

# INDIAN HILLS WATER DISTRICT OPEN RECORDS REQUEST POLICY<sup>1</sup>

## Policy Statement

The Indian Hills Water District (the "District") has developed the following Open Records Request Policy in order to create a systematic method of managing open records requests. Pursuant to the Colorado Open Records Act ("CORA"), Sec. 24-72-200.1, CRS *et seq.*, public records are to be open for inspection by individuals at reasonable times, upon request, unless such disclosure would be contrary to the public interest or otherwise precluded under CORA. As a public entity, the District recognizes the importance of this state policy and the importance of creating an environment of openness with respect to its internal operations. This policy is intended to balance the public's right to inspect the records of the District with the District's need to protect its records and prevent unnecessary interference with its regular duties in responding to such requests.

## Procedures

- The designated Custodian of Records (CR), as defined in Sec. 24-72-202(1.1), CRS, will accept written CORA requests.
- Written requests for District records shall be addressed to:

Indian Hills Water District  
Attn: Custodian of Records  
141 Union Blvd. #150  
Lakewood, CO 8228

- The CR will immediately forward requests to the District's legal counsel for review and assistance with developing an appropriate response.
- All requests must be made in writing to the CR. E-mailed requests will be accepted if sent to the CR's email address: [dgarcia@sdmsi.com](mailto:dgarcia@sdmsi.com). E-mail requests not sent to the CR's email address will not be answered. The first full business day following the date the request is received by the CR will constitute the first business day for calculating the three-day or seven-day response period, in accordance with Sec. 24-72-203(3)(b), CRS, as provided below.
- All requests must be specific as to the records sought and the relevant dates of those records.
- Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated the CR may require the requestor to provide a more specific request.
- Requests for records will not take priority over previously scheduled work activities or duties of the District; provided, however, that the request shall be met within the statutory three (3) business day time period unless extenuating circumstances exist, as described in Sec. 24-72-203(3)(b), CRS. In which case, the District may receive a time extension which will not exceed an additional seven (7) business days. A finding of extenuating circumstances must be communicated in writing to the requesting party within three (3) business days of receiving the request.
- The CR reserves the right to levy a reasonable fee of \$33.58 per hour for research and retrieval services of requested documents. However, the first hour of research and retrieval services shall be provided at no

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charge. The District may require a deposit of estimated fees prior to beginning research and retrieval of records to ensure the requestor wants to proceed with the request based on the estimate of fees.

- The CR is not required by the Open Records Act to construct a document that does not exist or organize information a particular way in response to a request.

### **Responding to Requests for Open Records**

- The District's legal counsel will assist the CR to determine if the information requested is subject to inspection under CORA. If it is determined that the records requested are not subject to inspection under CORA, the CR will inform the requestor, in writing, that the request is being denied and provide the specific statutory citation supporting the denial.
- If the request is for records the District does not possess, the requestor will be informed, in writing, that the District does not possess the requested records and will be informed who does possess the records and where they can be found, if that information is known to the CR.
- If the requested records contain information that is partially open to inspection and partially exempt from inspection, the District may withhold the record altogether or redact the exempted information and provide the record(s) for inspection.
- Some records are available online. If so, the CR will inform the requestor of its online availability. If the requestor still wants to personally inspect and to obtain copies of the records pursuant to this policy, the District will reasonably accommodate this request.
- Once the records have been located and reviewed, the District will notify the requestor, in writing, that the records are available for inspection.
- A transmittal fee may not be charged for emailing electronic records to the requestor.

### **Inspection of Records**

- Once the requestor is notified that the records are available for inspection, the requestor must contact the District within three (3) business days to arrange a date, time and place to inspect the records. If, within three (3) business days, the requestor fails to schedule a time for inspecting the records, the request will be considered abandoned.
- Records will be available for inspection during the District's normal business hours.
- The requestor may obtain copies of the requested records at a cost of \$0.25 per page, or for documents in non-standard formats, the actual duplication costs.
- Full payment for copying costs as well as research and retrieval costs must be received by the District in advance of releasing requested copies or allowing the requestor to inspect the same.
- The records will be maintained by the District for two (2) business days after the scheduled inspection time, at which point the records will be returned to their point of origination and the request will be considered abandoned.
- Once a request is considered abandoned, the requestor must submit a new request to inspect any records.