes property use including parcel splits, additional buildings, or other possible multiple use divisions requiring separate water hookup for each unit

6.04 Capacity Charge Determination Period for Business Entities

Subject to a written agreement with the District, a bonafide business entity registered as such with the State of California may opt to deposit its capacity fee as calculated by the District and the District will monitor the actual water usage of the applicant for a period of at least one (1) year, or longer, as determined by the District, and if justified will adjust the capacity fees in accordance with actual use at the conclusion of the monitoring period. In no event will the capacity fee be adjusted lower than the amount of a capacity fee that would be due for a use of one (1) ESFR. The provision of this Section shall not apply to residential developments.

REGULATION NO. 7

METERS

7.01 Number of Meters

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

7.02 Location of Meters

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

7.03 Size of Meter

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

7.04 Change of Size

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

7.05 Meter Reading

7.05.1 Measurement of Water Supplied

All treated water supplied by the District will be measured by means of water meters installed, owned and maintained by the District, with the exception of bypass meters on fire sprinkler system check valve assemblies as described in Sections 9 and 11. The cubic foot is the unit of measure, and the amount charged for service shall be based on the current rates established by the District. At the District’s discretion, it may install meters for raw water supplied to customers receiving that service and the same provisions of this section will apply to any metered raw water service.

7.05.2 Frequency of Meter Reading

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

7.05.3 Meters that Cannot be Read

Where a meter cannot be read because of an obstruction or adverse weather conditions, the billing for that period will be estimated, in accordance with the provisions of section 4.04 of these Water Rules and Regulations, and the water user will be notified and shall correct the condition.

7.06 Testing Meters

The District will test the accuracy of any meters upon the written request of the customer. If a meter is found to be working improperly, it will be repaired or replaced by the District. The customer shall be allowed one test per year per at no cost to the customer. A service charge, in accordance with exhibit B.11, for each additional test requested by the customer shall be borne by the customer when it is determined that the meter is operating within +/- 1.5% of actual flow.

REGULATION NO. 8

EXTENSION OR IMPROVEMENT OF FACILITIES

8.01 Scope of Regulation

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

8.02 Application

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

1. Three (3) months after the date of the application unless an extension has been granted or improvement of facilities agreement has been signed by the Board of Directors and the developer.

2. Eighteen (18) months after the date of the executed agreement unless construction has been completed, and accepted by District. A maximum twelve (12) month extension of time may be granted upon request of the developer and approved in writing by the General Manager.

8.03 Project Approval

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

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

8.04 Environmental Review Charge

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

8.05 Design, Installation and Ownership of Extension of Facilities

The character and design of the extension or improvement of facilities required to serve any parcel of land shall be determined solely by the District. The developer shall have the facilities designed by a qualified registered civil engineer. All costs associated with facilities design and installation shall be borne by the developer. Design of the facilities shall be in accordance with good engineering practice and not less than the District's Minimum Design Standards. Improvement plans shall be approved by the District Engineer. The facilities shall be installed in accordance with the approved plans and specifications and the District's Standard Plans and Specifications as they exist at the time of approval.

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

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

8.06 Sizing of Facilities and Minimum Pressure

Pipeline sizing shall be in accordance with the following:

1. The normal minimum pipeline size for water shall be eight (8) inches (except as provided below).

2. The District Engineer or his designate may require larger or allow smaller pipeline size, if in his opinion, a larger size is needed or a smaller pipeline size would be appropriate.

3. Each new distribution system that expands the existing system service connections by more than 20 percent or that may otherwise adversely affect the distribution system pressure shall be designed to provide a minimum operating pressure throughout the new distribution system of not less than 40 pounds per square inch at all times excluding fire flow.

8.07 Location of Facilities

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

8.08 Land Right Schedule

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

8.09 Payment of Costs

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

8.10 Inspection and Notice of Completion

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

8.11 Acceptance of Facilities

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

8.12 Warranty Responsibilities

For a period of two (2) years from the date of acceptance by the District, the property owner shall warrant for the repair of all defects, leaks or failure occurring in the facilities, which are, as determined by the District, due to negligence in the manufacture and/or installation of the facilities and not due to improper operation of the system by the District or its agents, acts of a third party or acts of God. Failure by the property owner to pay for any of the repairs described above after being billed by the District may result in a discontinuance of service.

The developer, or the developer's representative, shall submit a two (2) year warranty surety bond, (in form acceptable to the District), certificate of deposit, or irrevocable letter of credit, in an amount established by contract with the District.

8.13 Documentation of Project Costs

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

8.14 Cost Reimbursed by the District

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

1. The District shall be under no obligation to make any reimbursement payment whatsoever, except as outlined in this section. All questions as to the meaning of any portion of this section shall be as interpreted by the District.

2. Reimbursable facilities must be constructed in accordance with District's standard specifications from plans submitted and approved prior to construction, inspected by the District during and after construction and the costs must be documented to District's satisfaction.

3. Any applicant within an Area of Benefit designated by the District who requires service through facilities or improvements constructed by others pursuant to a reimbursement agreement and who did not contribute to the cost of construction or required in-lieu fees, shall pay a pro rata reimbursement fee prior to service being supplied, including an Administrative Fee of 3% or $250, whichever is greater. An area of benefit which identifies parcels having access to the constructed facility or improvement shall be determined by District's Engineer and a map of the area shall be attached as Exhibit A to the reimbursement agreement. In no case shall reimbursement exceed the documented cost of construction less the proportionate share of the project utilized by the original developer. Reimbursement payments required of future applicants for service within the area of benefit shall be based solely upon parcel area according to the following formula:

Developer's		Verified Construction		Area of
Payment		Cost (dollars)		Applicant's
Obligation	=	Total Area of Benefit	x	Parcel
(dollars)		(acres)		(acres)

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

4. On an annual date specified in the reimbursement agreement, the District will disburse collected reimbursement funds to the developer without interest. Developer shall keep the District informed of any change of mailing address. If the developer is an entity of more than one individual, District shall disburse funds to a designated escrow account and shall have no responsibility or liability for the further distribution of such funds.

5. The developer's rights to reimbursement funds shall not be transferable or assignable without the express written consent of the District Board of Directors.

6. Any expense for collection, enforcement, disbursement, litigation or any other reason connected with administration of a reimbursement agreement which exceeds the

administration fee cited in paragraph four (4) above, may be deducted from reimbursement funds collected by the District before disbursement of the remainder of such funds to the developer.

7. The District will not administer reimbursement from the developer's own existing or proposed parcels or from parcels to be acquired by the Developer.

8. Parcel owners within the area of benefit will not be required to connect to the developer's extension if an alternate route is preferable in the sole opinion of the District.

REGULATION NO. 9

FIRE SERVICE

9.01 Conditions of Service

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

9.02 Public Fire Hydrants

1. Public fire hydrants may, at the District's option, be installed and connected to the District's mains when requested by the public fire protection entity having jurisdiction, or when required as a condition to the issuance of a building permit or the acceptance by the County Board of Supervisors of a subdivision plat.

2. When a hydrant is installed on an existing main and the construction is to be performed by the District, the applicant shall deposit with the District the estimated cost of labor, materials, engineering, inspection and usual overhead expenses in the installation of the hydrant assembly, hydrant lateral, control valve and the connection to the District facilities.

3. A hydrant may be installed by the applicant with District approval. The installation shall be performed at applicant's expense, by a contractor holding a Class A or C34 license. The applicant shall deposit, prior to installation, the estimated cost of District inspection, engineering and usual overhead expenses

4. The type of hydrant shall be determined by the District and the site location shall be jointly determined by the District and the responsible public fire protection entity, excluding those hydrants that are installed by the District for the District's sole use as a means of flushing the District's water mains.

5. All installed fire hydrants shall be for the sole use of the appropriate fire district for the suppression of fire and for other obvious protection emergency use. The only exception to this rule is the permitted use, granted by the District, to contractors for construction water, or fire districts for the testing of hydrant flows.

6. All new fire hydrants shall belong to and be maintained by the District with the exception of private fire hydrants which are installed under agreement with the District. Fire hydrants shall be installed within a permanent easement granted to the District or in an existing Public Right of Way. The District will bear the expense of performing hydrant maintenance resulting from normal wear and tear when such conditions are reported by the responsible agency or when otherwise brought to the attention of the District.

7. The hydrant design, corrected for inlet and outlet velocity head shall not exceed the permissible head loss based on the American Water Works Association, (AWWA) Standards as amended from time to time: ANSI/AWWA C502-80 for dry-barrel fire hydrant, Table 4.

8. For hydrants designed or intended to deliver more than 1,000 g.p.m., the permissible head loss shall not exceed 5 psi when discharging at the design or intended rate of flow. The Applicant's engineer shall furnish to the District all the test data, design drawings, flow charts, specifications and findings for all hydrants that are specifically designed to flow above 1,000 g.p.m. All information submitted to the District shall comply with the AWWA Standards as described in Section 7 above.

9.03 Private Commercial Fire Protection System

In order to operate a private fire protection system the applicant shall fulfill the following conditions:

1. The land to be served is within the geographical area of the Tuolumne Utilities District and within an area served or servable by the District.

2. The Applicant's land has been annexed to the District and has become subject to any bonded indebtedness of the District.

3. The District possesses an adequate supply of water capable of serving a private fire system.

4. The private fire commercial suppression system is for the sole and exclusive benefit and use of the Applicant and is located entirely within Applicant's property.

5. The said private fire suppression system will be connected to an isolated service to be used exclusively for the suppression of fire or for the testing of the fire prevention system.

6. The type and location of the said private fire suppression system has been approved by the responsible fire protection agency.

7. The Applicant assumes full responsibility for all maintenance and repair of the said system from the underground fitting prior to the inlet side of the backflow preventer.

8. The size and design of the service connection, backflow preventer and cold water fire service type meter shall be subject to approval by the District and shall comply with all applicable ISO standards and requirements.

9. The backflow preventer with the bypass meter shall be furnished by the Applicant and installed in compliance with the District's Standards and Specifications.

10. In the event that water is taken through an existing commercial fire service connection for any other use than firefighting or testing, the District reserves the right to disconnect such a system, or in the alternative, to require the installation of an upgraded detector check valve assembly at the expense of the Applicant upon whose land the system is installed.

11. An application for service is required on forms provided by the District, and signed by the legal owner of the subject property.

12. The applicant will be required to maintain a current billing status and pay service charges as described in Exhibit B. 6.

13. Applicants for new commercial fire service connections will be required to install and maintain a backflow preventer as described in Section 11.

REGULATION NO. 10

TEMPORARY SERVICE

10.01 Installation and Payment

Except for construction water services described in §10.03, other temporary water service shall be limited to ninety (90) days, after which capacity fees shall be required. Service which does not require installation of a permanent connection shall require the installation of a meter, payment of a total estimated cost of installing and removing the connection and a reasonable security deposit for the meter. Service charges for any temporary service installed pursuant to this section shall be determined in accordance with the rates established by this ordinance.

10.02 Service Through Fire Hydrants

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

10.03 Temporary Construction Service

A temporary service shall be allowable for active commercial construction projects or residential developments of at least five (5) units, and that have not been dormant for more than thirty (30) days, up to the time of issuance of a final inspection or certificate of occupancy at which time the property owner shall be responsible to fully pay all associated capacity fees related to the water service and shall establish a monthly water service in accordance with the then current rates as established by the District.

10.04 Temporary Emergency Connection

Requests for temporary emergency connection to the District water system must demonstrate a serious health and safety related emergency and must be approved by the General Manager. Applicants for emergency connection shall be responsible to pay all costs related to that connection, including without limitation design, construction, in-lieu capacity, connection, and monthly rates in accordance with the then current rate schedule adopted by the District. Multiple requests for the same emergency connection may require permanent connection to the District's water system at the discretion of the General Manager.

REGULATION NO. 11

BACKFLOW PREVENTION AND CROSS-CONNECTION CONTROL

11.00 General

A backflow device is a precautionary device approved by the State Water Resources Control Board, Division of Drinking Water and the University of Southern California (USC) Hydraulic Research Section that provides protection from hazards getting back into the District's treated water system. Such types of hazards could be a separate irrigation system on a property, a business that uses chemicals, a property with a sewage lift station, or an unknown potential. All of the proceeding hazards are considered "high hazard" situations and require what is known as a reduced pressure backflow device. Reduced pressure (RP) backflow devices have a reduced zone in the center of the device with two independent working check valves that prevent water from flowing back into the water system. This device is required per State Health Code Title 17.

11.01 Purpose

1. To protect the public potable water supply, provided by the Tuolumne Utilities District (District), from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the consumer's private water system(s) such contaminants or pollutants which could backflow into the public water system; and,

2. To promote the elimination or control of existing cross-connections, actual or potential, between the consumer's in-plant potable water system(s) and non-potable water system(s), plumbing fixtures and industrial piping systems; and,

3. To provide for the maintenance of a continuing Program of Cross-Connection Control this will systematically and effectively prevent the contamination or pollution of all potable water system.

11.02 Responsibility

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

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

11.02.1 Chain of Command:

General Manager
Operations Manager
Water Master
Distribution Foreman/Cross-Connection Specialist
Administrative Coordinator
Utility Worker/Tester
Utility Worker/Tester

11.03 Definitions

Approved

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

Auxiliary Water Supply

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

Backflow

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

Backflow Preventer

An assembly or means designed to prevent backflow.

a. **Air Gap**

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

b. **Reduced Pressure Principle Assembly**

An assembly of two independently acting approved check valves together with a hydraulically operating, mechanically independent differential pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shut-off valves at each end of the assembly. The entire assembly shall meet the design and performance specifications as determined by a laboratory and a field

evaluation program performed by a recognized testing agency which has demonstrated their competency to perform such tests to the State Water Resources Control Board, division of Drinking Water for backflow prevention assemblies. The assembly shall operate to maintain the pressure in the zone between the two check valves at an acceptable level less than the pressure on the public water supply side of the assembly. At cessation of normal flow, the pressure between the two check valves shall be less than the pressure on the public water supply side of the device. In case of leakage of either of the check valves, the differential relief valve shall operate to maintain the reduced pressure in the zone between the check valves by discharging to the atmosphere. When the inlet pressure is two pounds per square inch or less, the relief valve shall open to the atmosphere. To be approved, these assemblies must be readily accessible for in-line testing and maintenance and be installed in a location where no part of the assembly will be submerged.

c. **Double Check Valve Assembly**

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

d. **Detector Check Valve Assembly**

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

Backpressure

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

Backsiphonage

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

Contamination

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

Cross Connection

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

Cross Connection - Controlled

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

Cross Connection Control by Containment

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

Degree of Hazard

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

a. Hazard - Health

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

b. Hazard - Plumbing

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

c. Hazard - Pollution

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

d. Hazard - System

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

Industrial Fluids System

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

Operations Manager

The Operations Manager or his designated agent is vested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this ordinance.

Pollution

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

Water - Non-potable

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

Water - Potable

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

Water - Service Connection

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

Water - Used

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

Water Well or Well

A water well is any artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into the underground.

Well Inactive or Well Standby

A well not routinely operating, but capable of being made operable with a minimum effort.

11.04 Requirements for Backflow Prevention Devices

11.04.1 Water System

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

a. Utility System

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

1. Source

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

2. Distribution System

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

b. Customer's System

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

11.04.2 Policy

a. Service

No water service connection to any premises shall be installed or maintained by Tuolumne Utilities District unless the water supply is protected as required by State laws and regulations as described in Title 17 - Public Health Regulations

Relating to Cross Connections and this Water Ordinance. Service of water to any premises shall be discontinued by Tuolumne Utilities District if a backflow prevention assembly has been removed, by-passed or an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

b. Inspection

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

c. Surveys

1. District has determined specific industries that may pose an actual or potential backflow hazard to the public water supply. These industries are identified from lists of industries where cross-connections are likely to be found, as provided by the State of California, and the University of Southern California, Foundation for Cross-Connection Control and Hydraulic Research. From these lists, specific consumers in the District service area shall be identified by directories, mailing lists, associations and business licenses.

2. Survey

When possible, a request to survey the premises shall be made and a date and time agreed upon. Should the request to survey be denied, letters shall be sent directing installation of the appropriate backflow assembly based on knowledge of the specific industry.

Whenever a property is sold or transferred, an office survey will be required of the new property owners. An office survey will also apply towards a change in name or ownership, or changes of use to a District customer account.

During the office survey many factors are considered to determine if the consumer is or could be a potential hazard to the public water supply.

These include:

- Types of water on-site
- Uses of water on-site
- Types of water using equipment
- Condition of water using equipment
- Complexity of plumbing on-site, and the potential for alterations of that system
- Storage and use of hazardous materials on-site

All the factors found and recorded during the survey shall be considered in the determination of backflow prevention requirements.

Each consumer requiring a backflow prevention assembly shall be notified by letter. The consumer shall be informed of their responsibility to provide backflow protection and the type of backflow assembly required in accordance with Title 17 of the California Administrative Code.

Should it be determined that the consumer does not require a backflow prevention device, they shall be notified in person that no such assembly is required at this time.

d. Installation of Backflow Assemblies

Backflow prevention assemblies shall be installed in accordance with Section 7603, Title 17 of the California Administrative Code and District's approved schematics, and any deviation from these drawings shall have written TUD approval.

1. Air-Gap Separation (AG)

The Air-Gap Separation shall be located as close as practical to the user's connection and all piping between the user's connection and the receiving tank shall be entirely visible unless otherwise approved by District in writing.

2. Double Check Valve Assembly (DC)

A double check valve assembly shall be located directly behind the meter and shall be installed a minimum of twelve inches (12") above grade and not more than thirty-six inches (36") above grade in a manner where it is readily accessible for testing and maintenance unless otherwise approved by District in writing.

3. Reduced Pressure Principle Backflow Prevention Assembly (RPP)

A reduced pressure principle backflow prevention assembly shall be located directly behind the meter and shall be installed a minimum of twelve inches (12") above grade and not more than thirty-six inches (36") above grade measured from the bottom of the device and with a minimum of twelve inches (12") side clearance in a manner where the assembly is readily accessible for testing and maintenance unless otherwise approved by the District in writing.

In no case shall a cut, tee, or tap be made between the user's meter and the backflow prevention assembly.

Any deviation of installation from the diagrams and descriptions provided, shall have written approval of the District prior to installation.

All backflow prevention assembly installations shall be initially inspected by the District to ensure with the requirements of the State Water Resources Control Board, Division of Drinking Water and the District.

e. Conditions Requiring Backflow Prevention Assemblies

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

1. In the case of premises having an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional source by the State Water Resources Control Board, Division of Drinking Water, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard.

2. In the case of premises on which any industrial fluids or any other objectionable substance is handled in such a fashion as to create an actual or potential hazard to the public water system, the public system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line appropriate to the degree of hazard. This shall include the handling of process waters and waters originating from the utility system which have been subject to deterioration in quality.

3. In the case of premises having (1) internal cross-connection that cannot be permanently corrected or controlled, or (2) intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross-connections exist, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.

4. In the case of premises having a fire sprinkler system, the public water system shall be protected against backflow from the premises by installing an approved backflow prevention assembly in the service line.

f. Type of Protection Assemblies Required

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

The type of protective assembly required under subsection 'I' shall depend upon the degree of hazard which exists as follows:

1. In the case of any premises where there is an auxiliary water supply as stated in subsection 11.04.2 "e" "1" of this section and it is not subject to any of the following rules, the public water system shall be protected by an approved air-gap separation, or an approved reduced pressure principle backflow prevention assembly.

2. In the case of any premises where there is water or substance that would be objectionable but not hazardous to health, if introduced into the public

water system, the public water system shall be protected by an approved double check valve assembly.

3. In the case of any premises where there is any material dangerous to health which is handled in such a fashion as to create an actual or potential hazard to the public water system, the public water system shall be protected by an **air-gap separation** or an approved **reduced pressure principle** backflow prevention assembly. Examples of premises where these conditions will exist include sewage treatment plant, sewage pumping stations, chemical manufacturing plants, hospitals, mortuaries, and plating plants.

4. In the case of any premises where there are "uncontrolled" cross-connections, either actual or potential, the public water system shall be protected by an approved **air-gap separation** or an **approved reduced pressure principle** backflow prevention assembly at the service connection.

5. In the case of any premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant cross-connection survey, the public water system shall be protected against backflow from the premises by either an approved **air-gap separation** or by an approved **reduced pressure principle** backflow prevention assembly on each service to the premises.

6. In the case of premises having a fire sprinkler system, the public water system shall be protected against backflow from the sprinkler system by an approved **detector check valve assembly**. If an anti-freeze material is used in the sprinkler system, the detector check assembly shall have reduced pressure principle backflow prevention on both the main line and the bypass line.

g. Approval of Backflow Prevention Assemblies

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

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

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

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

Said AWWA and FCC&HR Standards and Specifications have been adopted by the Tuolumne Utilities District. Final approval shall be evidenced by a "Certificate

of Approval" issued by an approved testing laboratory certifying full compliance with the said AWWA standards and FCC&HR specifications.

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

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

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the State Water Resources Control Board, Division of Drinking Water.

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

h. Installation of Backflow Prevention Devices

1. Backflow prevention devices shall be installed in a manner prescribed in Section 7603, Title 22 of the California Administrative Code. Location of the devices should be as close as practical to the user's connection. The District shall have the final authority in determining the required location of a backflow prevention device.

aa. Air gap separation (AG) - the air gap separation shall be located on the user's side of and as close to the service connection as is practical. All piping from the service connection to the receiving tank shall be above grade and be entirely visible. No water use shall be provided from any point between the service connection and the air gap separation. The water inlet piping shall terminate a distance of at least two (2) pipe diameters of the supply inlet, but in no case less than one (1) inch above the overflow rim of the receiving tank.

bb. Reduced pressure principle backflow prevention device (RP) - The approved reduced pressure principle backflow prevention device shall be installed on the user's side of and as close to the service connection as is practical. The device shall be installed a minimum of twelve inches (12") above grade and not more than thirty-six inches (36") above grade measured from the bottom of the device and with a minimum of twelve inches (12") side clearance. The device shall be installed so that it is readily accessible for maintenance and testing. Water supplied from any point between the service connection and the RP device shall be protected in a manner approved by the District.

cc. Double check valve assembly (DC) - The approved double check valve assembly shall be located as close as practical to the

user's connection and shall be installed above grade, if possible, and in a manner where it is readily accessible for testing and maintenance. If a double check valve assembly is put below grade it must be installed in a vault such that there is a minimum of six inches (6") between the bottom of the vault and the bottom of the device so that the top of the device is no more than a maximum of eight inches (8") below grade, so there is a minimum of six inches (6") of clearance between the side of the device with the test cocks and the side of the vault, and so there is a minimum of three inches (3") clearance between the other side of the device and the side of the vault. Special consideration must be given to double check valve assemblies of the "Y" type. These devices must be installed on their "side" with the tests cocks in a vertical position so that either check valve may be removed for service without removing the device. Vaults which do not have an integrated bottom must be placed on a three inch (3") layer of gravel.

dd. Detector check valve assembly. (DCA) The approved detector check valve assembly shall be installed above grade and housed within an approved enclosure. The assembly shall be located where it is readily accessible for testing and maintenance. The enclosure shall allow easy access. The assembly and its installation shall conform to the District's detail drawing.

i. Initial Testing

For new backflow preventer installations that have been in service for less than 60 days, the initial test shall be performed by District personnel at no expense to the customer-user. In cases where the device(s) has been in service for longer than a 60 day period prior to initial testing, the customer-user will assume responsibility for having the device tested. The initial test for commercial, industrial, or institutional fire system detector check valve assemblies shall be performed by a certified tester at the applicant's expense prior to receiving service.

j. Annual Testing

It shall be the duty of the customer-user at any premises where backflow prevention assemblies are installed to have certified inspections and operational tests made at least once per year. In those instances where the Operations Manager deems the hazard to be great enough he may require certified inspections at more frequent survey intervals. These inspections and tests shall be performed, at customer-user expense, by individuals approved and certified by District. It shall be the duty of the Operations Manager to see that these tests are performed as outlined under the Districts' Cross-Connection Program. The customer-user shall notify District in advance when the tests are to be undertaken so that an official representative may witness the tests if so desired. These assemblies shall be repaired, overhauled, or replaced within 7 days at the expense of the customer-user whenever said assemblies are found to be defective. All presently installed backflow prevention assemblies which do not meet the requirements of this section but were approved devices for the purposes described herein at the time of installation and which have been properly maintained, shall, except for the inspection and maintenance requirements under subsection "h" be excluded from the requirements of these

rules so long as the Operations Manager is assured that they will satisfactorily protect the utility system. Bypass lines, including meters and backflow preventers, shall be retrofitted at the customer's expense where they do not already exist. Whenever the existing device is moved from the present location, requires more than minimum maintenance, or when the Operations Manager finds that the maintenance constitutes a hazard to health, the unit shall be replaced by an approved backflow prevention assembly meeting the requirements of this section.

k. Approved Certified Testers

No person shall test or shall make reports on backflow prevention assemblies as required in Title 17 of the California Administrative Code, unless such person has been approved by the District. In order to ensure that the testing of backflow prevention assemblies is performed by technically competent individuals who are personally responsible and, if other than self-employed, are employed by person and or/organizations which are also responsible, the District authorized to require backflow prevention testers to show evidence that such person possess a current valid Backflow Prevention Testers Certificate issued by the American Water Works Association (AWWA) or the Northern California Backflow Prevention Association (NCBPA) for any persons who will perform such tests; and provide current valid calibration certifications dated within the previous 24 months for any differential pressure gauges to be used for the purpose of testing backflow prevention assemblies.

1. The District may conduct written examinations to determine the competency of any person desiring to test, repair and make reports on backflow prevention assemblies hereinbefore described. Those persons who have successfully completed such examination, and who have been determined by the District to be competent to test, repair and make reports on backflow prevention assemblies shall be placed on the approved Tester List.

2. District shall compile and annually update a list of the names, business addresses and telephone numbers of all approved testers and shall make the current version of the list available to customers.

3. District may require an approved tester to (1) demonstrate backflow prevention assembly testing procedures in the field and (2) provide advanced notice to District of scheduled backflow prevention assembly testing, installation or repair work so that it may be observed by District.

4. District may revoke approval of an individual tester and remove them from the list of approved testers if the individual tester, or their employee(s), fail or refuse to comply with District's policies and procedures for testing backflow prevention assemblies.

l. Test Reporting

The District shall be furnished a record of each test within 10 working days of test completion. All test records shall be submitted on District issued forms.

m. Discontinuance of Water Service

The District may discontinue water service to any customer-user if a required backflow prevention assembly is not properly installed and is not tested annually in accordance with the provisions herein, or is removed or altered by customer-user. **In the event of a discontinuance in service, the customer will still be responsible for all applicable monthly service charges.** The District has the right to perform testing on a backflow prevention assembly that was not tested annually or is suspected to not be functioning correctly and charge the customer-user the TUD hourly labor rate as shown in Exhibit _D.3.

n. Abandonment of Wells

In order for the District to consider a well abandoned, the well must be properly abandoned in accordance with Tuolumne County specifications as outlined in the Tuolumne County Well Ordinance, as that ordinance may be amended from time to time. .

In all other cases, if the customer/user chooses not to abandon the well in accordance with this section (n), the District will consider the well as a functioning well with the potenial to cross-contaminate the public water supply and the required backflow preventation assembly must be properly installed and tested in accordance with the provisions herein.

TABLE 1

TYPE OF BACKFLOW PROTECTION REQUIRED

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

TABLE 1 (continued)

TYPE OF BACKFLOW PROTECTION REQUIRED

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

REGULATION NO. 12

CONSERVATION

12.01 General

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

12.02 Specific Concerns

The District shall:

1. Develop pricing structures to encourage conservation of water, if authorized by state law.

2. Promote, through public relations, a public consciousness of the need to conserve water.

3. Assist customers to optimize efficient use of water.

4. Maintain facilities in a manner that optimizes water conservation to the extent feasible.

5. Design facilities with conservation of water and energy in mind.

6. Construct facilities to conserve or retrieve water and energy.

7. Seek to halt all illegal use of water.

12.03 Water Conservation Programs to be Activated in Phases

The District shall have the power to restrict use of District water during any shortage or other emergency, upon the making of any findings or the taking of any other actions that may be authorized or required by law, including, without limitation, Sections 350-358 and 31026-31029 of the Water Code, or as set forth by that certain 1983 Purchase Agreement between the District, as successor entity, and Pacific Gas and Electric Company, for the provision of water. The District may activate water conservation restrictions in phases, more particularly set forth as follows:

12.03.1 Phase I - Ongoing Water Education and Management

The following measures constitute ongoing Phase I water conservation programs or restrictions and may be subject to enforcement, as applicable:

a. Education programs including County Schools programs.

b. Ultra-low flow toilet rebate program. Subject to funding, water customers of the District shall be eligible to receive a $45.00 conservation rebate, up to a maximum of three toilets per residential customer account, and with no maximum for a commercial business, for the replacement of toilets that were designed to use in excess of 3.0 gallons per flush, with District approved low-flow models using 1.6 gallons per flush or less. Participants must register a purchase receipt

for each rebate and authorize District inspection of the completed replacement before payment shall be made.

c. Promotion of water-saving landscaping.

d. Community education programs;

   i. Offer water conservation tips in TUD newsletter, emails, etc.

   ii. Demonstrations (Xeriscape Garden, Home Improvement Event)

   iii. Seminars

   iv. Video library

   v. Public speaking

e. Requirement of low-flow fixtures in new developments.

f. Water audit and retrofit programs.

   i. Low flow showerhead distribution

   ii. Water conservation kit distribution

g. Implementation of Demand Management Measures outlined in the then current Urban Water Management Plan.

h. Meter and/or flow control for all customer accounts and plant production activities.

i. Maintain tiered water rates for treated water if allowed by state or federal law.

j. Prohibit wasteful use of water.

k. Review for accuracy water measuring and/or metering devices.

l. Raw water customers shall be required to design, construct, operate and maintain irrigation water systems in such a manner as to contain and put to beneficial use all delivered water.

m. A metered account shall not be converted to an unmetered account.

n. It is desirable that all properties served by raw water measured by the miners inch have on site storage equipped with an automatic shutoff device. Minimum storage for property receiving winter raw water should equal seven (7) days of usage (300 cubic feet).

12.03.2 Phase II - Conservation Measures: State and/or Restrictions During Drought Years

The District may impose Phase II water conservation restrictions based on any of the following:

A. Immediately upon the completion of the February 1st snow survey of the South Fork of the Stanislaus River a forecast of anticipated annual yield will be undertaken and rated as a percent of normal. When such forecast, or any subsequent survey, projects a water runoff into Lyons yielding less than 50% of normal, the District Board of Directors shall find that a threat of an emergency or shortage exists and the following measures shall be implemented:

   1. Public awareness of general water supply conditions and the District notifies media outlets

   2. Advanced warning of potential water use restrictions for all water customers

B. In the event that the State of California issues a State of Emergency, or State regulatory authorities pass regulations imposing water restrictions, due to severe drought conditions, this section shall self-operate and the District and its customers will adhere to the requirements imposed by those declarations or regulations.

12.03.3 Phase III – Critical Water Years – Water Restrictions

Immediately upon the completion of the February 1st snow survey of the South Fork of the Stanislaus River a forecast of anticipated annual yield will be undertaken and rated as a percent of normal. When such forecast, or any subsequent survey, projects a water runoff into Lyons yielding less than 30% of normal the District Board of Directors shall find that a threat of an emergency or shortage exists and the following measures shall be implemented: A public hearing shall be held during which customers shall have the opportunity to be heard to protest against the declaration of the water shortage emergency condition and to present their respective needs to the Board.

Following a public hearing the Board of Directors may implement Phase III conservation measures whenever it determines that the amount of available water supply may be less than 30% of normal run-off or that water supply is restricted due to circumstances beyond the District's control.

The District shall proclaim through resolution the specific conservation measures needed to address the water supply shortage and that those measures shall remain in effect until projected water availability exceeds projected demand for both the short and long term period.

System Wide – In addition to those measures taken in Phase II

1. Increase public awareness:

   District to hold additional landscape and irrigation seminars; prepare radio announcements, newspaper articles and ads; and send notices to Tuolumne County teachers, school boards, local businesses, restaurants, community service groups, Chamber of Commerce, Board of Supervisors, Board of Realtors, Building Department, etc., stressing the need to conserve water and request methods of support.

Due to a water shortage the District will institute a District wide system reduction goal which would apply to all water customers.

Treated Water Accounts

1. Reduction in water usage:

   District to initiate public outreach to all water customers advising of low water year and requesting reduction from previous year's usage if possible, and containing information on conservation methods as well as advising customers of the financial impact.

   Determine system reduction goals (a function of projected runoff weighed against previous years usage or of another specified time period) and update as conditions warrant and approved by the Board of Directors.

   Any single family equivalent using 800 cubic feet of water per billing cycle or 400 cubic feet per month has met the reduction goal and is not subject to further conservation.

Landscape Maintenance:

2. Limited outdoor irrigation is requested with the use of buckets or properly maintained irrigation drip systems. Outdoor watering will be limited to 10 minutes per cycle for spray systems and no longer than 30 minutes per cycle for drip systems. Property addresses ending in an even number shall confine their outside usage to Tuesday, Thursday and Saturday, those with an odd number shall confine their outside usage to Wednesday, Friday and Sunday. All irrigation shall occur between the hours of 7 p.m. and 10 a.m. No watering on Mondays.

   New construction service applications shall be granted upon condition that water shall be used only for interior purposes. Any landscaping requiring the use of water shall be delayed until repeal of Phase III restrictions.

Non-Essential Water Use:

3. Washing of cars, boats, trailers, equipment or other vehicles by hose or by use of water directly from faucets or outlets connected to the public water supply is prohibited.

   a) Water use which results in water running onto driveways, gutters, streets, adjoining property, and/or any other water runoff if prohibited.

4. Washing of sidewalks, walkways, driveways, patios, parking lots, graveled areas, tennis courts or other hard-surfaced areas, including commercial establishments, by hose or by use of water from faucets or other outlets connected or syphoned from the public water supply is prohibited unless it is needed for public health or sanitation purposes only.

5. Use of water in decorative fountains, recreational ponds and the like shall be limited to the minimum necessary to preserve aquatic life if present.

6. Use of water from hydrants for construction purposes or any other purposes other than firefighting.

7. Dust control, earth compaction, and other construction use of raw or potable water is limited to specific times and locations determined by the District. All users of this water must contact the District for times and location of water availability. Use of water at any other time or location is subject to a $500 fine per occurrence and possible prohibition of water use.

Raw Water Accounts - Water Restrictions:

1. Due to the water shortage, no supplemental water contracts will be fulfilled.

2. District to mail special notices to all raw water customers advising of low water year and requesting water reduction.

3. All water accounts shall be reduced to an amount equal to the system wide reduction goal. Outdoor watering will be limited to 10 minutes per cycle for spray systems and no longer than 30 minutes per cycle for drip systems. Property addresses ending in an even number shall confine their outside usage to Tuesday, Thursday and Saturday, those with an odd number shall confine their outside usage to Wednesday, Friday and Sunday. All irrigation shall occur between the hours of 7 p.m. and 10 a.m. No watering on Mondays.

Resale Service - Treated and Raw Water:

District to mail notices advising of low water year and requesting a reduction in individual water use. Notice to include copy of District's Conservation Policy along with a request to implement similar action. All resale accounts will be required to reduce their water use to the system wide reduction goal.

Excessive water usage is prohibited and is defined as:

i. Allowing plumbing system leaks, including sprinkler and drip systems, to remain un-repaired for seven (7) calendar days following notification by the District.

ii. Without reasonable cause, water usage in excess of the reduction goal based on the prior year's usage or other targeted base year during the same month of the year.

iii. Anyone who violates the District Water Rules and Regulations shall be subject to Sections; 5.07, 5.12, 14.08 or 14.09 of the Water Rules and Regulations and up to a $500 penalty.

12.03.4 Phase IV – Emergency Water Restriction

Due to the immediate nature of a water shortage or outage emergency, the District will;

1. Immediately notify appropriate media outlets, and post local road signage notifying the public of the current water use restrictions.

2. Hold a public hearing, as soon as feasible, during which customers shall have the opportunity to present their comments to the Board.

Following a public hearing the Board of Directors may implement Phase IV measures whenever water supply has been disrupted either for individual water system(s) or for the District's system as a whole. Specific water reduction goals will be set by Board resolution.

The District shall proclaim through resolution that a state of emergency exists and shall remain in effect until water supply has been restored.

System Wide or by individual Water System(s) - In Addition to those Measures Contained within Phase II and III;

The District shall determine emergency water restriction goals based upon water supply and estimated time until water can be restored.

1. Landscape/outdoor watering by hose or by use of water directly from faucets or outlets connected to the public water supply shall be strictly prohibited.

2. New construction services shall not be started until after the repeal of Phase IV restrictions.

3. Excessive water usage is prohibited and shall be remedied by restriction of the customer's service to life line water delivery rates by a device installed by the District or discontinuance of water service until the excessive usage is remedied, or the Board of Directors repeals the Phase IV water restrictions, and the payment of a $500 penalty. Excessive water usage under Phase IV is defined as water usage in excess of 10% above the water reduction goal.

Raw Water (Metered) Domestic Accounts:

If water is available (flowing in the ditch), usage shall be limited to life maintenance, the watering of livestock and any crop irrigation. Water use which results in water running onto driveways gutters, street, adjoining property, and/or any other water runoff is prohibited. Water usage shall not be above the water reduction goal.

Agriculture Water Accounts:

1. All agriculture water accounts shall be reduced to an amount equal to the system wide reduction goal.

2. Raw water domestic accounts which are not metered will be restricted by the District to the extent possible to meet the system-wide reduction goal.

3. All interruptible and supplemental accounts may be terminated

4. Agricultural (irrigation/stock watering) water rate accounts:

   All "agricultural (irrigation/stock watering) water rate" accounts shall be reduced by the System Wide Reduction Goal.

Resale Service - Treated and Raw Water:

1. Mandatory reduction in percent of usage equal to District's reduction goal. Resellers shall restrict all outside water usage within their areas.

12.04 Enforcement

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

First Violation:

Customer would receive a phone call or written warning about excessive water use from the District that a further violation will result in possible water restrictions and imposing of fines.

Second Violation:

After initial contact regarding the first violation, if a second violation is recorded a restrictor may be installed and an **$80** charge will be billed to the customer's account. The customer will need to show proof that they have reduced their water use before the restrictor is removed.

Third Violation:

A $500 penalty may be charged to a customer upon a third violation of not reducing to the mandatory water reduction. The customer may also be billed a field call out charge as explained in Exhibit B of the Water Rules and Regulations. If the customer continues to violate water restrictions they may have their water discontinued for excessive water use.

12.05 Variances

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

12.06 Low Water Use Plumbing Fixtures Required

All applicants for new water service connections for new construction shall be required to furnish proof of installation in residential, commercial and/or industrial buildings, ultra-low flow toilets with a maximum tank size or flush capacity of 1.6 gallons and shower heads with a maximum flow capacity of 2 gallons per minute.

12.07 Water Conserving Landscape Requirements

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

REGULATION NO. 13

INCORPORATION OF PRIVATE WATER WELLS

13.01 General Requirements

13.01.1 Responsible Parties

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

13.01.2 Agreement

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

13.01.3 Permits, Easements and Related Costs

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

13.01.4 Well Construction Standards

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

a. Tuolumne County Well Ordinance Adopting Chapter II and Appendices A and B of Water Well Standards, Bulletin 74-81, December 1981 and Bulletin 74-1, Cathodic Protection Well Standards, March 1973, Ord. 1472, 1986.

b. Tuolumne Utilities District Standard Specification and Drawing for Well Pump house.

c. Tuolumne Utilities District Standard Specification for Telemetry Equipment.

d. Water Well Standards: State of California, Dept. of Water Resources Bulletin 74-81.

All water wells to be transferred shall have a separate well house which houses mechanical and electrical equipment. All such wells shall be equipped with telemetry equipment which monitors well operating parameters and transmits information to the District telemetry control center. The cost of providing the well pump house and the

telemetry equipment in accordance with District standards shall be borne solely by the Applicant.

13.01.5 Plans and Specifications for Transferred Facilities

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

13.01.6 Groundwater Supply Evaluation Requirements

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

13.01.7 Transfer of Overlying Groundwater Rights

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

13.01.8 Contingency Plan and Warranties

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

13.01.9 Well Disinfection

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

13.01.10 Water Treatment Facilities

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

13.01.11 Policy Modifications, Alterations

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

13.01.12 Indemnification

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

13.01.13 Enlargement of Facilities

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

13.01.14 Insurance

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

13.01.15 Assignment

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

13.01.16 California Environmental Quality Act

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

13.01.17 Acceptance

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

13.02 Work Performed by District

1. The District will review and approve all drawing and specification submittals and well test plan prior to construction, refurbishment, or testing. All expenses incurred by the District, including overhead and fringe costs, in reviewing submittals and data will be borne by the Applicant.

2. The District will inspect the construction of facilities and startup of equipment. The District will witness the well pump test on a periodic basis. All expenses incurred by the District, including overhead and fringe costs, in inspecting the work will be borne by the Applicant.

3. The District Board will review the results of the well test and evaluation reports to determine acceptance or rejection of the application.

4. The District shall provide applicant an estimate of total cost for plan review, inspection and other reimbursable charges that may be incurred on the project. Applicant shall be fully informed and billed on a regular basis during progressive steps to project completion.

13.03 Work Performed by Applicant

1. The Applicant shall furnish all labor, materials, and service required for the complete installation of the water well and appurtenances. It is the intent of these specifications that the work performed shall result in a complete operating system in accordance with approved plans and specifications.

2. The Applicant shall retain the services of a licensed Civil Engineer or other approved professional to perform the well test, water quality tests, recovery test and prepare a summary report.

3. District shall retain the services of a licensed professional Geologist to perform the well evaluation in accordance with District Groundwater Supply Evaluation Requirements. Applicant shall reimburse the District for costs incurred in evaluation of well test data obtained in paragraph 2 (above).

4. The Applicant shall acquire all permits required for the construction and testing of the well and appurtenant facilities including but not limited to:

   Tuolumne County Health Department Well Permit
   Tuolumne County Building Department Building Permit

5. The Applicant shall execute all deeds necessary for the complete transfer of the well and appurtenances and water rights to the District.

13.04 Procedure

13.04.1 Application

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

13.04.2 Presentation

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

13.04.3 Agreement

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

13.04.4 Deposit

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

13.04.5 Plans and Specifications

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

13.04.6 District Review

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

13.04.7 Well Test and Evaluation

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

13.04.8 Termination

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

13.04.9 Risk

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

13.04.10 Cost

Upon completion of the construction and testing of the well and appurtenances by the Applicant, the District will compute its total cost of providing inspection services. If the total actual cost is less than the estimated deposit collected, the District will refund the

difference to the Applicant. If actual cost exceeds the estimate, Applicant will reimburse costs incurred by the District, prior to transfer of ownership of the facilities.

13.04.11 Warranty Bond

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

13.04.12 Ownership and Operation

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

REGULATION NO. 14

RAW WATER SERVICE

14.01 Raw Water Service

It is the intent of the District to offer potable water to its customers. The District's historic ditch conveyance system services many purposes including supplying water to the District's water treatment plants; serving agricultural customers; offering recreational opportunities; contributing to a wetland and water quality enhancement and offering wildlife habitat.

14.01.1 Existing Service

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

14.01.2 New Service

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

1. Water is available in the District's ditch or raw water pipe.

2. The size of the service is approved by the District; and

3. The applicable District connection charges have been paid.

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

Raw water service for residential properties will be approved only if there is an alternate source of potable water to the property, such as public treated water service or an approved groundwater well.

14.01.3 Raw Water Service Not for Human Consumption

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

14.02 Responsibilities of Raw Water Customers

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

All orders for irrigation service from the District's ditch system or shut off are to be placed through the District's phone (209-532-5536), between the hours of 7:00 a.m. and 11:00 a.m., weekdays only. Orders for delivery or shut-off must be made at least twenty-four (24) hours before the delivery or shut-off is to be made.

14.02.1 Customer Conduit System

Customer Responsibilities

Before water is turned into a conduit not owned by the District, the conduit shall be in proper condition to receive water. All such conduits must be kept free from weeds and other obstructions and shall be of sufficient capacity and be properly constructed and maintained to carry the head of water applied for without danger of breaks, overflow, or undue seepage. If said conduit is obstructed or not maintained, the Operations Manager may refuse or shut off the delivery of water thereto. The Operations Manager may order any such conduit cleaned, repaired, and reconstructed if necessary, before water is made available. Failure to comply with the order of the Operations Manager shall relieve the District of any liability or responsibility for not delivering water. Nothing herein shall be construed as an assumption of liability on the part of the District, its Directors, officers or employees for any damages occasioned by reason of improper construction, maintenance, or use of any private conduit or by reason of permitting the flow of water or turning water therein. The District is not responsible for maintenance of conduits it does not own.

District Cleaning, Etc.

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

14.02.2 Customer Pipe System

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

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

14.03 Pumping From District Ditch or Water Pipe

Pumping from a District Ditch is strictly prohibited except by permit issued at the sole discretion of the District.

A. Any applicant for a permit to pump directly from the ditch shall submit plans and specifications for the proposed installation to the District. Irrigation customers pumping water from District facilities shall be responsible for any damage to their pump(s) resulting from the absence of water in said facilities. All private pumps should be equipped with low-water cut out switches (pressure, float, etc.).

14.04 Customer Private Pipelines

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

14.05 Control of District Facilities

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

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

Only District employees have authority to open, close, or adjust diverting valves and gates in District works. Diverting gates, valves and meters may be equipped with locks, and the keys shall

be under the control of the District. The operation and control of the works of the District are under the exclusive management and control of the General Manager and no person other than authorized District employees shall do any of the following:

1. Change, disturb or tamper with any District works or make any opening therein or change any setting of control devices.

2. Place, construct or install any opening, take out pipe, siphon, pump, culvert, bridge, dam wall or other obstruction or structure in any District conduit or works, without the express approval of the Operations Manager or the ditch tender in charge.

3. Take or divert water from District works or from conduits supplied by the District without permission of the Operations Manager or ditch tender in charge.

4. Use a District conduit as an irrigation service ditch.

14.06 Untreated Supplemental Water Accounts

Supplemental Water is that quantity of untreated raw water estimated annually to be in excess of the District's otherwise anticipated water delivery requirements. Effective January 1, 2016, Supplemental Water is not available to new users. Any new users will obtain raw water as either a metered or unmetered raw water user. All users of supplemental, metered, or unmetered raw water are subject to the terms and conditions of the Water Rules and Regulations which may be amended from time to time.

Supplemental Water may be available annually to grandfathered Supplemental Water Accounts meeting the criteria listed below for a time span from April 15th to October 15th, or such other timeframe authorized by TUD. Supplemental Water is not intended, nor is it offered or provided, for human consumption including drinking, cooking or bathing. Any use of Supplemental Water for these purposes shall constitute a misuse of Supplemental Water and will be considered grounds for the immediate and permanent discontinuance or disconnection of such water delivery.

The availability and delivery of Supplemental Water shall have the lowest priority for delivery as compared against other classes or types of waters delivered by the District. Supplemental Water availability and delivery shall not interfere with or impair the availability and distribution of higher priority water supplies furnished by the District. The availability of Supplemental Water shall be determined in the sole and absolute discretion of the District.

The District does not guarantee the delivery of Supplemental Water to the applicants, but will make reasonable effort to deliver the amounts of water which it estimates to be available. The delivery of such water to an applicant in one or more years does not guarantee nor represent any assurance that the District will determine that such water will be available in following years. The District, its agents, and employees shall not be held responsible for any claim of damage, injury or death arising out of or in connection with the delivery or failure of delivery of water, including Supplemental Water, or the failure to deliver water in amounts and/or at flows less than those agreed upon or requested. Nor shall the District, its agents or employees be responsible for any claim of damage, injury or death arising out of or in connection with the control, custody, conveyance, distribution or use of such water beyond the point of delivery as defined herein.

The District shall endeavor, by posting on the District's website and/or by other means determined by the District, to notify public users on or about April 15th of each year of the availability of Supplemental Water as determined or estimated by the District. Such notification

shall include an estimate of the amount and timing of availability of such water for the remainder of the irrigation season.

Supplemental Water shall only be made available to Grandfathered Supplemental Water Customers who have met the following criteria:

1. Customers that have on file with the District an executed Application and Annual Agreement for Supplemental Water Service (hereinafter Application) prior to December 31, 2015.

2. Customers that have put the allocated quantity of Supplemental Water to beneficial use at least one season in three not counting years where water was unavailable due to conditions imposed by the District and that were beyond the customer's control.

3. Customers that have maintained continuous payment of supplemental water account without delinquency exceeding six months.

Effective December 31, 2015, the following properties identified by Assessor Parcel Number are grandfathered by operation of this provision to qualify to receive Supplemental Water if available in each year, subject to each of the conditions, restrictions and limitations hereinbefore described in this Section 14.06.

Ditch Supplementals as of 1/1/2016

Ditch	Outlet No.	APN	Amount
Algerine		59-290-17	1 MID
Algerine		59-290-60	1 MID
Algerine		59-290-63	1 MID
Algerine		96-200-18	1 MID
Phoenix	Spillway	52-060-48	41 AF
Phoenix	G	59-070-73	60 MID
San Diego	F-67	32-090-27	1/2 MID
Section IV	D-86	40-100-27	3/4" Meter
Shaw's Flat	H-76	33-160-87	60 AF
Shaw's Flat	H-48	33-230-02	1/2 MID
Shaw's Flat	G-14	44-090-10	1 MID
Shaws Flat	H-94	44-192-04	3/4" Meter
Shaws Flat	H-160	44-380-21	1 MID
Soulsby Low	D-39	89-160-12	60 AF
Soulsby Low	D-102	89-260-20	1/2 MID
Table Mt	I-26	39-350-12	1 MID
Table Mt	I-121	39-350-19	1/2 MID
Table Mt	I-9 C	58-020-31	1/2 MID

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

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

The price for the delivery of Supplemental Water is set forth in Exhibit B.

14.07 Agricultural Use of Raw Water

1. Agricultural use of raw water is subject to the existing conveyance capacity and water availability. This water is to be only used for Agricultural purposes.

2. Agricultural purposes are defined as those Qualifying Uses for Commercial Agriculture included in Rule 8A of the Tuolumne County Regulations for Implementing the California Land Conservation Act (Resolution 106-04). For any questionable use, the District, in consultation with the Tuolumne County Agricultural Commissioner, will determine if the water is or is not for agricultural purposes. Commercial agriculture shall not include general landscaping improvements or property beautification or recreation facilities on private property.

3. All new water services shall be metered.

4. The Water Supply Capacity fee for agricultural use of raw water shall be as shown in Exhibit B.14. The minimum Water Supply Capacity fee for establishment of a raw water service for agricultural purposes shall be based on the provision of 10 acre-feet of raw water per irrigation season. Additional supply capacity may be purchased in 10 acre-foot blocks.

5. The service shall be paid in accordance with Exhibits B.2.1 and B.2.2 based on meter size and consumptive use.

6. Agricultural use of raw water is available from April 15th to October 15th.

7. Water may be available outside of the dates listed above, at the sole discretion of the District, for previously existing account holders of at least 12 months continuous duration at the then prevailing rates, plus additional costs incurred by the District to provide the water. For purposes of this section a new account holder is considered to have held an active account for less than 12 months.

8. All current and future District monthly base and water consumptive rates shall apply.

9. Water purchased for agricultural purposes cannot be converted to any other use in the future.

10. Raw water purchased for agricultural purposes shall be set aside for such agricultural uses, subject to availability of supply and the District's authority to adopt and amend rules and regulations for the distribution of the available water supply.

11. At the District's request, the purchaser of the raw water must prove the water is being used for an approved agricultural purpose as specified in Section 14.07. If at any time the water is no longer being used for an approved agricultural purpose, the District may

request payment of the current full water supply capacity fee (minus the amount already paid) or the service may be terminated.

14.08 Conversion of Unmetered Raw Water Accounts to Metered Raw Water Accounts

It is the District's intent, over time, to convert unmetered raw water accounts to metered raw water accounts. All raw water services established after January 1, 2016 shall be metered. The conversion of current unmetered raw water services to metered water services will be undertaken by the District at its sole and absolute discretion.

Conversion from water service based on miner's inches to a service based upon meter size will be determined in accordance with the following table:

Miner's Inch Contract	Acre-Feet per Irrigation Season	Acre-Feet per Year	Constant Flow Rate (gpm)	Recommended Meter Size based on 24 hr/day Constant Flow assuming a minimum 2 psi static pressure at meter*
0.50	4.5	9.0	5.6	1"
1.00	9.1	18.1	11.2	1.5"
1.50	13.6	27.1	16.8	1.5"
2.00	18.1	36.2	22.4	1.5"
2.50	22.7	45.2	28.1	1.5"
3.00	27.2	54.3	33.7	2"
3.50	31.8	63.3	39.3	2"
4.00	36.3	72.4	44.9	2"
4.50	40.8	81.4	50.5	3"
5.00	45.4	90.5	56.1	3"

*The meter size required will be determined by the District Engineer on a case-by-case basis.

14.09 Unlawful Acts - Ditch System

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

a. Permitting livestock, poultry, or waterfowl to go on or in District conduits.

b. Burning or otherwise injuring or destroying works of the District.

c. Dumping or flowing into District conduits rubbish, soil, filth, or other substances that would pollute or impede the flow of water therein.

d. Erecting signs, fences or other structures on or across or otherwise obstructing District rights-of-way without written permission of the District.

e. Shutting off or reducing the flow of water from a District conduit into a private conduit or field without giving reasonable prior notice of such proposed action to the General Manager or ditch tender in charge.

f. Grading on ditch banks, or any grading near the ditch that may undermine the integrity of the ditch or cause subsequent erosion that may affect the ditch.

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

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

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

b. Disturb any facility for the control of measurement of water.

c. Cause to be emptied or placed into any District conduit any rubbish, filth or pollutant, or obstruction to the free flow of water.

d. Willfully and maliciously cut, break, injure, or destroy any bridge, dam or District conduit.

14.09.1 California Penal Codes

The following sections of the California Penal Code, as they may be amended from time to time, are incorporated into these rules and regulations by this reference.

Section 347 Penal Code:

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

Section 498 Penal Code:

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

1. Diverts or causes to be diverted utility services, by any means whatsoever.

2. Prevents any utility meter from accurately performing its measuring function by tampering or by any other means.

3. Tampers with any property owned by or used by the utility to provide utility services.

4. Makes or causes to be made any connection with or reconnection with property owned or used by the utility to provide utility services without the authorization of consent of the utility.

5. Uses or receives the direct benefit of all or a portion of utility services with knowledge or reason to believe that the diversion, tampering, or unauthorized

connection existed at the time of that use, or that the use of receipt water otherwise without the authorization or consent of the utility."

Section 588 Penal Code:

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

Section 592 Penal Code:

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

Section 594 Penal Code:

"Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own is guilty of vandalism."

(a) Defaces with graffiti or other inscribed material
(b) Damages
(c) Destroys

Section 607 Penal Code:

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

Section 624 Penal Code:

"Every person who willfully breaks, digs up, obstructs, or injures any pipe or main for conducting water, or any works erected for supplying buildings with water, or any appurtenances or appendages connected thereto, is guilty of a misdemeanor."

Section 11418 Penal Code:

"(b)(3) Any person who uses a weapon of mass destruction in a form that may cause widespread damage to or disruption of the food supply or 'source of drinking water'…shall be punished by imprisonment in the state prison."

Section 116985 Health and Safety Code:

No person shall allow any water closet, privy, cesspool, or septic tank, or carcass of any dead animal, or any offal of any kind, to remain in or upon the borders of any stream, pond, lake, or reservoir within the boundaries of any land owned or occupied by him or her, in a manner that the drainage from the water closet, privy, cesspool or septic tank, or carcass, or offal, may be taken up by or in the stream, pond, lake, or reservoir, if water is drawn therefrom for the supply of any portion of the inhabitants of this state.

Section 116990 Health and Safety Code:

No person shall keep any horses, mules, cattle, swine, sheep, or live stock of any kind, penned, corralled, or housed on, over, or on the borders of any stream, pond, lake, or reservoir, in a manner that the waters become polluted, if water is drawn therefrom for the supply of any portion of the inhabitants of this state.

Section 116995 Health and Safety Code:

No person shall cause or permit any horses, cattle, sheep, swine, poultry, or any kind of livestock or domestic animals, to pollute the waters, or tributaries of waters, used or intended for drinking purposes by any portion of the inhabitants of this state.

14.10 Unlawful Acts - Phoenix Reservoir

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

a. No person shall bathe, except as permitted by law, or wash clothes in any stream, pond, lake, or reservoir from which water is drawn for the supply of any portion of the inhabitants of this state, or by any other means foul or pollute the waters of any such stream, pond, lake, or reservoir. (*See* Health and Safety Code § 117000 and 117010.)

b. Every person who violates, or refuses or neglects to conform to the regulations prescribed by the Department of Health for the prevention of the pollution of springs, streams, rivers, lakes, wells, or other waters used or intended to be used for human or animal consumption, is guilty of a misdemeanor. (*See* Health and Safety Code § 117015.)

c. Violation of these regulations may be enjoined by any court of competent jurisdiction at the suit of any person whose supply of water for human or animal consumption or for domestic purposes is or may be affected, or by the Department of Health. (*See* Health and Safety Code § 117030.)

d. Anything done, maintained, or suffered, in violation of any of the provisions of these regulations is a public nuisance, dangerous to health, and may be summarily abated as such. (*See* Health and Safety Code § 117035.)

REGULATION NO. 15

ADMINISTRATION

15.01 Appeals to the Board of Directors

Any rule, regulation, finding, or requirement which is enforced upon a customer, applicant or other person or entity doing business with Tuolumne Utilities District may be appealed to the Board of Directors for dispensation or waiver of the subject requirement. The appeal or request may first be addressed at a Board Committee meeting depending on the issue and then forwarded to the full Board for resolution if needed. The appeal shall, in all cases, be submitted according to the following described procedure:

1. All appeals shall be submitted in writing within 30 days after the party has been made aware of the rule, regulation, finding, or requirement for hearing at a regularly scheduled meeting of the Board of Directors.

2. The appellant must specifically include the following information in the notice of appeal:

    a. The identity of the appellant and their interest in the decision.

    b. The nature of the decision or condition appealed from.

    c. A brief statement of the reasons why, in the opinion of the appellant, the decision or conditions imposed were unjustified or unappropriated.

    d. A statement of appellant's goal or desired outcome of proposed Board action regarding the appeal.

EXHIBIT A

WATER SERVICE USER CLASSIFICATION SCHEDULE

The Board of Directors may make revisions to this Exhibit from time to time.

User Classification	Usage Factor
Single Family Residence	1.0
Accessory Dwelling	0.8
Apartment	
Each unit with washer	1.0
Each unit without washer	0.8
Apartment Complex with central laundry facility	0.6/machine
Mobile Home	
Each unit with washer	1.0
Each unit without washer	0.8
Mobile Home Park with central laundry facility	0.6/machine
Motels and Hotels	0.25/room
Rooming House	0.25/room
Bed and Breakfast	0.25/room
Campgrounds	
Overnight and trailer w/central facilities	0.2/space
RV w/individual hookup	0.3/space
Barber Shops	0.3/station
Beauty Shops	0.3/station
Service Station with Restrooms	2.0
Self-Service (no restroom)	0.8
Recreational Vehicle Dump Station	2.0/station
Automobile Repair Shop	1.0
Mortuary	0.4/employee
Bakeries, Catering Service	0.3/employee
Restaurants	
Walk-in	0.07/seat
24 hour	0.09/seat
Drive-in, Short Order	0.09/seat
Bars, Card Rooms, Casinos, Taverns	0.1/seat
Bowling Alley	0.1/alley
Theaters, Indoor	
(Based on maximum seat capacity)	0.02/seat
Laundries and Laundromats	0.6/machine
Cleaners	
Plant w/office	0.1/employee + 1.0/machine
Fire station	0.2/employee
Offices, including	0.1/employee
Accountants	
Attorneys	
Engineers	
Other (Insurance, Real Estate, etc.)	
Dentist	0.5/chair
Physician Office or Clinic	1.0/office or M.D.

EXHIBIT A (continued)

WATER SERVICE USER CLASSIFICATION SCHEDULE

User Classification	Usage Factor
Retail Stores, including Clothing Building Supply, Hardware, Appliance Furniture Real Estate Warehouse Drug Store Pet Shops Other Retail Stores	0.1/employee
Public Swimming Pools	2.5/pool
Car Wash, Self-serve	3.0/stall
Food Markets	0.1/employee
w/garbage grinders	4.0
Public Buildings	0.1/employee
Schools	0.07/enrollment
Meeting Halls and Churches	0.01/seat
Fairground Complex	4.0
Restroom Buildings	1.0/toilet
Hospitals	0.8/bed
Long Term Care Facilities	0.3/bed
Industrial Building, Assembly, etc.	Per calculations of Estimated Usage
Minimum Usage Factor For all Classifications	0.8

EXHIBIT B

WATER SERVICE CHARGES AND RATES

B.1 Charge For Treated Water Service

The following rates and charges shall be effective as indicated below.

B.1.1 Monthly Fixed Charges - Meter Size: Minimum Monthly Fixed Service Charges

Meter Size	Effective 1/1/2016	Effective 1/1/2017	Effective 1/1/2018	Effective 1/1/2019	Effective 1/1/2020
5/8 or 3/4 - inch	$47.50	$52.50	$56.50	$60.50	$64.50
1 - inch	$47.50	$52.50	$56.50	$60.50	$64.50
1 1/2 - inch	$76.00	$84.00	$90.40	$96.80	$103.20
2 - inch	$109.25	$120.75	$129.95	$139.15	$148.35
3 - inch	$242.25	$267.75	$288.15	$308.55	$328.95
4 - inch	$337.25	$372.75	$401.15	$429.55	$457.95
6 - inch	$593.75	$656.25	$706.25	$756.25	$806.25
8 - inch	$907.25	$1,002.75	$1,079.15	$1,155.55	$1,231.95

B.1.2 Consumption – Quantity Rates

Treated Water Service

Quantity Rates Monthly Per 100 Cubic Feet	MONTHLY QUANTITY CHARGE				
	Effective 1/1/2016	Effective 1/1/2017	Effective 1/1/2018	Effective 1/1/2019	Effective 1/1/2020
Tier 1 — Up to 400 cu. ft. cu. ft.	$0.00	$0.00	$0.00	$0.00	$0.00
Tier 2 — Over 400 cu. ft.	$2.50	$2.75	$3.00	$3.20	$3.40

B.1.3 Wholesale Treated Water Service Customers

Those Wholesale Treated Water Service Customers under existing contract(s) shall be required to pay under the terms and conditions of their respective contracts.

B.2 Charge for Raw (Untreated) Water Service

The following rates shall be effective as indicated below. The rate structure for metered raw (untreated) water service consists of a monthly service charge based on the size of the water meter plus a quantity charge for all metered consumption of water. Included with the monthly fixed raw water rate charge is up to 5,000 cubic feet of water. The rate structure for unmetered raw (untreated) water service consists of a minimum Monthly Fixed Service Charge based on each ½ Miner's Inch under contract plus a quantity charge for each Miner's Inch Day (MID) per month of water requested. Included in the Monthly Fixed Charge is up to 2 Miner's Inch Days. The minimum monthly fixed service charge is billed on a 12 month basis.

B.2.1 Metered Raw Water Customers Monthly Fixed Charges

Meter Size: Minimum Monthly Fixed Service Charges

Meter Size	MONTHLY FIXED CHARGE				
	Effective 1/1/2016	Effective 1/1/2017	Effective 1/1/2018	Effective 1/1/2019	Effective 1/1/2020
5/8 or 3/4 -	$15.00	$20.00	$25.00	$30.00	$35.00
1 - inch	$15.00	$20.00	$25.00	$30.00	$35.00
1 1/2 - inch	$24.00	$32.00	$40.00	$48.00	$56.00
2 - inch	$34.50	$46.00	$57.50	$69.00	$80.50
3 - inch	$76.50	$102.00	$127.50	$153.00	$178.50
4 - inch	$106.50	$142.00	$177.50	$213.00	$248.50
6 - inch	$187.50	$250.00	$312.50	$375.00	$437.50
8 - inch	$286.50	$382.00	$477.50	$573.00	$668.50

B.2.2 Quantity Rates

Monthly Quantity Per 100 Cubic Feet	MONTHLY QUANTITY CHARGE				
	Effective 1/1/2016	Effective 1/1/2017	Effective 1/1/2018	Effective 1/1/2019	Effective 1/1/2020
Up to 5,000 cu. ft.	$ 0.00	$ 0.00	$ 0.00	$ 0.00	$ 0.00
Over 5,000 cu. ft.	$ 0.25	$ 0.28	$ 0.30	$ 0.32	$ 0.34

B.2.3 Unmetered Raw Water – MID* Rates

*Miner's Inch Day (MID) – A term used in water measurement. By California statute, one miner's inch flow in for one day is equivalent to 1.5 cubic feet per minute or 11.22 gallons per minute.

B.2.4 Minimum Monthly Fixed Service Charges

Per Miner's Inch Per Month	Effective 1/1/2016	Effective 1/1/2017	Effective 1/1/2018	Effective /1/2019	Effective 1/1/2020
First 1/2 miner's inch of contract	$15.00	$20.00	$25.00	$30.00	$35.00
Additional capacity, per 1/2 miner's inch	$6.00	$9.00	$12.00	$15.00	$18.00
Per Miner's Inch Day	**Quantity Rates Per Day**				
Up to 2 MIDs per month	$0.00	$0.00	$0.00	$0.00	$0.00
Over 2 MIDs per month	$5.00	$5.50	$6.00	$6.40	$6.80

B.2.5 Special Quantity Amounts Due to Prior Agreements with Pacific Gas & Electric

Subject to the pertinent Rate Schedule(s) above, those raw water customers having a

fixed monthly allotment of water per month prior to receiving quantity charges with Pacific Gas and Electric that is currently recognized by contract with the District shall continue to receive such monthly quantity amounts before incurring MID charges. Such customers shall maintain an active agreement for raw water service with the District indicating the amount of the monthly allocation. Nothing in this section shall be construed to relieve such customer(s) of the Minimum Monthly Service Charge. In the event an agreement lapses or the customer is in violation of the agreement for more than one (1) year, or otherwise fails to make payment to the District, the District reserves the right render any allotment null and void.

B.3 Treated Water Surcharges and/or Assessments

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

Service Area	Charge Per Month
Big Hill	$17.19
Crystal Falls	$2.00
Cedar Ridge	$7.38
Columbia	$2.11
Curtis Creek	$36.14
Gibbs Ranch	$2.80
Monte Grande	$17.79
Monte Grande - Curtis Creek Interconnection	$26.99
Oak Garden	$3.95
Upper Basin (Brentwood, Lakewood, Confidence)	$2.88
Ponderosa System	$6.50
Railbed Road	$6.30
Railbed Road with Backflow Preventer	$11.97
Scenic View/Scenic Brook	$7.77
Soulsbyville	$4.50
Valle Vista	$10.00
Sugar Pine	$10.08
Wards Ferry Ranches	$25.66

B.4 Wholesale Usage - Master Meter

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

B.5 Bulk Usage from Fire Hydrant

Type of Service	Meter Size - 2 "	Meter Size - 1"
Meter Rental Charge per Day	$5.00	$2.00
Usage per 100 Cubic Foot ($5.00 minimum charge)	$5.00	$5.00
Meter Deposit	$1,550.00	$500.00
Administration Fee per Rental	$35.00	$35.00

B.6 Service Charge for Privately Owned Fire Protection Systems

Based on Meter Size. *See* B.1.

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

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

B.7.1 Service charge with a minimum notice of two (2) full work days and with the location or shutoff to be accomplished between 7:00 a.m. and 4:00 p.m. on a regular day (not including 6-month maximum suspensions).	No Charge
B.7.2 Service charge with less than the required minimum notice and with location or shutoff to be accomplished between 7:00 a.m. and 4:00 p.m. on a regular day.	$50.00
B.7.3 Service charge with the location or shutoff to be accomplished between 4:00 p.m. and 7:00 a.m.	$130.00
B.7.4 Service charge with the location or shutoff on Saturday, Sunday or District Holiday.	$130.00
B.7.5 Unlawful Acts Charge	$150.00
B.7.6 Meter Removal Fee	$80

B.8 New Account Administration Fee

The New Account Administration Fee is a one-time charge to a new connection for water service to be paid at the time of application that covers staff time involving information data input and account management. $240.00

B.9 Capital Reserve Charge

The Capital Reserve Charge shall be used to establish a capital reserve fund that shall be used to replace capacity and facilities used by new applicants for service upon connection to the water system and to provide for the continuous capability to serve new applicants for treated water service. The capital reserve fund would specifically be used to replace equipment and facilities that reach the end of their useful life and to construct improvements necessary to maintain service and capacity in water treatment, storage, transmission, distribution, pumping facilities, and control systems as periodically needed in each of the service areas within the District's jurisdiction. $985.00

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

B.10 Treated Water Meter Set Charge

Meter Type	Installation of Meter and Valve Only	If New Box and Lids are Also Required
¾ inch meter	$380.00	$564.00
1 inch meter	$510.00	$689.00
1 ½ inch meter	$655.00	$821.00
2 inch meter	$892.00	$1,058.00
3 & 4 inch meters	Actual Cost	Actual Cost

Customers will be billed the "actual cost" for meters and boxes on new raw (untreated) water services regardless of meter size.

B.11 Meter Accuracy Tests

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

B.12 Service Line Charge Actual Cost

B.13 Security Deposit Amount $ 80.00

B.13.a Lien Fee $ 15.00

B.13.b Notary Fee $ 10.00

B.14 Capacity Charges

Water Capacity Charges shall be collected and placed in a fund to construct improvements to any of the water systems described above for the purpose of increasing supply, treatment, storage, or transmission capacity used up by new connections to the water systems. The charges are uniform to all systems and are collected and used to construct improvements as needed in any individual water system. For one equivalent single-family residence, the capacity charge shall be calculated on an estimated usage based upon a ten year average from the District's consumption records for residential systems. These charges are applied as described below:

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

- Supply — $846 per treated water ESFR or $2,860 per acre-foot, *See* Exhibit E.1. For all new raw water services to agricultural irrigation customers as set forth in Section 14.07, the supply capacity fee shall be $318 per acre-foot, with a 10 acre-foot per year minimum. Additional water supply capacity may be purchased in 10 acre-foot blocks. Agricultural irrigation service will be turned off during the non-irrigation season (October 16th through April 14th). The water supply capacity for all new raw water services, except as described above for agricultural irrigation, will be available in 5 acre-foot blocks with a 5 acre-foot per year minimum.
- Treatment — $1,597 per ESFR, *See* Exhibit E.2.
- Storage — $3,034 per ESFR, S*ee* Exhibit E.3.
- Transmission — Actual Cost.

Capacity charges to be indexed to a 3-year running average of the Engineering News and Record 20-cities construction cost index and adjusted each fiscal year with an annual cap of 3.5%. The General Manager will implement the fee increase on July 1st annually.

B.15 Water Connection Fees

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

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

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

Purpose and Use

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

pumping facilities, including related electrical and telemetry control systems.

EXHIBIT C

ADDITIONAL CONNECTION CHARGES IN SPECIFIC DISTRICTS

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

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

EXHIBIT D

PROJECT ADMINISTRATIVE CHARGE, ENGINEERING, INSPECTION AND CONSTRUCTION DEPOSITS AND LABOR AND EQUIPMENT RATES[1]

D.1 Labor Deposit Schedule

	Inspection and/or Hot Tap		**Mainline Projects[3]**			**Development Projects[3]**		
	Lateral Inspection	Hot Tap and/or Inspection	≤300 lf[4]	>300 lf ≤1200 lf	>1200 lf	≤4 ESFR[5]	>4 ESFR ≤30 ESFR	>30 ESFR
Project Admin. Charge[2]	$80	$80	$150	$200	$250	**$100**	**$300**	$500
Engineering Labor Deposit[1,6]	$0	$0	$300	$400	$600	$600	$900	$1,100
Inspection Labor Deposit[1,7]	$105	$205[10]	$300	$500	$700	$1,100	$2,100	$4,100
DEPOSIT AMOUNT	**$185**	**$285**	**$750**	**$1,100**	**$1,550**	**$1,800**	**$3,300**	**$5,700**

D.2 Construction Deposit[1,9]

Construction deposits are required for all projects where District construction staff and equipment are requested by the applicant to construct and/or repair facilities including, but not limited to, service laterals, hydrants, mainlines and sewer cleanouts. Construction deposit charges are determined by District Engineering Department staff on a case by case basis and shall be paid prior to commencing construction of facilities. An estimate of typical project costs may be provided prior to the initiation of construction. In addition to estimated labor and material costs, the construction deposit shall include a minimum project administrative charge of $240.

D.3 Labor Rates

Engineering Labor Rate[6]	$130 per man hour
Inspection Labor Rate[7]	$105 per man hour
Flow Analysis Modeling Labor Rate[8]	$105 per man hour
Construction and Hot Tap Labor Rate[9]	$100 per man hour

D.4 Equipment Rates

Camera Truck Equipment	$35 per hour plus $100 per man hour
Mini Cam Equipment	$35 per hour plus $100 per man hour
Flush Truck Equipment	$60 per hour plus $100 per man hour
Vacuum Truck Equipment	$60 per hour plus $100 per man hour
Vac-Con	$115 per hour plus $100 per man hour

[1] *Deposits paid are credited to the charges incurred. Expended time will be rounded to the nearest ½ hour. Any funds collected but not used will be refunded and any incurred charges*

[1] The General Manager shall update labor and equipment rates annually.

will be billed monthly toward the deposit. If the charges incurred exceed the deposit during the course of construction, another deposit in the same amount as the first is required from the applicant. For larger projects this could occur several times.

[2] *Project administration charge is a one-time charge paid at the time of application that covers staff time involving assistance to the applicant regarding District procedures, agreement preparation, agenda scheduling and accounting.*

[3] *For the purposes of this fee structure, should both off-site mainline extension and on-site development both apply, charges for both project classifications shall apply.*

[4] *For hydrant and fire sprinkler system connections requiring a lateral installation the deposit charge for a <300ft mainline project shall apply.*

[5] *ESFR: Equivalent Single Family Residential connection. For the purposes of this fee structure, in certain cases, lots or parcels may be substituted for the ESFR to determine the deposit charge amount for development projects.*

[6] *Engineering labor includes CEQA review, plan reviews, easement review, and project management.*

[7] *For actual time expended on construction site facility inspections. Inspection charge deposits will be paid prior to commencing construction of facilities and any additional inspection or testing charges will be billed monthly through project completion and acceptance by the District. This hourly rate applies to time spent by TUD personnel for inspections, and any camera testing, pressure testing, vacuum tests, etc. that requires the services of personnel in addition to inspection staff.*

[8] *If the District is requested to perform flow analysis modeling, a charge in the amount of $105.00 per man hour will be required for any time expended over and above thirty (30) minutes. Should a deposit for flow analysis modeling be required the minimum project administrative charge of $80.00 shall apply.*

[9] *In the event that District field crews are requested or required for assistance with construction, the charges above will apply to actual time expended. Expended time outside normal working hours will be charged at 1 ½ times the labor rates listed above.*

[10] *This inspection labor deposit amount includes one man hour at the construction labor rate to perform hot- tap.*

EXHIBIT E

CAPACITY CHARGES CALCULATIONS

E.1 SUPPLY

COST DETERMINATION UNTREATED WATER SUPPLY

Current Year - 2014 Inflator – 2.00%

PG&E Water Purchase

This option was evaluated in the past however, this would not come into play until TUD's demand begins to exceed, 18,150 AF per the 1996 HDR report. Additionally, based on new regulations put in place since 1996, there may not be water available to purchase due to elements beyond PG&E's control.

Conservation Through Ditch Lining

Year	Project	Cost[1]	Present Value[2]	Estimated Recovery (AF)[3]
2003	Ditch Gunite	$80,000	$99,470	50
2004	Ditch Gunite	$80,000	$97,520	50
2005	Ditch Gunite	$80,000	$95,607	50
2006	Ditch Gunite	$100,000	$117,166	50
2007	Ditch Gunite	$100,000	$114,869	50
2008	Ditch Gunite	$100,000	$112,616	50
2009	Ditch Gunite	$100,000	$110,408	50
2010	Ditch Gunite	$100,000	$108,243	50
2011	Ditch Gunite	$100,000	$106,121	50
2012	Ditch Gunite	$100,000	$104,040	50
2013	Ditch Gunite	$100,000	$102,000	50
Total			$1,168,060	
	Estimated Recovery 2003-2013 (AF)			550
	Cost / AF (2014)			$2,124

[1] Budgeted amount for each year. Total length of ditch lined varies each year.

[2] Cost adjusted to reflect present day cost.

[3] The savings each year would vary but is assumed as the average each year.

Conservation of Supply, End Loss Solution

Year	Project	Cost[1]	Present Value[2]	Estimated Recovery (AF)[3]
2014	Matelot to Columbia Pipeline	$250,000	$250,000	125
2014	End Loss Reservoir or equivalent, Construction, Controls, Land Acquisition for the end of either the Roaches or Montezuma Ditches	$400,000	$400,000	125
Total			$650,000	
	Estimated Recovery from end loss (AF)			250
	Cost / AF (2014)			$2,600

[1] Estimated cost 2014

[2] 2014 values

[3] The savings are estimated based on conserving end loss.

Groundwater Development

Year	Project	Cost[1]	Present Value[2]	Estimated Development (AF)[3]
2014	New Municipal Well - 50 GPM for 50 Years	$150,000	$150,000	80
Total			$150,000	
	Groundwater development adjusted for uncertainty and unreliability (AF)		2	40
	Cost / AF (2014) for water supply by groundwater well			$3,750

[1]Includes drilling, development, permitting, pump installation, land acquisition and appurtenances

[2]2014 values

[3]Assumes 50 gpm sustained yield 24/7 for 50 years

New Melones Reservoir

Year	Project	Cost[1]	Present Value[2]	Estimated Development (AF)[3]
2014	Infrastructure Upgrades	$500,000	$500,000	500
Total			$500,000	
	Estimated Conservation (AF)			500
	Cost / AF (2014) for capitol upgrades		1	$1,000
	Cost / AF for annual water purchase and pumping 50 years	$700	Note [4]	$1,200
	Total Cost / AF			$2,200

[1] Estimated upgrades to the pump system and facilities

[2] 2014 values

[3] Estimated annual pumping volume, however there is uncertainty in current pumping infrastructure to provide this level of capacity

[4] Annual costs for purchasing water are highly variable. For purposes of this estimate, an inflator of 2% per year is applied.

Equivalent Single Family Residence (ESFR)	GPD	264
Supply water volume required to serve the Equivalent Single Family Residence (ESFR) treated water volume	1.3	343
Conversion Gallons / Acre Feet	Gal/AF	325,851
Cost per Acre Foot to develop new water supply	$/AF	$2,860
Days in a Year	Day/Year	365
Connection Fee (Supply Component)		$845.75

E.2 TREATMENT

Capacity Charges - Treatment Component
January 2014

	Average Day Demand	Max Day Factor	Max Day Demand
ESFR	264	2	528

Note: WTP rate is dependent on Max Day Demand (MDD). Typical MDD is double the Average Day Demand (ADD).

		Treatment Capacity				
	Date	GPM	MGD	Construction Cost	Present Construction Cost (2% Inflation)	Total Cost Per MGD
Monte Grande WTP	2008/2013	700	1	$1,663,000	$1,872,808.10	$1,872,808

Note: Construction inflation of 2% is less than historical running average of the CPI.

	$/acre	Acres	Purchase Price
Land Purchase	$40,000.00	5	$200,000

Note: Land Price based on recent land listings on the MLS.

	Construction Cost	Design Cost (10%)	Land Purchase	Total Cost	$/gal	$/ESFR
2 MGD Plant	$2,809,212	$280,921	$200,000	$3,290,133	$1.65	**$869**

Note: 1.5x multiplier used for 2 MGD plant.

	$/gal	Max Day Demand	CT Storage $/ESFR
Contact Time Volume	$1.38	528	**$729**

Note: Contact time is required for the treatment process. This is achieved in the storage tank (clear well) at the WTP. The required volume is based on the max day demand (MDD)

	Treatment Construction	CT Volume	Total
Cost/ESFR	$869	$729	**$1,597**

E.3 STORAGE

Current Year = 2014

Inflation = 2.00%

TREATED WATER STORAGE CONNECTION FEE

CAPITAL COSTS

Land Acquisition

Tank Capacity	Typical Height	Typical Diameter	Tank Footprint	Tank Perimeter Access Road Width	Total Footprint[1]
(gal)	*(ft)*	*(ft)*	*(sf)*	*(ft)*	*(acres)*
500,000	24	60	2826	10	0.115

Assume 0.50 Acres

Parcel Size	Average Cost[2]	Total Cost[3]	Cost/Gallon
(acres)	*($/acre)*	*($)*	*($/gal)*
0.5	$ 80,000	$ 40,000	**$ 0.08**

per Gallon

Notes:

[1] Calculated total theoretical footprint does not include areas for access road to the site, drainage ditches, cut/fill slopes, and avoidance of other geographical features. Therefore, the minimum parcel size is assumed to be 0.50 acres.

[2] Costs for land acquisition do not include surveying, lot line adjustments, easement acquisitions, rezoning, etc.

[3] Costs assume that TUD would be able to acquire only a 0.5 acre parcel and that the land owner would not require purchase of entire parcel which may be larger than just 0.5 acres.

[4] In some cases, the District may accept a parcel of land (if deemed suitable) to be used for constructing storage facilities. In those instances, the storage component of the developer's connection fees may be reduced by the portion of the connection fee calculation that is associated with land acquisition.

Steel Water Storage Tanks

Tank Location	Construction Year	Capacity (gal)	Capitalized Value[1] ($)	Contract Value[2] ($)	Capitalized Value / Gallon ($/gal)	Capitalized Present Value[3] (Current Yr. $)	Capitalized Present Value / Gallon (Current Yr. $/gal)
Sonora WTP	2004	1,000,000	$1,331,500	n/a	$1.33	$1,623,091	$1.62
Comstock	2005	1,500,000	$792,700	$563,079	$0.53	$947,350	$0.63
Chaparral	2006	1,000,000	$801,500	$494,495	$0.80	$939,085	$0.94
Shale Rock	2007	292,000	$360,000	$360,000	$1.23	$413,527	$1.42
Big Hill Clearwell	2007	420,000	$597,500	$400,000	$1.42	$686,340	$1.63
Monte Grande Clearwell	2008	500,000	$514,000	$489,150	$1.03	$578,847	$1.16
Skyline Tank	2008	600,000	$694,000	$542,500	$1.16	$781,557	$1.30

Avg. Cost per Gallon	$1.07	$1.24
Avg. Cost per Gallon Cost <1,000,000	$1.21	$1.38
Avg. Cost per Gallon Cost ≥1,000,000	$0.89	$1.06
Avg. Cost per Gallon Cost 600,000≥Capacity≥400,000	$1.20	**$1.36** **per Gal.**

Notes:

1 Capitalized value includes survey, geotechnical investigation, design, CEQA compliance, permitting, electrical service, SCADA, and all TUD labor associated with site work and piping.

2 Contract value represents the amount paid to the tank supplier and erector, only. In most cases it does not include site work.

3 Capitalized Present Value represents the cost to construct the asset in current year dollars.

Total Cost per Gallon

Steel Tank	**$ 1.36**
Land Acquisition	**$ 0.08**
Total	**$ 1.44**

per Gallon

(in Current Year Dollars)

VOLUME ALLOCATION

Average Day Demand

Average Day Demand per ESFR[1]	**7- Day Demand per ESFR[2,3]**
(gpd/ESFR)	*(gal/ESFR)*
264	**1,848**

Gallons per ESFR

Notes:

1 Calculated average demand system wide based on meter usage data. Does not include system loss due to leakage. Also, does not distinguish between service location by elevation.

2 To accommodate the typical duration of the ditch outage. Does not distinguish between services located above or below Phoenix Reservoir.

3 Assumes all storage is in the form of treated water contained in steel potable water storage tanks.

Fire Flow Storage

Fire Flow Req'd[1,2]	**Duration**	**Fire Flow Storage Req'd**	**Usable Demand Based Storage = (Total Storage - Fire Flow Storage)**	**Tank Capacity in ESFR**	**Fire Flow Storage per ESFR**
(gpm)	*(min)*	*(gal)*	*(gal)*	*(ESFR)*	*(gal/ESFR)*
500	120	60,000	440,000	238	**252**

Gal. per ESFR

Notes:

1 Assumes residential fire flow requirements based on Tuolumne County Ordinance Code 15.20.020.

2 Tuolumne County Ordinance Code bases fire flow on density not zoning:

Density	**Fire Flow Requirement**
(du/ac)	*(gpm)*
<0.5	0
0.5<du/ac≤1	250
1<du/ac≤6	500
6<du/ac≤8	750
8<du/ac≤15	1250

Volume per ESFR

Average Day Demand	**1848**
Fire Flow Storage	**252**
Total	**2100**

Gallons per ESFR

CONNECTION FEE CALCULATION

Total Cost per Gallon	Total Gallons/ESFR	Connection Fee/ESFR
(Current Yr. $/gal)	*(gal/ESFR)*	*($/ESFR)*
$1.44	**2,100**	**3,034**

$ per ESFR 

Notes:

1 All costs assume TUD crews do site work. Site work costs may vary greatly, especially if retaining walls are needed.

2 At District's discretion, it may allow or request the Developer to construct storage improvements to District standards in-lieu of paying connection fees.

EXHIBIT F

AMENDMENTS

	Date	Resolution No.
Adopted:	January 26, 1993	2-93
Amended:	March 8, 1994	14-94
	March 22, 1994	19-94
	January 24, 1995	7-95
	July 23, 1996	47-96
	September 10, 1996	59-96
	May 12, 1998	39-98
	May 23, 2000	42-00
	February 13, 2001	11-01
	October 23, 2001	75-01
	April 9, 2002	18-02
	March 11, 2003	26-03
	March 25, 2003	30-03
	June 22, 2004	43-04
	August 10, 2004	56-04
	May 10, 2005	24-05
	July 12, 2005	45-05
	March 14, 2006	11-06
	July 11, 2006	43-06
	September 25, 2007	108-07
	October 12, 2010	53-10
	December 10, 2013	47-13
	February 13, 2014	4-14
	February 25, 2014	9-14
	July 22, 2014	40-14
	April 28, 2015	16-15
	November 17, 2015	54-15
	October 18, 2016	36-16