

**River Glen Homeowners Association
Irrigation Policy
November 2019**

Ownership and Benefit. River Glen Homeowners association (RGHOA) is the owner of 61 shares of the Boulder Larimer Irrigation and Manufacturing Company. These shares entitle RGHOA to irrigation water each year, dependent upon the allocation from Boulder Larimer Irrigation and Manufacturing Company. These 61 shares are owned and managed by the RGHOA on behalf of the original 61 RGHOA member lots on the original Plat of River Glen. Members may not sell, lease or otherwise transfer the rights to any of these shares as they are held by the association.

The benefit of these shares is typically forty inches of irrigation water per lot, per year. These forty inches are roughly equivalent to two acre feet of water per year (651,702 gallons) for a cost (in a typical year) of less than twenty dollars per share to the HOA. The cost for that much water from Little Thompson Water District would be over\$2,700.00.

RGHOA members in the four (4) Tract A lots (River Glen – Replat of Tract A, recorded with Larimer County on July 18th, 2001 with a reception number of (2001059011) shall not have access to these shares except as explicitly stated below in the sections titled “Unclaimed Water” “Direct Run” and “Leased Water.” The limitation of access to the RGHOA owned shares by the Tract A lots was negotiated with the original developer of those lots and recorded in the covenants of River Glen HOA. The Tract A lots may become equal partners in the system, with respect to water access, by purchasing a share of Boulder Larimer Irrigation and Manufacturing and assigning the share to RGHOA.

Requirement for Access to Irrigation Water and Irrigation System. Before being granted irrigation system and/or water access, Members shall execute an easement agreement with RGHOA before being granted access to RGHOA owned water and the RGHOA Irrigation System. Before being granted irrigation system and/or water access, members shall receive training, as prepared and provided by the Irrigation Committee. As of October 24, 2019, the following lots do not have an irrigation easement agreement recorded: 2121 Riverglen Dr, and 1920 Riverglen Dr.

Allocation of Irrigation Water to Members. The RGHOA Irrigation Committee will establish an allocation for the original 61 RGHOA member lots each year. This will occur each spring after the Boulder Larimer Irrigation and Manufacturing Company establishes an allocation amount for the shares owned by the RGHOA.

Allocation of Irrigation Water for the RGHOA Common Area. The RGHOA Irrigation Committee may allocate a portion of the RGHOA irrigation water allocation for the RGHOA Common Area.

Allocation of Irrigation water for Reserve. The RGHOA Irrigation Committee may allocate a portion of the RGHOA irrigation water allocation for a reserve to be used at the discretion of the Irrigation Committee. This water may be allocated for purposes that include, but are not limited to: allocations for small overages to fill out required order minimums of water orders; and allocations to non-participating homeowners deciding to participate in the irrigation system.

Direct Run. Direct Run water is defined as water provided by Boulder Larimer Irrigation and Manufacturing Company that is in surplus to the allocation from said company. Direct Run water is essentially “free” water that is not claimed on the Little Thompson River. Direct Run occurs when there is a lot of rainfall and/or snowpack on the watershed. Direct Run most often happens early in the irrigation season (spring). When Direct Run water is available for irrigation all RGHOA members may order water, provided they are in good standing (have paid all owed fees and met all RGHOA requirements). The Irrigation Committee will notify RGHOA members when Direct Run water is available. Direct Run water may be shut down at any time by Boulder Larimer Irrigation and Manufacturing Company. Members should not expect that Direct Run Water will be available as ordered and/or that it will be “free” for the entire days run.

Unclaimed Water. Some RGHOA members do not use the irrigation water they are allocated and choose not to irrigate. If a member has not requested irrigation water by August 1st of each year their water is presumed to be “unclaimed water” and the Irrigation Committee may allocate this “unclaimed water” to members that do irrigate. If a homeowner has not used any irrigation water by August 1st, but intends to in the remaining season, they shall schedule this in advance, but not later than August 1st, to prevent their irrigation water being considered “unclaimed.” The Irrigation Committee shall permit all RGHOA members, including Tract A members, that are in good standing (have paid all owed fees and met all RGHOA requirements), access to this “unclaimed water” on an equal basis.

Irrigation System. RGHOA owns and maintains the irrigation system. The system includes, but is not limited to: pipes, pump, weir, distribution points, valves and flow meters. Members are responsible for maintenance of the flow meter and valve on their property. This maintenance includes but is not limited to the removal of the meter batteries at the end of the irrigation season (usually October 1st each year), and replacing in the spring for the next season.

Access to the Irrigation System. All 61 of the original lots and the 4 “Tract A” lots have an irrigation distribution point provided by the RGHOA. All members may use the irrigation system to access irrigation water via the Boulder Larimer Irrigation and Manufacturing Company. RGHOA members in the Tract A lots must pay a one-time fee of \$2500 to use the Irrigation system. This permits owners of the Tract A lots to lease water via the Irrigation Committee and then irrigate their properties using the RGHOA Irrigation System.

Right to Inspect, Verify and Modify Discharge of Irrigation Water. Pursuant to the Irrigation Easement Agreement for each property, a member of the RGHOA Board of Directors or a member of the RGHOA Irrigation Committee may: inspect the discharge of irrigation water on a property, verify that the flow meter is in operation and change the flow of water on a property as may be necessary. Reasons that the flow may be changed include, but are not limited to:

- A flow to the RGHOA Irrigation System that is less than the amount ordered from Boulder Larimer Irrigation and Manufacturing Company,
- A system malfunction,
- A Member that has set their valve to discharge more water than was ordered.

If a homeowner decides to sell their home in River Glen they must notify the Irrigation Committee and someone on the Irrigation Committee will inspect the flow meter to determine if it is in working order. Should the meter not be in working order the current homeowner will be assessed the cost of a new meter and the payment must be made either prior to the closing of the sale of their home or during the closing process.

Cooperation and Problem Resolution. The irrigation system and the rights to irrigation water in RGHOA is a valuable asset that is a benefit to the neighborhood. The irrigation system has over 3 miles of pipe and over 80 valves. The irrigation system, using piped delivery of irrigation water, is far more reliable and easy to use than the prior system of open ditches. The irrigation system is unfortunately not immune to problems such as: pipe breaks, homeowners leaving valves open, and other problems which may cause an individual homeowner to have problems receiving the water they ordered on a given day. The cooperation policy is stated thus: try to resolve the issue yourself. If you cannot resolve the issue yourself, contact an Irrigation committee member for assistance. If you do not receive the water you ordered, request a credit from the Irrigation Committee as may be appropriate.

Control of Irrigation water on Member Property. The RGHOA provides the irrigation water to the member properties. The member is responsible for the control of irrigation water on their property. RGHOA does not assume any responsibility for adjacent properties flooded or damaged by irrigation water that a member orders and discharges.

Overflow water in open ditches within RG. Excess water can be used from overflow in open ditches within RGHOA as members have the ability to access it. Over flow from the box at 2E does not mean the piped system should be accessed by members as that overflow most often will be temporary. Excess overflow from the box at 2E should be regulated by the members running that day. If all members that day are satisfied with their portion and there is still overflow, all members running water that day can choose to increase equally or take on a new member for the remaining part of the day to handle the overflow. If all members cannot be reached and a temporary solution for the overflow is needed the Big Elk Meadows Valve, by the sewer plant, can be opened to take the excess to the Little Thompson River. It will need to be monitored and a notation should be made on the days running list so all are aware of the open valve.

Leased Water. The Irrigation Committee, at its sole discretion, may choose to lease additional irrigation water. All RGHOA members may request that the Irrigation Committee lease water on their behalf. The cost of any leased water will be paid by those members that request it.

Operation. The RGHOA Irrigation Committee shall maintain operation procedures for the RGHOA Irrigation System and provide them to all RGHOA members.

Sharing Water. A member may “split” or “share” water with another member. All members sharing water shall indicate that they are sharing water on the signup sheet and provide a phone number for all members sharing water.

Contact Information. Members that sign up to receive irrigation water shall provide a phone number where they may be reached the day that they are irrigating.

Homeowner Responsibilities. Homeowners are responsible for:

- Ordering only the water they need to irrigate their property.
- Maintenance of the flow meter, including battery removal and replacement.
- Controlling the amount of water they receive (i.e. only taking the amount of water that was ordered).
- Paying for any water that was leased at their request.
- Opening and closing valves or any maintenance requested by the Irrigation Committee.
- Reducing flow/discharge when requested by any RGHOA member (cooperation, above).

- Providing a phone number where they may be reached on the day that they have ordered irrigation water.
- Cost of meter replacement if negligence is determined by the Irrigation Committee at their sole discretion.

See Irrigation Manual for additional information.

Approved by the RGHOA Board of Directors at the Annual Meeting held on November 14, 2019.