m 39

TELLER COUNTY,CO Ø366780 Ø2/15/1989 10145 BK 474 PG 191 BHIRLEY A BEACH,RECORDER

RULES AND REGULATIONS

FOR

WESTWOOD LAKES WATER DISTRICT**

P.O. BOX 4486

MOODLAND PARK, COLORADO 80863

**The real property included within the boundaries of the District consists of:

- Young's Addition, Teller County, Colorado.
- Westwood Lakes in Teller County, Colorado, except Lots 5 and 6 in Block 3, Lots 20 and 21 in Block 4.

TELLER COUNTY,CO 0368780 02/15/1989 10:45 BK 474 PG 192 BHIRLEY A BEACH, RECORDER

CONTENTS

١.	GENERAL	
2.	WATER TAPS - TAP FEES2	
	2.1 Water Taps	
	2.2 Tap Fees	í
3.	SERVICE SPECIFICATIONS	
	3.1 The Tapping Valve	
	3.2 Cut-off Valve Stand Pipe	
	3.4 Check Valve	
	3.5 Water Meter	
	3.6 Service Line Pipe Specifications	
	3.7 Water Meter Remote Reader	
	SERVICE INSTALLATION	į
•	4.1 General	í
	4.2 Service Line installation Excavations	Ĺ
	4.3 Tapping Valve Installation	ì
	4.4 Cut-oil Valve Installation	ı
	4.5 Cut-off Valve Stand Pipe Installation	į
	4.8 Check Valve installation	į
	4.7 Water Moter Installation	Ļ
	4.8 Service Line installation	\$
	4.9 Water Meter Remote Reader Installation	ţ
R	NEW WATER MAINS	3
Ř	CONSTRUCTION WATER	3
,	SERVICE OUTSIDE OF DISTRICT	3
À	WATER SECURITY DEPOSIT	ŝ
٥	WATER TURN-ON	ŝ
10	WATER RATES	ĕ
4 1	METER READINGS	B
4 2	9 80 1 ING	ğ
40	PEOSONAI CHECKS	B
14	MON. PAYMENT OF RILLING METER READING	7
•	14.1 Caliation - Panalties	7
	14.0 Motion of Hearing	₹
	14.7 Hanring	7
	44.4.1 lon Claim	7
	44 \$ Coroningure of 1 inc	ø
15	L DISTRICT INSPECTIONS	Ų
44	MATED METER TESTING	ö
	P DEGAIGE AND MAINTENAMEE	Ų
44	A CHIEFTING BOWN THE WATER SYSTEM	ö
11	NAMED LOCAL DECOMISM ITY	Ψ
	19.1 Water Loss	ž
	19.2 Water Loss Responsibility	ž
2	D. WATER RESALE/DISTRIBUTION PROHIBITED	*
2	1. WATER WASTE PROHIBITED	*
*	9 MAIO ATIONS 11 LEGAL THEN ON	¥
2	3. UNLAWFUL ACTS	٥
•	a baigneascanoge and civil dights (CRS 32-4-543)	ų
2	5. LAKE RUSSELL - LOT 5; BLOCK 3	٠
	PRENDRY A: RATES	•
A	BOCKINEY & DATES	

TELLER COUNTY,CO #368780 02/15/1989 10:45
BK 474 PG 193 SHIRLEY A DEACH,RECORDER

WESTWOOD LAKES WATER DISTRICT

P. G. BOX 4485, WOODLAND PARK, COLORADO 80563

RULES AND REGULATIONS

1. GENERAL

This set of Rules and Regulations, to become effective August 1, 1987, is hereby established in order to provide guidelines for the administration, control, and operation of the Westwood Lakes Water District. These Rules and Regulations are established by the Board of Directors of the Westwood Lakes Water District under the powers granted said Water District by Colorado Revised Statutes 1973 Section 32-1-1001, as amended. If any term, terminology, phraseology, or Section contained herein is in conflict with said State statutes, the State statutes shall govern.

Any provision of these Rules and Regulations may be modified, deleted, or added to, with the consent of the majority of the Board Members at any regular or special meeting of the Board of Directors of the Westwood Lakes Water District. Similarly, the Board reserves the right to waive any of the provisions contained herein that it deems necessary and expedient. However, a waiver in one instance shall not be deemed to be a waiver in the future of a similar instance or a waiver of a different provision at a later date.

Whenever the following terms are used, they shall be understood as having the meaning given below:

- a. "District" shall mean the Westwood Lakes Water District, Teller County, Colorado.
- b. "Board" shall mean the Board of Directors of the District.
- Treasurer" shall mean the Treasurer of the District.
- d. "Secretary" shall mean the Secretary of the District.
- "President" shall mean the President, and coincidentally the Chairman of the Board, of the District or his/her duly authorized representative.
- "Employee" shall mean any person(s) hired by the Board, but does not include any member of the board.
- "Operator" shall mean the duly certified, ilcensed operator hired by the Board for the purpose of operating and maintaining the District Water System. The operator may be hired by the Board as an independent contractor or as an employee of the District.
- h. "Representative" shall mean any person(s) designated by the Board to represent the Board and may include any member of the board.

Board members may be contacted during normal working hours; (9:00 A.M. through 5:00 P.M. Monday through Friday, 9:00 A.M. through 12:00 noon Saturday). Any calls at times other than those stated must be of an emergency nature. It is the responsibility of the Board to make the names and telephone numbers of the Board members available to the water users.

TELLER COUNTY,CO #35878# #2/15/1989 10:45
BK 474 PG 194 SHIRLEY A BEACH, RECORDER

2. WATER TAPS - TAP FEES

2.1 Water Tapa

The property owner shall submit his/her application for a water tap, along with his/her building plans to the Architectural Control Committee of Westwood Lakes. These plans shall include a drawing which shows the service line to the dwelling, a service line list of materials, and the method(s) to be used in connection. Upon approval of the building plans, the Architectural Control Committee will expedite the application for the water tap, through the Board, for approval of the water tap. This rule, under special and/or unusual circumstances, may be waived at the discretion of the Board.

The District shall honor all previously paid tap fees, at the rate and under the rules prevailing at the time the tap fee was paid, provided that the District declares that such agreement is personal only to the property owner/applicant who applied for, paid for, and received water tap permission. This agreement is not applicable to any successor owner.

2.2 Tap Fees

A water tap fee shall be paid for tapping a user service line into the District water main in conformance with the tap fee in effect at the time of approval. The tap fee shall be paid at the time that the application for the water tap is made. The tap fee shall include the water meter and the water meter remote reader. The tap fee rate is determined by the Board and is subject to change without notice by the Board at a regular or special Board meeting. The current tap fee rate is given in Appendix A of these Rules and Regulations.

The water tap fee entitles the builder's licensed plumber to make one (1) 3/4-inch tap in the water main for the purpose of providing water to the dwelling of a single user. As part of the water tap fee agreement, the user also agrees to install the service line cut-off valve in accordance with Sections 3.2 and 4.4.

3. SERVICE SPECIFICATIONS

Service, as used herein, shall be understood to mean any and all water conveyance/control material used between the District's water main and the user's internal dwelling plumbing. These shall minimally consist of: the tapping valve, the cut-off valve, the cut-off valve stand pipe, a check valve, the water meter, the piping required to connect the preceding, and the remote reader for the water meter.

Any installation to a dwelling that consists of less than these minimum requirements will not obtain approval for turning on water to that dwelling.

3.1 The Tapping Valve

An approved tapping valve shall be furnished by the builder. It shall be a Mueller Model H15000, or equivalent.

3.2 Cut-off Valve

The cut-off valve shall be of bronze composition, the top being threaded to receive the 2-inch galvanized steel cut-off valve stand pipe.

3.3 Cut-off Valve Stand Pipe

The cut-off valve stand pips shall be a 2-inch diameter (inside measurement) galvanized steel pipe. The length shall be sufficient to allow the pipe to extend six (6) inches above the finished grade. The top shall be threaded and capped with a standard galvanized iron cap.

TELLER COUNTY,CO #368780 #2/15/1989 10:45
BK 474 FG 195 SHIRLEY A BEACH,RECORDER

3.4 Check Valve

The check valve shall be 3/4-inch, of bronze composition.

3.5 Water Mater

The water meter shall be furnished to the builder by the District, the price to be included in the tap fee (see Section 2.2). The meter shall be remote readable (see Section 3.7). Upon installation, the meter shall become the property of the District.

Each residence shall have a water meter installed. Nothing in these Rules and Regulations shall be construed to grant any right of multiple use from a single meter to present or future construction.

3.6 Service Line Pipe Specifications

In order to insure proper pressure and flow to all users, thereby protecting against inadequate service, the service line size shall to be 3/4-inch. Further, in order to provide the durability required for such usage, the service line shall be type K, heavy duty, stress relieved, copper pipe. Underground copper pipe shall be connected by brazing or flared compression coupling only.

3.7 Water Meter Remote Reader

The water meter remote reader shall be furnished to the builder by the District, the price to be included in the tap fee (see Section 2.2). Upon installation, the water meter remote reader shall become the property of the District.

4. SERVICE INSTALLATION

NOTICE

No water shall be turned on for service to dwellings where these installation requirements have not been compiled with. Additionally, no water will be turned on for service to dwellings in which the installation does not comply with the plumbing code of Teller County or such other plumbing dode which may then be in force in the District.

No connection to a water main shall be made until a written request four (4) days in advance has been made to the Board (Address: Lakes Water District, P.O. Box 4486, Woodland Park, Colorado 80863).

4.1 General

All service materials (described in Section 3 entitled "SERVICE "SPECIFICATIONS") from the main to the user's dwelling plumbing shall be installed at the cost of the property owner/applicant, and shall remain the responsibility of that person(s). All installations shall be inspected by the Operator or District Representative. They shall, however, be the responsibility of the installer.

Any changes or repairs made in the service lines and/or valves shall be accomplished at the expense of the property owner/applicant using the material specified in Section 3 entitled "SERVICE SPECIFICATIONS". These changes or repairs shall be inspected by the Operator or District Representative.

4.2 Service Line installation Excavations

The service line installation trench shall remain open until inspected by the Operator or District Employee. An uninspected installation will result in a disapproval of the water turn-on request. A written request shall be submitted to the Operator or District Employee 48 hours in advance of an

TELLER COUNTY,CO #36878# #2/13/1989 18:43 BK 474 PG 196 SHIRLEY A BEACH,RECORDER

inspection for the purpose of setting a time for the inspection. Failure on the part of the contractor and/or owner to be prepared for the inspection of the installation at the prearranged date and time, thereby causing lost time for the Operator or District Employee, shall cause the contractor or owner to be billed at the rate determined by the Board (refer to Appendix A for the current rate).

Excavation for installing or repairing service lines, when within the right-of-way of a road, shall be accomplished in compliance with the regulations contained in the Teller County Codes. Road work shall be done using the proper warning signs and with provision made for minimal disruption of traffic flow.

4.3 Tapping Valve Installation

When installing the tapping valve, the plumber shall use a device which will allow the tap to be made under pressure. In the event that this is not possible or practical, the plumber shall request permission from the Board to shut off the water in order to make the connection. This request must be made a minimum of four (4) days in advance of the actual water shut-off so that the Board has time to give 24-hour advance notice to the District's water users. In the event that the builder's plumber should somehow cause the water to be shut off without permission from the Board, the builder/plumber assumes all liability for any and all damages sustained as a result of such shut-off.

4.4 Cut-off Valve Installation

The installation of the cut-off valve shall be made just inside the user's property line and shall be a minimum of five (5) feet from any driveway. Such cut-off valve shall be located so as to be easily accessible.

4.5 Cut-off Valve Stand Pipe Installation

The cut-off valve stand pipe shall be installed such that the length from the buried service line to the top of the pipe is sufficient to allow the pipe to extend six (6) inches above the finished grade.

4.6 Check Valve Installation

The check valve shall be installed in the service line near a point inside the dwelling where the service line just enters the dwelling.

4.7 Water Meter Installation

The water meter shall be installed in a visible, accessible location so as to provide ease of meter reading and meter maintenance. The initial installation of the water meter and remote reader will be inspected and calibrated by the Operator. Thereafter, yearly inspections may be conducted at the discretion of the Board. The meter shall be installed in a location where it will have adequate protection from freezing. In order to accommodate the remote reader, the dwelling shall be prewired with 18 gauge wire to allow connection of the water meter and the remote reader (the remote reader to be located outside of the dwelling).

4.8 Service Line Installation

The complete service line installation shall be buried, at all points, to a minimum depth of seven (7) teet and a maximum depth of eight (8) feet.

4.9 Water Meter Remote Reader Installation

For all new dwellings, the water mater remote reader shall be placed in a visible location outside of the dwelling in a readily accessible location, facing away from the average sun rays. The location of the remote reader must have the approval of the Operator. Consequently, the Operator should be contacted during the initial wiring phase of construction (see water meter installation, above). The initial installation of the remote reader and water meter will be inspected and colibrated by the Operator. Thereafter, yearly inspections may be conducted at the discretion of the Board.

TELLER COUNTY,CD Ø368780 Ø2/15/1989 10:45 BK 474 PG 197 SHIRLEY A DEACH,RECORDER

In some existing dwellings the water meter has been installed in an inaccessible (or inconvenient so as to be nearly inaccessible) location. To bring these dwellings into compliance with the above paragraph the following applies: if the water meter must be reptaced for any reason, the meter shall be converted to be remotely readable and a water meter remote reader shall be installed. The remote reader shall be placed in a visible location outside of the dwelling in a readily accessible location, facing away from the average sun rays. The location of the remote reader must have the approval of the Operator. The initial installation of the remote reader and water meter will be inspected and calibrated by the Operator. Thereafter, yearly inspections may be conducted at the discretion of the Board.

5. NEW WATER MAINS

In the case where no water main extends to the property line of the lot to be served, a cast iron or "ductile iron" pipe, four (4) inches, <u>minimum</u>, in diameter shall be run from the nearest main to the lot to be served. Prior to any installation action, a drawing (with a list of materials and installation specifications) shall be submitted to the Board for approval. Upon Board approval, the applicant shall extend the main from where the existing main ends to a point opposite the center of the loits to be served. The installation shall be done at the lot owner's expense. The installation shall be inspected by the Operator or District Employee/Representative.

The installation trench shall remain open until inspected by the Operator or District Employee/Representative. An uninspected installation will result in a disapproval of the water turn-on request. A written request shall be submitted to the Operator or District Employee/Representative 48 hours in advance of an inspection for the purpose of setting a time for the inspection. Failure on the part of the contractor and/or owner to be prepared for the inspection of the installation at the prearranged date and time, thereby causing lost time for the Operator or District Employee, shall cause the contractor or owner to be billed at the rate determined by the Board (refer to Appendix A for the current rate).

Excavation for installing or repairing service lines, when within the right-of-way of a road, shall be accomplished in compliance with the regulations contained in the Teller County Codes. Road work shall be done using the proper warning signs and with provision made for minimal disruption of traffic flow.

The cost of running the new main, starting from the existing main and continuing to the mid-point of the applying lot owner's lot, shall be borne proportionally by all future owners using this extension when such new owners tap into this main laterally. The first provider of a new main or main extension shall be responsible for collecting such reimbursement fees, but if the owner notifies the Board of such a situation in a timely manner, the Board has the authority to deny water tap permission (or water turn-on, as the case may be) to a user tapping into the main until such reimbursement has been made.

6. CONSTRUCTION WATER

Construction water is available at the rate specified in Section 10. Prepayment is required at the hydrant. Contact the President of the District for application,

7. SERVICE OUTSIDE OF DISTRICT

No service shall be extended beyond the boundaries of the District except as may be provided by the State of Colorado Revised Statutes. TELLER COUNTY,CD #36878# #2/15/1989 1#145 BK 474 PG 198 SHIRLEY A BEACH,RECORDER

& WATER SECURITY DEPOSIT

Whenever a dwelling changes owners or is rented to a new occupant, the new owner/occupant shall provide a security deposit to the Secretary (refer to Appendix A for the current rate). This deposit will be retained in a special account. This deposit shall be returned to the depositor upon the sale of the dwelling by the owner or by the moving out of a renter. The full deposit shall be returned to the depositor provided all prior and current billings have been paid; otherwise such moneys as required to pay such bills shall be deducted from the deposit, and the remainder, if any, shall be returned to the depositor.

8. WATER TURN-ON

No water from the District shall be turned on for service into any dwelling until the water security deposit (refer to Section 8) has been made. No water from the District shall be turned on for service into any dwelling by any person but the District Operator. Prior to turning the water on to any dwelling, the Operator will inspect the mater and remote reader installation to verify that all seals are properly installed.

1G. WATER RATES

All property within the District upon which any building exists or may hereafter be erected, having a connection with any mains or pipes which have been constructed and used in connection with the District, shall pay rates as established by the Board. Current rates are given in Appendix A. These rates are subject to change by the Board at such times as is deemed necessary by the Board, either at a regular or special Board meeting.

11. METER READINGS

Each water user shall read his/her water mater, and record the reading, on a monthly basis. The mater reading shall be recorded on the card provided by the Secretary in each monthly billing. This card shall then by returned to the Secretary, who will use these readings to calculate consumer billings. The Secretary will bill the consumer no later than the end of each month. The consumer shall pay the Secretary the billed amount no later than the 20th of the following month. Meters may be inspected yearly at the discretion of the Board.

The Operator or a District Employee may read any water meter in the District, at the discretion of the Board, as circumstances warrant. Readings taken shall be turned in to the Secretary, who will use these readings to calculate consumer billings.

12. BILLING

Water bills shall be calculated using the meter reading supplied by the user (or Operator/District Employee as the case may be - see Section 11). Water billings shall cover the period from the previous meter reading to the new newly supplied meter reading. Billings shall be mailed out the end of each month. Remittance shall be required on or before the 20th of the following month.

13. PERSONAL CHECKS

Personal checks will be accepted for payment of bills. However, if any user pays their water bill by personal check and the check is returned due to insufficient funds, a service charge established by the board (see Appendix A for the current service charge rate) will be added to the account of the

TELLER COUNTY,CO Ø368780 Ø2/15/1989 10:45 BK 474 PG 199 SHIRLEY A BEACH,RECORDER

user. After the second occasion of a user's check being returned due to insufficient funds, the payment must be made by Certified Bank Check, Postal Money Order, or cash.

14. NON-PAYMENT OF BILL/NO METER READING

14.1 Definition - Penalties

Non-payment of a water bill is defined as a water bill that has not been paid within thirty days of the payment due date. Also, since the water bills are calculated on readings taken by the user, all water bill payments must be accompanied by the current water mater reading.

If payment of a water bill is not made within thirty (30) days of the payment due date, such unpaid balance shall bear interest at the rate of two (2) percent-per month on the unpaid balance until paid.

Unless prior arrangement is made with the Board, the current water meter reading must accompany the payment of each water bill. If no water meter reading is received, a service charge determined by the Board shall be assessed (see Appendix A for the current service charge rate).

14.2 Notice of Hearing

At any time after thirty (30) days following the due date of any month's billing where payment has not been made, notice may be sent by certified mail, return receipt requested, to the occupant and/or owner of the property owing the indebtedness, giving them a minimum of lifteen (15) days notice before a hearing, to be held before the Board, for determination as to whether water should be shut off. The notice shall specify the name and address of the owner, if known; the name and address of the person in possession of the property, if known; the amount of the outstanding indebtedness owed by the responsibly party to the District, and the date of the hearing regarding shut-off of the water utility.

For the purpose of the notice(s) to be sent out to the record owner or record person in possession, water bills and such notices shall be mailed to the last known address of record. Property owners and/or users are responsible for notifying the Secretary of any change of address.

14.3 Hearing

The hearing shall be held on the date cited in the notice of hearing (see Section 14.2, above). Hearings may be conducted specially or in conjunction with any regular or special meeting of the Board. The hearing shall be open to the public. At the hearing, after having examined the records of non-payment and after hearing testimony and evidence from whatever source, including the person appearing on behalf of the owner or person in possession, a ruling concerning the cessation of water service to the encumbered property shall be made by the Board: the majority vote to prevail. Proof of notice for said hearing, and the results of that hearing shall be retained in the District files.

When shut off, the water shall not be turned on again until after payment of: the unpaid balance, fees for turning off and turning on the water, late charges, interest fees, attorney's fees in connection with delinquent payment, if any, and any other miscellaneous expenses directly related to the cessation of the water service.

14.4 Lien Claim

Charges for water and/or service shall become a lien upon the premises as provided by CRS 1973, 32-1-1001 (1) (i). Whenever a bill for water services remains unpaid thirty (30) days after it has been rendered due and payable, the treasurer may file, with the County Clerk and Recorder, a statement of lien claim, and commence foreclosure of said lien. This statement shall contain a legal description of the premises served, the amount of the claim, and a notice that the District claims a lien for that amount, as well as any charges for water served subsequent to the period govered by the bill.

TELLER COUNTY,CO Ø36878Ø Ø2/15/1989 10:45 BK 474 PG 200 SHIRLEY A BEACH,RECORDER

If the consumer of water whose bill is unpaid is not the owner of the premises and the Treasurer has notice of this, then there shall also be mailed to the owner of the premises a statement of such bills as remain unpaid for thirty (30) days after they have been rendered (if owner's address is known to the Treasurer).

The failure of the Treasurer to record such a lien claim or to mail such notice of lien claim, or the failure of the owner to receive such notice shall not effect the right to foreclose the lien pursuant to statute for unpaid water bills.

14.5 Foreclosure of Lien

Property subject to a lien for unpaid water charges may be sold for non-payment of the ilen, and the proceeds of the sale shall be applied to pay the charges, after deducting costs, as is the case in the foreclosure of statutory liens. Costs shall include not only court costs and expenses, but shall include a reasonable attorney's fee as may be set by the court for foreclosure of the ilen. Such foreclosure shall be by a civil action in the name of the District.

The filing for record of any ilen pursuant to the above paragraph shall not be authorized except upon Resolution duly adopted by the Board, as in its discretion it may deem appropriate. Foreclosure of any recorded lien shall not be initiated except upon Resolution of the Board duly adopted, as in its discretion it may deem appropriate.

15. DISTRICT INSPECTIONS

All dwellings and/or property upon which District water is used shall be open to the representative(s) of the District for the purposes of: inspection for leaks, reading meters, changing meters, inspecting seals, and turning water on or off. Failure to permit such access for the purposes stated, or any other reasonable District-related business, shall be grounds for immediate water shut-off. Service shall then be restored only when access has been permitted, the required action has been taken, and when all charges and/or fees in connection with any corrective action taken therein have been paid.

18. WATER METER TESTING

A water meter shall be taken out and tested upon request of a consumer, after payment of a water meter test fee. The amount of this fee is determined by the Board. Refer to Appendix A to determine the amount of the current fee. If, upon test, the meter is not within five percent (5%) of being accurate, it shall be repaired or replaced, and the fee returned to the consumer. If the meter is found to be within five percent (5%) of being accurate, the fee will be retained by the District.

17. REPAIRS AND MAINTENANCE

It is the responsibility of the District to keep all water mains in the District in good repair, and tomaintain these mains using good maintenance practices. It is the responsibility of the property owner to keep all service lines from the water main to the dwelling in good repair, and to maintain these service lines using good maintenance practices.

18. SHUTTING DOWN THE WATER SYSTEM

The District reserves the right to shut off water from the mains when it is deemed necessary to repair any portion of the system, to make connections or extensions, to clean the system, or for any other proper purpose or reason. The District shall not be liable to any person for failure to supply water for the above causes or any other cause beyond its control, nor on those accounts

A

TELLER COUNTY,CO Ø36878Ø Ø2/15/1989 10:45 BK 474 PG 201 SHIRLEY A BEACH,RECORDER

shall the District make any refunds or deductions in the water bills. When possible, users affected by the water outage will be notified in advance so that they can fill receptacies to sustain them through the outage.

19, WATER LOSS & RESPONSIBILITY

19.1 Water Loss

The District shall monitor its matering system for detection of unmatered water loss. Should the District suspect such a water loss, it shall by all reasonable means attempt to locate the source of the water loss. Any water loss deemed to be the fault of a main shall be the responsibility of the District.

Any water loss which is determined to be located in the service line or within the dwelling or environs of the property owner shall be the property owner's responsibility. When this is deemed to be the case, the property owner shall be notified immediately upon this finding.

The District shall, at the time that the water loss is detected, determine if an emergency exists. If, by its sole discretion, the District determines that an emergency does exist, it shall take immediate steps to eliminate the emergency by shutting off all water to the area(s) affected. This shall be done in order to prevent further water loss, property damage, or further expense.

19.2 Water Loss Responsibility

If the water loss is deemed to be the responsibility of the District, the District shall take all measures necessary to restore the water system to its full working capacity in the shortest possible time, particularly when the water loss is of an emergency nature.

If the water loss is deemed to be the responsibility of the property owner, the property owner shall have forty-eight (48) hours to repair the source of the water loss, or take such action as to allow the balance of the water service to be restored to the area. The District may, in case of an emergency, or in case the property owner does not take action to repair the source of the water loss within forty-eight (48) hours, take the required action to restore service to the balance of the area. Such action may consist of causing the repair of the source of the water loss or shutting off service to the affected dwelling. In either case, the cost of the action taken shall be paid be the property owner of the dwelling serviced.

All repairs to property owner service lines shall be made under the guidance of the Operator. Such services shall be billed, payable to the Operator, at the rate determined by the Board (refer to Appendix A for the current rate) at the expense of the property owner whose dwelling is served.

The property owner shall be responsible for any water loss in the owner's area of responsibility. Such water lost shall be paid for at the rate set forth in Appendix A of these Rules and Regulations.

20. WATER RESALE/DISTRIBUTION PROHIBITED

No water shall be resold or distributed by a recipient of District water to any premise that is not a legal recipient of District water.

21. WATER WASTE PROHIBITED

No user shall permit the wasting of water. As an illustration, but not by way of limitation, to permit water to flow to prevent freezing shall be considered the wasting of water.

TELLER COUNTY, CO 936878Ø 82/15/1989 18:45 BK 474 PG 292 SHIRLEY A BEACH, RECORDER

22. VIOLATIONS - ILLEGAL TURN ON

If the water is turned off, as a result of Soard action, from any dwelling and the owner or occupant, or their agent, turns the water on, or causes the water to be turned on, without the permission of the Soard, the Soard shall cause the service pipes to such dwelling to be disconnected from the mains and appropriate legal action shall-be instituted for such wrongful conduct. The cost of such a service line disconnection shall be billed to the owner/occupant causing the water to be lilegally turned on.

23. UNLAWFUL ACTS

It is unlawful for any person to tamper with, after, or injure any part of the waterworks or supply system, or to tamper with, after, or injure any water meter or remote reader. This specifically includes, but is not limited to, seals on water meters and remote readers.

It is unlawful for any person to dig up, cut, break, or in any manner injure or disturb the pipeline or any of the pipes through which the District supplies water.

It is unlawful for any person to tap any of the District's pipes without express authority and license to do so from the Board.

Any person who performs such acts as defined above shall be liable for prosecution to the full extent of the law (refer to Section 24) and shall reimburse the District the full cost of corrective action, along with all costs of collection, including but not limited to, reasonable attorney's fees.

24. MISDEMEANORS AND CIVIL RIGHTS (CRS 32-4-545)

Please be advised that Colorado law provides certain criminal and civil sanctions for certain wrongful acts. The law reads as follows:

"(1)Any person who wrongfully or purposely fills up, cuts, damages, injures, or in any manner impairs, the usefulness of any reservoir, canal, ditch, lateral, drain, dam, intercepting sewer, outfail sewer, force main, other sewer, sewage treatment works, sewage treatment plant, sewer system, sewage disposal system, or any part thereof, or other work, structure, improvement, equipment, or other property acquired under the provisions of this part 5, or wrongfully and maliciously interferes with any officer, agent, or employee of the district in the proper discharge of his duties, is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than three hundred dollars, or by imprisonment in the county jail for not more than ninety days' or by both such fine and imprisonment.

(2)The district damaged by any such act may also bring a civil action for damages sustained by any such act, and in such proceeding the prevailing party shall also be entitled to reasonable attorney's fees and costs of court."

25. LAKE RUSSELL - LOT 5; BLOCK 3

Lake Russell is the property of the District. Any use, treatment, or alteration thereof by any persons or organizations, shall be approved (or disapproved) by written assent (or dissent) of the Board before such action or any other action whatsoever regarding the take is taken.

TELLER COUNTY,CO Ø368780 Ø2/15/1989 10:43 BK 474 PG 203 SHIRLEY A BEACH,RECORDER

APPENDIX A

RATES

GENERAL.

This Appendix provides the current rates for services provided by the District and/or its duly authorized representative. These rates are subject to change without notice by the Board at any regular or special Board meeting. Tap Fee Rate (includes water meter and remote reader)......* Water Security Deposit............. Water Neter Test Fee...... Operator Rate..... District Employee Rate...... Water Rates. Water rates are as follows: Minimum charge per month.....

Cost per gallon up to 15000 gallons.....*

Cost per gallon over 15000 gallons..... Service charge for turn on/off.....* Construction water, prepaid, per month.....* Service Charges. Service charges are as follows: Personal check insufficient funds.....* Failure to provide meter reading.....* Water loss pursuant to Section 19.2..... Determined on a caseby-case basis by Board action in consultation with the user.

*Refer to current Appendix A on file with the District for current charges, rates, and fees. The mailing address of the District to which written inquiries may be made is as follows:

Westwood Lakes Water District P.O. Box 4486 Woodland Park, CO 80863