

Adopted by the
Board of Directors
Of

The Sun Prairie County Water District

Rules and Regulations

Effective May 2024

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ARTICLE I - Definitions and Abbreviations

Section 1 - Definitions

Unless the context specifically indicates otherwise, the meaning of terms used in these rules and regulations shall be as follows:

"Act" or "the Act" refers to the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. Section 1251 et seq.

"Applicant" is a customer, developer or their authorized representative.

"Authorized Representative of the IU" is an authorized or duly authorized representative of an industrial user ("IU"). The authorized representative may be:

1. If the IU is a corporation:
 - A. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - B. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having explicit or implicit authority to make major capital investment recommendations, and to initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
2. If the IU is a partnership or sole proprietorship:
 - A. The general partner or proprietor, respectively.
3. If the IU is a federal, state, or local government facility:
 - A. The director or highest official appointed or designated to oversee the operation and performance of the activities of the governmental facility, or their designee.
4. The individuals described in subsections (1) through (3) of this definition, may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall

responsibility for environmental matters for the company, and the written authorization is submitted to the District.

"Best Management Practices ("BMPs")" are schedules of activities, prohibition of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR Part 403.5(a)(1) and (b) and Article VII of this District's rules and regulations. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal or drainage from raw materials storage.

"Biochemical Oxygen Demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

"Board" means the Board of Directors of the Sun Prairie County Water District.

"Chemical Oxygen Demand" or "COD" is the measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.

"Curb Stop, Curb Box, or Valve Box" refers to a metal or plastic pipe with cap connecting to the underground control valve for purpose of inserting a wrench for the purpose of turning water or sewer service on or off.

"Customer" or "Consumer" means an property owner(s), receiving water and/or irrigation service from the District.

"Developer" means any person, firm, corporation or other entity who causes improvements to be made upon land owned by him/her, or in rights-of-way, or easements which requires water or irrigation service.

"District" means the Sun Prairie County Water District.

"Environmental Protection Agency or EPA" refers to the U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

"Excess Capacity" refers to water system capacity greater than needed to meet the needs of the current district. See 7-13-2341 (5) M.C.A.

"Extension Agreement" means an agreement between the District and a developer which allows the developer to connect his/her water or irrigation service facilities onto a main line owned by the District, to obtain water or irrigation service.

"Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooling and serving of foods.

"Main" means a water or irrigation, operated and maintained by the District, which is used for the purpose of water distribution, to which service connections are attached.

"Natural Outlet" means any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface of groundwater.

"Noncontact Cooling Water" means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

"Owner" means any person, firm, corporation or other entity owning land in the District. A purchaser under a contract for deed shall be considered the owner of the land.

"Owner Occupied Building" means any habitation building located on one property parcel exclusively used by the owner for habitation without monetary compensation. Multi-unit dwelling(s), motels, hotels, and other commercial use buildings are specifically excluded from this definition.

"Pass Through" means a discharge which exits the POTW into waters of the U.S. in quantities or concentrations which, alone, or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the District's MPDES permit, including an increase in the magnitude or duration of a violation.

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local governmental entities.

"PH" is a measure of the acidity or alkalinity of a solution, expressed in standard units.

"Right-of-Way" refers to the right to pass over property owned by another party. For purposes of these rules and regulations, the term means the strip or parcel of land over which water and/or irrigation mains/facilities are built.

"Service Agreement" means the agreement or contract between the District and the customer pursuant to which water or irrigation service is supplied and taken. It can also be the mechanism, by which the necessary capacity can be added, by a developer or customer, to the water and/or irrigation systems in order to achieve the necessary capacity required to accommodate an annexation petition.

"Service Area" means the area within which the District will furnish water or irrigation services in accordance with the provisions of these rules and regulations and as amended from time to time.

"Service Connection" means the connection at the main connecting the property owner to the public water system.

"Service Pipe or Service Line" means the pipe running from the water or irrigation main to the customer's premises.

"Single-family Residence" means a building designed for and used exclusively for residence purposes by one (1) family.

"Special Assessments" in lieu of imposing rates and charges to pay the capital costs of any water or irrigation system improvement, the District may levy special assessments to defray the costs against property within the District and benefited by the improvement.

"Storm Water" means any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

"Sub-District" may be created for funding improvements per M.C.A. 7-13-2349, limiting the debt obligation to only those land parcels directly benefiting from a specific improvement, without obligating other non-benefiting land parcels within the District.

"Total Suspended Solids (TSS) or Suspended Solids" means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

Section 2 - Abbreviations

The following abbreviations shall have the designated meanings:

BMPs - Best Management Practices
BOD - Biochemical Oxygen Demand
CFR - Code of Federal Regulations
COD - Chemical Oxygen Demand
DEQ - Montana Department of Environmental Quality
DNRC - Montana Department of Natural Resources and Conservation
EPA - U.S. Environmental Protection Agency
mg/l - milligrams per liter
M.C.A. - Montana Code Annotated
MPDES - Montana Pollutant Discharge Elimination System
MPWSS - Montana Public Works Standard Specifications
POTW - Publicly Owned Treatment Works
RCRA - Resource Conservation and Recovery Act
SPCWD – Sun Prairie County Water District
TSS - Total Suspended Solids
U.S.C. - United States Code

ARTICLE II - General Provisions, Water /

Irrigation Section 1 - Purpose:

In addition to Title 7, Chapter 13, Parts 22 & 23, Montana Code Annotated, these rules and regulations are the guiding document for the Sun Prairie County Water District Board of Directors, employees, and customers of the District applicable to all water and irrigation facilities owned and operated by the District.

A. SERVICE CHARGES

1. The purpose of these rules and regulations shall be to generate sufficient revenue to pay all costs related to the construction, operation and continued maintenance of the complete water and irrigation systems and repayment of debt obligations, as well as any other factors the District may deem pertinent in setting a fair and equitable rate.
2. The District shall determine the total annual costs of operation and maintenance and debt retirement of the water and irrigation systems which are necessary to maintain the capacity and performance of the respective systems. The total annual cost of operation and maintenance shall include but need not be limited to: labor, repairs, equipment replacement, maintenance, necessary modifications, power, sampling, laboratory tests and a reasonable contingency fund.
3. The Board shall fix potable water and irrigation rates and shall collect the charges for the sale and distribution of water from all customers. The Board, in furnishing water and irrigation services, shall review, at least once every year, and set, as required, the rate, fee, toll, rent, tax, or other charge for the services, facilities, and benefits directly afforded by the facilities, taking into account services provided and direct benefits received. Taking into account the collections of any special assessments levied pursuant to M.C.A. 7-13-2280 through 7-13-2290, and any any property taxes (assessments) that will be levied to pay debt service on general obligation bonds authorized pursuant to M.C.A. 7-13-2331, the amount to be collected and appropriated must be sufficient in each year to provide income and revenue adequate for the:
 - a. Payment of the reasonable expense of operation and maintenance of the facilities;
 - b. Administration of the District;

- c. Payment of principal and interest on any bonded or other indebtedness of the District; and establishment or maintenance of any required reserves, including reserves needed for expenditures for depreciation and replacement of facilities, as may be determined necessary from time to time by the Board or as covenanted in the ordinance or resolution authorizing the outstanding bonds of the District.
4. Other costs, such as those funded by general obligation bonds or special assessments, shall be distributed to customers of the District benefiting from the system improvements.
5. Each customer's monthly service charge shall be a combination of a base charge for fixed costs including the repayment of existing debt and reserves plus an equitable usage charge for operation and maintenance.
6. Owners of property shall be responsible for payment of water and/or irrigation services provided to that property regardless of occupancy or residency.
7. New structure(s) under construction shall begin paying the applicable monthly charge immediately following connection to the main.

B. Permit and Inspection Fees

No person shall uncover, make any connections with, or opening into, extend, use, alter or disturb the potable water system and/or irrigation system without first obtaining a written permit for the purpose from the Sun Prairie County Water District and paying all applicable fees.

C. Special Assessments/Bonding

In lieu of imposing rates and charges to pay the capital costs of any water or irrigation system improvement, the District may levy special assessments to defray the costs against property within the District and benefited by the improvement. The costs of the improvement may include the costs of issuance of any bonds issued to finance the improvement and any reserve securing payment of the bonds. "Sub-districts" may be created for funding improvements per 7-13-2349 M.C.A., limiting the debt obligation to just those land parcels directly benefiting from a specific improvement.

Section 2-Administration:

- A.** Except as otherwise provided herein, the District shall administer, implement, and enforce these rules and regulations as authorized by M.C.A. 7-13-2218(10). Any powers granted to or duties imposed upon the District may be delegated to a duly authorized District employee.
- B.** The District is comprised of: five elected Board of Directors, elected by the people in the District; one hired part-time secretary/book-keeper; and one hired part-time water operator, both which work at the pleasure of the Board of Directors.
- C.** Federal and state laws and regulations govern most every aspect of administering the water and irrigation District. Costs of running the District are kept to a minimum, with no profits being made, but require prudence in funds for covering the running of the District along with covering the costs of known repairs and replacements. Without this foreseen budgeting process, every repair would become an emergency, and require additional immediate funding from the District members.
- D.** District members are encouraged to participate in the governance of their District and attend the monthly meetings. Records of administrative and budget actions are available upon reasonable request. Agenda's and approved Minutes are posted on the District's webpage, and approved Minutes are on file with the Clerk and Recorder's Office.

Section 3 - Connections/Permit Required:

- A.** No unauthorized person(s) shall uncover, make any connections with or opening into, or disturb any public water or irrigation appurtenance thereof without first obtaining a written permit from the District.
- B.** No person(s) shall make any connection or extension on water or irrigation service line(s) for the purpose of supplying water or sewer service to any other building or parcel of land. Each separate standing residence will have individual water and irrigation service line(s), i.e. connections to potable water and irrigation mains.
parcel of land.
- C.** Only the owner of record of the property or his/her legal representative may make application for water or irrigation services. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgment of the District.
- D.** The applicant for water or irrigation permits shall notify the District when the building water line is ready for inspection and connection to the public system(s). The connection and testing as required shall be made under the supervision of the District or its representative.
- E.** A permit and review fee shall be paid to the District at the time the application is filed with the District. Any additional costs incurred and documented by the District in reviewing the application shall be paid by the applicant after the review is completed.
- F.** Applications which have been approved in writing by the District, or its authorized representative, for water or irrigation service(s) shall constitute a right to the customer to receive services for the purposes specified in the permit, subject to any conditions made by the District and subject to the rules and regulations of the District.

Section 4 - Billing:

- A.** All water and irrigation bills come out on the beginning of each month for the service of the previous month and are due and payable upon receipt. The District may add a penalty of \$10 for each service unpaid (drinking water and irrigation) on the outstanding balance of the charges due if payment is not received by the District office before the 25th of the month following the service period.
- B.** The owner is responsible for payment of water and irrigation bills regardless of occupancy or residency.
- C.** Every separate structure used as a dwelling by one family or individual, together with the lot or parcel on which it stands and any auxiliary building or buildings on such lot or parcel, shall be considered a single premises for the purpose of determining billing entities.
- D.** For any premises intended as a dwelling place by two or more families, or separated into two or more dwelling units, the number of minimum billing entities shall be determined by counting the number of families, dwelling units, except as allowed by special arrangement and in writing by the District.
- E.** The billing rules contained in this Section apply to both existing and future customers. Existing customers will be billed accordingly on their next monthly statement following the adoption of these rules and regulations.

Section 5 - Discontinuation of Services:

- A.** The District may discontinue service, upon not less than twenty-four (24) hours written notice, to any customer for violation of any provision of a service agreement, rate schedule or these rules and regulations, including failure to pay bills within the specified period.
- B.** The District may discontinue service, without notice, to any customer when evidence of any unauthorized use or diversion of service is found.
- C.** A charge for reconnecting water service, disconnected for lack of payment, will be assessed.
- D.** For any seasonal or short-term service termination/reconnection performed, a charge of \$50.00 per hour will be assessed, with a one hour minimum applicable.
- E.** The District may require as a condition of restoring service that the customer make a deposit on his/her account equal to the current costs of replacing a waterservice.

Section 6 - Declination of Services:

- A. The District may decline to serve an applicant or customer:
1. If the applicant, customer/user, or applicable owner has failed to comply with these rules and regulations governing water or irrigation service(s), or
 2. If, in the judgment of the District, the applicant's, customer's/user's, or applicable owner's installation of piping, equipment or appurtenance is regarded as a potential health hazard, or
 3. If the applicant's, customer's/user's, or applicable owner's system could cause harmful effects to the water system or to the District's ability to satisfactorily operate its facilities.
 4. For lack of ability to provide service (no water or irrigation facilities nearby).
- B. The District may refuse service to any delinquent customer owing the District for service, until such past balance plus a reconnect fee has been paid or satisfactory arrangements have been made by the delinquent customer with the District for paying the account. These same provisions shall apply, and the District may refuse service to any other member of the same household or firm when an application by this applicant, in the opinion of District, may be a means for evading payment of the delinquent service bill.

Section 7 - Abandoned Services:

- A. **Water Lines** - Every abandoned water line shall be turned off by the District personnel at the curb stop and reserved for future use unless the probability of reuse is nil. If reuse is not likely, the service tap shall be excavated and the mainline tap plugged in an approved manner and inspected by District personnel. If the abandonment is for a period of less than six (6) months, regular or unoccupied monthly billing will be maintained. If the abandonment is for a period of greater than six (6) months, regular monthly billing will continue for a period of (6) months or pay \$500 whichever is greater, and then regular monthly billing will be terminated after fee is collected; but a reconnect fee of \$1500 for residential must be paid before service is reactivated.

Section 8 - Annexation (Addition of Land to the District):

- A. All properties serviced by the District must be annexed into the District before water or irrigation connections are made as provided in M.C.A. 7-13-2341.
- B. If the Board determines that the District has a water facility with a capacity greater than required to meet the needs of the current District, it may by ordinance, upon petition of contiguous property owners and with the written consent of all property owners to whom the service is to be extended, expand the District to include land, to the extent of excess capacity. See M.C.A. 7-13-2341(5).
- C. The property owner(s) of land(s) contiguous with the District shall submit petition(s) of annexation to the District for review of capacity requirements and availability of excess capacity. Approval of service requests and subsequent annexation shall be limited to available excess capacity, determined by the Board at submittal.
- D. Upon completion of the review, approval, and statement of available excess capacity remaining at the time, the Board shall request the Secretary of State, State of Montana, and Cascade County to include all lands petitioned into the revised boundaries of the District pursuant to M.C.A. § 7-13-2341(5).
- E. In the event a statement of excess capacity is not possible in order to accommodate an annexation petition, a service agreement is the means to providing the necessary water system capacity.
- F. In the case of drinking water service, water rights and the current standing with the DNRC, in that regard, will be a consideration of accepting applications for annexation of land parcels into the District.

Section 9 - Powers and Authority of Inspectors:

- A. The Board and any duly authorized employees of the District bearing proper credentials and identification shall be permitted to enter all private properties through which the District holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the water or irrigation facilities lying within said easement.
- B. **Access to Premises** - The duly authorized employees and agents of the District shall have access at all reasonable hours to the premises of the customer for the purpose of installing, removing, or replacing District property, and other purposes incident to the supplying of service.
- C. The District shall be allowed to inspect the work at any stage of construction; and the applicant for the permit shall notify the District when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within forty-eight (48) hours of the receipt of notice by the District.

Section 10 – Violations/Penalties:

- A.** Any person found to be violating any provision of these rules and regulations shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- B.** Any person who fails to cease and desist the continuation of any violation following notification of such, shall be fined an amount not exceeding \$100.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate violation.
- C.** Any person violating any of the provisions of these rules and regulations shall become liable to the District for any expense, loss, or damage occasioned by the District by reason of such violation. This remedy is in addition to any other remedies that may be available to the District.

Section 11 - Agreement to Indemnity/Proof of Insurance:

- A.** Any contractor working on facilities owned by the District shall indemnify, hold harmless and defend the District, at the contractor's expense, against any and all claims made for any accident, injury, or damage that is caused by the contractor's acts or omissions.
- B.** Any contractor working on facilities owned by the District must furnish the District with a certificate of proof of workers compensation or a waiver of insurance from the State Compensation Division Office.
- C.** Any contractor working on facilities owned by the District must also furnish the District with proof of general liability insurance, to include XC and U coverage, that provides coverage for personal injury, bodily injury, and property damage, in an amount not less than \$750,000 per claim and \$1,500,000 per occurrence with at least a \$2 million aggregate limit.

Section 12 - Disputes:

- A. If an error in billing has been made, the District may recover any sums remaining due to the District for a period of six (6) months preceding the date the error is determined. Refund of an over collection will be made as soon as practical after determining an error has been made for the same maximum period.
- B. Each customer wishing to dispute the amount shown as due on the monthly statement may do so by writing to the District at: 236 Sun Prairie Road, Great Falls, MT 59404. Such writing must be submitted to the District within two (2) months of the monthly statement that is disputed.

Section 13 - Easements:

- A. If necessary, an easement for the purposes of construction, inspection, observation, measurement, sampling, repair, and maintenance of any portion of water or irrigation lines shall be provided to the District, at no cost to the District, by owners at the time the application for the water service permit is filed.
- B. Customers/property owners must not build or place structure(s), or permit existing structures to remain on or over any District owned lines; and in the event of any structure that is on or over said line, the District will have the right to remove said structure(s) at the owner's expense and the District has no obligation to repair or replace said structure(s).

Section 14 - Demarcation:

- A. Operation and maintenance of the water or irrigation service lines connected to the District's main shall be the responsibility of the owner/customer and shall include routine inspection, maintenance, and rehabilitation.
- B. The District's responsibility includes maintenance and repairs of the service saddle and necessary service pipe from the center of the main line pipe to the edge of the traveled way within roadways. The curb stop is the demarcation point between the customer and District facilities with the curb stop being the District's responsibility. The main irrigation lines are the demarcation for the irrigation system. No connection may be made to either water system without written approval from the District.
- C. The District or any duly authorized employees will have the authority to determine the location and design of any service line connected to its water distribution system or its irrigation system.
- D. All costs and expenses incurred to install and connect the building service to the public water shall be paid by the owner/customer. The owner/customer shall indemnify, hold harmless, and defend the District from any loss or damage that

may directly or indirectly be occasioned by the connection of the building service to the main.

- E. The owner shall be responsible for the installation and maintenance of all piping, plumbing, and equipment connected, or to be connected to the District's main line facilities. The District shall not be liable for any loss or damage of any nature whatsoever caused by, or arising from, the operation of the customer's piping or equipment or from any defect in the customer's piping or in the customer's equipment upon the premises of the customer and/or owner. The District does not assume the duty of inspecting the customer's line, plumbing, and equipment and shall not be responsible therefore; but the customer shall grant permission for duly authorized employees or agents of the District to make an investigation, at reasonable times, of the use of water in any premises served.

Section 15 - Delinquent Accounts:

- A. The District shall submit a monthly statement to residents for assessed charges. The District shall add a late fee penalty of \$10 for each unpaid service (drinking water and irrigation), per month if payment is not received in the District office before the 25th of the month following the service period.
- B. All bills must be paid promptly when due. Bills are due by the 25th of the month. Users shall be notified of any delinquency by the District at the time of delinquency and shall be notified that the service will be discontinued by the District ten (10) days from the date of the second month's bill, by attaching a notification to said bill or posted on customer's door. Upon failure to pay the delinquent account in full within such notification period, the District shall post a 24 hour notice of disconnection on the door of the service address prior to disconnection. If a customer is not able to pay the total amount of the bill, a suitable payment schedule may be made with the District; provided however, that no outstanding balance shall be permitted to exceed the equivalent of two (2) months of billing on the property.
- C. Before water service shall be turned back on, it shall be obligatory upon said customer to pay all of the delinquent bill, those cost of shutting off and turning back on. All delinquent amounts plus additional charges must be paid in full before service is turned back on. If any such delinquent customer desires to have service turned on during non-business hours or on weekends or holidays, he/she must pay the required outside normal working hours rate in advance.
- D. If payment is not received, or payment arrangements made by the due date in the notice, the District may discontinue service to the customer. The District may also file a tax lien in the office of the Clerk and Recorder, Cascade County, Montana, setting forth the amount of the unpaid and continuing assessments, which may be enforced by the District in accordance with applicable Montana law. See 7-13-2283 M.C.A

- E. In the event of foreclosures or other reasons for changes in ownership, unpaid delinquencies, together with interest, costs, and reasonable attorney fees, shall remain a continuing lien upon the property against which each such assessment is made. If service has been stopped, service will not be restored to said property until all delinquencies have been resolved to the satisfaction of the District.

ARTICLE III - Fees and Service Charges

Section 1- Fees:

- A. The purpose of this Article is to generate sufficient revenue to pay all costs for the operation, maintenance and debt retirement of the complete water or irrigation systems of the District.
- B. Owners of property shall be responsible for payment of water and/or irrigation services provided to that property regardless of occupancy or residency.

Section 2- Permit and Inspection Fee:

A permit and inspection fee for each water and irrigation service shall be paid to the District at the time an application for service is filed with the District office.

Section 3 - Special Assessments/Bonds:

See M.C.A. 7-13-2280 and 7-13-2281 for Special Assessments and M.C.A. 7-13- 2321 for Bonding Procedures.

ARTICLE IV - Water Specific Regulations

Section 1 Potable Water service

- A. Water service will be supplied only under and pursuant to these rules and regulations and any modifications or additions made hereafter and under such applicable rate schedule as may from time to time be set by the Board.
- B. If a customer furnishes water to others without permission from the District, it shall be considered a violation and after written notice, water service may be discontinued by the District. Service will not be reestablished until the violation has been corrected and a reconnect fee is paid.
- C. Wasting of water is prohibited and customers must keep their fixtures and service pipes in good order at their own expense. All waterways must be closed when not in use. Leaking fixtures must be repaired immediately without waiting for notice from the District.
- D. The customer shall be responsible for all damage to or loss of the District's property located upon his/her premises including damage by hot water, unless occasioned by circumstances beyond his/her control or by negligence of District. The use of water upon the premises of the customers is at the risk of the customer, and the responsibility of the District shall cease at the point of connection with the customer's service line. See Article II, Section 14 for more detail (Demarcation).

E. Other potable (drinking/culinary) water uses and restrictions are as follows:

1. Only authorized District personnel will have access to the pump house area.
2. Members are responsible for the water line(s) from the curb shut to their residence. Any repairs from the water shut-off valve to the resident's premises are the homeowner's responsibility.
3. No one is authorized to make changes, additions, or modifications to the water lines without written authorization from the District.
4. All water shut offs needed at the curb shut off must be coordinated with the District's water operator. Anyone causing damage to the water system will be responsible for all costs of the repairs. These repairs will be made immediately by the District at the member's expense.
5. Under no circumstances shall anyone dig within six (6) feet of the main line without prior authorization by a Board member (Director) or by the District's water operator.
6. **The only watering that will be permitted using drinking (culinary) water is with a single handheld garden hose no larger than 3/4 of an inch in diameter, for such things as hedges, trees, gardens, etc. or for animal care. It is a violation of the Regulations of the District to water (irrigate) in any form with drinking (culinary) water, except with a handheld hose. This will result in your drinking water access being shut off.**
7. Drinking water shall not be used for dust control on the roads.

Section 2 Irrigation

The irrigation water system is turned on in the spring as allowed by regulations and established water rights laws. Our water is supplied from the adjacent Sun River with the use of two large irrigation pumps. The water is provided to all District members except those having their own water rights; those living along the River.

Overwatering of lawns and fields result in undue hardships on the irrigation system resulting in unwanted and increased expenses to the District and thus, the District members.

Per Montana guidelines the needed water for agricultural fields is 10" per year for the growing season. Wind and hot weather determine evaporation amounts. With the 18-19 weeks of irrigation provided by the District through the irrigation lines, only 1" to 1 1/2" per week of water per acre is required.

The following are uses and restrictions for irrigation water:

- A.** Our permit from the Montana State Water Board states that water cannot be drawn from the Sun River for irrigation purposes before May 15th and must be turned off no later than October 15th of each year. In order to protect your system, the Board of Directors will use its discretion and may turn the irrigation system on after May 15th, or may turn it off before October 15th, depending on the weather conditions and other related factors which may vary from year to year. Water use is limited by the State Department of Natural Resources and Conservation (DNRC).
- B.** Only authorized personnel will have access to the irrigation pumps and area. No one other than District personnel are authorized to operate, modify, or maintain the irrigation system.
- C.** The irrigation lines run separately from the drinking water lines. There are separate main line legs with a shut off valve for each leg, which parallel the back of the members' properties. These main line legs have risers, many shared by homeowners, which they can attach to with the correct shut off and valve cap. Instructions on how to attach to the irrigation lines can be obtained from the water operator or board member.
- D.** There will be no additional tap-ins to the irrigation lines unless authorized and inspected by the Board of Directors and/or water operator, in writing. Any requests must be presented in writing to the Board of Directors at the regular board meeting prior to any hookup.
- E.** Any damage to the irrigation system above the main line leg(s) caused by the property owner, is the responsibility of the property owner(s) to incur. If damage occurs, the member must notify the water operator immediately of the damage.
- F.** All repairs must be completed by the District. Repairs will be made, and all expenses billed back to the respective property owner(s).

- G. The irrigation system is a sprinkler system. Sprinkler systems must have a restriction in each sprinkler head not to exceed 3/16”.

- H. The Board reserves the right to restrict irrigation usage when it is deemed necessary, such as low water levels. The odd/even system will affect agricultural water only. Those homes with even numbers may water their fields on even days of the month. The homes with odd house numbers may water their fields on odd days of the month, with the exception of the West side of Sun Loop Lane. On odd/even days, they will be considered even. No exceptions will be made for the number of acres owned. Lawns and gardens are not included in this restriction.

ARTICLE V - Reserve Accounts

- A. Reserve accounts may be established for the purpose of providing sufficient funds for obtaining and installing equipment, accessories and appurtenances during the useful life of the water and irrigation facilities as applicable and necessary to maintain the capacity and performance for which such facilities are designed and constructed.

- B. Reserve accounts shall be invested in interest bearing federally insured accounts and shall be funded by deposits of surplus funds as determined by the Board from time to time.

ARTICLE VI - Miscellaneous

- A. A copy of the rules and regulations of the District and any contracts and applications applicable to the District shall be maintained for full inspection by the public at its office at 236 Sun Prairie Road, Great Falls, MT 59404. District rates shall be explained to an owner upon written request.

- B. Signatories of the District for any and all official business shall be the members of the Board and the District's administrative secretary.

- C. The adoption of these rules and regulations shall not preclude the Board from altering or amending them, in whole or in part, or from requiring other or additional service, equipment, facility or standard, either upon complaint, upon its own motion.

ARTICLE VII - Validity/Severability

- A. All ordinances or parts of ordinances in conflict herewith are hereby repealed and replaced in their entirety by these rules and regulations.
- B. The invalidity of any section, clause, sentence, or provision of these rules and regulations shall not affect the validity of any other part of these rules and regulations which can be given effect without such invalid part or parts.

ARTICLE VIII - Rules and Regulations in Force

- A. These rules and regulations shall be in full force and effect from and after the date of adoption by the Board of Directors for the District. The rules and regulations contained herein shall govern the providing of water and irrigation services by the District and taking of same by the customers of water and irrigation services within the service area. These rules and regulations are subject to revision from time to time by the Board of Directors and supersede all regulations by whatever term designated which may heretofore have governed the supplying of water and irrigation services by the District.
- B. These rules and regulations apply to the jurisdictional area of the District. Where these rules and regulations are in conflict with other laws, regulations, ordinances or resolutions, the more restrictive requirements shall apply or those of a higher authority shall prevail.


These Rules and Regulations passed and adopted by the Board of Directors, Sun Prairie County Water District on: May 20 2024



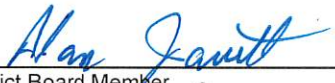
President



District Board Member



District Board Member



District Board Member



District Board Member

