

**OBLIGATIONS TO BE OBSERVED BY ALL FARMERS TAKING WATER FROM
ASHBURTON LYNDHURST IRRIGATION LIMITED (ALIL)**

PART A

FARMERS OBLIGATIONS – General Obligations – applicable to the Supply of Water from distribution system. The Land refers to the property of the Farmer to which water is delivered by ALIL under a water agreement. Scheme refers to ALIL's distribution system and includes where appropriate open races, pipes, and other infrastructure..

1. The Farmer shall:-

- (a) Not permit any cattle to be grazed on or alongside of any Scheme race running through the Land without having the prior written permission of ALIL;
- (b) Repair at his/her/its expense any stock damage to any Scheme Race running through the Land;
- (c) Not fence off roadside races currently unfenced without the prior written permission of ALIL and the Ashburton District Council;
- (d) Do and permit all such acts and things as shall be necessary or desirable to ensure that ALIL has ready and unobstructed access at all times to all Scheme Races and pipes running through the Land;
- (e) Within 6 metres of the outside of the bank of any Scheme Race;
 - (i) not permit any trees to be planted;
 - (ii) at ALIL's expense permit ALIL to remove any trees reasonably considered to be damaging or having the potential to cause damage to any race or infrastructure;
 - (iii) when appropriate or required to trim any trees
 - (iv) not permit any overhead or underground power or media lines to exist or structures to be erected except with the prior written consent of ALIL which consent can be given on such terms as ALIL decides;
 - (v) not cultivate any part of the Land within 6 metres of any scheme race except as approved in writing by ALIL;
 - (vi) remove all debris within such area;
 - (vii) ensure any electric fences contain insulated break couplings suitably located to facilitate vehicle access; and
 - (ix) control all vegetation within such area.
- (f) Manage the grazing of the area within 6 metres of any race so no pollution occurs to that race and no damage is caused by overstocking, cattle grazing in wet weather or activity from bulls.
- (g) All trees planted within 6 metres of a race on and after 1 January 1990 may be removed by ALIL at the Farmer's expense.
- (h) Forthwith inform ALIL in the event that the Farmer:-
 - (i) does not during any allocated supply period require all or any of the Water that has been allocated to the Farmer; or
 - (ii) requires recommencement of Water supply in circumstances where Water supply has previously been ceased at the Farmer's request.

- (i) Not interfere with or alter the Distribution System without the prior written approval of ALIL and then only upon and subject to the terms and conditions as shall be stipulated by ALIL;
- (j) Mitigate as far as possible Water losses from the Scheme. Any measured loss will be deducted from the Farmer's allocation and entitlement under this Deed.
- (k) Immediately notify ALIL of any Water losses from, or any damage to, breakage of, or defect in the Scheme which could result in Water losses from, or affect the operation, reliability, or integrity of the Scheme.

PART B

FARMERS OBLIGATIONS – Additional Obligations – applicable to the supply of Water from any ALIL Piped Scheme or ALIL Turbine Pressured Scheme.

- 2. In addition to the Farmer's obligations under Part A of this Schedule the Farmer shall:-
 - (a) Permit ALIL to place and permanently maintain on the Land in close proximity to all underground pipes or infrastructure on the Land, which are connected to the ALIL Piped Scheme and/or the ALIL Turbine Pressured Scheme, visible distinctive permanent markers giving warning of the existence of the underground pipes or infrastructure.
 - (b) Not cultivate nor disturb the surface soil over the said underground pipes to a depth in excess of 250 millimetres within six (6) metres of any underground pipe or infrastructure.
 - (c) Except as set out in (d) below, not use nor permit any contractors to use within six (6) metres of the said underground pipes or infrastructure any equipment likely to damage the underground pipes or infrastructure such as bulldozers, rippers, diggers or like equipment without first ensuring that the operator of such equipment:-
 - (i) is made aware of the line of pipes; and
 - (ii) prior to commencing work agrees in writing to promptly make good at the operator's expense in all things any damage caused to the line of pipes as a result of the operator's activities on the Land.
 - (d) Where a contractor is engaged or work is carried out with equipment within 6 metres of any underground pipes or infrastructure the Farmer will ensure that the contractor and/or operator of that equipment notifies ALIL of the proposed work at least 24 hours in advance and makes that contractor and/or operator aware of those pipes and/or infrastructure. The contractor or operator must agree in writing with ALIL prior to commencing that work that they shall be responsible to make good at the contractors/operators expense any damage caused to those pipes or infrastructure as a result of their work on that Land.