

F. ANN RODRIGUEZ, RECORDER
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W
FLOWING WELLS IRRIGATION DIST
3901 N FAIRVIEW AVE
TUCSON AZ 85705

NOTICE OF FLOWING WELLS IRRIGATION DISTRICT FEE AND ASSESSMENT POLICIES

The Flowing Irrigation District ('District'), an Arizona municipal corporation organized and operating in Pima County, Arizona, encompasses the land described on Exhibit A hereto. By resolution(s) of its Board of Directors, the District has established policies regarding fees, charges and assessments for the establishment of service, maintenance of accounts and delivery of water to members of the District. These policies are outlined as follows:

1. The Board of Directors shall establish charges for the establishment of service, disconnection, change of address, late penalties, delivery and use of water, and any other necessary and proper fees or assessments from time to time by resolution of the Board. A schedule of currently adopted fees and assessments will be maintained at the District office and may be obtained upon request from the District, 3901 North Fairview Avenue Tucson, Arizona 85705. The District may charge such reasonable and appropriate costs for copying and mailing the fee schedule as it may determine.

2. Bills for water fees, service charges or assessments shall be due upon receipt and shall become delinquent on the 10th day of the month, or at such other time as is specifically established by the District. When a bill becomes delinquent, one notice will be mailed to the customer or property owner in whose name the account is recorded, informing him of the delinquency and setting a deadline for which payment must be received or other satisfactory arrangements for payment made. If payment is not received by the deadline set forth in the notice, service may be terminated without further notice. Once service to any water user has been terminated to enforce payment of a delinquent account, the customer or property owner will be charged a delinquent fee. All charges on the account must be paid before service will be restored. An additional fee will be charged in all cases where a customer or property owner restores service without authorization of the District and without payment of the delinquent charges and the District terminates service and locks the meter or meter box to enforce payment of the delinquent charges. Additional charges may be made if the customer or property owner causes damages to any District property or facilities. Service will not be restored to the property until the original delinquent bill and all additional fees or charges properly assessed have been paid.

3. If any customer or property owner, upon receipt of a bill for fees or assessments or upon receipt of a notice of delinquency, believes that any charges have been assessed against his account or his property erroneously, the customer or property owner may bring or send the bill or notice to the District business office, together with a written explanation of the facts and circumstances which the customer or property owner believes indicates that the bill is erroneous. The District will review the account and the information furnished by the customer or property owner and notify the customer or property owner of its findings regarding such facts and circumstances. If the customer or property owner delivers his explanation at least 72 hours prior to the deadline for payment, the District will notify the customer or property owner of its decision prior to taking any action to terminate service. If the customer or property owner


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delivers his explanation within 72 hours of the payment deadline, or after the deadline, the customer or property owner must make full payment to ensure continuation of service. If the District determines the billing to be in error, a new bill will be issued and a refund or credit issued, as may be appropriate.

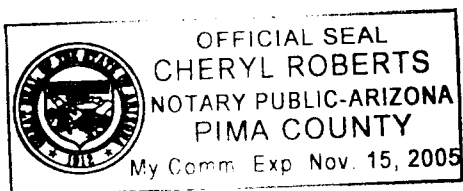
4. All fees and assessments for water and the provision of water service shall become a lien upon the land to which the water was delivered until such fees and assessments are paid in full. Failure to pay such fees or assessments may result in foreclosure and sale of the land pursuant to the requirements of Arizona Revised Statutes, Sections 48-3155 through 48-3158, as amended, which statutes provide, among other things, for the notice of sale, sale at public auction, recovery of assessment then due and unpaid with interest, penalties and costs of sale and the right to commence an action in a court of competent jurisdiction for recovery of any delinquent assessment or installment.

5. These policies may be revised or amended by the Board of Directors from time to time. The District is under no obligation to record the policies or subsequent revisions or amendments. Detailed policies and procedures for the implementation of these policies has been established by the District and are on file in the District office. Written policies and procedures of the District may be reviewed in the District office and copies may be obtained by providing a written request and payment of a reasonable fee for the copies, as established by the District.

FLOWING WELLS IRRIGATION DISTRICT

By 
W. David Crockett
Its: Superintendent

SUBSCRIBED AND SWORN To before me this 9th day of January 2003, by W. David Crockett, superintendent of Flowing Wells Irrigation District.




Notary Public

11/15/03 10:00 AM

