

# 2023 MUNICIPAL AND INDUSTRIAL WATER USE POLICY

## DELANO-EARLIMART IRRIGATION DISTRICT

WEB SITE: [www.deid.org](http://www.deid.org)

### APPLICATION FOR WATER

- a. All Delano-Earlimart Irrigation District (District) water deliveries to Municipal and Industrial (M&I) water users must be preceded by an accepted “Application for Water” (Application) that is completed by the water user. This Application shall be completed in full for all parcels under the applicant’s ownership or control and which water service is being requested.
- b. Applications cover the water year, beginning March 1, 2023 running through February 29, 2024. The actual beginning of water deliveries will be announced once the available District water supply is known.
- c. **Applications will be accepted at the District office until 3:30 p.m. on February 17, 2023.** Applications sent to the District’s PO Box and postmarked by this date will be accepted. Applications received or postmarked after February 17, 2023 may be subject to approval by the Board of Directors. Regardless of when the Application is received, the water user is not eligible to receive water until the Application is processed and approved. Early submittals are encouraged to avoid unnecessary delays in water service.

### WATER USE AND LIMITATIONS

- a. The District receives its primary water supply from the U.S. Bureau of Reclamation (Bureau). As a recipient of federal water, the District and its water users must comply with specific federal regulations and law that governs the delivery and use of M&I water. The determination of appropriate M&I uses is subject to the ongoing regulations of the Bureau. Therefore, M&I uses that are currently approved by the Bureau may be changed, restricted, or reviewed at any time if necessary to meet regulatory requirements.
- b. In addition to Bureau regulations noted above, the determination of appropriate M&I uses are also subject to the regulations of the California Department of Health Services (DHS). Therefore, M&I uses that are currently approved DHS may be changed, restricted, or reviewed at any time if necessary to meet regulatory requirements.
- c. **This water is not intended for human consumption and may not be introduced into a dwelling or structure for any household use whatsoever.**
- d. District water must be put to reasonable and beneficial use within the District’s irrigated boundaries – lands which pay the District’s original assessment, standby, special benefit assessment, and supplemental assessment. By using District water, water users agree to allow District staff entry on water users’ parcels located outside the District’s irrigated boundaries to perform water testing in order to confirm District water is not being used inappropriately on lands adjacent to the District. The District will refuse to continue water deliveries if water is used outside of the District’s irrigated boundaries, or if water is used excessively, wastefully or otherwise in an imprudent manner.
- e. M&I water users are advised that the M&I water supply available for delivery by the District is highly variable and may not be sufficient to meet the total demands within the District. The District reserves the right to limit and/or terminate M&I water deliveries due to insufficient supplies or other reasons.

### WATER RATES AND LIFT CHARGES

- a. The Board of Directors annually determines the M&I water rate in response to federal water pricing policies and other factors. The M&I rate is established at the beginning of the new water year and is subject to revision. Please contact the District office for the current M&I water rate.

- b. In addition to the applicable water rate, lift charges are also charged on a per acre-foot basis for water deliveries that require pumping. Lift charges are established at the beginning of the new water year and are subject to revision. A map is available from the District office that delineates the various lift zones and corresponding rates. Please contact the District office should you have additional questions regarding zone locations and charges.
- c. The District will conduct a specific landowner notification and public hearing process in accordance with state law prior to any proposed increase in water rates and/or lift charges.

### **WATER BILLING PROCEDURES**

- a. The District meters all water deliveries and bills according to metered use, consistent with the following:
  - The District will bill each M&I water user indicating acre-feet used, accrued water costs, along with any applicable lift charges. Water billings may be sent monthly, quarterly, or at the end of the water year
- b. **Upon receipt of a billing statement from the District, payment of the full amount billed is due by the 25<sup>th</sup> of the month.** Each water user may designate one individual to receive paperless billing information via email. **Failure to make payment in full by the due date shall result in all of the following:**
  - Assessment of a 10% late penalty on the unpaid charges.
  - Assessment of finance charges equal to 18% per annum on the unpaid balance, assessed monthly.
  - Termination of water service until such time that the delinquent charges are paid in full.
- c. Water service will not be provided to any parcel that has delinquent assessments, standby charges, or any other unpaid charges from a previous year. Any current year assessment or standby charge that remains unpaid on September 1, 2023 will have water service terminated to that parcel effective on that date.
- d. M&I water users that allow their water account to become delinquent at any time may be required to maintain a substantial deposit for the balance of the water year.
- e. **IMPORTANT NOTICE TO LANDOWNERS** - Landowners are advised that any unpaid water or lift charges that become delinquent for 90 days or more may be assessed as a lien against the land that benefited from the irrigation water, or any other parcel of land owned by the landowner in the District, as provided by the California Water Code. This action of assessing unpaid water charges against the land shall be adhered to regardless of who ordered or applied the water to the land (i.e. lessee). Water service will not be provided to any property with delinquent charges.

### **WATER CONSERVATION**

- a. Water conservation is an important aspect of the District's water management plan. District water users have a long history of employing various water conservation measures as appropriate for their individual operations. The District will continue to support water conservation by its water users.
- b. Certain water users may find it advisable to avail themselves of the services of a private irrigation management consultant and/or other public agencies that provide similar services. For the convenience of those water users that may wish to seek such services, the District maintains a list of individuals and agencies that can provide water conservation and management assistance. Please contact the District office for a copy of this list.

### **MISCELLANEOUS PROVISIONS**

- a. The employees and authorized contractors of the District shall have free access at all times to parcels served by District water for District purposes, including examination or repair of water delivery facilities and related appurtenances, and maintenance of the flow of water therein.

- b. Modifications to the District's M&I meter or any other water distribution system component may only be done by District personnel. Water users requesting a modification should contact the District office. Modifications made for the convenience of the water users shall be paid by the water users.
- c. Those who are planning to work near a District pipeline or other facilities are required to contact the District office prior to the commencement of work so that all underground components can be marked. Anyone causing damage to the District's distribution system will be liable for all repair costs including labor, overhead, material and equipment. Additionally, a \$500 penalty for the first offense and \$1,000 penalty for every offense thereafter may also be levied, at the discretion of the Board of Directors, based on the circumstances of the incident and if prior notification was given.
- d. Water service may be discontinued without notice upon violation of any of these rules and regulations and will be restored only upon order of the Board of Directors and subject to any conditions as determined by the Board.
- e. In no case shall anyone other than District personnel make any water delivery changes, or otherwise operate any component of the District's distribution system. No person shall molest, tamper, or interfere with any District facility or structure. Water users found in violation of this provision will be subject to termination of water service.
- f. The District maintains on-call personnel to respond to emergencies at any time, 24 hours a day, 7 days a week. Please notify us of any District system malfunction so that personnel may be dispatched to correct the problem.

#### **DISTRICT LIABILITY**

- a. The District assumes no responsibility for the quality of water delivered. This water is not intended for human consumption and may not be introduced into a dwelling or structure for any household use whatsoever.
- b. The District may experience water supply shortages due to state or federal regulations, or pursuant to the District's federal water service contract. In no event shall any liability accrue against the Delano-Earlimart Irrigation District or any of its officers, agents or employees for any damages, direct or indirect, arising from a shortage on account of errors in operation, drought, or unavoidable cause.
- c. The District has allowed some water users to install hydrants or similar valves to permit access to District water for fire suppression. The District does not commit or provide water for such purposes and shall not be responsible for the use of any water facility used for fire suppression or for the adequate supply of water for fire suppression. Water users with said fire hydrant connections are required to submit an annual "Application for Fire Hydrant" that acknowledges these and other limitations/conditions of service as a requirement for continuance of the connection.