

POLICY RESOLUTION  
REGARDING WELL METER READING AND  
REPORTING

ADOPTED BY:

THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT; AND

THE GROUND WATER MANAGEMENT SUBDISTRICT OF THE CENTRAL  
COLORADO WATER CONSERVANCY DISTRICT; AND

THE WELL AUGMENTATION SUBDISTRICT OF THE CENTRAL  
COLORADO WATER CONSERVANCY DISTRICT

WHEREAS, the Central Colorado Water Conservancy District ("CCWCD") is a quasi-municipal corporation and political subdivision of the State of Colorado organized and existing as a water conservancy district pursuant to §37-45-101, et. seq. C.R.S. and is authorized and empowered thereby to furnish water to lands within its boundaries; and

WHEREAS, the Ground Water Management Subdistrict of the Central Colorado Water Conservancy District ("GMSD") is a quasi-municipal corporation and political subdivision of the State of Colorado organized and existing as a water conservancy district pursuant to §37-45-101, et. seq. C.R.S. and is authorized and empowered thereby to furnish water to lands within its boundaries; and

WHEREAS, the Well Augmentation Subdistrict of the Central Colorado Water Conservancy District ("WAS") is a quasi-municipal corporation and political subdivision of the State of Colorado organized and existing as a water conservancy district pursuant to §37-45-101, et. seq. C.R.S. and is authorized and empowered thereby to furnish water to lands within its boundaries; and

WHEREAS, in order to comply with the terms and conditions of the Water Court decree in Case No. 02CW335 (GMSD) and the Decree entered or to be entered in Case No. 03CW99 (WAS), GMSD and WAS have found it necessary to impose requirements on the owners of Constituent Wells to read the totalizing flow meters installed on said wells; and

WHEREAS, the Boards of CCWCD, GMSD and WAS desire to set forth a policy providing general guidelines for staff to enforce the requirement for Owners of Constituent Wells to read their meters and report the meter readings to staff;

NOW, THEREFORE, it is declared to be the policy of CCWCD, GMS and WAS that:

- 1) For all wells equipped with a totalizing flow meter, the Constituent Well owner shall be responsible for reading his/her meter on the first of the month and reporting said

meter reading to the District/Subdistrict on or before the 10<sup>th</sup> of each month. Meter reading reports shall be supplied to the District/Subdistrict in a written format as may be prescribed by the District/Subdistrict from time to time and shall be considered timely if received in the District/Subdistrict office by 4:00 p.m. on the 10th day of the month. If the Owner of a Constituent Well fails to report his/her meter reading to the District/Subdistrict by the 20th of the month, the Owner of the Constituent Well shall be notified by the District/Subdistrict that their meter reading has not been received in a timely manner and the Owner of the Constituent Well shall be charged \$100. The Owner of the Constituent Well shall then have until the 30th of the Month to provide their meter reading to the District/Subdistrict. If the Owner of the Constituent Well fails to provide his/her meter reading to the District/Subdistrict Office by 4:00 p.m. on the 30th of the Month, Agents, Employees and/or other representatives of the District/Subdistrict shall read said meter and the Owner of the Constituent Well shall be charged a meter reading fee of \$500. Agents, Employees and/or representatives of the District/Subdistricts shall continue to have the right to read the meter installed on a Constituent Member Well.

- 2) The following penalties for failing to provide the District/Subdistrict with the required meter reading in any one water year (April 1 to March 31) shall be imposed on the Constituent Well Owner:
  - a. First Offense: As provided in paragraph 1, above, the owner shall be charged \$100 if his/her reading is not provided to the District/Subdistrict by the 20th of the Month and shall be charged \$500 if his/her reading is not provided to the District/Subdistrict by the 30th of the Month.
  - b. Second Offense: If, in the same water year, the Constituent Well Owner fails to provide his/her meter reading to the District/Subdistrict by the 10th of the month for a second time, the Constituent Well Owner shall have its quota authorized by the appropriate Subdistrict revoked and will not be authorized to pump under the appropriate Subdistrict's augmentation plan. The District/Subdistrict will send notice as described in paragraph 4.
  - c. Third Offense: If, in the same water year, the Constituent Well Owner fails to provide his/her meter reading to the District/Subdistrict by the 10<sup>th</sup> of the month for a third time, the Constituent Well Owner shall have its contract with its respective Subdistrict revoked and will be expelled from the augmentation plan. Revocation of the Constituent Well's contract and expulsion from the augmentation plan shall be done in accordance with the applicable laws adopted by the State of Colorado, including the Water Conservancy Act, and the Policies, Rules and Regulations adopted by the District and/or Subdistricts governing the same.
- 3) It shall be the responsibility of the owner of the Constituent Well to notify his/her lessee of the quota allotment for a given year and for insuring that meters are read in a timely manner consistent with this Policy. Owners of Constituent Wells shall be responsible for acts of their tenants and/or lessees and shall be directly responsible for any penalties incurred as a result of failing to provide timely meter readings consistent with this Policy as described above. Owners of Constituent Wells shall not assign any obligations under this policy to their tenants or any third party but shall be directly responsible to the District/Subdistrict.

- 4) In the event the District/Subdistrict discovers a violation of the provisions of this Policy has occurred, it shall notify the Constituent Well Owner by certified U.S. Mail of the alleged violation (the "Notice"). Such Notice shall clearly set forth the nature of the alleged violation and the contemplated penalty. No later than 30 days following the mailing of the Notice, a Constituent Well Owner may petition the District/Subdistricts for a hearing if he/she wishes to challenge a fine/penalty or other obligation to be imposed on the Constituent Well Owner as set forth in the Notice. Upon receiving a petition for a hearing, the District/Subdistricts shall schedule a hearing before the Board or a duly selected hearing officer at which the petitioning Constituent Well Owner shall have an opportunity to appear and present his/her case. At the conclusion of the hearing, the Board or hearing officer shall make a determination as to whether a violation of this policy has occurred, and, if a violation is found to have occurred, shall impose a penalty consistent with this Policy and may require the petitioning owner to pay for the costs incurred by the District/Subdistrict in connection with the requested hearing. In the event no request for hearing is received within 30 days from the mailing of the Notice, the penalty shall be imposed, and subject to immediate enforcement.
- 5) If any of the days mentioned in this Policy fall on a weekend or holiday the due date shall become the next working day.

DATED this 16<sup>th</sup> day of August, 2016

*Randall C. Knutson*

Randall C. Knutson  
President of the Board of Directors of  
Central Colorado Water Conservancy District

Ground Water Management Subdistrict of the  
Central Colorado Water Conservancy District

Well Augmentation Subdistrict of the Central  
Colorado Water Conservancy District

CERTIFICATE

I, Randy Ray, do hereby certify that the above is a true and correct copy of a Resolution adopted by the Board of Directors of the Central Colorado Water Conservancy District, the Groundwater Management Subdistrict of the Central Colorado Water Conservancy District and the Well Augmentation Subdistrict of the Central Colorado Water Conservancy District. on the 16<sup>th</sup> day of August, 2016.

SEAL

*Randy Ray*

Randy Ray  
Executive Secretary

