

ORANGE COVE IRRIGATION DISTRICT
1130 PARK BOULEVARD
ORANGE COVE, CALIFORNIA 93646

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BOARD OF DIRECTORS

President

David A. Brown

Division 2

Vice-President

Arlen D. Miller

Division 4

Brian Hixson

Division 1

Andrew Brown

Division 3

Kevin Orlopp

Division 5

Officers

Engineer-Manager / Secretary /

Assessor / Collector

Fergus A. Morrissey

Controller/Treasurer

Roger Paine

General Legal Counsel

Young Wooldridge, LLP

REVISED MEETING AGENDA

Regular Meeting of the Board of Directors

Orange Cove Irrigation District

November 12, 2025 @ **11:00 A.M.**

Members of the public may directly address the Board of Directors on any item of interest to the public within the Board's subject matter jurisdiction before or during the Board's consideration of the item in accordance with Government Code Section 54954.3 (Brown Act). At the discretion of the District, all items appearing on the agenda, whether expressly listed for action, may be deliberated upon and may be subject to action by the District. The agenda sequence is subject to change.

- 1) *Call to Order.*
- 2) *Additions / Modifications to Agenda.*
- 3) *Public Comment.*
- 4) *Minutes* – The Board will review and consider approval of the draft October Regular Board of Directors meeting minutes. (**Actionable**)
- 5) *Ratification of Bills* – The Board will review cash flow and consider ratification of warrants paid since the previous Board Meeting. (**Actionable**)
- 6) *Monthly Report* – A discussion of on-going District activities including water supply status, water management and deliveries, hydropower plant operations, Friant Power Authority activities, revenue, and financial position. (**Informational**)
- 7) *2026-27 Water Rates* - The Board will discuss and establish District water rates for the upcoming fiscal and contract year (**Actionable**).
- 8) *2026-27 Fiscal Year Budget* – The Board will consider adopting the draft budget for the upcoming fiscal and contract year. (**Actionable**)
- 9) *Rules and Regulations* – The Board will consider the draft Rules and Regulations for the upcoming 2026-27 fiscal and contract year. (**Actionable**)
- 10) *Adjourn* – The Board will set the time and location for the December 2025 Regular Board meeting. (**Actionable**)

A person with a qualifying disability under the Americans with Disabilities Act of 1990 may request the District to provide a disability-related modification or accommodation to participate in any public meeting of the District. Such assistance includes appropriate alternative formats for the agenda and agenda packets used for any public meetings of the District. Requests for such assistance and for agendas and agenda packets shall be made in person, by telephone, facsimile, or written correspondence to Fergus Morrissey at the District office, at least 48 hours before a public District meeting. Materials related to an item on this agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection at OCID's office, 1130 Park Boulevard, Orange Cove, California, 93646, during normal business hours.

Minutes of the October Regular Meeting of the Board of Directors of the Orange Cove Irrigation District on Wednesday October 8, 2025. President Brown called the meeting to order at 11:00 A.M., with the following Directors, Officers, Staff and members of the public present:

Directors Present: David Brown – Chairman
Arlen Miller – Vice-Chairman
Kevin Orlopp
Andrew Brown
Brian Hixson

Staff: Fergus Morrissey, Engineer-Manager/Secretary
Keith Clem, Assistant GM
Roger Paine, Controller/Treasurer

Public: Andrew Hart, Booth Ranches LLC
Matthew Caviglia, Landowner

1. Call to Order

President Brown called the regular meeting to order at 11:00 A.M., with all the Directors in attendance for the meeting.

2. Approval of the Agenda

No changes were made to the agenda.

3. Public Comment

None.

4. Minutes

The Board reviewed the revised draft August 2025 Board Meeting minutes and the draft September 2025 minutes and considered them for approval. *By motion of Director Miller, second by Director Orlopp and a unanimous vote, both sets of draft minutes were approved by the Board of Directors.*

5. Ratification of Bills

Total disbursements for capital, operating expenses, payroll, water, legal, and power for the period August 1 - 31, 2025, were \$661,593.25 including but not limited to:

- \$136,635.47 in operating expenses,
- \$296,748.88 in water expenses,
- \$123,010.28 in power expenses, and
- \$68,973.95 in payroll expenses.

Controller Paine covered discussion of the expenditures. After discussion, *Director Orlopp motioned, and Director A. Brown seconded the motion to ratify the bills paid and the Board voted unanimously in favor of doing so.*

6. Monthly Treasurer's Report

Controller Paine worked through the eleven items outlined in the monthly Treasurer's report:

1. Delinquent Standby Charges
2. Deficit Water Users

3. *Miscellaneous Receivables*
4. *Water Deliveries through Contract Year*
5. *Kings River Power Plant*
6. *Fishwater Release Power Plant*
7. *Investments*
8. *LAIF*
9. *Deposits in WFC*
10. *FPA Distribution*
11. *Legal Expenditures*

Of note:

- Progress on collecting the Standby delinquencies for the Gunner property was noted by Controller Paine. Delinquency payment is expected by October 31.
- An installment payment of \$1,600 was received for land owned by the Robinson Family Trust.
- Opt-out paperwork remains to be submitted by Mr. and Mrs. Russell Davidson.
- 4,739-acre feet of in-District water deliveries occurred in September compared to 4,851-acre feet in September of 2024, a 2.3 percent increase.
- Controller Paine provided a detailed to-date return on investment among the various categories holding District reserves.
- August revenue received from District water users' investments in Fishwater hydro facility was \$19,591 and FPA Hydro #1 revenue check has not been received. There was no generation from Hydro #2 for the month, and Manager Morrissey briefed the Board on the status of those repairs, including timeline for installation and potential future action against the manufacturer for loss of generation.

The Board discussed the logistics and plan for landowner cost recovery (total of approximately \$52,000) associated with new pipeline construction required to serve two parcels that were annexed into the District in 2016. Because one of the landowners has no immediate desire or need for delivered supply to their parcel, the District will record with Tulare County a document informing any new buyer that prior to delivery eligibility of District supply, the parcel's share of installation and material cost, with interest pursuant to levels prescribed in the California Water Code, unless the landowner wishes to pay the present cost for 50% of the total bill.

AGM Clem reviewed the monthly O&M Report for the September period. *No Action taken.*

7. Fiscal Year End 2024/2025 Financial Audit

CPA Manuel Gonzalez, CPA with M. Green and Company gave a detailed report on their firm's audit of the District's financial statements. CPA Gonzalez gave a clean opinion on the accuracy and veracity of the financials as documented as well as affirming that the District's Board and staff implement sound and secure financial accounting controls. After a run through of each page of the report, comparing the financial statements across years and providing the opportunity for questions by the Board, *Director Hixon motioned, Director Miller seconded and the Board voted unanimously in favor of accepting the Audited Financial Statements for ending February 28, 2024, and 2025 as prepared and presented by M. Green and Company LLC representative Gonzalez.*

8. Closed Session

The Board went into closed session to discuss personnel matters.

9. Return to Open Session

The Board returned to Open Session. *Director Miller motioned, Director Orlopp seconded, and the Board voted unanimously that Manager Morrissey would receive a 4% increase in salary for the upcoming 12-month period beginning October 1, 2025.*

10. Friant Water Authority Issues

There was no discussion. There was *no Action taken*.

11. Adjournment

The meeting adjourned at 2:00 P.M. The next scheduled Board meeting is planned for Wednesday November 12, 2025, at the District Office at 1130 Park Boulevard beginning at 11:00 A.M.

David Brown, Board President

Fergus A. Morrissey, Board Secretary

ORANGE COVE IRRIGATION DISTRICT				
BUDGET Summary for 2026/27 Fiscal Year - Board Approved on November 12, 2025				
Allowable Standby Rate		\$86.00	Standby Rate	
Standby Revenue		\$2,394,498	Stanby Revenue@ \$86/acre	
Miscellaneous Income Offsetting Standby		\$115,000	PENALTIES / LATE FEES / UNUSED SUPPLY (90% Rule)	
		\$260,000	FWR Revenue	
		\$250,000	INVESTMENT INCOME	
		\$27,800	TEETER TAX	
Standby + Miscellaneous Income		\$3,047,298		
General & Administrative, Conveyance and General O&M		(\$3,047,860)	G&A + Conveyance + O&M General cost per acre is	\$86.0202
Net Revenue		(\$562)	Standby available for Capital Improvements is	\$ -
G&A Inclusive of All Fixed Costs (Expenses Independent of Water Supply)	3,047,860			
Acres Subject to Assessment	27,843			

Assessment Category	Gross Cost	Acres	% of Budget	Net Category Cost
			%	(\$/Acre)
General and Administrative	\$1,044,220	27,843	34%	\$ 29.47
Conveyance and Water Rights	\$1,542,500		51%	\$ 43.53
General OCID System O&M	\$461,140		15%	\$ 13.01
TOTAL	\$3,047,860		\$ 1.00	\$ 86.02

District G&A, Conveyance and General O&M (excluding variable water operations costs) Budget	-\$3,047,860
Misc. Income (District Owned Powerplants, Investment Income, Teeter Tax, Penalties and Fees)	\$652,800
Costs Necessarily Recovered by Assessment	-\$2,395,060
Acres Subject to Assessment (110 opt-out acres excluded)	27,843
Standby Required (\$/acre)	\$86.0202

ADMINISTRATIVE AND GENERAL O&M EXPENSES ----- \$ 3,047,860				Ops \$ Not Associated with Standby or the ABILITY to Deliver Water to Landowners (levied on WATER RATE) 151,540	
ADMINISTRATION PAYROLL	654,300			72,700	C o s t s S p e c i f i c t o W a t e r U s e a n d / o r f o r H y d r o
401 K PLAN CONTRIBUTIONS	37,620			4,180	
EMPLOYEE MEDICAL BENEFITS	60,930			6,770	
PAYROLL TAXES	50,130			5,570	
WORKERS COMP INSURANCE	6,390			710	
DIRECTORS FEES	4,900			100	
MEETINGS AND TRAVEL	9,000			-	
EMPLOYEE TRAINING	4,000			-	
OFFICE SUPPLIES	3,000			-	
OFFICE EQUIPMENT REPAIRS	4,500			-	
ADMIN VEHICLE EXPENSES	1,000			-	
BUILDING AND YARD MAINTENANCE	7,200			800	
UTILITIES	6,000			-	
TELEPHONE & COMMUNICATIONS	3,850			1,150	
AUDIT	20,900			1,100	
LEGAL	42,750			1,100	
INSURANCE	24,750		C	4,500	
PUBLISHING/INFORMATION/SUBSCRIPTIONS	2,000		o	-	
DUES AND CONTRIBUTIONS (Primarily FWA General Membership)	98,000		s	-	
POSTAGE	3,000		t	-	
SUBTOTAL	1,044,220		S	-	

FIXED WATER AND CONVEYANCE COSTS (Independent of Delivered Quantity)		e n e r g y	
STATE WATER RESOURCES (Contract Only)	2,500		-
CONVEYANCE COSTS-FWA	1,540,000		-
BUREAU OF RECLAMATION -O&M Deficit	-		-
SUBTOTAL			1,542,500
GENERAL O&M LABOR COSTS (Independent of Delivered Quantity)			
STAFF OPERATIONS SALARIES	251,460		27,940
OVERTIME AND STANDBY PAY	8,800		2,200
401 K CONTRIBUTIONS	15,300		1,700
HEALTH BENEFIT PLAN	43,920		4,880
PAYROLL TAXES	20,070		2,230
FUEL COSTS	12,600		1,400
OPERATING & MAINTENANCE SUPPLIES	76,500		8,500
COMMUNICATIONS	6,120		1,080
WORKERS COMP INSURANCE	16,380		1,820
PHYSICALS	-		-
TRAINING / MEETINGS	1,800		200
OPS OFFICE UTILITIES	2,250		250
OPS OFFICE MAINTENANCE	4,320		480
OPS OFFICE SECURITY	1,620		180
UNEMPLOYMENT CHARGE	-		-
SUBTOTAL		461,140	
		3,047,860	151,540

Water Rates / Rules & Regulations

Orange Cove I.D.

2026/27 CONTRACT YEAR FRIANT DIVISION ALLOCATED SUPPLY

REVISED by its Board of Directors on **November 12, 2025**

Orange Cove ID Class 1 Contract Surface Water Supply

The District has an annual Class 1 Contract with the United States Bureau of Reclamation (Reclamation) for 39,200 acre feet (af). Based on the District's assessed acreage this amounts to 1.4 acre-feet per acre (af/a). Reclamation updates water supply declarations throughout the year as hydrology unfolds, making its initial declaration on or about February 20th for the ensuing Contract Year beginning March 1.

District water rates are established annually by its Board of Directors as are these Rules and Regulations, both applicable to the District's Class 1 supply. Water rates and these Rules apply to the Contract year period beginning March 1st and ending on the last day of February the next year.

Automatic Allocation and Delivery of Class 1 Contract Water

Entities in good financial standing in the District are initially allocated 1.4 acre-feet of Class 1 Contract supply per assessed acre while those with deficits receive no allocation. Water up to 0.999 af/a ordered on an entity basis is defined as **Tier 1** water. All water ordered above 1.0 af/a on an entity basis is defined as **Tier 2** water. Use of Tier 2 water begins after all Tier 1 supply is used.

The District provides each landowner with a Water Balance Statement based on this default allocation which assumes a 100% Class 1 declaration by Reclamation. Estimated charges for energy costs required for delivery to the District meter from the Friant-Kern Canal are in addition to water charges and are on a *take and pay* basis (charge based on actual energy usage).

First Water Supply Installment

The first installment amount is based on 50% of your total order, with a required payment covering up to, but not more than, 0.700 af/a. The first installment must be received by the District no later than 4:00 P.M., Friday February 20, 2026, to avoid a *late charge*.

Late Charge - First installment payments received after close of business on February 20, 2026, and prior to Wednesday April 15, 2026, will include a \$25/af penalty, up to a maximum of \$1,000 dollars, applied to Tier 1 and Tier 2 rates.

Payment not received by close of business April 15 will result in **supply being subject to availability**. In essence this means that there will be no surface water available from the District. Transfers from other landowners will be a source.

PLEASE NOTE: Given water demand in the District, failure to pay for the desired supply, in all but the wettest of years will very likely result in ZERO water availability for the remainder of the Contract Year, notwithstanding supply acquired by individual growers from water transfers.

Second Water Supply Installment

The second installment is based on the ultimate Bureau of Reclamation Class 1 water supply declaration and must be received by the District no later than 4:00 P.M., Wednesday July 15, 2026. Second installment payments not received will result in forfeiture of supply not paid for. **EXAMPLE: If you are ultimately allocated 2.000 af/a based on your order and water supply availability, the second installment would be for 1.3 af/a***

* 2.000 af/a - 0.700 af/a = 1.3 af/a

Note: The District will not accept cash exceeding \$1,000.

Payment by mail:

Orange Cove Irrigation District
1130 Park Boulevard
Orange Cove, California 93646

Payment by ACH:

Orange Cove Irrigation District
1130 Park Boulevard, Orange Cove, CA 93646
Bank - Wells Fargo
Routing Number – 121042882
Checking Account – 1289955567
ACH Company ID - 2942501594

2026/27 Contract Year Water Rate

- **Tier 1 Irrigation/M&I Rate**
\$65 / acre-foot for delivery of less than 0.999 af/a on an entity's total ownership basis.
- **Tier 2 Irrigation Rate/M&I Rate**
\$45 / acre-foot for water delivered more than 1.000 af/a on an entity's total ownership basis.

Example Water Payment: *Entity's Total OCID Acreage – 100 acres*

Water Allocation – 140 af (1.4 af/a x 100 acres)

Water Charge – \$8,300 [(\$65 / af x 100 af) + (\$45 / af x 40 af)] (\$83/acre for water)

Water Requests Exceeding 1.4 AF/A – Additional Contract Supply

An amount greater than the default allocation of 1.4 af/a, can be requested in your Water Application. The amount of additional availability you are likely to receive is unknowable before about April 16, 2026, one day after the first installment deadline. On or about April 20th the District will redistribute unallocated supply among those requesting more than 1.4 af/a on an equal af/a basis. For example, additional supply will be distributed in 0.1 af/a increments until depleted under a rising tide lifts all boats model.

Energy Charge

A separate energy charge is estimated based on the previous year's cost by delivery-system to convey water is added to pumped deliveries. Energy payments, like water payments, will be divided into two installments just as water application payments are split as described herein. In the 2025/26 Contract Year the energy charge by delivery-system ranged from approximately \$X/af to \$Y/af. Last year's average cost per af was \$Z/af with most of the pumped deliveries in the District near that average. The end of Contract Year meter readings and utility bill totals will "true-up" that estimated payment resulting in either an additional entity payable or an entity refund.

Limited Credit for Contract Water Ordered and not Taken

Contract Water remaining in an entity's account as of March 1, 2027, exceeding 0.25 af/a will be non-refundable and non-creditable. Entities may preserve 0.25 af/a for frost water demand and/or for dry fall/winter irrigation demand without monetary risk. For each entity, residual supply remaining up to 0.25 af/a will be credited at \$45/af.

For example, if an entity owns 20 acres and orders 32 af of Contract Supply, then 5 af of residual/unused supply as of March 1, 2027, will be creditable (0.25 af/a x 20 acres). In this example, the entity would receive an account statement credit limited to \$225 (5 af x \$45/af). In this example if an entity had 1.0 acre-foot left, they would receive a credit of \$45 and if the entity has between 5 and 32 acre-feet left they will receive a credit of \$225.

Water Delivery

Water will not be **allocated** by the District or delivered to an entity until all outstanding entity charges, including but not limited to Standby Assessments and projected energy payment estimates, have been paid in accordance with the foregoing. Water provided by the District under its Class 1 Contract with the United States is restricted to irrigation of lands within the District's legal boundary, those subject to annual acreage assessment. Diverting Contract Supply outside the District violates the Contract.

If the District finds, through crop irrigation requirement calculations, surface water delivery records and or water quality analysis of applied irrigation water that District Contract water from the Friant-Kern Canal is being delivered to land outside the District's official boundary, the quantity of surface diversion will be determined and penalties of up to \$1,000 per af or 150% of the market value of water (whichever is greater) may be added to that entity's account balance.

Upon discovery or suspicion of the delivery of District supply to lands outside of the District the landowner will be given the opportunity to appear before the Board. This will provide the chance for dialogue and resolution. Dialogue will serve as due process prior to further Board action should that course be deemed by the Board to be necessary. The Board will discuss with the landowner further penalties which may be imposed, including additional fines and or cessation of delivery of District water to parcels that are enabling the delivery of water outside the District.

Unpaid or delinquent water charges and unauthorized operation or tampering with water delivery meters will cause the District to lock delivery meters. Unpaid water or Standby charges will become a lien against the landowner's property. Interest charges will accrue on all delinquent accounts at the legal rate permitted by law. A \$200 administrative fee will be assessed on the landowner to UNLOCK a locked delivery. Tampering with chains or locks will result in an additional \$200 administrative fee.

Water illegally diverted, **including use of supply exceeding an entity's allocation**, **may** be billed at \$1,000 per acre-foot, or 150% of the **then-current** water **open-market** rate, whichever is greater. If the District is unable to determine the quantity of water illegally used, the District will estimate the amount through water orders, previous years' water usage history, or field (i.e., consumptive use) estimates and charge the landowner accordingly.

The legal property owner must countersign water Statements filed with the District by others (lessees, renters, etc.). The property owner assumes all responsibility for payments required, including payment of fines. **By signing the Statement, the landowner attests that they have read, understand, and agree to abide by these Rules and Regulations.**

Diverting federal Contract water from the District in violation of these Rules & Regulations or in conflict with state and/or federal law, is expressly forbidden. Any landowner using District water for cultivation of crops in conflict with federal law, including but not limited to the cultivation of cannabis, or for diverting water prior to securing water from the District may be prosecuted and will be liable for administrative fees and water payments described above. In addition to fees and penalties the District may remove its delivery infrastructure (piping, valves, meter). Illegal diverters will be assessed a fine of \$10,000 by the District and will be subject to fines and/or penalties by other entities including the State of California and the United States. In addition to the \$10,000 fine, landowners will be billed for the District's time spent removing District infrastructure.

Use of Water

Failure or refusal of any landowner / irrigator to comply with these Rules and Regulations shall be sufficient grounds for terminating delivery of District water to the lands of such landowner and water shall not again be furnished until the landowner comes into compliance with the Rules and Regulations.

Water delivered by the District must be for legal agricultural beneficial use on District Standby assessed lands, pursuant to state and federal law. Caution: Water used for spraying purposes may only be taken

from a District delivery or other District facility provided a County-approved connection exists between the District facility and the spray equipment. Similarly, any permanent or temporary installed fertigation facility on an irrigation system must contain backflow prevention features to prevent the release of fertilizer, pesticide, or any foreign substance from being introduced back into the Districts delivery system.

No trees, vines, shrubs, corrals, fences, or other type of encroachment shall be planted or placed in, on, over, or across any District conduit or any District right of way unless the District has given specific written approval for such encroachment.

Water Usage Statements will be sent to the water user monthly by email only. **If you wish to receive a Water Usage Statement, you must provide an email address.** When the water user's purchased supply is depleted, water delivery will stop. Delivery may resume if the water user secures additional water by transfer or purchase (if available). It is the water user's responsibility to; track their usage, not to exceed their allotment, and to make necessary arrangements with the District or other landowners for additional supply.

Water rates are established based on covering the District's net incremental operating and maintenance costs for the delivery of surface water to growers. **Water delivery costs do not include District fixed annual cost obligations.** Fixed annual costs include, but are not limited to, local conveyance costs (Friant Water Authority operation and maintenance of the Friant-Kern Canal) and non-local conveyance costs (costs associated with the delivery of Exchange Contractor water via the Tracy and O'Neill Pumping Plant facility and the Delta-Mendota Canal), general and special legal counsel costs, and water right fees payable to the State of California. Fixed annual costs are incurred by the District, *regardless of water supply allocation to District landowners* and therefore are levied on an acreage basis via the Standby Charge.

Dry Year Amendments

Spot Market Water: If growers acquire and pay for water from outside sources "Spot Market Water" for their use **within the District** (they may also transfer such water to another District landowner), those supplies shall be used **before** their Contract Supply is either used or transferred. Energy charges will apply based on the delivery location.

Unused Spot Market Water volumes shall not be carried over by landowners from one Contract Year to the next. Monies paid for Spot Market Water (that is purchased by the District) are non-refundable and non-creditable.

Water Transfers

Transfer Fee

For water purchased at \$45/ af, the District will impose a \$20/af fee on transfers at the time of transfer unless the landowner receiving the supply ordered at least 1.0 af/a on an entity basis **and in that case, there is no fee.**

Intra-district - between different entities inside of the District:

Landowners may transfer to one another by filing a cosigned water transfer form with the District and paying the Transfer Fee, if required. The District assumes no responsibility for collecting monies due to the transferor from the transferee. Energy charges will apply to the transferee based on the delivery system used.

Inter-District Transfers Out:

Transfer of District Contract Supply **outside** of the District by landowners is not permitted. Transfers into the District from other sources are permitted and require payment of a \$250 administration fee in addition to energy charges based on the delivery location.

Transfer of Spot Market water acquired by a landowner, *when such supply is not prorated within the District due to limited availability*, may be transferred outside of the District subject to an additional Friant-Kern Canal Operation and Maintenance charge of **\$100/af**.

Water Delivery Procedure

Orders for turn-on and turn-off must be scheduled with the District at least 24 hours before delivery. Landowners diverting water without notifying the District of their intent *may be* subject to an administrative charge of \$50 per acre-foot based on unordered diversions since the previous meter reading. Customers should also notify the District as soon as possible when making unscheduled changes.

The District's policy is to deliver water in quantities and flow rates that are economically feasible and within the operating limits of the delivery systems and flow meters. Extenuating circumstances, where it may not be economical to provide water to a particular delivery point, will be considered by the District on a case-by-case basis. No orders will be fulfilled that create the potential to damage or otherwise harm the District's facilities.

The District notifies the Friant Water Authority at 8:30 A.M. of the total orders made for the following day between Monday through Friday. Orders must be received at the District Office before 8:00 A.M. to receive delivery on the next day. Sunday and Monday orders must be received before noon the preceding Friday. Water orders may be made as follows:

DISTRICT OFFICE – The office is open for water orders between 7:00 A.M. to 4:00 P.M. Monday through Friday. You may also place a water order by calling the District Office at (559) 626-4461. During non-business hours, water orders may be placed with the District's answering service. Alternatively, water order requests may be emailed to "waterorders@orangecoveid.org". District receipt of email orders will be confirmed through an email reply from District staff.

HOLIDAY SCHEDULE – The District office will be closed in observance of the following holidays: afternoon of New Year's Eve, New Year's Day, President's Day, afternoon of Good Friday, Memorial Day, Fourth of July, Labor Day, Veteran's Day, Thanksgiving Day and the day after, afternoon of Christmas Eve, and Christmas Day. Water orders for holidays and the day following a holiday shall be made by 8:00 A.M. on the business day prior to the holiday.

The ordering timing requirements are relaxed for the delivery of frost water. Frost water must be ordered by 1:00 P.M. to receive water for that night and the following day. For pumped systems, a notice as early as possible is desirable in case the system must be filled. Order your water by System and delivery meter designation and provide the desired flow and duration as you would during the irrigation season. When ordering, provide the District with your name and a telephone number where you can be reached during the period when you intend to be taking delivery of water. Failure to take delivery of water that is ordered for frost protection can severely damage the District's pumps. Landowners that have placed frost water orders and later decide not to take delivery must make every effort to contact District Operations staff to avoid being liable for damage to District infrastructure.

Landowners will be permitted to operate their delivery provided it is operated in accordance with District procedures. Water must be used at a rate that will accurately register on the delivery meter. Landowners shall immediately inform the District office of any maintenance required on their meter due to normal wear, vandalism, accident, or other cause. Landowners shall be responsible for all water delivered or spilled through their point of delivery.

A change of water from one delivery point to another on the same system will be permitted without 24-hour notice if you notify the District in advance of the change.

No person other than a District employee shall operate any District facilities. Tampering with or adjusting any pump or valves other than the delivery assigned for your use is prohibited. Any

interference with facilities under the jurisdiction of the District is a criminal offense and will be prosecuted accordingly.

District Communication with Landowner (limitations via regular mail)

From time to time the District may communicate important and dynamic issues with landowners . These matters include but are not limited to; *changes in water supply Declaration by the United States, changes in water supply allocation made available by the District, availability of Spot Market water, water use, residual water supply and account balances.* This type of communication is greatly facilitated using email and the District will communicate regularly using this tool.

Failure to provide the District with an updated email address may result in your missing out on information. In short – provide the District with an email address and notify the District if it changes.

District Liability

The District is not responsible for the quality of water delivered as that capability is outside of the District's control. The Friant Water Authority is responsible for the operation and maintenance of the Friant-Kern Canal and from time to time they perform treatment (i.e., application of copper sulfate or other chemicals) and or maintenance (i.e., mechanical removal of invasive weeds within the system) that may result in water of variable quality. The District communicates with the Friant Water Authority routinely and there are ongoing concerted efforts to maximize and stabilize the quality of water delivered.

Water delivered by the District is untreated. Use of District water is not consistent with human consumption and is a violation of state law under AB 1194. **Water supplied by the District is not intended to be and must not be used for residential uses or human consumption**, including but not limited to; drinking, bathing, showering, hand washing, oral hygiene, cooking, preparing food or dishwashing.

Water shortages may occur which may affect the amount of water furnished to the District by the United States pursuant to the District's Contract. In no event shall any liability accrue against the District or any of its officers, Directors, agents, or employees for any damage, direct or indirect, arising from a water shortage due to errors in operation, drought, or unavoidable causes.

Tailwater

The District is required to regulate excessive tailwater. The District's Contract with the United States requires the District, as a provision of its conservation plan and as a condition of continued service, ensure water is put to beneficial use. Hence, the District must regulate excessive tail-water to avoid determinations that it is wastefully or unreasonably using the federal resource (water supply) which is also a violation of the State Water Resource Control Board granted water right permit underlying the Contract supply. If the District is required to regulate tail-water because the grower does not do so, it needlessly expends District funds without providing specific benefit to the broad group of District landowners.

If the District determines that a landowner has improperly used irrigation water delivered to them, or improperly prepared the ground to receive irrigation water, such that excess tail-water, in the District's opinion, is leaving the landowner's property, the District shall notify the landowner with the appropriate steps to take to ensure that excess tail water is eliminated. If the landowner does not take appropriate steps to remedy the situation, the District will reduce and/or discontinue water delivery until the problem is rectified. Alternatively, the District may, at the landowner's expense, take corrective action to ensure that excess tailwater does not leave the landowner's property. Landowners will be charged the full cost to the District of any services provided to restrict tail-water runoff, and payment of these charges will be required as a condition of continued service.

----- **END OF 2026/267 RULES & REGULATIONS** -----