

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SUN VALLEY WATER AND SEWER DISTRICT**

JUNE 20, 2016

Resolution No. 2016-01

WHEREAS, the Sun Valley Water and Sewer District ("District") provides potable-quality water for domestic, culinary, irrigation and fire protection purposes through an integrated system ("System"); and

WHEREAS, climate change has diminished the available water supply; and

WHEREAS, the System's water supply may in the future be curtailed as a result of water calls from downstream holders of senior water rights; and

WHEREAS, the District's customers may, unless water conservation measures are intensified, experience water shortages, unacceptably low water pressure and a reduced water supply for fire protection; and

WHEREAS, in view of prevailing circumstances, the Board of Directors of the Sun Valley Water and Sewer District desires to implement certain rules and regulations promoting further reductions in water usage, on an equitable basis, by all of the District's customers;

NOW, THEREFORE, be it resolved by the Board of Directors of the Sun Valley Water and Sewer District that the following definitions, rules, regulations and provisions shall be, and hereby are, adopted, effective from and after the date hereof, for the purpose of promoting the conservation and efficient application of water from the System for irrigation of certain properties situated within the District:

1. **Definitions.** For the purposes of this Resolution, the following terms are defined as follows:

- (a) **MWF Watering Days.** The term "MWF Watering Days," as used herein, shall mean and refer to the following days and time periods:
 - (i) Any time on each Monday, Wednesday and Friday of every month, with the exception of those occurring in the months of July and August.
 - (ii) During the months of July and August, a period of time commencing at 6:00 p.m. on each Monday, Wednesday and Friday, and continuing until 10:00 a.m. on the following day.

- (b) **TTS Watering Days.** The term "TTS Watering Days," as used herein, shall mean and refer to the following days and time periods:
 - (i) Any time on each Tuesday, Thursday and Saturday of every month with the exception of those occurring in the months of July and August.

- (ii) During the months of July and August, a period of time commencing at 6:00 p.m. on each Tuesday, Thursday and Saturday, and continuing until 10:00 a.m. on the following day.

2. **Limitations on Single Family Residential Property Irrigation.** The following watering schedules and limitations shall apply to all single family residential property within the District which receives irrigation water from the System:

- (a) On MWF Watering Days, but no other times, each single family property with a street address ending in an even number, and its owners, employees, agents and contractors, shall be entitled to use water from the System for the irrigation of said property, and all lawns and landscaped areas situated thereon.
- (b) On TTS Watering Days, but no other times, each single family property with a street address ending in an odd number, and its owners, employees, agents and contractors, shall be entitled to use water from the System for the irrigation of said property, and all lawns and landscaped areas situated thereon.

3. **Multi-Family Residential Property Irrigation on MWF Watering Days.** The following watering schedules and limitations shall apply to the following multi-family residential properties within the District which receive irrigation water from the System:

- (a) On MWF Watering Days, but at no other times, the following multi-family residential properties, and their respective owners, owners' associations, employees, agents and contractors, shall be entitled to use water from the System for the irrigation of said properties, and all lawns and landscaped areas situated thereon:
 - (i) Bluffs (all phases); Crown Ranch; Fairway Nine (all phases); Morningstar (all phases); Indian Springs; Ranch Condominiums; Summit II; Sunpointe Villas; Arrowwood (all phases); Fairway One Town Homes; Ateliers Condominiums; Cottonwoods Lodge Apartments I, Lodge Apartments II; Wildflower Condominiums; Diamondback Townhomes.
- (b) On TTS Watering Days, but at no other times, the following multi-family residential properties, and their respective owners, owners' associations, employees, agents and contractors, shall be entitled to use water from the System for the irrigation of said properties, and all lawns and landscaped areas situated thereon:
 - (i) Bonne Vie Condominiums; Highlands Common Area; Highlands Town Homes; Legends; Ridge Condominiums; Sagehill (all phases); The Camp; Summit I; Sun Burst; Dollar Meadow; Snow Creek; Villager I; Villager II; Val D'Sol; White Cloud Townhomes; Sunpointe Chateaus.

4. **Miscellaneous Property Irrigation.** The following watering schedules and limitations shall apply to the following properties within the District which receive irrigation water from the System:

- (a) On MWF Watering Days, but at no other times, the following described properties, and their respective owners, employees, agents and contractors, shall be entitled to use water from the System for the irrigation of said property, and all lawns and landscaped areas situated thereon:
 - (i) Harker Center; Our Lady of Snows Church; Sun Valley Company bike path; Elkhorn Fire Station; Sun Valley City Hall; Sunrise Common Area; Dollar Mountain; Sun Valley Laundry.
- (b) On TTS Watering Days, but at no other times, the following described properties, and their respective owners, employees, agents and contractors, shall be entitled to use water from the System for the irrigation of said property, and all lawns and landscaped areas situated thereon:
 - (i) Elkhorn Springs; Lane Ranch Common Area; U.S. Forest Service; Sun Valley Community School Sun Valley Campus; Sun Valley Community School Sagewillow Campus; Sun Valley Clubhouse; St. Thomas Episcopalian Church.

5. **Special Authorization.** Notwithstanding anything to the contrary contained in sections 2, 3 or 4 hereinabove, the General Manager of the District may, upon request, authorize irrigation outside the permitted times for any property which is subject to this Resolution in response to limited temporary needs, such as new plantings or landscaping, or other special situations.

6. **Designated Watering Schedules for New Development.** Consistent with the provisions hereof for similar projects and properties within the District, the General Manager of the District is authorized to designate appropriate watering schedules and limitations for each new single-family, multi-family or other development hereafter completed within the District which contains lawn or landscaped areas which the owner desires to irrigate with water from the System.

7. **Sprinkler System Settings.** All persons or entities irrigating residential property with water from the System by means of a sprinkler system shall insure that said system provides no more than thirty (30) minutes of water per zone per watering day.

8. **Irrigation System Inspections.** All persons or entities using irrigation water from the System shall regularly inspect all irrigating and sprinkling systems and devices to insure that irrigation water is not being applied to roads, driveways, bicycle paths, or similar paved areas, or wasted needlessly in any other manner.

9. **Enforcement.** Should the foregoing limitations on the use of water from the System for irrigation, described in paragraphs 1–8 hereinabove be violated, the owner of the property shall be subject to the following penalties and actions:

- (a) Upon a first violation, a written notice thereof shall be sent to the property owner by certified mail to the address customarily used by the District when billing for services provided to said property. A copy of said notice shall also be presented or mailed to the employee, agent or contractor of the owner, if any, responsible for irrigating the property, if known to the District.
- (b) Upon a second violation, the owner of the property shall be assessed, in addition to all other fees payable to the District for water and sewer services provided to the property, a penalty fee in the amount of \$100. Said penalty fee shall be payable in the same manner as all other fees assessed by the District.
- (c) Upon third and subsequent violations, water service for irrigation of the property may be terminated by the District upon seven (7) days prior written notice by registered mail to the owner, addressed to the customary billing address used by the District for services provided to the property. If such water service is duly terminated as herein provided, such service shall be resumed only upon the owner providing satisfactory assurances to the District that further violations will not occur, and upon payment of a service resumption fee of \$500.

10. **Rescission of Resolution 2001-01.** Resolution 2000-01 is herewith rescinded.

11. **Effective Date.** This Resolution, and each of the provisions herein contained, shall become and remain in full force and effect from and after June 20, 2016, until and unless duly amended or rescinded by the District.

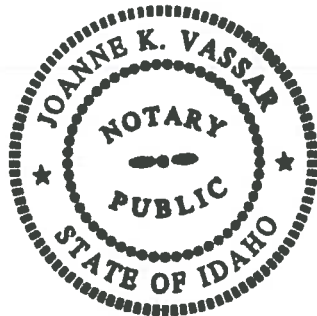
SUN VALLEY WATER AND SEWER DISTRICT


By: 
 JAMES D. LOYD
 Its: Chairman

STATE OF IDAHO)
)ss.
 County of Blaine)

On this 21st day of June, 2016, before me, a Notary Public, in and for said County and State, personally appeared JAMES D. LOYD, known or identified to me to be the Chairman of the Sun Valley Water and Sewer District, the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




 NOTARY PUBLIC FOR IDAHO
 Residing at: Hailey Idaho
 My commission expires: 8/15/19

CERTIFICATION

The undersigned, EDWARD A. CUTTER, duly appointed and acting secretary of the Sun Valley Water and Sewer District, 49 Larry's Lane, Sun Valley, Idaho, 83353, hereby certifies that the foregoing resolution was duly adopted by its board of directors at a duly constituted meeting thereof held on the 20th day of June, 2016, and that the foregoing is a true and correct copy thereof.



EDWARD A. CUTTER
Secretary

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