

BIG BEND WATER DISTRICT

**SERVICE RULES
AND REGULATIONS**

JULY 2004

BIG BEND WATER DISTRICT

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The Big Bend Water District is administered and operated by the
Clark County Water Reclamation District
5857 East Flamingo Road
Las Vegas, Nevada 89122
Telephone - (702) 434-6600

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BIG BEND WATER DISTRICT
SERVICE RULES AND REGULATIONS
INTRODUCTION

The Big Bend Water District is a publicly owned water utility created by the County Commission of Clark County, Nevada through enactment of Ordinance No. 848 with an effective date of May 17, 1983.

The District is governed by a Board of Trustees, which has jurisdiction over all of its affairs and has sole responsibility for establishing rates, rules and regulations for the use, sale and distribution of water to property within the District.

The purpose of these rules and regulations is to define conditions governing customer service and system development and to obtain uniform and equitable treatment for all customers and developers.

Rates, rules and regulations herein set forth supersede all those previously in force. No officer, agent, or employee has authority to waive, alter, or amend in any respect any part thereof or to make any agreement inconsistent herewith. Rates, rules and regulations are subject at all times to revision by the Board of Trustees.

Any conflict arising from the application and/or interpretation of any rate schedule, rule or regulation shall be resolved by the Big Bend Water District Board of Trustees. The Clark County Manager will act as the ex officio General Manager of the District. By interlocal agreement of July 5, 1983, the Clark County Water Reclamation District shall operate and maintain the facilities of the District.

SECTION I - DEFINITIONS

1. Abandonment of Service

"Abandonment of Service" shall mean the physical removal or permanent abandonment of a service connection or main.

2. Applicant

"Applicant" shall mean a person applying for water service or water connection to a particular property within the District.

3. Backflow Assembly

"Backflow Assembly" shall mean an approved device designed to prevent backflow from any source of potential pollution into the District's distribution facilities.

4. Big Bend Water District Master Plan

The Big Bend Water District Master Plan means a preliminary engineering design and cost assessment delineating at a minimum the service pressure zones required to provide pressure within acceptable standards and the production, treatment, transmission, storage and main line delivery system from which a construction action program and associated rates and charges are determined. The construction action program and the Big Bend District Master Plan may be one and the same.

5. Billing Cycle

"Billing Cycle" shall mean the period of time between bill due dates.

6. Billing Date

"Billing Date" shall be the date scheduled for rendering monthly water bills.

7. Board

"Board" means the Board of Trustees of the Big Bend Water District.

8. Combined Service

"Combined Service" shall mean a service connection through which water is obtained for the dual purpose of private fire service and domestic service.

9. Construction Water

"Construction Water" shall mean water delivered through other than a standard metered service connection for construction purposes. (See "Interim Service.")

10. Cross-connection

"Cross-connection" shall mean any actual or potential connection between the District's distribution facilities and any source or system which may potentially cause contamination, pollution, or change in water quality by any and all causes.

11. Customer

"Customer" shall mean a person who is a recipient of water service from the District.

12. Design and Construction Standards

"Design and Construction Standards" shall mean the current document governing the construction and installation of public water facilities as approved by the Big Bend Water District Board of Trustees.

13. Developer

"Developer" shall mean any person engaged in or proposing development of property.

14. District

"District" means the Big Bend Water District.

15. Domestic Service

"Domestic Service" shall mean a service connection through which water is obtained for all purposes exclusive of fire protection, including commercial, industrial and irrigation.

16. Drought/Emergency Management Plan

"Drought/Emergency Management Plan" shall mean the District's formalized method for conserving and allocating a precious water resource during times of shortage.

17. Emergency Service Connection

"Emergency Service Connection" shall mean a connection required to provide water to safeguard health and protect private or public property, subject to the conditions governing temporary service connections.

18. Fire Department

"Fire Department" shall mean the Clark County Fire Department.

19. General Manager

"General Manager" shall mean the Clark County Manager or duly appointed representative.

20. Idler

"Idler" shall mean a length of pipe or spacer installed in lieu of a meter.

21. Inactive Service Connection

"Inactive Service Connection" shall mean a service connection which is in place, but disconnected or locked out, and may be restored to service at some future date.

22. Interconnection

"Interconnection" shall mean any actual or potential connection to customer piping which will provide water to property or permit use of water for purposes other than that for which a service connection was authorized.

23. Interim Service

"Interim Service" includes nonpermanent connections for delivery of water for use during construction projects, and in certain instances, for emergency service. (See "Construction Water.")

24. Letter of Credit History

"Letter of Credit History" shall be credit history from a municipal or regulated energy utility issued within 12 months and showing 12 months of current service.

25. Master Meter

Master meter shall mean a meter that serves one or more customers.

26. Nonstandard Connection

"Nonstandard Connection" shall mean a service connection installed at a location not adjacent to the property served where there will never be a main installed contiguous to the property.

27. Peripheral Main

"Peripheral Mains" are public mains from which service can also be provided to property other than the development for which they were installed.

28. Person

"Person" shall mean a natural person, any form of business or social organization, any other non-governmental legal entity including but not limited to a partnership, trust, corporation, association or unincorporated organization, and any government, governmental agency or political subdivision of a government other than the District.

29. Private Fire Service

"Private Fire Service" shall mean a service connection through which water is obtained for fire protection exclusively.

30. Private Mains

"Private Mains" shall mean all water mains not owned by the Big Bend Water District.

31. Public Mains

"Public Mains" are those mains which are accepted, owned, operated and maintained by the Big Bend Water District.

32. Rate Schedule

"Rate Schedule" shall mean the charges and rates set forth in the current rate resolution adopted by the Big Bend Water District Board of Trustees.

33. Representative

"Representative" shall mean any individual employed by the Clark County Water Reclamation District, excluding independent contractors, consultants and their employees.

34. Service Connection

"Service Connection" shall mean the lateral pipe from the point of connection to a District water main, to and including a meter, or battery thereof, and meter box or vault.

35. Standard Service Connection

"Standard Service Connection" or "permanent service connection" shall mean a service connection installed at a location contiguous to the property being served.

36. Temporary Service Connection

"Temporary Service Connection" shall mean a service connection installed at a location not contiguous to the property served and which is subject to removal or relocation at such time as a main is constructed contiguous to the property.

37. WCU

AWCU@ shall mean water connection unit, which is the basis upon which the system development charges for connection to facilities owned, operated or maintained by the Big Bend Water District are assessed, as stated in the rate schedule.

SECTION II – CONDITIONS OF SERVICE

The District will endeavor to provide its customers with a continuous and adequate supply of water within reasonable maximum and minimum pressures, as defined in the Big Bend Water District Design and Construction Standards. However, varying pressures will normally prevail throughout the distribution system due to changes in elevation and other factors.

2.1 Pressures

- (a) Applicants for service from a main through which prevailing water pressure will either exceed or fall below normal operating limits, as defined in the Big Bend Water District Design and Construction Standards, shall be responsible for installation of pressure regulators, storage tanks, or other devices as required.
- (b) Prior to service being provided which will either exceed or fall below normal operating limits, the applicant will be required to give written acceptance to the Big Bend Water District of the high or low pressure conditions.

2.2 Interruption of Service

The District will endeavor to notify customers in advance of any interruption in service due to repairs or other causes. However, in emergency conditions when notification is not practical, service may be interrupted for indefinite periods of time.

2.3 Drought/Emergency Management Plan

Based on the standards set forth in the current District Drought/Emergency Management Plan, the General Manager of the Big Bend Water District shall have the authority to declare drought or emergency conditions and call for the implementation of the approved Big Bend Water District Drought/Emergency Management Plan depicted in Figure 2 of these Rules and Regulations.

2.4 Main Frontage Required

Except as provided in Section 2.5 below, new applications for water service will be accepted only if not less than twenty (20) feet of water main is contiguous to the property being served, said water main being within a dedicated right-of-way or easement granted to the District.

2.5 Property Not Contiguous to a Water Main

In order to obtain service to property not immediately adjacent to a water main as required by Section 2.4, the applicant will be required to provide for system development in accordance with the requirements of Section IX, or the applicant may make application for a nonstandard connection if the property meets the requirements of Section 6.10.

2.6 Damage to Property

The District will not be liable for damage to property occasioned by water running from open or faulty piping or fixtures on the customer's property, nor shall the District be liable for damage due to over watering or improper watering. Customers who request activation of service shall be responsible for damage resulting from such activation due to open or faulty piping and fixtures on the customer's property.

SECTION III – CLASSES OF SERVICE

All services installed by or for the District shall be classified as domestic, private fire, combined, master metered, or interim for billing purposes.

3.1 Domestic Service

"Domestic service" shall mean a service connection through which water is obtained for all purposes exclusive of fire protection, including commercial, industrial and irrigation.

3.2 Private Fire Service

"Private fire service" shall mean a service connection through which water is obtained for fire protection exclusively.

3.3 Combined Service

"Combined service" shall mean a service connection through which water is obtained for the dual purpose of fire protection and domestic use.

3.4 Interim Service

Includes nonpermanent connections for delivery of water for use during construction projects, and in certain instances, for emergency service.

- (a) Water delivered through fire hydrant connections for use in construction projects shall be charged in accordance with Section 7.9 and the current rate schedule.
- (b) Water delivered in emergency situations shall be charged at either the meter or flat rate in accordance with Sections 6.9 and 7.10, and the appropriate rate schedule.
- (c) Raw, untreated water delivered for use in construction projects will be charged in accordance with the current rate schedule. The developer shall provide approved raw water pumping, metering, and transmission facilities to the District, as well as any information deemed necessary.

SECTION IV – APPLICATION FOR SERVICE

Each person applying for a new water service or changes in an existing service or for service through existing service connections will be required to sign the District=s application form agreeing to abide by all District rules and regulations and to pay any and all required deposits and charges, plus payment of any delinquent charges in the applicant=s name or for the subject property. Where applicable, each applicant shall be required to provide without limitation, a current driver=s license (or other valid I.D.). If a spouse or additional occupant(s) wants to share the account credit history, that person must also provide a current driver=s license (or other valid I.D.). The District may permit persons to conduct business with the District, including requests for water service turn-on and shut-off, over the telephone, by providing the appropriate information.

4.1 System Development Approval for New Water Connection

No connection shall be made to a main unless a written application has been submitted by the property owner or agent on forms provided by the District. The applicant shall provide any and all information, including sizing and location of the service lateral and meter, a description of the development, and plumbing plans. Applications shall be accompanied by payment of the system development connection charge, any required meter installation charge, and/or deposit. Each application shall be for service to a particular parcel of property. The legal address and parcel number of the property to be served shall accompany any application for service to the property.

4.2 Service Through an Existing Service Connection

Service through an existing service connection will be provided only to customers who have provided the necessary information on a service application form provided by the District. By signature of the service application form, the customer agrees to abide by the Big Bend Water District Service Rules and Regulations and agrees to be responsible for water bills to the service.

4.3 Correct Information

In the event that an applicant provides incorrect information as to the size and location of a meter or requests a change after work has commenced, the applicant shall pay any costs resulting from such corrections and changes.

4.4 Rejection of Applications

Applications for service through existing or new service connections may be rejected for any the following reasons:

- (a) The account of the applicant at the same or other locations is delinquent.
- (b) The purpose of the applicant, in the opinion of the District, is to circumvent discontinuance of service in another name because of nonpayment of water bills or other infraction of these rules.
- (c) The conditions under Sections 4.1 and 4.2 have not been met.

SECTION V – TERMINATION OF SERVICE

5.1 Customer's Request

Customers desiring to terminate service shall notify the District and provide a mailing address to which the closing bill will be mailed. Failure to notify the District of termination of service shall not relieve the customer of responsibility for payment of water bills.

5.2 Cause

Service may be discontinued after notice of intent to disconnect and an opportunity for a hearing for any of the following causes:

- (a) Nonpayment of water bills by specified due date;
- (b) Noncompliance with all or part of the District rules and regulations;
- (c) Interconnection or cross-connection;
- (d) Waste of water.

Service may be discontinued without notice for the following causes:

- (e) Damage to public property;
- (f) Unauthorized connection.

The customer has the right to seek adjustment of charges as outlined in Sections 8.8 and 8.9 of these Rules and Regulations.

SECTION VI – SERVICE CONNECTIONS

6.1 Size and Water Supply

The District reserves the right to determine the size/type of the service connection and meter to be installed, giving consideration to the needs of the applicant and the capacity of the main to which the service is to be connected. No service connection shall be approved of a size larger than can be supplied by the main without adversely affecting service to other customers.

In the event an existing main is determined to be inadequate to meet the requirements of an applicant and a main extension will provide for those requirements, provisions of these rules applying to main extensions will be followed. Whenever two mains are available from which service can be provided, the District shall, at its option, determine the main to which the service connection will be made.

6.2 Location

Service connections shall be installed at right angles to a main, and the point of connection shall not be within a street intersection. The service connection shall comply with the current Design and Construction Standards. All meters shall be located outside of areas where access by District personnel for operation and maintenance may be restricted.

6.3 Composition

A standard service connection shall be comprised of a service lateral from the point of connection to the main, to and including a meter or battery thereof, and meter box or vault.

6.4 Installation

(a) 5/8" Through 2" Meters

Service connections excluding meters shall be installed by a properly licensed contractor in the State of Nevada and in accordance with the District Design and Construction Standards. Tapping of a main will be permitted only in the presence of a representative of the District. The District will provide and install meters according to the current rate schedule.

(b) Meters larger than 2"

Service connections including meters shall be installed by a properly licensed contractor in the State of Nevada and in accordance with the District Design and Construction Standards. Tapping of a main will be permitted only in the presence of a representative of the District.

- (c) The District may install service installations and will assess the charges provided in the current rate schedule.

6.5 Ownership

Service connections, including laterals, boxes, meters and other appurtenances shall be dedicated to the District, which will be responsible for the maintenance and repair of such facilities, subject to any agreements covering the installation of such facilities. All pipe and fittings on the customer's side of the meter shall be the responsibility of the property owner. Guarantees and warranties shall apply to all facilities dedicated to the Big Bend Water District according to the Big Bend Water District Design and Construction Standards.

6.6 Private Fire Service

Private fire service shall be equipped with a District approved detector check meter, and use is restricted to standby for emergency fire protection.

6.7 Combined Service

Combined service shall be equipped with a meter of a type approved by the District.

6.8 Temporary Service

The District may authorize a temporary service connection when the applicant's property is not adjacent to a water main. As a condition to installation of a temporary service, the applicant is required to submit construction plans and a data sheet for a main extension, and construction must commence within ninety (90) days. If construction stops for ninety (90) days, then the project will be considered abandoned, and the District will disconnect the temporary service.

6.9 Emergency Service

Emergency service shall be authorized for limited periods of time when the usual source of supply fails or is declared to be potentially harmful or in other circumstances that endanger health and property. Connections may be provided, at the discretion of the District, to a fire hydrant or any available outlet from District facilities. The applicant shall pay all installation costs and applicable fees and deposits and shall submit construction plans and a data sheet in accordance with Section IX.

6.10 Nonstandard Service

Nonstandard service may be authorized when in the opinion of the District a main extension will never be necessary for orderly development of the system, fire protection, service to other property or other reasons. Nonstandard service laterals from the meter to the customer shall not be located within a public thoroughfare. A copy of the recorded easement to the District over private property for the service lateral shall be made available to the District

6.11 Separate Service to Each Separate Ownership

A separate metered service shall be required for each dwelling unit, building, or parcel of land that is or will be owned in fee simple, unless the circumstances are such that separate services are not practical as determined by the District.

6.12 Planned Unit Developments

A planned unit development may consist of attached or detached single family units, townhouses, cluster units, condominiums, garden apartments, or any combination thereof. A separate metered service connection shall be required for each dwelling unit within the development. Separate connections shall be required for common areas, including irrigation, recreation and utility. Such areas or buildings shall not be interconnected or served directly from services providing water to dwelling units. If the circumstances are such that separate services to each dwelling unit are not practical, as determined by the District, each building containing individual dwelling units shall have a separate service.

6.13 Metering Requirements for Conversion of Developments

- (a) All existing developments which were developed in accordance with the provisions of any applicable zoning ordinance enacted pursuant to law that are to be converted from rental occupancies to occupancies for the transfer of titles in an occupancy and open space may retain the existing metered water service without modification except when such service is required to be modified in the interest of the public health, safety and welfare.
- (b) Any request for District authorization to retain existing metered services must be made in writing. Upon receipt of written requests submitted, the Board, or designated authority, will review the request, confer with the requesting party, and return a decision as to the authorization.

6.14 Installation of District Facilities by a Developer

Subject to the provisions of applicable sections of these service rules, the following shall apply to the installation of all facilities which are to be owned and operated by the District.

- (a) The developer shall pay to the District, prior to issuance of a building permit(s), all applicable deposits and charges in accordance with the rate schedule then in effect.
- (b) All water facilities to be owned by the District shall be located within public rights-of-way or District approved easements. Water meters shall be located outside of travel lanes and driveways and shall be protected from vehicular traffic, as determined by the District in accordance with the Big Bend Water District Design and Construction Standards and the approved materials list.
- (c) The District shall have inspected and approved the installation of the water service facilities before a meter is set or service is provided other than water for construction purposes.
- (d) Fire hydrants to be connected to a District main shall be approved by the District and the Fire Department prior to installation. The installations will be inspected and approved by the District.
- (e) Fire hydrants located out of the right-of-way or easement shall be owned and maintained by property owner.

6.15 Service Connection Restrictions

The District reserves the right to prohibit connections to certain mains when, in its opinion, such connections may impair the integrity of such mains or when the location of such connection would not be conducive to orderly development and planning of the distribution system. In such conditions, consideration will be given to a main extension or nonstandard service connection.

6.16 Installation of Hydrants

Fire hydrants shall be installed in accordance with the Clark County Uniform Fire Code and Big Bend Water District Design and Construction Standards.

6.17 Backflow Assemblies

The District may require approved backflow prevention devices to be installed in accordance with the requirements of the Big Bend Water District Design and Construction Standards.

Backflow prevention devices shall remain the property and responsibility of the owner, who will be responsible for the maintenance and repair of such facilities. The owner shall be responsible for annual inspections by a certified backflow technician and required to submit a copy of the inspection/repair report to the District. An approved backflow prevention assembly appropriate to the degree of hazard shall be installed at the point of delivery to a new or existing customer=s water system as a prerequisite of continued service.

SECTION VII – DEPOSITS AND CHARGES

Deposits and charges set forth in these Service Rules and Regulations shall be at the rates established in the rate schedule contained in the Big Bend Water District rate resolution as adopted by the Big Bend Water District Board of Trustees.

7.1 Service Connection Installation Charges

When required, installation charges shall be in accordance with the approved rate schedule in effect at time of application and payable in advance.

7.2 System Development Approval Charges

- (a) Water connection charges shall apply to all service connections through which water will be delivered to particular parcels of property.
- (b) Meter installation charges shall apply to all new service installations up to and including 2-inch meters.

7.3 Construction Deposits - Estimated Costs

When the District is requested to make a special type of installation and there is no established installation charge, the applicant shall deposit an amount equal to the District's estimate of cost, in addition to system development connection charges and other applicable charges prior to commencement of work on the installation. A refund or billing will be made when the job is completed and actual cost determined.

7.4 Activation of Service Connections

Upon receipt of a service application, a new or inactive service connection shall be activated upon receipt of applicable charges in accordance with the current Big Bend Water District rate schedule.

7.5 Relocation of Service Connection

An existing service connection may be relocated by the property owner upon application if the new service is of like size and will provide a water supply to the same parcel of property. The new service connection will be installed under the same conditions as a normal installation as specified by the Big Bend Water District Design and Construction Standards. Meter installation charges may also apply.

7.6 Change in Meter Size

Existing meters which are of a size less than the diameter of the service lateral may be replaced with a larger size not to exceed the size of the service lateral upon written request

and approval by the District. There will be a meter charge for the increase in meter size. The District may at its discretion replace a battery of meters with a single meter, or replace a single meter with a battery of meters, providing such replacement does not impair service to the customer.

7.7 Addition of Water Connection Units

System development approval charges are payable in advance of the installation of additional water connection units. Payments for additional water connection units shall be the responsibility of the legal owner of the property. If water connection units are added without prior notification and payment to the District, the owner will be subject to penalty in accordance with the Big Bend Water District rate schedule, up to disconnection of service.

7.8 Abandonment of Service

In the event that a service connection is permanently deactivated, the meter and other salvageable materials will be removed by the District without credit to the property owner.

7.9 Metered Water for Construction and Other Approved Uses

Connection to or use of public fire hydrants is prohibited unless a use permit is issued by the District. A District-owned hydrant valve and meter must be used. The applicant shall pay a use permit charge prior to issuance. The District will require installation of a hydrant meter, and the applicant will be required to deposit an amount adequate to cover the cost of furnishing, installing and removing the service connection. The hydrant meter will be subject to the monthly service charge for a 2-inch meter. Upon discontinuance of service, a refund will be made of the difference between the amount deposited and costs, after allowance for salvaged materials. Applicants for connections to or use of fire hydrants shall designate the period of time and purposes for which water is to be used. The District may discontinue the supply and remove its equipment at the expiration of the period so designated or if the supply is used for any purpose other than designated by applicant. The supply is subject to limitations as to rate of flow and time of use. The District may install all equipment necessary, but in no instance will water be used until an installation is approved. In the event that a connection is made to a fire hydrant without authority to do so, the user shall be required to pay a penalty for unauthorized use of service for each day of use prior to issuance of the permit in accordance with the current Big Bend Water District rate schedule. In lieu of a fire hydrant meter for taking construction water, the construction water may be taken

through the service connection which is intended to serve the parcel, or it may be taken through any other metered method approved by the District which assures that all water utilized during the construction period is metered. The construction period shall be considered to have ended when the District is notified by the applicant and the District has made a final meter reading for billing purposes. The District will then discontinue (shut off) the service, unless it has received an application for service to that location.

7.10 Emergency Service

Emergency service may be provided by a connection to a fire hydrant or to an existing main. All emergency services which are connected to fire hydrants shall conform with requirements of Section 7.9 and shall be limited to a maximum 30 days. In the event that the emergency service will provide water to multiple users, a deposit shall be submitted that shall include, in addition to the quantity charge, an amount for the estimated 30 days of consumption including service charges for each unit of property to be served. A single monthly bill shall be issued to the applicant who will be responsible for payment. Metered water service shall be in accordance with the rate schedule.

7.11 Security Deposits

The District may require security deposits from new customers who have not established credit with the District, or from customers whose accounts have been consistently delinquent, or in any situation where the District has cause to believe that a deposit is required to assure payment. The base deposit will be in an amount set in the rate schedule. Security deposits will not be required from customers who have established credit by paying bills on time for twelve consecutive months at another location serviced by the District. When a previous customer applies for service and a deposit is required, the District will review the customer's water usage on their previous account and calculate the highest three months' usage during the most recent twelve-month period. The customer will be charged the base deposit amount or the total billing for their highest three months' usage, whichever is greater, but no more than \$300.00.

Deposits must be paid in full within two (2) weeks of the date they were assessed to the account, or service may be discontinued without notice. The District may, at its sole discretion, make arrangements to extend this payment deadline.

The District will review accounts which have been assessed three delinquent charges during the previous twelve-month period and require deposits or adjustments:

- (a) Accounts with deposits on file may be charged additional deposit amounts on the subsequent billing to make the total deposit equal the highest three months usage during the previous twelve-month period.
- (b) Accounts with deposits will be charged a deposit on the subsequent billing equal to the highest three months usage during the previous twelve months or the base deposit amount, whichever is greater, but no greater than \$300.00.

Deposits will be credited to the customer's account, or refunded upon written request, at such date as the customer has established credit by paying bills on time for twelve consecutive months. Upon discontinuance of service, deposits will be applied to the closing bill with any surplus amounts being refunded. Interest on security deposits will be credited to the customer's account annually, after 12 months, or when applied to a closing bill. The interest rate will be 3% (simple interest) annually.

The District, at its discretion, may accept a Letter of Credit history from a municipal or regulated energy utility from customers who are applying for water service in lieu of security deposit. The Letter of Credit history has to be issued within the past 12 months and have at least 12 months of current service. If a Letter of Credit history is accepted, it can contain no past due notices, one returned check and no disconnects.

7.12 Re-connection Charge for Delinquent Accounts

If service is discontinued for nonpayment of water bills or other violation of these rules, the customer shall pay the activation charge for re-connection plus any other deposit amounts or applicable charges according to the Big Bend Water District rate schedule. Should the customer reactivate the service without consent of the District, he or she will be subject to the penalty for unauthorized use of services and may be subject to prosecution under Section 7.19. Service shall be considered to have been disconnected when a representative of the District has been dispatched for that purpose.

7.13 Liens

The District may cause a Notice of Lien to be recorded at any time after a bill has become delinquent, pursuant to NRS 318.197. The District shall cause a Release of Lien to be recorded after it has received payment of the amount for which the lien was claimed, which

shall include the cost of recording the Notice of Lien and Release of Lien plus a service charge as set in the rate schedule.

7.14 Charge for Turn-Off at Main

Should it become necessary to enforce discontinuance of service by shutoff at the main, a charge as outlined in the Big Bend Water District rate schedule will be made.

7.15 Unauthorized Use of Private Fire Service

When it is that a private fire service is being used for purposes other than fire protection, the District shall notify the customer of the unauthorized use. Failure to discontinue unauthorized use will be cause for shutoff and/or prosecution in accordance with Section 7.19. As the District may deem appropriate, the customer will be charged for the water consumed through the unauthorized use in a manner consistent with established water rates.

7.16 Charges - Delinquent Accounts

If payment of a water bill is not received by the District prior to the due date as stated on the bill, said date being twenty-one (21) days after the scheduled billing date, there shall be added to the next succeeding bill a charge in accordance with the Big Bend Water District rate schedule.

7.17 Charges for Meter Testing

The District will test, preferably in the presence of the customer, a meter of a size two-inch (2") or smaller, at the request of a customer and for a prepaid meter testing charge in accordance with the rate schedule. If the meter, upon testing, registers no greater than two percent (2%) over the true quantity, the meter testing charges shall be forfeited and all water bills paid as presented. However, if the meter registers more than two percent (2%) over the true quantity, the meter testing charges shall be returned and any amount overcharged during the prior three months or such portion of the three-month period as the customer has been responsible for water bills will be credited to the customer and another meter substituted for the inaccurate meter. Meters larger than two-inch (2") shall be field tested and meter testing charges assessed on an individual basis as determined by the District.

7.18 Damage to District Property

Persons causing damage to District property by a willful or negligent act shall be responsible for payment of costs incurred and may be prosecuted under the provisions of Section 7.19.

7.19 Prosecution for Illegal Use of Water

The Big Bend Water District may take civil and/or criminal action against any person who illegally obtains water, damages property, or otherwise interferes with the property of the Big Bend Water District.

7.20 Service Shut-Off

If service is shut off for non-payment or other violation of these Rules, before service will be reactivated, the customer must pay all past due charges and the appropriate Activation Charge at the office of the Big Bend Water District. The District may accept arrangements for partial payments totaling the full amount. Should the customer reactivate or tamper with the service, without consent of the District, an additional charge will be made for each occurrence in accordance with the rate schedule.

7.21 Locked Service

If a lock installed on a service connection to restrict use of water is removed by anyone other than an authorized District employee, the customer or developer shall be charged replacement costs for the damaged lock, in addition to any other charges and fees, in accordance with the rate schedule.

SECTION VIII – TIME AND MANNER OF PAYMENT

8.1 **Bill Due Date**

Meters will be read monthly and the District will, as soon after the meter reading date as practical, issue a bill for each service. If payment of a bill is not received by the District prior to the due date as stated on the bill, said date being twenty-one (21) days from the billing date, a delinquent charge will be assessed on the first business date following the due date. A second notice billing may be processed and service may be discontinued if not paid by the due date shown on the second notice.

8.2 **Failure to Receive a Bill**

Failure to receive a bill does not relieve a customer of liability.

8.3 **Estimated Bills**

If a meter cannot be read because of obstructions or other causes, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity. The next succeeding bill which is based upon actual meter reading will reflect the difference between prior estimates and actual consumption. If a meter is found to be non-operable, consumption shall be estimated and billed.

8.4 **Basis for Billing**

Except as provided in Section 8.3, billing shall be based on water consumption as measured through water meters read monthly. Except as provided in Section 7.17, customers are responsible for payment for all water recorded as having passed through a meter regardless of whether such water was put to beneficial uses.

8.5 **Collection Stations**

For the convenience of its customers, the District may designate and authorize others to serve as agents for the collection of water bills. Bills may be paid at the office of the Big Bend Water District located at 1520 Thomas Edison Drive, Laughlin, Nevada, 89029, or at a location established for such purpose within the District.

8.6 **Checks Not Honored By a Bank**

Checks presented in payment of bills which are returned by a bank shall be treated as though no payment had been made. Redemption of returned checks may be required to be by cash or equivalent. All returned checks will be subject to an additional service charge for handling, as specified in the rate schedule.

8.7 Multiple Water Bills

For the purpose of computing charges, each parcel of property will be considered separately, and readings of multiple meters may be combined where a battery of meters has been installed in lieu of one meter for the District's convenience. In such cases, charges will be computed as if the water used had been measured through a single meter.

8.8 Billing Disputes

If a customer believes there has been an error in billing, the customer may schedule a hearing to seek adjustment of the charges. If the customer schedules the hearing before notice of intent to disconnect, the giving of the notice will be suspended until ten (10) calendar days after the hearing and resolution of the dispute. If the customer does not schedule a hearing until after notice of intent to disconnect, the payment can be paid "under protest" to avoid disconnection until the hearing and resolution of the dispute.

8.9 Billing Adjustments

The General Manager or designee shall have the authority to adjust any charges or deposits which are or will become due, or by establishment of credit against future charges or deposits which have been collected from any customer if the customer demonstrates that the charges or deposits were not in accordance with these Rules and Regulations, or the current rate schedule.

SECTION IX – MAIN EXTENSIONS

9.1 General Conditions for Standard and Oversize Main Extensions

The Design and Construction Standards as adopted by the Big Bend Water District Board of Trustees shall govern the design and construction of all public water facilities.

9.1.1 Applicability

Any person(s) owning property not contiguous to a main as defined in Section 2.4, who proposes construction which will require the development of a water system to service a subdivision or one or more parcels of property in separate ownership, shall provide the required water service facilities to serve that development. Costs for provision of said facilities shall include design and other appurtenant costs, as well as construction costs. Such facilities shall conform with these Rules and Regulations, and the District's Design and Construction Standards. All main extensions shall have an appropriate main extension agreement executed by the owner.

9.1.2 Main Extension Agreement

Each main extension agreement required by Section 9.1.1 shall include the following information:

- (a) Name and address of applicant(s).
- (b) Proposed service address or location.
- (c) Description of requested service.
- (d) Description and map of the requested extension.
- (e) Itemized cost estimate to include materials, labor and other costs as necessary.
- (f) A one-year guarantee for all public facilities.
- (g) Vesting of title in the District to all mains, service connections and other facilities which may be required.
- (h) Acceptance by the District of responsibility for operation and maintenance of the completed facilities.
- (i) Estimated start date and completion date for construction of the main extension.

9.1.3 Time Limitation

Approval by the District for any system development plan shall be valid for a limited time as will any related commitment of existing capacity in a particular main. In the event that construction of the mains covered by any approved plan is not started within one (1) year

from the date of approval, the project shall be assumed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project. The same shall apply when active construction work within a subdivision is discontinued for a period of one (1) year. In the event of abandonment or cessation of construction, prepaid installation charges and deposits may be refunded proportionate to the extent of completion as determined by the District.

9.1.4 Compliance with Specifications

All main extensions, system development service connections, and appurtenances shall be constructed to conform with the District's Design and Construction Standards.

9.1.5 Guarantee

Materials and workmanship shall be guaranteed free of defect for a period of one (1) year from date of acceptance by the District. Upon receipt of written notice from the District, the developer or customer shall immediately cause any defect to be corrected. If not corrected within a reasonable time, the District will undertake the repairs, and the owner shall reimburse the District for the cost of correction.

9.1.6 Use of Idlers

Use of idlers is prohibited in all circumstances. A service application must be filed, and water delivered through any service connection will be metered and billed.

9.1.7 Commitment of Water Supply - Exclusive Use Not Guaranteed

Main extensions or other system developments constructed by persons for development of subdivisions or other property shall not be considered as reserved for supply to those properties exclusively. Extensions of and connections to such mains shall be permitted when, in the opinion of the District, such connections will not substantially affect supply to the original development or property.

9.2 Standard Main Extensions

Main extensions proposed for construction under provisions of this section shall be subject to the general conditions described in Section 9.1.

9.2.1 Size of Mains

Proposed water main extensions to serve subdivisions or other developments shall be of sufficient size to adequately provide a water supply for the development. The District reserves the right to establish sizes of all public mains and appurtenances.

9.2.2 Responsibility for Cost

The cost of all main extensions to be constructed under these rules, including service laterals, fire hydrants, and other appurtenances, shall be borne by the developer or property owner.

9.3 Oversized Main Extensions

General Conditions - Main extensions proposed for construction under provisions of this section shall be subject to the general conditions described in Section 9.1.

9.3.1 Applicability

For the purpose of this section, an oversized main or system expansion is described as a main larger than eight inches which, in addition to providing an adequate water supply to the proposed development, is required to be of a size which will be capable of meeting future demands on the distribution system and provide for orderly development of that system. The District reserves the right to determine what constitutes an oversized main.

9.3.2 Location of Mains

Oversized mains may be off-site (outside the boundaries of a subdivision or other development) or traverse the interior area of a subdivision or any combination thereof.

9.3.3 Identification of Mains

The District shall indicate and identify, on water plans submitted for a proposed development, both the standard and oversized diameters of pipelines to be constructed.

9.3.4 Approval by Board of Trustees Required

Proposals for oversizing of water mains shall be submitted to the Board of Trustees for review and approval. Water plans, conforming with the Board's directive, shall then be approved and the District shall enter into an agreement with the developer or customer, providing for the District's participation in construction costs as hereinafter set forth.

9.3.5 Conveyance of Title and Reimbursement

Upon satisfactory completion of construction and acceptance of the facilities by the District, per the oversize agreement, the District shall assume title to all facilities. The District shall reimburse the developer for the District's portion of the construction cost, as specified in the oversize main extension agreement.

9.3.6 Participation in Cost

Participation by the District for the oversizing of a main extension as well as participation in the cost of other items shall be determined on an individual basis specified in the oversize main extension agreement.

9.3.7 Method of Payment

The Board of Trustees may provide for a lump sum or alternative method of payment of the District's portion of the cost to be detailed in the main extension agreement.

SECTION X – MISCELLANEOUS

10.1 District Boundaries

The District boundaries, as established by ordinance, are depicted on Figure 1.

10.2 Service Area

Given the need to manage the water and financial resources for the greatest benefit to existing and future ratepayers, the District may limit the use of water within the District boundary to a defined service area which will be expanded in an orderly manner. The service area of the District is that area within the District boundary which receives or is planned to receive water delivery services pursuant to the adopted Big Bend Water District Master Plan and associated construction action program. Any proposals to develop facilities outside of the service area of the District, but within the District boundary, shall be subject to revision of the Big Bend Water District Master Plan. Any such facilities proposed for construction shall be built in accordance with Section IX and shall not be eligible for reimbursements according to Section 10.3 unless the Board approves otherwise.

10.3 Expansion of Facilities - District Financing

As the need arises, as determined solely by the District, the District will construct major facilities required to provide an adequate water supply, including transmission mains, reservoirs, and pumping stations, in general conformity with its current Big Bend Water District Master Plan. At the discretion of the Board of Trustees, and as funds are available, the District may construct main extensions and other improvements which are required to improve or reinforce the supply and distribution system.

If District funds are not available for improvement, expansion or oversizing of facilities, the Board of Trustees may enter into an agreement providing for a developer to advance the costs of construction of improved or expanded facilities planned for construction by the District in its current Big Bend Water District Master Plan construction action program or the District's share of the costs of construction of oversized facilities as computed under Section 9.3.6 of these Rules. The agreement shall provide that the District will reimburse the developer for the costs of construction (as defined below) by the developer from system development connection charges paid by the developer and others within a District-defined service area who connect into or utilize the improved, expanded or oversized facilities. Reimbursement will not be made from system development connection charges paid by

others who connect into or utilize improved, expanded or oversized facilities for which another developer has advanced the costs of construction. The costs of construction of improved or expanded facilities include the costs of construction, rights-of-way and engineering. The costs of construction of oversized facilities include only the costs of construction and do not include the costs of rights-of-way and engineering. The District reserves the right to audit any or all costs. Reimbursement will be made by deposit to an account established by the developer at a bank or other financial institution chosen by the developer, the deposits of which are insured by the Federal Deposit Insurance Corporation. Reimbursement will be made without interest for a period of ten years after the date of execution of the agreement, or until the amount advanced has been repaid, whichever occurs first. Any balance of the amount advanced which has not been reimbursed ten years after the date of execution of the agreement, will be canceled and will not be reimbursed.

10.4 Big Bend Water District Master Plan

The Big Bend Water District Master Plan may be amended at any time by approval of the Board of Trustees.

10.5 Special Conditions

In the event that conditions arise which are not specifically covered by these Rules, the Board of Trustees may take whatever action, including establishing rates and charges which, in their discretion, is warranted.

10.6 Customers' Premises

District representatives shall have the right of access to customers' property at all reasonable hours for any purpose related to the furnishing of service and protection of water quality. Representatives are prohibited from entering upon customers' premises to engage in repair or alteration of customer piping and fixtures.

10.7 Effective Date

These Rules and Regulations shall become effective on the date specified by the Board in its motion for adoption.

10.8 Continuity

Adoption of these Rules and Regulations shall not be construed as a waiver of any right or obligation under any prior agreement, contract, commitment, or current legislation.

BIG BEND WATER DISTRICT

BOUNDARY MAP

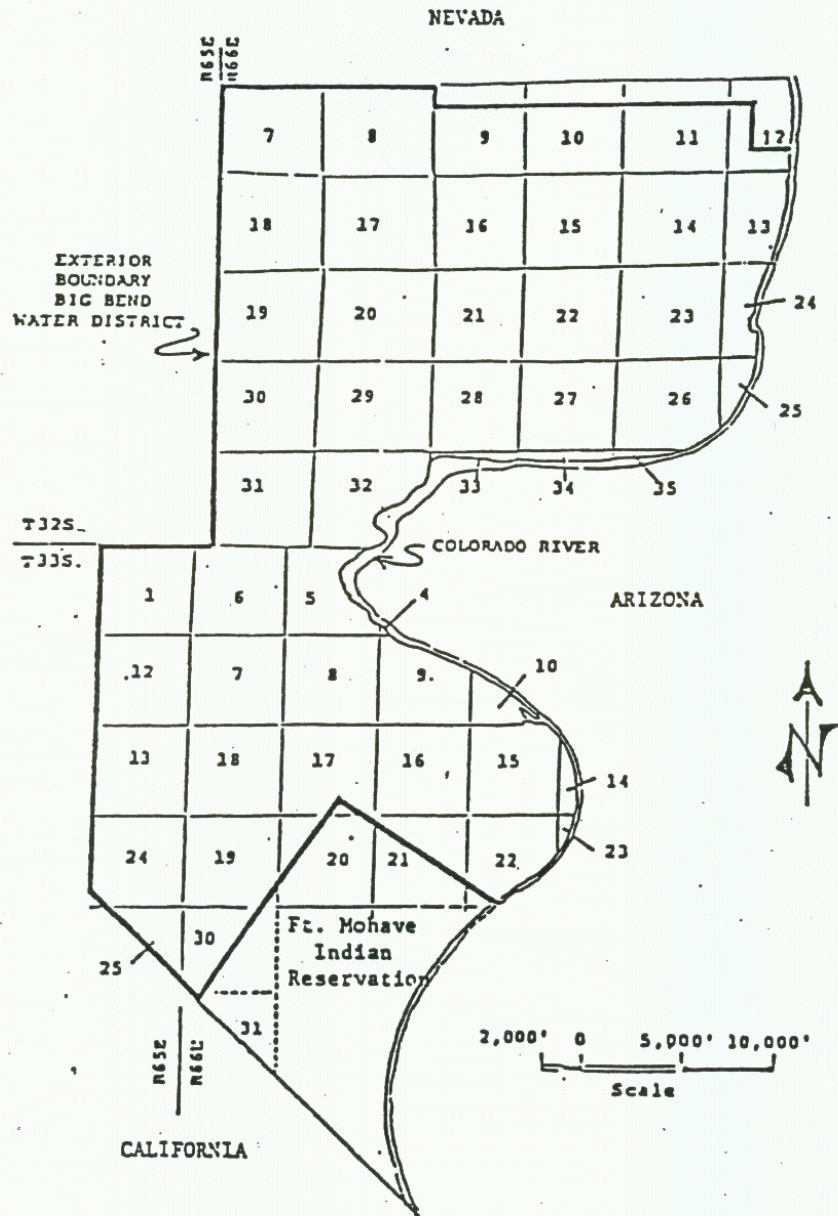


FIGURE 1

FIGURE 2 (PAGE 1)
BIG BEND WATER DISTRICT
DROUGHT EMERGENCY MANAGEMENT PLAN

Prepared by the BIG BEND WATER DISTRICT

1. **SUBJECT: DROUGHT MANAGEMENT**
 To conserve and allocate a precious resource during times of shortage.

2. **PURPOSE:**
 To control and manage the Big Bend Water District water system for the benefit of the citizens.

3. **SCOPE:**
 The scope of activities for the drought management plan includes the application of available personnel, equipment, and technical expertise necessary to prevent or minimize the effects of a drought.

4. **DETERMINATION OF DROUGHT STAGE:**
 A determination of drought stage I, II and III will be made by the General Manager of the Big Bend Water District.

5. **STAGE I**

 DROUGHT WATCH – When the water availability drops to 90% of normal seasonal capacity, the following actions shall be taken:

 Periodic announcements to alert the public to the depletion of water supplies shall be made. These announcements will alert the public to an impending possibility of a water shortage and request voluntary cooperation of the water users.

6. **STAGE II**

 DROUGHT WARNING – When the water availability drops to 70% of normal seasonal capacity, the following actions shall be taken:

 The use of limited mandatory restrictions on all outside use of residential and commercial users.

7. **STAGE III**

 DROUGHT EMERGENCY – When the water availability drops to 50% of normal seasonal capacity, the following actions shall be taken:
 - a. Prohibit all outside water use.
 - b. Require established percentage reduction in all commercial, industrial, and governmental users. (See Drought/Emergency Conservation Table.)

FIGURE 2 (PAGE 2)
BIG BEND WATER DISTRICT
DROUGHT/EMERGENCY CONSERVATION PLAN

DROUGHT EMERGENCY CONDITION	CONSUMPTION REDUCTION GOAL %	PUBLIC INFORMATION ACTION	BIG BEND WATER DISTRICT ACTION	USER RESTRICTIONS	PENALTIES
DROUGHT WATER	10%	Explain drought/emergency conditions. Disseminate technical information. Explain other status and possible actions. Distribute Retrofit Kits to homes and table tents to hotels. Request voluntary reductions.	Increase enforcement of water waste regulations and time-of-day water restrictions.	Voluntary installation of Retrofit Kits. Restriction on outside water use of landscaping, irrigation, washing cars, and other uses. Hotels restrict outside watering and serve water only on request.	Warning
DROUGHT WARNING	30%	Use media intensively to explain emergency by public officials. Appeal for water-use reduction. Explain restrictions and penalties; actions and consequences of emergency; actions in potential succeeding states. Emphasize voluntary reduction	Prohibit water usage for street flushing, public fountains, and parks' irrigation usage not required for health, safety or minimal support for turf areas.	Mandatory restrictions to severely restrict all outside uses by residential users. Prohibit unnecessary outside uses by any commercial or industrial users. Prohibit use of water-cooled air conditioners without recirculation.	1. Warning 2. House call 3. Installation of flow restrictors 4. Shutoff and reconnection fees
DROUGHT EMERGENCY	50% or more	Same as "Drought Warning."	Close public water-using activities not required for health and safety.	Prohibit all outside water use and selected commercial and industrial uses. Terminate service to selected portions of the system as last resort.	Same as "Drought Warning."

**BIG BEND WATER DISTRICT
RATE SCHEDULE**

SECTION 1 – SYSTEM DEVELOPMENT APPROVAL CHARGES – 7/1/2004

A. System Development Approval

The system development charge for connection to facilities owned, operated or maintained by the Big Bend Water District shall be \$2050 per Water Connection Unit (hereinafter referred to as WCU). A system development connection shall be granted upon compliance with all of the following requirements: (1) submission of a completed application on the form provided by the District which shall include a legal address or parcel number of the property to be served and plans showing the number and type of billing units to be constructed, installed or accommodated; (2) approval of the application by the District if prior written approval has not been received on engineering plans; (3) payment of the system development connection charges for the number and type of billing units shown on the plans; (4) payment of system development connection charges for all billing units installed or accommodated on the property for which charges were not previously paid; and (5) payment of all delinquent water service charges, operation and maintenance charges, account service charges or service charges. For the number of WCUs calculated from the number and type of billing units shown on the plans submitted as part of the application for system development connection, system development connection charges shall be due and payable in advance of and shall be paid at the rate in effect on the date of granting of the system development connection. The District will keep a record only of the total number of billing units or WCUs for which each user has paid system development connection charges and will not keep a record of the type or location of any billing units upon the user's land. Before a user constructs, installs or accommodates billing units or WCUs in addition to those for which system development connection charges have been paid, such user shall obtain a system development connection for such additional billing units or WCUs. The District may at any time (but is not obligated to) inspect the structures or mobile homes or both located upon any user's land for the purpose of counting the billing units of WCUs which have been constructed, installed or accommodated. For unauthorized billing units or WCUs in addition to the number and type for which system development connection charges have been paid, system development connection charges and penalties are due and

payable upon receipt and shall be paid at the rate in effect at the date of discovery by the District of such additional billing units or WCUs. Any additional WCUs shall be billed to the legal owner of the property.

B. Schedule of Charges – System Development Approval

The number of WCUs from which system development connection charges will be calculated shall be determined in accordance with the schedule set forth as follows:

**BIG BEND WATER DISTRICT
WATER CONNECTION UNIT (WCU) SCHEDULE**

<u>Customer Class</u>	<u>WCU</u>	<u>Billing Unit</u>
Single Family Residence	1.00	Each Unit
Townhouse, Condo (Individually Billed)	.50	Each Dwelling Unit
Multiple Residential	.70	Each Dwelling Unit
Townhouse, Condo (Association Billed)	.50	Each Dwelling Unit
Mobile Homes	.50	Each Dwelling Unit, Lot or Space
Mobile Homes (Association Billed)	.50	Each Dwelling Unit, Lot or Space
Recreational Vehicle Parks	.28	Each Space, Site and Outside Fixture
Hotels/Motels (rooms only)	.24	Each Room
Hotels/Motels (outside of rooms)	.60	Each Fixture
Casinos	.60	Each Fixture
Restaurant (with or without bar or tavern)	.53	Each Fixture
Restaurant (with garbage disposal)	.53	Each Fixture
Type A:		
Includes dry cleaners, markets with disposal, bars/taverns with food sales, motor vehicle sales with automated wash facilities	.40	Each Fixture
Type B:		
Includes bars/taverns, retail sales, drug stores, service stations, miscellaneous businesses not Separately rated	.26	Each Fixture
Type C:		
Includes offices, laundromats, service maintenance and repairs, theaters	.18	Each Fixture

SECTION 2 – SERVICE RATES, CHARGES AND DEPOSITS

A. Water Usage Rates Schedule

1) METERED WATER SERVICE BILLING:

All Service shall be billed for each meter size as follows:

- a) Water usage at or below the Monthly Conservation Consumption Amount shall be billed at the Tier One Water Rate in effect on the date upon which a meter is read.
- b) Water usage in excess of the Monthly Conservation Consumption Amount shall be billed at the Tier Two Water Rate in effect on the date upon which a meter is read.
- c) A Monthly Service Charge shall be billed to all active water service accounts regardless of the amount of water usage.

**2) MONTHLY CONSERVATION CONSUMPTION AMOUNT
(1,000 GALLONS):**

<u>Meter Size</u>	<u>Residential</u>	<u>Non-Residential</u>
5/8", 3/4"	15	40
1"	60	90
1 1/2"	120	180
2"	150	900
3"	300	1,800
4"	400	2,200
6"		3,500
8"		4,600
10"		7,400
12"		11,000

3) MONTHLY SERVICE CHARGE

<u>Meter Size</u>	<u>Service Charge</u>
5/8", 3/4"	\$7.10
1"	\$7.45
1 1/2"	\$9.60
2"	\$14.05
3"	\$16.40
4"	\$22.90
6"	\$34.00
8"	\$53.80
10"	\$90.00
12"	\$150.00
Hydrant	\$14.05

4) WATER RATES (to be effective after meters read during each July)

<u>Effective Date</u>	<u>Tier One</u>	<u>Tier Two</u>
July 2002	\$1.94/1000 gallons	\$2.43/1000 gallons
July 2003	\$2.11/1000 gallons	\$2.64/1000 gallons
July 2004	\$2.29/1000 gallons	\$2.86/1000 gallons
July 2005	\$2.49/1000 gallons	\$3.11/1000 gallons
July 2006	\$2.70/1000 gallons	\$3.38/1000 gallons

5) PRIVATE FIRE SERVICE

Private fire service connections which are not otherwise billed for water use shall be assessed a monthly stand-by charge, based upon the size of the water line, equal to the monthly service charge for the equivalent meter size.

6) CONSTRUCTION WATER AND INTERIM SERVICE

Consumption rates for construction water or interim service shall be billed at the Tier One Rate in effect at the time the meter is read.

7) RAW, UNTREATED WATER FOR CONSTRUCTION OR ANY OTHER PURPOSE

Raw, untreated water delivered for use during construction or any other purpose will be charged at the following rates:

- a) Monthly Service Charge equals 100 percent of the potable rate.
- b) Water Usage Rates equals 50 percent of the potable rate.
- c) Delivery Charge equals 100 percent of cost to deliver raw water and maintain any equipment or assets required to deliver raw water.

8) DEPOSITS AND CHARGES:

	<u>Cost</u>
a) Security Deposits	\$100.00 or equivalent to the charge for highest 3 months during the last 12 months, whichever is greater than \$300.00.
b) Fire Hydrant Use Permit	\$50.00
c) Hydrant Valve Deposit	\$50.00
d) Hydrant Meter Deposit	\$450.00
e) Service Activation Charge	\$45.00 plus applicable security deposit
f) Charge for Turn-off at Main	\$100.00
g) Delinquent Processing Charge	5% of the amount in arrears, not to be compounded. Government agencies shall be exempt.
h) Special Meter Reads	\$10.00
i) Meter Testing Charges	
5/8", 3/4" and 1" meters	\$20.00
1 1/2" and 2" meters	\$50.00
Meters above 2"	Actual Cost
j) Returned Check Charge	\$20.00

k) Lien Charges

\$10.00 plus cost of recording Notice of Lien and Release of Lien

l) Padlock Replacement

\$20.00 or actual cost, whichever is greater

SECTION 3 – INSTALLATION CHARGES

A. Water Meter

<u>Size</u>	<u>Cost</u>
5/8" – 1"	Actual cost of meter plus \$25 installation service charge
1 1/2" – 2"	Actual cost of meter plus \$40 installation service charge
Above 2"	District-approved meter supplied and installed by customer
Hydrant Meter	\$40 relocation fee

B. Service Connections

Actual Cost

SECTION 4 – MISCELLANEOUS CHARGES AND PENALTIES

	<u>Cost</u>
A. Bacteriological Sampling	\$100
B. Penalty for Unauthorized Use of Service	\$100/Day
C. Penalty for Unauthorized Addition of WCUs	
0 – 5 WCUs	\$100 per WCU
More than 5 – 10 WCUs	\$500 per WCU
Over 10 WCUs	\$1000 per WCU

SECTION 5 – DEFINITIONS

A. The following definitions apply to the customer classes set forth above:

- 1) Casino means a place, not an integral part of a hotel operation, where the main function is to provide games of chance or gambling devices that are made available for play by the public.
- 2) Church means a structure primarily used for religious services by a religious organization.
- 3) Convalescent and Rest Homes mean establishments used or designed to provide personal and health care supervision to convalescents, invalids, aged, or infirm humans.
- 4) Dwelling Unit means one or more rooms designed or used as living quarters for one family and having facilities for the preparation of food.
- 5) Family means one or more human beings living together as a single housekeeping unit.
- 6) Fixture means a plumbing device or appliance that is permanently connected to the hot or cold water supply system, or both.

- a) The following are included in the definition of “Fixture,” and each is one fixture:

- bath tub (with or without overhead shower)
- bedpan washer
- bidet
- clothes washing machine
- combination sink and tray, with or without food disposal unit
- dish washing machine
- *faucet head in conjunction with a floor drain
- kitchen sink, with or without food waste grinder
- lavatory
- laundry tray (1 or 2 compartments)
- *shower stall (domestic)
- *showers (group) per head
- sink

*Faucet heads or shower heads that flow into a single drain

- urinal
- urinal trough (each 2-foot section)
- wash sink (circular or multiple), each set of faucets
- water closet, tank operated or valve operated

water supply outlet in conjunction with a drain

- b) The following devices and appliances are expressly excluded from the definition of “Fixture”:

air conditioner
boiler
coffee urn
garbage disposal unit
ice machine
refrigerator
soft drink machine
steam table
water softener
X-ray machine

- 7) Hospital means an establishment staffed and equipped to provide diagnosis, care and treatment of human illness or injury and which provides 24-hour professional nursing services under the direction of physicians.
- 8) Hotel means a structure containing two or more rooms, each of which is designed or used for sleeping quarters for one family and contains one or more fixtures but does not contain facilities for the preparation of food.
- 9) Large Commercial means an establishment of single ownership or operation which uses more than 5 million gallons of water per year and does not otherwise fall under any of the other user classifications.
- 10) Laundry means an establishment where clothing is washed for remuneration by the employees or agents of the establishment.
- 11) Mobile Home means a vehicular structure which is built on a chassis or frame, which is designed to be used with or without a permanent foundation and which is used as living quarters and suitable for year-round occupancy as a residence.
- 12) Mobile Home Park means a place which is used or intended for use to park two or more mobile homes for occupancy as living quarters for human beings for 30 days or more.
- 13) Multiple Residential means a structure containing two or more dwelling units under one ownership.
- 14) Recreational Vehicle means a vehicular structure which is built on a chassis or frame which is designed to be used as temporary living quarters, whether drawn by a motor vehicle or propelled by its own power.

- 15) Recreational Vehicle Park means a commercial property which is used or intended for use to park two or more recreational vehicles for occupancy as living quarters for less than 30 days.
- 16) Restaurant means a place which is not a part of a hotel where the primary business is serving food to the public.
- 17) School means an establishment, whether public or private, in which is offered a full-time academic, vocational or technical course of study or other educational services, whether elementary, secondary, or post-secondary, and includes licensed child care facilities.
- 18) Single-Family Residence means a structure containing only one dwelling unit and each individually owned unit in a structure containing two or more dwelling units.

B. All commercial user classifications shall be based on the primary use of the structure(s) as determined by the District. The District may use the classification of the business license issued by the Clark County Department of Business Licensing in determining primary use. The District Manager shall have the authority to change the customer class, change the number of WCUs, or change the number or type of billing units applicable to any user or adjust charges which are or will become due or, by establishment of credit against future charges, which have been collected from any user if the user demonstrates that the customer class or the number of WCUs or the number or type of billing units or the charges were not in accordance with the Rate Schedule.