

REGULATIONS GOVERNING WATER SERVICE

PART 8 ANNEXATION AND WATER MAIN EXTENSION

8-1 ANNEXATIONS

8-1.1 GENERAL PROVISIONS

8-1.2 WILL SERVE LETTERS – Will be subject to approval of the Board and to all Rules and Regulations of the District at the time water service actually occurs, and if granted will be based on available new source of supply, including but not limited to new groundwater, imported water, or reclamation water for irrigation, used to offset existing local groundwater demand.

Once Board a “Will Serve Letter” has been approved by the Board, the Applicant will have one (1) year to begin the project. If the project has not begun Water Facilities related to the project within one (1) year of Board approval, the Applicant shall request an extension, in writing, to the General Manager. If there are no significant changes to the previously approved project, the General Manager is authorized by the Board to grant, at his/her discretion, a one (1) year “Will Serve Letter” extension or present said extension request to the Board of Directors for consideration. Should the General Manager grant the one (1) year extension to the project and the project Water Facilities do not begin within that one (1) year extension term, the process will begin over with the Applicant requesting for an extension, or update, in writing, to the General Manager where the request will be brought before the Board of Directors.

8-1.3 ANNEXATION TO THE DISTRICT – Applicants for service to property lying outside the District boundaries will be required to annex such property to the District prior to receiving water service. Property proposed for annexation will be subject to administrative charges, facilities fees, and any other charges approved by the Board of Directors and applied on a District-wide basis as set forth in the District’s Rules Governing Water Service. All annexations shall be completed within one (1) year of issuance of letter of intent to service (will serve letter). (Rev. 1-6-97)

8-1.4 ANNEXATION AGREEMENT - Following annexation approval by the Local Agency Formation Commission, the applicant will enter into an Annexation Agreement establishing terms and conditions of administrative charges, facilities fees, and other related fees and charges approved by the Board of Directors and applied on a District-wide basis as set forth in the District’s Rules Governing Water Service. The annexation agreement will establish any credits and reimbursements that may be applicable. All final agreement drafts shall be submitted to the Board of Directors for final approval. (Rev 1-6-97)

8-1.5 WATER MAIN EXTENSION AND FACILITIES CONSTRUCTION AGREEMENT – Following completion of the annexation procedure and prior to development, the applicant shall enter into a Water Main Extension and Facilities Construction Agreement prepared by the district, including both “Applicant” and “District” obligations for system construction to serve the applicant’s property.

8-1.6 CONSTRUCTED FACILITIES REIMBURSEMENT AGREEMENT – The District, upon Board approval, may enter into a reimbursement agreement for any facilities or water system appurtenances required to be installed for off-site improvements necessary to serve the applicant's property. Any Board approved reimbursement agreement shall not exceed a period of ten (10) years from the date of installation. All reimbursements made by subsequent water users will be reimbursed to the applicant during the month of December in the year which the reimbursement was collected by the District. Any reimbursable balance remaining at the expiration of the ten (10) year period shall become the property of the District and no longer subject to refund.

REGULATIONS GOVERNING WATER SERVICE

PAGE 8-2

8-1.7 DISTRICT OWNERSHIP – Any facilities installed in accordance with this rule and regulation and accepted by the District will be the sole property of the District. Before service is provided for permanent or temporary use, the applicant shall execute any and all documents required by the District to vest title in the District to those facilities. As used in this Part 8, the word applicant shall be deemed to include the word subdivider.

8-1.8 SPECIFICATIONS – The size, type, quality of materials, and their location and grade will be specified by the District and its Engineer, and the actual construction will be done by a contractor acceptable to the District. The main extension shall be installed in accordance with the District Standards for the Furnishing of Materials and the Construction of Water Facilities and drawings prepared by the subdivider and approved by the District. Approval of drawings shall be valid for 12 months from the date of approval unless construction has started. The installation of the main extension will be under the inspection of and subject to the approval of the District.

8-1.9 COST – Adjustments of any difference between the estimated cost and the cost of any main extension constructed hereunder will be made as provided for in Subsection 8-2.2.

8-1.10 FEASIBILITY - The right is reserved, as the interests of the District may require, to determine the economic and/or engineering feasibility of any main extension and the District will not make those main extensions for which the feasibility is uncertain, in the opinion of the District, which decision will be final.

8-1.11 LOCATION – Main extensions will be located in streets or in easements obtained for the District by the applicant or in easements obtained by the District, or in property deeded to the District.

Prior to installing a main extension, the applicant shall provide the District with such easements or deeds as may be necessary or reasonable appropriate to the operation thereof.

8-2 MAIN EXTENSION PROCEDURES:

8-2.1 GENERAL – If the District elects to require a size or type of main extension in excess of the requirements of the applicant, the District may enter into a refunding agreement (Shoaf). A refunding agreement must be approved by the Board prior to the start of construction.

8-2.2 INSTALLATION CHARGES – Applicant shall pay all costs relating to the water main extension less any oversizing reimbursement agreed to by the Board.

REGULATIONS GOVERNING WATER SERVICE

PAGE 8-3

8-2.3 SECURITY DEPOSIT – The applicant for the installation of a main extension shall furnish security to guarantee the installation of the main extension. The security deposit shall be as stipulated in the “District Standards for Furnishing and Construction of Water Facilities, Section 6”. Upon completion of the main extension and acceptance by the District thereof, the security will be returned to the applicant. If the deposit is in the form of cash, the District will not be required to make periodic withdrawals from such deposit to compensate the contractors and/or supplies engaged by the applicant in completion of the water extension and will pay no interest on the deposit.

8-2.4 GUARANTEE AND MAINTENANCE BOND – The applicant shall furnish security to guarantee the completed work against repairs caused by defective workmanship or materials for a period on one (1) year from the date of dedication of the water system to the District. The amount shall be as stipulated in “District Standards for Furnishing and Construction of Water Facilities”, Section 6.

8-2.5 INSPECTION – The District will provide inspection of the installation of the main extension at the applicant’s expense, as provided for in Section 5-6.3.1.

8-2.6 CHECKING OF WATER MAIN CONSTRUCTION PLANS – The District will review and check the drawings for the main extension, prior to approval, at the applicant’s expense, as provided for in Section 5-6.4.

8-2.7 ONE YEAR TIME LIMIT – All proposed pipeline and main extension projects shall be completed within one (1) year of the execution of the Main Extension Agreement, as defined in 8-1.5.