

Airport Commerce Center Metropolitan District

Irrigation Water Use Rules and Regulations (“Rules and Regulations”)

1. Purpose

The purpose of these Rules and Regulations is to govern the use of irrigation water within the Airport Commerce Center Metropolitan District (“District”), provide for the administration and operation of the Irrigation System, and to promote water conservation, equitable distribution, and long-term sustainability of the District’s Irrigation System.

2. Authority

The District is a Colorado Special District, formed and functioning under the authority of C.R.S. §32-1-101 et. seq. These Rules and Regulations are adopted pursuant to the authority granted by Title 32, Article 1, Colorado Revised Statutes, and the governing documents of the Airport Commerce Center Metropolitan District.

3. Applicability

These Rules and Regulations apply to all property owners, tenants, landscape contractors, and any users of the District’s Irrigation System. Nothing herein shall be deemed a waiver by the District of the provisions of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq.

4. Definitions

- a. Board: Board of Directors for the District
- b. District: Airport Commerce Center Metropolitan District
- c. Irrigation Season: April 15 to October 15, unless otherwise modified by the District.
- d. Irrigation System: All facilities owned by the District and used for diverting, collecting, delivering, distributing, pumping, or storing Water.
- e. User: Any property owner or party using the Irrigation System.
- f. Water: Non-potable water provided by the District used for landscape irrigation only.

5. Permitted Use

- a. Water shall only be used for landscape irrigation on property within the District’s boundaries.
- b. Use of Water for any other purpose (washing vehicles, pools, dust suppression, etc.) is prohibited
- c. Irrigation systems must be maintained to avoid waste, over-spray, runoff, and pooling

6. 2026 Watering Schedule

a. Watering is permitted based on the following block structure:

Block A: 8:00 PM – 6:00 AM (Monday, Wednesday, Friday)

Block B: 8:00 PM – 6:00 AM (Sunday, Tuesday, Thursday)

Time Restrictions: Watering is prohibited from 8:00 AM - 6:00 PM

No Saturday Watering - This will serve as a recovery day for the pond.

Each lot will be assigned one of the two blocks for the Irrigation Season. Assignments will be provided in Exhibit A by the District before the start of the Irrigation Season. Any changes must be approved by the District in writing.

7. System Maintenance and Monitoring

- a. The District reserves the right to access properties for inspection and monitoring of the Irrigation System and use of Water. No notice is required under emergency circumstances.
- b. Users shall report leaks, damage, or issues with the Irrigation System immediately.
- c. Temporary outages may occur due to system maintenance or flushing.

8. Meters and Reporting

- a. All properties shall have District-installed irrigation meters in good working condition.
- b. Water usage is tracked monthly and compared against allowable use thresholds (see Section 10).
- c. Users exceeding their monthly allocation may be subject to overage fees.
- d. Tampering with meters is strictly prohibited and will result in penalties.

9. Prohibited Activities

- a. Connections to the system not authorized in writing by the District
- b. Use of pressure-altering equipment (e.g., booster pumps)
- c. Irrigation during precipitation
- d. Tampering with District valves, meters, infrastructure, or any portion of the Irrigation System.
- e. Wasteful irrigation practices or misuse of Water.

10. Lot-Specific Allowable Irrigation Volumes

Each lot is assigned a monthly and seasonal irrigation allowance based on irrigated acreage. Usage beyond these amounts may result in surcharges or penalties. Allowances are based on projected need and may be updated annually.

Lot	Acreage	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
2	0.274	6456	38890	52818	57017	47274	33524	10984	246962
3	0.142	3346	20155	27373	29549	24499	17374	5693	127988
5B	0.311	7328	44141	59950	64716	53657	38051	12468	280311
6	0.133	3134	18877	25638	27676	22947	16272	5332	119876
7	0.136	3204	19303	26216	28300	23464	16640	5452	122580
8	0.132	3110	18735	25445	27468	22774	16150	5292	118975
11A	0.524	12346	74373	101010	109040	90406	64111	21007	472293
12	0.257	6055	36477	49541	53479	44341	31444	10303	231640
14	0.599	14113	85018	115467	124646	103346	73287	24013	539892
15	0.233	5490	33071	44915	48485	40200	28507	9341	210008
16*	0.535	12605	75935	103130	111328	92304	65457	21448	482207
17A	0.839	19779	119151	161824	174688	144837	102710	33654	756642
22A	1.183	27873	167908	228043	246171	204104	144739	47426	1066264
A	0.699	16469	99212	134744	145455	120599	85522	28022	630024

*Subject to availability after first satisfying all other demands, Lot 16 may have an additional 2 acres and .1 cfs of irrigation.

11. Special Assessments

a. The District may levy special assessments to cover expenses in connection with the Irrigation System.

12. Violations and Enforcement

- a. First Violation: Written warning
- b. Second Violation: \$100 fine
- c. Subsequent Violations: \$250 fine and potential irrigation suspension
- d. Additional charges may apply for excess water usage, in the District's sole discretion.
- e. The District reserves the right to curtail or terminate delivery of Water due to a violation of

these Rules and Regulations.

- f. Until paid, all fees, penalties, and charges shall constitute a first and perpetual lien on or against the property served, and any such lien may be foreclosed in the manner provided by law.
- g. The District shall have the right to collect from any User who is delinquent in the payment of the User's account, all legal, court, and other costs and expenses necessary or incidental to the collection of said account, including reasonable attorneys' fees.

13. Drought or Emergency Conditions

The District may alter watering schedules or enforce mandatory restrictions during periods of drought or operational emergencies. All users must comply immediately with such directives.

14. No claim for damages shall be made against the District or the Board in connection with the following: any failure of the Irrigation System; damaged or frozen lines, pipes, or meters; maintenance of the Irrigation System; or inadequate, high, or fluctuating water flow rates; water pressure; or interruption of water supply.

15. Amendments

The Board of Directors reserves the right to revise these Rules and Regulations from time to time. Any amendments will be distributed in accordance with state statute, unless enacted due to emergency conditions.

16. Contact Information

For Emergencies:
Morningstar Mountain Property Maintenance
Phone: 970-306-1575

For questions and water use tracking:
Beth Johnston
Marchetti & Weaver LLC
Assistant District Administrator
Phones: 970-926-6060
Email: AirportCommerceCenterMD@gmail.com
Website: www.airportcommercecentermd.org

EXHIBIT A
Water Schedule Block Assignments

LOT	ASSIGNED SCHEDULE BLOCK
2	A
3	B
5B	A
6	B
7	A
8	A
11A	A
12	B
14	B
15	B
16	A
17A	B
22A	A
A	B