

LOS RANCHITOS ESTATES HOMEOWNERS ASSOCIATION, INC.

POLICY #12: ASSOCIATION WATER SYSTEM

Adopted: January 16, 2017

Revised: August 13, 2018 and September 4, 2020

The following policies, procedures and rules relating to the Association Water System. have been adopted by the Los Ranchitos Homeowners Association, Inc. ("Association" or "HOA") pursuant to the Governing Documents of the Association, and the Act, at a regular meeting of the Board.

Purpose: To adopt policies, procedures, and rules governing the Association's Water System.

ASSOCIATION WATER SYSTEM

A. Limits on Water Usage

Owners will limit irrigation to not more than 9600 square feet of land per lot. (Court Decree, case 13CW3001, June 30, 2016).

B. Water Allocation

In the event that the Division Engineer mandates a reduction of water allocation, the division of water to homes will be in accordance with the Court Decree and its attachments A and B.

C. Water Meters

1. All resident connections to the HOA Water System shall have functional 5/8 " X 3/4" Neptune E-Coder R900i (or newer) meters.
2. The HOA is responsible for delivering water to every service tap and meter on the Water System, including maintaining the service valve. The Owner is responsible for all other water lines located on their property.
3. All meters, meter pits and covers, meter risers, and remote reads shall be furnished at the expense of the HOA, owned by the HOA, installed by the HOA and maintained by the HOA.
4. The user shall at all times keep the meter and meter pit accessible to the HOA by keeping it free from debris such that the Water Committee representative(s) shall be able to service the meter, take meter readings or turn off the water at any time the Water Committee and Board deems necessary. If a new driveway or entrance is put in it must be located at least three feet away from the meter pit location.
5. If any homeowner thinks their water meter is inaccurate, they can pursue the following option. The homeowner will need to send a letter or email to the Board which will then forward it to the head of the Water Committee. This option will have no cost to homeowner once a year. Meters will only be replaced if they are off $\pm 15\%$. Adjustments to owner's bills will be made if the meter is reading is off by $\pm 2\%$.

Testing procedure:

Two people from the water committee will come to the house and perform the following tests.

- 1) Turn off main at house to determine that there is not a leak between the house and the meter.
- 2) Make sure all water usage at house is turned off and the meter is reading zero usage for a period of 5 minutes.

Fill a 10 gallon container up and then verify that the meter has read 9.8 gallons to 10.2 gallons. The water committee will provide a previously verified 10 gallon capacity container.

6. It is unlawful for any person or user, other than the HOA authorized person(s), to open or close any valve, tamper with the meter or read-out, and such action shall be subject to a fine up to \$1,500 per incident, as assessed by the HOA Board.

D. Water Leaks or Delivery Problems

1. Any potential sign of water leaks along the main water line or on resident's lots should be reported to the Water Committee immediately. Maintenance of the water line from the meter pit to the houses shall be the sole responsibility and expense of the Owner. Any damaged or leaking water service connection shall be promptly repaired by the Owner, as further detailed in this Policy.

2. A member of the Water Committee shall be allowed, after contacting the Owner for permission, to enter onto an Owner's lot to inspect for a suspected leak. If a significant leak exists the water may be shut off to the house (see 4. below). If the Owner is not occupying the house at the time the leak is identified, the HOA shall have the authority to turn off the water to the home, with prior notification to the Owner.

3. The user shall keep all fixtures and pipes from the meter pit to the premises and inside the premises without leaks and in good repair. If the Owner is currently occupying the premises, the Owner shall, within thirty (30) days, repair any leaking fixtures or pipes, when notified by the HOA. After the thirty (30) day time period, the water shall be turned off and not turned on again until the leak repairs have been completed and verified. If the water is shut off there will be a \$25.00 shutoff charge. In addition, a water turn-on fee of \$35.00 is payable if reconnection to the utility occurs during normal business hours, or \$50.00 if reconnection occurs after normal business hours or during weekends.

4. At the Water Committee's sole discretion, if a leak exists of significant volume, the Water Committee may deem a "water emergency" exists (that which poses an imminent threat to the water supply), and the Water Committee may turn the water off until the repair has been completed. The Water Committee will immediately notify the Board in this situation and notify the involved Owner(s). An email notification will be sent to the entire community regarding the emergency. The Board or one of the officers will send that notification.

5. Water delivered by the HOA shall be efficiently used and shall not be wasted. In the event of scarcity of water, failure or partial failure of supply of water for any reason, or anticipated scarcity or failure of water, the Board of Directors shall have the power to restrict and set limits to household water usage from said system as it deems fit and proper. Notice of the imposition

of such limits and restrictions may be by phone, or written notice delivered, mailed, faxed or emailed to the members and shall be effective immediately until the members are notified otherwise. The Association may refuse to deliver water during the period of restriction to any member who fails to comply with the water restrictions. In addition, a fine or penalty not to exceed \$300 may be imposed.

E. Water Valves and Standpipes

The valve allowing access to the main water line as well as all parts of the meter pit is the responsibility of the Association. It is highly recommended that a member of the Water Committee or their representative(s) operate the valve. If an individual who is not a Member of the Water Committee operates the valve and damage occurs, the costs for repairs will be the responsibility of the person causing the damage. This will include the cost for a backhoe to excavate the valve and, at the Board's sole discretion, a fine of up to \$1,500 per incident.

F. Water System Shutoff Notification

If it becomes necessary to shut off any section of the Water System, affected Owners will be notified prior to stopping the water flow. (Court Decree, Case 13CW3001, June 30, 2016).

G. Service Connectivity Fee (Tap Fee)

Prior to construction of new home, the Owner shall contact the Water Committee through the Architectural Review Committee (ARC) regarding water services to their residence. After September 1, 2020 the Owner of each newly proposed home construction shall be required to pay the HOA's labor installation cost of new meter, yoke and meter pit(not to exceed \$1200). The subdivision will pay for and purchase all of the necessary parts needed in the meter pit as well as meter pit housing and cover. The owner will be responsible for hook-up of pex line coming out of meter pit and supply line to home. If the owner has any issues during the homeowner hookup the HOA/Water Committee should be contacted immediately. Please contact the HOA once the supply line to house has been connected so that the HOA can turn the water on.

H. Water Testing and Annual Reporting

1. The Water System manager, a contractor engaged by the Association, has the right to obtain, with prior notice, water samples from an outside water tap at any residence. In the winter months he/she may request a sample from inside the home.

2. Owners will be notified about water testing in accordance with Colorado Department of Public Health and Environment. If any exceptions occur the HOA will follow all recommended additional testing procedures and modifications required to bring the Water System back into compliance.

3. The annual water Consumer Confidence Report is posted at both mailboxes, as well as on the HOA website(<https://www.losranchitosestates.com/>).

I. County Building Permits

The Water Committee chair or Association President shall sign County Building Permits certifying water entitlement.

J. Los Ranchitos Subdivision Water Contract

Los Ranchitos Estates HOA and Los Ranchitos Florida HOA have entered into an Amendment to Los Ranchitos Subdivision Water Contract (Amendment July 23, 2016). This Contract describes the distribution of costs associated with the purchase of water from Florida Water Conservancy District (FWCD) and the Bureau of Reclamation. Los Ranchitos Florida HOA shall reimburse Los Ranchitos Estates HOA in the amount of 33.3% of all costs associated with the purchase of water, as delineated in the water augmentation plan, in the above referenced court decree.

K. HOA and Tiered Water Bill Payments

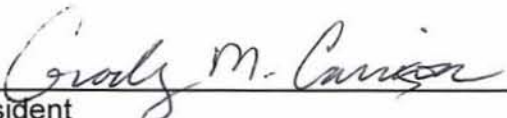
All HOA water bills (both HOA portion and "usage based" portion, as well as any fines/penalties) are due and payable on the due date of the quarterly bill. If any billing is not paid by the due date, a delinquency charge of \$10 per month will be assessed. If any quarterly billing remains unpaid 60 days after the quarterly due date, water service is subject to be shut off and the HOA will issue a shut-off notice by email and postal letter to the address on file. The Responsible Party shall have an opportunity for a hearing before the HOA Board. A written request for a hearing must be received by the HOA no later than 5 days after the shut-off notice has been sent. If the HOA does not receive full payment within 10 business days of receipt of the shut-off notice, and the customer has not requested a hearing, water service may be shut off without further warning. If the water is shut off, service will not be resumed until the full amount due, including delinquency charges, and a \$25.00 shutoff charge are paid in full. In addition, a water turn-on fee of \$35.00 is payable if reconnection to the utility occurs during normal business hours, or \$50.00 if reconnection occurs after normal business hours or during weekends. Any account delinquent for more than 90 days may be subject to a lien on the respective property. Any account delinquent for more than 180 days may be subject to foreclosure.

L. Suspension of Water Delivery and Voting Rights

The Board of Directors may suspend water delivery to, and voting rights of, a Member if said Member is in breach of any provision of this Policy #12 or rules or regulations adopted by the Association. If the water is shut off, service will not be resumed until the breach of policy is corrected, and a \$25.00 shutoff charge is paid in full. In addition, a water turn-on fee of \$35.00 is payable if reconnection to the utility occurs during normal business hours, or \$50.00 if reconnection occurs after normal business hours or during weekends.

CERTIFICATION: The undersigned, being the President and Chairperson (or other board member) of the Board of Directors of the Los Ranchitos Estates Homeowners Association, Inc., a Colorado nonprofit corporation, certifies that the foregoing Policy was approved and adopted by the Board, at a duly called and held meeting of the Board on March 10, 2020 and in witness thereof, the undersigned have subscribed their names.

Los Ranchitos Estates Homeowners Association, Inc.,
a Colorado non-profit corporation,

By: 
President

Date: 9/4/20

By: 
Chairperson (or other board member) of the Board of Directors

Date: 9/4/20