

**TOWN OF TIMNATH, COLORADO
RESOLUTION NO. 17, SERIES 2023**

**A RESOLUTION APPROVING AMENDMENTS TO A TIMNATH TOWN POLICY
REGARDING TIMNATH RESERVOIR**

WHEREAS, the Town Council of the Town of Timnath (“Town”) pursuant to C.R.S. § 31-15-103, has the power to pass resolutions; and

WHEREAS, pursuant to that power, the Town Council finds it necessary to adopt policies; and

WHEREAS, the Timnath Reservoir is leased from the New Cache La Poudre Irrigation Company and is operated by the Town of Timnath for the enjoyment and recreation of the Timnath residents; and

WHEREAS, the Town Council is familiar with the attached amended Policy and finds it to be in the best interest of the Town, its residents, and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO AS FOLLOW:

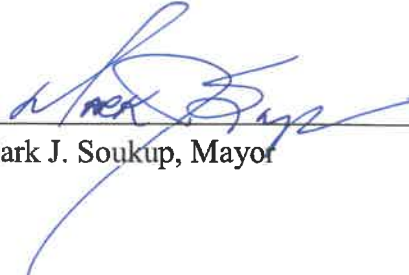
Section 1. Approval

An amended Timnath Reservoir Use Policy is hereby approved in substantially the form as attached hereto, subject to technical or otherwise non-substantive modifications, as deemed necessary by the Town Manager in consultation with the Town Planner, Engineer, Legal Counsel, and other applicable staff or consultants. The Council further authorizes, ratifies, and approves all incidental actions taken on the Town's behalf to date and in the future in connection with the above-referenced Policy. The effective date of the policy shall be February 28, 2023.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, ON FEBRUARY 28, 2023.

TOWN OF TIMNATH, COLORADO




Mark J. Soukup, Mayor

ATTEST:

A handwritten signature in blue ink, reading "Milissa Peters-Garcia", is written over a horizontal line.

Milissa Peters-Garcia, CMC

Town Clerk

EXHIBIT A
POLICY



TOWN COUNCIL ADOPTED POLICY

SUBJECT: Timnath Reservoir Use

ISSUE DATE

EFFECTIVE DATE

March 25, 2014
Amended September 24, 2014
Amended May 26, 2015
Amended June 14, 2016
Amended August 9, 2016
Amended May 9, 2017
January 23, 2018
Amended December 8, 2020
Amended May 11, 2021
Amended March 8, 2022
Amended May 13, 2022
Amended February 28, 2023

September 25, 2014
May 26, 2015
June 14, 2016
August 9, 2016
May 9, 2017
January 23, 2018
January 1, 2021
May 12, 2021
March 9, 2022
May 13, 2022
February 28, 2023

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POLICY INTENT

The Town leases Timnath Reservoir for the enjoyment of Timnath residents. The purpose of this policy is to outline the rules for Timnath Reservoir's use.

1. **DEFINITIONS** – For the purposes of the Timnath Reservoir Use Policy, as used in this Article, the following terms shall have the meanings indicated:

- a. **Annual Permit** shall mean a permit that commences on April 1st and ends on March 31st of the following calendar year regardless of date of purchase. This permit may apply to a Household or an Individual depending on the particular case. Annual permits are not transferrable.
- b. **Day Use Permit** shall mean a permit issued for a particular day. Motorized and Trailered Non-Motorized Day Use Permits must be purchased online, during regular business hours, in advance. All other Day Use Permits are only available on-site at the reservoir. The permit expires upon closure of the Reservoir on the day utilized. Day Use Permits are not transferrable.
- c. **Shore Use** shall include any activities such as swimming from the **designated** beach area as it is developed, fishing from the shore or piers, picnicking and general recreation on the shore and adjacent Reservoir Property Area (**see attached Exhibit A**). Any interpretation regarding what constitutes appropriate Shore Use shall be at the discretion of the Town Manager.
- d. **Surface Water Use** shall include motorized boats, non-motorized boats, fishing from a boat, water skiing, swimming from a boat. Any interpretation regarding what constitutes appropriate Surface Water Use shall be at the discretion of the Town Manager.
- e. **Senior** shall mean any individual 65 years and older.
- f. **Household** shall mean all people who have permanent residence in any single dwelling.
- g. **Individual** shall mean an individual person and not a Household.
- h. **Guest Pass** shall mean a pass per vehicle or per individual adult (16 years of age or older) accompanying a permit holder.
- i. **Aquatic Nuisance Species (ANS)** A species that is: 1.) non-native (or alien) to the ecosystem under consideration and 2.) whose introduction causes or is likely to cause economic or environmental harm or harm to human health.
- j. **ANS Act** provides authority to Qualified Peace Officers to inspect, and if necessary, order a vessel to be decontaminated or quarantined watercraft for ANS. It provides authority for Colorado Parks and Wildlife (CPW) to certify individuals as “Authorized Agents” (a.k.a. inspectors and decontaminators) to work at “Authorized Locations” (a.k.a. watercraft inspection and decontamination stations or WIDS) for the purposes of inspecting and decontaminating watercraft to prevent new introductions and contain existing detections of ANS. Town of Timnath Reservoir Attendants are authorized agents of the CPW. The Reservoir site is NOT a decontamination station. If decontamination is ordered by a Reservoir Attendant, the vessel must be taken to an authorized decontamination location to be decontaminated before returning to the Reservoir.
- k. **Non-Motorized Boat** shall include any vessel that does not require a trailer to launch and is exempt from mandatory aquatic nuisance species inspections. The following are considered non-motorized: kayak, canoe, raft, belly boat, windsurfer board, sailboard, float tubes, inner tubes, paddleboard, foldable plastic boat.
- l. **Timnath Resident Trailered Non-Motorized Boat** shall include any vessel that falls under the Non-Motorized Boat and Motorized Boat definitions that is propelled at wakeless speeds by a troller motor (less than 10 horsepower) or similar. Those

vessels that require a trailer to launch must also comply with all Motorized Boat permitting and ANS inspection requirements, inclusive of all motorized boat documentation and licensing.

- m. **Motorized Boat** shall include any vessel that requires a trailer to launch and meets the ANS inspection requirements and applies to all trailered, motorized watercraft. This includes simple and complex boats. Motorized Boats shall also include all marine propulsion systems, and each must be inspected regardless of the type of motor, engine, or watercraft. Trailered boats with trolling motors less than 10 horsepower that operate above wakeless speeds are considered Motorized Boats.
- n. **Simple Boat** a Motorized Boat with an open hull and no containers or compartments and a single outboard motor.
- o. **Complex Boat** a Motorized Boat that has one or more interior compartments or a closed hull or more than one motor or engine.
- p. **Jet Boat** a Motorized Boat propelled by a jet of water ejected from the back of the craft. A jet boat draws the water from under the boat into a pump inside the boat, and then expels it through a nozzle at the stern. (*Jet Boats are prohibited at the Timnath Reservoir*).
- q. **Personal Watercraft (PWC)** a recreational watercraft that the user sits or stands on, rather than inside of, as in a boat. Models have an inboard engine driving a jet pump that has a screw-shaped impeller to create thrust for propulsion and steering. (*PWC are prohibited at the Timnath Reservoir*).

2. **TYPES OF USERS** – For the purposes of the Timnath Reservoir Use Policy the following users are defined as follows:

- a. **Timnath Resident(s)** shall mean any person that resides within the current Town of Timnath Municipal boundaries. This includes property owners, renters, and business owners.
- b. **GMA Resident(s)** shall mean any person that resides within the current Town of Timnath Growth Management Area (GMA). This includes property owners and renters.
- c. **Colorado Angler(s)** shall mean any non-Timnath resident or non-GMA resident that has a valid/current Colorado Parks & Wildlife Fishing License.
- d. **Town Staff** any Staff member or Contracted Staff Member of the Town. Have the same rights as Timnath Resident except will not be permitted to have a Motorized Boat Permit.
- e. **Guest** any person who does not have a permit but accompanies a permit holder.

3. **PERMIT TYPES AND LIMITS**

a. **SHORE USE PERMIT**

i. **Timnath Resident**

- 1. Free Annual Household Shore Use Permit (limit of two (2) Permit Tags issued per household)
- 2. Includes up to one (1) guest vehicle per day
- 3. Additional Day Use Guest Vehicle Passes available for purchase up to one (1) additional per day (Day Use Guest Vehicle Passes are only available for purchase on-site at the reservoir)

ii. GMA Resident

1. Able to purchase Annual Household Shore Use Permit (limit of two (2) Permit Tags issued per household. Additional Permit Tags, up to two (2) maximum per calendar year, may be purchased to replace lost, stolen, or damaged Permit Tags)
2. Annual Household Shore Use Permit includes one (1) guest vehicle Pass
3. Able to purchase Day Use Household Shore Use Permit (purchased on-site at the Reservoir)
 - a. No guests included with Day Use Household Shore Use Permit
4. Additional Day Use Guest Vehicle Passes available for purchase up to one (1) additional per day (Day Use Guest Vehicle Passes are only available for purchase on-site at the reservoir)

iii. Colorado Angler

1. Able to purchase Annual Individual Shore Use Permit (limit of one (1) Permit Tag per valid/current Colorado Parks & Wildlife Fishing License)
2. Able to purchase Day Use Individual Shore Use Permit (purchased on-site at the Reservoir with a valid/current Colorado Parks & Wildlife Fishing License)
3. Individual includes up to two (2) children under the age of 16 to accompany the permit holder
4. Limited to 25 Annual Individual Shore Use Permits and 10 Day Use Individual Shore Use Permits

b. NON-MOTORIZED BOAT PERMIT

(see definition above for what constitutes a non-motorized boat)

i. Timnath Resident Non-Motorized and Trailered Non-Motorized Boats

1. No limit to total Annual Individual Permits issued (one permit per Non-Motorized Boat)
2. Able to purchase Annual Individual and Day Use Individual Non-Motorized Boat Permits
3. No limit to Non-Motorized Boats per Household
4. Limited to one (1) Trailered Non-Motorized Boat per Household.
5. Annual Non-Motorized Boat Permits sold individually
6. No limit to Timnath Residents and their guests, Day Use Permits issued
 - a. Trailered Non-Motorized Day Use Permits must be purchased online during regular business hours or by noon on the preceding Friday for the following weekend.
 - b. Guests may purchase a Guest Day Use Individual Non-Motorized Boat Permit (purchased on-site at the Reservoir)
 - c. Guests may not purchase the Trailered Non-Motorized Boat Permit

7. Late Season Individual Non-Motorized Boat Permits are available after Labor Day until March 31st of the following year (if there are permits remaining for purchase within the limits).

ii. GMA Resident

1. Limited to 40 total Annual Individual Permits issued (one permit per Non-Motorized Boat)
2. Requires purchase of a Shore Use Permit to be eligible for Individual Non-Motorized Boat Permits
3. Able to purchase Annual Individual and Day Use Individual Non-Motorized Boat Permits with the purchase of an Annual Shore Use Permit or Day Use Shore Use Permit
4. GMA Residents and guests are not permitted to purchase Trailered Non-Motorized Boat Permits
5. Limited to four (4) Annual Individual Non-Motorized Boat Permits per Household
6. Limited to ten (10) total, GMA Residents, and their guests, Day Use Permits issued
 - a. Guests may purchase a Guest Day Use Individual Non-Motorized Boat Permit (purchased on-site at the Reservoir)

iii. Colorado Angler

1. Limited to 25 Annual Individual Permits issued
2. Requires purchase of a Shore Use Permit to be eligible for Non-Motorized Boat Permit
3. Able to purchase Annual Individual and Day Use Individual Non-Motorized Boat Permits
4. Limited to one (1) Non-Motorized Boat per valid/current Colorado Parks & Wildlife Fishing License
5. Colorado Anglers are not permitted to purchase Trailered Non-Motorized Boat Permits
6. Limited to ten (10) total Day Use Permits issued (purchased on-site at the Reservoir)

c. *MOTORIZED BOAT PERMIT*

(see definition above for what constitutes a motorized boat)

i. Timnath Resident

1. Limited to 65 Annual Permits issued (the Town may administratively increase to a maximum of 70 Annual Permits if deemed necessary)
2. Able to purchase Annual and Day Use Motorized Boat Permits (able to be purchased online only)
3. Limited to one (1) Motorized Boat per Household
4. Limited to five (5) Day Use Permits issued (note: the purchase of a Day Use Permit does not guarantee access to the Reservoir on the day requested)

5. Late Season Motorized Boat Permits are available after Labor Day until March 31st of the following year (if there are permits remaining for purchase within the limits).

ii. **GMA Resident**

1. Not Eligible

iii. **Colorado Angler**

1. Not Eligible

4. PERMIT REQUIREMENTS

a. GENERAL PERMIT REQUIREMENTS

- i. Sale of Permits will only be available online at the Town of Timnath's website (www.timnath.org)
- ii. Permits are issued on a first come, first served basis
- iii. Permits are non-transferrable and non-refundable
- iv. Must complete and accept the Timnath Reservoir Shore Use Terms and Conditions Waiver (**Exhibit B**) as well as the Permit Application (available on the Town's website) prior to issuance of a permit or access to the leased Reservoir property.
- v. Proof of residency is required for Timnath and GMA Residents
- vi. Valid/current Colorado Parks & Wildlife Fishing License is required for Colorado Angler Permits

b. NON-MOTORIZED BOAT PERMITS

The following items must be completed and provided when purchasing a permit:

- i. Completion and acceptance of the Timnath Reservoir Non-Motorized Boat Permit Application (available on the Town's website).
- ii. Completion and Acceptance of the Timnath Reservoir Non-Motorized Boat Permit Agreement and Waiver (available on the Town's website and attached as **Exhibit C** to this policy).
- iii. Proof of residency in Timnath, proof of residency in the Timnath GMA or a valid/current Colorado Parks & Wildlife Fishing License.
- iv. Driver's license (the number must be recorded on the permit application).

c. MOTORIZED AND TRAILORED NON-MOTORIZED BOATS PERMITS

The following are required when purchasing a permit:

- i. Motorized and Trailered Non-Motorized Boat Permits must be registered with the State of Colorado and must have an ANS Stamp affixed along with a Green Receipt issued by the State prior to issuance.
- ii. Completion and acceptance of the Timnath Reservoir Motorized Boat Permit and Trailered Non-Motorized Boat Permit Application (available on the Town's website).
- iii. Completion and Acceptance of the Timnath Reservoir Motorized Boat and Trailered Non-Motorized Boat Permit Agreement and Waiver available on the Town's website and attached as **Exhibit D** to this policy).
- iv. Proof of Timnath residency
- v. Driver's license (the number must be recorded on the permit application).

- vi. Current boat registration must be in Resident's name, except in cases of a Day Use Permit. However, a Timnath resident must be the Permit Holder in all cases.
- vii. Proof of insurance (listing the Timnath resident) for motorized and trailered non-motorized boats that include liability insurance in the minimum amount of \$300,000 per accident; binders, application, or receipts are not acceptable. A copy of the insurance certificate will be kept on file.
- viii. Photograph of both the vehicle and trailer license plates.
- ix. Motorized and Trailered Non-Motorized Day Use Permits must meet the above requirements and must be purchased online during regular business hours or by noon on the preceding Friday for the following weekend.
- x. Motorized and Trailered Non-Motorized Day Use Permits must be presented to the Reservoir Attendant on-site prior to launching.

5. PERMIT FEES

a. *SHORE USE PERMIT*

i. **Timnath Resident**

- 1. Annual Household Permit: **FREE**
- 2. Day Use Guest Vehicle Pass: **\$8.00**

ii. **GMA Resident**

- 1. Annual Household Permit: **\$65.00**
- 2. Senior Annual Household Permit: **\$45.00**
- 3. Day Use Household Permit: **\$10.00**
- 4. Senior Day Use Household Permit: **\$8.00**
- 5. Day Use Guest Vehicle Pass: **\$10.00**

iii. **Colorado Angler**

- 1. Annual Individual Permit: **\$65.00**
- 2. Senior Annual Individual Permit: **\$45.00**
- 3. Day Use Individual Permit: **\$10.00**
- 4. Senior Day Use Individual Permit: **\$8.00**

b. *NON-MOTORIZED BOAT PERMIT*

i. **Timnath Resident**

- 1. Annual Individual Permit: **\$30.00**
- 2. Senior Annual Individual Permit: **\$20.00**
- 3. Day Use Individual Permit: **\$10.00**
- 4. Senior Day Use Individual Permit: **\$8.00**
- 5. Guest Day Use Individual Permit: **\$10.00**
- 6. Senior Guest Day Use Individual Permit: **\$8.00**
- 7. Late Season Individual Permit: **\$20.00**

ii. **GMA Resident (must purchase Shore Use Permit as well)**

- 1. Annual Individual Permit: **\$35.00**
- 2. Senior Annual Individual Permit: **\$25.00**
- 3. Day Use Individual Permit: **\$15.00**
- 4. Senior Day Use Individual Permit: **\$7.00**

5. Guest Day Use Individual Permit: **\$10.00**
6. Senior Guest Day Use Individual Permit: **\$8.00**

iii. Colorado Angler (must purchase Shore Use Permit as well)

1. Annual Individual Permit: **\$35.00**
2. Senior Annual Individual Permit: **\$25.00**
3. Day Use Individual Permit: **\$15.00**
4. Senior Day Use Individual Permit: **\$7.00**

c. *MOTORIZED BOAT PERMIT*

i. Timnath Resident

1. Annual Permit: **\$300.00**
2. Day Use Permit: **\$75.00**
3. Late Season Motorized Boat Permit: **\$100.00**

GENERAL REGULATIONS

Violation of any of these regulations may result in the revocation of Reservoir Use privileges:

SHORE USE

a. HOURS OF OPERATION:

- a. SUMMER HOURS are the Friday before Memorial Day until Labor Day (including Labor Day): 6:00 a.m. to 8:30 p.m. or dusk, whichever is earlier (or other alternative hours as may be posted on-site)
- b. OFFSEASON HOURS are the remainder of the year that are not Summer Hours, specifically April 1st until the Thursday before Memorial Day and the Tuesday following Labor Day until March 31: 7:00 a.m. to 7:00 p.m. or dusk, whichever is earlier (or other alternative hours as may be posted on-site)
- c. Staff may modify these hours as they deem necessary or to close operations at any time
- b. All shore use or surface water use activities are to be done at the users own risk. The Town takes no responsibility for injury or damages.
- c. Picnic tables are offered on a first come, first served basis. In no case shall a picnic table be reserved or held unless actively occupied.
- d. No commercial or other organized event type uses without written authorization from the Town.
- e. No alcohol or any drugs may be consumed on premises or on boats.
- f. Visitors must not enter any private or restricted areas.
- g. No littering.
- h. Dogs on leashes are permitted. Owners must cleanup dog waste.
- i. All-terrain vehicles are prohibited.
- j. Playing on or entering irrigation ditches or mechanical buildings is prohibited.
- k. Motor vehicles are prohibited outside of designated parking areas.
- l. Camping or overnight parking is prohibited. Recreational vehicles (RVs) as defined in Town Code are allowed for day use only but must remain in designated parking areas.
- m. No fires unless otherwise permitted by the Town.

- n. No swimming or wading from the shore unless indicated otherwise. Use of the swim area is at your own risk. No lifeguards on duty. Use of non-motorized vessels as defined in the policy are prohibited in the designated swim area.
- o. The reservoir is used for recreation purposes and agricultural irrigation supply. As in any natural body of water, microorganisms are present which may cause illness if ingested. The Town monitors the water quality and will provide notification when there are potential water quality concerns. However, users of the reservoir assume all risks associated with coming into contact with the water.
- p. No private docks are allowed on the reservoir. No overnight storage on the reservoir property is allowed without the explicit consent of the Town Manager.
- q. Unless specified elsewhere, children under the age of 16 are allowed free access to the Reservoir Property when accompanied by a permit holding adult 18 years of age and older (they are not required to purchase a Guest Pass). Children under the age of 16 may not be left unattended at any time at the Reservoir. The permit holder must remain on-site and supervise the activities of those children under 16.
- r. The Town reserves the right to alter hours of operation or other regulations for special events or other reasons.
- s. The Town reserves the right to revoke privileges for individuals or groups at the Reservoir Property for inappropriate behavior or prohibited activities.

FISHING

- a. All fishing activities are to be done at the users own risk. The Town takes no responsibility for injury or damages.
- b. All anglers must adhere to the State of Colorado Parks & Wildlife Fishing laws unless otherwise indicated herein.
- c. Anyone age 16 and older must possess a valid/current Colorado Parks & Wildlife Fishing license to fish at the reservoir.
- d. Catch, release, and size limits must adhere to the Colorado Parks & Wildlife fishing bag and possession limits.
- e. Carp must be removed from the reservoir when caught and cannot be released back into the reservoir.
- f. Bow fishing and ice fishing are prohibited.

GENERAL BOATING

Includes Motorized and Non-Motorized Boats

- a. All boating activities are to be done at the users own risk. The Town takes no responsibility for injury or damages.
- b. A Town of Timnath Motorized or Non-Motorized Boat Permit is required to launch any boat at the Timnath Reservoir and must be affixed to the right side (starboard) of the boat.
- c. Surface Water Use prohibits the use of Personal Watercraft (jet boats, jet skis, inboard hydroplanes, or any jet-propelled personal watercraft).
- d. **SAFETY REGULATIONS:**

Flag Safety System:

The Flag System consists of three different colored flags:

GREEN FLAG means use of Reservoir is OK for use.

YELLOW FLAG means that the Reservoir Attendant has deemed the use of the Reservoir is in a cautionary state signaling

all Reservoir users to be aware of potential unsafe weather conditions.

RED FLAG means that all Reservoir users must get off the water immediately and seek shelter. It is recommended to seek shelter in your vehicle.

Air Horn: The air horn will be used in tandem with the RED FLAG TO ensure all Reservoir users can see and hear weather conditions

The following may be implemented if infrastructure allows:

On-Site Weather Station Information Access: The Weather Station at Timnath can be accessed via a link on the Town's website to provide current conditions at the Reservoir to assist users in making decisions whether or not to use the Reservoir.

Lightning: When lightning is at 10 miles away, the reservoir water access will be closed. The Flag Safety System will go to RED and an air horn will blast three blasts. It is strongly recommended that you find shelter in your car. Thirty minutes after the last audible thunder the reservoir will reopen.

NON-MOTORIZED BOATING

- a. **HOURS OF OPERATION: same as Shore Use hours**
- b. For those Non-Motorized Boats that may not have a location on their vessel to affix the permit, Non-Motorized Permit holders are then required to have their Shore Permit and Non-Motorized Boat Permit in their possession at all times.
- c. All Non-Motorized Boats requiring a Permit must have:
 - i. Coast Guard approved personal floatation device (PFD)/lifejacket for every person onboard and all children under the age of 13 MUST wear a lifejacket.
 - ii. A paddling device.
 - iii. An efficient whistle or other mechanical sound producing device.
- d. Non-Motorized Boats may launch from locations other than the Town of Timnath Reservoir Park. Users MUST have a valid Shore Permit and a Non-Motorized Boat Permit in their possession regardless of launch location.
- e. Wading associated with launching or operating a Non-Motorized Boat is permitted.

MOTORIZED BOATING

- a. **HOURS OF OPERATION:**
 - i. Motorized Boat operations are limited to Thursday through Sunday from 7:00 a.m. to 8:30 p.m.
 - ii. Hours of operation follow Shore Use Hours if Shore Use Hours are earlier
 - iii. All Motorized Boats MUST BE OFF the Reservoir at 8:30 p.m. not returning to the dock.
 - iv. Motorized boating is allowed on Mondays that are designated national holidays.

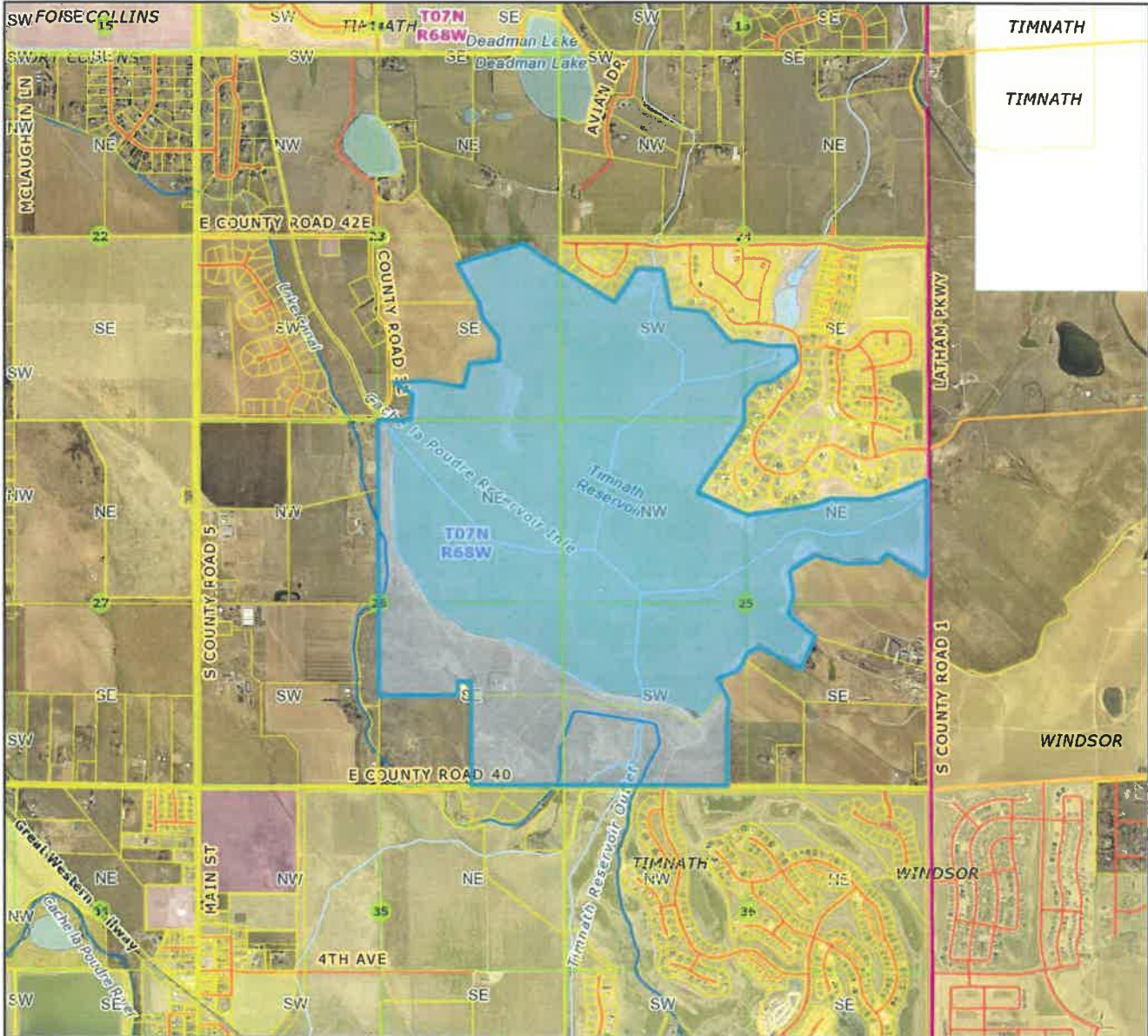
- b. All Motorized Boats requiring a Permit must have:
 - i. Coast Guard approved personal floatation device (PFD)/lifejacket for every person onboard and all children under the age of 13 MUST wear a lifejacket.
 - ii. A paddling device and at least one buoyant cushion or life ring.
 - iii. An efficient whistle or other mechanical sound producing device.
 - iv. At least one two-pound (or higher) “B-1” extinguisher.
- c. Boats may not exceed one motor or 24 feet in length.
- d. Non-resident family members of the Permit Holder may use the Permit Holder’s boat. However, the Permit Holder is accountable for the actions of the boat driver.
- e. Prior to launching any Motorized Boat on the Reservoir, all boaters must have in their possession, a Green Colorado Parks and Wildlife Seal affixed (wired) to the boat and trailer and a White ANS Inspection Receipt. Only White Inspection Receipts are accepted. If the boater does not have a green tag or White ANS Inspection Receipt, a FULL INSPECTION will be performed. The Reservoir Attendant can refuse to allow any boat on the reservoir if it is not **Clean, Drained and Dry**.
- f. There is a limit of ten (10) motorized boats on the reservoir at any one time, or up to (14) boats if activity levels and conditions allow, at the discretion of the on-site Reservoir Attendant.
- g. The speed limit for motorized boats is 40 mph.
- h. No Motorized Boats shall operate without mufflers or with through hull exhaust.
- i. All Motorized Boats must remain outside designated markers/buoys and 200 feet from any shoreline with abutting homes unless docking.
- j. No Motorized Boat shall launch from any point other than the designated boat ramps located at the Town of Timnath Reservoir Park.
- k. Boat trailer parking is limited to the parking lot only and those locations as may be directed by the on-site attendant.
- l. While a boat is moving, passengers must be seated and off gunwales and bows.
- m. No person under sixteen years of age shall operate a Motorized Boat in this state unless they hold and have in their possession a boating safety certificate approved by Colorado Parks and Wildlife.
- n. An inspection of your boat by any Colorado Parks and Wildlife Staff member, Police Officer, Sheriff Deputy, or Reservoir Attendant may be conducted at any time during the boating season.
- o. **Water Sports:**
 - i. All water sports will abide by appropriate State of Colorado boating statutes and regulations.
 - ii. Motorized Boats towing water sport participants have right of way over other Motorized Boats.
 - iii. Motorized Boats towing water sport participants must have a driver and an observer in the boat at all times. The observer must be at least 12 years of age and capable of handling the tow rope, flag and relaying water sport participant’s signals to the driver.

- iv. The observer must clearly display an orange or red flag at least 12 inches square when a skier/wake boarder is down. If a water sport participant falls, they should immediately give the “okay” hand signal.
- v. Water sports participants will respect Non-Motorized Boats and will stay a safe distance from all other boats.
- vi. All Motorized Boats must stay 200 feet from all other boats or shore anglers.
- vii. Motorized Boats must observe placement of buoys and will travel at “wakeless” speeds in and out of loading areas.
- viii. All water sports participants must wear a lifejacket or a barefoot suit with a built-in floatation device.
- ix. Tow ropes will be no longer than 100 feet.
- x. No loudspeakers shall be used on the boat to communicate with water sport participants.

EXHIBIT A



Timnath Reservoir Property Area Map



Legend		Notes
Tax Parcels	Rivers and Streams	
PLSS Township and Range	County Boundary	
PLSS Sections	Rocky Mountain National Park	
PLSS Quarter Sections	Incorporated Areas	
Railroads	City or Town	

0.3 0 0.3 Miles



Date Prepared: 12/21/2020 3:34:00 PM

Scale
1: 24,000



This map was created by Larimer County GIS using data from multiple sources for informal purposes only. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.

EXHIBIT B

**Timnath Reservoir Shore Use
Terms and Conditions Waiver**

I/we hereby agree to obey the rules and regulations of the Town of Timnath and the State of Colorado applicable to shore use and boating at the Timnath Reservoir. A copy of these rules and regulations is made part hereof, and reference thereto with the same force and effect set forth herein, in every particular.

I/we agree to indemnify, defend, hold harmless the Town of Timnath, its officers, agents and employees from all claims and demands of every kind of nature for injury or damage, either to myself, my guests, or made by a third party, arising from injury to the undersigned, or damage to my property or the property of others, arising out of or in connection with the use of the reservoir property.

In applying for this shore use permit, I understand that:

- I have received and read a copy of the current Timnath Reservoir Use Policy inclusive of all Regulations contained therein.
- The permit allows me to utilize the shore areas of the reservoir until March 31, of the following year.
- The Town will not refund permit fees under any circumstance.
- The Town's authorized representative or a Timnath Police Officer may limit or revoke a permit for violation of any rule of conduct, policy, or county/town ordinance. If a permit is revoked at any time due to a violation, me and my family members will not be allowed to purchase or acquire another permit until the subsequent season.

Signature of User/Owner

Date

Email Address

EXHIBIT C

Timnath Reservoir Non-Motorized Boat Permit Agreement and Waiver

I/we hereby agree to obey the rules and regulations of the Town of Timnath and the State of Colorado applicable to shore use and boating at the Timnath Reservoir. A copy of these rules and regulations is made part hereof, and reference thereto with the same force and effect set forth herein, in every particular.

I/we agree to indemnify, defend, hold harmless the Town of Timnath, its officers, agents and employees from all claims and demands of every kind of nature for injury or damage, either to myself, my guests, or made by a third party, arising from injury to the undersigned, or damage to my property or the property of others, arising out of or in connection with the use of the reservoir property and/or the use and operation of my boat or boats on Timnath Reservoir.

In applying for this non-motorized boating permit, I understand that:

- I have received and read a copy of the current Timnath Reservoir Use Policy inclusive of all Regulations contained therein.
- The permit allows me to utilize the shore areas of the reservoir and to operate my non-motorized boat on the reservoir until March 31, of the following year.
- The Town of Timnath is not responsible for the safekeeping of my non-motorized boat or other property at the reservoir, or for damage to the non-motorized boat or property by reason of debris, fire, flood, storm, wind, water, theft, vandalism, or otherwise.
- It is my responsibility, and not the Town of Timnath's, to take changes in water level into account when operating my non-motorized boat on the reservoir, launching or retrieving it from the reservoir.
- The Town will not refund permit fees under any circumstance.
- The Town's authorized representative or a Timnath Police Officer may limit or revoke a permit for violation of any rule of conduct, policy, or county/town ordinance. If a permit is revoked at any time due to a violation, that boat, its owner and family members will not be allowed to purchase another permit until the subsequent boating season.

Signature of User/Owner

Date

Email Address

EXHIBIT D

**Timnath Reservoir Motorized Boat and
Trailer Non-Motorized Boat Permit Agreement and Waiver**

I/we hereby agree to obey the rules and regulations of the Town of Timnath and the State of Colorado applicable to boating and the use of Timnath Reservoir. A copy of these rules and regulations is made part hereof, and reference thereto with the same force and effect set forth herein, in every particular.

I/we agree to indemnify, defend, hold harmless the Town of Timnath, its officers, agents and employees from all claims and demands of every kind of nature for injury or damage, either to myself, my guests, or made by a third party, arising from injury to the undersigned, or damage to my property or the property of others, arising out of or in connection with the use and operation of my boat or boats on Timnath Reservoir.

The undersigned verifies that, as of the date of this application, they have, in full force and effect, through an insurance company licensed to do business in the State of Colorado, third party liability and property damage insurance upon the boat for which application is being made, in coverage amount of no less than \$300,000 per accident. The undersigned agrees to supply verification of said insurance to the Town.

In applying for this boating permit, I understand that:

- I have received and read a copy of the current Timnath Reservoir Use Policy inclusive of all Regulations contained therein.
- The permit allows me to operate my boat on the reservoir until March 31, of the following year.
- The Town of Timnath is not responsible for the safekeeping of my boat or other property at the reservoir, or for damage to the boat or property by reason of debris, fire, flood, storm, wind, water, theft, vandalism, or otherwise.
- It is my responsibility, and not the Town of Timnath's, to take changes in water level into account when operating my boat on the reservoir, launching or retrieving it from the reservoir.
- The Town will not refund permit fees under any circumstance.
- The Town's authorized representative or a Timnath Police Officer may limit or revoke a permit for violation of any rule of conduct, policy, or county/town ordinance. If a permit is revoked at any time due to a violation, that boat, its owner and family members will not be allowed to purchase another permit until the subsequent boating season.

Signature of User/Owner

Date

Email Address