

## **Rules and Regulations for Water Service Connection and Usage WATERFALL COMMUNITY WATER USERS ASSOCIATION**

These rules and regulations are issued in compliance with the Bylaws of the Association, and are designed to govern the supplying and taking of services rendered by the Association. They are subject to change from time to time. If a provision of the Rules and Regulations for Water Service Connection and Usage, as well as the current Water Usage Policy and Services should conflict with a provision of the Association's Bylaws, the Bylaws provision shall prevail.

A membership shall be accepted as provided by the Association's Bylaws after submitting to the Board of Directors an Application for Service Connection, a signed User's Agreement for either New Installation or Transfer of Service, payment of annual water dues and service connection fees as set by the Board of Directors, and payment of additional fees as specified by the Board of Directors. After review and approval by the Board of Directors, a Membership Certificate shall be issued and service provided. Thereafter, each member is charged annual dues for each Membership Certificate issued to the individual. Refund of any dues will be made in compliance with Article VIII of the Association's Bylaws.

The Board of Directors may enter into special assessments in cases where the applicant has service requirements beyond regular maintenance as stated in the Rules and Regulations.

### **WATER SERVICE AND CONNECTION**

Water service and service connections shall be in accordance with the Service Connection and Water Meter Policy, Water Usage Policy and Services, and the User's Agreement. Service connections shall be considered available when the Association maintains the water supply at normal pressure at the point of delivery in readiness for the member's use, regardless of whether or not the member makes use of it, and charges shall be made for service as of this date.

Members will have one service connection per lot, and may have additional service connections on separate lots, as provided in the Association's Bylaws. A service connection is for the sole use of the member, their agent(s) or tenant(s) at the location requested, and does not permit the transfer of water by any means to another dwelling. With the exception of emergency conditions, the sharing or reselling of water is grounds for disconnection of the service connection by the Board of Directors.

1. Connection to Private System: There shall be no physical connection between any private water system and the water system of the Association, and is a cross contamination to the system. A representative of the Association shall have the right at all reasonable hours to enter upon member's premises for the purpose of inspection and enforcement of this provision. Violation of this provision is cause for immediate disconnection of a member's service by the Board of Directors.

2. Continuity of Service: The Association will make all reasonable efforts to supply continuous, uninterrupted service. However, it shall have the right to interrupt service for the purpose of making repairs, connections, extension, or for other necessary work. Efforts

will be made to notify members who may be affected by such interruptions, but the Association will not accept responsibility for losses that might occur due to such necessary interruptions of service or shortages of water supply.

3. Metering of Service Connection: Service connections shall be metered to each point of delivery.

A. Metering Facilities: The Association shall install metering facilities.

B. Location of Metering Facilities: Metering facilities shall be located at the point of the WCWUA service connection. The member shall grant the Association an easement of right-of-way and the right of ingress and egress to said property for the purposes of servicing or removing metering facilities.

C. Meter Accuracy: Service meters, where errors do not exceed two percent (2%) fast or slow, shall be considered as being within the allowable limits of accuracy.

4. Billing and Payment of Service Connection: All Association members are subject to the annual dues and any associated service fees as defined by the Bylaws and Water Usage Policy and Services as soon as water service and connection are available as defined in Service Connection and Water Meter Policy.

The Association's Treasurer shall bill the membership annually for the service connection provided by the Association. Failure to pay the annual water dues or service fees within the time provided shall be grounds for disconnection of service as defined below:

A. Disconnection of Water Service and Connection: The Board of Directors shall have the authority to disconnect the water service of any member in the event of non-payment of any dues or fees or special assessments owing by said member within sixty (60) days after demand for payment by registered mail, addressed according to the membership book, to such delinquent member.

B. Reconnection of Water Service and Connection: Water service and connection which has been disconnected due to a delinquent account or for other reasons, shall not be reconnected until the account has been paid current, other problems remedied, and available water for the service. A reconnection fee shall be required.

5. Extension of Existing Water Mains: Mains and service lines may be laid beyond the Association's existing water system but not beyond the Composite Waterfall Area as defined in Article I, Section 2 of the Association's Bylaws. These extensions for a service connection are required to be installed within the Composite Waterfall Area. The property owner's plans and specifications must be approved by the Association's Board of Directors, and subsequently donated to the Association upon completion of installation. All work will be accomplished by the Water Systems Manager and/or approved contractor licensed in New Mexico. The Association will require the landowner to pay a service connection fee,

annual dues, any service fees, plus all costs for the required enlargement to the water system for the service connection.