

September 28, 2017

**RE: Modesto Irrigation District – Operation of and Drainage to District Facilities, Pollution Abatement and Enforcement**

Dear Landowner:

As a general reminder, Modesto Irrigation District (MID) would like to take this opportunity to reiterate to all irrigation customers the following language contained in Sections 3, 6, 7 and 8 of MID's Rules and Regulations Governing the Distribution of Irrigation Water Within the Modesto Irrigation District (Rules and Regs). Please note that a complete set of the Rules and Regs is available on MID's website at <http://www.mid.org/water/irrigation/default.html>.

- 3.7.1 No Pollutant, shall be, or is permitted to be, placed, drained, spilled or otherwise discharged into or onto any District Facility or Canal Road.*
- 3.7.2 No District Facilities shall be used for transportation of manure or other livestock waste of any kind, except with the prior written approval of the District which shall not be granted except under special circumstance, consistent with the District's Water Quality Policy.*
  - 3.7.2.1 Any person who violates this rule may be subject to criminal prosecution and civil liability.*
- 3.8.4 Gates and/or pumps from waste water lagoons that are connected to District Facilities, in any way, must have a District approved and functional backflow prevention device.*
- 6.1.1 Notwithstanding any other provisions of these Irrigation Rules, no surplus irrigation water, storm water, wastewater, tile drainage, or any other water or substance shall be drained, dumped, pumped, siphoned or otherwise discharged into any District Facility without the prior written agreement of the District. In granting permission to discharge, the District may impose reasonable conditions, including, without limitation, the right of the District to approve and monitor the discharger's measurement facilities. Permission to discharge shall be revocable by the District at any time and for any reason.*
- 6.1.2 Water and other substances discharged into District Facilities shall meet all applicable federal, state, and local water quality standards.*

- 6.1.3 *Filter station backflush water shall be allowed back into District facilities so long as chemical injection occurs downstream of backflush location, proper backflow prevention is in place and the Landowner is in compliance with the irrigated lands regulatory program.*
- 6.1.4 *The rate and quantity of discharge into any District Facility may be subject to limitations based on the capacity of the Facility and the quantity of the water or other substance being discharge.*
- 6.1.5 *All discharge Facilities shall be constructed at the discharger's sole expense to and must meet the District's current terms and conditions.*
- 6.1.6 *All existing field drainage Facilities not currently covered by an agreement shall be subject to the District's current terms and conditions.*
- 6.1.7 *Gates and/or pumps from waste water lagoons that are connected to District Facilities, in any way, must have a District approved and functional backflow prevention device.*
- 7.1.1 *No Pollutant shall be placed, carried, transported, drained, dumped, pumped, siphoned, discharged, or otherwise allowed to enter into, onto, over, under or across any District Facility or associated Right-of-Way without the consent of District.*
- 7.1.2 *Any person who violates this Rule may be subject to criminal prosecution and/or civil liability.*
- 7.2.1 *Any person who willfully or negligently causes or permits any Pollutant to be placed, carried, transported, drained, dumped, pumped, siphoned, discharged, or otherwise allowed into, onto, over, under or across any District Facility or associated Right-of-Way without the prior written consent of the District shall immediately notify the District and take all action to mitigate the effects of such Pollutant. Such person shall, at that person's sole expense, unless otherwise directed by the District, perform or cause to be performed all necessary remediation to the District's satisfaction and in compliance with all applicable laws. Such person shall cooperate with the District to complete the remediation and shall reimburse the District for all costs and expenses incurred in connection with the remediation, including but not limited to administrative, investigative, and legal costs, fines and penalties.*
- 7.2.2 *No water shall be delivered to any parcel of land from which the pollutant originated or to any other parcel of land owned, rented, leased or irrigated by the person who caused or permitted any Pollutant into, onto, over, under or across any District Facility or associated Right-of-Way, until the remediation required in Section 7.2.1 is complete, all damages,*

*costs and expenses, arising out of such event have been paid, and action satisfactory to the District has been taken to ensure that such event will not be repeated.*

*8.1.1 Failure or refusal of any Landowner, Renter, or Irrigator to comply with any of these Irrigation Rules or applicable regulations, or any part thereof, may be sufficient cause for curtailment or termination or delivery of District water to the lands of such Landowner, Renter or Irrigator.*

*8.2.1 Water delivery shall not be restored until full compliance with requirements established by these Irrigation Rules and Regulations is established and any other conditions for re-establishment of service as determined by the Board.*

MID looks forward to working cooperatively with you concerning the information contained herein and as part of our continued effort to effectively communicate, please feel free to contact the Irrigation Field Services Department at (209) 526-7639 should you have any questions or concerns.

Sincerely,



John B. Davids, P.E.  
Assistant General Manager, Water Operations

cc: Administration Files  
Board of Directors (5)  
Ronda Lucas, General Counsel  
Jason Word, Irrigation Field Services Manager  
Irrigation Supervisors (2)  
Greg Salyer, General Manager