

MANCOS WATER CONSERVANCY DISTRICT
AND
MANCOS WATER CONSERVANCY DISTRICT WATER ENTERPRISE
PROJECT WATER POLICY

ARTICLE I - Operational Policy for the District

Section 1. Operational Policy of the District

The **Operational** policy of the District shall be:

1. To control and to apply to beneficial use of water available to it under law.
2. To promote the greater prosperity and general welfare of the people of the District.
3. To allocate no less than **5** acre feet of project water to lands within the District with the exception of parcels under contract with water users associations approved by the District. The smallest parcel of land to receive project water must have no less than **1.67** irrigable acres of land which has been classified by the U.S. Bureau of Reclamation.
4. To educate the public with water issues and terms.
5. To discourage loss of productive land.

Section 2. Water Delivery Regulation.

1. The irrigation season will begin on May 1st and continue through October 31st each year, unless otherwise stated by the Board.
2. The District reserves the right to withhold or stop deliveries to water users who waste excessive amounts of water.
3. No water will be delivered to any land except that which is entitled thereto.
4. Legal transfer and reallocation application must be made to the District for approval by the District. New applications will not be granted without proof of ditch rights and or delivery system. Project water will not be delivered without a District approved application. Transfer by Real Estate Deed alone does not bind the District to the transaction.
 - a. Application for Reallocation shall be made on the form furnished by the District. Must give legal description of the property to which the water has been allotted, using attached deeds and plats, and must be joined in by all owners of and lien holders against the property. The signatures of the seller shall be notarized as well as the signature and acknowledgment by all parties in interest, shall be submitted to the Board of Directors accompanied by payment of fee * to cover District administrative costs, including research and verification, and recording fees. The Board will hear, consider and act upon the Application at the earliest regular meeting of the Board convenient to that purpose. Application forms may be obtained from the District office. Upon approval of the Board of Directors of the Order granting the reallocation in accordance

with the judgment of the Board, the District shall record a certified copy of the application in the records of the Clerk and Recorder of Montezuma County, Colorado.

b. * Fees are:

Transfer or Reallocation -----	\$1,000.00
Refinancing -----	\$ 100.00
Estate Transfer -----	\$ 100.00 (immediate Family)

5. The allocation and furnishing of water to, and its use by, the landowner or his authorized representative shall be subject to all regulations of the Board of Directors of the District as the same may exist now or hereafter be amended or adopted.
6. Seasonal water authorizations between owners, operator, and renter must be made in writing (forms obtained at the District office or the www.jacksongulchrehab.info web site) to the District Office and signed by the allotment holder authorizing the water use.
7. All water requests shall be made by telephone (970)533-7325 to the District. Such requests must be received by the Superintendent prior to 6:00 P.M. on the evening preceding a water change date. Requests for change or shut-off shall also be made in the same manner. The District will accept e-mails as conformation requests.
8. The system will be operated on a schedule basis. Water will be delivered and accepted by the allottee at the outlet works of Jackson Gulch reservoir in accordance with current resolutions. Changes in water deliveries will be made at about 7:00 A.M. on **Tuesdays** and **Fridays** during the irrigation season. Difficulty in delivering small amounts of water preclude honoring individual requests of less than .25 (¼) second foot. Water will be delivered only to those on a current list of water allottee (s) as provided by the Secretary-Treasurer. By ordering and taking delivery of water from the District, the water user assumes responsibility for, and agrees to hold the District harmless from, all damage and claims for damage which may arise from his furnishing or use of the water after it leaves the District's facilities.
9. If the District is unable to deliver water in the allotted amounts due to accident, drought or any cause beyond the control of the District, irrigation water shall be allotted on a prorated basis which the Board will set when deemed necessary.
10. The domestic water furnished by the District is not in a potable state and the District does not warrant the quality or potability of water so furnished. By taking delivery of water from the District, the water user assumes responsibility for, and agrees to hold the District harmless from, damage or claims for damage arising out of the unpotability of water furnished by the District.
11. In the event of heavy rainstorms, water releases may be discontinued requiring new orders to be made.
12. All turnouts from the inlet canal, reservoir or outlet canal will be locked and operated only by District personnel or as designated.
13. The District may temporarily discontinue water service or reduce the amount of water to be furnished for the purpose of such investigation, inspection, maintenance, repair, or replacement as may be reasonably necessary of any of the District's facilities necessary for the furnishing of water to the water user. Insofar as feasible, the District will give the water user notice in advance of such temporary discontinuance or reduction, except in case of emergency, in which event no notice need be given. No liability shall accrue against the District or any of its officers or employees for damage, direct or indirect, because of the failure to provide water as a result of system

malfunctions. Interruptions in service necessary to properly operate and maintain the water distribution system, or other causes.

14. The District reserves the right to deny the delivery of carriage water until the reservoir is guaranteed or full.

Section 3. Water use policy.

1. The District has perpetual right to the use of 9,430 acre feet or 95% of available project water for irrigation, domestic, municipal, industrial and hydroelectric power.
2. The rights of the assigns claimed under the District are subject to all provisions of the W.C.U.A. of August 11, 1939 and amendments thereto, the contract between the United States and the District dated July, 20, 1942, and the laws of the State of Colorado.
3. Any water made available to the District can be allocated for use by the District.
4. The District will maintain a 300 acre foot pool of surplus water for its use.
5. The District reserves the right to limit total M & I water in reservoir.
6. The District directly benefits municipalities by providing usable supplies of raw water for domestic use.
7. Water exchanges must not impair the efficiency of the project for irrigation.
8. The District will exchange irrigation water to M&I water only when an individual with allotted irrigation water voluntarily give up their use.
9. The individual will forfeit their right to petition for new water for this property.
10. New M&I water will have to come from irrigation allotments requiring exchange for use.
11. The District will make new allocation for M&I use when deemed beneficial by the District.
12. Request for M&I water allotments will be made by petition. The District has the right to deny petitions.
13. The District will allocate M&I water only to public corporations and non-profit water companies.
14. Contracted water companies must have right of entry to existing delivery facilities or provide approved plans for new delivery facilities.
15. The exchange will be at a rate of 1 acre foot irrigation to 3/4 acre foot M&I.
16. All water allotments bear a pro-rata share of all conveyance and evaporation losses from the diversion point to the point of delivery.
17. New M&I water allotments will hereto be contracted with the Bureau of Reclamation.
18. All water allotments will be billed by the District and paid in advance.
19. Water fees will have a flat O&M rate set annually during the budget.

20. The Bureau of Reclamation contract charges will be separate from the District's Operations and Maintenance fees.

Definition: "Public Corporations" means counties, municipalities, city, town, school district, and all governmental agencies or a private non-profit and water company with a 501(c)(3).

Signed and Adopted this 12, day of January, 2021

X *Stephen A. Davis*
President

X *B Boe Hawkins*
Secretary