

Game Trail Association, Inc.
Rule & Regulation 12-09
Water Services

This Rule and Regulation incorporates the terms and conditions previously set out in the original Water Services Agreement between the first purchasers of a Game Trail lot and Game Trail Company, LLLP as well as a subsequent document entitled Water Services Conditions and Agreement and suspends, supersedes and replaces both documents.

1. Game Trail Association, Inc. (the “Association”) has constructed a central water system, consisting of wells, water lines, and other related facilities, (System) for the purpose of supplying water to residents of the Game Trail Subdivision. The Association and its Members shall comply with the provisions of the water augmentation plans W-4039 (Quail Ridge), 83CW132 (Trailwood), and 94CW5 and 06CW32 (Upper Arkansas Water Conservancy District), as approved and decreed by the State of Colorado Division 2 Water Court. The augmentation plans are available for review at the Game Trail Office upon request.
2. The purpose of this policy is to establish and specify the conditions under which the System will operate and the obligations of the Association and its Members.
3. The Association shall exercise reasonable care and diligence so as to provide a supply of water suitable for home consumption and meeting the requirements of the Colorado Department of Health and/or any other governing or regulatory entity. However, the Association will not be liable for any damage resulting from the curtailment or interruption of such service occasioned by necessary repairs, maintenance or improvement of the System, or other causes beyond the Association’s control.
4. The Association’s designated contractor will install a PVC water line to the Member’s house and make the connection into the System within a reasonable time following the Member’s request for service (winter ground conditions permitting) and upon the Member’s payment of the fees specified in paragraph 8 below. The water line installation and all other work in relation to the System shall only be performed by the Association and not the Member or any person or service engaged by the Member.
5. Water shall be provided for one residential structure per lot only and, except as provided in paragraph 6 below, shall be limited to use within the house, except for Filing 3, where an additional connection to the Association’s stock well may be used to water up to three (3) horses. Any request for a water connection to a detached building, such as a garage, will be subject to specific ACC requirements and approval.
6. The Association has purchased augmented water from the Upper Arkansas Water Conservancy District to allow Members to use up to 2,939 gallons of water per lot annually, for limited outside water needs. Limited outside water use is allowed only under the conditions set forth in Game Trail Association Rule & Regulation 12-04.

7. Before a house is connected to the System, the Member shall install and maintain:
 - a. A water meter provided by the Association.
 - b. A water pressure reducing valve to prevent any damage that could occur from changes in pressure in the System.
 - c. A backflow prevention device required by the State of Colorado Division of Water.
 - d. A leach field with a minimum 30" cover.

The Member shall insure that all interior plumbing is performed by a licensed plumber and that interior plumbing complies with all federal, state, and local building and plumbing codes, that the water meter, backflow prevention device, pressure reducing valve and leach field have been properly installed, and that the interior system is properly grounded. In the event there is a leak caused by the interior plumbing, the Member shall be responsible for all of the Member's own costs as well as any costs incurred by the Association in repairing the leak. The Association shall not be responsible for any water damage caused by an interior leak that may incur within the Member's home.

8. The Member shall reimburse the Association for the actual costs incurred by the Association in installing the water service line to the house from the water main located adjacent to the lot and for the Association's costs in making the connection to the System, payable within thirty (30) days after connection. Members are responsible for reimbursing the Association for costs the Association may incur in any subsequent necessary repairs or maintenance of the water service line from and including the curb valve to the Member's house and/or any other appropriate costs paid by the Association on behalf of the Member.
9. The Association will bill the Member annually at the beginning of each year for water service fees and such fees are payable by January 31st of each year. The Association has the right to adjust the water charges as needed to cover increases in maintenance costs and necessary capital improvements and repairs to the System.
10. Fees and costs imposed under this Rule & Regulation shall be subject to the provisions of Game Trail Association, Rule & Regulation 12-06, Enforcement of Game Trail Covenants, Policies; Rule & Regulation 12-07, Procedure for Imposition and Schedule of Fines; and, Rule & Regulation 12-08, Alternative Dispute Resolution Options.