



### **INTRODUCTION**

The Kingbrook Rural Water System, Inc. relies on the cooperation of landowners in granting easements and is a great benefit to the water system, reducing the overall cost of operations. This FAQ (frequently asked questions) contains information on granting easements, easement conditions and compensation.

***The Kingbrook Rural Water System, Inc. recognizes and respects your rights as a private property owner. We will work to treat all landowners equally, fairly and with respect. We will strive to be responsible tenants of the landowner.***

### **WHAT IS AN EASEMENT?**

An easement is simply a formal document a landowner provides Kingbrook Rural Water System, Inc. granting the utility the right to place pipeline or appurtenances to that pipeline on their land. Easements are generally restricted to 1) the placement and 2) the operation and maintenance of these facilities. The easement is recorded in the Register of Deeds Office in the county where it was granted.

The easement is typically 30' in width, and with larger pipe, 8" and above, Kingbrook will request an easement of 50' width. For main pipeline installation, we generally will parallel the fence or property line. For service lines, it typically takes the most direct route from the mainline to the meeting point.

### **WHAT WILL THE EASEMENT BE USED FOR?**

When a landowner grants Kingbrook Rural Water System, Inc. permission to place pipeline or appurtenances on their land, the easement is restricted solely to activities which are normal, reasonable, and customary for the placement and operation of a water distribution system.

### **WHO WILL BE GRANTED THE EASEMENT?**

The easement will be granted only to Kingbrook Rural Water System, Inc. No other utility may use the easement. Further Kingbrook Rural Water System, Inc. may not use the easement for any other purpose than is described in the preceding paragraph.

### **WHAT IS THE TERM OF THE EASEMENT?**

The Kingbrook Rural Water System, Inc. is asking the landowner for a perpetual easement. For as long as we have facilities on the land, we must have the ability to access the land and do what is necessary to operate and maintain the facilities.

The investment we make in placement of pipeline is significant. If we were to put a time limit on the easement, we could face significant costs to vacate the land and relocate the pipeline.

### **WHO MUST GRANT AN EASEMENT?**

Kingbrook Rural Water System, Inc., policies require anyone who has signed up to become a member and receive water service, must grant an easement on the property they wish to receive water service. If a member owns multiple pieces of property that pipeline may cross, they are only required to grant an easement for the parcel where they will receive water service. The easement must be signed by anyone with an interest in the deed.

### **USE OF PUBLIC RIGHT-OF-WAY**

The primary reason Kingbrook Rural Water System, Inc., wishes to locate their facilities in private right-of-way is the possibility that the public right-of-way may be improved in the future.

### **COMPENSATION**

Kingbrook Rural Water System, Inc. has a Large Pipe Easement Payment Policy in place. The Grantee (landowner) will also be compensated \$1,000 per acre for installation of pipe size 12 inches and above on private land. This calculation will be based on a 50-foot width and the actual length of pipeline as installed. This payment is a one-time payment.

Kingbrook Rural Water System, Inc., will pay for crop damage and is figured using guidelines defined in our crop damage policy as follows:

- Row Crop and Small Grain - Crop damage shall be figured by the acre by measuring the length and width of the widest area of damaged crop. Payment shall be based on 110% of the previous two-year county average yield and the greater of the current market at the time that crop would normally be harvested, or the Federal Yield/Revenue Crop Protection Plan spring price guarantee established by USDA Risk Management Agency.
- Non-Row Crop - Crop damage shall be figured by the acre by measuring the length and width of the widest area of damaged crop. A base payment for alfalfa shall be established based on 100% of the previous two-year county average yield and the average of the last available June and July market rate. After the base payment amount has been calculated, an additional 50% of the base amount for the second year will be added to the base amount to determine the total payment. Hay, pasture, CRP, or other similar type grasses will be compensated at \$100/acre for actual acres damaged.
- In the event the calculated crop damage is less than one hundred (\$100.00) dollars, the System shall pay a minimum of that amount for each crop damaged.
- If an easement results in a payment larger than \$600, the Kingbrook Office staff will send a W-9 to landowner.

### **WHEN WILL I RECEIVE PAYMENT?**

Generally, payments for crop damage are not issued until the whole project is completed unless otherwise requested. All other easements will be paid shortly after installation of pipe.

### **INSTALLATION, DAMAGES, CLEAN-UP**

PVC pipe is used for pipeline construction and is installed by excavators, backhoes, directional drilling, and trenchers, depending on the size of the pipeline.

If an outside contractor is used to install the pipe, they are required to warranty the pipeline installation for one year. Kingbrook Rural Water System, Inc., assumes responsibility after this point.

Initial clean-up is usually done during the compaction process immediately after the waterline is installed. Some installation processes require a small mound of dirt be left over the trench to allow for settling through a freeze/thaw cycle.

If for any reason you are unsatisfied with clean up or the construction process, you should call Kingbrook immediately so the contractor can be contacted. The easement requires Kingbrook Rural Water System, Inc., to maintain the land in good repair and to restore it as close as possible to its original state.