

EXCESS WATER POLICY (TAIL-WATER/STORM WATER/ETC.)

1. All excess water (tail-water, storm water, etc.) in the Cortaro-Marana Irrigation District canal system is for resale at the same price as all other District water and the zanjeros will attempt to resell as much of this excess water as possible before it leaves the system. When excess water is resold, only that portion of the delivery that is considered consistent and manageable will be billed.
2. Water escaping from the end of the District distribution system onto the lands of any shareholder will not be billed for unless those waters can be used to fill all, or portion, of an order of water placed by that shareholder. Water reaching shareholder lands located at the end of the District's distribution canals cannot be turned off when unwanted and at times is received in amounts that create significant inconvenience and problems. For this reason, no charge is made for any excess water these shareholders receive unless it is used to fill an order for water made by the shareholder. This water can be used at any location on these shareholders' lands.
3. The District has no control over the source of excess water and therefore the District is not, nor can it be, obligated to deliver any excess water to any shareholder. Once water leaves CMID facilities, it is no longer the responsibility or liability of the District.
4. Any shareholder may request the use of excess water that is available at locations where it can physically be delivered to the shareholder making the request. Excess water will be delivered under the following conditions:
 - A. Shareholder must make request for use of excess water at the District office. Once a request is made, the District will attempt to distribute equitably, to the degree that it is practically able to do so, excess water to each shareholder having made a request for its use and to the shareholders at the end of the distribution canal. Shareholders will be required to sign a waiver before excess water is delivered.
 - B. Once a request is received and a waiver is signed, excess water will be distributed each time it becomes available, without notice to a shareholder, day and night, in whatever form and amount it occurs. Delivery points must be kept open, or will be opened, so that all excess water, including storm runoff, is as equitably distributed as possible.
 - C. Cancellation of the request for use of excess water may be made at any time. However, this provision may not be used to accommodate requests for tail-water on an as-needed basis only.
5. During the growing seasons, excess water tends to be distributed over all heads of water being delivered downstream of the entry point of the excess water. This policy, therefore, applies to those situations when only excess water is occurring in the canal system and there is no place downstream of its entry point where the District has an order for water or for some other reason the water cannot be sold or put to use.