

*NAVAJO WESTERN  
WATER DISTRICT*

*RULES  
AND  
REGULATIONS*

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**REGULAR BOARD MEETINGS ARE SCHEDULED FOR THE 2<sup>nd</sup> MONDAY OF EACH MONTH.  
PUBLIC WELCOME. (SEE BULLETIN BOARDS OR CALL FOR TIMES)**

## SECTION I

### **GENERAL CONDITIONS**

1. Any reference to Board or District will be construed to mean, Navajo Western Water District or Board.
2. Effective as of the date of the District Court Decree, Civil Action No. 4524, May 24<sup>th</sup>, 1974 all contractors connecting to the water facilities within the District shall abide by the current Rules and Regulations of the District. Furthermore, the District reserves the right to make changes in these Rules and Regulations at any regular meeting of the Board of Directors. Pursuant to Colorado Revised Statutes Volume 9, Part 10, Title 32-1-1001.
3. Any dispute as to the interpretation of these Rules and Regulations, or as to their application in any specific case, shall be submitted to the Board of Directors and their finding shall be final.

### **SPECIAL CONDITIONS**

Terms and conditions of several pertinent court decrees limits water usage, from Water District sources, to in-house use only with **NO** irrigation, including lawn and garden irrigation on any of the lots. Except, a limited number of horses may be kept and watered from Water District sources in the Resorts, Filing # 1 and the equestrian center, Lot 77, in Filing # 4. These provisions are hereby incorporated within and made a part of the Rules and Regulations of the Water District.

## SECTION II

### **TAP FEES AND SERVICE CHARGES** (See Appendix I for all charges)

1. Once a water-tap has been established to any lot, monthly system maintenance charges shall be levied. When water is turned off for whatever reason, the monthly maintenance portion shall continue to be assessed.
2. The Board of Directors highly recommends when leaving for an extended period, especially during cold months (winter, fall, spring) your water should be shut off. There is no charge for turn-off or turn-ons done by the Operator during normal working hours.
3. If payment of bill is not received by the 15<sup>th</sup> of the month a Late Charge of \$5.00 will be applied to account. Payments not received by the 24<sup>th</sup> of the month, accounts will be assessed an additional \$25.00 for non-payment. NOTE: At the end of the 3<sup>rd</sup> month of non-payment the water will be shut off until bill is paid in full.
4. The ultimate responsibility for any unpaid bills will remain with the Property Owner including any Renter/Lease holder incurred past due bills.

## SECTION III

### *RIGHT TO LIEN*

The District will promptly file a property lien for any unpaid account with a balance of \$100.00 or more. The Lien will remain until the account is paid to current status.

## SECTION IV

### *INSTALLATION AND MAINTENANCE*

1. All taps, commercial and residential, shall be ¾".
2. Once the Tap has been applied for and the fee paid the actual tapping into the system must be accomplished within one year. Water will not be available until the water meter has been installed.
3. If the tap is not installed within the 12-month period following purchase, and if the tap fee cost has been adjusted in the interim, the lot owner must pay the prevailing tap fee at the time of installation. The amount previously paid shall be credited toward any new total. The tap purchase is not transferable to any other lot.
4. Should the lot be sold before installation of the purchased tap, the prepaid fee is not refundable to the owner/seller. However, upon request by the buyer to the District Office for credit of the prepaid amount, accompanied by documentary evidence of particulars (paid by whom, when, amount, specific lot), such credit may be granted toward the current tap fee if the information presented is consistent with District records.
5. No more than one lot shall be served from any one water main tap. Each lot shall require one water main tap when water is needed or desired.

If a residence is constructed on property within the District that is decreed or zoned commercial, one water main tap may serve the residence and any commercial enterprise on the property, provided they are metered separately. This shall be permitted only so long as all the property, residence and commercial enterprise are under common ownership. Should the commercial tract ever be subdivided, so as to separate the residence and any commercial operation, a separate water main tap shall be required for each, with the existing tap being attributed/assigned to the residence.<sup>11</sup>

6. The water service line from the water main to the property line and from the property line to the point of use is specified in Appendix II.
7. All tapping materials, meters, meter pits and some associate hardware shall be purchased from the District. It shall be the responsibility of the property owner to arrange for and accomplish installation.

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<sup>1</sup> Item 4 was changed to accommodate commercially zoned tracts of land.

All specifications for the installation will be furnished with the contract when the appropriate fees have been remitted to the District Office.

8. All contractors must furnish the Water District with a copy of their liability insurance before any work is preformed.
9. After Tap installation, maintenance of the water service line from exit point of meter yoke to the point of service will be the responsibility of the lot owner. The District will be responsible for meter, meter pit, and everything else back to the main line.
10. Navajo Western Water District does not assume the responsibility for installation of water pressure regulators. Placement will be on owner's side of the meter at or near the residence.
11. A backflow prevention device will be installed at every point of cross-connection to prevent contamination of the potable water system, residence, or business (see section IX).

## **SECTION V**

### ***LIABILITY***

1. Upon being issued a permit to tap any water main, the property owner shall assume the responsibility for all damages, costs, expenses, outlays and claims of every nature and kind arising out of the unskillfulness or negligence, on the part of himself or on the part of his agents in connection with the installation or excavation in preparation for making water main tap.
2. Any person at any service location found to be in violation of these Rules and Regulations shall be served with written notice stating the nature of the violation and establishing a time frame for satisfactory corrections thereof. Failure to do so can result in disconnect from services of facilities of the Water District until such time as person shall be in compliance with the Rules and Regulations, as determined by the Board.
3. During the period of such suspension of service, said person shall continue to pay, or be liable for his/her system maintenance charge as was previously required.
4. Tampering will consist of any interference with components listed in Section III Item 4 (Water Meter & Tap Installation) and including entry to meter pit and contents. A fee of \$200 will be assessed and a lien will be filed against property if not paid promptly.
5. Any plumber, licensed and bonded, in the State of Colorado, for the purpose of plumbing repairs or installations at a NWWD residence, will be allowed to turn water off or on at the meter for that residence. The plumber must notify NWWD the day the meter is turned on or off by phone or in person. Leaving a message on the NWWD answering machine is an acceptable form of notification.

## **SECTION VI**

### ***RIGHT OF ENTRY***

Any member of the Board of Directors and the District's Operator shall be permitted to enter upon all properties of and in the District for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of the Rules and Regulations of the District.

## SECTION VII

### ***DISTRICT PROPERTY***

It shall be unlawful for any person or persons to vandalize or tamper any premises owned by the District or in any manner interfere with the Water System or any part thereof (see Appendix I for Violation/Fees)

The Navajo Western Water District is the owner of several parcels within the Resorts area that are retained as greenbelt/open space areas. These areas are identifiable through relevant recorded deeds and survey plats-of-record. Several of these spaces contain well sites or other infrastructure of the water system.

It is the policy of the Water District to preserve each of these tracts in as natural state as possible in that each is located within the natural watershed of our supply wells. This benefits the Water District and water customers through purity of water and enabling the Water District to better comply with the State mandated Source Water Area Plan and Wellhead Protections Programs. Additionally, they also provide the District with options of relocating well sites and other infrastructure when necessary.

These natural areas are also for the enjoyment of the residents of the Resorts and enhance the property values. To provide for the protections and maintenance of these areas the following guidelines and regulations are established:

- 1) Hiking, walking pets, and noncommercial riding horses is permitted.
- 2) All motorized or bicycle vehicle traffic is prohibited, except:
  - a) Emergency vehicles on official business, i.e., fire, rescue, ambulances, police.
  - b) Water District, public utility, and contractor vehicles in performance of work
  - c) Others requiring legitimate access, **ONLY** with express written permission from the Water District.
- 3) Other prohibited activities:
  - a) Camping
  - b) Dumping trash, littering, or disposal of any noxious materials
  - c) Open fires
  - d) Removal of natural objects or destruction of vegetation without express written permission of the Water District

## SECTION VIII

## **COMPLAINTS & REPORTS**

All complaints or reports of malfunctions pertaining to the central water system by any service customer should be reported to the District office. Office hours are 9:00 – 12:00 on Monday, Wednesday & Friday of each week, other than holidays. In EMERGENCIES, problems threatening to health of customers, endangering private property or the water system should be reported to the District at (719) 989-8191

## **SECTION IX**

### **CROSS-CONNECTION CONTROL PROGRAM**

This Policy addresses Article 12 of the Colorado Primary Drinking Water Regulations that states a public water system shall have no uncontrolled cross-connections to a pipe, fixture, or supply, any of which contain water not meeting provisions of the drinking water regulations.

A cross-connection is any point in a water distribution system where chemical, biological, or radiological contaminants may come into contact with potable water. During a backflow event, these contaminants can be drawn or pushed back into the potable water system. A backflow prevention device installed at every point of cross-connection prevents contaminated water from entering the potable water distribution system.

1. Identification of Potential Cross-Connections: Per Article 12, the Navajo Western Water District operator performed a survey of the public water system on 11-02-2006 and identified potentially hazardous cross-connections as residential hose bibs, frost-free hydrants \*, and the horse waters at the equestrian center. As of that date, there are no commercial operations to pose a hazard. From this date forward, any new water service installation will be inspected for compliance with these requirements for backflow prevention.
2. Public Education: Navajo Western Water District will educate system users about the potential health risk that cross-connections pose, with an emphasis on cross-connections at or within homes and other residences.
3. Installation of Devices: Navajo Western Water District will install and maintain containment backflow prevention devices on all residential service connections and require system users to install and maintain backflow prevention devices on potentially hazardous service connections, as stated in Article 12. All service connections within the water system must comply with Article 12 and the Colorado Cross-Connection Control Manual. Each cross-connection may require a different type of backflow prevention device, commensurate with the degree of hazard posed by the cross-connection. Approval for the devices needs to be given by the water system operator or a certified cross-connection control technician.
4. Annual testing: Article 12, requires that backflow prevention devices be tested annually by a certified backflow prevention technician. A list of certified technicians in our area will be available upon request.
5. Record Keeping: Testing and maintenance records will be kept for three years, per the requirements of Article 12.
6. List of Backflow Prevention Devices: The following approved devices can be used for backflow prevention;
  - 1) Vacuum breaker

- 2) Double-check valve assembly
- 3) Reduced pressure principle backflow assembly
- 4) Air gap

The Colorado Department of Public Health and Environment accepts the use of backflow preventers that have received approval by either the University of Southern California Foundation of Cross-Connection Control and Hydraulic Research or the American Society of Sanitary Engineers (ASSE).

The following is a list of common cross-connections and devices that may be used to prevent backflow:

Type of Cross-Connection	Backflow Prevention Device
Hose bib	Vacuum breaker
Frost-free hydrant	Vacuum breaker and containment tank
Fire sprinkler system Solar house using potable water as heat source	Double check valve assembly on water only line. Approved reduced pressure principal backflow assembly on branch lines carrying chemicals.
Photographic processors and developers	Reduced pressure principal backflow assembly
Hot water boilers	Reduced pressure principal backflow assembly

Additional resource: Colorado Cross-Connection Control Manual

**\*ADDENDUM**

**\*ADDENDUM**

Compliance by the homeowner, to NAVAJO WESTERN WATER DISTRICT Rules and Regulations Regarding cross-connection and back-flow prevention on the frost-free hydrant will not be enforced, as of 24 June 2011.

**HOWEVER:**

If the state recommendations become a regulation, or a mandate, by any state agency; (i.e. health department, water engineer, etc.) the property owner(s) will be given 30 days to comply with the state regulation/mandate.

All other portions of this section (Section IX), will remain in force and a vacuum breaker is to be attached to all old style frost-free hydrants and hose bibs.



## APPENDIX I

### ***CHARGES AND FEES***

Tap Fees		\$ 3,500.00
Meter & Parts	Current Market Cost	
Optional District Installation & Material Parts Fee		\$ 1,200.00
System Availability Fee		\$ 35.00
Loan Service Fee		\$ 5.00
System Availability Fee (Structure has been removed from lot & <u>requested by customer</u> )		\$ 10.00
Late Charges (After 15 <sup>th</sup> Of Month)		\$ 5.00
Late Charges (After 24 <sup>th</sup> Of Month)		\$ 25.00
Credit Card Fee		\$ 2.50
Bad Check Charge		\$ 25.00
Renters/ Lease Holders Water Deposit		\$ 100.00
Tampering With Meter		\$ 200.00
Cost of Lien Being Placed and Released (each)		\$ 50.00
Nonpayment turn-off and turn-on (each)		\$ 25.00
Turn-on or turn-off water at meter non-working hours		\$ 25.00
Water Usage is charged by gallons-used*		
*monthly water rate schedule enclosed		
Open Records Search Fee		\$25.00 per hr In 15 minute increments
Copies of Records	Letter Size	\$ .25 per page
	Legal Size	\$ .50 per page

**SUR-CHARGE FOR VIOLATION OF RULES AND REGULATIONS**  
(Including watering outside) as of August 2007

1. Verbal notice
2. Two written notices
3. Water shut off by Resolution of Board Members
4. Up to \$500.00 sur-charge for reactivation of service by agreement of Board Members

**Meter Abandonment**

A customer can request meter removal. In such a case the Meter and MXU is surrendered to the District and monthly availability fee is reduced to \$10.00.

To reactivate service, the current cost of the Meter and MXU, plus a \$25.00 installation fee will be charged. Regular monthly availability fees will then apply.

**APPENDIX II**

***SPECIFICATIONS OF WATER METER & TAP INSTALLATIONS***

**NOTE:** Our certified Operator must be notified and present when any and all connections are made to the system transmission and distribution lines.

- All lines must be clean and flushed out, to the Operator's satisfaction before connection can be made.
- Tap to meter pit shall be ¾" HDPE or better.

NAVAJO WESTERN WATER ENTERPRISE  
705 NAVAJO ROAD  
WALSENBURG, CO 81089  
(719) 738-3130

## WATER RATE SCHEDULE

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### AVAILABILITY AND LOAN SERVICE FEE

A monthly Availability Fee of \$35.00 and a Loan Service Fee of \$5.00 are assessed for every metered tap in the Navajo Western Water Enterprise. These Fees are assessed every month, regardless of the amount of water used.

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### WATER USAGE RATE

Gallons Used:	Rate	+ Availability Fee	+ Loan Service Fee	= Total
0-100:	\$ 0.00	+ \$ 35.00	+ \$ 5.00	= \$ 40.00
100-2,000:	\$ 5.50	+ \$ 35.00	+ \$ 5.00	= \$ 45.50
2,001-5,000:	\$10.25	+ \$ 35.00	+ \$ 5.00	= \$ 50.25
5,001-8,000:	\$15.00	+ \$ 35.00	+ \$ 5.00	= \$ 55.00

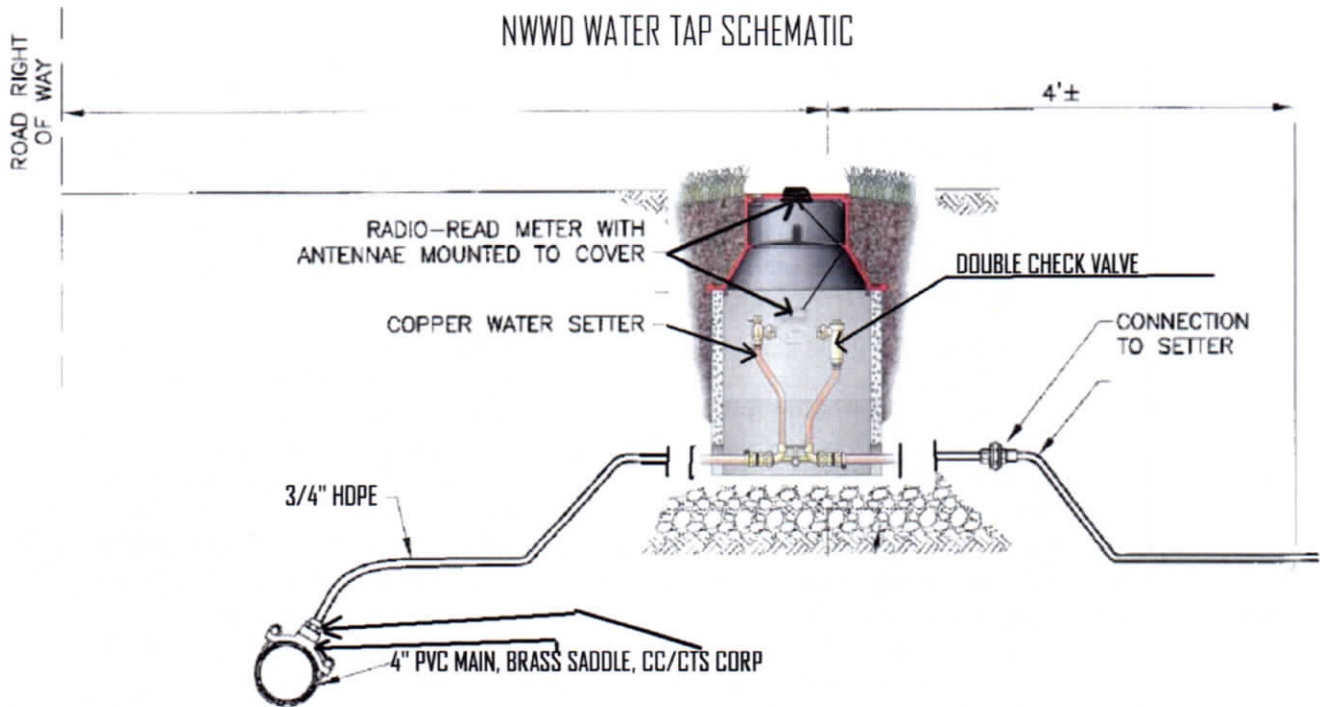
8,001 or more: \$ 8.50 per 1,000 gallons used

Example:  $9,000/1,000 = 9 \times \$ 8.50 = \$76.50 + \$35.00 + \$ 5.00 = \$116.50$

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NOTE: The Augmentation Plan mandated by the State of Colorado requires the Navajo Western Water Enterprise to strictly enforce the in-house water rules. No outside watering is allowed for any reason including; lawns, gardens, car washing, etc. Violation of this ruling can lead to fines or even water shutoff. If District does not enforce this ruling, State has the authority to shut down water supply to entire area.





All water service line ditches from the water mains to the property lines shall be backfilled and compacted and the road gravel restored in the best manner possible. All backfill material around water mains and service lines and for one foot above said lines shall consist of natural soil, sand and gravel with no aggregate to exceed one-half inch in diameter. No backfilling shall be commenced until an inspection is made and the District Operator or Technician gives approval.

Lot owners will be responsible for any dig, access or permit fees as required by the County with regard to tap installation. The lot owner is also responsible for the repair (patching) and maintenance, to County specifications, for a period of three years when it is necessary to dig through blacktop or chip and seal to access the water main in the road when installing a tap.

## Notice to NWWD Customers Regarding Our Policy for Unusually High Water Bills

### Due to Leaks

This policy relates only to water bills that exceed \$150.00 in one month and where such bill is at least five times greater than the average bill for the previous 3 months for the property and the high water bill resulted from a leak.


If your bill falls within this policy, you may request a reduction or a payment plan that will enable you to pay the bill.

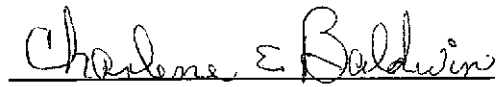
1. Any request for a bill reduction or for a payment plan must be made in writing no more than 15 Calendar days from the date printed on the unusually high bill.
2. Your request will be submitted to the Board of Directors at the next regularly scheduled meeting following receipt of your written request. You may attend the board meeting to answer any questions.
3. The Board, in its sole discretion, will determine if your circumstances warrant a reduction and the amount of any reduction or payment plan and the payment plan schedule. In exercising its discretion, the Board will consider all the circumstances including the following factors (a) whether you paid the normal amount of your bill by the due date of the bill in question where the "normal" amount will be assumed to be the amount for the previous month; (b) the probable amount of time that the water was leaking; (c) whether you took all possible action to locate and stop the leak as soon as the leak would have been apparent to a reasonable person; (d) if the leak occurred as a result of a frozen pipe, whether you took all reasonable precautions to prevent pipes from freezing including calling the business office to have your water turned off if the house was vacant during freezing weather ; and (e) whether you provide proof that you filed an insurance claim that includes the amount of the water bill. Unless the circumstances are exceptional, no reduction in your bill will be granted if your house was vacant and you failed to request that your water be turned off at the meter before the leak occurred.
4. If the board reduces your bill or offers a payment plan, you must pay according to the schedule offered by the Board. If you fail to pay according to the time schedule offered by the Board, the full amount of the original bill will become immediately due and payable and the Board will only consider any further requests for reduction or a payment plan under extenuating circumstances which, in the Board's discretion, warrant further consideration.

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NWWD business office is generally open from 9:00 AM to 12:00 PM, Monday, Wednesday and Friday and can be reached by calling 719-738-3130. There is no charge of having your water turned on or off at the meter by NWWD unless you call after hours or on the week-end. This will be a \$25.00 charge. If you turn the water on or off at the meter yourself, you will be subject to a \$200.00 fine for tampering with the meter equipment.

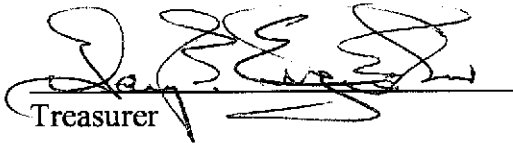
This document replaces any and all previous Rules and Regulations and amendments for the Navajo Western Water District, as of this date.


Dated 4-10-18

  
President

  
Vice-President

  
Secretary

  
Treasurer

  
Director

