

RULES & REGULATIONS
GOVERNING DISTRIBUTION OF WATER AND
MAINTENANCE OF DISTRIBUTION SYSTEM OF THE
ALTA IRRIGATION DISTRICT

(Revised 6/14/2018)

(California Water Code §10826(a)(5))

Section 22257 of the California Water Code provides, in part, that "Each District shall establish equitable rules for the distribution and use of water, which shall be printed in convenient form for distribution in the District." These rules and regulations cancel and supersede any and all previous rules and regulations adopted and/or printed by the District.

OWNERSHIP AND CONTROL OF SYSTEM

Rule 1: All diversion works, canals, ditches, conduits, pipelines, headgates, and other structures owned by the District are dedicated to public use and are under the exclusive control and management of the Board of Directors. No person other than the authorized agents and employees of the District shall have any right to interfere with any of said diversion works, canals, ditches, conduits, pipelines, headgates or other structures of the District.

RIGHTS OF WAY ARE PART OF SYSTEM

Rule 2: Rights-of-way and easements for canals, ditches, and conduits owned by the District include, in addition to the land actually occupied by the canal, ditch, or conduit, such land on both sides thereof as is reasonably necessary for the maintenance, repair, cleaning and operation of such canals, ditches, and conduits. Obstruction of or interference with this secondary easement is prohibited by Section 22438 of the California Water Code. Widths of easements vary with the size of the canal, ditch, or conduit and other factors. Questions regarding the specification and location of various easements may be addressed to the District's administration office.

ACCESS TO LANDS IN DISTRICT

Rule 3: The authorized agents or employees of the District shall have free access at all times to all lands within the District in which the District has an interest for the purpose of constructing, replacing, maintaining, operating, inspecting or examining the canals, ditches, conduits, pipelines, headgates, and other structures owned or operated by the District and the flow of water therein, and for the purpose of ascertaining the acreage of crops on lands irrigated or to be irrigated with water furnished by the District. If the District owns a right of way or easement across privately owned land for the operation and maintenance of a canal, ditch or other facility, the law provides that the District shall have certain secondary rights and easements, such as the right to enter upon the property on which the right of way or easement is located to make repairs and do such things as may be reasonably necessary for the full exercise of the easement rights.

WELL MEASUREMENTS

Rule 4: If requested, by District, landowners may allow District employees to enter upon their property and measure the depth of water in their private wells for the purpose of determining the conditions and the average depth of the groundwater within the District.

EMPLOYMENT AND DUTIES OF DITCHTENDERS

Rule 5: The General Manager of the District shall employ such Ditchtenders and other assistants as may be necessary for the proper operation of the District's distribution system and for the distribution of water furnished by the District. Ditchtenders shall have the responsibility of enforcing District rules and directives. Ditchtenders shall be responsible for, and in charge of operational areas of the District allocated to them. All Ditchtenders shall be responsible to the Superintendent. Any decision made by the Ditchtender may be appealed by a landowner to the General Manager. A landowner may appeal any decision of the General Manager to the Board of Directors.

APPORTIONMENT OF WATER SUPPLY

Rule 6: The water supply available to the District will be apportioned to each distributing section of the District by the Superintendent, and will be apportioned to the landowners within the District in accordance with the provisions of Section 22250 of the California Water Code.

SUPERVISION OF SYSTEM

Rule 7: All matters relating to the distribution of water and the maintenance of District canals, ditches, pipelines, conduits, ponds, and other District structures or facilities shall be under the general supervision of the General Manager, who shall act under the authority of, and with the approval of, the Board of Directors.

DISTRIBUTION SCHEDULES

Rule 8: In general, water shall be distributed among the landowners in accordance with equitable water use formula based upon the delivery of one cubic foot per second of water for four (4) consecutive days to irrigate each 20 acres in the District having a 100% water entitlement. The Board of Directors shall establish the water use formula for that water season and may adjust the formula during that season. Landowners using and taking delivery of District water shall be informed of the date on which the water run shall begin, the date on which delivery requests will be received and accepted by the District, and the percentage of water entitlement per parcel in the District. The District shall also inform landowners of the initial water rotation cycle and any subsequent cycles.

MEASUREMENT OF WATER

Rule 9: Water shall be measured by the Ditchtender at least once per day. All water delivered through facilities owned or controlled by District shall be measured by means of a flow meter, submerged orifice measurement device, or other means of measurement approved by District. District may deny or refuse to deliver water to a turnout or headgate that is equipped with an inadequate means of measurement, as determined by District.

- (1) "Inadequate means of measurement" is any of the following:
 - (a) New water delivery location without a District-approved means of measurement;
 - (b) Existing delivery location with respect to which District has given to landowner(s) adequate notice and/or opportunity either to install a measurement device or structure approved by District, to the satisfaction of District to meet its minimum compliance requirements.
- (2) Meter calibration and measurement device maintenance: Every eight (8) years, or sooner if District and landowner so agree; District shall facilitate calibration and maintenance, as necessary to all meters in order to meet District's standards. A consent agreement will be used to validate meter calibration, maintenance, repair and replacement by District or landowner for flow meters installed by landowner(s) on landowner owned facilities, i.e., booster pumps.
- (3) The headgates of District that divert water to and into private lateral pipelines or open ditches and the type of measurement devices used at those headgates are depicted on Attachment "A", attached hereto and incorporated herein by this reference.
- (4) To meet the initial requirement of SB x7-7, District shall install acceptable means of measurement on the headgates delivering water to and diverting water into the private lateral pipelines or ditches listed on Attachment "B", attached hereto and incorporated herein by this reference.
- (5) District shall use proceeds of its volumetric surcharge to pay the cost of calibrating and maintaining the meters and installing flow meters and submerged orifice devices that are used or are to be used to measure the flow and volume of water delivered to and diverted into private lateral canals and pipelines, as stated in Section (4).
- (6) Active submerged orifice measurement devices and flow meters shall be reviewed daily in conjunction with water measurements and inspected monthly, during Water Run, and repairs to be made as required.

- (7) District shall pay from its general fund the cost of maintenance, inspection, repair and replacement of existing and future submerged orifice devices used to measure the flow and volume of water delivered to District owned turnouts and headgates, except as stated in Section (4).

CONTINUOUS USE OF WATER

Rule 10: Water deliveries shall be made on the basis of continuous and steady use of water during a twenty-four (24)-hour period, including weekends and holidays. No additional delivery time shall be allowed to landowners who fail, neglect or refuse to use water continuously, when available, during the allotted delivery cycle. Landowners who fail, neglect or refuse to use water during the cycle when water has been scheduled shall not have any right to use said water during any other subsequent cycle. If such failure to use water, however, is due to circumstances beyond the control of the landowner, particularly if caused by the unavailability of water, the District shall endeavor to make up the lost delivery time in so far as it can be done without unreasonably interfering with the scheduled delivery of water to other landowners. However, there is an exception for low-volume irrigation deliveries where the Ditchtender may allow periodic use, especially at night. Daytime water deliveries for low-volume irrigation use lasting less than twenty-four (24) hours may be allowed for water deliveries of less than one (1) cubic foot per second (cfs) per occurrence.

REQUESTS FOR DELIVERIES

Rule 11: At least two (2) days in advance, landowners shall make requests of Ditchtenders to turn on, increase, or decrease water deliveries, or allow low-volume use for less than twenty-four (24) hours. Turning off water requires at least twenty-four (24) hours prior notice. If a landowner gives the Ditchtender a request to turn off water deliveries less than twenty-four (24) hours in advance, District will calculate the volume of water delivered to that landowner as though the delivery continued until the Ditchtenders next scheduled pass through his or hers operational area to measure deliveries.

DURATION OF DELIVERIES

Rule 12: After water service has started, District shall deliver water continuously for the duration of the scheduled delivery, or as otherwise requested by landowner, if approved by Ditchtender. The twenty-four (24)-hour notice for stopping water service may be waived in case of an emergency or when the Ditchtender and landowner agree to delivery for low-volume irrigation lasting less than twenty-four (24) hours.

TIME OF COMPLIANCE WITH REQUESTS

Rule 13: When a request for starting or stopping water service is acted upon, the Ditchtender shall start or stop the water delivery as requested when he passes the point of delivery on his regular run for that day. Requests to start or stop water service on a certain hour shall not be accepted, but the Ditchtender shall cooperate with the landowner to the extent that he can maintain efficient operation of the system.

TRANSFERS IN POINTS OF DELIVERY

Rule 14: A transfer of water from one delivery point to another delivery point may be made only with a notice of transfer signed by the transferor, the transferee and the District. Water transfers may be permitted only if they do not create an operational problem or unreasonably interfere with the regular distribution schedule, and will not exceed the safe operating capacity of any canal, ditch, pond, pipeline, conduit or other District structure or facility and will not appreciably increase the amount of spill or transportation losses to serve the transferee as determined by the General Manager or his designated representatives.

MAINTENANCE OF UNIFORM FLOWS

Rule 15: A diligent effort shall be made by the Ditchtenders to maintain a reasonably uniform flow in accordance with the distribution schedules that are under their immediate charge and supervision. Changes in water use, however, due to temperature variation, improper coordination by upstream users during water changes, local runoff from precipitation, spill water from other lateral systems, canal breaks, and other emergencies may cause unavoidable fluctuations and interruptions in flow. A landowner shall notify the Superintendent or his designated representatives if water is not available at the time his rotation period begins or if the flow is interfered with during the period. Proper allowances will be made in the schedules for such emergencies, and immediate notice shall be given to all landowners affected by any such change.

SERVICE TO PRIVATE LATERALS

Rule 16: The District shall not be liable for damages of any kind that result directly or indirectly from the operation of any private canal, pipeline, ditch or other conduit or from water flowing therein. Except where the District and landowners have agreed in writing to specific responsibilities in a consent agreement for private turnouts, the responsibility of the District shall cease and terminate when water is delivered into the private canal, pipeline, ditch or other conduit, including without limitation, a headgate, in accordance with these Rules and Regulations. Cleaning, maintaining, and replacement of private canals, pipelines, ditches and conduits are the responsibility of landowners who own or use those privately-owned facilities.

The District will not knowingly, and a Ditchtender is not authorized to, deliver water to a private canal, pipeline, ditch or other conduit that is not reasonably clean, free of leaks or obstructions, or that does not have sufficient capacity to carry the flow of water. The District will control water deliveries through the headgate of private laterals. It shall be incumbent on the landowners to control the actions of persons taking water from private canals, pipelines, ditches or conduits.

INTERFERENCE PROHIBITED

Rule 17: No person other than an authorized agent or employee of the District shall undertake to operate any of the facilities constituting any part of the distribution system of the District. Tampering with or changing the adjustment of any headgate, valve, pump or other structure or facility is strictly prohibited. Any interference with the facilities under the control of the District, except as is otherwise provided in Rule 18, is a penal offense.

LIABILITY FOR INTERFERENCE

Rule 18: Landowners who, by opening, closing, or otherwise interfering with regulating gates or devices, cause any fluctuations in the flow of water in the District's distribution system or cause any overflows, breaks or damage of any kind, shall be responsible to the District for the expense and damage caused thereby. In case of an emergency when immediate adjustment or other corrective action will prevent overflows, breaks, crop loss, or other property damage, or when instructed by an authorized District representative to make adjustments or to take corrective actions, the person making the adjustments or taking corrective actions will not be in violation of this Rule; provided that such emergency action or adjustment is reported immediately to the Ditchtender or Superintendent.

WASTE OF WATER

Rule 19: Landowners are responsible for the efficient use of water received. Those Landowners who waste water through carelessness, defective, or inadequate privately owned facilities, or because of inadequate land preparation, may be refused further water service until such conditions are remedied. Any waste, pollution, contamination, or other improper use of water shall be reported to the Superintendent.

Landowners shall be responsible for all water after it leaves any canal, ditch, conduit or other structure owned by the District. The District shall not be responsible or liable for any damage caused by negligence or careless use of water by any Landowner or by any Landowner's failure to maintain any canal, ditch, pipeline, or other facility for which he is wholly or in part responsible. It is incumbent on all Landowners to prevent hazardous conditions, mosquito nuisances, or damage to the property of others.

INSTALLATIONS PROHIBITED WITHOUT APPROVAL

Rule 20: No delivery gate, pipe, siphon or any other structure or device shall be installed or placed in any canal, ditch or conduit owned or operated by the District without express written consent of the Board of Directors or General Manager. Any installation must be installed in strict compliance with plans and specifications approved in writing by the Board of Directors or their designated representatives. Any such structure or device installed on a District canal, ditch or conduit without such express written consent may be removed by the District at the expense of the owner.

DAMAGING OF SYSTEM PROHIBITED

Rule 21: No person shall damage any gates or cut any locks or chains belonging to the District. No person shall make an opening, cut, plow or disc down or otherwise damage or weaken any District canal, ditch, conduit, or other structure or facility without express written consent of the Board of Directors or their designated representatives. Any such consent to open, cut, plow, or disc down or otherwise disturb any District canal, ditch, conduit or other structure or facility shall contain requirements for the restoration of such canal, ditch, conduit, or other structure or facility to its original condition or better. The District reserves the right to seek restoration and monetary damages as provided by law for any unauthorized damage caused to its system.

ENTRIES ON DISTRICT PROPERTY

Rule 22: Any person entering District property or District right of way does so at his own risk and assumes all risks associated with such entrance and by such action accepts responsibility for any damage to himself, the District, or private property resulting there from.

TRASH OR DEBRIS

Rule 23: No tires, trash, debris, litter, garbage, pruning's, brush, grass, dairy waste, dead animals, herbicides, pesticides or any other material that is offensive to the senses or injurious to health, or that pollutes or degrades the quality of water or which obstructs the flow of water, shall be placed, emptied, discharged, thrown, or be allowed to slide, flow, wash or be blown into any canal, ditch, conduit, pond, or other structure or facility belonging to the District. All District employees shall promptly report any violations of this rule to the Superintendent. The District reserves the right to take appropriate legal action and seek restitution in incidents of this nature.

ENCROACHMENTS

Rule 24: No trees, vines, shrubs, corals, utility poles and /installations, fences, pipelines, culverts, buildings, bridges or any other type of encroachment shall be planted or placed in, on, over, or across any District canal, ditch, conduit, drain, or the right of way therefore except by written authority of the Board of Directors or General Manager. Any approved encroachment is subject to the express condition precedent that adequate passageways for tractors and other District equipment shall be provided and that fences or other approved obstructions shall be removed whenever requested by the General Manager. Any unauthorized encroachment may be removed by the District at the expense of the encroaching party. If in the sole opinion of District, existing encroachments become damaged, structurally deficient or unsafe, such encroachment may be removed at the direction of either the Board of Directors or General Manager.

DISCHARGE INTO SYSTEM

Rule 25: No person, company, corporation, firm, or agency shall be permitted to pump, siphon, or drain storm water, waste water, surplus irrigation water, or any other water, including but not limited to well water, into any District canal, ditch, conduit, or pond without express written consent from the Board of Directors. Any such written authorization shall include the manner, method, limitations, and terms and provisions for the District's control and regulation of the approved discharge.

LIABILITY FOR DAMAGE TO SYSTEM

Rule 26: Every user of District water shall be responsible for and liable to the District for all damages of any kind caused to the distribution system by willful or careless acts. Any person, who fails to repair damages of any kind to District facilities after adequate notification by the Ditchtender, shall be responsible for and liable to the District for the expenses incurred to repair District facilities.

WATER ON PUBLIC HIGHWAYS

Rule 27: Any person draining water upon or permitting water to drain upon any neighboring property or public highway shall be liable for damages of any kind caused thereby and shall be subject to criminal prosecution.

PENALTY FOR VIOLATIONS

Rule 28: Failure or refusal to comply with the requirements of or transgression of the stated "Rules and Regulations", or any interference with the discharge of the duties of any official of the District, may result in sanctions, including but not limited to denial of water service, being imposed by the District until full compliance has been made.

CERTIFICATION

I, Chad B. Wegley, Secretary of the Board of Directors of Alta Irrigation District, hereby certify that the foregoing Rules and Regulations were adopted at its regular meeting held June 14, 2018.

Chad B. Wegley
General Manager and Secretary of the Board