

**MINUTES OF ACTION BY UNANIMOUS CONSENT
OF THE EXECUTIVE BOARD
OF THE
AGATE CREEK PRESERVE OWNERS ASSOCIATION
(Initial Water Use Charge Schedule)**

The undersigned, being all of the members of the Executive Board of the Agate Creek Preserve Homeowners' Association, hereby take the following actions by unanimous consent, to have the same force and effect as actions taken at a meeting of the Board of Directors of the Association. Capitalized terms not separately defined herein shall have the meanings given them in the Declaration of Covenants, Conditions, Restrictions and Easements for Agate Creek Preserve ("Declaration").

WHEREAS, the Association owns and operates a Water System providing potable water to the Lots within the Subdivisions and up to eight lots or cabin sites on Remainder Parcel A pursuant to the terms of the Declaration, the decree of the Water Court entered in Case No. 00CW14, and the Agreement Regarding Easement For Ground Water Wells and Agate Creek Water System dated June 25, 1999, between the Association and Humble Ventures, LLC, a Colorado limited liability company (the "Humble Agreement");


WHEREAS, to properly maintain and manage the Water System and the use of water therefrom, the Board has adopted Water System Policies that contemplate that the Board will adopt, and modify from time to time, a schedule of water use charges;

THEREFORE, the Board hereby approves and adopts the initial schedule of water use charges set forth on Exhibit A attached hereto.

THESE MINUTES OF ACTION BY CONSENT are executed to be effective as of May 11, 2011.



Russ Atha



Ted Swain



Rick Dowden



Bill Keith

EXHIBIT A**WATER RATE SCHEDULE****FOR****AGATE CREEK PRESERVE HOMEOWNERS ASSOCIATION****(Effective July 1, 2011)**

<u>TIER</u>	<u>USAGE RANGE</u>	<u>WATER FEE</u>
I	Up to 35,000 gallons/qtr	\$125.00
II	35,001 to 70,000 gallons/qtr	\$5.00 per 1,000 gallons
III	70,001 to 150,000 gallons/qtr	\$7.50 per 1,000 gallons
IV	Over 150,000 gallons/qtr	\$2,500 plus Tier III rate