



Rules and Regulations

Revised October 1997
Revised December 2005
Revised July 2012
Revised February 2018
Revised April 2025



Hungry Horse County Water & Sewer District

528 Colorado Boulevard, Hungry Horse, MT 59919 | 406-387-5694

RATE SCHEDULE

Effective April 2025

Average Billing Examples

Water Usage	\$1.70 per 1,000 gallons
Sprinkler Rate	\$1.20 per 1,000 gallons

<u>Line Size</u>	<u>Minimum Monthly Charge</u>
Construction Pit/Metered Fire Hydrant	\$40.40
Residential (3/4") Meter Monthly	\$40.40
1"	\$75.63
1 1/2"	\$174.17
2"	\$314.18
3"	\$709.25
Private Fire Protection System	\$15

Other Charges

Disconnect Fee	\$20
Reconnect Fee	\$20
Late Fee	\$5
Insufficient Fund Charge	\$30
Meter Testing Deposit	\$30
Paper Document	50¢ 1st page, 25¢ each additional
Electronic Document	50¢ 1st page, 15¢ each additional

New Service Installation

Application Fee* (5/8" - 1" Meter)	\$75
Application Fee* (1 1/2" - 3" Meter)	\$125
5/8" - 3/4" Meter Size**	\$2,500
1" Meter Size**	\$4,450
1 1/2" Meter Size**	\$10,000
2" Meter Size**	\$17,775
3" Meter Size**	\$37,500
Install Supplies Fee	Actual Cost of Parts

* Application Fee is deducted from Plant Investment Fee if service is installed

** Plant Investment Fee

Reconnection of Abandoned Water Services

5/8" - 3/4" Meter Size	\$500
1" Meter Size	\$890
1 1/2" Meter Size	\$2,000
2" Meter Size	\$3,555
3" Meter Size	\$7,500

This is an Equal Opportunity Program. Discrimination is prohibited by Federal Law. Complaints of discrimination may be filed with USDA Director Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington DC 20250-0410.

ARTICLE I

GENERAL

SECTION 1. The following rules and regulations are made a part of the contract with every property owner, firm, organization, government agency or corporation who takes water, and each property owner firm, organization, government agency or corporation agrees in making application for water service, to be bound thereby, and a copy of the same shall be on file in the offices of the Hungry Horse County Water and Sewer District for inspection and review upon request.

ARTICLE II

AUTHORIZATION AND PURPOSE OF RULES AND REGULATIONS

SECTION 1. These rules and regulations are intended to define good practice, which can normally be expected.

SECTION 2. They are intended to insure adequate service and to prevent unfair charges to the customer, and to protect the Hungry Horse County Water and Sewer District from unreasonable demands.

SECTION 3. The Hungry Horse County Water and Sewer District is governed by the policies established by the Hungry Horse County Water and Sewer District Board of Directors.

SECTION 4. The adoption of these rules and regulations shall in no way preclude the Hungry Horse County Water and Sewer District Board of Directors from altering or amending them in whole or in part, or from requiring any other or additional service, equipment, facility or standard upon complaint, upon its own motion, or upon the application of the Hungry Horse County Water and Sewer District.

SECTION 5. These rules and regulations shall not relieve, in any way, the Hungry Horse County Water and Sewer District from any of its duties under the laws of the State of Montana.

SECTION 6. The authority requiring the establishment of the rules and regulations is contained in Title 7, Chapter 13, Montana Codes Annotated.

ARTICLE III

DEFINITIONS

(1) **Branch** shall mean one of a multiple number of connections to a single pit and meter.

(2) **Board/Board of Directors** shall mean the duly elected governing body of the Hungry Horse County Water and Sewer District.

(3) **Consumer** shall be person or persons directly responsible for use of the water.

(4) **Customer/Property Owner** shall mean an individual, partnership association, firm, public or private corporation or government agency, who has made application for and is receiving water service from the District.

(5) **Developer** shall mean any individual, firm, corporation or other entity who causes improvements to be made upon the land when said improvement requires water service.

(6) **Distribution Main or Main** shall mean a water pipe owned, operated, and maintained by the Hungry Horse County Water and Sewer District, which is used for the distribution of water and to which service connections are made.

(7) **District or Water District** shall mean Hungry Horse County Water and/or Sewer District, also referred to herein as HHWSD.

(8) **Emergency** shall mean a serious, unexpected or dangerous situation outside of the Districts immediate control.

(9) **Parcel** shall mean a property as defined by an individual county assessor number.

(10) **Private Fire Protection Service** shall mean an unmetered water service line extending from the distribution main to and through a structure for which the sole designated purpose of use is the extinguishment of fire. A private fire protection system is the property of the customer and the District does not maintain any portion or component of the system beyond the district meter.

(11) **Service Connection** shall mean the District-owned connection to the main which joins the customer's service pipe to the main.

(12) **Service Pipe or Service Line** shall mean all the piping from the main connection to the customers' premises.

(13) **District Standards** shall mean those standards adopted by the Board of Directors which pertain to the design, materials, and construction practices for the water industry.

(14) **User** shall mean a customer connected to the system with a pit, pit and meter, or a branch off of a pit and meter whether service is on or off. This includes year round users, seasonal users, and inactive service lines that have not been abandon.

ARTICLE IV

RECORDS AND REPORTS

SECTION 1. Preservation of Records. All records required by these rules and regulations, the Montana DEQ Water Quality Division, the EPA and the Safe Drinking Water Act shall be preserved in accordance with the appropriate State and Federal agency requirements. The records shall be kept at the offices of the Water District and shall be open at reasonable hours for examination as applicable.

SECTION 2. Filing of Rules, Regulations and Rate Schedules. No rules, regulations or schedules of rate or modifications of the same shall be effective until adopted by the Board of Directors.

ARTICLE V

CUSTOMER INFORMATION

SECTION 1. Rules and Regulations. A copy of the rules and regulations of the District contracts, applications, or agreements applicable to the District shall be maintained in the District's office for review and inspection by the public.

SECTION 2. Rates. District personnel shall explain to the customer, during application for service, or whenever the customer requests, the rates applicable to the type of service furnished to the customer. The District shall supply the customer, when requested, a copy of the current rate schedule.

ARTICLE VI

APPLICATION FOR WATER SERVICE

SECTION 1. Service Area Rule. The District shall not extend water service outside the delineated boundaries of the District. A copy of the map delineating District boundaries is on file with the Flathead County Clerk and Recorder and in the office of the water district.

SECTION 2. Free Service. The district shall not supply free water to any customer, public or private, with the exception of deeded town parks or for fire suppression and hydrant testing within District boundaries.

SECTION 3. Introduction of Service Within the District Boundaries. All entities seeking water service to premises not presently receiving water service, that are located or will be located within the District boundaries must make written application at the district office, setting forth in said application all purposes for which water service will be used on the premises. Septic certification will be required, in writing, from Flathead County Sanitarian prior to water installation. There is a covenant on file with the Clerk and Recorder of Flathead County to advise new landowners to contact the District for current rules and regulations and debts that might be associated with the property.

All applications for the introduction of new water service must be signed by the property owner or property owner's legal agent. Property owner shall be liable for all charges incurred to install new service.

SECTION 4. Introduction of Service Outside the District Boundaries. All entities seeking water service to premises not presently receiving water service and not within district boundaries must make application as provided for in Title 7, Chapter 13, Montana Codes Annotated (MCA).

SECTION 5. Change of Contracting Customer. Any change in the identity of the legal property owner at a premise served by the district will be considered new water service and will require an application for service. It is the responsibility of the new customer to check with the District office for unpaid debts to the water district. The water bill will remain with the property, regardless of ownership, and the new legal owner will be responsible for payment in full prior to receiving water service.

SECTION 6. Application for Temporary Service. Water service for building construction or other temporary purposes requires application to the District. The method of connection and charges to the customer must be agreed upon before any service is provided. The usage charge may be based on an agreeable estimate of water to be used at a rate commensurate with the current rate schedule. The District reserves the right to require metering of such temporary use, if the conditions warrant. In all cases the customer must pay for all charges, necessary to provide the temporary service, including the removal of the service when required.

SECTION 7. Application for Private Fire Protection Service. Customers requesting private fire protection systems shall make special application. The size and location of fire protection system connection will be determined by a registered engineer. The pipe line used for the system shall be separate and shall have no interconnections with service pipes or any other piping of fixtures within or outside of the structure. The customer shall pay all costs of installation, operation, and maintenance of the private fire protection line and the private fire protection system shall be subject to inspection, test and approval of the district before service is made effective, and at such time thereafter as may be deemed necessary or appropriate by the district.

The extant private fire protection service is to provide; but only at times of fire on the customer's premises, such supply of water as shall then be available. The district shall not be considered, in any way, an insurer of property or persons, or to have undertaken to extinguish fire or to protect any persons or property against loss or damage by fire or otherwise, and it shall be free and exempt from any and all claims for damages on account of any injury to property or persons by reason of fire, water, failure to supply water, or pressure, or any other cause whatsoever.

Hydrants or other fixtures connected to a private fire protection service system may be sealed by the District and such seals may be broken only in case of fire or as specially permitted by the district, and the customer shall immediately notify the district of the breaking of any such seals.

Private fire protection systems will be installed with an appropriately sized meter and meter pit. This District owned meter and meter pit will be used to maintain District system integrity and assist in identifying potential leakage in the private fire protection system. Private fire protection system charges will not be metered but will be billed as a service as prescribed in the most current rate schedule.

Whenever a fire service system is to be tested, the customer shall notify the district of such test, designating the day and hour when said test is to be made, and the district, at its option, may have a designated representative present during the test.

SECTION 8. Change in Use. The customer agrees to obtain advance approval from the district for any change, alteration or additions to the fixtures, openings and uses specified in the application.

SECTION 9. Prior Responsibility. It is the responsibility of the applicant to contact the district to determine whether there is a District owned main adjacent to the applicant's property. If no main is present or there is not sufficient supply for the intended use, it is the applicant's responsibility, if service is still desired, to extend or install a main in accordance with Article XXII.

SECTION 10. Rights and Compliance. Upon approval of any application for service, the consumer has the right to take and receive a supply of water for the particular premises for the purposes specified in the application subject to compliance by the customer with these rules and regulations.

ARTICLE VII

REFUSAL TO SERVE CUSTOMER

SECTION 1. The District may decline to serve an applicant:

- (a) until the applicant has complied with these rules and regulations, or
- (b) if, in the judgment of the District, the applicant's installation of piping, equipment or appurtenances is regarded as hazardous or of such character that satisfactory service cannot be given, or
- (c) the applicant's system could cause damage or harmful effects to the District's system or adjoining properties.

All such refusals to serve shall be made in writing to the applicant.

ARTICLE VIII

COMPLAINTS

SECTION 1. The District shall make full and prompt investigation of all complaints made by customers of the District. The District shall report the results thereof to the customer. If the complaint is not rectified to the satisfaction of the customer the District shall notify the customer of privilege of appeal to the Board of County Commissioners.

ARTICLE IX

PROVISIONS OF SERVICE

SECTION 1. Limitations on Connections. No plumber or other unauthorized personnel shall be allowed to make connection with any District System conduit pipe or other fixture or to connect pipes when they have been disconnected, or to turn water off or on at the curb stop, on any premises served by the District, without written permission from the District.

SECTION 2. Interior Plumbing and Fixtures. All plumbing connected, directly or indirectly, to the supply or service of the District shall conform to the installation requirements of the International Association of Plumbing and Mechanical officials "Uniform Plumbing Code".

SECTION 3. Cross Connections. No pipes or fixtures connected to the distribution mains of the District may be connected, directly or indirectly, to pipes or fixtures containing water from any other source.

SECTION 4. Waste of Water Prohibited. Waste of water is prohibited, and consumers must keep their fixtures and service pipes in good working order and free of leaks at their own expense, and keep all waterways closed when not in use. Leaking fixtures or service pipes must be repaired at once without waiting for notice from the District. When the District becomes aware of a leak in the service pipe or fixtures of a customer, notice will be given allowing reasonable time for repairs to be made. If the repairs are not made within the allocated time and no time extension has been granted, the water will be shut off by the District without further notice at the customer's expense. (See Article XV) Leak Adjustment Policy.

SECTION 5. Conservation. In the interest of preventing waste and promoting conservation of water, the District reserves the right to impose water restrictions if conditions dictate the need. The District will make reasonable determination based upon existing conditions. Such restrictions will be properly posted. If a customer is observed violating the posted restrictions, the District will attempt to contact and to notify the customer of the violation, either verbally or in writing. If the customer fails or refuses to comply with the posted restrictions within a reasonable time, the District shall discontinue service until compliance is met. All expenses incurred by the District to discontinue service and subsequent reconnection shall be paid by the customer.

SECTION 6. Turn On and Turn Off of Service. Users will be charged a fee to turn water on or off as set forth in the rate schedule. Users are encouraged to install a valve on the customer side of the meter pit to eliminate the need for dependence on the operator for turn on/off service. Emergency calls will be responded to as soon as possible. The operator will have up to 24 hours to respond to non-emergency calls.

SECTION 7. Resale of Water. Water furnished by the District shall not be resold or caused to be resold by any customer.

SECTION 8. Fire. In case of fire or an alarm of fire or while water is being used for the extinguishment of fire, the use of water for fountains, yard sprinkling, or any nonessential use is positively prohibited.

SECTION 9. Access to Property. The District Personnel shall, at all reasonable times, have access to meters, service connections, curb boxes, and any property owned by the District, which is located on customers' premises, for the purpose of maintenance, operation and inspection. The District also reserves the right to inspect all plumbing connected to and with the mains for violations or improper or illegal use of connections. Upon reasonable notice, the customer shall remove obstructions and contain pets so that they do not impair ingress or egress or interfere with the work of the District personnel. If the customer refuses to allow access, remove obstructions, or contain pets for such purposes, the District shall have the obstruction removed at the customer's expense. The customer shall have the right to verify the identity of the person seeking access.

SECTION 10. Identification of Employees. Employees of the District whose duties require entering the customers' premises shall carry identification which identifies the employee as a representative of the District. The customer may refuse access to the customer's premises while the customer calls the district's office or a member of the Board of Directors to verify the authenticity of the identification and that the employee is working for the District and is on official business.

SECTION 11. Back Siphonage. Garden hoses may not be used as temporary or permanent water lines to serve campers, trailers, or any other facility equipped with a holding tank. Garden hoses do not comply with State and County Uniform Plumbing Standards for use as water service lines.

SECTION 12. Damage to Equipment. The District will replace damaged District equipment in cases of accidental damage. In cases of obvious carelessness, the District will replace the damaged equipment the first time, but the user will be charged for damaged equipment on the following occurrences. In cases of vandalism, the responsible party will be billed for the damage.

ARTICLE X

SERVICE LINES AND CONNECTIONS

SECTION 1. Main Connection. The customer is responsible for the excavation from the point of intended use to the main and restoration of same to acceptable condition. Excavations in a public right of way or easement, requires a permit issued by the County Road Superintendent. For residential and commercial water services, the District shall install a service clamp and corporation cock at the main and shall tap the main for a fee in accordance with the rate schedule. On all other services the customer shall bear the full expense for labor, equipment and materials involved with the tapping of the main. No one other than the District or a representative thereof is authorized to tap the main.

SECTION 2. Service Lines. The customer, at the customer's expense, shall install all piping and appurtenances, from the meter pit to the point of usage, and shall restore all surfaces, associated with the excavation, to the condition which existed before installation.

The water meter and pit shall be located in an accessible location in the public right of way as directed by the District. All piping and appurtenances shall be installed, disinfected, and flushed in accordance with appropriate State and County Standards. (See Article XI, Section 7)

SECTION 3. Maintenance of Service Lines. The customer, at the customer's expense shall maintain all piping and appurtenances on the customer side of the meter pit. Such piping and appurtenances shall be kept in good condition, operable and free from leaks. Failure to do so may be cause for discontinuance of service. It is the customer's responsibility to repair any leaks in the service lines immediately upon discovery. (See Article XV) Leak Adjustment Policy.

SECTION 4. Size and Location of Service Lines. The size and location of all District service lines will be determined by the District.

SECTION 5. Separate Service Lines. Service lines shall be arranged so the supply of each parcel may be controlled by a separate pit and meter. See Article XI, Section 8.

ARTICLE XI

METERING

SECTION 1. Installing Meters. All water furnished by the District, except as provided for by these rules and regulations, shall be metered. The customer pays all the installation cost of meters which are the property of the District. The District will maintain all of the meters.

SECTION 2. Size of Meters. The District shall have the final decision of the size of any meter installed. Such decision shall be based on comparative usage of the facility to be served with other similar type facilities served or by the flow demand of the facility to be served.

SECTION 3. Replacement of Meters. The District may replace or remove for testing any meter at such time as the District may judge necessary.

SECTION 4. Meter Testing. The District shall have access to apparatus and equipment for testing the accuracy of all meters owned by the District. For testing meters the apparatus and equipment may be owned and operated by the District or the meters may be sent to a qualified shop or laboratory for testing.

SECTION 5. Meter Accuracy. Whenever a meter is found to exceed a limit of 8% fast or slow it will be either replaced or repaired so as to register as near factory specifications as practical. A manufacturer's certified test will be acceptable for the accuracy of all new meters.

SECTION 6. Tampering. If any portion or of the meter, meter piping, or shut-off valve show signs of tampering, notice shall be given the customer that the meter, meter piping, and/or shut-off valve have been tampered with and that such tampering is a violation of these rules and regulations. If the meter, meter piping, and/or shut-off valve are tampered with, the District may charge and bill the customer a fee up to \$100.00 for each violation, in addition to the cost of meter inspection, repair, testing, the discontinuance of service and subsequent reconnection, and any other expenses incurred by the District to remedy tampering. The water will be shut off to the customer until the fee is paid and a reasonable estimate of water actually received has been charged and payment received by the District.

SECTION 7. Metering of Multiple Unit Dwellings. In the case of apartment houses, town houses, condominiums, rooming houses, emporium shops, malls or the like, where individual metering is not practical and a single owner or association of owners is responsible for payment of water use, the District may require only one meter service all units and may send only one bill. In such cases single meter branch service shall only serve one parcel. In cases of single meter branch service, if payment is not kept current, the whole service may be disconnected. Metering under these conditions must be approved in writing by the District on the merits of each case.

SECTION 8. Multi-Branch Meters. As of April 2025 any parcel or sub-divided parcels not in compliance with this rule, must be brought into compliance within 30 days of change of ownership. A change of ownership shall occur when a parcel, or subdivided parcel sells and the title to the property is changed in the office of the Clerk and Recorder of Flathead County, Montana.

SECTION 9. Separate Services. All services must be controlled by a separate pit and meter.

ARTICLE XII

RATE ESTABLISHMENT

SECTION 1. Rates and Rate Adjustment. All rates and rate adjustments shall be adopted by the Board of Directors as provided by law. (Section 69-7-201 of MCA)

SECTION 2. Rates Charged Against Property. The water rates shall be charged against the property to which the water is furnished, and if for any reason assessed charges become delinquent, service may be shut off to the property. Service will not be restored until all such delinquencies have been paid in full. No change of ownership shall affect the application of the Rule.

SECTION 3. Partial Payments. No partial payments shall be accepted except in cases of special variances granted by the Board of Directors.

ARTICLE XIII

BILLING

SECTION 1. Billing Period. Meters for all customers shall be read at monthly or other regular intervals unless unusual circumstances require other periods of reading. The date of the month for reading any meter shall be as close as practical to the same date of the previous reading. The billing shall likewise be monthly or other regular intervals, with the date of mailing of said bill as near as practical to the day of the month the previous bill was mailed.

SECTION 2. Opening and Closing Bills. Any opening and closing bills for water service rendered for periods less than a normal billing period will be billed the prorated minimum monthly rate plus usage according to the meter reading. The departing user will request the meter be read.

SECTION 3. Billing Information. Bills shall show the meter reading at the beginning and the end of the period for which the bill is rendered, the billing date, the number of gallons supplied, and the date upon which payment shall be overdue.

SECTION 4. Multiple Unit Billing. In some cases where more than one (1) unit, dwelling, commercial enterprise, or the like, as provided for in Article XI, Section 7, Metering of Multiple Unit Dwelling, is serviced through a common meter, the District may send only one bill. Failure to make prompt payment shall subject the entire service to discontinuance as provided herein.

SECTION 5. Meter Errors or Discrepancies. If requested, a customer will be shown how to read the water meter. If the customer believes the meter reading on a bill is incorrect by comparing previous billings and current readings, the customer shall notify the District within fifteen (15) business days of receipt of the bill in question. The District shall investigate and respond within fifteen (15) business days. In case of a dispute as to the accuracy of the meter, the customer, upon depositing the amount set forth in the Rate Schedule, may demand that the meter be tested. A customer who desires to be present for said testing, shall bear any and all costs incurred to be present. If the meter is found to register correctly (within 8% of true recording) or in favor of the customer, the deposited amount shall be forfeited to the District. If the meter is found to register incorrectly (over 8% of true reading) or against the customer the District shall refund the deposit.

(a) Error in Meter. If an error in the meter has been found the District may recalculate the charges up to six (6) previous months to recover any under-charge or to refund any over-charge, if applicable.

(b) Dead Meters. If a meter is found not to register for any period, the District shall compute the water used as follows:

(i) For customers who have been served for over one (1) year, the amount billed shall be based on the same billing period in the previous year.

(ii) For customers who have been served for less than one (1) year, the amount billed shall be based on the consumption for the previous billing period. Exceptions can be made to this rule if the facts reasonably show that either method is grossly incorrect.

SECTION 6. Insufficient Funds. The customer will be charged the bank fee plus a insufficient fund fee as determined by the District and shown on the Rate Schedule. After three insufficient funds have been received in a one-year period a notice shall be sent to the customer stating that payment will only be accepted by cash or money order.

ARTICLE XIV

PAYMENT OF BILLS

SECTION 1. Service is to be disconnected when an account becomes one-month delinquent. Bills are due and payable on the 1st day of each month, and become delinquent if not paid in full by the 10th.

(a) Late fees

(i) A late fee will be added to the balance due on the 15th day of the month.

(ii) The amount of the late fee will be set forth in the rate schedule.

(iii) A late fee may be waived at the discretion of the Board.

(b) Accounts that remain unpaid on the 25th of the month will be notified with a door hanger that states the account is delinquent and service will be disconnected without further notice. On the 10th of the following month, if the account is not paid in full prior to that date, service will be disconnected. The District shall keep record of all such notices.

ARTICLE XV

LEAK ADJUSTMENT POLICY

SECTION 1. As a courtesy the District has a policy in place to ease the financial difficulties that may occur after a customer has experienced a leak on the customer side of the District water meter. In order for the District to consider a leak adjustment in the customer's water bill the customer will be required to adhere to the District's Leak Adjustment Policy.

SECTION 2. General Qualifying Guidelines

(a) To qualify for a Leak Adjustment Credit the customer's account must be current and in "good standing".

SECTION 3. Leak Discovery

(a) The customer shall contact the District General Manager, Operator or Bookkeeper within 5 business days of the discovery of a leak.

(b) Means of leak discovery.

(i) Customer notices a high usage on their monthly water bill.

(ii) Customer physically discovers a leak in their system.

(iii) Customer is notified by the District of unusual usage.

SECTION 4. Leak Repair.

(a) Within 5 business days of contacting the District with regard to leak discovery the customer shall complete and submit a "Leak Adjustment Request Form". (Form LA-1) These forms may be picked up in person by making arrangements with the General Manager or District Operator. Forms may also be downloaded from the District website at hungryhorsewater.com and can be located under the "Forms and Reports" tab.

(b) If leak repair will require more than 14 days to complete, from the time of form LA-1 submission, the customer is required to communicate leak repair progress updates to the General Manager once weekly until the leak repair is complete.

(c) The customer shall inform the General Manager of the exact date of the completion of the leak repair.

(d) Upon notification of completed repair the General Manager or Operator shall confirm repairs within 5 business days.

(e) Upon verification of leak repair the General Manager will submit the completed Form LA-1 at the next regularly scheduled Board meeting.

(f) Upon Form LA-1 submission the Board shall review and authorize a Leak Adjustment Credit.

SECTION 5. Leak Adjustment Credits

(a) Customers who have completed leak repairs according to the District's Leak Adjustment Policy will be granted a Leak Adjustment Account Credit according to the current Leak Adjustment Schedule.

(b) Leak Adjustment Schedule (04/2023)

(i) Whenever possible the adjustment will be calculated using data from prior water usage during the same months of the year previous.

(ii) Total bill amount for leak duration (-) Base Rate for leak duration = Total Gallons Billed.

(iii) Total Gallons Billed (-) Normal usage for the same period in previous year = Estimated Water Loss due to leak.

(iv) Estimated Water Loss (x) .5 = Leak Adjustment Gallons to be credited.

(v) Leak Adjustment Gallons credited x Current Usage Rate (i.e. \$1.70/1000gal) = Adjusted Billing Credit amount to be applied to customers affected account.

(c) Authorized Leak Adjustment Credits will only be issued by the District as a credit to the customer's account listed on Form LA-1.

ARTICLE XVI

SPRINKLING RATE

SECTION 1. Sprinkling Rate Period. The sprinkling rate will be in effect seasonally and will affect the bills representing June through Septembers water usage.

SECTION 2. Qualifying Accounts. The sprinkling rate is only available to residential customers and only 5/8" & 3/4" services.

SECTION 3. Rate Calculation. Each account will pay \$1.70 per thousand gallons up to the first 5000 gallon. The rate will then be \$1.20 per thousand gallons for the remaining usage that month in the sprinkling season.

ARTICLE XVII

DISCONTINUANCE OF SERVICE

SECTION 1. Temporary Shut-Off. Any customer planning to vacate any premises supplied with service by the District, or whom for any reason, wishes to have service temporarily shut off shall give at least forty-eight (48) hours advance notice to the District. Such notice shall specify the date on which shut off is desired. In the event the curb stop cannot be shut off for reasons beyond the control of the District or the customer, the District shall notify the customer of reasons for not shutting off service. When the customer requests the water service be shut off or turned on the customer shall be required to pay the charges, as set forth in the rate schedule.

SECTION 2. Discontinuance of Service. The district shall make diligent effort to induce the customer to comply with its rules and regulations including the payment of bills.

(a) Service shall only be discontinued for violations of these rules after written notice has been given to the customer by the District that the violation of rules must cease by a given date. However, where fraudulent use of water is detected, or where the District regulating or measuring equipment has been tampered with, or where a hazardous or dangerous condition is found to exist on a customer's premises, the water may be shut off without prior notice. The District shall keep record of all such notices.

(b) Service shall be discontinued for non-payment of bills as per Article XIV, Section 1.

(c) The District will not discontinue service if an emergency affecting health exists. Unless a written statement from a physician or health agency is presented to the District, it will be presumed that no such health condition exists.

SECTION 3. Charge for Reconnection. Whenever services have been terminated for violation of these rules and regulations, including non-payment of bills, dangerous conditions, or fraudulent usage, the violation must be cured to the satisfaction of the District and a turn-on charge, as set forth in the rate schedule, must be prepaid before the water will be turned on.

SECTION 4. Abandonment. If a customer requests to abandon their service, no charges shall be made for minimum monthly fees after abandonment. If the customer decides to reactivate their service, all outstanding balances must be made current, and they will be charged the fee appropriate to their line size for "Reconnection of Abandoned Water Services" as listed in the most current rate schedule.

ARTICLE XVIII

SERVICE INTERRUPTIONS

SECTION 1. Notification of Scheduled Interruptions. The District shall use all means available to notify customers to be affected by a scheduled interruption of service due to programmed work. Such notice shall be made at least twenty-four (24) hours in advance in the form of personal contact, a notification tag placed on the entrance way or digital communications. For interruptions affecting twenty-four (24) or fewer customers. For interruptions affecting a larger area than mentioned above, the District will attempt to make personal contact with or otherwise notify commercial customers and shall make notification over the electronic media, for all other affected customers, at least twice prior to interruption of service.

SECTION 2. Emergency Interruption. The District shall make diligent effort to avoid interruptions of service, and when such interruptions occur, shall re-establish service as soon as possible. When emergency repairs for broken mains, fire hydrant damage, etc. become necessary, a concerted effort shall be made by the District to repair the cause without total disruption of service, except for the period when complete shut off may be required due to the nature of the damage. Notification of affected customers may not be possible. However, every effort shall be made by the District to have an announcement sent over the electronic media if the period of total interruption of service is expected to last more than four (4) hours.

SECTION 3. Liability. The District shall not be liable to customers or others for failure or interruption of water service due to main breaks, acts of God, governmental regulations, court actions, strikes or labor disputes, accidents, weather conditions, acts of third parties, droughts, and without limitation by the foregoing, any other cause beyond the reasonable control of the District or its personnel.

SECTION 4. Adjustments of Rates for Interruptions. Interruptions of service due to any of the foregoing reasons, including issues to the customer's facility shall not render the District liable for adjustment in the customers' bills.

ARTICLE XIX

CHANGES IN CHARACTER OF SERVICE

SECTION 1. In the event the District makes changes in the system which would cause 10 psig or more increase or decrease in the system pressure, the District shall so notify the affected customers. The customer shall be responsible for the adjustment of appliances and equipment or installation of pressure reduction devices to accommodate the change in system pressure.

ARTICLE XX

FREEZING AND PREVENTION OF FREEZING

SECTION 1. Mains. If the District determines there is a danger of freezing in its main, the District may request customers, individually or within a specific area, to run sufficient water to prevent freezing. The District shall make notification over electronic media and posting at the local Post Office. Customers thus requested will not be billed for the excess used for prevention of freezing during the request period. Their billing will be based on the amount used during the same billing period the previous year or in the case of a new customer the billing will be estimated. The District shall notify the affected customers when the period of freezing threat is over and the normal billing rate will become effective the next billing period.

(a) In the event a main does freeze, the District shall be responsible for all costs in thawing the main and repairing any damage to the main.

SECTION 2. Service Lines. The customer is responsible for the prevention of freezing of the service line and appurtenances on the customer side of the meter. If freezing does occur to the customer's service line, the customer shall bear the expense of thawing, replacement, or repair of damaged piping, appurtenances and equipment, to include meters or other equipment owned by the District. It is the responsibility of the customer to prevent freezing on their side of the meter when the water has been shut off for any reason.

ARTICLE XXI

FIRE HYDRANTS

SECTION 1. Fire Hydrants. Fire Hydrants, except those of Private Fire Protection lines, are the property of the District, and the District shall maintain and repair said hydrants. Hydrant rental shall be charged in accordance with the rate schedule.

ARTICLE XXII

EXTENSIONS OF MAINS

SECTION 1. Application for Extension. Customers or Developers who have requested water in an area not presently served by a District-owned main must first make application for a main extension. The application for main extension shall take into consideration the need for possible additional water production and/or storage. The application shall be submitted to the Board of Directors and shall contain all pertinent information as required. Requests for extension by subdividers shall also conform to the subdivision rules and regulations as established by Flathead County and the State of Montana.

SECTION 2. Approval of Extensions. All applications for extension of mains shall be reviewed by the General Manager/Operator and submitted with recommendations to the Board of Directors, for their final disposition. Approval of any extensions of the District mains shall be discretionary and based on the merits of each case.

SECTION 3. Construction. Prior to the start of any construction on main extensions an engineering report and detailed plans and specifications for the extension shall be submitted to the Montana DEQ for review and approval pursuant to Section 75-6-112 MCA, and the rules of the Department. All construction and materials shall conform to all applicable regulatory standards.

SECTION 4. Inspection by the District and Engineer Certification. The District shall require necessary inspections to insure compliance with plans, specification, and regulatory standards. The cost of such inspections shall be borne by the customers or developer based on the estimated cost of the extension. The inspection fee shall be agreed to in writing prior to final approval of the extension application. In addition to any inspection by the District the project engineer shall be required, to submit, to the District, a Certificate of Compliance with the plans and specifications along with a full and suitable set of "as built" plans specifications.

SECTION 5. Liability. The customers or developer shall be liable for any and all claims for damage caused during construction and for proper operation of all piping, valves, valve boxes, fire hydrants, manholes, or other appurtenances for a period of one (1) year from date of receipt of the Certificate of Compliance as provided for above, or from the date of introduction of the first service, whichever is later. If the main extension is a portion of a total improvement plan, the District may require the one (1) year guarantee or liability period to commence after all improvements have been installed and the project is determined to be complete.

SECTION 6. Compliance with Facility Plan. All main extensions shall conform to the current County growth policy and/or neighborhood plans, as adopted or amended by the County Commissioners.

SECTION 7. Dead Ends. Dead ends in the distribution system shall be avoided so far as possible. If such dead ends are unavoidable even on a temporary basis, the developer may be required to provide facilities for flushing, at the discretion of the District.

SECTION 8. Cost of Extension. All costs of the main extension, including necessary additional water production or storage, shall be borne by the customer or developer.

SECTION 9. Late Comers Agreement. A customer or developer who has borne the cost of a main extension may implement a prorated Late Comers Agreement to recuperate the cost incurred during the installation of their main extension. As the main extension is owned and maintained by the District, the Late Comers Agreement may not recuperate more than the actual cost to the customer or developer for the main extension.

SECTION 10. Length of Extension. Property owner or developer is only required to extend the main to ninety degrees from the prospective service.

(a) If the Water District has previously paid to have an undeveloped street engineered for main extension, the customer or developer must pay the prorated engineering cost per foot for the entire distance they are extending from the existing main to the point ninety degrees from the prospective service.

ARTICLE XXIII

CROSS CONNECTIONS AND PRIVATE WELLS

SECTION 1. Water Lines Separate from Private Wells and Pumps. No cross-connections between individual wells and pumps and the District water system shall be permitted. All service lines from the District water supply must be separate and apart from that of any private service line, private well and/or pump.

SECTION 2. Wells and Pumps for Outside Water Only. Subject to the following exception, existing private wells and pumps may be retained for use only in watering lawns, gardens or miscellaneous uses. Existing wells currently being used within residences or places of business may remain in use but shall not be connected to the District's water supply. New private wells will not be used inside residences, business places, public institutions, or for any commercial use.

ARTICLE XXIV

EFFECTIVE DATE OF ORDINANCE

SECTION 1. This ordinance shall be in full force and effect from and after April, 2025. The rules and regulations contained herein shall govern the supplying by the District and taking by the customers of water and/or sewer service 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 and taking of water and/or sewer service.

SECTION 2. The invalidity of any section, clause, sentence or provision of the ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

SECTION 3. Passed and adopted by the Board of Directors of Hungry Horse County Water and Sewer District April, 2025.

Douglas T. Wagner, President (1)

Tom Blakney, Vice President (2)

Jamie Foster, Director (3)

Brent Schmidt, Director (4)

Dan Stahlberg, Director (5)