

# EXHIBIT D TO NEIGHBORHOOD DECLARATION

## WATER RESTRICTIVE COVENANTS

The following water restrictive covenants shall apply to the use and occupancy of all residential lots subject to this Declaration

Domestic water use is restricted to .25 acre-feet per year (81,462 gallons per year) as required by the Santa Fe County Land Development Code.

Water conserving appliances and fixtures shall be installed and used at the time of construction or replacement.

Toilets shall use no more than 1.6 gallons per flush.

Faucet flows shall not exceed 2.5 gallons per minute. Shower head flows shall not exceed 2.5 gallons per minute.

Hot water pipes shall be insulated.

Evaporative coolers must circulate bleed of water.

Dishwashers shall use no more than 13 gallons per cycle and shall have a cycle adjustment which allows reduced amounts of water to be used for reduced loads.

Washing machines shall use no more than 43 gallons per cycle and shall have a cycle or water level adjustment which permits reduced amounts of water to be used for reduced loads.

Low water use landscaping techniques applying the principles of xeriscaping shall be utilized. Drip irrigation and mulching are encouraged whenever possible. Low water use grasses, trees and shrubs may be watered as needed during the first and second years of their growth to become established. Thereafter, such vegetation shall receive only minimal water as needed by each species.

Lawns of non-native grasses shall not exceed 900 square feet per parcel and shall only be watered with rain water collected by means confined to the property or with recycled household gray water. Gray water systems shall meet the requirements of the New Mexico Environment Department and the Uniform Plumbing Code.

Swimming Pools, of a permanent or temporary nature, are not permitted on residential lots. Temporary wading pools of a diameter not to exceed eight feet and a depth not to exceed one foot and covered spas are acceptable at each dwelling (residential) unit.

There shall be no wells.

Enforcement of these covenants are restrictions shall be by the County Land Use Administrator and any owner of property subject to this Declaration in any proceeding at law or in equity against any person or persons violating or attempting to violate any covenant or restriction or to restrain any such violation. Any failure by the County Land Use

Administrator or any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. If the County Land Use Administrator or an owner prevails in any action against any person or persons to enforce any provision hereof, they shall be entitled to recover from such a person or persons his costs and reasonable attorneys fees.