

**RULES AND REGULATIONS**  
**GOVERNING THE USE**  
**AND**  
**DISTRIBUTION OF WATER**  
**IN**  
**RECLAMATION DISTRICT NO. 1004**  
**AND FIXING CHARGES PURSUANT TO**  
**SECTION 50911 OF THE CALIFORNIA WATER CODE**

**Preamble**

These Rules and Regulations have been adopted by the Board of Trustees under the authority of the California Water Code, and are part of the law governing this District, and its landowners and water users. These Rules and Regulations have been adopted to ensure the orderly, efficient, and equitable distribution, use and conservation of the District's water resources.

**Revision Date**

**February 12, 2025**



## **RD 1004 - BOARD OF TRUSTEES**

<b>Hans Herkert</b>	<b>Chairman</b>	<b>530-510-5315</b>
<b>Larry Borrelli</b>	<b>Vice Chairman</b>	<b>831-594-5064</b>
<b>Leanne Mord</b>	<b>Trustee</b>	<b>530-682-4536</b>
<b>Gary Bailey</b>	<b>Trustee</b>	<b>530-682-7078</b>
<b>Nicole Garofalo</b>	<b>Trustee</b>	<b>530-216-8410</b>

## **DISTRICT EMPLOYEES**

<b>Terry Bressler</b>	<b>District Manager</b>
<b>Barbie Buchanan</b>	<b>Office Manager/Sec. to Board of Trustees</b>
<b>Steve Crawshaw</b>	<b>Operations Supervisor</b>
<b>Dennis Richardson</b>	<b>Meter Specialist</b>

## **AFTER HOUR EMERGENCIES**

<b>District Manager</b>	<b>530-682-9796</b>
<b>Operations Supervisor</b>	<b>530-682-0051</b>

### **DISTRICT OFFICE**

317 4th Street  
Colusa, CA 95932  
Phone: (530) 458-7459  
Fax: (530) 458-4276  
Email: rd1004@comcast.net

### **DISTRICT SHOP**

7625 Gridley-Colusa Hwy  
Colusa, CA 95932  
Phone/Fax: (530) 458-4220

# TABLE OF CONTENTS

		Page
Preamble		
Rule 1.	Control of System	1
Rule 2.	Employees	1
Rule 3.	Distribution of Water	1
Rule 4.	Applications of Water	3
Rule 5.	Water Delivery	3
Rule 6.	Control of Water	4
Rule 7.	Sale or Transfer of Title Lands	5
Rule 8.	Charges for Water	6
Rule 9.	Time of Payment	6
Rule 10.	Charge For Unauthorized Use of Water	7
Rule 11.	Shortage of Water	8
Rule 12.	Interruption of Water Services	8
Rule 13.	Waste of Water	9
Rule 14.	Measurement of Water	9
Rule 15.	Determination of Acreage Irrigated	10
Rule 16.	Access to Land	11
Rule 17.	Control of Regulating Structures	11
Rule 18.	Condition of Private Ditches	11
Rule 19.	Delivery Gates or Turnouts	12

<b>Rule 20.</b>	<b>Building diverting Gates and Weirs</b>	<b>12</b>
<b>Rule 21.</b>	<b>Responsibility of the District</b>	<b>13</b>
<b>Rule 22.</b>	<b>Encroachments</b>	<b>13</b>
<b>Rule 23.</b>	<b>Abatement of Nuisance</b>	<b>14</b>
<b>Rule 24.</b>	<b>Water Delivered in Main Canal</b>	<b>14</b>
<b>Rule 25.</b>	<b>Enforcement of Rules</b>	<b>15</b>
<b>Rule 25.5</b>	<b>Landowners</b>	<b>15</b>
<b>Rule 26.</b>	<b>Non-Liability of District</b>	<b>15</b>
<b>Rule 27.</b>	<b>District Canals and Facilities Are Not For Recreation or other Unauthorized Uses</b>	<b>16</b>
<b>Rule 28.</b>	<b>Complaints</b>	<b>17</b>
<b>Rule 29.</b>	<b>Transferring Well Water</b>	<b>17</b>
<b>Rule 30.</b>	<b>Amendment and Other Changes</b>	<b>17</b>
<b>Rule 31.</b>	<b>Amendment</b>	<b>17</b>
<b>Rule 32.</b>	<b>Use of Lift Pumps</b>	<b>18</b>

## **RULE 1- CONTROL OF SYSTEM**

The operations of the distribution system and irrigation works owned or operated by Reclamation District No. 1004 shall be under the exclusive management and control of the Manager of the District. No other person shall have control of the distribution system and works, except for duly appointed assistants of the Manager or when specifically authorized by resolution of the Board of Trustees of the District.

## **RULE 2- EMPLOYEES**

Subject to the approval of the Board of Trustees, the Manager shall employ such assistants as may be necessary for the proper operation and maintenance of the District. Employees shall be guided by these Rules and Regulations and by such technical and other instructions and advice as may be given by the District's professional staff for the purpose of carrying out the policies of the Board of Trustees and providing efficient and economical service.

It is the specific duty of each employee to maintain cordial relations with all landowners and water users in the District. Every water user is entitled to equitable, courteous and prompt service. Every employee is charged with the duty and responsibility of cooperating with the water users and the Board in a sincere effort to render as satisfactory service as can be reasonably attained. Every water user has a right to such service, and every employee of the District is enjoined to maintain and execute this policy.

## **RULE 3- DISTRIBUTION OF WATER**

The District will deliver water into the various irrigation canals, laterals and drains as shown on the map of District facilities approved by the Board of Trustees at such levels as are feasible and practical with the facilities existing at the time these regulations are made effective and such other facilities as may thereafter be added by resolution of the Board of Trustees. Except as hereinafter provided in case of a

shortage of water or in case of noncompliance with these Rules and Regulations, water will be delivered into the irrigation canals and laterals in sufficient quantity to meet the reasonable needs of all qualified irrigators. The District does not and cannot guarantee water quality, nor the time or quantity of delivery. THIS WATER IS NOT POTABLE AND MUST BE PURIFIED FOR DOMESTIC USE. The District recommends that the water not be used for domestic purposes.

A water user may have temporary circumstances needing a very limited quantity of water not effectively being taken through the current metered points of delivery. The District Manager will evaluate this special need of water on a case-by-case basis with water only being available during the irrigation season, as it is available, and to be used within the District boundaries. The approved quantity of water will be charged a flat fee determined by the District Manager. No pump with larger than a three-inch intake is to be used. A separate fee will be levied for each District numbered property receiving this water for a period of time not to exceed the current irrigation season. The required paperwork and the full amount of the fee will be submitted to the District office for approval prior to the take of water. The water user is to call the District Manager arranging the time water will begin being taken and similarly, when the take will end. At any time during the irrigation season the District Manager may curtail the taking of water with no refund. Any expense for the movement of the needed water from the point of origin to the point of use is at the sole cost of the party requesting the water. The District purveys water from many sources and may contain varying amounts of foreign matter such as chemicals, insecticides, herbicides and fertilizers. Therefore, the District is not to be used as a potable source of water and should be tested if water is used on any sensitive vegetation.

## **RULE 4- APPLICATIONS FOR WATER**

Prior to delivery of water from the irrigation works of the District to any tract of land each season, an application for water shall be filed with the District Office Manager or authorized assistant on a form provided by the District along with applicable Bureau of Reclamation RRA forms and FSA maps if required. All applications shall be signed and shall show the name(s) and address(es) of the party(ies) (applicant) to be billed for irrigation service, and the landowner, if not the applicant, and such other information as the Manager may require from time to time. Fields with multiple water applicants utilizing a common meter shall submit a lead contact name and phone number when applications are submitted. The lead contact shall provide the District office with information requested during the water season as needed. A field containing multiple water applicants utilizing a common meter or multiple fields with different water applicants utilizing a common meter are to agree on water splits at the time applications are submitted. The agreed splits shall be submitted to the District in writing with application and signed by all participating parties.

In all instances, the landowner shall be responsible for all charges for water used upon his or her land. When the applications for water is made by a tenant, the applicant, and all other tenants making such use of water, shall be jointly and severally liable with the landowner for all water charges.

## **RULE 5- WATER DELIVERY**

In accordance with District rules #4 and #6, customers may not commence taking water until their paperwork is complete, the deposits have been paid and the District has received proper notification and confirmation. These requirements will ensure water orders can be filled, diversions match supply and there is no disruption with existing deliveries. If water user pumps with an electric pump and uses a timer on the pump, the timer has to make sure it takes the same amount of water each hour of the day.



1. Changes North of California Levee must have 24 hr. notice
2. Changes South of California Levee must have 48 hr. notice
3. Changes must be called in by 12:00 noon. This starts the 24 or 48 hr. notice
4. Changes must take place by 11:00 a.m.
5. If a small change is called in by 9:00 a.m., of less than 5 CFS total, if it is possible, this may be granted.

The Board passed a policy that all meter stands must be safe to access, read and clean the meter as well as repair it. The Board has decided that no water will be delivered unless the gate valve is working correctly and the meter stand is safe to access.

If a water user pumps District water with an electric pump which uses a timer on the pump, the pump must take the same amount of water each hour of the day.

Violations of policy are defined in Rule 10.

## **RULE 6- CONTROL OF WATER**

All water diverted by the District and delivered within the boundaries of the District, by means of District canals, laterals, drains, including private drains, is and remains the property of the District and is subject to control, diversion, re-diversion, reclamation, reuse, re-lift, sale and resale, by the District as it sees fit. No landowner or water user within the boundaries of the District acquires any proprietary right to water delivered to them by the District.

District by reason of such use nor does such landowner or consumer acquire any right to resell and/or re-lift water provided by the District for purposes of irrigating additional land for which no application has been made and District fees and charges paid. If water is used on lands either within or without the District, which water has heretofore been diverted and/or delivered by the District for use on lands within the District, whether or not that person utilizes water by routing it

first through a conduit, flowing it across other lands within the District, recapturing it from drains, or otherwise, said use of water will be subject to the rules and regulations of the District for the use of such water. All drainage from District lands remain the property of the District and shall not be restricted, diverted or pumped without the written permission of the District Manager. Any delivery or drainage water restricted, diverted or pumped to non-district properties shall subject the tenant/property owner to a minimum fine of \$750 per occurrence. Immediate curtailment of water deliveries will occur to the field(s) of origin until the Manager is satisfied that the fees are paid to the District Office. Additional associated charges may include and are not limited to the annual costs per acre imposed on similar District properties for operation and maintenance fees and assessments and the cost of Bureau of Reclamation project water and related component inputs or the current cost of water from the Sacramento River Contractors Association, whichever is higher. Per acre charges will be calculated for and encompass the entire property the diversion was made to utilizing Farm Service Agency acreage measurements. Estimates of water usage will be made by District personnel, consistent with the determination of water usage within the District, for the purpose of determining acre-feet of water delivered. Any commingled water, regardless of origin, with District water will be treated entirely as District water. The Board of Trustees reserves the right to determine whether any additional charges will be imposed.

## **RULE 7-SALE OR TRANSFER OF TITLE TO LANDS**

When land affected by a Water User application is sold or title otherwise transferred to another party, the District shall be under no obligation to deliver water to such lands until the Water User application is assigned to and assumed by the new landowner. Such assignments and assumption agreements shall be on forms provided by the District,

executed and completed in a manner satisfactory to the District.

### **RULE 8- CHARGES FOR WATER**

The Board shall annually adopt a schedule of rates (standby, administration and water toll) to be charged by the District for water service prior to the water application date.

### **RULE 9- TIME OF PAYMENT**

Payment of the seasonal water charge for the irrigation of each tract of land applied for shall be made prior to delivery of water to the tract or prior to April 30, whichever is first, or as scheduled by the Board of Trustees, in the form of a deposit based on the acre-foot price and unit duty for the particular crop. The acre-foot price and unit duty shall be annually adopted by the Board of Trustees.

For special cases, payment of the seasonal charge for water shall be made in such amounts and at such times as the Manager may determine to be necessary in each case so as to ensure that all water so delivered is paid for in advance. No water shall be delivered in advance of said deposit. No water shall be served to a parcel of land until all Operation/Administration fees, custom work charges, fines, delinquent charges, including interest, or any other outstanding District obligations have been paid in full. No water shall be delivered until any Federal, State, or County documents required by the District are accurately completed and submitted to the District office.

Any Federal, State or County documents submitted to the District office deemed to be in error will be correctly resubmitted within sixty (60) days of initial notification. Noncompliance with these terms will subject the applicant to fines of \$300.00 per document per incident in addition to future water delivery delays. Fine amounts and time demands for documents may be subject to change depending on constraints levied by auditing or enforcing agency.

An additional deposit will be required when the initial deposit has been depleted. The amount of the additional deposit or partial deposit shall be determined by the District Manager. For any additional deposit or any balance due on the account payment (s) must be paid within 10 days of the date notice is mailed to the water user. In the event, the required payment is not made within the 10-day period, water service will be terminated until such time as the deposit and payment (s) have been satisfied in full.

Any and all person (s) responsible for causing the District not to have enough Non-Excess, Eligible Land shall be jointly and severally responsible for the additional costs of the Full Cost Water plus any penalties, interest and related costs.

The obligation to pay for Full Cost Water, penalties, interest, and related costs shall be that of the landowner, even if caused by a tenant, unless the tenant has satisfied this obligation in full.

In the event there are multiple landowners with Excess, Non-Eligible land, the obligation to pay shall be prorated among them on the basis of the number of acre-feet of water the District delivered to the Excess, Non-Eligible Land during the year (s) involved. This obligation shall attach to the property and inure to the detriment of any subsequent landowner. It is enforceable as a lien against the property and will result in a curtailment of water delivery until paid in full.

## **RULE 10-CHARGE FOR UNAUTHORIZED USE OF WATER**

Water Users who take water without prior application, deposit, notification, or authority from the District will incur a minimum charge of \$1,000.00 per occurrence, reimbursing the District for extraordinary expenses caused by such action. Unauthorized water service will be discontinued until compliance with these requirements is met. Water users will provide reasonable notification of the need for additional water as well as reasonable notification when turning water down or off. In all cases, non-notification will result in a charge

of \$300.00 per occurrence no matter how much water the adjustment may involve. Any violations may be cause for an immediate lockdown whereby future water modifications will be made by appointment. Similar charges will apply in lift pump applications where time clocks are utilized. Any adjustments of running time in clock applications, adjustments to boards in weirs, adjustments to screw gates or any other District approved conveying apparatus shall be conveyed to the District Manager in advance or the water user will be subject to a \$3,000.00 charge. Fines will be immediately deducted from any water deposit the offender has with the District.

In a critical dry year, when the District allocates its water supply, a District landowner wishing to transfer water to another District landowner/tenant may transfer part or all of their water allocation within the District boundaries.

#### **RULE 11-SHORTAGE OF WATER**

Whenever a general shortage of water appears imminent, the Board of Trustees shall so find by resolution duly passed and recorded in its minutes. The resolution shall incorporate special rules and regulations to cover the distribution of the available water supply during the period of the shortage. In the event of temporary local or similar shortages, the District Manager is authorized to place in effect such variations in service, as, in his judgment, the occasion requires.

#### **RULE 12-INTERRUPTION OF WATER SERVICE**

The District may temporarily discontinue or reduce the amount of water to be furnished to the Water User for the purpose of investigation, inspection, maintenance, repair or replacement of the District facilities. The District may also temporarily discontinue or reduce water deliveries for vegetation abatement measurements or to the extent required by any environmental regulation that may be imposed upon the District for the protection of fish or other environmental

concerns. So far as feasible, the District shall give the water user due notice, in advance, of such temporary discontinuance or reduction, except in case of emergency. In no event shall any liability accrue against the District or any of its officers, agents, or employees for any damage, direct or indirect, arising from such temporary discontinuance or reduction of water deliveries.

### **RULE 13-WASTE OF WATER**

Any water user who deliberately, carelessly or otherwise wastes water or who uses an unreasonable amount of water will be refused the use of water until such conditions are remedied or will have their use curtailed by the amount of waste, as the District Manager may determine.

The District reserves the right to refuse delivery of water to any lands when it appears to the satisfaction of the District Manager that its proposed use or method of use would require such excessive quantities of water as would constitute waste on an annual basis.

All return flow from the use of district water shall be the property of the District when it reaches a drain or a canal maintained by the District. No drain water shall flow from the entity field into another entity field without first passing through a District approved metering structure. In water-short years, the District Manager may preapprove water conservation techniques on a case-by-case basis, requiring all parties to submit a written plan with an agreement signed by all participating parties.

### **RULE 14-MEASUREMENT OF WATER**

Except as hereinafter provided for Temporary and Special Purpose deliveries of water, all deliveries will be made only through District approved or District owned and operated meters or outlets. The District Manager will provide meter specifications and installation measures. Meters must be installed to the District's specifications at the landowner's expense. Meters will become the property of the District so

that they may be properly maintained. Any alteration, modification or removal of said meters shall be done only with the supervision of or by District personnel. No one is to remove or tamper with any metering device at any time. This uniformity will promote reliability of service. If a meter is damaged or becomes inoperable as a result of District operations or District personnel the meter will be replaced by the District at District expense. A meter shall be replaced or repaired at the landowner's expense when the meter is damaged or proven inaccurate as a result of landowner or tenant operations. In the event a landowner's meter is damaged due to actions of another landowner or landowner's tenant the District will charge all repairs to that landowner who was responsible for said damage.

Meters will be routinely tested. The scheduling and method will be at the discretion of the District. Should a water user suspect the inaccuracy of a District meter between scheduled testing intervals, the water user may request testing. If the test indicates that the meter is within 5% (minimum) of accuracy, the water user will pay for the testing. Should the test show that metering is not within 5% of accuracy, the District will pay the cost of testing and make the proper adjustments.

When a meter is discovered as not working as a result of mechanical problems or an obstruction, the amount of water is calculated using the rate of flow in C.F.S. (cubic feet per second) observed the last time the meter was read and working properly. The rate of flow is multiplied by the number of estimated hours it was not working and divided by 12.1 to arrive at the total acre-feet used.

#### **RULE 15-DETERMINATION OF ACREAGE IRRIGATED**

The District will periodically survey each tract of land by means of aerial photography or other means provided by the appropriate County Farm Service Agency for the purpose of determining the acreage to be used in calculating all District charges. The acreage will include all irrigable land. If any

such survey shows a change in the acreage, the effect thereof will be included in all subsequent bills.

### **RULE 16-ACCESS TO LAND**

The Manager, his assistants and employees of the District shall have free access at all times to all canals, ditches, laterals, pipes and meters and, to the extent needed to properly manage District operations or enforce these regulations, to the lands irrigated from same for the purpose of inspection, examination, measurements, surveys, control of water or other necessary purposes of the District, with the right of installation, maintenance, control and regulation of all meters or other measuring devices, gates and turnouts necessary for the proper measurement and distribution of water.

### **RULE 17-CONTROL OF REGULATING STRUCTURES**

Except in cases of actual emergency or to prevent imminent danger of damage to property or when specifically authorized by the Manager, no person other than the Manager or his assistants shall be authorized or permitted to turn water on or off or to change or interfere with the District's head gates or delivery gates or the irrigation systems or with any measuring devices of the irrigation systems. All violations are subject to prosecution under Section 592 of the Penal Code of California.

### **RULE 18-CONDITION OF PRIVATE DITCHES**

Upon application of a landowner for the delivery of water, it shall be the duty of the District Manager to certify whether or not the applicant's ditches are in proper condition to receive water. All private ditches shall be properly constructed and maintained so as to carry water without danger of serious breaks or undue seepage. The Manager is required to examine all such ditches and may order them to be cleaned, repaired or reconstructed, as he deems necessary, before water will be turned into them. Refusal to comply therewith



will be sufficient cause for refusal to turn on water. Nothing herein shall be construed as an assumption of liability on the part of the District, its Trustees, officers, or employees for any damage occasioned by improper construction, maintenance or use of any private ditch or ditches or other facilities or by reason of permitting the flow of water or the turning of water therein.

### **RULE 19-DELIVERY GATES OR TURNOUTS**

All delivery gates, turnouts and weirs are under the control of the District. The water user is allowed to open the field meter gate with permission from the District. Said gates and turnouts may be supplied with locks or keys under control of the Manager. All landowner delivery hardware, including but not limited to, screw gates, weirs and piping are to be in satisfactory condition prior to water delivery. District personnel will make every reasonable effort to advise landowners of any observed deficiencies in sufficient time to make necessary repairs. Landowners and or tenants should take note during the season and make repairs of all needed field hardware also including drain pipes and weir boxes in addition to continuous seasonal surveying and repair to perimeter roads that border delivery and drainage laterals reducing unnecessary water losses. Refusal to comply therewith will be sufficient cause for refusal to turn water on or continue to provide water deliveries.

### **RULE 20-BUILDING DIVERTING GATES AND WEIRS**

No openings shall be made or structures placed in any district conveyance or drainage canal until permission is granted by the District Manager. If a resolution cannot be agreed upon an application in writing is to be submitted to the Board, and permission granted. Therefore, all structures must be maintained in a condition satisfactory to the Manager, and must not be removed or altered without the permission of the Manager.

## **RULE 21-RESPONSIBILITY OF THE DISTRICT**

The District will not be liable for any damage resulting, directly or indirectly, from the water flowing in or from any private ditch nor for any damage resulting from the flooding of land or other property, by water from fields that are being irrigated. District responsibility will cease absolutely when the water is delivered from the canals or laterals of the District.

## **RULE 22-ENCROACHEMENTS**

No encroachments shall be permitted upon District lands, easements or rights-of way, including conveyance, drain ditches and ditch banks, by installation of any structure or alteration of the District lands, easements or rights-of-way (excluding, in the case of District owned lands, alterations made pursuant to a lease), except upon application to the District for Board approval authorizing such installation or other alteration. No construction, permanent or temporary of any nature on District easements or rights-of way, including conveyance and drainage ditches and ditch banks will be permitted without prior approval of the District Manager and written authorization from the Board of Trustees. Material needed for coffer dams or other projects by the water users or their agents will not be permitted from the District easement of rights-of-way areas without prior approval of the District Manager.

Plantings and natural growth of vegetation in District easement and rights-of way, including conveyance and drainage ditches and ditch banks must be maintained. Prior consideration should be given to the future growth of this vegetation, planted or natural, to insure safe unobstructed passage of vehicles and equipment. Encroachment of any plantings and/or natural vegetation within this area may be subject to damage from the cleaning and/or maintenance. Reasonable allowance for vegetative growth in these areas will minimize potential damage or loss of wanted cover from maintenance. It is the responsibility of the landowners or their agents to maintain clear unobstructed passage.

Every Water User and landowner shall be jointly and severally responsible to the District for all damage to District works by his neglect, carelessness, or malicious acts, and upon his failure to repair such damage after notification by the Manager or duly authorized assistant thereof, such repairs will be made at his expense by the District.

### **RULE 23-ABATEMENT OF NUISANCE**

No tree or vine trimmings, brush, weeds grass, tules, rubbish, swill, garbage, manure, refuse, dead animals, or animal matter from any barnyard, stable, dairy or hog pen, or other materials or substances that will become offensive to the senses or injurious to health or obstruct the flow of water, or result in the scattering of seeds or noxious weeds, plants, or grasses shall be placed or dumped in any canal or drain belonging to the District, or be placed or left so as to roll, slide, flow or be washed or blown into any such canal or drain. Any violation of this rule will subject the offender to prosecution. Also, the offender will be responsible for all costs incurred by the District to rectify the violation. All employees of the District shall promptly report any violation of this rule and the water users of the District are urged to cooperate in its enforcement.

### **RULE 24-WATER DELIVERED IN MAIN CANAL**

The District will operate the pumping plant or plants of the District and will deliver the water to the main canal of the District known as Drumheller Canal and all existing District laterals, from whence it will be required to be diverted or pumped by each irrigator at his own expense; and it is understood that the District shall be required to deliver water for irrigation into said main canal and all exiting laterals only, and the charges paid by the respective irrigators for water is for the service of the District in delivering said water into said main canal.

## **RULE 25- ENFORCEMENT OF RULES**

Failure or refusal of any landowner or water user or employees to comply with the requirements of any of these Rules and Regulations or violation of any of the provisions hereof or failure to pay any water toll or charge, when due, or interference with the performance of the duties of any official or employee of the District shall be sufficient cause for shutting off the water from any such offender. Except in cases of emergencies, the Manager will attempt to notify the irrigator in person, by telephone, or in writing prior to shutting off the water supply together with advice as to the violation requiring that termination. Water will not again be furnished until, in the opinion of the Manager, full compliance has been made with all of the requirements hereof.

### **RULE 25.5-LANDOWNERS**

The District expects that all their landowners, representatives, agents, and third parties that do business with or before the District will at all times act with civility and avoid acting in any manner of legal and/or civil definition of violent conduct. The District is committed to providing a safe and violence-free business place because the safety and security of employees, landowners, contractors, and visitors is of the utmost importance to the District.

## **RULE 26-NON-LIABILITY OF DISTRICT**

a. **Private laterals.** The District will not be liable for any damage of any kind or nature resulting directly or indirectly from any private lateral or the water flowing therein, or by reason of lack of capacity therein, or for negligent, wasteful or other use or handling of water by the water user therefrom.

b. **Delivery of water.** Most of the water furnished by the District is pumped. Then flows through miles of open ditches and is subject to pollution, shortages, fluctuation in flow, and interruption of service. District employees shall not and are not authorized to make any agreements binding the District to

serve an uninterrupted, constant supply of water, or guaranteeing a certain quality of water. Water furnished by the District will be on the basis of irrigation deliveries; water users putting District water to other uses do so at their own risk and assume all liability for, and agree to hold the District and its Trustees, officers, agents and employees free and harmless from, liability and damages that may occur as a result of defective water quality, water shortages, fluctuation in flow and interruptions in service. The District sells water as a commodity only and not as a guaranteed service. The District will not be liable for defective quality of water or water shortage either temporary or permanent, or failure to deliver water.

c. **Pumping.** Pumping by water users of District water, when permitted by the District Manager, is done at the user's risk, and the District assumes no liability for damages to pumping equipment or other damages resulting from turbulent water, shortage of excess water, or other causes, including fluctuations in the amount or level of water. It shall be the duty of the landowner or the water user to provide appropriate devices to protect pumps from damage.

## **RULE 27-DISTRICT CANALS AND FACILITIES ARE NOT FOR RECREATION OR OTHER UNAUTHORIZED USES**

The District's canals/laterals and facilities shall be used solely for the purposes of conveying water for use on land and for conveying drainage water away from the land. The use of District canals/laterals for recreation or other unauthorized purposes is prohibited.

Landowners and water users are urged to prevent the use of District canals/laterals and their banks, as well as any pumping structures and bridges, for recreation, swimming, play or other unauthorized purposes. These areas present hazards, as the water may be cold, swift and deep. Turbulence in and around culverts and pumping facilities also present imminent danger.

## **RULE 28-COMPLAINTS**

All complaints regarding service, lack of water, or other unsatisfactory conditions shall be communicated by the landowner or water user directly to the District Manager. The manager will be responsible for bringing the matter before the Board of Trustees at the next regular board meeting. Decisions may be appealed to the District Board at a regular meeting after the manager has been given an appropriate opportunity to respond.

## **RULE 29-TRANSFERRING WELL WATER**

RD1004 ditches are for transferring only District water to Landowners' fields. If a Landowner wishes to use them to transfer their well water, they must first request permission from the Board. The Board may or may not allow this use, and will set the terms and conditions if it does.

If you are thinking you may need to transfer water in a District ditch you should contact the District office and have them place you on the agenda for the next Board meeting.

## **RULE 30-AMENDMENT AND OTHER CHANGES**

These Rules and Regulations are subject to amendment, modification, repeal or other variation at any time or from time to time at the discretion of the Board of Trustees.

## **RULE 31-AMENDMENT**

All water must be used by October 31<sup>st</sup> in any given year. District Bureau of Reclamation contract guarantees delivery of water until October 31<sup>st</sup> of any given year. If District cannot deliver water past October 31<sup>st</sup> because of Bureau Reclamation or State Water Board decisions, there are no carryovers or refunds unless otherwise approved by the Board.

**RULE 32 – USE OF LIFT PUMPS**

If a water user pumps District water with an electric pump which uses a timer on the pump, any pump must take same amount of water each hour of the day to eliminate the fluctuation in the ditch.