

Policy Regarding Additional/ Non-residential Use of Domestic Water Service

A Rogers Mesa Domestic Water Company (RMDWC) water tap is intended to provide a domestic water service connection to serve a single-family residence.

Rogers Mesa Domestic Company is expressly prohibited by our contract with the Town of Hotchkiss from selling any purely commercial water taps. There are five (5) preexisting purely commercial taps within the RMDWC system. All five (5) were in existence before the contract with the Town of Hotchkiss went into effect and have been grandfathered in under this policy. These preexisting taps are Bolinger & Queen, Rogers Mesa Fruit, Leroux Creek Foods, High Country Gardens (now Afton's Garden Center) and Rogers Mesa Store.

The use of a RMDWC domestic tap for purely commercial purposes is in violation of our contract and our By Laws and is grounds for revocation of the offending Membership and removal of the associated domestic tap.

While purely commercial water taps are prohibited, RMDWC does have an application process for approving an additional use to a preexisting water tap. The RMDWC Board of Directors may in its discretion, approve an additional use of a domestic water tap for purposes related to agricultural activities which are traditional to Rogers Mesa. Such uses may include, but are not limited to, agritourism (e.g. Bed and Breakfast, AirBnB, VRBO), businesses in support of local agriculture (e.g. farm restaurant, winery) and the processing and preparation of agricultural crops grown on Rogers Mesa.

The RMDWC Board of Directors has the ability to approve such additional uses on a case-by-case basis. There are existing domestic water taps with an approved additional use within our system. These existing additional use taps are grandfathered in and need not re-apply, but any new additional uses must follow the guidelines below:

Prior to commencing any such additional use, a member may apply to the Board of Directors for permission to add an additional use to a preexisting domestic water tap. Only one additional use is permitted per domestic water tap. The Board of Directors may approve such new additional use in the following circumstances only:

1. The Member applies to the Board of Directors for the additional use prior to commencing the proposed additional use. Informing the board after the activity has commenced will result in denial of the application.
2. The application must specify the additional use to which domestic water will be put and an estimate of the quantity (gallons) used each month must be provided.
3. Approval of the additional use will automatically terminate upon the occurrence of any of the following:
 1. Changing the additional use from the activity described in the original application;
 2. Significant divergence from the estimated quantity of water used;
 3. Change of ownership of the property. The additional use permission is not transferrable and is limited to both the individual and the address specified in the approval. A new property owner must reapply for an additional use with the above qualifiers listed.

The normal conduct of farming and ranching activities traditional on Rogers Mesa is not considered “an

additional use” under this Policy. This includes use of domestic water to provide drinking water to commercial livestock.

Tiny homes and additional rental units sharing one domestic water tap with a residence are not allowed, unless they can be shown to be part of an agritourism operation and meet the guidelines below.

For an additional use to be considered agritourism related, the property must be five (5) acres or larger AND produce hay or other crops, or raise livestock. The property cannot rely on the agricultural ambience provided by neighbors to provide the “farm stay experience”. Any property rental must generally be less than a week. Long term rentals are not considered agritourism.

Starting March 1, 2024 **all** domestic taps (new and those grandfathered in) with additional uses will be charged \$50 per month, instead of the \$35 membership fee. These additional use taps are being used as a source of income for the Members and place an additional strain on our system, so should be viewed differently than domestic use taps only.