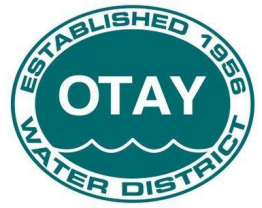


Customer Participation Form



I acknowledge and understand the following:

- I understand that as part of this program, I will receive the Flume Smart Water System for the discounted price of \$199 plus shipping. The retail price is \$249 plus shipping. Upon installation of the Flume Smart Water System, apply for a \$130 rebate through SoCal Water\$mart, for a final net price of \$69 plus tax and shipping.
- The batteries in the Flume Monitor device should last several years under normal operating conditions. However, once the batteries die, I understand that I will be responsible for replacing the batteries at my own expense, if I would like to continue using the Monitor. However, I understand that I am under no obligation to do so and will not be penalized by not doing so.
- I understand that I will be billed for water consumption based only on measurements from the Otay Water District meter. Flume provides detailed information on daily water use, but its readings will not always match the total bimonthly reads from the Otay Water District meter, which do not always coincide with the calendar months.
- This offer is non-transferable. The System must be installed at the property associated with the account that received the offer.
- The System must be installed and activated within 30 days of delivery or returned to Flume. Flume can send a mailing label for this purpose and will refund my payment.
- I am the account holder of the property where Flume will be installed and understand that by accepting this offer, I own the Monitor and Bridge.
- I am physically able to install the Monitor on my water meter, which may require bending over my in-ground meter box and working with my home Wi-Fi system.
- My home has Wi-Fi and I have a smartphone (iOS or Android) or other mobile device capable of utilizing the software necessary to connect to and use the system.
- I am able to plug the Flume Bridge into a power outlet inside my home and am able to connect it to my home's Wi-Fi. This process is similar to the installation of other smart home technology.
- Otay provides no guarantee that the system will provide any reductions in water use.
- I allow Flume to share water use data with Otay Water District in part to assist in determining potential water savings as a result of the use of this device.
- As a part of this program, I agree to keep the Flume Smart Water System installed for at least one year.
- I agree to install Flume without tampering with the meter in any other way.
- I agree to participate in at least one online follow-up survey conducted by Otay Water District.
- To the fullest extent permitted by law, by signing this Participation Agreement, I, as well as my heirs, successors, and assigns shall indemnify and hold harmless Otay Water District, and its respective officers, directors, employees and agents from and against any and all liabilities, claims, losses, obligations, damages, fines, civil penalties, judgments, costs, expenses of any kind or nature including, but not limited to, interest, court costs, and reasonable attorney fees, arising from this Participation Agreement ("Claim"), except to the extent such Claim arises from the sole negligence or willful misconduct of Otay Water District, its officers, directors, employees, or agents.