

Surprise Valley Community
Pressure Irrigation System
Rules, Regulations and Information Guide

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Surprise Valley Community Pressure Irrigation System Summary

The Surprise Valley Pressure Irrigation System will deliver non-potable (non-drinkable) water to Owners for irrigation of their landscaped areas on their Building Lots, and will deliver non-potable water to the SV Homeowners' Association, Inc. ("Master Association"), the SV Recreation Facility Association, Inc. ("Recreation Facility") and all SV local associations (all SV associations referenced above shall be collectively referred to herein as "Associations") for irrigation of the Common Areas, Local Common Areas, Restricted Areas and Maintenance Property ("System"). Pursuant to the terms of the Master Declaration of Covenants, Conditions and Restrictions For Surprise Valley Planned Residential Development, recorded in the records of Ada County, Idaho on June 23, 1995, as instrument number 95042516 ("Master Declaration"), each Owner shall comply with the rules and regulations of System operation which are set forth in this Surprise Valley Community Pressure Irrigation System Rules, Regulations, and Information Guide ("Guide"). All capitalized terms not otherwise defined herein, shall have the same meaning as are ascribed to them in the Master Declaration.

Non-potable Water: The System delivers non-potable water which is not suitable for drinking. Owners are required to mark their individual sprinkler systems with tags or signs that say "Danger - Unsafe Water, Do Not Drink". In the interest of public health and safety, Owners are strictly prohibited from connecting their sprinkler systems in any way to the potable water supply provided by United Water of Idaho.

Ownership and Operation of System: The Master Association will purchase the System from the Grantor and operate and maintain it for the benefit of the Surprise Valley Owners. As discussed more thoroughly below, The Master Association has contracted with Paragon Commercial Group to provide general System operation and maintenance services ("System Operator").

Water Availability: Irrigation water will be available no sooner than March 15 and no later than November 15 of each year. The annual start-up and shut-down dates for the System shall be determined by the Master Association, at its sole discretion, taking into account such factors as weather and irrigation water availability. At a minimum, water will be supplied to the Owner's sprinkler system every other day for two (2) hours during the night. Refer to the attached Surprise Valley Community Alternative Day Irrigation System Schedule and corresponding Neighborhood Figure, which are made a part hereof (collectively referred to herein as the "Irrigation System Schedule") for the two hour time block assigned to each Building Lot. The Irrigation System Schedule may be amended to provide a more efficient means of distribution and/or application of the non-potable water for purposes of irrigating by the Owners and any Association.

Water Application Rate: Subject to water availability and the Master Association's and System Operator's discretion to determine the amount of irrigation water to be supplied to Building Lots, Common Areas, Local Common Areas, Restricted Areas and Maintenance Property, each Owner can apply a maximum of .66 inches of water to each and every section of his or her lawn and landscape areas every two days. Accordingly, each Owner's sprinkler system must be designed to apply no more than 0.66 inches of water in two hours every other day. The 0.66 inch application rate satisfies the water requirement of turf grass during the hottest part of the summer and allows for 80% application efficiency.

Delivery Rate: Application of 0.66 inches of water every other day requires that the main pipes in the Owner's sprinkler system must carry no more than 3.4 gallons per minute for every 1,000 square feet of lawn area.

Delivery Pressure: Irrigation water supplied to Owners will be delivered at approximately 50 to 70 pounds per square inch of pressure depending on Building Lot location and service line size.

Timer Adjustment: Owners will use their sprinkler system timers to adjust the amount of water applied to specific areas of their Building Lot throughout the growing season.

Owner Systems In General: See the attached Owner Connection Diagram, which is made a part hereof, for required Owner sprinkler system equipment.

Maintenance Access: Pursuant to the Master Declaration, the System Operator shall have access to those portions of the System located on Owner Building Lots. The attached Irrigation System Schedule illustrates the location of the System components. Owners are advised not to install valuable landscape features within 10 feet of the System components as the System Operator may have to excavate to repair System components. No Association, System Operator or Grantor shall be liable for any damage or other loss to any and all landscape features or other Improvements on an Owner's Building Lot which is located within 10 feet of the System components, during any maintenance, repair or replacement of the System or any of its components.

Damage to Surprise Valley System Components: The Owner is financially responsible for damage to any component of the System located on their Building Lot.

Wasteful Irrigation: The Owner is responsible for monitoring their sprinkler system to detect and eliminate wasting of water. This Guide provides tips on water conservation.

**Surprise Valley Community
Pressure Irrigation System
Rules, Regulations and Information Guide**

1. Compliance with Guide

Pursuant to Sections 5.5.1.4 and 5.5.2.10 of the Master Declaration, the Master Association has the ability to make, promulgate and adopt such Association Rules as the Master Association deems advisable. Pursuant to a unanimous vote of the Master Association's Board of Directors effective on the 1st day of March, 1996, this Guide and the rules and regulations contained herein were adopted by the Master Association's Board of Directors as rules and regulations governing the construction, reconstruction, operation, maintenance and repair of the System. These rules and regulations shall have the same force and effect as the terms, covenants, conditions and restrictions contained within the Master Declaration.

2. Guide as a part of Design Guidelines

Pursuant to Section 12.3 of the Master Declaration, this Guide has been approved by the Design Committee as part of its Design Guidelines, and the Master Association's Board of Directors has approved such use by the Design Committee. Pursuant to Sections 4.13 and 12.3 of the Master Declaration, all Owners shall have their individual irrigation system pre-approved by the Design Committee prior to the commencement of any construction or installation of the same.

3. Mandatory Use of System

Every Owner shall utilize the System for irrigation of the landscaping contained within their Building Lots, and every Association shall utilize the System for irrigation of all Common Area, Local Common Area, Restricted Area and Maintenance Property to the extent of water availability. Subject to the "Spot Watering" provision contained within Section 7 herein, no Owner or Association shall utilize any other method of irrigation for the landscaping contained upon their Building Lots, including, without limitation, use of any potable water supplied by United Water of Idaho.

4. Purchase of System and Water Rights Associated Therewith

As contemplated in the Master Declaration, the Master Association will purchase the System from the Grantor and operate and maintain it for the benefit of the Surprise Valley Owners. The Grantor has agreed to sell the System to the Master Association for no more than one-half the cost to

construct this System. In addition, the Grantor, pursuant to Section 13.14 of the Master Declaration, has reserved a maintenance easement over all Building Lots, as that term is defined in the Master Declaration, for the purpose of maintaining the System. The Master Association and any local association may utilize this easement for the operation, maintenance, repair, replacement and reconstruction of any portion of the System which it has the duty to operate, maintain, repair, replace or reconstruct pursuant to Section 5.5.2.6 of the Master Declaration. This operation and maintenance duty does not include the operation and maintenance of an Owner's individual system. Each individual Owner shall be responsible for his or her individual system other than that segment of the System on the Owner's property which is owned, operated and maintained by the Master Association.

In addition to the Master Association purchasing the System, the Master Association is in the process of purchasing from Grantor all water rights reserved in and to Grantor which are appurtenant to the Surprise Valley Property pursuant to Section 5.5.2.8 of the Master Declaration. The water associated with these water rights shall be utilized for the System.

5. Assessments

Pursuant to Sections 3.46, 9.1 and 9.3 of the Master Declaration, the cost of the System and the cost of the operation, including, without limitation, the cost associated with purchasing and transferring any and all water rights, maintenance, repair, replacement and reconstruction of the System shall be assessed to the Owners as Regular Assessments. These Regular Assessments shall be assessed during those months the System is in use in the same fashion as Regular Assessments are calculated and assessed in the Master Declaration; provided however, that each Surprise Valley Owner shall have the option to pay these assessments during the months the System is in use, or spread out over the entire year.

6. Water Source

The System pumps non-potable ground water from a well and, by about 1997, will also pump non-potable water from the Boise River. Once the diversion from the Boise River commences for purposes of use by the System, this surface water source shall be the primary water source and the ground water from the well(s) will be supplemental to the surface water right, and may be used when the full surface water entitlement is unavailable.

The System provides Owners a source of irrigation water that is less expensive than that supplied by United Water of Idaho. The System also

makes use of water rights that were historically used to irrigate the Surprise Valley property. Use of these water rights reduces demand on the high quality underground supplies tapped by United Water of Idaho. The System, and associated water rights, has been designed to provide sufficient water to satisfy the irrigation demands of Surprise Valley. However, the success of the System depends on its operation. Each Owner shall comply with this Guide and the rules and regulations contained herein so that the System can deliver adequate water to all users.

7. Notification of Non-Potable Water

Non-potable Water: The System delivers non-potable water for irrigation purposes only, and which is not suitable for drinking. Casual contact with the water is also discouraged as accidental ingestion may result.

The water is non-potable as it has not been treated to remove bacteria, viruses, sediment and other impurities that naturally occur in groundwater and river water. Removal of these impurities is not required for irrigation and would add significant cost to the System.

Marking of Main System: The System consists of underground pipes, valves, and the service boxes on Owner Building Lots. Valve boxes and service boxes that are exposed at the ground surface shall be marked with a tag that reads "Danger - Unsafe Water, Do Not Drink".

Marking of Owner Systems: Owners shall mark their individual sprinkler system at all surface amenity locations such as valve boxes, above-ground valve assemblies and timers. **The System Operator shall, upon request, provide information on how to obtain marking tags similar to those used on the main System.**

8. Water Availability

Irrigation Season Dates: The System will provide water to Owner Building Lots no sooner than March 15 and no later than November 15. The System Operator will notify Owners of yearly start-up and shut-down dates which will vary with the weather and water availability. Owners should expect their sprinkler systems to temporarily discharge air during spring start-up.

Irrigation Schedule: The System provides irrigation water to Owners every other day for two (2) hours through the use of automatic valves. The attached Irrigation System Schedule lists the two-hour time block assigned to each Building Lot and the irrigation day which is coded as

either "A" or "B". This Schedule coordinates the "A" and "B" irrigation days to calendar days. Owners shall irrigate at night to minimize evaporation and increase the efficiency of water application. Daytime hours are reserved for irrigation of the Common Areas, Local Common Areas, Restricted Areas and Maintenance Property.

Schedule Changes: The System Operator may modify an Owner's irrigation schedule in the interest of improved System performance. Owners will be notified of any change in their delivery schedule.

Owner System Testing and Sod Establishment: Irrigation water is available outside the Owner's scheduled two-hour time block only for the purpose of testing the Owner's sprinkler system and establishing new sod. The System Operator will limit such use to a pre-arranged date, time and duration.

Spot Watering: Use of the System is mandatory for any underground pressurized irrigation systems constructed by the Owners. Irrigation water will not be provided outside of the Owner's scheduled irrigation time for the purpose of incidental watering of dry spots. Dry spot watering is allowed but must be accomplished using a separate hose connection to the potable water supplied by United Water of Idaho.

9. Owner Systems

Effective Water Requirement: Lawns in the Boise Valley require approximately 0.25 inches of effectively applied water during the hottest day of the summer. The phrase "effectively applied water" refers to water that can be utilized by the roots of the lawn.

Sprinkler System Efficiency: No sprinkler systems are 100% efficient since they will experience losses due to evaporation, runoff and leakage. Successful operation of the System requires that Owner systems achieve an 80% application efficiency of the water delivered to the Building Lot. Incorporating 80% efficiency into the 0.25 inches peak day effective water requirement results in a gross peak day application depth of 0.33 inches.

Gross Application Rate: Irrigation of lawns every other day requires application of twice the 0.33 inch peak day requirement for a total of 0.66 inches. Application of 0.66 inches of water during a two-hour time block requires that Owner's systems must apply water at the rate of 0.33 inches per hour. The spacing and type of sprinkler heads must be adjusted to achieve the 0.33 inches per hour application rate.

System Capacity: Owner sprinkler pipes are sized according to how much water they deliver to the sprinkler heads. The following Table lists the gallons per minute (gpm) that the main sprinkler pipes must carry to deliver the gross application of 0.33 inches per hour.

Table 1
Owner Sprinkler System Capacity

<u>Lawn Size</u>	<u>Maximum Capacity</u> (Assumes 80% App. Efficiency)	<u>Minimum Capacity</u> (Assumes 100% App. Efficiency)
0.10 acre (4,400 square feet)	15 gpm	12 gpm
0.15 acre (6,500 square feet)	23 gpm	18 gpm
0.20 acre (8,700 square feet)	30 gpm	24 gpm
0.25 acre (11,000 square feet)	38 gpm	30 gpm
0.33 acre (15,000 square feet)	50 gpm	40 gpm
0.50 acre (22,000 square feet)	75 gpm	60 gpm

Delivery Pressure: The System will supply Owner systems at a pressure of approximately 50 to 70 pounds per square inch depending on elevation and service line size. Each Owner or their sprinkler installer should measure the available pressure at various flow rates to aid in designing the Owner's sprinkler system.

Timer Adjustment: Owner systems designed according to the above criteria will satisfy the water demand of sod during the hottest part of the summer. Subject to the maximum water applications specified in this Guide, Owners should adjust the length of their watering cycles to account for the seasonal change in water requirements.

General Sprinkler System Considerations: The attached Owner Connection Diagram lists the required equipment in the Owner's individual sprinkler system. Owners shall install a screen or strainer in their system to supplement the filters built into the System. Owners are responsible for winterizing their sprinkler systems and shall install any valves necessary to isolate their system from the System.

10. Other Owner Responsibilities

Unauthorized Use: The Owners, their families, contractors, representatives or agents shall not access the System's service box equipment, access any System component or use irrigation water in an unauthorized manner. Such violations are subject to fine(s), discontinuation of service or any other non-inclusive remedy contained within the Master

Declaration, at law or in equity, at the discretion of the Master Association's Board of Directors.

Damage to System Components: Pursuant to this Guide and Section 9.5 of the Master Declaration, an Owner is financially responsible for the cost of repairing any component of the System, or for damage to the property of others, when damage to such component, or damage to the property of others due to damage to such component, is caused by the Owner, any member of the Owner's family, representatives, agents, contractors or invitees. Any damage to the System must be reported immediately to the System Operator. The System Operator is the only person authorized to repair System components owned by an Association. Any and all damage to a Owner's individual sprinkler system not caused by any Association, their agents or representatives, shall be the sole responsibility of the Owner with no obligation or recourse whatsoever against an Association.

Cross-connection: Owners are prohibited from connecting their sprinkler system to their potable water supply (provided by United Water of Idaho). Such connections are prohibited in the interest of public health and safety, and are prohibited by United Water of Idaho, Inc. and the Idaho Department of Health and Welfare.

Wasteful Irrigation: The Owner is responsible for eliminating wasted irrigation water. Eliminating waste results in healthier landscaping and keeps pumping costs under control. The following guidelines are offered to reduce wasted water.

- Adjust sprinkler run times to fit seasonal needs
- Use bubbler tubes and shrub heads for irrigating trees and bushes
- Irrigate trees and shrubs separately from grassed areas
- Reduce water application depth in shaded areas
- Reduce pressure where required to eliminate "misting" from spray heads
- Reduce water application rate on sloping ground
- Landscape with drought tolerant trees, shrubs and grasses

11. System Operator

Maintenance Access: As previously stated, Section 13.17 of the Master Declaration grants the Master Association (and the System Operator as an agent of the Master Association) access across all Surprise Valley Owner's Building Lots to the System service boxes and other System components for yearly start-up and shut-down and for all other operation, maintenance, repair, replacement or reconstruction purposes, including, without limitation, to curtail the unauthorized water use by any and all Owners. The System Operator will make a reasonable attempt to notify the Owner prior to entering their property. The System Operator will make a reasonable effort to restore ground cover to its condition existing prior to any maintenance, repair, replacement or reconstruction of the System. Owners shall not install any valuable landscaping such as trees or shrubs within 10 feet of System components. No Association, System Operator or Grantor shall be liable for any damage or other loss to any and all landscape features or other Improvements on an Owner's Building Lot which is located within 10 feet of the System components which occurs during any maintenance, repair or replacement of the System or any of its components.

Maintenance Easement: System components that are on Owner Building Lots shall be situated approximately in the center of a 10 foot wide easement. The exception to this rule is where System components run along the property line of two adjacent Building Lots in which case the easement 5 feet wide on each Building Lot. There is also a special 10 foot wide easement which shall run along the rim Building Lots overlooking Barber Pool which shall be identified on any and all applicable Surprise Valley plats.

System Operator: Questions regarding the operation of the System should be directed to:

John Schroeder at Paragon Commercial Group, System Operator, (208) 344-6511.

12. Dual Irrigation Operating History

Each Owner understands and acknowledges that dual irrigation systems are new to the Treasure Valley, and are an attempt to conserve water, while reducing the cost of irrigation water to residential consumers. The System has no operating history and Dual irrigation systems in the Treasure Valley have little to no operating history. This Guide is an attempt to educate the Owners and provide adequate rules and regulations for the effective operation and use of the System. Once the Master

Association and System Operator gain a better working knowledge of the System, these rules and regulations may be amended or altered to provide the most efficient means of operation and use of the System.

13. Waiver of Liability

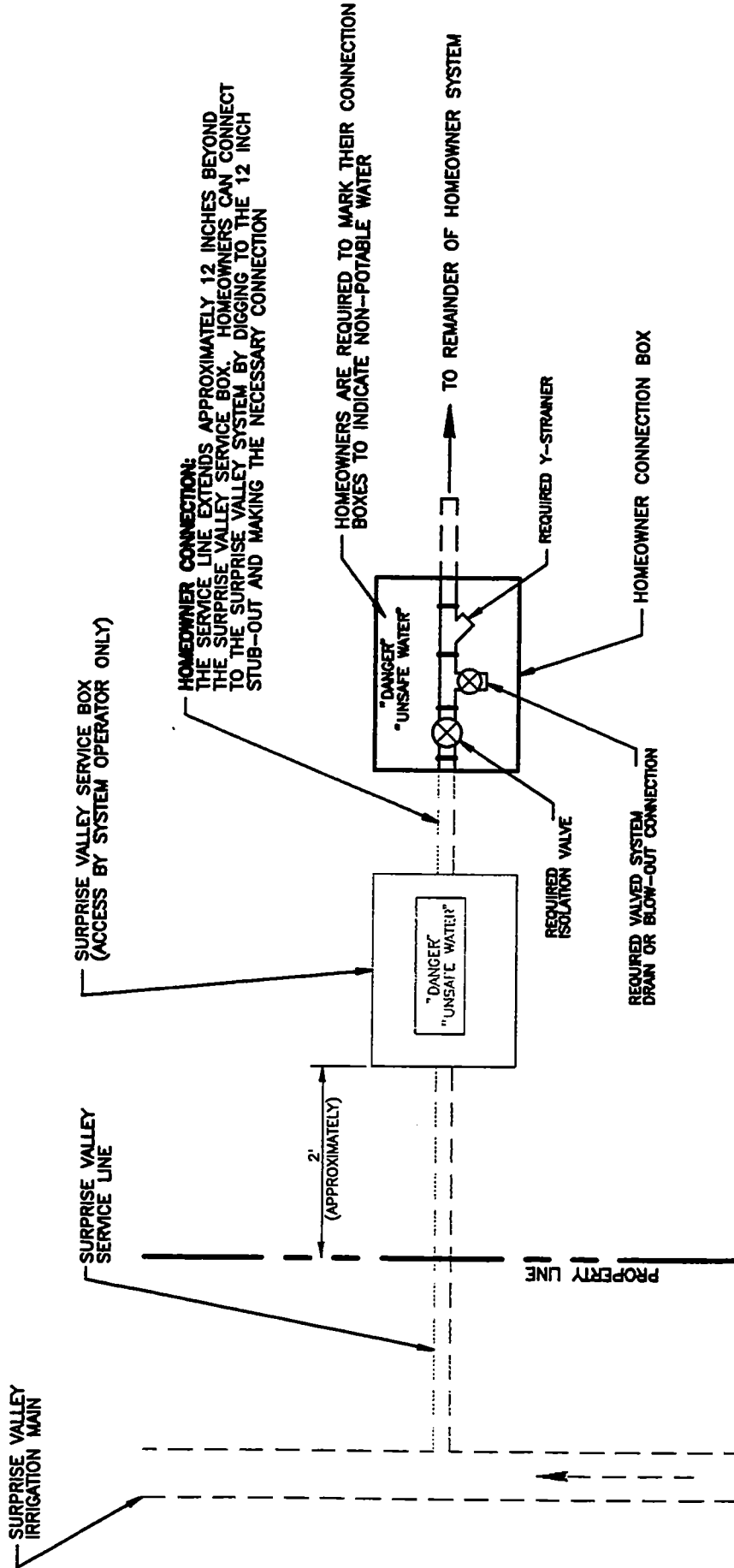
Each Owner hereby acknowledges that the System supplies non-potable water to the Owners' Building Lots, and the Common Areas, Local Common Areas, Restricted Areas and Maintenance Property. In addition, each Owner acknowledges that United Water of Idaho will not supply irrigation water to Owners of Surprise Valley, and that use of pressure irrigation systems such as the System are new to the Treasure Valley and are attempts to conserve water and reduce the cost of irrigation to the Owners and the Associations. No Association represents or warrants that the System is fool-proof and that it will always deliver the irrigation water necessary for the Building Lots, Common Areas, Local Common Areas, Restricted Areas or Maintenance Property. In addition, the System and the water rights associated with it are subject to administration by the Idaho Department of Water Resources, which is wholly outside the control of Grantor, the System Operator, and any Association. Owners, on behalf of themselves, their families, agents, representatives and invitees, hereby waive any and all claims they may have against any Association for any damage or loss caused by the ingestion of any System water by the Owners, their families, agents, representatives or invitees, or any damage or loss to the Owners' property caused by System failure.

14. Amendment

This Guide, or any portion thereof, may be amended at any time by a majority vote of the Master Association's Board of Directors.

By signing below, the Owner(s) of Lot _____, Block _____ of Surprise Valley Subdivision - Phase _____, hereby acknowledge(s) receipt and review of this Guide, and agrees to abide by the rules and regulations contained herein:

A copy of this executed Guide shall be delivered to Owners for their records.



**SURPRISE VALLEY IRRIGATION SYSTEM
HOMEOWNER CONNECTION DIAGRAM**

4/17/98

**Surprise Valley Community
Alternate Day Irrigation Schedule
April 17, 1996**

Note: See lot schedule code in the attached neighborhood Figure for "A" and "B" assignments.

March		April		May		June		July		August		September		October		November	
Day	Code	Day	Code	Day	Code	Day	Code	Day	Code	Day	Code	Day	Code	Day	Code	Day	Code
1	-	1	B	1	B	1	A	1	A	1	B	1	A	1	A	1	B
2	-	2	A	2	A	2	B	2	B	2	A	2	B	2	B	2	A
3	-	3	B	3	B	3	A	3	A	3	B	3	A	3	A	3	B
4	-	4	A	4	A	4	B	4	B	4	A	4	B	4	B	4	A
5	-	5	B	5	B	5	A	5	A	5	B	5	A	5	A	5	B
6	-	6	A	6	A	6	B	6	B	6	A	6	B	6	B	6	A
7	-	7	B	7	B	7	A	7	A	7	B	7	A	7	A	7	B
8	-	8	A	8	A	8	B	8	B	8	A	8	B	8	B	8	A
9	-	9	B	9	B	9	A	9	A	9	B	9	A	9	A	9	B
10	-	10	A	10	A	10	B	10	B	10	A	10	B	10	B	10	A
11	-	11	B	11	B	11	A	11	A	11	B	11	A	11	A	11	B
12	-	12	A	12	A	12	B	12	B	12	A	12	B	12	B	12	A
13	-	13	B	13	B	13	A	13	A	13	B	13	A	13	A	13	B
14	-	14	A	14	A	14	B	14	B	14	A	14	B	14	B	14	A
15	A	15	B	15	B	15	A	15	A	15	B	15	A	15	A	15	B
16	B	16	A	16	A	16	B	16	B	16	A	16	B	16	B	16	-
17	A	17	B	17	B	17	A	17	A	17	B	17	A	17	A	17	-
18	B	18	A	18	A	18	B	18	B	18	A	18	B	18	B	18	-
19	A	19	B	19	B	19	A	19	A	19	B	19	A	19	A	19	-
20	B	20	A	20	A	20	B	20	B	20	A	20	B	20	B	20	-
21	A	21	B	21	B	21	A	21	A	21	B	21	A	21	A	21	-
22	B	22	A	22	A	22	B	22	B	22	A	22	B	22	B	22	-
23	A	23	B	23	B	23	A	23	A	23	B	23	A	23	A	23	-
24	B	24	A	24	A	24	B	24	B	24	A	24	B	24	B	24	-
25	A	25	B	25	B	25	A	25	A	25	B	25	A	25	A	25	-
26	B	26	A	26	A	26	B	26	B	26	A	26	B	26	B	26	-
27	A	27	B	27	B	27	A	27	A	27	B	27	A	27	A	27	-
28	B	28	A	28	A	28	B	28	B	28	A	28	B	28	B	28	-
29	A	29	B	29	B	29	A	29	A	29	B	29	A	29	A	29	-
30	B	30	A	30	A	30	B	30	B	30	A	30	B	30	B	30	-
31	A			31	B			31	A	31	B			31	A		