

LVMWD Smart Water System Program - Customer Participation Agreement

The Smart Sprinkler Controller Program (Smart Program or Program) is offered by the Las Virgenes Municipal Water District (LVMWD or District) in collaboration with Rachio Inc. to provide customers with a simple solution for smart irrigation and to assist in meeting LVMWD's water efficiency goals. Customers in the Program receive either an 8 or 16 zone smart irrigation controller along with installation of the system by Rachio. For systems exceeding 16 zones, an additional controller is required, for which the customer will be charged \$74.99. Customers may also be eligible for a flow meter if onsite conditions allow.

Eligibility Conditions

LVMWD will confirm eligibility to participate in the program based on the following conditions, and as otherwise determined by LVMWD, to preserve the safe operation of the District's water system and system components.

- Applicant must be a customer of the District that has not received an irrigation controller rebate from the District in the last five (5) years; and
- must be the property owner at the premises associated with the LVMWD account and which must be a single-family residential property; and
- applicant must maintain a valid LVMWD account in good financial standing; and
- have an existing, functioning in-ground irrigation system and not have a weather-based controller installed at the property.

General Terms and Conditions of Smart Water Program

1. Except as stated herein, neither District nor Rachio, Inc. make any warranties, expressed or implied, with respect to the measures suggested, equipment, operation, material, workmanship or manufacturing associated with this Program. District does not guarantee a specific level of water efficiency or cost savings from any measures taken or products funded under the Program. District is not liable for any damage caused by the operation or malfunction of the installed equipment.

2. Customer agrees that in consideration of its participation in the Program and receipt of products and coordination of contractor services, LVMWD and Rachio, Inc. will not be liable for any losses, costs, expenses, or damages of any kind incurred, arising out of, or related to this Program. Customer agrees that under no circumstances will LVMWD or Rachio, Inc. be responsible for any indirect, consequential, incidental, remote, or speculative damages arising from the Program.

Participation Agreement

Applicant must also confirm and agree to the following:

- I am the property owner of record of the subject property.
- I am responsible for the water bill for service to the premises.
- The property has an existing, functioning in-ground irrigation system which is currently operated by a functioning non-weather based controller.
- I will be present during the installation.
- If I need more than 1 controller, I will pay the \$74.99 charge
- The property has reliable Wi-Fi able to provide a good signal to the irrigation controller component of the Smart Water System to be installed.
- I agree that this Program is voluntary and that regular supervision of the landscape water use and the day-to-day operation of the installed equipment remains my responsibility.
- I understand that upon installation, the ownership and operation of the new Smart Controller and all peripheral equipment becomes my responsibility.
- The District is not responsible for my Wi-Fi system or charges associated with maintaining it.
- The District is not responsible for the condition of my landscaping or irrigation system now, or in the future.
- My controller settings and water usage may be monitored by Rachio, Inc. or the District for program evaluation purposes.
- I acknowledge that I have no expectation of confidentiality as to my participation in the Smart Program and my participation is a matter of public record.
- There is limited availability of the Smart Sprinkler Controller through the Smart Program, and LVMWD has authority to make the final determination on eligibility.
- I agree to receive training from the installation contractor and consent to a post-installation verification, as requested by the District.
- I will not transfer the Smart Water System.

I confirm the accuracy of the above participation agreement terms and I acknowledge and accept all the terms and conditions contained herein for the Smart Water System Program.