

# Participation Agreement

**By accepting the offer of the Flume Smart Water System through the Rainbow Municipal Water District (the District) Rebate Program, the customer acknowledges and understands the following:**

- I understand that as part of this rebate program I will receive the Flume Smart Water System and the District will pay the upfront cost of the system through a pre-negotiated purchase contract with Flume. The regular retail price is \$149 plus tax and shipping.
- I understand that I will be required to enter into an agreement with Flume to pay an annual fee of \$49.99 per year in order to activate Flume and that this agreement is wholly separate from any contracts that the District has with Flume. This annual fee will be due and payable to Flume when the device is ordered.
- I am the account holder of the property where Flume will be installed and understand by accepting this offer, I own the system.
- I will be billed for water consumption based only on measurements from the District's meter. Flume provides detailed information on daily water use. Its readings will not match the total monthly reads from the District's meter, which are read in different units and do not always coincide with the calendar month.
- This offer is non-transferable. Flume must be installed at the property associated with the account that received the offer. I understand that the District may charge \$100 on my water bill if Flume is installed at another location.
- If I purchase Flume and fail to install it at the approved property the District may charge \$100 on my water bill. Flume must be installed within 14 days of delivery or returned to Flume. Flume can send a mailing label for this purpose and will refund my payment.
- Due to the large lot sizes and hilly topography in the Rainbow Valley, Flume may not work in all cases. If Flume does not work in my particular situation, I may return your system to Flume for a full refund.
- I am physically able to install the Flume Water Sensor on my water meter, which may require bending over my in-ground meter box and working with my home Wi-Fi system. If I need assistance with installation or troubleshooting I will contact Flume directly as the District does not provide direct support for Flume.
- My home has Wi-Fi and will for the foreseeable future.
- 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 installation of other smart home technology.
- I have a smartphone or other mobile device and I agree to accept Flume notifications when sent through the Flume mobile app. Feedback on the notifications is an important pilot component. I understand that if I disable these messages I could miss key information such as increases in my water use.

- This system presents no guarantee for reductions in water use.
- Flume will NOT be sharing data with the District. Your privacy is of utmost importance to the District. If you want to share data with the District, you can do so, but the District will not be storing or using data from Flume.
- I agree to install the Flume Water Sensor device without tampering with the meter in any other way.
- 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 the Rainbow Municipal 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 Rainbow Municipal Water District, its officers, directors, employees or agents.