



Policy and Procedure Manual

Tres Piedras Mutual Domestic Water Consumers Association

Clean Water Produced with Clean Wind Energy

PO Box 193

Tres Piedras, NM 87577

(575) 737-0333

e-mail: office@trespiedraswater.com

Revised June 2020

Rules and Regulations of the Water Association

Specifications and Service Requirements

Frequently Asked Questions

Fees, Billing and Service

Persons having business with the Water Association should attend a Board Meeting. These are held monthly on the third Wednesday at 2 PM at the Association office. Please contact our secretary at the Association telephone number to have your name and business placed on the Agenda. If your business cannot wait for a regularly scheduled meeting, contact the Secretary or one of the Board Members.

OFFICE HOURS: Monday through Friday, 9 AM to 5 PM

ASSOCIATION OFFICES

PO Box 193, Tres Piedras, NM 87577

(575) 737-0333

e-mail: office@trespiedraswater.com

OFFICERS of the ASSOCIATION June 2020

Cecil Coffman, President

PO Box 66

Tres Piedras, NM 87577

(575) 758-3719

Duke Cozart, Board Member

PO Box 198

Tres Piedras, NM 87577

(575) 613-0018

William Anderson, MD, Vice-President

PO Box 139

Tres Piedras, NM 87577

(575) 613-0684

Russ Gregory, Board Member

PO Box 109

Tres Piedras, NM 87577

(575) 613-0935

Harry Burgess, Board Member

PO Box 106

Tres Piedras, NM 87577

(505) 695-6521

Olivia Libby Payne, Secretary/Treasurer

PO Box 193

Tres Piedras, NM 87577

(575) 737-0333

In case of **emergencies** regarding water service or broken lines, please contact our **Water Operator** Duke Cozart (575) 613-0018

A BRIEF HISTORY of the TRES PIEDRAS MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION

The Water Association was first incorporated in May of 1951. It was in existence for a few years prior to incorporation and was incorporated as a non-profit, member owned mutual domestic water consumers association more than fifty years ago. The first membership list consisted of less than thirty members. As of early 2002, 163 memberships had been recorded and the Association is extending its term of incorporation perpetually.

Today the Association has approximately eight miles of distribution lines, 64,000 gallons of water storage, two wells, automatic controls on the pumping system and new valves and controls allowing isolation of separate parts of the system in case of line breaks or other emergencies.

The water system improvement project completed in 1999, thanks to a grant from the New Mexico Environment Department, allowed for much need upgrades to distribution lines and more water storage. Since 2000, the system has been upgraded with new radio-read meters allowing for meter reading during winter months, a refurbished water storage tank and a Preliminary Engineering Report as a first step in a projected new well and other upgrades to the system.

The Tres Piedras Water Association is one of almost forty mutual domestic water associations in Taos County, New Mexico. What is unique about all these systems is that, unlike water systems in more populated areas, they have been built, operated and funded mostly by the members/owners served by the association. With the exception of a couple of small grants years ago, the Tres Piedras Water Association was built by the residents of the community who furnished their labor for much of the work and assessed themselves monthly fees to fund most projects. Thousands of dollars were spent over the years, a great deal of which was for interest on loans from FHA. The Association has been debt free since 1996.

In 2008, under the New Mexico Sanitary Projects Act, the Tres Piedras Water Association was advised of status as a political subdivision of the state and a government entity. Since that time we have operated under the New Mexico Environment Department and have now to comply with many government regulations and procedures that were not in effect before that time.

We find ourselves today with an excellent system that is up-to-date with New Mexico Clean Drinking Water Standards. Your membership in the Tres Piedras Water Association makes you a partner in our community mission to provide clean, safe drinking water to the residents of our community.

TO BECOME a MEMBER

Persons wishing to become members of the TPMDWCA must contact the Secretary of the Association to obtain a copy of the Policy and Procedure Manual and the By-Laws of the Association and an Application for Membership. The prospective member is responsible for reading and understanding the contents of the Policy and Procedure Manual and the By-Laws of the Association before making application for membership as these contain pertinent information regarding member obligations. No new memberships will be accepted for use or service outside of the Service Area which is described in detail further in this Manual.

The Application for Membership must be filled out completely, with particular attention to the property description. Return the Application to the Secretary along with payment in full of the current cost of Membership which is presently Four-thousand, Five-hundred and no/100ths Dollars (\$4,500.00).

Application for Membership must be approved by the Board of Directors at a regular monthly meeting of the Board. New memberships to be considered will be placed on the Agenda for the next appropriate meeting by the Secretary who must have notice, along with a completed application and payment in full, from the potential member at least one week in advance of the upcoming meeting. It is recommended that the potential member attend the meeting, but the Board may not require attendance, especially where the prospective member resides at an inconvenient distance from Tres Piedras.

Please note that Memberships are their own entity and do not "belong" with a certain piece of property. They may be bought and sold separately from property; however, wherever there is water service, there must be a Membership for that particular service.

NOTE: In 1998 the Association went to great expense to issue a new Certificate to each Member because many of the old Certificates had become lost and the system had become confused and outdated. The Board wishes to preserve the integrity of the new Certificate system. It is hoped that Members realize the value of their Certificates, equal now to \$4,500, and maintain them in a safe place. To encourage Members, the Board approved the following Policy:

The fee for replacing a lost Membership Certificate shall be \$200.00.

MONTHLY PAYMENTS for NEW MEMBERSHIPS

The Association offers terms for new memberships as per the following Contract:

CONTRACT

This Contract is between the Tres Piedras Water Association, hereafter known as the Association, and _____, hereafter known as the Purchaser, for the purpose of selling to the Purchaser Membership # _____ in the Association.

The Association and the Purchaser agree that the value of the Membership is \$4,500.00 (Four Thousand, Five Hundred Dollars) and the Purchaser agrees to pay \$1,000.00 (One Thousand Dollars) as a down payment on this date, _____, 201_. The Association and the Purchaser further agree that the balance due of \$3,500.00 (Three Thousand, Five Hundred Dollars) shall be paid by the Purchaser to the Association for 35 (thirty-five) months at the rate of \$100.00 (One Hundred Dollars) until the total amount is paid in full.

1. Purchaser must submit an Application for Membership and an Elevation Agreement which must be approved by the Board of Directors before this Contract becomes valid.
2. Purchaser will have the Rights and Duties of a Member upon payment of the down payment and approval of the Application for Membership and the Elevation Agreement.
3. Purchaser will pay a \$5.00 per month service fee each month for the processing of Payments on the Membership.
4. Purchaser must pay monthly water charges and fees, any assessments and the full \$100.00 payment on the Membership each month on or before the due date for water payments. After the membership becomes two months delinquent, payment of all past due amounts must be made in full on or before the due date for water payments. If payment on the Membership becomes three months delinquent, the Membership will be forfeited and any money paid thus far on the Membership will be considered rental payments and not refunded, both Membership and money being retained by the Association.
5. There will be no penalty for early payment.
6. The Association will hold the Certificate of Membership until paid in full.
7. The Membership may not be sold or transferred until paid for in full without the prior approval of the Board of Directors.

I, _____, Purchaser, agree to the above terms.
Printed name

Signature	Date
County of Taos)	
State of New Mexico)	

Acknowledged before me this _____ day of _____, 201_ by _____
(Purchaser name)

Notary Public

SEAL

Signature, President of the Tres Piedras Water Association

NAME CHANGES OF MEMBERSHIPS

The association allows people to change the last name on a certificate due to circumstances such as marriage, divorce, or other reasons that a last name is legally changed. In these circumstances, it will be treated as a transfer, but will be done for the fee of \$10.00 to cover the cost of mailing the updated certificate via certified mail. Members wishing to make a name change must attend a board meeting and provide the necessary documentation to prove this is a legal name change.

MEMBERSHIP TRANSFERS

Membership Certificates may be transferred. In order to make a transfer, the person(s) owning the Membership is responsible for making the potential new member (the person[s] wishing to purchase the Membership) aware of the procedures necessary to become a new Member of the Association as described above under TO BECOME a MEMBER. It is advised that the potential new member contact the Secretary/Treasurer of the Association who will supply an Application for Membership and a copy of the Policy and Procedure Manual and By-Laws of the Association and make arrangements for placing the Transfer on the Agenda of the next Board Meeting. On the back of each Membership Certificate is space for the transfer of Memberships which must be completely filled out, signed and dated by the person selling the Membership. The completed transfer must be accompanied by a letter stating that the Membership has been sold, naming the party in receipt of the Membership, dated, signed and notarized by the party selling the Membership if the person cannot attend the meeting. The amount to be charged for the Membership is at the discretion of the persons involved and is not determined by the Association. No Membership Certificate may be transferred outside of the Service Area. Once a Membership is transferred back into the Service Area, it may never be transferred or used outside the Service Area (refers to Memberships purchased before the Service Area was established in 1999). In order to become valid, the transfer must be approved and signed by every member of the Board of Directors.

The Association charges a fee of \$100.00 to transfer a Membership.

TRANSFERS TO BENEFICIARIES

The association allows transfers for a discounted price of \$10.00 in the case of transfers to immediate family beneficiaries. The association considers immediate family to be; spouses, parents, or children only. Special circumstances will be considered on a case by case basis. People wishing to make such a transfer must attend a board meeting and provide all the necessary legal documentation to prove they are the beneficiary of the membership, and that they are immediate family as described.

NOTE: The Water Association makes no stated or implied guarantee of pressure anywhere within the service area. Association members may hook up no pressure or booster pumps to service connections without following policy as described on page 6. Individual pressure or booster pumps or cross connections may compromise water pressure and water purity for the entire system.

SPECIAL REQUIREMENTS FOR APPLICATION FOR SERVICE AT ELEVATIONS HIGHER THAN 8,160 FEET WITHIN THE ASSOCIATION SERVICE AREA.

All applications for membership and/or service connection will require a GPS measurement on site before approval by the Association. The GPS measurement should be made at a point as near as possible where the meter would be installed.

In no case will service connections be made at an elevation higher than 8,200 feet. Those members having property at higher elevations than 8,200 feet may build self-contained systems using cisterns or other storage tanks utilizing the Association's water hauling facilities.

No service connections will be made at a point in elevation higher than 8,160 feet without a signed Elevation Agreement.

Where it is necessary for a Member to install a pressure system in order to provide adequate pressure, this shall not be done without also installing a holding tank where water from the pressure system shall be pumped before being delivered for use. These systems will include a storage tank with float valve having a sufficient air gap, at least 1 ½ times the diameter of the pipe, from the incoming line. The Member is required to attend a Board Meeting for approval of any proposed pressure system before installation. Please contact the Secretary, Olivia Payne, at 575-737-0333 to be placed on the Agenda of the next Board Meeting. Board Meetings are scheduled every third Wednesday of the month at 2 PM at the Association office. The Association is also granted permission to inspect the system periodically if there are indications that changes have been made without the approval of the Association. The Association may at any time discontinue service if a pressure system is not up to Association standards.

Furthermore, no on-line service will be provided to anyone at an elevation of 8,200 feet or higher.

PRE-SERVICE REQUIREMENTS

1. Applicant for Service must be a member in good standing of the Association.
2. The member must present to the Board of Directors an appropriately completed Application for Service.
3. The Association will recognize any existing covenants, zoning, land use regulations or subdivision laws when considering installation of lines and meters necessary to provide service. The Association reserves the right to terminate service to members of the Association who are found to be in violation of existing covenants, zoning, land use regulations or subdivision laws if said violations shall expose the Association to risk of liability.
4. A copy of the deed, title or other document with a physical description of the property where service is to be installed or used must accompany the Application so as to identify the true owner of the property.
5. In cases where member service is to be installed on property not owned by the member, a notarized, written statement from the owner of record granting permission for such service will be required and kept on file by the Association.
6. If questions arise as to the location of property boundaries or easements, the Association may require the member requesting service to provide a legal survey of the property in question.
7. Special attention must be given to keeping water lines at a distance to be determined by the Board of Directors, and state and federal laws where applicable' from septic or other waste disposal systems. It is recommended that members requesting service do not install wastewater facilities (septic systems) without Board approval, as installation in inappropriate locations could cause forfeiture of water service.
8. The member will follow specifications as set out by the Board of Directors and state and federal regulations where applicable when installing water lines to his/her residence.
9. Members wishing to make use of the Association's water hauling facilities will do so only after being familiarized with the facility by a member of the Board of Directors and making agreement to the Policies and Procedures and By-Laws of the Association. A key to the facility will be furnished at the expense of the member.
10. Association members will allow members of the Board of Directors or employees of the Association access to meters twenty-four hours per day and every day of the year.

SPECIFICATIONS for NEW WATER LINE INSTALLATIONS

New water line installation will be at the expense of the Member.

NOTE: Members must consult with the Board of Directors of the Association before planning layout for septic systems. There are very specific requirements as to what can and cannot be done. Lot size restrictions may apply, including limiting septic systems with leach fields to properties of more than one-half (½) acre. (The secretary of the Association has information on alternative septic systems which do not require a leach field.)

The following specifications have been adopted by the Board of Directors of the TPMDWCA and must be followed by any Association Member installing water lines to his/her residence.

1. A minimum of two (2) Board Members will mark the area where the ditch is to be dug from the closest or most appropriate main line to the member's property line.

2. The member is responsible for acquiring any easements required for crossing property for the installation of water lines. Easements will be relinquished to the Water Association and a copy of easements will be kept in Association files. New lines will be laid out along property lines in square and/or straight lines as practicable. All new lines will be placed in easements beside established roads only. No new lines will be placed in alleys.

3. Utility companies (telephone and/or gas and electric) require three (3) days' notice in advance of digging for marking underground utility lines. **IMPORTANT:** It is state law that whenever earth will be moved by a machine anywhere within the state (this includes private property), New Mexico One Call shall be called (811) at least two days prior to the proposed work and notified of the exact location where excavation or any kind of mechanized earth moving will take place. They will issue a ticket number which you must have prior to work. They will also contact all utilities in the area so that any underground lines may be marked by the utility companies. **A fine of \$5,000 may be imposed for failure to comply with this law and cost of any damages could also be incurred.**

4. The Water Operator of the Association (Duke Cozart, telephone [575] 613-0018 or 758-1594) who is a trained technician, will supervise all new installations. He must be on hand at the beginning of each project, when the pipe is bedded, during and at the end of each project, before the ditch is covered. The Water Operator has authority to stop progress until assigned Board Members are able to inspect any phase he deems not to standards. Arrangements for scheduling with the Water Operator may be made directly with him or through the Secretary of the Association.

5. The member may then begin digging in as straight a line as practical.

6. The ditch for water lines will be no less than forty-eight (48) inches deep

to include the meter canister topping out at ground level.

7. The Water Operator and a minimum of two (2) Board Members must check and approve the depth of the ditch before installation may proceed. The President of the Board will assign one (1) Board Member or the Association Water Operator to monitor the digging at intervals. A diary will be kept of progress and will become a permanent record to be kept in Association files.

8. A two (2) inch layer of crusher fines or rock free dirt is required below the new pipe and a four (4) inch layer of fines or rock free dirt above the new pipe before backfilling the trench. Rocky areas are especially susceptible to freezing and must be carefully covered and fully inspected.

9. All pipe installed shall be new PVC Schedule 40 or 80 or better. All pipe will be two (2) inches in diameter or larger from the main water line to the property line. When going from the meter to an individual residence, one (1) inch or three-quarter ($\frac{3}{4}$) inch pipe is acceptable.

10. All pipes and fittings will be installed according to manufacturer's recommendations and/or recommendations of the Board of Directors using only new cement or solvent.

11. The Water Operator and Board Members must inspect and approve the pipe and fines below and above pipe as being placed and before backfilling the trench may take place. Upon approval of these, the trench may be backfilled. When backfilling is completed, The Water Operator and Board Members must inspect and approve the finished project. The covered ditch must be smooth, neat and be raised in a berm without sink holes, returning the landscape as much as practical to its original state.

12. Meters will be placed on the property line adjacent to the roadway, street or alley as feasible. Easements will be kept open at all times for access to water lines, meters and other property of the Water Association. Meters are the property of the Water Association and are not to be opened by members or their agents for any reason. The Water Operator, any Board Member or anyone authorized by a Member of the Board may have access to the meter, ONLY. If a person has permission to open the meter box and damages the meter or meter box, repairs will be made at that person's expense. **NOTE: There is a \$25.00 fee for unauthorized meter entry** to cover the costs of making sure that the meter is properly secured after such entry.

13. A shut-off valve must be placed by the member between the meter and the residence to allow water to be turned off in the event of emergency or the need to make repairs or additions to residence service. The meter is the property of the Association and the meter box may not be opened by members for any reason. The Water Operator, any Board Member or anyone authorized by a Member of the Board may have access to the meter, ONLY. If a person has

permission to open the meter box and damages the meter or the meter box, repairs will be made at that person's expense. Members may not use the meter as a shut-off valve.

14. In the event that new service is to be provided by hooking onto or adding to an existing water line installation originally paid for by a member of the Association, providing that the member who paid, or his/her heirs, still own the membership and property to which the original installation tied in, the following applies:

A proportional share of the original cost of any existing water line, if installed less than twenty years prior, shall be paid by the member seeking new service to the member who originally paid for the installation of the existing line. The proportion shall be fair to both parties. A written agreement, signed by both parties, must be presented to the Board of Directors for approval and recorded by the Secretary of the Association before an application for new service will be approved.

15. Upon placement into service, all customer installed new water lines, up to the meter box, become the property of the TPMDWCA.

16. PENALTY CLAUSE: The Board of Directors of the Water Association will not authorize installation of meters or initiation of water service until compliance has been made with all the above specifications.

POLICY on OFFICE VISITS

All office visits require an appointment. The association secretary is not obligated to be available for drop-in visits. Same day appointments are often possible. To make an appointment please call the office at, 575-737-0333.

PAYMENT for WATER SERVICE, FEES and ASSESSMENTS

Meters are read on or about the first working day of each month. Water billing is mailed on the 10th day of each month unless that day is a Sunday or legal holiday in which case billing will be mailed on the following day. Members must pay the charges in full within thirty (30) days of the billing date. Members whose bills are not paid in full within the thirty (30) day period will receive a Past Due Notice and Past Due Amounts. Members who have not paid within sixty (60) days will receive a Second Past Due Notice by certified mail, plus a \$10.00 Past Due Fee to cover the cost of certified mail. If payment is not received in full after a third period of thirty (30) days, the Member's service will be terminated and water shut off. Once service has been terminated, the bill must be paid in full along with a Reconnect Fee of Thirty-Five and no/100ths Dollars (\$35.00) in order to reestablish service. A person paying in full after termination

of service may do so during business hours and service will be reconnected during business hours within 24 hours of payment. Business hours are Monday through Friday, 8 AM to 5 PM.

According to Article VIII, Section 4 of the By-Laws of the Association, the Board of Directors shall have the authority to sell the membership of any member in the event of non-payment of any charges or assessments owing by the member thirty (30) days after notification of Termination of Service. The delinquent member's bills and assessments will be paid from the proceeds of the sale of said membership, including all collection and notification charges, with the balance paid to the delinquent party who shall then no longer be a Member of the Association.

Any account with the Water Association in arrears after sixty (60) days will be charged a ten percent (10%) per month penalty fee and after six months past the sixty (60) day period the Membership will be sold to reimburse the Association.

If inclement weather prohibits the reading of meters during winter months, water use and billing amounts will be based on that from the same month of the preceding year or on an average of the three months preceding the billing date if meters were not read for that month the year before. When meters are read again, credit or larger than usual charges may apply depending on actual water use compared to estimates.

COST of MEMBERSHIP

General Membership: \$4,000.00

WATER RATES and MONTHLY USE FEES

	Use Fee	Cost per Gallon
General Membership	\$14.00	\$0.01 up to 20,000 gallons \$0.015 from 20,000 to 30,000 gallons \$0.02 from 30,000 to 40,000 gallons, etc. (an additional \$0.01 per gallon for each additional 10,000 gallons of water used)

All fees and assessments will be billed with the monthly water charge billing invoice and will be identified to the member as separate charges.

In the case of **Water Loss**, the following policy is in effect as of May 12, 2001:

Since the graduated rate scale was made to limit actual water usage and encourage conservation of our water, and since we have recently had large losses of water by members, the Board has passed a Motion to deal with these losses in a just way.

The Motion was made, seconded and approved: That the Board would distinguish between losses involving irresponsibility on the part of members and losses that were unknowable and not preventable. Irresponsible

losses will be charged \$0.0075 per gallon for the first 20,000 gallons and \$0.01 per gallon thereafter, ad infinitum. Responsible members will be charged \$0.0075 per gallon for the total loss. Some of the reasons for distinguishing irresponsibility are: not paying attention to visible leakage, not paying attention to water lost and knowable from reported monthly usage and failure by a member to maintain his side of the delivery system, among others to be decided by the Board.

Please note that water rates have been raised since this motion was passed and, as of August, 2008, responsible members will be charged \$0.01 per gallon for the total loss and irresponsible losses will be charged \$0.01 per gallon for the first 20,000 gallons and \$0.015 per gallon thereafter, ad infinitum.

At the Board Meeting in February, 2011 the following Policy was approved: *When a leak is encountered that the customer has no way of knowing about until receiving a bill or being informed by the secretary following meter readings, the Association will charge the approximate cost of pumping the water, which is estimated at \$0.005 per gallon, for all water in excess of an average of the customers normal water bill.*

Also note that at the November 20, 2008 meeting of the Board of Directors a policy was unanimously approved as follows: Anyone who cannot afford to pay the entire overuse (or loss) bill in one payment must pay a minimum of \$50.00 per month on that loss, plus the current water bill, until the entire amount is paid in full. After one year, if the amount is not yet paid in full, there will be a 5% monthly handling fee charged on the unpaid balance.

POLICY on OVERDRAWN CHECKS: *It is the policy of the water Association that there is a \$10 fee, plus whatever fees were imposed by the bank on the association, for all returned checks and that the amount owed plus the fees must be paid with a money order. After three returned checks from one membership, the Association will no longer accept checks from that membership and all payments must be made with a money order.*

WATER SHUT OFF & TURN ON FEES

There is no charge to have water shut off by the Association, except in the instance of emergencies after hours. Our water operator will turn your water on, or off within 24 hours of your request, during regular business hours. Regular hours are from 9 AM to 5 PM, Monday through Friday. For after hour water shut offs there is a charge of \$25.00. There is a charge of \$35.00 to have water turned on in all instances, except for the initial turn on when first connected to the system. Water will be turned on only during regular business hours. The Board of Directors requires all members to install a personal shut-off valve on the owner side of the meter to reduce or eliminate the need for Association charges.

REMINDER: The meter is the property of the Association and members may not enter the meter box.

DAMAGE TO WATER ASSOCIATION PROPERTY

If a member, or their agent causes damage to Water Association property, whether that damage is intentional or accidental, the member is liable for those damages. Examples of Water Association property include, but are not limited to; meters, water lines, tanks and well houses. Members will be billed for all replacement parts and the time for repairs at the cost to the association, with no mark up. An itemized bill will be provided in these cases, and members are encouraged to attend a board meeting if they require further clarification.

HOOK-UP FEES

Water hook-up to in-line services will be at the expense of the Member. The water meter will be furnished by the Association and is the property of the Association.

WATER CONSERVATION

As water is a precious commodity and of finite quantity, the Policy of the TPMDWCA is that all members shall be responsible and conservative with water use in their homes, landscaping and commercial endeavors. The use of low-flow commodes and shower heads is recommended. Landscaping techniques which require less water are encouraged, along with outdoor watering done at times of the day when rapid evaporation does not take place (early morning and late afternoon) and at times when windy conditions do not exist. For more information on how to conserve water, contact our Secretary.

SERVICE AREA

The Board of Directors of the Tres Piedras Mutual Domestic Water Consumers Association with the approval of the Membership of the Association has defined and established a Service Area within which the TPMDWCA agrees to provide water service to consumers under the By-Laws of the Association.

Applications for Membership will not be accepted or transferred outside of the Service Area Boundaries. Memberships issued prior to the establishment of the Service Area may be transferred with the property of the member if the property is sold, may be transferred within the boundaries of the Service Area or may be purchased by the Association. Once a Membership is transferred back into the Service Area, it may never be transferred or used outside the Service Area.

The general description of the Service Area is: 2 ½ miles North and 2 ½ South of the Intersection of U.S. Highways 64 and 285, approximately one mile West of

U.S. Highway 285 and bounded on the East by the Aguaje de la Petaca. A legal description may be found in the By-Laws of the Association. A map of same may be obtained from the Secretary of the Association by request.

USE of MEMBERSHIP

There is no provision for delivery of water to Non-Members of the Association except by Special Use Permit issued only by the Board of Directors (see "Special Use Permits", below). Each Membership is for a single family residence or single business only. Article VIII, Section 1 specifically states that: "Water may not be delivered by the system of the Association except to users who are members of the Association, with the exception of Special Use Permits approved and issued by the Board of Directors to non-members." Violations of this Section of the By-Laws will result in termination of service and may also result in termination of membership. Water also may not be supplied to Members of the Association who are not in good standing or are delinquent in their accounts.

POLICY on TENANT/RENTER (non-member) USE of WATER

The association is organized to provide water to its members, and the policies within this document are written with this relationship in mind. There are situations where a member may choose to rent his/her property and this policy is meant to address the circumstances that arise when tenant/renters utilize TPMDWCA water.

Generally, when a member chooses to rent his/her property the TPMDWCA may be unaware that the member is not currently residing at the property. In most instances, TPMDWCA will continue to bill the member as before, and will continue to provide water as long as the account is in good standing.

If the member wishes to alter the name on the bill or the address to which the bill is sent, the member must provide written direction to the secretary. This direction shall state the duration of the change in name/address, confirm that the member will be responsible for any user charges/fees that are not paid during the stated period, and include the notarized signature of the member.

Similarly, if a member wishes to delegate his/her decision making authority regarding the account to their tenant (in order to enable the tenant to request water shut off/turn on, make decisions regarding repairs, etc.), the member must provide written direction to the secretary. This direction shall state the duration of the delegation of such authority, confirm that the member will be responsible for any user charges/fees that are not paid during the stated period, and include the notarized signature of the member.

The TPMDWCA will allow for tenant/renter use of water delivered by the system under the following circumstances:

- A current and valid membership is assigned to the rented property
- The use is for a limited term
- The account remains in good standing

In any case (whether or not the billing name is changed) the member remains responsible for any charges associated with water system use in accordance with the other provisions of this document.

SPECIAL USE PERMITS

Recognizing the rural nature of the Association and the need to supply water on a temporary basis for special needs, a Special Use Permit may be issued by the Board of Directors. This will be a permit for the hauling of water from the Association hauling facility only, to be issued for one month at a time and subject to review and renewal on a monthly basis. The applicant will be required to pay a deposit which will be refunded or applied against the applicant's final bill. The Use Fee and Water Rates are stipulated below. The deposit will be determined by the Board of Directors at the time of application, but will usually be determined by an estimate of the next month's use.

Use Fee	\$50.00 per Month
Cost per Gallon	\$0.02 per Gallon up to 10,000 Gallons
	\$0.03 per Gallon from 10,000 Gallons to 20,000 Gallons
	\$0.04 per Gallon from 20,000 Gallons to 30,000 Gallons, etc.

Estimated use for the future month be billed at the beginning of each month as well as the \$50 Use Fee. The estimated amount and the Use Fee are payable at the first of each month before hauling begins and before the Board approves the Permit for the following month.

USE of ASSOCIATION WATER HAULING FACILITIES

The Water Association has a facility located at the Tres Piedras Fire Station for use by members for hauling water. Except for Special Use Permits issued in accordance with the prior section, the facility is for use by members of the Association only. No persons other than members of the Association, their immediate family members or their designated agents will be allowed access to the hauling facility of the Association. Non-authorized use of the Association facility will be regarded as criminal trespassing.

If a member desires to have a non-member haul water to the location of his/her membership, it is required that the member fill out the Agent Designation and Agreement Form which is available from the Secretary. The form must be returned to the Secretary to be kept on file for the Association. No more than two persons may be designated to haul water for any one Membership.

Haulers are not to park vehicles so as to block Fire Station doors. Emergency vehicles must have access. Do not leave your vehicle unattended while filling with water.

SEPTIC SYSTEMS WITHIN THE SERVICE AREA

If it is suspected that there is a problem with any septic system within the Service Area of the Association which might lead to contamination of the water system, the Association will contact the owner of that septic system in writing by mail, advising that a problem is alleged. If the owner of the septic system does not respond to the Association noting that appropriate measures either have or will be taken to repair the problem within 30 days, or with proof that no problem exists, the Association will contact the New Mexico Environment Department and/or the Environmental Protection Agency. If the problem is not resolved, the Board of Directors has the right to withhold water service until it is resolved.

Additional Septic Policy: PLEASE NOTE: The Board of Directors has very specific requirements regarding distance specifications of septic tanks and leach lines from association water lines which supersede state and county regulations. Decisions regarding the minimum distance between water lines and septic tanks or leach lines will be made at the discretion of the board. There may be additional requirements for casing water lines dependent on elevation concerns between water and leach lines.

It is highly recommended that board approval be sought for septic installations, as no water service will be provided until approved.

POLICY for BOARD MEMBERS

No changes, waivers or suspensions of the By-Laws, Policy and Procedure Manual or accepted practices of the Tres Piedras Water Association shall take place as a result of meetings between individual Board Members and members or non-members of the Association until presented for discussion and approval by the Board of Directors at a regular or special meeting.

FREQUENTLY ASKED QUESTIONS

Q: How do I become a member of the Association?

A: Obtain a Membership Application, copy of the By-Laws and Policy and Procedure Manual from the Secretary and make arrangements to be placed on the Agenda of the next scheduled Board Meeting for approval. A completed application and payment of the Membership Fee in full or a signed contract (see page 5) with down payment of \$1000.00 must be presented at the meeting. It is recommended that the prospective member

also attend.

Q: Can I make monthly payments on my Membership Fee?

A: Yes. See pages 4 and 5 regarding a contract for monthly payments.

Q: How do I pay my water bill?

A: Water bills are payable by check or money order by mail or **by appointment** at the association office as per our policy on office visits. Billing is mailed on or about the 10th of each month and is due on or before the 8th of the following month.

Q: How do I get water installed to my residence?

A: Applications for Service are available from the Secretary and must be completely filled out and presented at a Meeting of the Board of Directors for approval before any work begins. Particular attention will be paid to the location and type of any wastewater facilities (septic system, etc.) planned or on site (It is recommended that no wastewater facility be installed without Board approval.). Two Board Members will be assigned to map out the water lines. It is the member's responsibility to have the line installed according to Association specifications and the cost of installation is the responsibility of the member. The meter will be furnished by the Association and remains the property of the Association.

Q: Is my water clean and safe?

A: Yes. Water from our system is tested monthly by Indepth Water of Santa Fe for COLIFORM and E. coli, which have never been present. Water is tested annually by the New Mexico State Environment Department. A Consumer Confidence Report is available annually to all members with results of Environment Department testing.

Q: Can I use my water for a garden?

A: Yes. Many of our members have small gardens in the summer. However, see under Water Conservation in the text of this Manual for further information.

Q: Can I lend my membership to someone else?

A: Yes, if you are renting your property or otherwise have someone living at your membership location. You may not, however, use your membership at two locations or deliver water to non-members of the Association.

Q: Who can I contact with questions about my membership or water use?

A: You may contact the Secretary of the Association, Olivia Payne, at (575) 737-0333. To report emergencies regarding broken water lines, contact the Association Water Operator, Duke Cozart, at (575) 613-0018.

Q: Are there regular membership meetings?

A: Yes. There is an annual General Membership Meeting held in July. You will receive notification in advance of these meetings with details as to time and place and a complete meeting agenda. Contact the secretary at least a month in advance of the meeting to have an item placed on the agenda.

Q: Can I attend Board Meetings?

A: Yes. Board meetings are open to the public and are scheduled for every third Wednesday of the month at 2 p.m. at the association office. Call in advance in case of rescheduling.

Q: Can I shut off or turn on water at the meter?

A: NO. The meter is the property of the Association. Meters are the property of the Water Association and are not to be opened by members or their agents for any reason. If a member opens the meter box without authorization, there will be a \$25.00 charge for the Water Operator to check that the box has been properly closed and that there has been no damage. The Water Operator, any Board Member or anyone authorized by a Member of the Board may have access to the meter, ONLY. If a person has permission to open the meter box and damages the meter or meter box, repairs will be made at that person's expense. If you wish to have service shut off, contact the Secretary to make arrangements. There is a \$35.00 fee to re-establish service. The Board of Directors requires that each member have a shut-off valve installed between the meter and the residence for member use.