

ARTICLE 3 - **Ownership and Operation of Facilities**

3.1 Responsibilities of District.

Except as otherwise provided by these Rules and Regulations, the District is responsible for the planning, construction, operation, and maintenance of the water system. The District shall not be liable or responsible for inadequate water treatment or interruption of service brought about by circumstances beyond its control.

3.2 Liability of District.

The District assumes no liability for damages by reason of the following: breakage of main lines; interruption of water service and the conditions resulting there from; breaking of any service line, pipe, corporation stop, or meter by any agents of the District; shutting off or turning on water; making of connections or extensions, damage caused by water running or escaping from open or defective faucets; burst service lines or other facilities not owned by the District; damage to water heaters, boilers, or other appliance resulting from shutting water off, or from turning it on, or from inadequate or sporadic pressures; or from doing anything to the Water System of the District deemed necessary by the Board of Directors or its agents.

3.3 Responsibility for Notification.

The District shall have no responsibility for notification to Customers of any of the foregoing conditions.

3.4 Ownership of Facilities.

All existing and future Water Mains connected with and forming an integral part of the Water System and accepted for maintenance by the District shall become and are the property of the District, unless any contract with an owner or Customer provides otherwise exclusive of Customer Service Lines. Ownership will remain with the District whether the Water Mains are constructed, financed, paid for, or otherwise acquired by the District, or by other persons. Transfer of ownership of Water Mains shall be in accordance with Article 6-System Expansions and Extensions.

The developer is responsible for correction of construction deficiencies within the two-year warranty period. Exceptions to District ownership are private mains which specifically are not accepted by the District due to non-conformance to these Rules and Regulations, the standard specifications for water line construction and other approved standards of construction. Private mains are designated when ownership cannot be transferred to the District free and clear of encumbrances or for other reasons determined solely by the District.

The District owns and is responsible for the maintenance of the Water System up to and including the meter pit. The Customer is responsible for the maintenance of the Customer Service Line serving his or her property including pipelines, valves and PRV's. This principle of ownership shall not be changed by the fact that the District may construct, finance, pay for, repair, maintain, or otherwise affect the Customer's Service Line.

3.5 Ownership of Meter.

All Meters are the property of the District. Ownership shall remain with the District whether the Meters are installed, financed, paid for, repaired, or maintained by another person or whether the Meters are located on a privately owned and maintained service line.

3.6 Ownership of Booster Pumps.

3.6.1 A booster pump installed on a Customer Service Line shall be the property of the Customer(s) served by such pump station. Maintenance of such pump is the sole responsibility of the Customer that owns the Service Line and shall not be the responsibility of the District.

3.6.2 The Customer is solely responsible to provide, at their own expense, suitable safety devices, including auxiliary power, to operate and protect the booster pump, his property and himself and others against a stoppage of water supply or loss of pressure. The District expressly disclaims any liability or responsibility for any damage resulting from a Customer's failure to provide such protection.

3.7 Existence of Easement.

An easement, whether recorded or not, and whether the Water Main is actually within a recorded easement, is deemed to exist if a Customer is receiving and accepting service from the District. The District shall have access over said easement to affect repairs, maintenance, and replacement; the easement shall be implied to be adequate to conduct such activities.

3.8 Conditions of Ownership.

The Customer's ownership of the Service Line shall not entitle the Customer to make unauthorized uses of the Water System. Changes in use of the property or increases in the volume of water used after the initial connection to the Water System shall be subject to these Rules and Regulations, including possible liability for additional Capital Investment Fees.