

# Wissler Ranch Well Operation, Water Use and Well Meter Reporting Policy

## **Resolution of the Wissler Ranch Homeowners Association Regarding Policies and Procedures for Well Operation, Water Use and Well Meter Reporting**

**SUBJECT:** Adoption of a policy regulating the operation of individual wells, water use and well meter reporting.

**PURPOSE:** To adopt a uniform standard for complying with Colorado Water Law and the Covenants

**AUTHORITY:** Case Number 95CW148 Colorado District Court, Water Division 2 and Case Number 95CW134 Colorado District Court, Water Division 1 Revised Finding of Fact, Conclusions of Law, Judgement and Decree, The Declaration of Covenants, Conditions and Restrictions for Wissler Ranch (“Declaration”), Bylaws of Wissler Ranch Homeowners Association (“Bylaws,.) Articles of Incorporations for Wissler Ranch Homeowners Association and Colorado law including the Colorado Common Interest Ownership Act (CCIOA).

### **EFFECTIVE**

**DATE:** August 21, 2021

The Wissler Ranch Homeowners Association is responsible for managing the Wissler Ranch Water Augmentation Plan. The Wissler Ranch Augmentation Plan is a Colorado Water Court issued decree that allocates water to the Wissler Ranch subdivision and directs how it is used. The purpose of this policy is to provide guidance to homeowners so that the HOA, as a whole; and individual homeowners remain in compliance with the Water Augmentation Plan.

1. The plan provides each lot a water right. The right enables each lot owner to apply for a well permit and to construct and operate a well. Each permitted well may pump up to 122,194 per water year. The water year runs from 1 November of one calendar year to 31 October of the following calendar year.
2. The plan allows water from a permitted well to be used for indoor use and outdoor use to irrigate up to 1,500 square feet of lawn or garden. The plan does not

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allow water from permitted wells to be used for ornamental uses such as fountains or recreational uses such as pools. Water for these uses must be purchased from commercial water vendors and receipts provided to the HOA on request and annually concurrent with the well meter report.

3. Each permitted well must have a permanently installed, totalizing well meter which records the total water pumped from the well. An outdoor readout is required.

4. Each lot owner with a permitted well is responsible for reporting the well meter reading annually on November 1 of each year to the HOA. These readings will be combined and reported to the Colorado Division of Ground Water as required by the augmentation plan.

- In addition to reporting the annual well meter reading, lot owners with ornamental water features, pools or outdoor spa must submit receipts from commercial water vendors documenting water purchases for the year.

5. The lot owner has the responsibility to periodically check their water meter to make certain it is functional. A broken water meter is the responsibility of the lot owner to repair and shall not eliminate the requirement for a lot owner to report annual water usage values. When a water meter is replaced, it is required that the Water Committee be notified so that proper estimates can be made.

6. Lot owners who desire to use more water than allocated by their well permit are encouraged to contact a Colorado water law attorney who can assist them in purchasing additional water rights and modifying the water augmentation plan and their special warranty deeds. Lot owners who have obtained additional water rights must provide the HOA a copy of their decree.

7. When a lot with a permitted well changes ownership, the new owner becomes responsible for the meter reading. The HOA will contact each new lot owner and offer a courtesy well meter reading to establish the accuracy of previously reported amounts and ensure the new owner is aware of amount of water available in the current year.

**Supplement to Law** – The provisions of this Rule shall be in addition to and in supplement of the terms and provisions of the Wissler Ranch Colorado Water Court Decree and Augmentation Plan, the Declaration and the law of the State of Colorado governing the Project.

**Deviations** - There will be no deviations to this Rule.

**Violations** – Exceeding the annual deeded water allotment and not reporting the

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amounts and ensure the new owner is aware of amount of water available in the current year.

**Supplement to Law** – The provisions of this Rule shall be in addition to and in supplement of the terms and provisions of the Wissler Ranch Colorado Water Court Decree and Augmentation Plan, the Declaration and the law of the State of Colorado governing the Project.

**Deviations** - There will be no deviations to this Rule.

**Violations** – Exceeding the annual deeded water allotment and not reporting the well meter reading on the date specified by the HOA are covenant violations and subject to the Rules for the Enforcement of Covenants.

**Amendment** – This policy may be amended from time to time by the Board of Directors.

**PRESIDENT'S CERTIFICATION:** The undersigned, being the President of the Wissler Ranch Homeowners Association, a Colorado nonprofit corporation, certifies that the foregoing Resolutions was approved and adopted by the Board of Directors of the Association, at a duly called and held meeting of the Board of Directors of the Association on June 26, 2021 and in witness thereof, the undersigned has subscribed his/her name.

**WISSLER RANCH HOMEOWNERS  
ASSOCIATION**

A Colorado non-profit corporation,

By  President

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