

**BLUE VALLEY METROPOLITAN DISTRICT
RESOLUTION 2026-03 TO ADOPT EMERGENCY WATER RESTRICTIONS**

**A RESOLUTION REGARDING DROUGHT CONDITIONS AND EMERGENCY WATER
RESTRICTIONS FOR THE BLUE VALLEY METROPOLITAN DISTRICT
FOR THE BALANCE OF CALENDAR YEAR 2026**

WHEREAS, the Board of Directors (“Board”) of the Blue Valley Metropolitan District (“District”) has appointed Andrea M Buller, Board Secretary, to serve as Secretary (“Secretary”) for purposes of enforcing this Resolution; and

WHEREAS, the District operates a domestic water distribution system (“System”) serving homes in the Blue Valley Metropolitan District in Grand County, Colorado; and

WHEREAS, pursuant to Section 32-1-1001(1)(m), C.R.S., the Board of Directors (“Board”) of the Blue Valley Metropolitan District (“District”) has the authority to adopt rules and regulations not in conflict with the Constitution of the State of Colorado and laws of the State of Colorado to carry on the business, objects, and affairs of the District, which includes the authority to regulate the use of water provided by the District to homes in the Blue Valley Metropolitan District community; and

WHEREAS, the State of Colorado, particularly the Upper Colorado River Basin and Grand County, is experiencing significant, extreme drought conditions; and the District must abide by rules, regulations and requirements of the Colorado State Engineer’s office regarding the operation of its domestic water wells and its irrigation water diversions; and

WHEREAS, it is in the interest of public health, welfare and safety of the District and the District’s homeowners, residents, and taxpayers that the District maximize water conservation, limit homeowners’ and residents’ use of domestic water to interior health, safety and welfare uses, severely limit or prohibit more consumptive uses such as outdoor watering of vegetation, severely limit or prohibit uses such as the filling of swimming pools or hot tubs, and prohibit all other uses including all exterior washing, or similar outdoor uses.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Blue Valley Metropolitan District, Grand County, Colorado that:

- 1. Declaration of Emergency Conditions.** Under its rules and regulations, the District declares that the present drought conditions justify the declaration of emergency water use regulations and restrictions as set out below. This declaration shall remain in effect until December 31, 2026, or such other date as the Board of Directors may declare.

2. Specific Restrictions. The following restrictions are effective immediately. Any violation will be assessed a fine, following notice, per the schedule below.

a. Allotment of Metered Water Usage. The allotted usage per meter will be lowered to 6170 gallons per month.

- Residents are responsible for monitoring their own usage and can utilize their water meter as a tool for doing such.
- The District will read water meters on a monthly basis with the first reading being June 8, 2026.
- Overage will be billed at a rate of \$ 18.93 per 1,000 gallons and will be assessed a Water Waste fine as set forth below.
- Billing of the base quarterly fee for water service will remain on the quarterly basis and schedule as currently utilized by the District.

b. Irrigation or outdoor uses. District water can be used for irrigation of ONLY trees, shrubs, and bushes utilizing a hand watering method. No other landscaping or vegetation can be watered. No sprinklers or similar devices are allowed. No other outdoor uses (e.g., car washing, outdoor washdowns, etc.) during the emergency period are allowed. The collection of indoor water to be used outside is not allowed. This rule shall be strictly enforced. The Secretary of the District may assess fines for violations of this provision per the schedule and notice policy below.

c. Outdoor Use Schedule. Irrigation of trees, shrubs, and bushes as outlined above will be allowed only one day per week. Residents are allowed to select their day and are expected to adhere to the one day per week policy based on the honor system.

d. Hot Tubs and Swimming Pools can be filled only with water bought outside of and hauled into the District. Filling of hot tubs or swimming pools with District water is prohibited during the emergency period. Hot tubs or swimming pools within the District may only be filled by the homeowner buying and transporting water from outside the District. This rule shall be strictly enforced. The Secretary of the District may assess fines and suspend water service, upon notice, to any property for violations of this provision. If such violation occurs and service is suspended, the Board will consider further action and potential restoration of water service at the next Regular Board meeting.

e. No wasteful use. District water shall be used only for in-home beneficial

purposes and hand watering on the above schedule. All other uses shall be considered "Water Waste." Homeowners are strongly encouraged to use District water efficiently, and reduce uses where possible.

- f. **Fine & Penalty Schedule.** The Secretary of the District will issue fines to any property owner for Water Waste.
- \$350 for the first violation,
 - \$700 for the second violation,
 - \$1500 for the third violation. Upon the third violations, the water service will be suspended following the Notice procedure delineated below.
 - \$500 fee will be required for reconnection of service.
 - All outstanding balances on the account, to include the fines and reconnection fee, must be received by the District prior to reestablishment of service.
 - Payment of fines, penalties, and overages must be received by the District within 15 days. Non-payment will result in disconnection pursuant to the District's Notice Policy delineated below.

The Board may change these restrictions upon changes in drought conditions.

3. **Notice Policy** – Any violation of "2. Specific Restrictions" will warrant a notice.
- a. Notice will be posted at the physical residence via a door hanger or similar as well as sent via certified USPS mail.
 - b. Resident will have 7 days from date of notice to request a hearing with the District Board to dispute the violation. Such request must be submitted via email to bluevalleyacres@gmail.com.
 - c. If a written request for hearing is not received within 7 days from date of notice nor payment is received within 15 days of notice, the water service will be suspended immediately.

The Board may change the Notice Policy upon advice from legal counsel.

4. **Public Health and Safety.** The adoption of and/or re-affirmance of regulations is necessary for and promotes the public health, welfare and safety of the District and its inhabitants. It is reaffirmed that all regulations as set forth are effective as of June 8, 2026, and shall remain in effect until changed by the Board.
5. **Amendment.** The regulations shall remain in effect until further action by the Board of Directors.

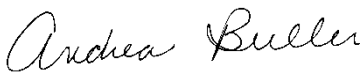
6. Rules and Regulations. This Resolution shall supersede any contrary provision in the District's Rules and Regulations during the emergency period.

Adopted as of June 8, 2026.

BLUE VALLEY METROPOLITAN DISTRICT

By: 
Kenneth McNichols, President

Attest:


Andrea Buller, Secretary