

BY-LAWS
OF
NORTHSIDE WATER USERS ASSOCIATION, INC.

ARTICLE I

General Purposes

The purposes for which the Association is formed and the powers which it may exercise are set forth in the Articles of Incorporation of the Association.

ARTICLE II

Name and Location

Section 1. The name of this Association is the Northside Water Users Association, Inc.

Section 2. The principal office of this association shall be located in the City of Sandpoint, Idaho, County of Bonner, but the association may maintain offices and places of business at such other places in Bonner County as the Board of Directors may determine.

ARTICLE III

Seal

Section 1. The Seal of the association shall have inscribed thereon the name of the association, the year of its organization and the words, "Non-Stock Corporation, Idaho."

Section 2. The secretary of the association shall have custody of the seal.

Section 3. The seal may be used by causing it or a facsimile thereof to be impressed or affixed or reproduced or otherwise.

ARTICLE IV

Fiscal Year

The fiscal year of the association shall begin the first day of January in each year.

ARTICLE V

Membership

Section 1. The holders of membership certificates of this association are its members. Any bona fide occupant of a farmstead or homesteads having reasonable accessibility to the source of and who is in need of having water supplied for domestic, livestock and garden purposes from the water system operated by the association and who receives the approval of the board of directors may be admitted to membership upon subscribing for or otherwise acquiring a membership certificate, provided that, no person otherwise eligible shall be permitted to subscribe for or acquire a membership certificate of the association if the capacity of the association's water system is exhausted by the needs of its existing members.

Section 2. If a member ceases to be eligible to hold membership as provided in Section 1, or willfully fails to comply with these by-laws and other requirements, or willfully obstructs the purposes and proper activities of the association, the association, through the board of directors, may elect to purchase his membership certificates and terminate his membership upon tender to him or his heirs or legal representatives of the fair book value of his membership certificates as determined by the board of directors, together with any dividends due and unpaid less any indebtedness then due from him to the association. Any member whose membership is so terminated by cause other than that of ceasing to be eligible may appeal from the action of the board of directors to a vote of the members at the next regular meeting of the members or special meeting of the members called for such purposes.

Section 3. Each member shall be entitled to one vote on each matter submitted to a vote of the members.

Section 4. Membership in this corporation is transferable and assignable upon a majority vote of the board of directors, provided a member in good standing who sells his whole farm or business, or dies, such membership may be sold or assigned to the new purchaser. The board of directors shall not arbitrarily deny membership if the purchaser is fully qualified for membership. Any member who purchases the farm, business or membership certificate of another member must maintain the obligations of membership.

ARTICLE VI

Membership Certificates

Section 1. This association shall not have capital stock but its capital stock shall be represented by membership certificates.

Section 2. The membership certificates shall be issued to each holder of fully paid membership and shall be numbered consecutively, in accordance with the order issue. Each membership certificate shall bear on its face the following statements:

- a. This membership certificate No. _____ is issued and accepted in accordance with and subject to the conditions and restrictions stipulated in the Articles of Incorporation and By-Laws and amendments to the same of the Northside Water Users Association, Inc.
- b. Transfer of membership certificates shall be made only upon the books of the association, only to persons eligible to become members, only with the approval of the Board of Directors and only when the member transferring is free from indebtedness to the association.
- c. No member of this association shall be entitled to more than one vote at meetings of the members.

Section 3. All transfers of membership certificates shall be made upon the books of the association upon the surrender of the certificates covering the same by the holders thereof or by their legal representatives but only with the approval of the Board of Directors and only to persons eligible to become members and only when the transferring member is free from indebtedness to the association.

ARTICLE VII

Meetings of Members

Section 1. The annual meeting of the members of this association shall be held in the County of Bonner, State of Idaho at a place designated by the notice of meeting, at 7:30 o'clock P.M. on the second Wednesday in April of each year, if not a legal holiday, or, if a legal holiday, on the next business day following.

Section 2. Special meetings of the members of the association may be called at any time by the president or upon resolution of the Board of Directors, or upon written petition to the president of the board, signed by ten per cent (10%) of the members of the association. The purpose of every special meeting shall be stated in the notice thereof, and no business shall be transacted thereat except such as is specified in the notice.

Section 3. Notice of meetings of members of the association may be given by a notice mailed to each member of record, directed to the address shown upon the books of the association, at least 10 days and not more than 30 days prior to the meeting. Such a notice shall state the nature, time, place, and purpose of the meeting.

Section 4. The members holding twenty-five (25) percent of the voting rights of all outstanding membership shall constitute a quorum. If a quorum is not present at any meeting of members, a majority of the members present may adjourn the meeting from time to time without further notice.

Section 5. At any meeting of members, a member entitled to vote may vote by proxy executed in writing by a member or his duly authorized attorney in fact. No proxy shall be

valid after eleven (11) months from the date of its execution, unless otherwise provided in the proxy.

Section 6. Directors of this association shall be elected at the annual meeting of the members.

Section 7. The order of business at the regular meetings and so far as possible at all other meetings shall be:

1. Calling to order and proof of quorum.
2. Proof of notice of meeting.
3. Reading and action on any unapproved minutes.
4. Reports of officers and committees.
5. Election of Directors.
6. Unfinished business.
7. New business.
8. Adjournment.

ARTICLE VIII

Directors and Officers

Section 1. The Board of Directors of this association shall consist of five (5) or more members, all of whom shall be members of the association. The Directors named in the Articles of Incorporation shall serve until the first annual meeting of the members and until their successors are elected and have qualified. At the first annual meeting of the members, two (2) directors shall be elected for a term of one year; two (2) directors for a term of two years; and one (1) or more directors for a term of three (3) years. At each annual meeting thereafter, the members shall elect for a term of three (3) years the number of directors whose terms of office have expired.

Section 2. The Board of Directors shall meet within ten (10) days after the first election and within ten (10) days after the annual election of directors and shall elect by ballot a president and vice-president from among themselves and a secretary-treasurer, each of whom shall hold office until the next annual meeting and until the election and qualification of his successor unless sooner removed by death, resignation or for cause.

Section 3. Any vacancy in the Board of Directors, other than from the expiration of a term of office, shall be filled by election by the remaining members of the board until the next regular or

special meeting of the members of the association, at which meeting a director shall be elected for the unexpired term. The disqualification of a director as a member of the association shall operate to disqualify him as a director and to create a vacancy in the office of director.

Section 4. A majority of the Board of Directors shall constitute a quorum at any meeting of the Board.

Section 5. Compensation of officers and directors may be fixed at any regular or special meeting of the members of the association. Directors shall receive no salary for their service as such.

Section 6. Any director of the association may be removed from office for cause, by vote of not less than two-thirds of the members of the association present at any annual or at any special meeting called for the purpose, at which a majority of the members shall be present. The director shall be informed in writing of the charges preferred against him at least ten (10) days before such meeting, and at the meeting shall have an opportunity to present witnesses and be heard in person in answer thereto. Officers may be removed for cause by vote of two-thirds of the members of the board and employees or agents discharged or removed from office or employment at any time by action of the Board of Directors.

ARTICLE IX

Duties of Directors

Section 1 The Board of Directors, subject to restrictions of law, the Articles of Incorporation, or these By-Laws, shall exercise all the powers of the association, and, without prejudice to, or limitation upon their general powers, it is hereby expressly provided that the Board of Directors shall have, and are hereby given, full power and authority (to be exercised by resolution adopted by a majority vote of all the members) in respect to the matters and as hereinafter set forth:

- a. To pass upon the qualifications of members, and to cause to be issued appropriate certificates of membership.
- b. To select and appoint all officers, agents or employees of the association, or remove such officers, agents or employees and designate such powers as may be consistent with these By-Laws, fix their compensation and pay for faithful service.
- c. To borrow from any source, money, goods, or services, and to make and issue notes, and other negotiable and transferable instruments, mortgages, deeds of trust and trust agreements, and to do every act and thing necessary to effectuate the same.
- d. To prescribe, adopt, and amend, from time to time, such equitable uniform rules and regulations as, in their discretion, may be deemed essential or convenient for the conduct of the business and affairs of the association and the guidance and control of its officers and employees, and to prescribe adequate penalties for the breach thereof.

- e. To order, at least once each year, an audit of the books and accounts of the association by a competent public auditor or accountant. The report prepared by such auditor or accountant shall be submitted to the members of the association at their annual meeting.
- f. To fix the charges to be paid by each member for services rendered by the association to him, the time of payment, and the manner of collection.
- g. To require all officers, agents and employees charged with the responsibility for the custody of any of the funds of the association to give adequate bonds, the cost thereof to be paid by the association, and it shall be mandatory upon the directors to so require.
- h. To select one or more banks to act as depositories of the funds of the association and to determine the manner of receiving, depositing, and disbursing the funds of the association and the form of checks and the person or persons by whom the same shall be signed, with the power to change such banks and the person or persons signing such checks and the form thereof at will.
- i. To levy assessments against the membership certificates of the association and to enforce the collection of such assessments by the sale of delinquent certificates, provided that such assessments shall be made and delinquent certificates shall be sold in such manner as may be specified in Section 30-157 of the Idaho Code or amendments thereof.
- j. To sell or rent water to persons or groups of persons who are not members of the association, but who are accessible to service from the association's system and who need water for domestic, livestock and garden purposes; provided that such sale or rental of water shall only be made at such times and during periods when there is water in the association's system in excess of all the needs of the members of the association and their requests for water; and, provided, further, that the sale or rental of water to such persons shall be made under contract in form approved by the Board of Directors, which shall clearly provide the limitations of such sale or rental, at rates which in no event shall be less than the total rates, charges and assessments, paid by members of this association.

ARTICLE X

Duties of Officers

Section 1. OFFICERS. The officers of the corporation shall be a president, one vice-president, a secretary-treasurer, and such other officers as may be elected or appointed in accordance with the provisions of this article.

Section 2. REMOVAL. Any officer elected or appointed by the Board of Directors may be removed by the Board of Directors whenever in its judgement the best

interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract right, if any, of the officer so removed.

Section 3. VACANCIES. A vacancy in any office because of death, resignation, removal, disqualification or otherwise may be filled by the Board of Directors for the unexpired portion of the term.

Section 4. PRESIDENT. The president shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He shall preside at all meetings of the members and of the Board of Directors. He may sign, with the secretary or any other proper officer of the corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts and other instruments which the Board of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated to some other officer or agent of the corporation; and in general he shall perform all duties incident to the office of president and such other duties as may be prescribed by the Board of Directors from time to time.

Section 5. VICE-PRESIDENT. In the absence of the president or in the event of his inability or refusal to act, the vice-president shall perform all the duties of the president, and when so acting shall have all the powers of and be subject to all the restrictions upon the president. The vice-president shall perform such other duties as from time to time may be assigned to him by the president or by the Board of Directors.

Section 6. SECRETARY-TREASURER. The secretary-treasurer shall keep a complete record of all meetings of the association and of the Board of Directors and shall have general charge and supervision of the books and records of the association. He shall

sign all membership certificates with the president and such other papers pertaining to the association as he may be authorized or directed to do so by the Board of Directors. He shall serve all notices required by law and by these By-Laws and shall make a full report of all matters and business pertaining to the office to the members at the annual meeting. He shall keep the corporate seal and membership certificate record of the association, complete and countersign all certificates issued, and affix said corporate seal to all papers requiring seal. He shall keep a proper membership certificate record, showing the name of each member of the association, date of issuance, surrender, cancellation or forfeiture. He shall

make all reports required by law and shall perform such other duties as may be required of him by the association or the Board of Directors. Upon the election of his successor, the secretary-treasurer shall turn over to him all books and other property belonging to the association that he may have in his possession. He shall also perform such duties with respect to the finances of the association as may be prescribed by the Board of Directors. He shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for moneys due and payable to the corporation from any source whatsoever; and deposit all such moneys in the name of the corporation in such banks, trust companies or other depositories as shall be selected in accordance with the provisions of these By-Laws.

ARTICLE XI

Benefits and Duties of Members

Section 1 The association will install, maintain and operate a main distribution pipe line or lines from the source of the water supply and service lines from the main distribution pipe line or lines to the property line of each member of the association, at which points, designated as delivery points, meters to be purchased, installed, owned and maintained by the association shall be placed. The cost of the service line or lines from the main distribution pipe line or lines of the association to the property line of each member shall be paid by the association. The association will also purchase and install a cut-off valve in each service line from its main distribution line or lines, such cut-off valve to be owned and maintained by the association and to be installed on some portion of the service line owned by the association. The association shall have the sole and exclusive right to use such cut-off valve and to turn it on and off.

Section 2. Each member shall be entitled to only one service line from the association's water system. No new service line or change in an existing service line may be made which will interfere with an existing service line or the delivery of water therein. Each service line shall connect with the association's water system at the nearest available place of desired use by the member if the association's water system shall be of sufficient capacity to permit the delivery of water through a service line at that place without interfering with the delivery of water through a prior service line. If the association's water system shall be inadequate to permit the delivery of water through a service line installed at such place without interfering with the delivery of water through a prior service line, then such service line shall be installed at such place as may be designated by the association. Each member will be required to dig or have dug a ditch for the connection of the service line or lines from the property line of the member to his dwelling or other portion of his premises and will also be required to purchase and install the portion of the service line or lines from his property line to the place of use on his premises and to maintain such portion of such service line or

lines which shall be owned by the member, at his own expense, provided that the association may, if the Board of Directors so determines, purchase the pipe for an install such portion of such service line or lines, the cost of which will, however, be paid by the individual members.

Section 3. Each member shall be entitled to purchase from the association, pursuant to such agreement as may from time to time be provided and required by the association, such water for domestic, livestock and garden purposes as a member may desire, subject, however, to the provisions of these By-Laws and to such rules and regulations as may be prescribed by the Board of Directors. Each member shall be entitled to have delivered to him through a single service line only such water as may be necessary to supply the needs of the person residing on the farmstead as a family unit and of the livestock owned by such persons and to irrigate a garden of not to exceed one-half acre. The water delivered through each service line shall be metered and the charges for such water shall be determined separately, irrespective of the number of service lines owned by a member.

Section 4. In the event the total water supply shall be insufficient to meet all of the needs of the members or in the event there is a shortage of water, the association may prorate the water available among the various members on such basis as is deemed equitable to the Board of Directors, and may also prescribe a schedule of hours, covering use of water for garden purposes by particular members and require adherence thereto, or prohibit the use of water for garden purposes: provided that if at any time the total water supply shall be insufficient to meet all of the needs of all of the members for domestic, livestock and garden purposes the association must first satisfy all of the needs of all of

the members for domestic purposes before supplying any water for livestock purposes and must satisfy all the needs of all the members for both domestic and livestock purposes before supplying any water for garden purposes.

Section 5. The Board of Directors shall, prior to the beginning of each calendar year, determine the flat minimum monthly rate to be charged each member during the following calendar year for a specified quantity of water, such flat minimum monthly rate to be payable irrespective of whether any water is used by a member during any month, and the amount of additional charges, if any, for additional water which may be supplied the member, shall fix the date for the payment of such charges, and shall notify each member of the amount of such charges and the dates for the payment thereof. A member to be entitled to the delivery of water shall pay such charges at the office of the association at or

prior to the dates fixed by the Board of Directors. The failure to pay water charges duly imposed may result in the imposition of the following penalties:

- a. Non-payment for thirty (30) days after due, the water shall be cut off from the delinquent member's property.
- b. Non-payment for sixty (60) days, membership in this association shall be terminated and the membership certificate purchased as provided for in Article V, Section 2 of these By-Laws.

ARTICLE XII

Distribution of Surplus Funds

Section 1. It is not anticipated that there will be any net income. If there should be any, then at the end of the fiscal year, after paying the expenses of the association for operation and otherwise and after setting aside reserves for depreciation on all buildings, equipment and office fixtures and such other reserves as the Board of Directors may deem proper and after providing for payments on interest and principal of obligations and amortized debts of the association, and after providing for the purchases of proper supplies and equipment, the net earnings shall be accumulated in a surplus fund for the purpose of replacing, enlarging, extending and repairing the system and property of the association and for such other purpose as the Board of Directors may determine to be for the best interest of the association. The said surplus fund or any portion thereof may from time to time at the discretion of the Board of Directors be distributed to the members as provided in the By-Laws, on the basis of the assessments and charges made and levied against and paid by such member during the year.

Section 2. Any part or the whole of such apportionment may be credited at the discretion of the Board of Directors, to the indebtedness of the members, should any exist, and in such case the members shall be notified in writing of the amount so applied.

ARTICLE XIII

Amendments

Section 1. These By-Laws may be repealed or amended by a vote of two-thirds of the members present at any regular meeting of the association, or at any special meeting of the association called for that purposes, except that the members shall not have the power to change the purpose of the association so as to decrease its rights and powers under the laws of the state, or to waive any requirement of bond or other provisions for the safety and security of the property and funds of the association or its members, or to deprive any member of rights and privileges then existing, or so to amend the By-Laws as to effect a fundamental change in the policies of the association. Notice of any amendment to be made at a special meeting of the members must be given at least ten (10) days and not more than thirty (30) days before such meeting and must set forth the amendments to be considered.

Amendment 2023.001 Seal, The Northside Water Users Association, Inc. will not use or require the use of a Seal to represent ownership. Ownership will be determined and represented by records of transactions and documented through billing records kept by the secretary/treasurer.

Amendment 2023.002 Certificates, The Northside Water Users Association, Inc. will not deliver to and will not require its members to hold or maintain certificates as proof of ownership, but instead will use financial and or billing records held by the secretary/treasurer as proof of ownership.

Amendment 2023.003 Cross Connection Control Policy: Northside Water User's Association, inc. has amended their By-Laws to include: the Cross Connection Control Ordinance policy # 2023.003

System Name PWS#1090090 RE

Cross Connection Control Policy

SECTION 1. CROSS-CONNECTION CONTROL – GENERAL POLICY

1.1. Purpose. The purpose of this Policy (the term “Policy”, herein used, shall mean the “the Northside Water User’s Association, Inc. Subdivision Cross Connection Control Policy”) is:

1.1.1. To protect the public potable water supply of the Northside Water User’s Association, Inc. from the possibility of contamination or pollution by isolating at the source such contaminants or pollutants which could backflow into the public water system; and,

1.1.2. To promote the elimination or control of existing cross connections, actual or potential, and,

1.1.3. To provide for the maintenance of a continuing program of cross connection control, which will systematically and effectively prevent the contamination or pollution of all potable water systems.

1.2. Responsibility. Northside Water User’s Association, Inc. shall be responsible for the protection of its public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants. Northside Water User’s Association, Inc. customers are responsible for aiding in Northside Water User’s Association, Inc.’s Cross Connection Control Policy by maintaining proper protective measures within their individual home plumbing systems. Northside Water User’s Association, Inc. has the responsibility to require water customers to install and continually operate and maintain approved backflow-prevention devices or assemblies wherever deemed appropriate in order to be in compliance with IDAPA 58.01.08.552.06 and UPC 603.

SECTION 2. DEFINITIONS

2.1. Approved. 1) The term "approved" as herein used in reference to a water supply shall mean a public water supply that has been approved by the Idaho Department of Environmental Quality. 2) The term "approved" as herein used in reference to an air gap, a double check valve assembly, a reduced pressure principle backflow prevention assembly or other backflow prevention assemblies or methods shall mean approved per Uniform Plumbing Code 603.

2.2. Auxiliary Water Supply. Any water supply on or available to the premises other than System Name's approved public water supply. These auxiliary waters may include water from a purveyor other than Northside Water User's Association, Inc. , private well sources, or any natural source(s) such as a spring, river, stream, used waters, or industrial fluids. These waters may be contaminated or polluted, or they may be objectionable and constitute an unacceptable water source over which System Name does not have sanitary control.

2.3. Backflow. The undesirable reversal of flow of water or mixtures of water and other liquids, gases, or other substances into the distribution pipes of the potable supply of water from any source or sources.

2.4. Backpressure. Any elevation of pressure in the downstream piping system above the supply pressure at the point of consideration, which would cause reversal of the normal direction of flow. This could be caused by pumps, elevation, steam pressure, air pressure, etc.

2.5. Backsiphonage. Backflow caused by negative or reduced pressure in the supply piping.

2.6. Backflow Prevention Assembly. A mechanical device designed to prevent backflow that can be tested in line. Each assembly should contain two resilient seated shut off valves, test cocks for testing purposes, and a backflow prevention unit. Types of assembly will be determined by degree of hazard and backflow condition.

2.7. Contamination. An impairment of a potable water supply by the introduction or admission of any foreign substance that degrades the quality and creates a health hazard.

2.8. Cross Connection. A connection or potential connection between any part of a potable water system and any other environment containing other substances in a manner that has the potential to allow such substances to enter the potable water system. Other substances may be gases, liquids or solids, such as chemicals, waste products, steam, water from other sources (potable or nonpotable), or any matter that may change the color or add odor to the water.

2.9. Cross Connections Controlled. A connection between a potable water system and a non potable water system with an approved backflow prevention assembly properly installed and maintained so that it will continuously afford the protection commensurate with the degree of hazard.

2.10. Cross Connection Control by Containment. The installation of an approved backflow-prevention assembly at the water service connection to any customer's premises, where it is physically and economically unfeasible to find and permanently eliminate or control all actual or potential cross-connections within the customer's water system; or it shall mean the installation of an approved backflow-prevention assembly on the service line leading to and supplying a portion of a customer's water system where there are actual or potential cross-connections that cannot be effectively eliminated or controlled at the point of the cross-connection.

2.11. Cross Connection Control by Internal Protection. Fixture isolation and/or isolation of an area or zone. Protection at the fixture means installing an approved backflow preventer at the source of the potential hazard within a specific area.

2.12. Hazard, Degree of. The term is derived from an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system.

2.12.1. Hazard: Health. A cross connection or potential cross connection involving any substance that could, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects.

2.12.2. Hazard: Plumbing. A plumbing- type cross connection in a consumer's potable water system that has not been properly protected by an approved air gap or an approved backflow-prevention assembly.

2.12.3. Hazard: Pollution. A cross-connection or potential cross-connection involving any substance that generally would not be a health hazard but would constitute a nuisance or be aesthetically objectionable, if introduced into the potable water supply.

2.12.4. Hazard: System. An actual or potential threat of severe danger to the physical properties of the public water system or the consumer's potable water system or of a pollution or contamination that would have a protracted effect on the quality of the potable water in the system.

2.13. Industrial-Fluids System. Any system containing a fluid or solution that may be chemically, biologically or otherwise contaminated or polluted in a form or concentration that would constitute a health, system, pollution or plumbing hazard if introduced into an approved water supply. This may include, but is not be limited to, polluted or contaminated waters; all types of process waters and used waters originating from the public potable water system that may have deteriorated in sanitary quality; chemicals in fluid form; plating acids and alkalies; circulating cooling waters connected to an open cooling tower; and/or cooling waters that are chemically or biologically treated or stabilized with toxic substances; contaminated natural waters such as from wells, springs, streams, rivers, bays, harbors, seas, irrigation canals or systems, and so forth; oils, gases,

glycerin, paraffins, caustic and acid solutions and other liquid and gaseous fluids used in industrial or other purposes for firefighting purposes.

2.14. Pollution. The presence of any foreign substance in water that tends to degrade its quality but does not necessary pose a risk to human health if consumed.

2.15. Water, Potable. Water that is deemed safe for human consumption, as determined by the standards set forth by the Department of Environmental Quality and defined in the Idaho Rules For Public Drinking Water Systems, IDAPA 58.01.08 .

2.16. Water, Non potable. Water that is not safe for human consumption or that is of questionable quality.

2.17. Water, Used. Any water supplied by the System Name water system to a consumer's water system after it has passed through the point of delivery and is no longer under the sanitary control of Northside Water User's Association, Inc..

SECTION 3. REQUIREMENTS

3.1. Water System

3.1.1. Northside Water User's Association, Inc.'s drinking water system consists of the source facilities and the distribution system and shall include all those facilities of the water system under the complete control of the Northside Water User's Association, Inc..

3.1.2. The source shall include all components of the facilities utilized in the production, treatment, storage and delivery of water to the distribution system.

3.1.3. The distribution system shall include the network of conduits used for the delivery of water from the source to the water system customers/users. The distribution system terminates at the [meter box, curb line, property line].

3.2. Policy

3.2.1. Conditions for Service - No water service connection shall be installed or maintained by System Name unless the following conditions have been met:

3.2.1.1. Any occupant or tenant has been made aware of System Name's Cross Connection Control Policy and understands his or her responsibility to not create or maintain any unprotected cross-connections, and;

3.2.1.2. Northside Water User's Association, Inc. has completed a cross-connection control survey of the facility, and;

3.2.1.3. The water supply is protected as required by this Policy and IDAPA 58.01.08.552.06 and UPC 603.

3.2.2. Right of Inspection – It is the duty of the Northside Water User's Association, Inc. 's water system to inspect all properties served by the Northside Water User's Association, Inc. 's water system for the purpose of determining whether unprotected cross connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known or inspection is not permitted by the property owner, the Northside Water User's Association, Inc. shall

immediately eliminate the cross-connection by providing for a physical break in the service line or correcting the condition(s) in conformance with this Policy, local and state regulations relating to plumbing and water supplies and the regulations adopted pursuant thereto.

3.2.3. Premises or Facilities Requiring Protection - An approved backflow prevention device or assembly shall be installed according to local plumbing regulations and prior to any branch line wherever the following conditions exist:

3.2.3.1. In the case of an auxiliary water supply which is not or may not be of safe bacteriological or chemical quality and which is not acceptable as an additional water source by the Idaho Department of Environmental Quality, the Northside Water User's Association, Inc. shall be protected against backflow by installing in the service line an approved backflow prevention assembly commensurate with the degree of hazard, and in conformance with the Idaho State Plumbing Code (ISPC).

3.2.3.2. In the case of any industrial fluids or any other objectionable substance that is handled in such a fashion as to create an actual or potential hazard to the potable water system, the potable water system shall be protected against backflow by installing an approved backflow prevention assembly in the service line, commensurate with the degree of hazard. This shall include the handling of process waters and waters originating from the Northside Water User's Association, Inc.'s water system which have been subject to deterioration in quality.

3.2.3.3. In the case of (1) internal cross connections that cannot be permanently corrected or protected against, or (2) intricate plumbing, and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not dangerous cross connections exist, the Northside Water User's Association, Inc. shall be protected against backflow by installing an approved backflow prevention assembly in the service line.

3.2.4. Type of Protection Required - The type of protective assembly required under subsections 3.2.3.1, 3.2.3.2, and 3.2.3.3 above shall depend upon the degree of hazard which exists as follows:

3.2.4.1. In the case of an auxiliary water supply as stated in subsection 3.2.3.1 of this section that is not subject to any of the following rules, the Northside Water User's Association, Inc. water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.

3.2.4.2. In the case of water or a substance that would be objectionable but not hazardous to health, if introduced into the public water system, the Northside Water User's Association, Inc. water system will be protected by, at minimum, an approved double check valve backflow prevention assembly.

3.2.4.3. In the case of any material dangerous to health that is handled in such a fashion as to create an actual or potential hazard to the public water system, the Northside Water User's Association, Inc. water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.

3.2.4.4. In the case of "uncontrolled" cross connections, either actual or potential, the Northside Water User's Association, Inc. water system shall be protected by an approved air gap or an approved reduced pressure principle backflow prevention assembly.

3.2.4.5. Northside Water User's Association, Inc. customers that have sprinkler or irrigation systems at their property are required to have an approved backflow assembly installed and inspected annually that complies with Idaho Plumbing Code (IPC). Double check valve assemblies are no longer deemed appropriate for the degree of hazard present in irrigation systems, and a more protective assembly is required at these sites.

3.2.5. Assembly Standards and Specifications - Any backflow prevention device or assembly required herein shall be of a make, model and size approved by the System Name. The term "Approved Backflow Prevention Assembly" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association titled:

AWWA/ANSI C510 07 Standard for Double Check Valve Backflow Prevention Assembly; AWWA/ANSI C511 07 Standard for Reduced Pressure Principle Backflow Prevention Assembly; and, have met completely the laboratory and field performance specifications of the Foundation for Cross Connection Control and Hydraulic Research (FCCCHR) of the University of Southern California established by: "Specifications of Backflow Prevention Assemblies" Section 10 of the most current edition of the Manual of Cross Connection Control.

Said AWWA and USC FCCCHR standards and specifications have been adopted by the water purveyor. Final approval shall be evidenced by a "Certificate of Compliance" for the said AWWA standards or a "Certificate of Approval" for the said USC FCCCHR Specifications, issued by an approved testing laboratory.

The following testing laboratory has been qualified by the AWWA to test and approve backflow prevention assemblies and said qualification is adopted by the water purveyor:

Foundation for Cross Connection Control and Hydraulic Research

University of Southern California

KAP 200 University Park MC 2531

Los Angeles, California 90089 2531

Testing laboratories other than the laboratory listed above will be added to an approved list as they are qualified by the AWWA.

Backflow preventers that may be subjected to backpressure or backsiphonage that have been fully tested and have been granted a Certificate of Approval by said qualified laboratory, and are listed on the laboratory's current list of approved backflow prevention assemblies, may be used without further testing or qualification.

3.2.6. Testing and Maintenance Requirements - It shall be the duty of Northside Water User's Association, Inc. to require certified field tests are made upon required backflow assemblies upon installation and at least once per year thereafter. Non-testable backflow devices that cannot be field tested with test gauges shall be inspected and assessed or verified by a plumber or certified tester. In instances System Name deems the hazard to be great enough, inspections or certified field tests at more frequent intervals may be performed.

A field test report shall be created for all backflow preventer inspections or field tests. Backflow prevention devices and assemblies shall be repaired, overhauled or replaced whenever said devices or assemblies are found to be defective. Northside Water User's Association, Inc. shall retain records of field tests, inspections or repairs of backflow devices and assemblies as specified in this policy.

Backflow assembly field test reports will provide, at a minimum, the customer's name and street address; type of assembly and location of the assembly on the property; manufacturer, model and serial number of the assembly; detailed results of the test and clear indication of whether the assembly passed or failed; name and certification number of the tester and the date and time of the test. Inspection reports for non-testable devices may omit field test result specifications pertaining to testable assemblies but shall otherwise present all relevant inspection information.

3.2.7. Enforcement – Service of water to any customer of Northside Water User's Association, Inc. will be discontinued if an occupant, tenant or consumer interferes with or fails to comply with the provisions and implementation of this Policy.

3.2.7.1. If an unprotected cross connection exists on a tenant or consumer's premises, service shall be discontinued until an assembly appropriate with the degree of hazard is installed by a licensed plumber. Proof of proper installation shall be provided to Northside Water User's Association, Inc. prior to restoration of services.

3.2.7.2. If it is found that a backflow prevention assembly has been removed, bypassed, or if the property owner fails to meet the annual testing requirement specified in section 3.2.9.1 below, water service to the customer's property will be discontinued immediately.

3.2.7.3. Assemblies that cannot pass annual tests or those found to be defective shall be repaired, replaced, or isolated within ten (10) business days. If the failed assembly cannot be repaired, replaced, or isolated within ten (10) business days, water service to the failed assembly shall be discontinued.

3.2.7.4. Service to a facility, tenant or consumer will be discontinued immediately, without written notice, if in the opinion of the Northside Water User's Association, Inc. Water Department such action is necessary to protect public health or the public water supply.

3.2.7.5. Service will not be restored until all circumstances, conditions or defects causing discontinuance of service are fully corrected.

3.2.8. New Construction Review – Northside Water User's Association, Inc. shall not provide water service to a newly constructed facility without first performing a cross connection control hazard assessment of the facility and ensuring that the Northside Water User's Association, Inc.'s water system is protected according to this Policy. In lieu of such a hazard assessment by Northside Water User's Association, Inc., receipt of a documented cross connection control hazard assessment by a State

Certified Backflow Assembly Tester may be utilized. The conditions for service established by this Policy must also be satisfied (see section 3.2.1).

3.2.9. Surveying and Retrofitting Existing Facilities – Northside Water User’s Association, Inc. shall survey and retrofit all existing service connections and facilities and bring such into compliance with this Policy as soon as possible but no later than 6 months after adoption of this Policy. The initiative to survey and retrofit existing facilities will continue until all facilities served by Northside Water User’s Association, Inc. have received a cross connection control survey, each potential cross connection has been inventoried, and each service connection or facility has installed a backflow prevention device or assembly appropriate for the degree of hazard.

Facilities or service connections having existing fire-protection systems will have the hydraulics of any existing fire-protection system(s) checked by a registered professional engineer or certified fire-protection contractor to ensure that any installed backflow prevention assembly is compatible with the proper performance of the fire-protection system.

Northside Water User’s Association, Inc. will contact a plumber as necessary in order to undertake routine testing of temperature and pressure valves on water heaters or boilers in order to account for thermal expansion that may result from installation of any backflow preventers.

3.2.9.1. Recurring Surveys and Inspections - All existing service connections and facilities shall, upon completion of an initial survey and retrofit, be required to have all backflow assemblies tested annually by a Backflow Assembly Tester that has been certified in the State of Idaho. It will be the responsibility of the customer or property owner to submit proof of annual testing to Northside Water User’s Association, Inc. by the date specified by their Administrative staff. It will be the responsibility of Northside Water User’s Association, Inc. to enforce any protection measures against backflow that may occur if annual testing is not performed, as specified in section 3.2.7 above.

3.2.10. Training – Northside Water User’s Association, Inc. shall ensure that persons directly responsible for implementation of this Policy have had, at a minimum, training in basic cross connection concepts and cross connection control practices. The Idaho Rural Water Association (IRWA) is an example of a facility that may be utilized for this type of training.

3.2.11. Public Education – Northside Water User’s Association, Inc. shall provide customers and tenants with educational information concerning cross connection control and this Policy. New tenants shall be provided with written educational information upon initial connection to the water supply. Existing tenants and consumers shall receive educational information at least once every year. At a minimum, the following information will be included in public education initiatives:

- The nature of the public health risk posed by actual or potential cross-connection hazards.
- Northside Water User’s Association, Inc. ’s responsibility for protecting the public health and safety by preventing drinking water contamination and its policies relating to cross connection control.
- The customer’s responsibility to protect Northside Water User’s Association, Inc.’s water supply by preventing cross connections and potential backflow scenarios on their property.
- Information should be provided to the customer or tenant regarding the requirements of this Policy and how they can be met. This should include a the required date(s) for annual testing and list of Backflow Prevention Assembly Testers in the area.
- The fact that customers need to be aware that the installation of a backflow prevention device or assembly on their premise causes their plumbing system to be a closed system and closed systems are at greater risk for damage or harm due to thermal expansion that may be caused by water heaters or boilers.

3.2.12. Backflow Incident Reports – Northside Water User’s Association, Inc. shall investigate backflow incidents specifically and shall maintain investigatory and corrective action records in a file separate from customer complaint investigations or other investigations determined to not be related to a backflow incident.

3.2.13. Backflow Incident Response Plan – Northside Water User’s Association, Inc., upon becoming aware of an actual or suspected backflow incident, shall perform the following actions:

- Locate the source of the contamination.
- Isolate that source to protect the water distribution system from further contamination.
- Determine the extent of the spread of contamination through the distribution system and provide timely, appropriate notification to the public and to regulatory agencies.
- Take corrective action to clean the contamination from the distribution system.
- Restore service to the customers.

A list of emergency response numbers should be kept on file with the Northside Water User’s Association, Inc. Water Department in case of backflow incidents. The Department of Environmental Quality should not be ignored as a source of assistance during such incidents.

3.2.14. Record Keeping – Cross connection control related records shall be retained for a minimum of ten years and shall be available for review by regulatory agencies when requested. At a minimum, the following records shall be maintained:

- Cross Connection Survey Reports and Customer Questionnaires – Cross-connection survey reports or hazard assessments shall be created and maintained on approved forms. Such forms shall make clear the type and

degree of hazard present upon the premises, and the minimum type of backflow assembly required.

- Inventory – Northside Water User’s Association, Inc. shall maintain, in a spreadsheet format, inventory of all required backflow prevention assemblies present in the water system. Such information will include a description of the hazard isolated at each applicable premise, the location of each backflow assembly or air gap, the type of backflow prevention assembly and, if not an air gap, information describing the size, make, model and serial number of installed backflow assemblies. The most recent inspection or test date or cross connection control survey or received questionnaire (if applicable) of each required assembly will be noted.
- Test Reports and Certified Testers – Backflow device inspection and assembly test, maintenance and repair reports shall be retained. Documentation supporting the credentials of certified testers will be retained.
- Other Documentation – Copies of all other cross connection program documentation will be retained, including service contracts, notifications to customers, enforcement actions, backflow incident reports and other related activity.

3.2.15. Budgeting – Northside Water User’s Association, Inc. shall ensure that all the actions necessary to implement this Policy are budgeted and that monies to implement this Policy are available as necessary.

3.2.16. Authority – Northside Water User’s Association, Inc. is authorized to make all necessary and reasonable rules and policies with respect to the enforcement of this Policy. All such rules and policies shall be consistent with the provisions of this Policy and shall be effective upon adoption.

The foregoing Policy was approved and adopted by the Northside Water User’s Association, Inc. on the _____ day of _____, 20__.

(Signature)

Printed Name: _____

Printed Title:

Cross connection is the actual or potential connection between a potable and non-potable water supply. These types of connections constitute a serious public health hazard. Community water systems are required to have a cross-connection control program to prevent **cross-connections and backflow** to the potable water supply system.

Survey Customers:

NSWUA will need to establish where cross connection risks exist within our drinking water system. Customers may have potential cross connections on their property that need to be addressed. Identifying those potential risks is crucial to having a successful program. Send out a survey with your monthly bills and request your customers fill it out and return it to you. It will be beneficial to address residential and commercial connections separately as they each present a different set of hazards.

Perform an inspection of the property.

A Backflow Certified Operators may want to inspect any properties that have potential cross connection risks to establish which type of backflow assembly is required. For very large systems this might be unreasonable; however, addressing small sections of the community each year is a good start. New construction should always be inspected (include this as an element in your CCCP). IRWA recommends documenting your inspections using a spreadsheet or some type of formal record keeping. The inspection template below is available for your use.