

Poudre Tech Metropolitan District

WATER SYSTEM RULES AND REGULATIONS

July 31, 2023

TABLE OF CONTENTS

ARTICLE I - GENERAL..... 1

1.1 Authority..... 1

1.2 Purpose..... 1

1.3 Policy 1

1.4 Scope..... 1

1.5 Intent of Rules and Regulations..... 1

1.6 Amendment..... 2

1.7 Miscellaneous..... 2

 1.7.1 Usage and Titles 2

 1.7.2 Severability..... 2

 1.7.3 Prior Offenses..... 2

 1.7.4 No Damage for Failure to Enforce 3

 1.7.5 Availability of Service..... 3

 1.7.6 Control and Operation of Facilities 3

 1.7.7 Inspections..... 3

 1.7.8 Ownership..... 3

ARTICLE II 4

DEFINITIONS..... 4

ARTICLE III..... 8

OWNERSHIP AND OPERATION OF FACILITIES..... 8

3.1 Responsibilities of District..... 8

3.2 Liability of District..... 8

3.3 Rights and Authority 8

3.4 Ownership of Facilities 9

 3.4.1 Ownership of Irrigation Water Facilities..... 9

 3.4.2 Ownership of Irrigation Water Meters 9

3.5 Inspection Powers and Authority of District Agents 9

3.6 Modification, Waiver and Suspension of Rules..... 9

ARTICLE IV..... 11

USE OF IRRIGATION WATER SYSTEMS 11

4.1 Unauthorized Tampering with Systems.....Error! Bookmark not defined.

 4.1.1 Unauthorized Use 11

 4.1.2 Malicious Damage to System..... 11

 4.1.3 Violators Prosecuted..... 11

 4.1.4 Violators Fined 11

4.2 Use of Irrigation Water System 11

 4.2.1 Notice of Changes and Repairs of Leaks..... 11

 4.2.2 Stop and Waste Type Valve 12

 4.2.3 Safety Devices 12

 4.2.4 Irrigation Water Meters Required..... 12

4.2.5	Required Use of Irrigation Water System	13
4.2.6	Pressure Reducing Valve (“PRV”).....	13
4.3	Inactive Service.....	13
4.3.1	Definition.....	13
4.3.2	Availability	13
4.3.3	Inactive Charges	13
4.4	Conservation Shutdown Use	14
ARTICLE V		15
APPLICATION FOR SERVICE		15
5.1	Inclusions	15
5.2	Service Outside the Water Valley Districts.....	15
5.3	Application for Service	15
5.3.1	Sprinkler System.....	15
5.3.2	Winter Taps	16
5.3.3	Additional Tap Information Required	16
5.3.4	Reassessment of Tap Fees	16
5.4	Denial of Application	16
5.5	Cancellation of Application.....	16
5.6	Moved or Destroyed Buildings.....	16
5.6.1	Abandoned Service Line	17
5.7	Change in Customer’s Equipment, Service or Use of Property	17
5.7.1	Unauthorized Connection Fee	17
5.7.2	Inspection Required.....	17
5.7.3	Redetermination of Tap Fees.....	17
5.8	Unauthorized Connections and Fees	18
5.9	Revocation of Service.....	18
5.10	Revocation of Tap Rights	19
5.11	Activation/Deactivation of Service	19
ARTICLE VI.....		20
CONSTRUCTION OF SERVICE LINES		20
6.1	Compliance with Rules and Regulations.....	20
6.2	Inspection and Tapping Charges.....	20
6.3	Separate Service Lines Required.....	20
6.4	Construction and Connection	20
ARTICLE VII.....		22
MAIN LINE EXTENSIONS.....		22
7.1	Compliance with Rules and Regulations.....	22
7.2	Main Line Extensions by the District	22
7.3	Procedure for Main Line Extension by the District.....	22
7.3.1	Performance Bonds and One Year Warranty	22
7.4	Procedure for Main Line Extension by Developers	22
7.4.1	Application for Approval.....	23

7.4.2	Deposits with the District	23
7.4.3	Performance and Payment Bonds.....	23
7.4.4	Special Structures Designed by District Engineer.....	23
7.4.5	Oversizing of Main Lines	24
7.4.6	Documentation Required.....	24
7.4.7	Contract Required.....	24
7.5	Main Line Sizes.....	24
7.6	Locations of Main Line Extensions.....	24
ARTICLE VIII.....		26
RATES AND CHARGES.....		26
8.1	General.....	26
8.2	Application of this Article	26
8.3	Classification of Customers.....	26
8.3.1	Single-Family Residential Unit	26
8.3.2	Multi-Family Unit.....	26
8.3.3	Hotel, Lodge, Motel, Accommodation Unit.....	26
8.3.4	Commercial, Industrial Service	26
8.4	Tap Fee.....	Error! Bookmark not defined.
8.4.1	Prepaid Tap Fees	27
8.4.2	Factors and Usage.....	27
8.4.3	Disputed Tap Application.....	27
8.5	Transfer of Tap Fees.....	27
8.5.1	Common Owner of Property	27
8.5.2	Good Credit	28
8.5.3	No Previous Connection to System.....	28
8.5.4	Payment of Difference.....	28
8.5.5	Approval in the Discretion of District	28
8.6	Water Charge	28
8.7	Amended Tap Fees.....	28
8.8	Amended Water Charges	29
8.9	Payment of Water Charges	29
8.10	Penalty for Late Payment.....	29
8.11	Foreclosure Proceedings/Attorney’s Fees.....	30
8.12	Certificate of Amounts of County Treasurer	30
8.13	Required Equipment – Radio Frequency Units.....	30
APPENDIX A		1
SERVICE LINE CONSTRUCTION		1
APPENDIX B		1
WATER SERVICE RATES, IRRIGATION WATER SYSTEM.....		1

ARTICLE I - GENERAL

1.1 Authority

The Poudre Tech Metropolitan District (the “District”) is the service district for the Water Valley Metropolitan District Nos. 1-2 (the “Water Valley Districts”) and is a quasi-municipal corporation and political subdivision of the State of Colorado with the powers, whether specifically granted, reasonably implied, or necessary or incidental to those powers specifically granted for carrying out the objectives and purposes of the District.

1.2 Purpose

The purpose of these Rules and Regulations is to ensure an orderly and uniform administration of irrigation water operations within the boundaries of the community commonly known as Water Valley, Town of Windsor, Weld County, Colorado. These Rules and Regulations apply only to the Irrigation Water System (as defined herein), and not to the potable water system, which is managed and controlled by the Town of Windsor.

1.3 Policy

The authority of the District to adopt bylaws, rates, rules, and regulations is expressly conferred by Colorado statute. The Board of Directors of the District (the “Board”) expressly finds and determines that the adoption of the following rates, rules, and regulations is necessary for the health, safety, prosperity, security, and general welfare of the inhabitants of the District and those within the District’s service area, which includes the Water Valley Districts, and will ensure an orderly and uniform administration of the District affairs.

The Board of the District hereby declares that the Rules and Regulations hereinafter set forth will serve a public use and are necessary to promote the health, safety, prosperity, security, and general welfare of the inhabitants of Water Valley.

1.4 Scope

These Rules and Regulations shall be treated and considered as comprehensive regulations governing the operations and functions of the Irrigation Water System.

1.5 Intent of Rules and Regulations

It is intended that these Rules and Regulations shall be liberally construed to affect the general purposes set forth herein, and that each and every part hereof is separate and distinct from all other parts. No omission or additional material set forth in these Rules and Regulations shall be construed as an alteration, waiver, or deviation from any grant of power, duty, or responsibility, or limitation or restriction imposed or conferred upon the

Board by virtue of statutes now existing or subsequently amended, or under any contract or agreement existing between the District and any other governmental entity. Nothing contained herein shall be so construed as to prejudice or affect the right of the District to secure the full benefit and protection of any law which is now enacted or may subsequently be enacted by the Colorado General Assembly, pertaining to the governmental or proprietary affairs of the District. Any ambiguity, conflict, omission, or question of interpretation of these Rules and Regulations shall be determined in the sole discretion of the District's Board.

1.6 Amendment

It is specifically acknowledged that the District shall retain the power to amend these Rules and Regulations, with respect to the District, to reflect those changes determined to be necessary by the Board. Prior notice of these amendments shall not be required to be provided by the District exercising its amendment powers pursuant to this Section. These Rules and Regulations may be altered, amended, or added to from time to time and such alterations, additions, or amendments shall be binding and of full force and effect as of the date of their adoption by the Board.

1.7 Miscellaneous

1.7.1 Usage and Titles

All words and phrases shall be construed and understood according to the common and approved usage of the language, but technical words and phrases and such others as may have acquired a particular and appropriate meaning in the law shall be construed and understood according to such particular and appropriate meaning. The title of any heading in these Rules and Regulations shall not be deemed in any way to restrict, qualify, or limit the effect of the provisions set forth in the section or subsection set forth under each heading.

1.7.2 Severability

Should any section, subsection, sentence, clause, or phrase of these Rules and Regulations be judicially determined to be invalid or unenforceable, such judgment shall not effect, impair, or invalidate the remaining provisions of these Rules and Regulations, the intention being that the various sections and provisions hereof are severable.

1.7.3 Prior Offenses

Nothing in these Rules and Regulations shall affect any offense or act committed or done, or any obligation, penalty, or forfeiture incurred by any Person or under any contract or right established or occurring before the effective date of these Rules and Regulations.

1.7.4 No Damage for Failure to Enforce

Nothing herein contained shall create any right to damages against the District, its directors, officers, agents, or employees for the District's failure to enforce any or all of these Rules and Regulations.

1.7.5 Availability of Service

Water service shall be available only in accordance with these Rules and Regulations, on the basis of the charges established therefor, and subject to all penalties and charges for violation thereof, or any statutes applicable and subject to the availability of facilities and capacity.

1.7.6 Control and Operation of Facilities

All water facilities and property of the District shall be under the management of the District Manager and the control of the Board. No other Person shall have any right to enter upon, inspect, operate, adjust, change, alter, move, or relocate any portion of the District's facilities without prior written consent of the Board or the District Manager.

1.7.7 Inspections

All inspections, observations, testing, and reviews performed by the District, whether of private premises to ensure compliance with these Rules and Regulations, or of the District's property and facilities, are performed for the sole and exclusive benefit of the District. No liability shall attach to the District by reason of any such inspections, observations, testing, or reviews or by reason of any denial or issuance of any approval or Permit for any work subject to the authority or jurisdiction of the District.

1.7.8 Ownership

The District exercises all rights and responsibilities attendant to the full ownership of the water facilities and, in the future, shall accept ownership responsibilities only for additional facilities which have been formally conveyed to and accepted by the District.

ARTICLE II DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of the terms used herein shall be as follows:

2.1 Applicant

“Applicant” means any Person who applies to the District (as defined herein) for a service Connection or service disconnection, Main Line extension, or other such service agreement, or who attempts to have real property included within or excluded from the Water Valley Districts, as the case may be.

2.2 Board

“Board” and “Board of Directors” mean the Board of Directors of the District.

2.3 Constructor

“Constructor” means the landowner, developer, subdivider, or agency actually paying for the construction of the lines.

2.4 Contractor

“Contractor” means any Person authorized by the District to perform work and to furnish materials within the District.

2.5 Conservation Shut Down

“Conservation Shut Down” means a shutoff by the District of the Irrigation Water System.

2.6 Curb Stop

“Curb Stop” means a water service Shutoff Valve, located between the Main Line and the Meter Loop.

2.7 Customer

“Customer” means any entity authorized to connect to and use the Irrigation Water System under a Permit issued by the District.

2.8 District

“District” means the Poudre Tech Metropolitan District.

2.9 District Manager

“District Manager” means the Person retained by the Board to administer and supervise the affairs of the District and its employees.

2.10 District Engineer

“District Engineer” means that Person that has been authorized by the District to perform engineering services for the District.

2.11 Dwelling Unit

“Dwelling Unit” means one or more habitable rooms arranged, occupied, or intended or designed to be occupied by not more than one family with facilities for living, cooking, sleeping, and eating.

2.12 End Point

“End Point” means a transmitter used to read and send various data from the Meter to the Meter-reading software.

2.13 Equivalent Dwelling Unit

“Equivalent Dwelling Unit” or “Single Family Equivalent Dwelling Unit” means a use which is estimated to have an impact upon the Irrigation Water System equal to that of the average usage of a Dwelling Unit.

2.14 Gender

The use of any gender shall be applicable to all genders.

2.15 Inspector

“Inspector” means that Person who, under the direction of the District Manager, shall inspect all water Connections, excavations, installations of and repairs to the Irrigation Water System and facilities of the District, to ensure compliance with the Rules and Regulations.

2.16 Irrigation Water System

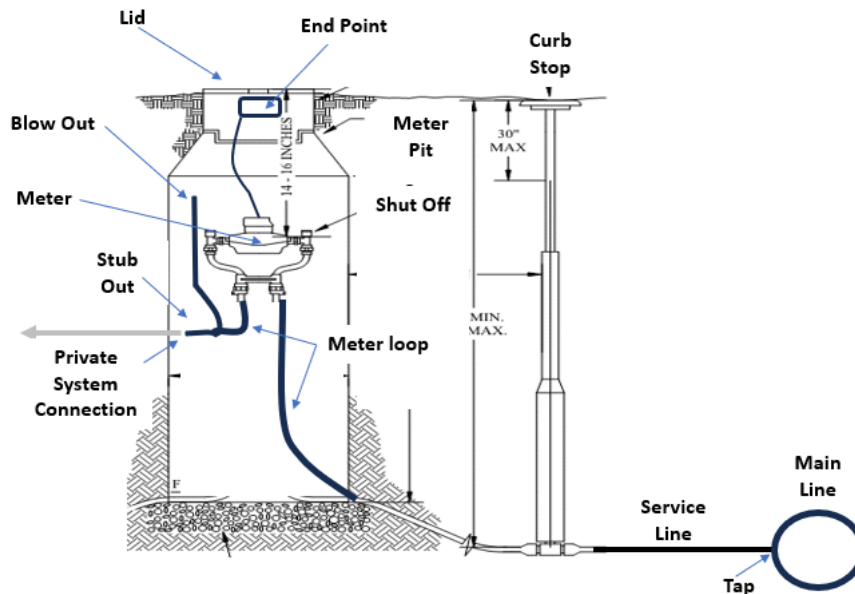
“Irrigation Water System” means any Main Line, appurtenances, accessories, or portion thereof owned and maintained by the District in connection with the management and control of irrigation water within the Water Valley Districts’ boundaries.

2.17 Meter

“Meter” means a device used to measure non-potable irrigation water use.

2.18 Meter Diagram

The following diagram is meant to serve as an aid in understanding the design and layout of the Meter:



2.19 Meter Loop

“Meter Loop” means the copper piping from the Curb Stop that connects the Meter to the Stub Out.

2.20 Permit

“Permit” means the written permission to connect to or enlarge the use for the Irrigation Water System of the District pursuant to the Rules and Regulations of the District.

2.21 Person

“Person” means any entity of any nature, whether public or private.

2.22 Privately Owned Irrigation System

“Privately Owned Irrigation System” means any water lines, sprinkler heads, and appurtenances used in the irrigation of an individual lot that is not owned part of the Service Line.

2.23 Rules and Regulations

“Rules and Regulations” means the Rules and Regulations of the District, including all amendments and policies as set forth in the District minutes and resolutions.

2.24 Service Line

“Service Line” means any District-owned and -maintained pipe, line, or conduit used or to be used to provide irrigation water service from the Water Main to the Curb Stop, whether or not the pipe, line, or conduit is connected.

2.25 Shall or May

Whenever “shall” is used herein, it shall be construed as a mandatory direction.

Whenever “may” is used herein, it shall be construed as a permissible but not mandatory direction.

2.26 Shutoff Valve

“Shutoff Valve” means a hand valve located on top of the Meter Loop in each lot, for purposes of turning on and off the water supply to a Privately Owned Irrigation System.

2.27 Singular and Plural

As pertains to these Rules and Regulations, the singular includes the plural and the plural the singular wherever applicable.

2.28 Stub-out

“Stub-out” means any Connection from a Privately Owned Irrigation System to the Meter Loop.

2.29 Tap or Connection

“Tap” or “Connection” means the connecting of the Service Line to the Main Line.

2.30 Tap Fee

“Tap Fee” means the payment to the District of a fee for the privilege of connecting a particular use to the Irrigation Water System, also referred to as Capital Facilities Fee.

2.31 Water Main and/or Main Line

“Water Main” and/or “Main Line” mean any pipe, piping, or system of piping used as a conduit for water in the Irrigation Water System and owned by the District.

2.32 Water Valley Districts

“Water Valley Districts” means the District and Water Valley Metropolitan District Nos. 1-2 and represents the service area to be provided irrigation water by the District.

2.33 Any Other Term

Any other term not herein defined shall be defined as presented in the “Glossary - Water and Sewage Control Engineering”, A.P.H.A., A.W.W.A., A.S.C.E., and F.W.S.A., latest editions.

**ARTICLE III
OWNERSHIP AND OPERATION OF FACILITIES**

3.1 Responsibilities of District

Except as otherwise provided by these Rules and Regulations, the District is responsible for the operation and maintenance of the Irrigation Water System, which operation and maintenance shall be carried out in a sound and economical manner, in accordance with these Rules and Regulations. The District shall not be liable or responsible for inadequate service or interruption of service brought about by circumstances beyond its control.

3.2 Liability of District

It is expressly stipulated that no claim for damage shall be made against the District by reason of the following: failure by an owner to maintain properly, including winterizing, a Privately Owned Irrigation System and District-owned Meter; breakage of Main Lines; interruption of water service and the conditions resulting therefrom; breaking of any Service Line, pipe, clock, or Meter; failure of the water supply; shutting off or turning on water; making of Connections or extensions; damage caused by water running or escaping from open or defective faucets; burst Service Lines or other facilities not owned by the District; damage to sprinkler systems, appliances, or other apparatuses, devices, or equipment used for irrigation of property, resulting from shutting water off or turning it on, or from inadequate, excessive, or sporadic pressures; or for doing anything to the system of the District deemed necessary by the Board or its agents.

3.3 Rights and Authority

The District shall have no responsibility for notification to Customers of any of the foregoing conditions. All irrigation water users within the Water Valley Districts shall be obligated to connect to Irrigation Water System. The District reserves the right to discontinue service to any property, at any time, for any reason deemed necessary or appropriate.

The District shall have the right to revoke service to any property for violations of these Rules and Regulations in accordance with the procedures set forth in these Rules and Regulations.

3.4 Ownership of Facilities

All existing and future Main Lines and other facilities connected with and forming an integral part of the Irrigation Water System are or shall become the property of the District, unless any contract with an owner or Customer provides otherwise. Said ownership will remain valid whether the Main Lines and other facilities are constructed, financed, paid for, or otherwise acquired by the District or any other Person.

3.4.1 Ownership of Irrigation Water Facilities

The District owns and is responsible for the maintenance of the Service Line, up to and including the Meter Loop on the Customer's property. The Customer is responsible for the maintenance of the Privately Owned Irrigation System serving his property, beginning at the end of the Meter Loop.

3.4.2 Ownership of Irrigation Water Meters

Notwithstanding the above, all irrigation water Meters and Shutoff Valves are or shall become the property of the District. Such ownership by the District shall remain valid whether the Meters and/or Shutoff Valves are installed, financed, paid for, repaired, or maintained by another Person, provided such Meters and/or Shutoff Valves are on a District-owned Irrigation Water System.

3.5 Inspection Powers and Authority of District Agents

Authorized employees or agents of the District, bearing proper credentials and identification, shall be permitted to enter upon all properties within the Service Area at all reasonable times for the purpose of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of these Rules and Regulations. Failure to permit such inspection, observation, measurement, sampling, and/or testing upon the written request of the District Manager may result in a finding by the District that permission is being denied to conceal a violation, which may result in fines and/or the disconnection of service to the property of the party failing to permit such activity.

3.6 Modification, Waiver, and Suspension of Rules

The Board or the District Manager, acting on instructions of the Board, shall have the sole authority to waive, suspend, or modify these Rules and Regulations, and any such waiver, suspension, or modification must be in writing and signed by the Board or the District Manager. Such waiver shall not be deemed an amendment of the Rules and Regulations. No waiver will be deemed a continuing waiver.

**ARTICLE IV
USE OF IRRIGATION WATER SYSTEMS**

4.1 Unauthorized Tampering with Systems

4.1.1 Unauthorized Use

No unauthorized Person shall uncover, use, alter, disturb, or make any Connection with or opening onto, or use, alter, or disturb the Irrigation Water System without first obtaining a written Permit from the District. Unauthorized uses of or tampering with the Irrigation Water System include but are not limited to change in Customer's equipment, service, or use of property as defined in Section 5.7; an unauthorized activation or deactivation of irrigation water service; burying valve boxes; and modifying any irrigation water Meter, End Point, or Curb Stop. Any unauthorized use may result in fines and/or termination of service.

4.1.2 Malicious Damage to System

No Person shall maliciously, willfully, or negligently, break, damage, destroy, cover, uncover, deface, or tamper with any portion of the Irrigation Water System.

4.1.3 Violators Prosecuted

Any Person who violates the provisions of this Section 4.1 shall be prosecuted to the full extent of Colorado law.

4.1.4 Violators Fined

Any Person violating any of the provisions of these Rules and Regulations shall become liable to the District for payment of a fine as determined by the Board, plus any expense, loss, or damage occasioned by reason of such violation. Such costs shall constitute a perpetual lien upon the violator's property, as permitted under Section 32-1-1001, C.R.S., as amended, or a perpetual lien upon the property concerning which the violator was receiving services at the time of the violation in question, whichever the District Manager deems appropriate. See Section 5.8 regarding unauthorized Connections.

4.2 Use of Irrigation Water System

4.2.1 Request to Change or Move Meter Pit/Curb Stop and Repairs of Leaks

The Customer shall request in writing approval from the District prior to any expansion, addition, relocation, or modification to the service or use of property served by the Irrigation Water System. Each Customer shall be responsible for all costs associated with the construction, maintenance, and/or relocation of the Meter, Curb Stop, and length of the

Service Line up to the Curb Stop. Service Lines shall be constructed in accordance with these Rules and Regulations. No District-owned facilities shall be relocated by any Person other than District staff or Contractors.

The Customer shall repair any leaks or breaks in her Privately Owned Irrigation System within seventy-two (72) hours of obtaining knowledge of a leak or from the time of notification of such condition by the District. If satisfactory progress toward repairing said leak has not been completed within the same time period, the District Manager shall shut off the service until the leaks or breaks have been repaired. In addition, the District shall have the right to effect the repair, and the costs therefor shall constitute a lien on and against the property of such Customer, as security for payment of such cost, as provided for by Section 32-1-1001, C.R.S.

4.2.2 Stop and Waste Type Valve

The Customer shall not use stop and waste type valves in conjunction with a Privately Owned Irrigation System. It is the responsibility of the Customer to bury the Privately Owned Irrigation Systems with sufficient cover to prevent it from freezing.

4.2.3 Safety Devices

Each Customer having sprinkler systems, appliances, apparatuses, and/or other devices on his premises for irrigation, depending on pressure or water in pipes, or on a continual supply of water, shall provide, at his own expense, suitable safety devices to protect himself and his property against a stoppage of water supply or loss of pressure. The District expressly disclaims any liability or responsibility for any damage resulting from a Customer's failure to provide such appropriate protection.

4.2.4 Meters Required

At such time as the Board deems necessary, the District shall charge for water usage pursuant to Meters installed to serve each unit at rates to be determined by the Board. No future Connection shall be made to the Irrigation Water System without a Meter having been installed to serve the subject unit. All Meters shall have devices for remote reading. The type of Meter and location of the Meter shall be subject to the approval of the District.

The District shall install the initial Meter and shall have the right to test, remove, repair, or replace any and all Meters and End Points. The cost of each Meter and End Point and the cost of installation of each Meter and End Point by the District shall be borne by the District at the rate set forth in Appendix B. It shall be the duty of each Customer to notify the District if his Meter is operating defectively as soon as he becomes aware of such defective operation. If any Meter is suspected to be defective, the District shall diligently pursue repair or replacement of said Meter at the District's expense. The Meters referred to in this

Section and throughout these Rules and Regulations are separate from the water meters measuring the use of potable water from the Town of Windsor.

The Customer shall be given written notice that the District suspects the Meter is defective. The Customer shall be given fifteen (15) days in which to respond, which response shall include scheduling with the District an appointment for a Meter inspection and replacement. If the Customer fails to respond, the Customer will be placed on the unmetered rate set forth in Appendix B, effective with the following billing cycle.

The Customer shall be given a second written notice that the District suspects the Meter is defective. The Customer shall be given fifteen (15) days in which to respond to the second notice, which response shall include scheduling an appointment for a Meter inspection and replacement. If the Customer fails to respond to the second notice, the District may disconnect the water service and charge the Customer the capital fee while the service is disconnected.

4.2.5 Required Use of Irrigation Water System

It is not permitted to permanently irrigate property within the Water Valley Districts other than with the District's irrigation water, unless approved by the District, or as otherwise permitted by State law.

4.2.6 Pressure Reducing Valve ("PRV")

A PRV may be installed in Privately Owned Irrigation Systems after the Meter Loop.

4.3 Inactive Service

4.3.1 Definition

Inactive Service means that the Privately Owned Irrigation System for the property is connected to an Irrigation Water System but the Meter is not set and the District's distribution system is not used to deliver water to the property. Inactive Service occurs where the Service Line is constructed initially only to the valve at the property line for the purpose of installing the Service Line prior to the paving of the street or where a regular residential or commercial Tap is converted to inactive status commencing twelve (12) months after the date the application for such status is approved by the District.

4.3.2 Availability

Access to the Irrigation Water System is available to Applicants within the boundaries of the Water Valley Districts or any contracting entity.

4.4 Conservation Shut Down

A Conservation Shut Down is a management tool used to save irrigation water after heavy rainfall. Irrigation pumps are shut off for up to two (2) days when the community receives between .5 and .75 inches of rain and shut off for two (2) or three (3) days when rainfall totals exceed .75 inches and the soil is saturated. The pumps are turned on one (1) to two (2) days before additional irrigation is needed, based on the current soil moisture. The reactivation date is determined by the amount of water that is available in the soil.

ARTICLE V
APPLICATION FOR SERVICE

5.1 Inclusions

Service will be furnished, subject to these Rules and Regulations, to property included within the Water Valley Districts, pursuant to Section 32-1-401, C.R.S. It shall be incumbent upon the Applicant to furnish satisfactory evidence of inclusion whenever such evidence is requested by the District. Satisfactory evidence shall consist of tax receipt, or certification in lieu thereof, received from and signed by the County Treasurer, or documentation provided by one of the Water Valley Districts. A Person owning land within and without the boundaries of one of the Water Valley Districts who desires service to land currently located without the boundaries of the District, must include all of his land to be serviced by the Irrigation Water System into the boundaries of the applicable district. A formal petition for inclusion within one of the Water Valley Districts shall be made to such district, on its standard form, by the Applicant, accompanied by a non-refundable payment of One Thousand Dollars (\$1,000.00) for costs associated with the inclusion of the property, including but not limited to legal fees and the estimated costs of publication and preparation of documents. Any additional costs or legal fees which may occur shall be assessed and paid by the Applicant prior to approval of inclusion by the Board for the applicable district. Until paid, the Water Valley Districts will not process a petition for inclusion of property.

5.2 Service Outside the Water Valley Districts

No service shall ever be provided to property outside of the Water Valley Districts, except upon the express written consent of the District. Charges for furnishing service outside of the Water Valley Districts shall be at the discretion of the Board, but no service shall be furnished to property outside of the Water Valley Districts unless the charge therefor equals at least the cost of service, plus the estimated mill levy and Tap Fees for which such property would be responsible if it were within one of the Water Valley Districts. In every case where the District furnishes service to property outside the Water Valley Districts, the District reserves the right to discontinue the service when, in the judgment of the Board, it is in the best interest of the District to do so.

5.3 Application for Service

Application for service must be filed with the District in writing and accompanied by appropriate fees prior to any action to connect to the Irrigation Water System. Only upon authorized approval of the application and a receipt therefor may a Connection to the Irrigation Water System be made. The location of the Meter and the remote reading device shall be indicated on all applications for service.

5.3.1 Sprinkler System

If a water sprinkler system for lawn irrigation is to be used, it must be metered and meet the requirements of all applicable Town, County, and State codes.

5.3.2 Winter Taps

Taps may be made by appointment during the winter months at the District's sole discretion, provided that the Tap location is heated.

5.3.3 Additional Tap Information Required

All information requested by the District must be completed. In addition, the Meter location and arrangement, and a diagram of the Curb Stop valve box location must be included. A site plan or improvement plan shall accompany the Tap Permit application showing the location of the area to be irrigated relative to property lines.

5.3.4 Reassessment of Tap Fees

Should any information disclosed on the application prove at any time to be false, or should the Applicant omit any information, the District shall have the right to reassess the Tap Fee originally charged at the rate current to the discovery by the District of the false or omitted information, and/or disconnect the service in question, and/or back-charge the property in question for service fees that may be due and owing, and/or charge any other or additional fee or penalty specified in these Rules and Regulations. Any reassessment shall be due and payable, together with any penalties or other additional fees charged, and together with interest at the maximum legal rate on the entire balance, upon and from the date of the original application.

5.4 Denial of Application

The District reserves the exclusive right to deny application for service when, in the opinion of the District Board, the service applied for would create an excessive seasonal, or other, demand on the facilities. Denial may also be based upon an unresolved obligation between any of the Water Valley Districts and the Applicant, inadequate documentation of easements for Main Lines serving the property, or any other reason as determined by the Board or District Manager.

5.5 Cancellation of Application

The District reserves the right to revoke any prior approval of an application before service has been provided, and thereafter for any violation of these Rules and Regulations.

5.6 Moved or Destroyed Buildings

When a building is moved or destroyed, the original Tap authorization shall remain, provided that a written request is made to, and approved by, the Board or District Manager, prior to cessation of payment of service charges.

5.6.1 Abandoned Privately Owned Irrigation System

When a Privately Owned Irrigation System is abandoned permanently, the property owner or Customer shall close the Shutoff Valve on top of the Meter Loop.

5.7 Change in Customer's Equipment, Service or Use of Property

No expansion of or addition to the Customer's service or use of property served shall be made without the prior notification of and approval by the District. Any such change which, in the opinion of the District, will increase the burden placed on the Irrigation Water System by the Customer shall require a redetermination of the Tap Fee and service charge, and a payment by the Customer of any additional Tap Fee and service charge resulting from the redetermination. Subject to Section 5.6, above, Tap Fees previously paid with respect to the property in question shall be credited against the redetermined Tap Fee so that only the unpaid portion of any re-determined Tap Fee shall be due; provided, however, that redeterminations resulting in a conclusion that the Tap Fee, if assessed currently, would be in an amount less than that originally paid, shall not result in a refund to the Customer, and provided further that, when an expansion or change in use occurs which results in additional fees due, a credit for the existing use right shall be given.

5.7.1 Unauthorized Connection Fee

Any violation of this Section shall result in the assessment of an unauthorized Connection fee determined by the Board, as provided by Section 5.8 of these Rules and Regulations, and the District shall take those steps authorized by these Rules and Regulations and Colorado law regarding the collection of said fees. (Also, see Section 4.1 Unauthorized Tampering with Systems.)

5.7.2 Inspection Required

Any Customer believed to have changed equipment, service, or use of his property, in violation of this Section, shall be notified of such belief by the District, and shall be afforded fifteen (15) days from the date upon which the notice is mailed in which to respond to the District's notice. Any response by the Customer must include permission to make such inspection of the property in question as the Board or District Manager or his representatives deem necessary to establish clearly the nature of equipment, service, and use of the property in question. Failure to respond may result in the District discontinuing service to the property.

5.7.3 Redetermination of Tap Fees

The District Manager or his representatives shall inspect the property in question. Following inspection, the District Manager shall make a determination as to the change in the Customer's equipment, service, or use of the property in question, and shall re-determine any additional Tap Fees and service charges due. In the event the decision of the Board or District Manager is deemed unsatisfactory to the Customer, the Customer may present a complaint in accordance with the Hearing and Appeal Procedures, Article IX, of these Rules and Regulations.

5.8 Unauthorized Connections and Fees

No Person shall be allowed to connect onto the Irrigation Water System or to enlarge or otherwise change equipment, service, or use of property without prior payment of Tap Fees, approval of application for service, and adequate supervision and inspection of the Tap by District employees or agents. Any such Connection, enlargement, or change without payment, approval, supervision, and inspection shall be deemed an unauthorized Connection. Upon the discovery of any unauthorized Connections, the then-current Tap Fee shall become immediately due and payable, and the property shall automatically be assessed an additional unauthorized Connection fee equal to the then current Tap Fee per Equivalent Dwelling Unit as liquidated damages toward the District's costs associated with such unauthorized Connections.

The District shall send written notice to the owner of the property benefited by such Connections stating that an unauthorized Connection has been made between the subject property and the District's facilities. The owner shall then have fifteen (15) days from the date the notice is mailed to pay the then-current Tap Fee or proceed in accordance with the provisions of Section 5.7.2 of these Rules and Regulations.

5.9 Revocation of Service

The District may revoke service upon non-payment of any valid fees or charges owing to the District. In the event of non-payment, the Customer shall be given not less than fifteen (15) days' advance notice in writing of the revocation, which notice shall set forth:

1. The reason for the revocation;
2. That the Customer has the right to contact the District, and the manner in which the District may be contacted for the purpose of resolving the obligations; and
3. That there exists an opportunity for a hearing in accordance with Article IX of these Rules and Regulations.

If payment of the outstanding obligation or a request for a hearing is not received by the District within fifteen (15) days of the date of mailing of the revocation notice, the District

Manager shall disconnect the service and the Customer shall be assessed the cost of the disconnection. While the service is disconnected, the Customer shall continue to be assessed the base service charges for irrigation water.

5.10 Revocation of Tap Rights

The District may revoke the right to connect the Irrigation Water System and receive services under Section 5.3, above, upon non-payment of any fees owing to the District and remaining unpaid for a period of thirty (30) days, and whether or not the Customer owning the right to connect has actually connected to the Irrigation Water System. Such revocations shall be conducted in accordance with Section 5.9, above. If the right to connect to the Irrigation Water System is revoked, the Customer may reacquire such Tap rights only by reapplying for service in accordance with Section 5.3, above, and after paying all fees due and owing the District and the then-current Tap Fees charged by the District under these Rules and Regulations.

5.11 Activation/Deactivation of Service

All activations and deactivations of water service through a Curb Stop that has been connected to the Irrigation Water System pursuant to a written Permit issued by the District shall be performed only by District personnel regardless of the ownership of the Curb Stop or Service Line and regardless of the circumstances respecting the activation or deactivation. The District shall assess a single activation/deactivation fee in the amount of \$250.00 for any such activation or deactivation performed, except when initial service is provided and when the service is performed for Customers requiring maintenance to their Service Lines, in which case there shall be no charge. The District will provide this service only for a Tap for new construction, one time prior to the occupancy of the building located on the property served.

All other requests for activation or deactivation of the District's service may be granted or denied by the Board or District Manager in the Board's or District Manager's sole discretion. In new construction, at the time the Meter is set, service charges begin unless the District is requested to perform the turn-off. In this event the Customer will be charged \$250.00 when service is turned on.

**ARTICLE VI
CONSTRUCTION OF SERVICE LINES**

6.1 Compliance with Rules and Regulations

The requirements of these Rules and Regulations, and the Appendices attached hereto, are applicable to the construction of all Service Lines.

6.2 Inspection and Tapping Charges

All Taps shall be made by the District or its authorized representative and all Service Lines shall be inspected by a representative of the District. All irrigation water Service Lines are to be tested under normal operating pressure. Constructors of Service Lines shall schedule an open ditch inspection of all Service Lines. If said inspection is not made within twenty-four (24) hours of the request for inspection, excluding weekends and holidays, construction may proceed. There may be a charge for all inspections as determined from time to time by the Board. Further information regarding inspections and the charges for inspections may be obtained from the Board or the District Manager. Charges for each Tap are set forth in Appendix B, attached hereto.

6.3 Separate Service Lines Required

A separate and independent Service Line shall be provided for every lot and shall be installed at the expense of the property owner. There shall be one Meter installed for each separate lot served. A Curb Stop shall be located at the property line on all Service Lines. Each half of a duplex shall have a Curb Stop at the property line and shall have a separate Meter and Service Line. The Board or District Manager, in the exercise of his sole discretion, may provide an exemption from the above requirements for outdoor common space areas that are part of a condominium or other multi-family dwelling association. In such a case, the District shall bill the association for service charges assessed by the District for irrigation water usage in the association. In all cases where individual units are not separately metered, billing shall be to one entity for service to all units serviced through the same Meter or Service Line, and payment for less than all units shall be considered non-payment, allowing the District to terminate service.

6.4 Construction and Connection

The Contractor shall notify the District when the Service Line is ready for inspection and Connection to the District's main. One (1) working day's notice is required. The Connection shall be made to the main by District personnel. All Contractors, plumbers, and others doing work on any main, Service Lines, or structures in the Water Valley Districts shall comply with County, State, or local regulations on excavation, backfill, compaction, and restoration of surface. All Permits, fees, and licenses, including but not

limited to those fees set forth in Appendix B, shall be paid for by the Contractor, plumber, or others doing work in the Water Valley Districts, prior to the start of construction.

All excavations for service installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public or private property disturbed in the course of the work shall be restored in a manner satisfactory to the District. All daily inspection fees on construction required by any governmental agency, including the District, shall be paid by the plumber, Contractor, or others doing work for the District.

**ARTICLE VII
MAIN LINE EXTENSIONS**

7.1 Compliance with Rules and Regulations

Main Line extensions shall comply with the requirements of these Rules and Regulations and the District's standard specifications for Service Line construction.

7.2 Main Line Extensions by the District

The District has the right to construct all Main Lines within the Water Valley Districts. Developers who desire to construct such Main Lines prior to the date planned by the District for their construction may do so as provided in Section 7.4 herein.

7.3 Procedure for Main Line Extension by the District

The District may construct a Main Line extension if the Board deems it in the best interest of the District to do so. All Main Line extensions which are so authorized shall be bid, as provided by State law, and contracted for by the Board, with the Constructor installing the Main Lines being responsible to the Board. The District, through the District Engineer, shall supervise construction activity and coordinate all matters pertaining to the completion of the subject project, including periodic and final payments to the Constructor, inspection, and as-built drawings.

7.3.1 Performance Bonds and One Year Warranty

Pursuant to Sections 38-26-105 and 38-26-106, C.R.S., performance and payment bonds equal to the contract price at a minimum shall be furnished to the District by the Constructor on all construction contracted by the District. All Main Lines constructed shall be accepted by the District upon completion of construction, subject to a one (1) year warranty period, during which the Constructor shall promptly, without cost to the District, correct any defective work. All daily inspection fees required by any governmental authority, including the District, shall be paid by the Constructor.

Constructors who have completed construction of Main Line extensions shall, before the Main Lines are accepted by the District, deed the Main Lines and all appurtenances to the District, free and clear of all liens and encumbrances, and furnish to the District a surety bond or other acceptable collateral which shall cover all maintenance for one (1) year from the date of acceptance of the Main Lines by the District. Prior to the acceptance of the Main Lines by the District, the Constructor shall provide to the District reproducible, as-built drawings including Stub-out locations, coordinates of manholes, rim and invert elevations, and easements.

7.4 Procedure for Main Line Extension by Developers

The District has no obligation to extend any Main Line. In the discretion of the Board or District Manager, the District may permit an Applicant to construct, at the sole expense of the Applicant, Main Lines prior to their construction by the District. The Applicant shall enter into a written Main Line extension agreement with the District prior to proceeding with any extension.

7.4.1 Application for Approval

All Applicants desiring to construct a Main Line within the District shall first make formal application to the Board or District Manager for approval. This application shall be in writing and shall contain a legal description of the property to be served by the Main Line, plans for such extension, and any other information required by the District, in its discretion. The staff shall then submit the recommended plans, with appropriate documentation, to the Board or District Manager for final approval. Said plans shall be reviewed for compliance with the District's specifications, and with other specifications and requirements appropriate to the situation. The cost of such study for compliance shall be borne by the Applicant.

7.4.2 Deposits with the District

Prior to the execution of the Main Line extension agreement with the District, the Applicant shall deposit with the District an amount sufficient to compensate the District for engineering fees, legal fees, and other costs, except direct construction costs, anticipated to be incurred by the District as a result of the application and the construction of the Main Line.

7.4.3 Performance and Payment Bonds

All contracts entered into by an Applicant for construction of any part of a Main Line shall be assignable to the District. All such contracts that an Applicant proposes to assign to the District shall include performance and payment bonds to be issued by the Contractor to the District pursuant to Sections 38-26-105 and 38-26-106, C.R.S. Said bonds shall be at a minimum equal to the contract price for the construction contracted for by the Applicant. All Main Lines shall be constructed according to applicable District, County, and State specifications. All Main Line extensions within the Water Valley Districts shall be made under the supervision of the District staff at the Applicant's expense. Similarly, all daily inspection fees on mains required by any governmental agency, including the District, shall be paid by Applicant. Such costs may be subject to cost recovery if so designated in the cost recovery contract.

7.4.4 Special Structures Designed by District Engineer

Special structures, such as pumping stations, pressure reducing valves, Meter vaults, etc., required to ensure proper operation of the extensions, shall be constructed from designs of the District Engineer or such other engineer as may be approved by the Board.

7.4.5 Oversizing of Main Lines

The Applicant shall be responsible for oversizing Main Line extensions as required by the District, at the District's expense, subject to future cost recovery by the District from future extenders. Specifically, a future extender may be required to reimburse the District for the cost of oversizing, including reasonable interest, upon connecting a further extension.

7.4.6 Documentation Required

Applicants who have completed construction of Main Lines shall, before the Main Lines are accepted by the District, deed the Main Lines and appurtenances to the District, free and clear of all liens and encumbrances, and furnish to the District bonds, which shall cover all maintenance for one (1) year from the date of acceptance of the Main Lines by the District. Prior to the acceptance of the Main Lines by the District, the Applicant shall provide the District with:

1. All easements necessary accompanying the Main Lines;
2. Four (4) Mylar, as-built drawings; and
3. A statement of the certified costs of the Main Lines.

7.4.7 Contract Required

No reimbursement or recovery of costs shall be permitted for Main Line extensions, except as provided by fully executed contracts with the District. The District shall, in its sole discretion, determine when reimbursement may be made for Main Line extensions.

7.5 Main Line Sizes

The size of the Main Line required to serve any area served by the Irrigation Water System shall be determined by the District.

7.6 Locations of Main Line Extensions

Main Lines shall be installed in roads or street rights-of-way, as well as in easements granted to the District. Where required, facilities must cross land not being subdivided, or where such land is under the Applicant's control for the granting of public rights-of-way, each Applicant who desires service will, in consultation with and with the approval of the District, plat and grant to the District appropriate rights-of-way and easements in which such facilities will be constructed.

The District shall maintain sole discretion over the location of any Main Line extensions, including control over any parallel lines.

ARTICLE VIII RATES AND CHARGES

7.7 General

The information contained in this Article is pertinent to all charges of whatever nature to be levied for the provision of irrigation water service. Said rates and charges are in existence and effect at this time, except as otherwise indicated, and shall remain in effect until modified by the Board pursuant to the applicable statutes of the State of Colorado. Nothing contained herein shall limit the Board from modifying rates and charges, or from modifying any classification.

7.8 Application of this Article

The rates, charges, and other information shown herein shall apply only to Customers inside the Water Valley Districts and shall in no way obligate the District with respect to services provided outside the boundaries of the Water Valley Districts.

7.9 Classification of Customers

For the purpose of levying fair, reasonable, uniform, and equitable charges, the following classifications and related definitions are provided:

7.9.1 Single-Family Residential Unit

Includes single-family unit; a patio home is included under the definition of single-family residential unit.

7.9.2 Multi-Family Unit

Includes duplex and clustered units, such as multi-family apartments, condominiums, and townhomes.

7.9.3 Hotel, Lodge, Motel, Accommodation Unit

Includes accommodation rooms or suites of rooms or apartments designed for short-term commercial rental. All other auxiliary uses, i.e., restaurants, bars, athletic facilities, and public restrooms, are included under Section 8.3.4.

7.9.4 Commercial, Industrial Service

All non-residential uses which are not included under Sections 8.3.1, 8.3.2, or 8.3.3.

7.10 Tap Fee

A Tap Fee shall be charged to all irrigation water service Customers of the District. Such Tap Fee is the Applicant's proportionate share of the Irrigation Water System cost in relation to the Applicant's use and may be used by the District for purposes of paying all or any part of the costs associated with the District's operation and maintenance expenses, including, without limitation, the District's ground maintenance services, such services to include but not be limited to the irrigation and landscaping of the Water Valley Districts' open spaces and any other budgeted, general-fund expenditures of the District. Such Tap Fee shall be assessed and paid upon the date of the initial transfer of title of any property to any purchaser in which a Single-Family Residential Unit or Multi-Family Unit shall be constructed on such property. Tap Fees shall be assessed as provided for in the schedule of fees and charges attached hereto as Appendix B; provided, however, that:

7.10.1 Prepaid Tap Fees

Tap Fees may be prepaid, and Tap Permits issued, at any time in advance of Connection, in which case the commencement of service charges shall be governed by Section 8.6 of these Rules and Regulations. No refund of Tap Fees will be paid.

7.10.2 Factors and Usage

The fees and charges reflected in Appendix B, or as otherwise set forth in any resolution concerning the imposition of fees as may be adopted by the Board, are based upon factors of usage and physical structure, and upon the application by the District Manager of those factors to the facts and circumstances surrounding the application.

7.10.3 Disputed Tap Application

If a dispute arises between the District and the Applicant regarding the calculation of Tap Fees or the nature and use of the structure as it applies to Appendix B, the dispute will be settled in accordance with Article IX of these Rules and Regulations.

7.11 Transfer of Tap Fees

No Tap Fee paid on behalf of one property, or any portion thereof, may be transferred to any other property unless:

7.11.1 Common Owner of Property

The owner requesting the transfer is the common owner of the property for which the Tap Fee has been paid and the property to which the transfer of the Tap Fee, or portion thereof, is being requested.

7.11.2 Good Credit

The owner requesting the transfer has no outstanding unpaid accounts with the District and has previously maintained good credit with the District.

7.11.3 No Previous Connection to System

The property to which the Tap Fee initially applied has never been connected to the Irrigation Water System.

7.11.4 Payment of Difference

The owner requesting the transfer shall pay to the District the difference between the Tap Fee which would otherwise be charged on the date the transfer is requested for the property to which transfer is being sought, and the Tap Fee previously paid, but in no event shall the District make a credit or refund. In the event an owner transfers only a portion of the total sum previously paid as a Tap Fee, the owner shall retain a credit, subject to the provisions of Section 5.10, for any non-transferred portion of the previously paid fee.

7.11.5 Approval in the Discretion of District

Any approval of a request for a transfer of a Tap or fees shall be in the sole discretion of the District.

7.12 Water Charge

Until such time as the District begins to meter actual water usage, a Capital Fee shall be charged as reflected in the Schedule of Fees and Charges, attached hereto as Appendix B, or as may be adopted by any resolution of the Board concerning the imposition of fees. Unless otherwise determined by the District, the Irrigation Season shall be the period of April 15 through October 15.

The Capital Fee may be used by the District for purposes of paying all or any part of the costs associated with the District's operation and maintenance expenses, including but not limited to the operation and maintenance of the District's irrigation system and the District's ground maintenance services, such services to include, but not be limited to, the irrigation and landscaping of the Water Valley Districts' open spaces, and any other budgeted expenditures of the District.

7.13 Amended Tap Fees

In those situations where a prospective user applies for a Permit for service to a property or use not defined in the preceding Article, or where, in the District Manager's opinion, said property represents a classification not contemplated in the establishment of the

previously defined Tap Fee, the Board or District Manager shall, in its/his sole discretion, establish a fair, reasonable, and equitable Tap Fee for said property.

7.14 Amended Water Charges

At such time as the District begins to meter actual water usage, the District shall charge for monthly water usage to be determined by the Board in its sole discretion. In addition, in those situations where, in the Board's or District Manager's sole discretion, the water charges imposed herein do not represent a fair, reasonable, and equitable charge for the intended use, the Board or District Manager, in its/his sole discretion, may adjust said rates.

7.15 Payment of Water Charges

It is the policy of the District to bill the Capital Fee and water usage fees in arrears.

When a condominium or other multi-unit dwelling association exists for a number of units receiving service for irrigation of outdoor common space for such units which do not have individual irrigation water service from the District, said association shall receive an annual invoice for the outdoor common space serviced by the association.

The District shall have the right to issue only one bill for irrigation water supplied to a multi-unit structure or development. Any structure with more than one living unit off the Service Line, which is not separately metered, shall establish one responsible party for irrigation water bills.

Payment of the Capital Fee and water usage fees shall become due, owing, and payable upon the date of written notification by the District that said Capital Fee and water usage fees are due. Where the Customer believes said statement is in error, the Customer must file, in writing, a notice to the District of the presumed error, and request a clarification from the District Manager. Upon review by the District Manager, and resubmittal and/or revision of the statement, payment shall be due no later than ten (10) days from the billing date of the resubmitted statement.

7.16 Penalty for Late Payment

If the Customer is late by fifteen (15) days or more in payment of any charges due the District, the District shall assess a late fee in the amount of \$15.00 and an interest charge at the rate of one percent (18%) per month on the unpaid balance. The District shall further have the right, in its sole discretion, to terminate service to any Customer who becomes thirty (30) days or more delinquent in payment for scheduled services, following the opportunity for a hearing as outlined herein.

The District shall assess to any Customer who is delinquent in payment of his account, all legal, court, disconnection, and other costs necessary to or incidental to the collection of said account.

Until paid, all such fees, rates, penalties, or charges shall constitute a perpetual lien on and against the property served, and any such lien may be foreclosed in the same manner as provided by the laws of this state for the foreclosure of mechanics' liens.

7.17 Foreclosure Proceedings/Attorney's Fees

If it becomes necessary after other efforts (letters, posted notices) to collect delinquent payments of any fee or charge imposed by the District, the District shall attempt to collect such amounts pursuant to any then-adopted Resolution Concerning the Collection of Delinquent Fees and Charges, which measures may include foreclosure as provided for by Section 32-1-1001(1)(j)(I), C.R.S. All of the provisions of these Rules and Regulations to the contrary notwithstanding, all Customers/users of the Irrigation Water System hereby agree to be bound by these Rules and Regulations as a matter of contract and for which there is good and valuable consideration.

7.18 Certificate of Amounts of County Treasurer

In addition to any other means of collecting delinquent fees, rates, tolls, penalties, charges, or assessments made or levied solely for water services (including charges for availability of such service), the District may certify the delinquent amounts to the county treasurer for collection in the same manner as property taxes, in accordance with the provisions of statute, as amended. The District shall charge a fee for the administrative costs of this collection method, which fee shall be added to all delinquent amounts, including other penalties and interest charges, before certification.

7.19 Required Equipment – Radio Frequency Units

All irrigation water Service Lines shall be metered with the following equipment in addition to the local code requirements. The Meter body shall be a 5/8" X 3/4" PMM Water Meter, with a Sensus Frequency register and radio Unit. Once installed, the service will be inspected and tested for compatibility with the Irrigation Water System. Upon approval, service will then be activated by the District.

APPENDIX A
SERVICE LINE CONSTRUCTION

A.1 Rules and Regulations

The Applicant, Contractor, and property owner are responsible for knowledge of all provisions of the Rules and Regulations. The items below are restated for emphasis:

Tap Fees Tap Fees must be paid prior to the scheduling of any inspections by the District.

Service Charges Service Charges begin as of the date of turn on.

Unauthorized Tap ANY CHANGE IN USE, CONVERSION OF ADDITIONAL UNITS, OR CONNECTION OF NEW STRUCTURE MADE WITHOUT PAYMENT OF A TAP FEE WILL BE CONSIDERED AN “UNAUTHORIZED TAP.”

The occurrence of an unauthorized Tap is subject to a penalty charge, as well as payment of the appropriate Tap Fee.

Property Owner The property owner shall be held responsible in the event of nonpayment of all fees and charges due the District.

A.2 Standards for Service Lines

Prior to Service Line construction, the Constructor shall familiarize himself with the District standards and specifications. The owner or Constructor shall obtain approval for the location of the Service Line and submit appropriate sets of site and mechanical plans and inform the District’s personnel of intended schedule for construction.

Constructors shall apply for all permits. All permits, fees, and licenses shall be paid for by the Constructor plumber, or other doing the work in the District, prior to the start of construction.

A.3 Excavation

All excavation required for the installation of Service Lines shall be open trench work unless otherwise approved by the District Manager.

Pipe laying and backfill shall be performed in accordance with the District's standards and specifications. No excavation shall remain open for more than forty-eight (48) hours and all District mains are required to be covered overnight.

Where a street cut is required, the Contractor shall rebuild the road base in accordance with applicable City, County, or State regulations on excavation, backfill, compaction, and restoration of service. All excavation for all Service Lines shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways, and other public and private property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

All backfill shall be maintained in a satisfactory condition and all places showing signs of settlement shall be filled and maintained during construction for a period of one year following completion of construction. When an Applicant is notified by the District that a backfill is hazardous, he shall correct such hazardous conditions at once.

A.4 Tapping the Main

The District's representative is authorized to make Taps onto the District's irrigation Water Mains. The Applicants of the irrigation water service Permit shall notify the District when the service is ready for inspection and Connection to the main. Appointments for inspection and Connection should be scheduled twenty-four (24) hours in advance. Contractor shall provide two (2) workers to assist the District in making the Taps on to the main.

A.5 Inspections

The Applicant for the irrigation Service Line Permit shall notify the District when the service is ready for inspection. Appointments for inspection and Connection should be scheduled twenty-four (24) hours in advance. The Connection shall be made by qualified personnel. All Service Lines shall be inspected by the District's representative, who shall have the authority to halt construction when, in his opinion, the District's Rules and Regulations for proper construction practices are being violated. Whenever any such violations occur, the District's representative shall, in writing, order further construction to cease until all deficiencies are corrected. No Service Lines shall be covered without the District representative's approval. Anyone making any installation without such approval shall be required to remove all soil or any other covering over the Service Line to allow its inspection.

A.6 Water Service Lines

Water Service Lines	Alignment of the water Service Line shall be located so as to take the shortest, most direct route, preferably perpendicular from the main to the Curb Stop. No water Service Line shall be laid parallel to any
---------------------	--

	bearing wall which might be thereby weakened. The water service shall be laid at a uniform grade in a straight alignment.
Pressure Test Required	Under supervision of the District representative, the water Service Line is to be water pressure tested at normal operating pressure from the Water Main to the building before backfill begins.
Curb Stop	<p>The Service Line shall have a Curb Stop control valve located at the property line, or as otherwise approved by the District, with easy access to the District. Curb Stop valve boxes must be accessible from the surface and located at the property line. The Curb Stop valve boxes must be installed prior to the Meter.</p> <p>The Service Line shall be a continuous line with no joints, if at all possible. Splices are allowed if distance exceeds the length of one hundred (100) feet. There shall be no splices between the Curb Stop and the main.</p>
Stub-Out	When water Service Lines are stubbed-out to property lines, the Stub-out shall be valved off and plugged, with a valve box installed to the ground surface. If no irrigation water Stub-out exists, District personnel will make all Taps up to two (2) inches.
Owner's Responsibility	The District is responsible for the maintenance of the water Service Line, up to and including the Curb Stop valve to the end of the Meter Loop. The Customer is responsible for the maintenance of the remaining portion of the private irrigation system after the Meter Loop, including the blow off cap. Owner is responsible for turning on/off the shut off valve located on the Meter Loop. Owner is responsible for properly winterizing their irrigation system as to avoid damages. serving the property.
Water Service Line Specification	Service Lines shall be constructed with type K copper up to two (2) inches; larger than two (2) inches shall be constructed with D.I.P. Service Lines shall be buried at least eight (8) feet with two (2) inch bedding and six (6) inch compacted cover. No lead-soldered fittings shall be allowed. All copper Connections must be compression joints or silver-soldered joints. Dry ice shall be used when making repairs to Curb Stop. All Taps larger than two (2) inches will be made by an approved Contractor and inspected by District personnel. Inspection of water Service Line is required. Inspection will be made with the Service Line under pressure. The District will record the actual location and depth of water Service Lines.

Service Line Separation	A ten (10) foot separation must be maintained between water Service Lines.
Meters And Remotes	<p>All water Service Lines shall have a Meter before irrigation water is turned on. Meters shall be provided and installed by the District. The original cost of the Meter and cost of installation shall be borne by the Customer. Repairs and replacements are funded by the Capital Fee and performed by the District or other authorized Contractor at the discretion of the District.</p> <p>All Meters must be bronze-bodied 5/8" X 3/4" PMM ECR/WP Water Meters with remote-read unit. Contractor or owner will be supplied a Meter Loop to be installed in the location of the Meter. The Contractor will remove the spool and install the Meter and a remote read unit upon installation.</p> <p>It shall be the builder's/Contractor's responsibility to protect the Meter from freezing or other physical damage during construction. After completion of the construction and acceptance by the owner, it shall be the owner's responsibility to protect the Meter from freezing, from damage due to high water pressure (e.g., PRV), and other physical damage.</p> <p>All Meter installations must be in freeze-proof, convenient, and easily accessible areas. Meter pit and Curb Stop should be completely exposed and available to District staff and should not be covered or buried. Owner is responsible for exposing the Meter pit or Curb Stop if covered or buried. In the event of an emergency, the District reserves the right to remove landscaping, hardscaping, decking, patios, awnings, etc. within the 10 foot easement, from the mainline to the Meter or Curb Stop.</p> <p>Irrigation water will remain turned off at Curb Stop until the Meter is installed. All irrigation water is to be metered, including that used during construction.</p>
Pressure Reducing Valves	Individual, pressure-reducing valves are permitted on all water Service Lines and shall be located upstream from (ahead of) the Meter.
Shut off Valves	Contractor may install Shutoff Valves ahead of PRV and after the Meter Loop to facilitate future repairs.
Backflow Prevention	Backflow prevention devices are required on all facilities where required by the Colorado Department of Health. All devices will be inspected and certified as working properly every year by a certified Inspector.

Construction	CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL APPLICABLE UNIFORM BUILDING CODES AND LOCAL BUILDING CODES.
Irrigation Water Turn on	<p>Irrigation water activation will be made by District personnel only from the main distribution system. Any service turned on by other than authorized personnel shall be considered illegal system tampering and subject to fees and penalties.</p> <p>All irrigation water shall be metered.</p> <p>All Meters will be installed by the District or authorized Contractor</p> <p>Irrigation water service is turned on and billing begins when the Meter is installed.</p>

Appendix B

WATER SERVICE RATES, IRRIGATION WATER SYSTEM

Capital Fees and water usage fees are assessed each April with subsequent usage billings, for each Single-Family Residential Unit, Commercial Unit, and Multi-Family Unit, in the amount set forth in the District's adopted Fee Schedule, as may be amended from time to time. Unless otherwise determined by the District, the Irrigation Season shall be the period of April 15 through October 15.

WATERING SCHEDULE, IRRIGATION WATER SYSTEM – RESTRICTIONS OF USE

If conditions of supply so limit the water supply of the District's water system, that unrestricted water use may endanger the adequacy of that supply, the Board, exercising its discretion in the protection of the public health, safety, and welfare, may adopt the following emergency water use restrictions and such additional regulations and restrictions as are reasonably calculated under all conditions to conserve and protect that supply and to ensure a regular flow of water through the system. Emergency water use regulations and restrictions shall remain in force and effect until the Board determines that the conditions requiring their imposition no longer exist.

* Special Permits may be issued to allow for special circumstances, including establishing new sod or other circumstances approved by the District.

Links to docs below:

[irrigation_water_owner_guide_2023.pdf \(poudretechmetrodistrict.org\)](https://poudretechmetrodistrict.org/irrigation_water_owner_guide_2023.pdf)

[what_is_a_water_meter_and_transponder.pdf \(poudretechmetrodistrict.org\)](https://poudretechmetrodistrict.org/what_is_a_water_meter_and_transponder.pdf)

[residential_winterization_and_blow_out_process.pdf \(poudretechmetrodistrict.org\)](https://poudretechmetrodistrict.org/residential_winterization_and_blow_out_process.pdf)