

CONSOLIDATED IRRIGATION DISTRICT No. 19

AMENDED BYLAWS, RULES & REGULATIONS

December 16, 2024

Section 1 Authority and Organization of the District

[A] Consolidated Irrigation District No. 19 is a quasi-municipal corporation, organized pursuant to Title 87, Laws of the State of Washington, pertaining to the organization and operation of irrigation districts. The District and its Board of Directors are given the authority and power, as set forth in said Title 87, to adopt Bylaws, Rules, and Regulations for the government and management of the District and its water supply and distribution system.

[B] The District is not privately owned or operated for profit, but is owned and operated by the landowners of the District for their mutual benefit. Consistent therewith, it is necessary and desirable that certain rules and regulations be adopted, and it is to the best interests of all landowners that these rules and regulations be observed and enforced in order to make possible the most efficient and economical water service.

[C] These Bylaws, Rules, and Regulations shall take effect forthwith upon adoption and they shall be printed thereafter in convenient form so as to be available for inspection and for distribution to those customers requesting same. A copy thereof at all times shall be on file at the District Office.

Section 2 Amendments

[A] These Bylaws, Rules, and Regulations, as herein adopted, and as hereafter amended, shall govern the management of the District and its affairs and the operation of its water supply and distribution system.

[B] The Board of Directors of the District has authority to repeal, modify, and add to these Bylaws, Rules and Regulations, at any regularly or properly called special meeting of the

State of Washington. Each Director must qualify as an elector (See Section 6 of these Bylaws) of the Director Division for which he or she files for office. There shall be Five (5) Director Divisions divided as follows:

Division 1: The area lying west of Barker Road between the Spokane River and Broadway Avenue and the area lying west of Long Road south of Broadway Avenue.

Division 2: The area lying east of Barker Road between the Spokane River and Broadway Avenue and the area lying east of Long Road south of Broadway Avenue.

Division 3: The area lying west of Lynden Road and north of Wellesley Avenue and the area lying west of Arden Road between Wellesley Avenue and the Spokane River.

Division 4: The area lying north of Wellesley Avenue between Lynden Road and Malvern Road and the area south of Wellesley Avenue and north of the Spokane River between Harvard Road and Simpson Road.

Division 5: The area north of Wellesley Avenue east of Malvern Road and the area south of Wellesley Avenue east of Simpson Road.

The Director representing a Director Division need not reside in such Director Division but shall be the owner of lands within said Director Division and shall reside closer to that Division than to any other Director Division (see RCW 87.04.010).

[B] Each candidate for election to the position of Director must be nominated by petition signed by at least 10 qualified electors of the Director Division for which the candidate is filing. The nominating petition must be filed with the District Secretary not later than five o'clock P.M. on the first Monday in November. The election shall be held on the second Tuesday of each December; provided, however, that if only one candidate is nominated for a Director position, no election shall be held for that Director Division but said candidate shall be declared elected to the Board of Directors.

F] The Assessments and Rates as thus determined by the Board shall be equalized by the District's Directors, sitting as a Board of Equalization in accordance with the provisions of RCW 87.03.255. Said equalization meeting, unless otherwise set by the Board, shall be held on the 1st Monday following the 2nd Tuesday of each December at 7:00 P.M. at the District Office. Once assessments are equalized and the charges fixed they are no longer subject to refunds or adjustments. The Spokane County Treasurer is the ex officio Treasurer for this District and all yearly assessments are billed and collected by the County Treasurer. Assessment collection, delinquency charges, and lien procedures are according to Washington State Law.

[G] The Board of Directors shall execute all necessary contracts effecting salaries, wages, and other employee benefits pursuant to the laws of the State of Washington and the laws of the United States of America.

Section 5 Voting Rights of Landowners

Voting for the election of Directors or on other matters submitted for election for the conduct of the affairs of the District shall be in accordance with the provisions of RCW 87.03.051 and 87.03.071, and any other applicable statute, as the same now exist or are hereafter amended. Under existing statutory provisions, a District elector shall be a person who is at least 18 years of age, a citizen of the United States, and a resident of the State of Washington who holds title or evidence of title to land in the District. A District elector shall be considered an elector of the Director Division in which he holds title to or evidence of title to land. An elector holding title to or evidence of title to land in more than one Director Division shall be considered an elector of the Director Division nearest his place of residence.

Section 8 District Manager

[A] The Board shall employ a District Manager who shall be in direct charge, subject to the discretion and control of the Board, of the operation of the District. The District Manager shall organize, operate, control, and obtain results assuring that the system is operating under the objectives established by the Board.

[B] The District Manager shall be employed by the Board at its organizational meeting in January of each year, or at such other time or for such other period as the Board may determine.

[C] The Manager shall supervise the investment of District funds as directed by the Board.

[D] The Manager shall present regular reports to the Board on the District's operation and maintenance activities and shall acquaint the Board with the actual field operations, either by tours or other informative methods.

[E] The Manager shall have authority over all employees of the District, including designation of their responsibilities and duties, and procurement and termination of their service.

[F] The Manager shall have authority to hire employees to fill only positions established by the Board of Directors.

[G] The Manager shall perform such other duties as may be required by law or directed by the Board.

ize of the meter installation. If the required advance payment is less than the actual cost, the customer shall pay the difference within thirty (30) days. If the payment is more than the final cost, the District shall refund the difference within thirty (30) days.

A schedule of System Capitalization Fees and Estimated Costs is on file in the District Office. The schedule and costs may be amended from time to time as the Board of Directors deems necessary.

C] The District shall make all service connections to the water main and, except under special conditions, the District will install the service from the water main to and including the meter. New housing developments will have the mainline and service line to each lot installed by an outside contractor under inspection by the District. The meter will normally be placed at the property line. The District may determine the location of the service along the frontage, with the customer providing information regarding the finished grade in order that the water meter box may be set at finished grade. Any subsequent alterations will be at the customer's expense. The customer will provide and install the service line from the water meter box and/or turnout to the point of utilization. All water services shall be metered whether for domestic, irrigation, commercial or industrial use. Estimated charges for water service installations shall be made in accordance with the latest schedule which is on file at the District office.

[D] Two residences may be provided water service through a common metered service if both residences are located on the same parcel and are owned by the same owner. The domestic charge to each residence shall be made in accordance with the District water rate schedule which is on file at the District office. If such parcel is segregated and the individual homes are owned by different individuals, separate meters will be required for each with any installation costs charged to the original owner or subsequent purchaser.

H] Meter Testing

A customer may request that his meter be tested for accuracy. A deposit must be made in advance to cover the test. If the test finds the meter to be over registering by more than 3%, the meter will be replaced, the deposit refunded, and an adjustment made retroactive on water charges for a period not to exceed one (1) year.

If the test finds the meter to be registering correctly or under registering, the deposit will be retained and the customer may be charged retroactive for the amount of un-registered water for a period of one (1) year.

Section 11 Irrigation Service

[A] The District will endeavor to supply water equally for irrigation use on the basis of the number of irrigable acres. The water furnished by the District will be delivered at sprinkler pressure. The irrigation water service size will be regulated in the following manner.

0.01 - 0.50 acres	3/4" metered service
0.50 - 2.50 acres	1" metered service
2.51 - 5.00 acres	1-1/2" metered service
5.01 - 10.00 acres	2" metered service
10.01 - 20.00 acres	3" metered service

[B] Water for irrigation service shall be delivered through a metered service. If the customer is also receiving domestic service, water for both irrigation and domestic service may be delivered through a common metered service as shown above.

All water supplied during the off-irrigation season shall be considered either as domestic, municipal, or industrial, and shall be metered and shall be charged at the applicable water rate.

[H] The annual irrigation water allotment shall be based upon the assessed acreage. 117,612 cubic-feet per acre or portion thereof will be allowed before any excess irrigation charge is made. Excess irrigation rates are on file and are subject to revision by the Board of Directors.

[I] Landowners may "combine" irrigation usage on adjoining parcels: For example: An owner irrigating adjoining owned parcels will be allowed the acreage allowance for all parcels against the total usage.

Section 12 Outside District Water Service

Certain parcels of land which are not within the Irrigation District boundaries have previously been supplied water service on an "Outside District" basis. All further requests will be at the sole discretion of the Board of Directors. Owners must first petition the District for Outside Water Service and if it is determined the land cannot be annexed for permanent water service, and the Board of Directors approves the issuance of an Outside District Water Service Contract, such outside district water service may be granted. All requirements as outlined in Resolution 82-9 must be followed. Rates for Outside District Water Service are on file in the District office and may be increased from time to time as the Board of Directors may deem necessary. Rates for Outside District Water Service are one and one half (1 ½ times) inside District rates per Resolution 2001-8.

Section 13 Assessments, Rates and Charges

Each individual parcel of assessed land in the District, concerning which is of record in the District's office, shall be subject to an annual "irrigation Assessment." The assessment shall be

Domestic water assessments will be prorated from the date of removal or reinstallation of the meter.

(C) Mobile home parks shall be assessed for domestic service in accordance with the rate schedule on file at the District's office.

(D) Commercial water services shall be charged for water service based upon meter size and monthly consumption. Multiple unit dwellings shall be charged for water service based upon the number of units and monthly consumption. No irrigation assessment shall be levied against the lands involved, nor will any irrigation allotment be given. Rates are on file and are subject to change by the Board of Directors.

(E) Delinquent excess water charges and other miscellaneous office billings are subject to late fees and service charges as outlined in Resolution 87-3, dated January 14, 1987 and superseding Resolution 2016-5, dated February 10, 2016. Delinquent water charges may also result in termination of water service. Specific procedures for water service disconnection are on file at the District's office. Late fees or service charges may be waived by the Manager under certain circumstances.

(F) Domestic excess water charges which result from a leak in the owner's service line during the October 15th to April 15th period may be reduced to actual pumping costs (60% reduction) if the leak is repaired in a timely fashion (on or before July 15th of each year). The total quantity of water recorded until the leak is repaired, will be used in computing the excess water charges. If the leak is not repaired in a timely manner, the Manager may determine that no adjustment of the excess water charges will be allowed. An adjustment may be made during the April 15th to October 15th period if the leak can be quantified and verified.

Agreement and Conveyance Agreement". All new water facilities must be constructed to District standards, which are on file at the District Office.

[D] Developers who construct water mains which will benefit lands other than their own may apply to the District for a Mainline Equalization Agreement. If approved by the District's Board of Directors, benefited lands which did not participate in the cost of the mainline(s) may be charged an allotted share of the costs of the mainline(s) as a condition of receiving water service from said mainlines(s). Those moneys collected by the District shall be returned to the developer who constructed the water mains. The conditions for obtaining such agreement and the detailed provisions which will be contained in such agreement are specified in Resolution 77-3, adopted by the District's Board of Directors, February 14, 1977. Said Resolution, by reference, is made a part of these Bylaws, Rules and Regulations.

Section 15 Temporary Interruption of Service

All water service by the District is subject to temporary interruptions required in connection with the making of the necessary repairs to the District's system or extensions or improvements thereof or other necessary purpose. If the customer's service fails, he shall endeavor to determine if his valve may have been inadvertently turned off before calling the District.

In the event that service is interrupted or not satisfactory and the cause is not determined, it shall be the obligation of the customer to notify the District of such condition. When practical, public notice shall be given and every effort made to make such interruptions as short as possible. The District shall not be liable for personal injuries, loss, or damage resulting therefrom, nor will such failure constitute breach of agreement of service. In the event the temporary interruption is the result of a frozen service line or meter, the customer will be charged for the necessary costs of meter repairs or of restoring either temporary or permanent

Water service to his premises until the violation is corrected or the conditions remedied to the satisfaction of the District's Board of Directors or Manager. Any such shut-off, and other penalties to the offending water user, shall follow the procedures outlined in Section 18 of these Bylaws, Rules and Regulations.

[E] Abuse or attempted intimidation by any person of any District employee or representative also shall be a violation of this Section 16 and of the District's Bylaws, Rules and Regulations.

Section 17 Termination of Water Service

In addition to any other remedy available to the District, water service to any parcel of land in the District may be terminated for failure of the landowner or water user to pay assessments when due or to comply in any other respect with these bylaws and any other rules adopted by the District. Water service may also be terminated if a landowner or water user is found to have committed any of the following prohibited acts:

[1] Break or deface the seal of any water meter.

[2] Circumvent the passage of water from the District's system through the water meter installed for the measurement thereof, or connect to the District's water mains without written permission.

[3] Obstruct, alter, injure, or prevent the action of any meter installed for the measurement of the volume of water supplied to said premises.

[4] Waste water by allowing leakage through defective pipes or plumbing fixtures.

[5] Waste water by excessive and improper irrigation or by careless irrigation methods.

requested. In the event of service by mail, the date of service shall be considered as the date of mailing.

[C] The notice shall advise the landowner or water user that water service to the subject property is to be terminated. The notice shall specify the reasons for the termination of water service and shall specify the anticipated date of water service disconnection. The notice shall additionally notify the landowner or water user of his/her right to request a hearing before the Board of Directors of the District prior to termination.

[D] Any person wishing to dispute or contest, for any reason, the District's decision to terminate water service, shall, upon making appropriate request, therefore, be entitled to a hearing before the Board of Directors. A request for hearing must be in writing, must include the full return mailing address of the requesting party, and must be delivered to the main office of the District no later than ten (10) days prior to the scheduled date of disconnection. Upon timely receipt of a request for hearing, water service will not be disconnected by the District until further order of the Board of Directors following hearing.

[E] Except as provided in paragraph (F) below, or as otherwise decided by the Board, hearings shall be held at the next regularly scheduled meeting of the Board of Directors following the date of the District's receipt of a request for hearing. At the hearing, the Board shall hear all evidence pertaining to the matter, including any evidence submitted by the party requesting the hearing, and shall thereupon reach a determination.

[F] Water service may be shut off immediately prior to hearing by reason of an alleged violation of any of the provisions of Section 17 of these rules, or in the case of an emergency. The landowner or water user whose water service is thus terminated shall be given a written notice thereof, in the manner set forth in sub-paragraph (B) above, setting forth the reason for the shut-off, which said notice shall be given as soon after the actual shut-off as is reasonably

[C] The landowner(s) or authorized representative(s) will be advised of the Board's decision and, if favorable, will be required to deposit an estimated amount to cover the legal and administrative costs for processing the annexation petition.

[D] The District or the landowner(s) shall prepare an annexation petition to be signed by the landowner(s) and filed with the District.

[E] The landowner(s) will submit to the District Manager an environmental check list for the annexation.

[F] If the District Manager, acting as the responsible official pursuant to S.E.P.A., determines no significant environmental impact exists, he will issue a Declaration of Non-Significance.

Copies of the Declaration, along with a Declaration of Lead Agency Status, will be sent to various agencies for their review and comments.

[G] The District Manager will submit a request to the Bureau of Reclamation for approval of the annexation.

[H] The Board of Directors may then adopt a Resolution accepting filing of the petition and setting a date for hearing before the Board of Directors. The notice of hearing of said petition shall be published in the manner and form and for the time required by law.

[I] The petition shall come on for hearing before the Board of Directors. If no objection is received, the Board may adopt a Resolution approving the petition. If there are objections made to the annexation, either in writing or in person, but the Board still favors and approves the

The District shall maintain a Cross Connection Control Program to protect its water supply. A Cross Connection is defined as:

Any physical arrangement whereby a public water supply is connected, directly or indirectly, with any non-potable or unapproved water supply system, sewer, drain, conduit, pool storage, reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, liquid, gases, sewage, or other waste of unknown or unsafe quality which may be capable of imparting contamination to the District's water supply as a result of back flow.

The District will review all new service applications. If it determines that a potential Cross Connection exists, the District will require Cross Connection protective equipment to be installed with the new service. The protective equipment will be installed at the expense of the user as a requirement for continued service from the District.

Resolution 73-7, 86-5 and 2016-6 shall be consulted for further details.

Section 21 Miscellaneous

Miscellaneous charges may be assessed for service calls made at the request of homeowners or other parties with interest in the property. The Manager shall determine whether a service charge is applicable based upon the particular circumstances.

Service calls made outside of normal work hours will be charged a two (2) hour minimum at the current overtime rate for field employees.