

December 2009

Service Rules



“People Leading the Way”

LAS VEGAS VALLEY WATER DISTRICT

SERVICE RULES

ADOPTED – DECEMBER 1, 2009

**Effective date of LVVWD Service Charges and SNWA Regional Commodity
Charges is January 1, 2010 for changes effective
January 1, 2010 and January 1, 2011.**

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DEFINITIONS

1. Abandoned Service

"Abandoned Service" shall mean a service connection documented based on actual field conditions that the service lateral was cut, capped, and left in place. If the service classified as abandoned is actually removed, the service shall be reclassified as removed in District records. See "Removed Service".

2. American Water Works Association (AWWA) Standards

"American Water Works Association (AWWA) Standards" shall mean the latest revision of the standards adopted by AWWA, Denver and available for review at the District.

3. Applicant

"Applicant" shall mean a person applying for new water service to a particular parcel within the District. The applicant must be the property owner or his legally designated representative.

4. Automated Meter Reading (AMR)

"Automated Meter Reading" shall mean the equipment for the remote collection of consumption data from a customer's water meter.

5. Average Annual Potable Water Rates for Large Irrigation Customer

"Average Annual Potable Water Rate for Large Irrigation Customer" shall mean the cost per 1,000 gallons on an annual basis for this class of customer. The cost will include the following components, as they are appropriate to the ratepayer: Metering charges for water delivery, service charges, private fire protection service charge, combined service, backflow service charge, reliability surcharge, and Southern Nevada Water Authority Commodity Charge.

6. Backflow Prevention Assembly

"Backflow Prevention Assembly" shall mean an assembly for the prevention of backflow from the customer's water system to the District's water system and may include, but not be limited to, a backflow prevention device, isolation valves, test cocks, thrust restraints, a vault, connecting piping, an enclosure, and other appurtenances.

7. Backflow Prevention Assembly - Approved

"Approved Backflow Prevention Assembly" shall mean an assembly that has been investigated and approved by the District. The approval of backflow prevention devices by the District will be on the basis of a favorable report by an approved testing laboratory recommending such an approval, and acceptance through the District's approval process.

8. Billing Date

"Billing Date" shall be the date shown on the monthly water bill.

9. Board

"Board" shall mean the Board of Directors of the Las Vegas Valley Water District.

10. Bolstering

"Bolstering" shall mean looping, or increasing the length of a proposed main extension beyond that required to serve a particular development, in order to provide for the orderly development of the District's distribution system, improve water quality, and/or improve system reliability.

11. Combined Service

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

12. Conditional Water Commitment

"Conditional Water Commitment" shall mean a water commitment that may be made if the applicant completes specific requirements within specified time frames as specified in a written agreement with the District.

13. Construction Water

"Construction Water" shall mean metered water delivered for construction purposes including, but not limited to, compaction and dust control. Construction water is not permitted for domestic or fire suppression use.

14. Consumptive Use

"Consumptive Use" shall mean water that is not returned to an approved community sanitary sewer for treatment. Such water shall include, but not be limited to, septic tanks, turf irrigation with potable water, and other, similar uses.

15. Cross-Connection

"Cross-Connection" shall mean any physical connection or arrangement of piping or fixtures between two (2) otherwise separate piping systems, or a private well, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system. This would include but not be limited to any temporary connections, such as swing connections, removable sections, four-way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multiport tube.

16. Customer

"Customer" shall mean a person who is a recipient of water service from the District through an existing service connection, or a person applying for water through an existing service connection.

17. Deserted Service

"Deserted Service" shall mean a service connection whose existence is documented in District records, but cannot be field located.

18. Developer

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

19. Development Approval

"Development Approval" is the notification to the District from Clark County or the City of Las Vegas that all required permits and administrative processes have been successfully completed and approved for the division of property or issuance of a building permit.

20. Disconnected Service

"Disconnected Service" shall mean an active service connection which has been turned-off or terminated for non-payment of water bills.

21. District

"District" shall mean the Las Vegas Valley Water District.

22. Domestic Service

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

23. Effluent Management Plan (EMP)

"Effluent Management Plan (EMP)" shall mean the plan required by the Nevada Division of Environmental Protection (NDEP) as a condition of issuing of a Ground Water Discharge Permit to non-potable water users by the NDEP.

24. Emergency

"Emergency" means a sudden or unexpected occurrence or need that requires immediate action to prevent an adverse impact upon life, health, property or essential public services.

25. Emergency Service Connection

"Emergency Service Connection" shall mean a District authorized service connection on an interim basis required to safeguard health and protect private or public property.

26. Employee

"Employee" shall mean any individual employed by the District, excluding independent contractors, consultants, and their employees.

27. Equivalency - 5/8"

"5/8 Equivalency" shall mean the comparable number of 5/8" meters, which equates to the meter size under discussion primarily used for fee and rate calculations.

Meter Size	Typical 5/8" Equivalency
5/8"	1.0
3/4"	1.5
1"	2.5
1½"	5.0
2"	8.0
3"	16.0
4"	25.0
6"	50.0
8"	80.0
10"	115.0
12"	170.0

28. Existing Landscape

"Existing Landscape" shall refer to landscape not meeting the definition of New Landscape.

29. Expansion or Addition

"Expansion or Addition" shall mean an increase in size of an existing building or other structure presently served by the District; or building or structure added to an existing parcel presently served by the District.

30. Final Water Project Acceptance

"Final Water Project Acceptance" shall mean prior to scheduling the final inspection, the Developer shall verify the entire water project is ready for inspection. The Developer is responsible for the restoration of all existing water facilities belonging to the District immediately adjacent to the approved water plans work area. The water facilities include laterals, meters, valves, collars, blow-offs, vault access cover, air vacuum air release assemblies, backflow assemblies, anode test stations, and or chlorine/pressure monitoring stations.

31. Fire Hydrant Service

"Fire Hydrant Service" shall mean a service connection for public fire hydrant(s) to be located within a public right-of-way or easement. The fire hydrant shall be of a type and manufacturer approved by the entity having jurisdiction.

32. Fixture Units

"Fixture Units" shall be defined as specified in the Uniform Plumbing Code, current edition.

33. General Manager

"General Manager" shall mean the person duly appointed by the Board to perform the duties of the position, or that person's duly appointed representative.

34. Handwatering

"Handwatering" shall mean the application of water to outdoor vegetation with a hand-held hose or container.

35. Idler

"Idler" shall mean a length of pipe installed in lieu of a meter (use of an idler is not allowed).

36. Illegal Service

"Illegal Service" shall mean a service connection which is located in the field, but whose installation was not authorized by the District or is in violation of the District's Service Rules. Illegal services include, but are not limited to, expansions of on-site systems to serve adjacent parcels.

37. Inactive Service

"Inactive Service" shall mean a service connection which is not in use, but is fully operational, installed in accordance with District standards and documented in District records.

38. Indoor Water Feature

"Indoor Water Feature" shall mean a water feature completely enclosed in the interior of a building.

39. Inter-Connection

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

40. Irrigation of Commercial Nursery Stock

"Irrigation of Commercial Nursery Stock" shall mean the irrigation of vegetation intended for sale at a licensed commercial plant nursery.

41. Land Division

"Land Division" shall be as defined in Nevada Revised Statutes, Sections 278.471 through 278.4725.

42. Large Scale Turf and Landscape Irrigators

"Large Scale Turf and Landscape Irrigators" shall mean agents, entities, firms, and companies responsible for the development and/or operation, and/or maintenance of landscaped areas. Areas include, but are not limited to, parks, golf courses, schools, and land approved for subdivision for residential, industrial, or recreational complexes, and their related common areas.

43. Las Vegas Valley Groundwater Management Program

"Las Vegas Valley Groundwater Management Program" shall mean a resource management program authorized by the 1997 Nevada Legislature and operated by the Southern Nevada Water Authority in cooperation with an advisory committee of Las Vegas Valley groundwater users. The program develops and performs activities that promote long-term groundwater management and aquifer protection within the Las Vegas hydrographic basin.

44. Legally Designated Representative

"Legally Designated Representative" shall mean that person to whom the property owner has given power of attorney or other documentation satisfactory to the District authorizing said person to apply for new water service on behalf of the property owner. The documentation presented to the District must contain the property owner's signature, mailing address, and location of the property, which is the subject of the application. The property owner shall become liable for all water service provided to the property as a result of the application by the legally designated representative, and any unpaid charges shall become a lien on said property pursuant to Section 9.1 of Chapter 167 of the Statutes of Nevada, 1947.

45. Main Extension

"Main Extension" shall mean an adjacent, parallel, or extended addition to the District's distribution system, consisting of a pipeline which is a nominal six (6) inches in diameter or greater, for the purpose of providing an adequate water supply. The District may require an increase in the length of a main extension beyond that required to serve a particular development in order to provide for the orderly development of the District's distribution system, improve water quality, and/or improve system reliability.

46. Manmade Lake

"Manmade Lake" shall mean every manmade body of water including lakes, ponds, lagoons, and reservoirs (excluding tank-type reservoirs which are fully enclosed and contained) that are filled, or refilled, with potable water, or non-potable water from any source, for recreational, scenic or landscape purposes; except for swimming pools, ornamental water features or manmade recreational water theme parks.

47. Master Meter

"Master Meter" shall mean the District approved primary measuring device installed for, but owned by the District, which is used for the purpose of accurately recording all consumption entering an area containing a number of customers, or sub-metered services.

48. Meter

"Meter" shall mean the District approved measuring device, installed for, but owned by the District, which is used for the purpose of accurately recording the consumption of water used by customers.

49. Meter Maintenance

"Meter Maintenance" shall mean the routine testing, calibration, repair or replacement of District water meters to ensure accuracy and compliance with the American Water Works Association Meter Standards.

50. Mobile Home Park

"Mobile Home Park" means an area or tract of land where two (2) or more mobile homes or mobile home lots are privately owned, rented or held out for rent. This does not include an area or tract of land where:

1. More than half of the lots are rented overnight or for less than 3 months for recreational vehicles.
2. Mobile homes are used occasionally for recreational purposes and not as permanent residences.

51. Mobile Meter

"Mobile Meter" shall be a fire hydrant meter, generally mounted on a vehicle, issued to small consumption water users for short-term connection to fire hydrants at multiple locations over time. Use must remain within the District's service area and permits are issued solely at the discretion of the District. All mobile meter permittees must abide by the conditions set forth in Section 7 of these rules.

52. Multiple Meter Service

"Multiple Meter Service" shall be a single lateral pipe utilizing a battery of meters for providing domestic service.

53. New Landscape

"New Landscape" shall mean new vegetation planted as part of an initial landscape installation, replacement, or as part of a landscape conversion from turf grass to xeriscape.

54. Non-Potable Water

"Non-Potable Water" (also called recycled or reclaimed water) shall mean water that does not meet the State of Nevada standards for potable water and that is made available for irrigation purposes for large scale turf and landscaped areas including, but not limited to, golf courses, schools, and parks. Non-potable water may include reclaimed or recycled wastewater, water which has been recovered from a ground water recharge/recovery facility for non-potable use, and/or potable water which has been blended with reclaimed or recovered groundwater for capacity or water quality reasons.

55. Non-Potable Water User

"Non-Potable Water User" shall mean the entity or person responsible for fees and charges assessed for using non-potable water from a recycled water distribution system. This user shall also be responsible for completing and complying with the non-potable water applications for use required by the Nevada Division of Environmental Protection (NDEP).

56. Non-Potable Water User Modifications

"Non-Potable Water User Modifications" shall mean those onsite modifications and facilities such as replacement of greens, storage reservoirs, sprinkler systems, installation of a second water distribution system, retro-fitting of certain existing equipment, and the installation of signage, as necessary to, allow the use of non-potable water on the premises in accordance with the approved Effluent Management Plan (EMP).

57. Non-Spray Irrigation

"Non-Spray Irrigation" shall mean any irrigation system that applies water without projecting droplets farther than one foot (such as drip or bubbler systems).

58. Non-Standard Service Connection

"Non-Standard Service Connection" shall mean a service connection from a main to a parcel that is not contiguous to the main to which the connection is made. A service will not be considered or classified as non-standard if the parcel to be served is not adjacent to a public right-of-way, and a permanent right of access with overlapping utility easement is provided for the on-site (private) lateral. The applicant will be required to provide an easement for the onsite (private lateral) from the owner of the property upon which the applicant's private lateral will cross to complete the service connection.

59. Offsite Main

"Offsite Main" shall mean a main, regardless of size, which extends from the existing system to a development and generally remains outside the development boundaries.

60. Onsite Main

"Onsite Main" shall mean those public mains, which are installed specifically to provide service to developments, and generally located within the development's boundaries.

61. Onsite Non-Potable Water Distribution Pipelines

"Onsite Non-Potable Water Distribution Pipelines" shall mean that portion of the non-potable water distribution pipeline, sited on the User's property located downstream of the point of delivery. Ownership, maintenance, and repair will be the responsibility of non-potable user.

62. Ornamental Water Features

"Ornamental Water Feature" shall mean any manmade stream, fountain, waterfall, or other manmade water feature that contains water that flows or is sprayed into the air, constructed for decorative, scenic or landscape purposes, excluding swimming pools, manmade lakes, and manmade recreational water theme parks.

63. Overseeding

"Overseeding" shall mean the process of spreading seed over an Existing Landscape for the purposes of increasing vegetation, typically turf grass.

64. Oversized Main Extension

"Oversized Main Extension" shall mean a main larger in diameter than the minimum diameter necessary to provide a supply to a proposed development, which will be capable of meeting future demands on the District's distribution system. The District may increase the length of main extension beyond that required to serve a particular development, in order to provide for the orderly development of the District's distribution system, improve water quality and/or improve system reliability.

65. Parallel Main

"Parallel Main" shall mean a distribution main extension installed adjacent to a previously existing distribution main or transmission main. Where used, frontage connection charges and refunds will be based on the main providing the direct connection for service.

66. Parcel Map

"Parcel Map" shall be as defined in Nevada Revised Statutes, Section 278.461.

67. Person

"Person" shall mean any individual, firm, association, organization, partnership, trust, company, corporation or entity, and any municipal, political, or governmental corporation, district, body or agency other than the District.

68. Point of Delivery

"Point of Delivery" shall mean the location on User's property, immediately downstream of the District's meter and control valve vault, and test port at the boundary of the permanent easement granted by the non-potable water User.

69. Potable Water

"Potable Water" shall mean water that is treated pursuant to the Safe Drinking Water Act.

70. Primary Building Permit(s)

"Primary Building Permit(s)" shall mean the permit(s) issued by either the City of Las Vegas or Clark County for a structure including but not limited to the foundation, shell, and other related building components.

71. Private Fire Service

"Private Fire Service" shall mean a service connection through which water is available on private property for fire protection exclusively. Private fire service shall be equipped with a District approved double check detector assembly.

72. Private Main

"Private Main" shall mean a water pipeline and appurtenances not owned by the District after completion.

73. Property

"Property" shall mean any real property owned, leased, rented, or otherwise controlled, utilized, or inhabited by any person, including any corporation or partnership of any form holding a water account with the District.

74. Property Owner

"Property Owner" shall mean the owner of record of a property, which is or will be receiving water service from the District

75. Public Health and Welfare

"Public Health and Welfare" shall mean any activity where the use of water is the most appropriate and practical method to abate a health or safety hazard, or where the use of water is required to reasonably meet the provisions of federal, state, or local law, or where a project approved by the General Manager is planned, or underway.

76. Public Main or Main

"Public Main" or "Main" shall mean a water pipeline and appurtenances which is owned, operated and maintained by the District after completion and acceptance.

77. Recycled Water Distribution System (RWDS)

"Recycled Water Distribution System (RWDS)" shall mean the pumping stations, pipelines, control systems, and related facilities and appurtenant equipment, which conveys or aids in the efficient conveyance of non-potable water from the designated water resource center.

78. Removed Service

"Removed Service" shall mean a service connection documented based on actual field conditions that the service lateral no longer exists. The service is classified as removed in District records. If field conditions later indicate that a service classified as removed was actually abandoned, the service shall be classified as abandoned in District records. See "Abandoned Service".

79. Reservoir Level Sensing Device

"Reservoir Level Sensing Device" shall mean the equipment owned, controlled, and maintained by the District which will be used to monitor and maintain the level of water in User's irrigation storage pond and for transmission of that information to the District's main control center and/or to the control valve in the meter and control valve vault.

80. Residential Car Washing

"Residential Car Washing" shall mean washing personal vehicles with leak free hose equipped with a positive shut-off nozzle.

81. Residential Fire Service Meter (RFS)

"Residential Fire Service Meter" (RFS) shall mean the District approved measuring device, installed for, but owned by the District, which is used for the purpose of accurately recording the consumption of water used by customers, and that supports domestic water and fire suppression supply.

82. Residential Main Extension

"Residential Main Extension" (RME) shall mean the water main and its appurtenances installed by the District to supply water to an individual applicant property zoned single family residential, either as a supplement to the SNWA Well Conversion Program, or for an individual improved lot within a community well system that requests District water service. Such main shall be installed at a cost to the single-family property owner in accordance with the District's Service Rules.

83. SNWA

"SNWA" shall mean the Southern Nevada Water Authority.

84. Service Adjustment

"Service Adjustment" shall mean the adjustment of an existing service connection to include the horizontal and/or vertical extension and/or adjustment of the meter and meter box, while using the existing lateral or lateral alignment and tap, while maintaining the existing account. This adjustment will not require the payment of inspection fee(s), unless as otherwise provided for in the Service Rules.

85. Service Connection

"Service Connection" shall mean the connection to the main and the lateral pipe to deliver the water, and may also include, but not be limited to, a meter, or battery thereof, a meter box or vault, valves, thrust restraints, and other appurtenances from a District main, to the point where the water being delivered leaves the piping owned by the District in accordance with UDACS for new service installation.

86. Service Deposit

"Service Deposit" shall mean an amount deposited with the District to assure payment of water bills. The deposit may be in cash or another form of security acceptable to the District.

87. Service Relocation

"Service Relocation" shall mean a change in location that will require tapping the existing main or a new water main at a new location, installing a new service lateral, establishing a new account, and removing an existing account. This service will require the payment of appropriate application fees, inspection fees, and/or other charges.

88. Spacer

"Spacer" shall mean a length of perforated pipe temporarily installed in lieu of a meter or idler while facilities are under construction.

89. Spray Irrigation

"Spray Irrigation" shall mean the application of water by projecting droplets farther than one foot from the sprinkler head.

90. Subdivision

"Subdivision" shall, for the purposes of these Rules, meet all provisions of Nevada Revised Statutes, Chapter 278 and shall be as defined in Section 278.320.

91. Sub-meter

"Sub-meter" shall mean a meter that is used for the purpose of accurately recording the consumption of water used by customers served by a master meter.

92. Supervised Testing

"Supervised Testing" shall mean supervised operation of an irrigation system for testing, repair, adjustment, or efficiency assessment. The operator must be physically present.

93. Supplemental Service Connection

"Supplemental Service Connection" shall mean a service connection or connections to property, which is also served by another source of supply, such as a well or non-potable system. A supplemental service connection shall include an approved backflow prevention assembly.

94. Syringing

"Syringing" shall mean the process of applying small amounts of water to turf grass for the purposes of cooling it and helping it survive mid-day stress.

95. Tampering

"Tampering" shall mean acts by persons which cause damage to, or alteration of, District property including, but not limited to, service connections, shut off valves, hydrants, mains, meters, registers, AMR equipment, and service locks, or seals by any willful or negligent act. Such persons shall be responsible for payment of costs incurred and any and all penalties prescribed by these Service Rules and by law.

96. Temporary Riser

"Temporary Riser" shall mean a service connection of a minimum of six (6) inches attached to a blow off valve.

97. Temporary Service Connection

"Temporary Service Connection" shall mean a District-authorized service connection installed at a location not adjacent to the parcel served, i.e. a non-standard location, and which is subject to removal or relocation at such time as a main is constructed contiguous to the parcel.

98. Transmission Main

"Transmission Main" shall mean a main extension that transports water from the main supply or source to a distant area where the water is distributed through distribution lines. A Transmission Main is usually a larger diameter main (greater than 24") with limited connections that ensure system reliability as well as recognize the nature of the materials used to construct large diameter pipelines.

99. Turf

"Turf" shall mean a densely planted grassy area characterized by frequent mowing and fertilization and/or watering, commonly used for lawns and playing fields. Plant species used in turf areas may include, but are not limited to, varieties of Bermuda Grass, Fescue, Zoysia, Rye, St. Augustine, or Bentgrass.

100. Uniform Design and Construction Standards for Potable Water Systems (UDACS)

"Uniform Design and Construction Standards for Potable Water Systems (UDACS)" shall mean the minimum design and construction criteria for water distribution systems within the jurisdiction of the District.

101. Unusual Installation Conditions

"Unusual Installation Conditions" shall mean circumstances that include, but are not limited to, the length of the lateral, the type of pavement, anticipated soil or other underground conditions, and the width or travel conditions of the roadway or right-of-way and also those imposed as a result of governmental or property owner actions.

102. Valved Outlet

"Valved Outlet" shall mean a valve installed on a main to which a distribution main could be connected.

103. Water Budgeted Facility

"Water Budgeted Facility" shall mean a facility that is assigned water budgeting provisions by the District in accordance with Section 12.

104. Water Commitment

"Water Commitment" shall mean a commitment from the District to provide water service to a specific development on a specific parcel of land.

105. Water Conservation

"Water Conservation" shall mean the controlled and systematic protection of water resources.

106. Water District

"Water District" shall mean Las Vegas Valley Water District.

107. Water Facilities

"Water Facilities" shall mean, but not be limited to, water mains, fire hydrants and laterals, service connections, backflow prevention assemblies and appurtenances, from the main to the point where water being delivered leaves the piping owned by the District.

108. Water Resource Center

"Water Resource Center" shall mean a satellite treatment facility that treats only the liquid portion of the wastewater stream as provided by other entities.

109. Water Waste

"Water Waste" shall mean the use of District water in a manner described in Section 12.

SECTION 1 - WATER COMMITMENT

Before a new water service connection is authorized for installation, on-site addition or on-site expansion to an existing service, a water commitment must be obtained from the District. This section identifies the process for obtaining a new water commitment. The water commitment process, outlined in this Section, requires the developer or End User to proceed at their own risk, with no assurances or guarantees that a water commitment will be made, until all steps in the applicable water commitment process are complete. Compliance with these Rules does not create a right to water service in favor of any developer or builder unless water is available.

Notwithstanding any provision in these Service Rules, payment of fee, or construction of water facilities at a developer or District's expense, the District may deny any request for a water commitment or request for a water connection if the District has an inadequate supply of water, or there are physical limitations in the system capacity to serve the proposed customer and simultaneously maintain an adequate level of service to other customers, or if public health, welfare, or safety will be compromised.

1.1 Applicability

a. New Domestic Service Connections

All applications for new domestic service connections must have a water commitment before the District will provide water service.

b. Expansions or Additions

Any expansion or addition of buildings or structures on any parcel presently served by the District, which will add more than 24 fixture units or equivalent will require a water commitment from the District for the increased use of water. Expansions or additions to single family residences are excluded from this requirement.

c. Increase in Meter Size for an Existing Service Connection

A new water commitment will be required for any existing service connection (except single family residential service connections) requiring an increase in meter size and additional water use before the District will provide the additional capacity.

1.2 Water Commitment Process

Recordation of a parcel map, land division map or other map does not provide a water commitment unless the required steps outlined in this section have been completed.

A water commitment will be issued according to the following process:

a. Development Approval

A new water commitment, except those provided for in Sections 1.3, 1.4, 1.5 and 1.6, will require development approval from the City of Las Vegas or Clark County. The District will process development approvals on a first come, first

served basis as the requirements of the water commitment process listed below are fulfilled as long as water is available to commit pursuant to these Rules.

b. Mapping Process - Water Commitments for all New Subdivisions, New Parcel Maps and New Land Divisions will be made upon completion of all of the following items:

1. Subdivision, parcel map, or land division map approval is obtained pursuant to Chapter 278 of Nevada Revised Statutes plus any other approval required from the City of Las Vegas or Clark County.
2. A minimum financial commitment to the project equal to \$5,000 per acre-foot of projected water use has been reached. The financial commitment must be in the form of constructed improvements, bonds, other acceptable surety, or a combination thereof. The bonds or other acceptable surety must be certified to the District by the City of Las Vegas or Clark County.

The following new improvements will be considered for satisfaction of financial commitments:

- Streets, roadways, water lines, drainage facilities, traffic improvements, sewers
- Construction of local and regional improvements
- Site grading
- Foundation or vertical construction of buildings
- Construction and dedication of recreational or community amenities
- Any other District approved physical improvements

The following improvements **will not** be considered for satisfaction of financial commitments:

- Land acquisition
- Legal fees or representations
- Water, sewer or utility connection fees
- Building or other permit fees
- Dedication of right-of-ways or easements
- Engineering, architectural, surveying or other professional fees

3. Development approval by the City of Las Vegas or Clark County.
4. All fees, charges and deposits required by the District are paid, all District agreements are executed, and appropriate water plan approval is obtained from the District.
5. Final subdivision map, parcel map, or land division map with commitment certified by the District is recorded after completion of Items 1 through 4 above.

Water will be committed through the above process as follows:

- Single-family residential subdivision lots/units (including associated common areas), single-family residential parcel map lots, and single-family residential land division lots will receive a water commitment for the intended use unless specifically stated otherwise on the map.
 - Non single-family residential subdivision lots, multi-family residential parcel map lots, and multi-family residential land division lots will receive a water commitment limited to one (1) acre-foot per lot, or one (1) acre-foot per acre, whichever is less. If additional water commitment is required to complete a project, the process in effect at the time will be followed (presently Section 1.2.c below).
 - Non-residential lots in a parcel map or land division will not receive a water commitment through the mapping process. They will obtain a commitment through the process identified in Section 1.2.c below or the process in effect at that time.
- c. Permit Process - Water Commitments for All Projects Other than New Subdivisions, New Parcel Maps, and New Land Divisions

To obtain a water commitment pertaining to this section, the applicant must first obtain a conditional water commitment. A conditional water commitment may be obtained when all of the following conditions are met:

1. Primary building permit(s) and plans for off-site improvements are approved by all required agencies.
2. All off-site improvements are constructed, or bonds or other acceptable surety are posted as required by the City of Las Vegas, Clark County, or the District.
3. Development approval by the City of Las Vegas or Clark County.
4. All fees, charges, and deposits required by the District are paid, all District agreements are executed, and water plan approval is obtained from the District. Fees may not be paid until 1.2(c) (1) – (3) are completed.

Once the requirements listed above (1-4) are met, a conditional commitment is issued by the District. The conditional commitment is tied to the primary building permit(s). If the primary building permit(s) expire, the conditional water commitment terminates at once.

The conditional water commitment will become a final water commitment after the water facilities are constructed by the applicant and accepted by the District, and the certificate of occupancy or certificate of completion is issued by the City of Las Vegas or Clark County.

If development approval is given by the City of Las Vegas or Clark County to a project which does not require a building permit to be issued in order for the project to be constructed, a conditional commitment may be issued based on offsite improvement plan approval, or other beginning action such as a Notice to Proceed issued by a public entity. The conditional water commitment will become a final commitment when all construction is accepted as complete by all approving public entities.

1.3 Non-Revocable Groundwater Rights

A person owning a permanent, non-revocable water right for diversions from the Las Vegas Groundwater Basin who donates and transfers the water rights to the District and pays all applicable fees and charges and meets all other requirements of the District, may obtain a commitment from the District in an amount equal to the pumpage permitted to the District by the State Engineer, but not to exceed the amount of water right donated. The water commitment shall only become effective 31 days following the date the State Engineer approves the applications to change.

1.4 Domestic Wells

A building or structure which currently receives water via a domestic well may be permitted to obtain a water commitment from the District for the building or structure provided the existing well is abandoned in accordance with the requirements of the State Engineer. Development approval must be obtained if the domestic well is not required to be abandoned by the State Engineer.

1.5 Revocable Groundwater Rights

A building or structure which currently receives water via a revocable groundwater right and is required to connect to a municipal water purveyor because their rights to use groundwater are revoked by the State Engineer may be permitted to obtain a water commitment from the District for the building or structure provided the existing well is abandoned in accordance with the requirements of the State Engineer. Development approval must be obtained if the groundwater right is not revoked in writing by the State Engineer.

1.6 Water Rights to SNWA for Use by District

Any person can obtain a water commitment without compliance with Section 1.2 of these Rules if they provide water rights to the SNWA, a percentage of which is for use by the District. The SNWA and the District shall have the sole authority to evaluate the proposed acceptance of water rights and based upon water quality, quantity, assured

availability, location, deliverability, and legal considerations shall determine if the offered water rights may be used to obtain a water commitment under this process. If acceptable to both the SNWA and the District, the District may enter into a contractual arrangement with the potential future customer who provides water rights to provide for a present or future water commitment.

A water commitment provided under this provision only exempts the provider or future customer from the commitment process under Section 1.2 of these Rules. The potential future customer with this type of a water commitment must, prior to receiving water service, comply with all other aspects of the District's Service Rules then in effect including connection charges, frontage fee(s) and other payments.

1.7 Emergency Service Connection

The District may provide a water commitment to convert an emergency service connection as defined in Section 6 of these Rules to a permanent service connection.

1.8 Public Entity Acquisition

A person owning a parcel which is served by the District that is acquired by a public entity via purchase or condemnation, is entitled to a new water commitment to re-establish a personal residence or business similar to that existing on the acquired parcel, provided also that the person or acquiring entity submits a service connection removal request to the District for the acquired parcel. No additional water commitment or water capacity will be gained by this action should a water commitment already exist for the new parcel.

1.9 Water Commitment Limitations

Water commitments cannot be traded, sold, or transferred.

1.10 Commitment Documentation

It is the applicant's responsibility to provide proof to the District of a water commitment or development approval when required.

1.11 Unauthorized Expansion/Addition

In the event an increase in water consumption occurs due to an unauthorized expansion or addition to a property as identified in Section 1.1.b, the District may terminate service to the property in accordance with Section 5 of these Rules.

1.12 Water Plan Review

The District may review water plans for new development without development approval from the City of Las Vegas or Clark County or a water commitment, however such review does not in itself give any additional consideration toward a water commitment, or any property right in water, to said new development or any other project.

1.13 Projected Water Usage

The projected water usage for any and all projects is determined solely and exclusively by the District including consideration of the density and uses of land permitted in the zoning district.

1.14 Removed Service Connection

Once a service connection is requested to be removed, a water commitment to the parcel via the removed service connection is automatically canceled.

1.15 Reversionary, Merger, and Resubdivision Maps

If a subdivision, parcel map or land division map, or any portion thereof reverts to acreage or is merged and resubdivided, the water commitment is automatically terminated for that portion of the property which has so reverted, merged, or resubdivided. The retention or disposition of any water facilities constructed to serve said development shall be at the District's sole discretion.

SECTION 2 - 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. However, pressure will vary throughout the distribution system.

The District will also act to conserve water resources in a manner that reflects the goal of achieving and maintaining a sustainable community within the desert environment of Southern Nevada.

The District may reject, rescind, reduce, or terminate current or proposed uses of water where such use:

- a. Is contrary to the District's obligation to assure reasonable use including, but not limited to compliance with rules for water efficiency, drought, conservation, and the use of non-potable water for irrigation.
- b. May encumber or impair the District's ability to maintain an adequate level of service to other customers.
- c. Compromises public health, welfare, or safety due to circumstances that limit the available water supply to the District.

The conservation of ground and surface waters is an integral component of the District's long-range water resource plan. The District, through its Rules, policies, and procedures makes a consistent effort to maximize the resources of the Colorado River and groundwater basins. The District is required under various statutes and federal codes to provide for beneficial use and avert the waste of water. The District will continue to use rates, education, regulation, and incentives to develop programs to reduce the waste of water and improve the efficiency of its use. Further, the District may conserve potable water by providing customers with non-potable water resources, when available, for use in an efficient, effective manner.

2.1 Water Pressure

Property owners and/or customers are responsible for installation and maintenance of privately owned pressure regulators, or other devices as required. In accordance with the Uniform Plumbing Code, individual pressure reducing valves are required to be installed and maintained by the owner whenever static water pressure exceeds 80 psi.

Prior to District service being provided in areas known to fluctuate above or below acceptable operating limits, the customer may be required to give written acknowledgment and acceptance of the high or low pressure conditions.

The District may adjust pressures as the need arises.

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 or when notification is not practical, service may be interrupted without warning for indefinite periods of time.

2.3 Parcel Location Adjacent to a Main

New applications for service will only be accepted if a minimum of twenty feet of useable main which meets the District's pressure, flow, and capacity standards is located adjacent to the parcel to be served. Said main must be within a dedicated right-of-way or easement grant to the District. Where these conditions are not met, an application for service will require a main extension.

2.4 Parcel Not Adjacent to a Main

In order to obtain service to a parcel not immediately adjacent to a main as required by Subsection 2.3 above, the applicant will be required to provide a main extension in accordance with the requirements of Section 10, or the applicant may make application for a non-standard service if the property meets the requirements of Section 6.

2.5 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. Customers who request activation of a service shall be responsible for damage resulting from such activation due to open or faulty piping and/or fixtures on the customer's property. The District may, at its discretion, opt to return the water service to a shut off condition if there is indication of water running on the customer's property at the time of service activation. When this occurs, the District will endeavor to leave a notice of explanation for the customer. In the event of request for same day service activation, the \$15 fee will remain applicable.

2.6 Access to District Facilities

Parcel owners who permit landscaping, fencing, structures, or other fixed or movable obstructions to block, prevent, hamper, or restrict free and easy access to the District's facilities for work of any nature, including meter reading, shall be liable for costs incurred in removing such items. The District will mail either a fourteen (14) or a sixty (60) calendar day notice by certified mail, return receipt requested to the mailing address on file with the County of Clark's Ex-Officio Tax Receiver in order that the property owner may correct the condition. If the property owner fails to remove the moveable obstruction in fourteen (14) days or the fixed obstruction within the 60-day period, the District may complete the work at the sole cost of the property owner. However, in the event of an emergency, the District has the right to cause the obstruction to be removed without notice to the property owner and all related costs are the property owner's responsibility. At the property owner's option, subject to District's prior approval, the District's facilities may be relocated by a Nevada Licensed Contractor of the property owner's choice at the sole expense of said property owner but subject to the standards and procedures of the District; or the property owner may make application for relocation by the District and at that time pay a deposit towards the actual total cost to be borne by said property owner.

Failure of the property owner to comply shall be just cause for terminating water service to the subject property.

2.7 Efficient Water Use

Any person(s) or association(s) is prohibited from imposing private covenants, conditions, restrictions, deed clauses or other agreements between the parties, which prevents person(s) from utilizing water efficient landscaping including, but not limited to, xeriscape, in the conservation of water.

As a condition of service, customers of the District must use water delivered through the District's system in a manner that promotes efficiency and avoids waste.

2.8 Customers' Premises

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

2.9 Use of Non-Potable Water for Irrigation

It is the purpose and intent of the District to require all large-scale turf and landscape irrigators and appropriate non-residential users to use non-potable water when and where it is made available by the District. Irrigation plans may be evaluated as they are submitted subject to District goals, operational requirements, Service Rules, and criteria for conservation, public health, safety, and welfare, and accessibility and availability of service. The use of non-potable water for irrigation encourages conservation and allows the valuable and limited natural resources of potable water to be freed for other, higher uses. As the population in the Las Vegas Valley continues to increase, it will become increasingly important that large-scale turf and landscape irrigators make use of non-potable water.

The rate for non-potable water charged to the customers will be designed to recover all costs to make non-potable water available to the customers, including capital expenditures, treatment, cost paid to other entities for non-potable or recycled water, operations, capital replacement and any augmentation of supply or resource to meet demand. The sale of non-potable water will not be used to subsidize or otherwise support the District's system for the delivery of potable water.

The General Manager has the authority to sign any Agreement on behalf of the District for the provision of non-potable water to any entity if the Agreement in question is in a form substantively the same as any form of agreement for provision of non-potable water that has been approved by the Board.

All other sections of these rules concerning billing, collections, disconnection, construction, installation, inspections, and approval shall also apply to non-potable water.

SECTION 3 - BILLING CLASSES OF POTABLE SERVICE

All potable service connection types shall be classified as domestic, private fire, combined, construction, and/or supplemental for billing purposes.

3.1 Domestic Service

Includes all service connections through which water is delivered for all purposes permissible under the law except private fire service and construction service.

3.2 Private Fire Service

Includes all service connections through which water is delivered to private property for fire protection exclusively.

3.3 Combined Service

Includes all service connections through which water is delivered for domestic use and for onsite private fire protection.

3.4 Construction Service

- a. Includes permanent or non-permanent connections for delivery of water for use during the construction of new development, additions to existing improvements, sand and gravel operations, and other construction uses, such as grading and compaction, paving, and dust control.
- b. Construction services may not be used to avoid installation of a permanent water service connection for permanent irrigation, long-term dust suppression, or domestic service, or private fire service.

Water from construction sites is prohibited from flowing continuously into public streets, roadways and sidewalks.

3.5 Supplemental Service

Includes all domestic or combined connections from which water is delivered for domestic purposes to properties that are also provided water from any other source. This section shall not apply to residential properties that are served by a domestic well, as identified in NRS 534.

SECTION 4 - REQUEST FOR SERVICE

There are two (2) categories of requests for service:

1. Request for service through an existing service connection.
2. Application for a new service connection.

The District will require any person requesting service to demonstrate that a water commitment exists, to sign appropriate application forms provided by the District, and to pay all required fees, charges and deposits.

The District provides service in accordance with these Rules in certain areas of unincorporated Clark County and in the City of Las Vegas. Service is not provided in the cities of North Las Vegas, Henderson, and Boulder City or service area of any other public water system unless an interlocal agreement authorizing the service is entered into between the entity in whose territory or service area the property is located and the District accounts for the water use and provides for other matters as set forth in the agreement between the entity and the District.

Notwithstanding any provision in these Service Rules, payment of fee, or construction of water facilities at a developer or District's expense, the District may deny any request for a water commitment or request for a water connection if the District has an inadequate amount of water, or there are physical limitations in the system capacity to serve the proposed customer and simultaneously maintain an adequate level of service to customers, or compromises public health and safety.

4.1 Existing Service Connection

Customers requesting service through existing service connections must provide information as required by the District. Such information shall include, but not be limited to, full name and valid identification information in conformance with Nevada Revised Statutes (as amended). Any other person or party requesting to share financial responsibility (and/or account credit history if a spouse or co-owner) for an account must also provide their full name and valid identification information in conformance with Nevada Revised Statutes (as amended). The customer shall provide any other information, which will assist the District in properly locating the service connection, including a description of the development, documentation of installation approval, the use of water and plumbing plans of the private facilities if required.

Any costs incurred by the District to bring a service connection to District standards are the responsibility of the property owner. Physical evidence of a service, including the installation of an approved backflow prevention assembly, if required, adjacent to property does not necessarily mean the service is available for use without additional fees or charges.

The District may permit persons to conduct business with the District, including requests for water service turn-on and shut-off, over the telephone provided that the person has established credit with the District, is the property owner, or is indicated in District records as authorized by the customer to transact business on their behalf. The District may also permit persons to conduct business with the District, including requests for water service turn on and shut off, via facsimile transmission or through other electronic transmittal methods.

4.2 New Service Connection

A service connection shall be made to a main only after evidence of a water commitment is presented to the District and a proper application has been made by the property owner or his legally designated representative on forms provided by the District, and the application is acceptable to the District. The application for a new service connection must conform to the requirements listed in Sections 1, 6, and 10 of these Rules.

4.3 Relocation of Service Connection

A service connection may be relocated on an existing parcel, however it may not be moved to a new parcel. The construction of a service connection relocation is subject to the requirements of these Rules.

4.4 Inaccurate/Insufficient Information

In the event information provided by the applicant is found to be inaccurate or insufficient after work has commenced or service has been turned on, the applicant will pay any and all costs and/or fees, charges and deposits necessary to effect corrective action and service rule compliance. The above will also apply in instances of onsite changes necessitating corrective action or modification to the service connection.

4.5 Refusal of Service

Service through existing or new service connections may be refused if:

- a. There is no water commitment to the parcel.
- b. The account of the applicant at the same or other location is delinquent.
- c. The purpose of the applicant, in the opinion of the District, is to circumvent discontinuance of service in another name because of non-payment of bills or other infraction of these Rules.
- d. Other requirements of these Rules are not fulfilled.

4.6 Reapplication for Disconnected Service

The customer shall be required to pay all past due charges and costs before service shall be reinstated, including, but not limited to, disconnection and reconnection charges, delinquent processing fee, returned check fee, deposits due, service charge, and consumption fees unpaid. The District may, at its option, require payment of additional deposits before service is reconnected.

It shall be the responsibility of the customer to inform the cashier that the service has been disconnected for "delinquent status" and that reconnection is desired.

In the event a service is disconnected for illegal or unauthorized use or connection, the property owner will be responsible for reestablishing service and shall be required to pay all applicable fees, charges and deposits.

4.7 Deserted Service Connection

Applicants who apply for activation of a service that has been classified in District records as deserted will be required to make application for a new service connection. The water commitment for the service shall not expire, but the property owner is required to pay all installation charges, including the application fee and inspection fee (for services installed by a private contractor), to replace the service. In the event a property owner or applicant, at his expense, can locate a service classified as deserted, the service must be brought to District standards at the applicant's expense, and an application fee paid, before it is reactivated.

SECTION 5 - 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 water service shall not relieve the customer of responsibility for payment of any existing billings, or any charges prior to notifying the District.

5.2 Cause

Service may be terminated for any of the following causes which include, but are not limited to:

- a. Non-payment of bills or any other outstanding charges, fees or deposits;
- b. Non-compliance with these Service Rules;
- c. Inter-connection;
- d. Actual or potential cross-connection;
- e. Illegal connection;
- f. Waste of water;
- g. Damage to property;
- h. Obstructing access to District facilities;
- i. Tampering with meters, seals, or equipment;

5.3 Notice of Termination

- a. The District shall endeavor to notify the customer prior to terminating or discontinuing a service. In the event the service termination may result in a financial impact to the owner to reestablish service, the District will endeavor to also notify the property owner prior to the service termination or disconnection.
- b. The District, however, reserves the right to terminate or discontinue a service without notice for tampering, or if continuing the service represents a health hazard, or will result in property damage.

5.4 Bankruptcy Actions

In bankruptcy proceedings, the District will make demand for adequate assurance of payment as authorized pursuant to Chapter 11 of the United States Code Section 366.

SECTION 6 - SERVICE CONNECTIONS

6.1 General Provisions and Conditions

It is the intention of these Rules that all water delivered through a service connection will be metered and billed. The use of idlers and spacers to deliver water is prohibited. Connection charges and payment for all water used from the time of initial service installation shall be the responsibility of the applicant. In addition, the installation of a backflow prevention assembly may be required.

The District reserves the right to determine the size and type of the service connection to be installed. The minimum lateral size shall be 1". For new service connections 1" and greater, the lateral pipe shall be the same size as the meter. 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 application for service and a main extension will provide for those requirements, provisions of these Rules applying to main extensions will be followed.

Whenever two (2) 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.

Plans acceptable to the District are required for all service connections except individual residential service connections under two (2) inches in diameter that are installed by the District. Water plans shall be prepared by a Nevada Registered Professional Engineer for review by the District for conformance to District standards, as stipulated in Section 10 "Installation of Water Facilities". However the review is not an indication that a property right in water is or will be granted, nor shall evidence of review be construed as a preference for obtaining a water commitment. It is the applicant's responsibility to obtain development approval along with other water commitment requirements specified in these Rules.

The District will make application for permit(s) for all work to be performed by the District and for water facilities installed by a private contractor which are located within the Nevada Department of Transportation right-of-way. Any fees or charges associated with such application will be borne by the applicant. Should such permit not be issued to the District, the applicant shall be so notified in writing. The applicant may then make application for such permit to the entity having jurisdiction or may request the return of all fees, charges, and deposits paid. If the applicant chooses the latter option, the District shall not be required to provide service. If the applicant is unable to obtain the required permit, the District has no obligation to provide service and shall return all fees, charges, and deposits paid, except for application fees.

6.2 Location

Service connections shall be installed at nominal right angles to a main in accordance with District Standard Plates. The point of connection shall not be within a street intersection from curb return to curb return, nor shall any portion of the service

connection be within the intersection. The meter location shall be directly adjacent to the parcel being served within the public right-of-way. In the event street right-of-way is not available, the District may approve installation within an easement or alley adjacent to or on the parcel to be served. In alleys or easements, meters shall be located at a point as close as practicable to the property line within which the main is located. All meters shall be located outside of driveways and other areas where access by District personnel for operation and maintenance may be restricted. The meter vault shall be located outside of travel lanes and driveways and shall be protected from vehicular traffic, as determined by the District. If the applicant feels extraordinary conditions exist that would prevent compliance with this requirement, he may submit to the District a written request for a waiver of this requirement at the time the water plan is submitted for review.

6.3 Composition

Specifications for materials, appurtenances, and construction techniques for service connections are determined and approved solely by the District.

6.4 Ownership

Service connections, including laterals, meters, boxes, shut-off valves, backflow assemblies, and other appurtenances, shall be and remain the property of the District. Upon acceptance of the installation by the District, the District shall 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 or backflow prevention assembly, or all facilities within the customer's property shall be installed by and owned and maintained by the property owner. Any entry into, or work, including but not limited to operation, maintenance, repair, or relocation of District property by any unauthorized person is expressly prohibited.

6.5 Installation of Service Connection

The property owner shall be responsible for payment to the District of all applicable fees, charges and deposits in effect at the time the application is made. Service connections may be installed by the District. Service connections installed by the applicant shall comply with the requirements of these Rules.

In instances of well abandonment and municipal service connections within the Las Vegas Hydrographic Basin, the District may accept alternate arrangements for payment of all or any portion of the applicable fees, charges, and deposits in effect at the time the application is made, and all appropriate agreements are properly executed by the property owner through the Las Vegas Valley Groundwater Management Program.

6.6 Service Connection Types

In addition to the installation requirements for a standard service connection, the following shall apply:

a. Emergency Service Connection

Emergency service shall be authorized for limited periods of time when the usual source of supply fails. Connections may be provided, at the discretion of the District, to a fire hydrant or any acceptable District facility and shall conform with requirements of these Rules. The applicant shall pay all installation costs and applicable fees, charges and deposits and shall make application for a main extension in accordance with Section 10 if applicable.

All emergency services shall conform with requirements of these Rules and shall be limited to a maximum of sixty (60) calendar days. Should the need for the emergency service extends beyond sixty (60) calendar days, the applicant shall apply to the District for a time extension. The emergency service may be extended by the General Manager until such time as the application can be brought to a regularly scheduled meeting of the Board.

In the event that the emergency service will provide water to multiple users, a deposit shall be submitted that shall include an amount for an estimated thirty calendar 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.

6.7 Non-Standard Service Connection

A non-standard service may be approved when the District determines that a main extension will not be necessary for orderly development of the system, fire protection, service to other property, or other reasons. Onsite piping from the meter to the property served shall not be located within a public thoroughfare.

A copy of the recorded easement for the onsite piping shall be provided to the District. Only the property owner, or duly authorized designee, may execute a non-standard service connection agreement with the District.

6.8 Meter Maintenance

District water meters are routinely serviced and maintained during normal business hours. This procedure may cause a total shut down of the services located on a site. Customers can avoid this interruption in service by providing redundant services, or a bypass valve and piping for services four inches (4") and larger, per District standards.

6.9 Temporary Service Connection

A temporary service may be authorized by the District when the applicant provides a guarantee for the construction of any required main extensions and a standard service connection to the parcel. The applicant is required to pay applicable fees, charges and deposits in accordance with the provisions of these Rules.

6.10 Metering Requirements for New Developments

- a. It is the intent of the District to separately meter all services for each dwelling unit, public, quasi-public, commercial, and/or industrial occupancy. Inter-connection(s) are not allowed which include, but are not limited to, expansion of on-site systems to serve adjacent parcels. However, the District retains the right to determine the quality, quantity, type, size and location of all such metered services and appurtenances.
- b. Each lot or parcel shall have a minimum of one (1) metered service. If, in the opinion of the District, a single meter for all service is the most practical installation given the conditions of the site, one (1) meter to serve the entire development may be allowed.
- c. In the event a parcel is divided into more than one (1) lot after water service is obtained from the District, it is the property owner's responsibility to obtain additional water services for the additional lots from the District prior to the parcel division. Inter-connection(s) which include, but are not limited to, the expansion of on-site systems to serve adjacent parcels, are not allowed.

Commercial developments created through the subdivision or parcel map process, with CC&R's, which include property management payment of communal services, may be exempted from this requirement provided adequate documentation is provided to support this arrangement. The District will not prorate water bills between customers.

- d. Water service for mobile home parks will be as required by NRS 461A.230.

Individual meters and services will be required for each lot in mobile home parks constructed after October 1, 1995, unless the park is operated by a non-profit corporation or housing authority. Mobile home parks constructed on or before October 1, 1995 may be expanded utilizing the existing master meter(s), provided the expansion can be accommodated with the existing water capacity.

6.11 Metering Requirements for Conversion of Developments

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 service without modification except when such service is required to be modified in the interest of the public health, safety and welfare. The District may authorize the retention of the existing metered services, with or without modifications, for cause.

6.12 Cross-Connection Control (Backflow Prevention)

The District's Cross-Connection Control (Backflow Prevention) program for service protection is conducted pursuant to Nevada Administrative Code (NAC) 445A.67185-67255, as amended.

All backflow prevention assemblies for service protection are tested and maintained by the District in accordance with NAC 445A.67185.

The District may require access to properties of customers currently receiving water service to conduct a cross-connection control survey pursuant to NAC 445A.67185. The purpose of this survey is to establish the extent of protection required for the District's water system based on an evaluation of how a customer uses water on a site. Examples of on-site uses requiring protection include, but are not limited to, laundries, businesses that mix and process chemicals and water, potable and/or non-potable irrigation systems, and fire services. Water from a customer's service may, under certain conditions, be drawn into the public water supply through the meter (through a backflow condition such as backsiphonage or backpressure). If there are existing or potential cross-connections with non-potable fluids on a customer's property, the water drawn into the public water supply may be contaminated and therefore compromise the District's supply. The installation of a District approved backflow prevention assembly adjacent to the meter may be required based on the results of the survey and the identification of existing or potential cross-connections within the property. Such installations may also be required pursuant to NAC 445A.67195-6721.

The District may determine that there is the potential for contamination of the District's distribution system from an existing service(s) due to processes on a customer's property. This requirement may be made in the absence of a cross-connection control survey pursuant to the conditions specified in NAC 445A.67195 through 67215 inclusive. At that time, the District may install a backflow prevention assembly at its expense. If a customer requests a larger assembly, the cost of that equipment and installation will be borne by the customer. The customer must provide an easement to the District for this work unless one of approved dimensions already exists.

If the customer objects to the requirement for backflow prevention assembly installation, he shall, at his own expense, obtain a cross-connection control survey from a Certified Cross-Connection Control Specialist. If the survey finds no need for backflow prevention, the requirement by the District shall be deferred at that time. The District may require the customer to obtain, at his own expense, a similar District approved cross-connection control survey not more frequently than annually to validate that the deferral is still appropriate. An approved copy of the results of the survey shall be provided to the District, which will determine the need for an assembly. Failure to provide such a survey shall be cause for the District to require the immediate installation of a backflow prevention assembly as required by NAC 445A.67195 through 67215 inclusive. The customer shall pay all expenses required for this installation.

A District approved backflow prevention assembly adjacent to the meter will be required at applicant's expense for all new services to commercial and industrial facilities, all new fire services, all new potable and/or non-potable irrigation services, all services for parcels with multiple services, for the relocation or upgrade of existing services, or when on-site work occurs to any facility which would otherwise qualify for installation of a backflow prevention assembly pursuant to NAC 445A.67195.

The backflow prevention assembly may be installed by a properly licensed contractor, however, the installation shall be approved, inspected, and the assembly tested to District Standards before the service is activated.

Installations of backflow prevention assemblies larger than 2" by the customer/applicant shall be accomplished in accordance with Section 10 of these Rules. An easement shall be provided to the District for the construction, operation, and maintenance of all backflow assemblies larger than 2".

Backflow prevention assemblies 2" and smaller may be installed by a licensed contractor provided the Property Owner first obtains a permit from the District. A permit for the installation and inspection shall be obtained by the owner/developer for all assemblies 2" and smaller. Failure to provide the District access to the assemblies shall be grounds for termination of water service.

An approved backflow prevention assembly appropriate to the degree of hazard shall be installed at the point of delivery to an existing customer's water system as a prerequisite of continued service:

- a. Whenever entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist or as required by NAC 445A.67195.
- b. Whenever an emergency turn off is necessary, as determined by the degree of hazard.

Customers will be notified by mail when a survey or other action (such as a public works or District project related to existing service removal and relocation, or service adjustment) has revealed that an existing service has been identified as requiring installation of a new or upgraded backflow prevention assembly. The customer shall be required to have the backflow prevention assembly installed in a manner acceptable to the District within 120 days from the date of the notification. If, after the 120 day period elapses should the backflow prevention assembly not be installed, the District shall notify the customer of their failure to meet these requirements. If the customer has not completed the installation of the backflow prevention assembly nor responded to the District 30 days following the notification (150 days elapsed time from initial notification) a second notification shall be made to the customer. If, after 30 days have elapsed (180 days elapsed time from the date of first notification) and the backflow prevention assembly is not installed, the service to the customer's account may be

terminated. The District may elect to install the appropriate assembly at the expense of the customer. Upon completion of installation of the backflow prevention assembly, the District may restore service.

If the customer so requests, the District shall take the necessary actions to have the backflow prevention assembly installed. If a customer qualifies due to a Public Works or District project that requires an existing service removal and relocation, or service adjustment, and the installation of a backflow prevention assembly, it shall be installed at the expense of the District. Any requests for a larger service will result in the customer being charged the full cost of the assembly.

Once a customer requests installation by the District, the 120-day installation period shall be considered as having been satisfied. The District may make arrangements for the installation by a contractor, or may do the installation using District work forces. The application shall be considered to have been received by the District when the customer presents an appropriate application for installation along with a properly executed easement and/or license document and delivers payment in the amount estimated by the District as set forth in Section 7.6 for the installation work. Following completion of the work, the District shall either refund to the customer overpayments or shall invoice the customer for the monies required.

In some locations where physical constraints may preclude the installation of backflow protection on individual services, the District may choose to install a properly sized backflow prevention assembly on a portion of the distribution system to protect other customers in the vicinity. In this situation, the District shall make all arrangements for the backflow prevention assembly installation. At the completion of the installation, the cost of the installation will be prorated to the parcels requiring protection based on the equivalency sizes of the services involved. Those service users will then be billed a monthly service charge equal to the amount charged for a backflow prevention assembly equal in size to their installed service. The District will notify the customer in advance of installation should this situation arise.

6.13 Installation of Hydrants

The District may install a fire hydrant for single-family residentially zoned lots with fire department approval when the owner of the lot applies for domestic service and pays all applicable fees, charges and deposits, which must include the cost of the fire hydrant and installation.

SECTION 7 - CHARGES, FEES AND DEPOSITS

7.1 Charges, fees, and deposits for areas managed or served by the District may be established and approved by the Board of Directors based on actual costs to serve those designated areas.

7.2 Charges for Installing Service Connections

Charges, fees and deposits shall be payable in advance in accordance with the approved rate schedule in effect at the time of water plan approval or at the time the District's water service application form is signed and returned to the District. Any and all required or outstanding bills, charges, fees, and deposits for any service or project must be paid to the District prior to approval of water plans for construction, or prior to commencement of any scheduling or construction activity for services to be installed by the District.

7.3 Connection Charges

a. A connection is defined as a service connection or main extension connected to an existing main. A connection shall not include an emergency service connection, interim/construction water service or temporary service connection. Any connection charges based on a meter size will be based on the smaller (domestic) meter for combined services.

b. "Frontage Connection Charges" shall apply to all connections through which water will be delivered from an existing main to particular parcels of property which are adjacent to the right-of-way or easement wherein that existing main is located. If additional connections will not be required for subsequent phases, the frontage connection charge for projects with multiple phases is due for all remaining phases at the time the initial connection is approved. The applicable frontage connection charges shall be the amount specified in the rate schedule.

Frontage Connection Charges shall not apply to the connection of a property to a particular main if that main was installed as a main extension to serve that property. In the event parallel main(s) exist, the frontage connection charges shall be based on the main providing the direct connection to the service. Conditions for installing a parallel main are contained in Section 10. Frontage Connection Charges shall apply to properties within assessment districts when the connection is made to a main installed after the installation of mains for the assessment district.

Upon application for a connection to a parcel not presently having a connection, frontage connection charges shall apply to the side of the property where the connection is to be made. Upon application for an additional connection to a parcel where the connection is to be made to a side of the property not presently having a connection, frontage connection charges shall apply to that side of the property. Upon applications for connections to more than one (1) side of a parcel presently not having a connection, frontage connection charges shall apply to each side of that property where a connection is to be made.

Relocation of, or additional connections on, the same side of the property where frontage connection charges have been assessed shall be exempt from frontage connection charges. Non-standard service connections shall be assessed the minimum frontage connection charge when the main providing water is not directly adjacent to the property.

If more than one (1) main is available with sufficient pressure and capacity for a connection, the applicant may request a connection to a specific main. The District may elect to require the connection be made to another main. If so, the frontage connection charge shall be the lesser of the charge for the main preferred by the applicant or the main to which the connection was actually made.

- c. "Facilities Connection Charge" shall mean the charge required of all applicants for service to property where a service connection does not exist or where a service is to be enlarged or added. The charge is to be paid based on meter size. This connection charge is an equity buy-in so that all customers have an equal equity position in the District's in-valley facilities.
- d. "Oversizing Charge" shall mean the charge required of all applicants for service to property within the Oversizing Area as identified in Appendix I. The charge is to be paid based on meter size, and the funds collected will be utilized to refund oversized main extension costs within the Oversizing Area. The oversizing charge also applies to enlarged or added service connections, including those connections located within assessment districts.
- e. "Application Fee" shall mean the charge required of all applicants for service to property where a service connection does not exist, where a service is to be enlarged or where a service is added, including those temporary connections and those connections located within an Assessment District. The charge is based on meter size. The charge includes District costs for the initial application, engineering review and water commitment process, water plan approval, and miscellaneous related administrative costs. Fees are established for revisions to the initial application. These fees are non-refundable, and valid for applications submitted for two (2) years from the time of payment. The application fee is required for the reactivation of a service classified as deserted, a temporary service, or an interim service.

Application fees are due for relocations of existing fire hydrants or service connections on the same parcel of land.

The application fee does not apply to adjustments to or relocation of water facilities completed in conjunction with public road improvement projects, or work necessary for the installation of a new backflow prevention assembly required as a result of the District's Cross Connection Control Program.

- f. "Inspection Fee" shall apply to all new water facility installations and water service relocations constructed by private contractors. The fee is based on the quantity, type of water facility installation and/or size of the meter. The charge includes District costs for the inspection and related administrative costs of water facility installation. The fee must be paid prior to water plan approval and may be refunded if work does not begin. The fee is not refundable or prorated once construction begins. The inspection fee is valid for two (2) years from the date of plan approval. Any time extensions for work remaining after the two (2) year period require payment of an additional inspection fee for those portions of the project which are incomplete. Any inspection required after the normal working hours (7:00 a.m. - 3:30 p.m., Monday - Friday) will be charged in addition to these fees.

The inspection fee does not apply to adjustments to, or relocation of, water facilities completed in conjunction with public road improvement projects.

Inspection fees are due for service connection relocations and service connection size increases.

7.4 Regional Connection Charge

"Regional Connection Charge" shall mean the charge required of all applicants for service to property where a service does not exist or where a service is to be enlarged or added. The charge is based on the demand for water that development places on the capacity of the system. The charge is used to acquire and develop resources and to fund regional facilities constructed by SNWA to support the demand created by a service. Funds collected shall be transferred to the SNWA to acquire and develop resources and to fund regional facilities constructed and operated by the SNWA. This charge does not apply to applications for service within Jean, NV.

7.5 SNWA Commodity Charge

From time to time, the SNWA may impose a water rate to fund regional facilities. If approved, the rate will be passed on to District customers for all billed water consumption except in Jean, NV. Funds collected shall be transferred to the SNWA to acquire and develop resources and to fund regional facilities constructed and operated by the SNWA.

7.6 Deposits - Based on Projected Costs

When the District is requested to perform work and where there are no fixed charges, the applicant shall deposit an amount established by the District, in addition to connection charges and other applicable fees, prior to commencement of work. A refund or billing will be made when the job is completed and actual cost determined. When requested by the applicant, the District may establish a "not to exceed" upper limit.

7.7 Reactivation of Deserted or Inactive Services

Upon receipt of application, a deserted or inactive service may be activated provided the applicant pays any costs required to locate the service and upgrade it to current District standards. If the service cannot be located, it will be classified as abandoned, or removed. If a service is located but found to be non-functional, the service may be classified as abandoned, or removed. Also, see Section 4.

7.8 Illegal Service Connection

A service connection which is located in the field, but whose installation is not authorized in District records will be considered as a new service. All fees, charges, and deposits required by the District must be paid before the account is established in the District's system. If the service was installed after February 14, 1991, the District will require a water commitment be obtained in accordance with Section 1 of these Rules. In the event an illegal service is discovered and a water commitment is required by the District and is not obtained or the fees, charges, and deposits are not paid, the District may physically remove the service connection at the property owner's expense. Any service connection which is in violation of these Rules will be considered an illegal service connection and be subject to all of the conditions and restrictions as listed above.

7.9 Relocation of Service Connection

An existing service connection may be relocated on the same parcel, with the approval of the District, however it may not be moved to a new parcel. A relocated service connection shall be installed pursuant to the same Rules and applicable rate schedules as a new service connection, except that no facilities or regional connection charges shall be applied. Frontage connection charges will not apply if the connection is to the same side of the parcel and the new connection is made to the same main as the original connection. For connections to any other main along that side of the parcel, the frontage connection charges provisions of Section 8 shall apply.

7.10 Change in Meter Size

Meters in place, which are of a size less than the diameter of the lateral pipe, may be replaced with a larger size not to exceed the size of the lateral pipe. Applicants shall pay the full application fee for the new service, the meter charge, and other charges as established by the rate schedule. Facilities connection charges, regional connection charges, and oversizing charges shall apply to increases in meter sizes. A water commitment in accordance with Section 1 of these Rules must be obtained before a meter may be increased in size.

Meters sized two (2) inches and less may be replaced with a smaller size meter upon request of the property owner and with District approval. The cost to reduce the meter size shall be the cost of the new meter plus a \$45 installation fee, plus all other applicable fees and charges. Applicants for replacement of meters greater than two (2) inches with a smaller size shall pay all costs incurred.

The District may replace a battery of meters with a single meter, replace a single meter with a battery of meters, or install an appropriately sized meter, service, and backflow prevention assembly to meet a current demand, providing such replacement does not impair service to the customer. The owner/applicant shall be responsible for all applicable fees and charges.

7.11 Increase in Size of Service Connection

An existing service connection may be enlarged with the approval of the District provided a water commitment for the additional capacity requested is obtained in accordance with Section 1 of these Rules. An enlarged service connection shall be installed pursuant to the existing Rules and applicable rate schedules. If the new service connection is not on the same side of the parcel as the abandoned or removed service, frontage connection charges will apply, if appropriate. Facilities connection charges, regional connection charges, and oversizing charges shall apply to increases in meter sizes. The amount of the charge will be the difference between the facilities connection charge, regional connection charge, and oversizing charge for the new service connection and the facilities connection charge, regional connection charge, and oversizing charge applicable to the existing service connection at the rates in effect at the time of application. The full application fee and inspection fee (for service connections installed by private contractor) for the new service size will apply.

7.12 Service Connection Removal

In the event that a service connection is to be permanently deactivated, the owner of the property must sign a service removal form provided by the District. The meter and other salvageable materials may be removed by the District without credit to the property owner or by a private contractor in accordance with the requirements of Section 10. In the event a service will be relocated or the size of service changed, the service removal may be done either by the District on an actual cost basis or by a private contractor in accordance with the requirements of Section 10. Any water commitment associated with a removed service shall terminate, except as provided in Section 1.8.

7.13 Private Use of Public Fire Hydrants

Connections to public fire hydrants (those which have been dedicated for public use) are prohibited unless a permit is issued by the District and a District owned hydrant valve and meter utilized. The applicant shall pay a permit fee in accordance with the rate schedule prior to issuance. The applicant for the permit shall designate the period of time and purpose for which water is to be used. The District may discontinue the service and remove its equipment at the expiration of the period so designated, if the water is used for any purpose other than that designated by the applicant, or if any part of the fire hydrant is operated. The District may establish limitations on the rate of flow and time of use. The District will install all equipment necessary for the meter connection and no water will be used until such equipment is installed. Except for emergency service connections, which may be established by the District for a limited time as described in Section 6, water service from a fire hydrant for domestic purposes is prohibited.

The applicant shall use District installed backflow protection to prevent backflow to the District's system.

In the event that an unauthorized connection is made to a fire hydrant the user shall be required to pay appropriate charges as determined by the District, and may be subject to other penalties as established by law.

A mobile meter may be provided to small users who generally move to multiple locations over time. These meters are granted at the sole discretion of the District. Mobile meter permit holders must:

1. Pay an annual permit fee.
2. Report the location of all water taken each day-upon request by the District.
3. Acknowledge the initial meter reading.
4. Agree to have readings estimated for an average monthly bill throughout the year and balance the actual read at the time of the annual meter inspection against the billable consumption for the year for payment or credit adjustment to the account, or refund.
5. Have meter inspected annually.

7.14 Public Agencies' Deposit Requirements

In lieu of cash deposits, or sureties, purchase orders may be accepted from public agencies.

7.15 Security Deposits to Assure Payment of Bills

The District may require security deposits from new customers who have not established credit with the District, or from customers whose accounts are consistently delinquent, or in any situation where the District has cause to believe that a deposit is required to assure payment. For accounts where credit has not been established, or for accounts that are consistently delinquent, the deposit will be in an amount proximate to, but not less than two and one half (2.5) times the highest monthly bill as assessed during a twelve-month period. The District may establish standard deposits various services sizes and types.

Deposits must be paid in full on the date they were assessed to the account, or service may not be activated or restored on the date requested. The District may, at its sole and exclusive discretion, make arrangements to extend this payment deadline and/or allow the customer to pay the required deposit amount in installments. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice. In lieu of a cash deposit, a surety bond is acceptable.

Deposits will be applied as a credit on the customer account at such date as the customer has established credit to the satisfaction of the District, or refunded to the customer at the District's discretion, or applied to the closing bill upon discontinuance of service. Interest on security deposits will be credited to the customer's security deposit account on a quarterly basis and/or on the date the customer's deposit account is closed.

The annual interest rate for the ensuing year will be a rate equal to the regular savings deposit rate of a major local commercial bank as of the first business day of the calendar year.

7.16 Interest on Deposits

Except as provided for deposits to assure payment of bills, any cash deposit(s) or other payment(s) paid to the District will not accrue interest.

7.17 Delinquent Processing Fee

If a service is processed for shut-off for non-payment of bills, payment arrangements, deposits, or other violation of these Rules, the customer shall pay a delinquent processing fee of \$20.00. Before the service will be reactivated, the customer must pay the total amount due including any assessed security deposits, and related delinquent processing and restoration fees. The District may, at its sole and exclusive discretion, make arrangements for other than full payment. Should the customer reactivate or tamper with the service without consent of the District, an additional charge of \$20.00 will be made for each such occurrence. Service shall be considered processed for shut off as of the date immediately following the due date of the bill or payment arrangement.

7.18 Fee to Reestablish Service

Customer or property owners will be charged a \$100 fee per incident for services that have been locked for tampering, illegal use and/or prevention of further damage to District facilities. Further service to the property must be established only in the name of the property owner. When service is shut off at the main, or restricted from use by the District by means other than locking the service, the property owner or the property owner's representative possessing an appropriate power of attorney must pay a deposit of \$1,800 to the District in the form of cash, cashiers check, money order, or credit card to cover the actual cost of damage incurred by the District in addition to any other applicable fees, charges or deposits before a turn-on will be scheduled. Once actual costs are determined, the property owner will be billed or refunded the difference between the deposit and the actual cost.

If it can be demonstrated to the District that neither the property owner nor a legally designated representative is available to meet the above-mentioned requirements for turn-on, a resident of the property may have water service reinstated by securing and delivering to the District a one year irrevocable letter of credit or a bond in a form approved by the District, in an amount equal to two and one half (2.5) times the highest monthly bill as assessed during a twelve-month period, in addition to posting a cash deposit in the amount of \$1,800 to cover the actual cost of damage incurred by the District. Should the cash deposit exceed the damages incurred by the District, a refund of the excess will be made. Should the cash deposit not exceed the damages incurred by the District, the balance will be due from the owner, or representative, prior to restoring service.

7.19 Unauthorized Use of Private Fire Protection Service

When it is found that a private fire service is being used for purposes other than standby fire protection, the District will bill the customer for all private fire protection water consumption measured by the detector check assembly times an applicable service size multiple, as shown in Section 8. Failure to discontinue unauthorized use will be cause for shutoff and/or prosecution as prescribed by law.

7.20 Late Fees - Delinquent Accounts

If payment of a bill is not received by the District prior to the due date as stated on the bill, said date being the first working day twenty-four (24) calendar days after the billing date, the account shall be charged, on the next succeeding bill, four percent (4%) of all amounts in arrears. Governmental agencies shall be exempt.

7.21 Same-Day Turn-On/Shut Off Fees

- a. An existing water service will be turned on without charge, provided that the requested effective date for service activation or restoration is at least one business day after an application is accepted or, in the case of service interrupted for delinquency, sufficient payment has been received as required by the District. Same-day service turn-on or restoration may be provided for a fee of \$15 for requests received prior to the close of the business day. Requests received after normal business hours, or on weekends, or during a holiday for same day service turn on or restoration will be assessed a fee of \$70, provided that the District can respond to the customer's request.
- b. An existing water service will be shut off without charge, provided that the requested effective date for service shut off is at least one business day after the request for discontinuance of service is received. Same day shut off service may be provided for a fee of \$15 for requests received prior to the close of the business day. Requests for same day or future shut off will not be accepted if received after normal business hours, on weekends, or on holidays.

7.22 Damage to, or Tampering with District Property

Persons causing damage to, or tampering with, District property by any willful or negligent act shall be responsible for payment of costs incurred, and any and all penalties as prescribed by the Service Rules, or by law.

7.23 Charges for Supplemental Service

Each customer being provided with supplemental service will pay a modified commodity rate based on their peak usage compared to all District customers. After each calendar year, each customer receiving supplemental service will be notified by letter of their commodity rate for water usage for the ensuing summer months of June through September.

This commodity rate will be based on their high usage during the peak months (June, July, August or September) and average usage of the preceding year.

Multiple service connections to a property will be summed and calculated as one (1) service for computation of peak and annual usage. The method of calculation shall be as shown in Section 8.

7.24 Credit Privilege for Hydrant Permits

The privilege of credit for hydrant permits may be granted to contractors licensed in Nevada and requests for same may be made by phone, provided that:

- a. The privilege is not abused,
- b. Payment for each hydrant permit is received by the District as part of the payment for the first water bill issued for such permit.

7.25 Well Abandonment Incentive

As an incentive for existing property owners to convert their water source from a well to the District's system, a cash incentive will be made to each owner who abandons their well in conjunction with making application for a new water service from the District. The owner must submit a certified copy of the well plugging report prepared by the licensed driller in accordance with Nevada Administrative Code (NAC) 534.420. The cash incentive for well abandonment will not be provided in the event the well is abandoned and plugged by an agency at no cost to the property owner.

7.26 Service Guarantee Program

At the District's sole discretion, the District will apply a \$10 credit to a current customer's active account in the following situations:

- a. If the District turns off the customer's water service in error.
- b. If the District does not activate the customer's service on the date requested.
- c. If the District does not respond to a billing inquiry within seven (7) business days.
- c. If the District validates receipt of payment, but does not process the payment correctly.
- d. If the District, in its sole discretion, may determine if this credit is warranted due to actions of the District's staff.

Additionally, if District personnel, while in the course and scope of District duties, physically damage a ratepayer's property that is not improperly located within, above or near a District easement or District property, the District will repair or pay to have repaired the ratepayer's property.

7.27 Meter Testing Fee

A customer who is serviced by a meter 2" and smaller and has requested that the meter be removed for accuracy testing and replaced with another, shall be assessed a fee of \$75. The fee will be waived if the overall accuracy of the meter as tested is outside the defined acceptable parameters as established by the American Water Works Association.

SECTION 8 - RATE SCHEDULE

8.1 Las Vegas Valley Metered Rates for Domestic Service:

Meter Size (inches)	Service Charge Daily		Rate Tier Avg. Daily Use		Consumption Tier Rate Per 1,000 gallons
	2010	2011	Non Single – Family Residential	Single – Family Residential	
5/8"	\$0.2688	\$0.3355	First 167 Next 167 Next 333 Over 667	First 167 Next 167 Next 333 Over 667	\$1.16 \$2.08 \$3.09 \$4.58
3/4"	\$0.3095	\$0.3863	First 250 Next 250 Next 500 Over 1,000	First 222 Next 222 Next 444 Over 889	\$1.16 \$2.08 \$3.09 \$4.58
1"	\$0.3910	\$0.4880	First 417 Next 417 Next 1,666 Over 2,500	First 334 Next 334 Next 1,222 Over 1,889	\$1.16 \$2.08 \$3.09 \$4.58
1½"	\$0.5945	\$0.7419	First 833 Next 833 Next 6,667 Over 8,333	First 611 Next 611 Next 4,556 Over 5,778	\$1.16 \$2.08 \$3.09 \$4.58
2"	\$0.8391	\$1.0472	First 1,333 Next 1,333 Next 16,000 Over 18,666	First 944 Next 944 Next 10,778 Over 12,666	\$1.16 \$2.08 \$3.09 \$4.58
3"	\$1.4911	\$1.8609		First 2,667 Next 2,667 Next 42,666 Over 48,000	\$1.16 \$2.08 \$3.09 \$4.58
4"	\$2.2244	\$2.7761		First 4,167 Next 4,167 Next 125,000 Over 133,334	\$1.16 \$2.08 \$3.09 \$4.58
6"	\$4.2617	\$5.3186		First 8,333 Next 8,333 Next 400,000 Over 416,666	\$1.16 \$2.08 \$3.09 \$4.58
8"	\$6.7064	\$8.3696		First 13,333 Next 13,333 Next 773,337 Over 800,000	\$1.16 \$2.08 \$3.09 \$4.58
10"	\$9.5584	\$11.9289		First 19,167 Next 19,167 Next 1,303,333 Over 1,341,667	\$1.16 \$2.08 \$3.09 \$4.58
12"	\$14.0404	\$17.5224		First 28,333 Next 28,333 Next 1,926,667 Over 1,983,333	\$1.16 \$2.08 \$3.09 \$4.58

Average Daily Use Rate Blocks will be multiplied by the number of days in the billing period and rounded to the appropriate whole consumption (1,000 gallons) to determine that billing period's rate blocks. Consumption within the billing period rate blocks will be billed at the appropriate block rate shown above. The Daily Service Charge will be multiplied by the number of days in the billing period to determine the service charge for that billing period.

The first threshold for all mobile home parks except those participating in an approved master metered program shall be the higher of: a) the daily threshold based on meter size; or b) the number of spaces x 5,000 gal/mo.) 30 day/mo. Consumption beyond the first threshold, as computed above, will be billed using the standard thresholds based on meter size. This will become effective with the first billing in January of 1994 and continue until the completion of an approved master meter assistance program.

The daily service charge for 5/8" sub-metered accounts, within an approved master metered assistance program, shall be \$0.1407/day.

The Board may establish "Recharge Water Rates" in conjunction with a Peak Demand Management Program. These rates will be established to meet costs during winter months for water purchase in conjunction with a recharge effort as part of a peak demand management agreement. Each agreement must be approved by the Board of Directors.

Charges for water may be affected by water budgeting rules provided in Section 12.

8.2 Private Fire Protection Service – Service and Consumption Charge for Unauthorized Use

Applicable to all services through which water is to be used solely for extinguishing fires. Private fire service shall be assessed a daily service charge.

<u>Fireline Size</u>	<u>Daily Service Charge 2010</u>	<u>Daily Service Charge 2011</u>
2" and under	\$0.4660	\$0.5816
3"	\$0.7621	\$0.9511
4"	\$1.0953	\$1.3669
6"	\$2.0204	\$2.5215
8"	\$3.1306	\$3.9070
10"	\$4.4260	\$5.5236
12"	\$6.4613	\$8.0637

The fireline consumption charge for unauthorized use will be set at the third tier consumption rate of the adopted Rate Schedule for all private fire protection consumption.

<u>Fire Line Size</u>	<u>Multiple</u>
<2"	1
3"	12
4"	21
6"	47
8"	80
10"	127
12"	167

Any services greater than 12" equivalency shall be billed based on the applicable 5/8" equivalency.

8.3 Combined Service

The service charge will be determined by applying the domestic daily service charge (Section 8.1) to the smaller meter and the private fire protection daily service charge (Section 8.2) to the larger meter. The consumption through both meters will be added together and billed at the appropriate domestic service rate (Section 8.1) based on thresholds for the smaller meter. Charges for combined services include, but are not limited to, those on the table for this section.

Combined Service	Domestic 2010	Fire 2010	Total 2010
6" x 1½"	\$0.5945	\$2.0204	\$2.6149
4" x 2"	\$0.8391	\$1.0953	\$1.9344
6" x 2"	\$0.8391	\$2.0204	\$2.8595
8" x 2"	\$0.8391	\$3.1306	\$3.9697
10" x 2"	\$0.8391	\$4.4260	\$5.2651
6" x 3"	\$1.4911	\$2.0204	\$3.5115
8" x 4"	\$2.2244	\$3.1306	\$5.3550
10" x 6"	\$4.2617	\$4.4260	\$8.6877

Combined Service	Domestic 2011	Fire 2011	Total 2011
6" x 1½"	\$0.7419	\$2.5215	\$3.2634
4" x 2"	\$1.0472	\$1.3669	\$2.4141
6" x 2"	\$1.0472	\$2.5215	\$3.5687
8" x 2"	\$1.0472	\$3.9070	\$4.9542
10" x 2"	\$1.0472	\$5.5236	\$6.5708
6" x 3"	\$1.8609	\$2.5215	\$4.3824
8" x 4"	\$2.7761	\$3.9070	\$6.6831
10" x 6"	\$5.3186	\$5.5236	\$10.8422

8.4 Backflow Service Charge

All customers having backflow prevention assemblies above or below ground shall be required to pay the following daily service charges for each backflow prevention assembly, required by the District. This charge shall be in addition to other daily service charges.

<u>Assembly Size</u>	<u>Backflow Daily Service Charge 2010</u>	<u>Backflow Daily Service Charge 2011</u>
¾"	\$0.0597	\$0.0745
1"	\$0.0996	\$0.1243
1½"	\$0.1992	\$0.2486
2"	\$0.3188	\$0.3979
3"	\$0.6375	\$0.7956
4"	\$0.9960	\$1.2430
6"	\$1.9922	\$2.4863
8"	\$3.1875	\$3.9780
10"	\$4.5820	\$5.7183

8.5 Supplemental Commodity Charge

A supplemental commodity charge will be computed and assessed for all non-residential customers having a supplemental service connection.

The District will annually, based on the prior calendar year, determine the customer's peak month (June through September) and compute the ratio of peak month over average monthly usage (i.e., peak month usage divided by average monthly usage = peaking ratio). This ratio will be divided by the District's peak month ratio (peak month usage divided by average monthly usage = system peaking ratio) and if the resulting factor is greater than one (1), the factor will be multiplied by the commodity rate in effect for the upcoming months of June through September (see Section 8.1). If the supplemental customer's peak to average usage is less than the District's peak to average usage, the average of the previous three (3) years peak to average usage shall be used as the factor.

The resulting rate will be the commodity charge for water usage for the subsequent months of June through September. This rate will be applicable to all successors or assigns of the customer for the calendar year.

8.6 Metered Construction Water and Other Approved Uses

Water taken through public fire hydrants except for fire fighting purposes will be metered. The following fees and charges shall apply to water delivered through a metered fire hydrant for construction or other approved uses.

One (1) working day notice is required to set fire hydrant meters and requests must be received before 4:00 p.m. Requests received after 4:00 p.m. for next day service and requests for same day meter installation before 4:00 p.m. that day may be accommodated with payment of an additional \$70 fee.

- a. A fire hydrant permit fee of \$90 will be charged.
- b. A refundable damage deposit of \$200 will be required for each hydrant valve and meter. All or a portion of any remaining deposit will be refunded upon termination

- of the service if the hydrant, hydrant valve and meter are undamaged during the period of use and all inactive hydrant meter water accounts have been paid in full. The District may, at its discretion, apply the \$200 damage deposit to the closing bill.
- c. A refundable damage deposit of \$500 will be required for each backflow prevention assembly installed by the District on a hydrant meter. This deposit will be applied to the closing bill upon termination of the service if the backflow prevention assembly is undamaged during the period of use.
 - d. The service charge for a fire hydrant meter shall be \$2 per day.
 - e. The consumption rate shall be set at the third tier consumption rate of the adopted Rate Schedule in Section 8.
 - f. The mobile meter permit fee shall be \$300 per year. The fee may be prorated monthly based on the month of the permit application.
 - g. The deposit for a mobile meter is based on the replacement cost of the mobile meter paid by the District.
 - h. If a service is processed for shut-off for non-payment of bills, payment arrangements, deposits, or other violation of these Rules, the customer shall pay a delinquent processing fee of \$20.00.

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 for the applicant (developer) upon notification to the District by the applicant and after 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. Water used through the service connection(s) on a parcel prior to notification to the District that the construction period has ended will remain the responsibility of the applicant. The District reserves the right to audit all development to ensure all parcels are properly metered and consumption is measured and assessed for billing purposes.

The developer responsible for the contract agreement may transfer, for the purposes of construction water billing only, all or part of a development to a subsequent developer following the installation, inspection, and acceptance of facilities as shown on the approved water plans. The agreement developer shall notify the District of the transfer by letter, specifying by lot and block and supplemented by an annotated map of approved water facilities plans, the portions(s) of the development transferred by written, executed agreement to the subsequent developer. A subsequent developer shall be responsible for the billing for construction water, any outstanding water facilities remaining to be completed, and any damages caused by his actions to District facilities within this approved transferred area.

All construction water, except as provided in Section 8.8 below, must be metered including water used in areas previously paid for on an acreage basis.

8.7 SNWA Commodity Charge

All customers shall be charged a rate of \$0.10/1000 gallons for all billed consumption except in Jean, NV.

Effective January 1, 2010 the schedule for this charge shall be as follows:

January 1, 2010	\$0.20/1,000 gallons
January 1, 2011	\$0.30/1,000 gallons

8.8 Non-Metered Construction Water

Water used in the disinfection of newly constructed public water mains does not have to be metered. Flushing of the mains shall only be done in the presence of a District representative.

8.9 Service Connection Installation Charges

The following charges shall apply under normal condition:

Standard ¹ Meter <u>Size</u>	Complete ² <u>Service</u>	Service Excluding <u>Meter</u>	Meter ³ <u>Only</u>	Automated Meter Reading Device <u>(AMR)</u> ⁴	Backflow ⁵ <u>Prevention</u>
5/8" x 3/4"	1,341	\$ 1,177	\$60	\$104	\$ 840
3/4"	1,351	1,177	70	104	840
1"	1,381	1,177	100	104	840
1½"	1,621	1,267	250	104	1,120
2"	2,795	2,391	300	104	1,180
Over 2"	Actual Cost				
Residential					
Fire Service					
<u>(RFS)</u>					
3/4"	1,431	1,177	150	104	840
1"	1,476	1,177	195	104	840
1 ½"	1,651	1,267	280	104	1,120
2"	2,870	2,391	375	104	1,180

¹"Standard" is a positive displacement meter.

²Price effective upon installation of full service only. Price includes \$104 for AMR device for District installed services, unless AMR already exists.

³Price includes encoder register. A District approved RFS meter is required for all single-family residences with fire sprinkler systems. Price for RFS meter does not include required tailpiece assembly that is not available through the District. Price is basis for applicant charges.

⁴Required of all new or replacement services.

⁵Devices required under NAC 445A.67185-67255, as amended, will be installed at the added rate shown above, or on an actual cost basis as determined by a contract approved by the District's Board of Directors.

If unusual installation conditions exist, the applicant will be advised of the terms and conditions that must be met before an application for service will be accepted. In circumstances under which the District anticipates unusual installation conditions, the applicant shall pay a deposit established by the District. A refund or billing will be made when the job is completed and actual cost determined by the District. Unusual installation conditions shall exist when, in the opinion of the District, the installation is to be made under conditions that would result in unusual or significant departure from the basic installation charges set forth in the rate schedule.

8.10 Frontage Connection Charges

- a. For the purposes of this subsection, a connection is defined as a service connection or main extension connected directly to an existing distribution main. Connections shall not, however, include temporary service connections, emergency service connections, or public fire hydrant service connections.
- b. Frontage Connection Charges - Connection to Existing Mains

When a connection is made to any main the frontage connection charge is \$17 per front foot of the applicant's parcel of property adjacent to the right-of-way or easement wherein the main is located.

A minimum charge of \$1,190 shall apply to any parcel having less than 70 feet of chargeable frontage. Connections to serve median strips within a publicly dedicated right-of-way or land either owned or controlled by the public for landscaped trails and paths shall be charged the minimum charge regardless of the length of the median strip or landscaped area(s). Unless agreed to specifically by the District, the depth of such landscaped areas shall be no greater than twenty (20) feet.

8.11 Facilities Connection Charges

Meter Size	Charge per Meter Size
5/8"	\$ 1,440
3/4"	2,160
1"	3,600
1½"	7,200
2"	11,520
3"	23,040
4"	36,000
6"	72,000
8"	115,200
10"	165,600
12"	244,800

Undeveloped property within District Assessment Districts approved prior to August 1, 1987, will be given a credit of \$500/acre toward the payment of the facilities connection charge. Facilities connection charges will, however, be collected for added or enlarged service connections for developed property within Assessment Districts. In the event the credit exceeds the facilities connection charges, no refund will be made.

8.12 Regional Connection Charge

Regional Connection Fees were established to acquire and develop resources and to fund Southern Nevada Water Authority system improvements. The District, as does other water purveyor members of the Authority, collects these fees and forwards them to the Authority for approved regional programs.

RESIDENTIAL – 8 OR FEWER UNITS PER ACRE¹			
Plans Approved for Construction and Fees Paid			
Meter Size	November 1, 2007	May 1, 2008	November 1, 2008
5/8”	\$ 4,560	\$ 4,710	\$ 4,870
3/4”	4,560	4,710	4,870
1”	9,000	9,300	9,610
1½”	17,970	18,560	19,170
2”	28,750	29,700	30,680

¹"Units per Acre" as used herein, shall mean "Gross Acres", which represents an acre of land, including all interior streets, publicly dedicated land, and adjacent streets or rights-of-way to the street centerline, not to exceed a distance of fifty (50) feet.

NON RESIDENTIAL EXCLUDING HOTELS, MOTELS, GOLF COURSES & LAUNDRIES			
Plans Approved for Construction and Fees Paid			
Meter Size	2007	2008	
	November 1	May 1	November 1
5/8"	\$ 4,560	\$ 4,710	\$ 4,870
3/4"	4,560	4,710	4,870
1"	9,000	9,300	9,610
1½"	17,970	18,560	19,170
2"	56,130	60,060	64,260
3"	197,220	216,610	237,900
4"	301,550	326,310	353,100
6"	See schedule "RATES BASED ON FACTORS OTHER THAN METER SIZE" Fee based on annual usage		
8"			
10"			

INDUSTRIAL LAUNDRIES			
Plans Approved for Construction and Fees Paid			
Meter Size	2007	2008	
	November 1	May 1	November 1
5/8"	\$ 71,970	\$ 74,350	\$ 76,800
3/4"	71,970	74,350	76,800
1"	141,940	146,620	151,460
1½"	283,900	293,270	302,950
2"	454,230	469,220	484,700
3"	908,450	938,430	969,400
4"	1,419,460	1,466,300	1,514,690
6"	2,838,900	2,932,580	3,029,360
8"	4,542,250	4,692,140	4,846,980
10"	6,529,490	6,744,960	6,967,540

Rates Based on Factors Other Than Meter Size

Customer Class	Connection Charge Based on	Charge Per Unit Plans Approved for Construction and Fees Paid		
		11/01/07	5/01/08	11/01/08
Residential – Individually Metered more than 8 Units per acre ¹ & Mobile Homes	Dwelling Unit	\$3,030	\$3,210	\$3,400
Residential – Master Metered more than 8 Units per acre ¹ & Mobile Homes ²	Dwelling Unit	\$3,030	\$3,210	\$3,400
Non Residential, 6” and Larger – Excluding Hotels, Motels, Golf Courses, and Laundries ³	Annual Usage (1000 Gal.)	\$24.00	\$26.50	\$29.20
Hotels & Motels	Hotel Room	\$2,600	\$2,690	\$2,780
Golf Course (Irrigated Acres) ⁴	Acre	\$42,170	\$43,870	\$45,640
RV Parks	Space	\$1,300	1,340	1,380

¹"Units per Acre" as used herein, shall mean "Gross Acres", which represents an acre of land, including all interior streets, publicly dedicated land, and adjacent streets or rights-of-way to the street centerline, not to exceed a distance of fifty (50) feet.

²Master metered mobile homes are not authorized in Clark County (NRS 461A.230).

³Connection Charge based on audit and confirmation of annual water usage of the facility within the first three (3) years of operation. Based on that audit, the connection charge may be adjusted accordingly.

⁴The regional connection charges will be based on the potable irrigated acres of the golf course, which will include all playing areas, such as fairways, roughs, lakes, ponds, golf cart paths, sand traps, etc. The potable irrigated acres for this calculation will not include non-playing areas, although minimal potable irrigation may be required. The applicant will provide a development plan with each type of area defined with its acreage identified for District review and approval.

- 8.13 Oversizing Charge: The following oversizing charge is applicable for all new service connections within the Oversizing Area as identified in Appendix I.

<u>Meter Size</u>	<u>Charge Per Meter Size</u>
5/8"	\$ 250
3/4"	380
1"	630
1½"	1,250
2"	2,000
3"	3,750
4"	6,250
6"	12,500
8"	20,000
10"	28,750
12"	42,500

This charge is not applicable to certain property previously identified in Area III as shown on Appendix I of the February 1996, Rules where the developer entered into an agreement and funded an oversizing project to serve the specifically identified property.

- 8.14 Application for Water Service Fee

All applicants for water service will be required to pay a non-refundable fee, at the time water plans are submitted for review, or at the time application for service is made if water plans are not required, as follows:

NON-REFUNDABLE WATER SERVICE APPLICATION FEE

<u>Meter Size</u>	<u>Application Fee per Meter Size</u>
5/8"	\$ 140
3/4"	210
1"	350
1½"	700
2"	1,120
3"	2,100
4"	3,500
6"	7,000
8"	11,200
10"	16,100
12"	23,800

Application Fee for fireline(s) without domestic meter installation is \$750.

Application fee for a water plan with public fire hydrant(s), which include a temporary fire hydrant or temporary riser, without domestic meter installation is \$500.

There will be a \$75.00 charge for staff review of each revision to applications and plans that constitute a change to documents, fees, or services.

8.15 Inspection Fee

<u>Size</u>	<u>Inspection Fee per Each</u>
a. Domestic Services 2" or less	\$ 185
b. Domestic Services greater than 2" and Combined Services	1,000
c. Firelines	550
d. Public Fire Hydrants, temporary riser (per project) (without domestic service)	350
e. Backflow Prevention Assembly (Retrofit Only)	No Charge

After hours inspection fee shall be the overtime cost of the inspection. All other inspections occurring after the time limitation established in 10.1.(c) and not related to above services description shall be the straight time cost of the inspection.

A minimum of \$185 will be charged for accumulated site inspections for any project that is cancelled in accordance with Section 10 of these Rules. The balance of Inspection Fees will be refunded as part of the cancellation process.

8.16 Deficiency Fee

The District will assess a fee of \$2.00 per service, per day, for each inspected deficiency not corrected by the developer, until the deficiency is corrected. This charge shall be assessed against parcels where a tenant has occupied the premise without the service being inspected, approved and accepted by the District for the City of Las Vegas, or without a Certificate of Occupancy issued by Clark County.

8.17 Residential Main Extension Fee

The residential main extension fee shall be \$34 per foot of main extension for the parcel requesting service.

A minimum charge of \$2,380 shall apply to any property having less than 70 feet of chargeable frontage or requiring less than 70 feet of main extension. The maximum total length of a residential main extension shall not exceed 1,250 feet.

If required by the fire department, the installation of a fire hydrant, as part of the approval process for a Residential Main Extension shall cost \$4,000, inclusive of all fees and charges associated with that installation.

8.18 Credit for Unused and Undamaged Meters

If meters obtained from the District for the purpose of being installed by a private contractor during construction of a development are returned before the project has received final acceptance from the District, the following credit will be made:

Unused and undamaged meters, with original receipt(s) - 100% of original developer cost.

8.19 Charge for District Installation of Meters

When the District discovers that water is being taken through an unmetered service, is damaged, or the meter is not operating properly, or the wrong size meter was installed, and the water plan approval required that the meter be set by the developer, the District will install the meter and charge an installation charge based on the following schedule:

<u>Meter Size</u>	<u>Installation Charge</u>
1" or smaller	\$165
1½"	275
2"	600

The cost of the original meter issued to the developer will be refunded if that meter has not been used or damaged and is returned to the District. If the development is under warranty for its water facilities, the Developer can replace the meter at his expense.

8.20 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 \$20 for a damaged simple lock, \$100 for a damaged complex (Birdcage) lock, in addition to any other charges or fees.

8.21 Automated Meter Reading Equipment

The customer or owner of record may be charged \$104 for replacement of a damaged automated meter reading device.

8.22 Well Abandonment Incentive

The well abandonment incentive provided in accordance with Section 7 of these Rules is \$1,000 per service, with a maximum of one (1) service incentive per parcel, or community well association.

8.23 Non-Revocable Groundwater Rights

The District may purchase non-revocable groundwater rights subject to verification of the standing and duty of the permit and approval from the District's Board of Directors.

When non-revocable groundwater rights are purchased by the District, the amount paid is based on the value to the District.

8.24 Reliability Surcharge

A reliability surcharge (excise tax) will be charged on all residential class customers at .25 percent of total water bill for service charges and consumption rate. Residential class includes all multi-residential classes, as well as single family residential.

All other customer classes will be charged at 2.5 percent of total water bill, including service charges, backflow, and consumption rate.

The reliability surcharge shall be collected by the District at the same time and in the same manner as monthly water bills, except those in Jean, NV. The reliability surcharge shall be collected until the Southern Nevada Water Authority has made all bond or other payments for the facilities identified in the Southern Nevada Water Authority Capital Improvement Program.

Interest will not be charged in the Reliability Surcharge portion of the water bill.

8.25 Non-Potable Water Irrigation Rate

The Board will establish non-potable water irrigation rates as necessary to maintain revenue, at a level to pay all costs of each project.

The non-potable water irrigation rate for large turf and landscaping irrigation is \$2.33 per 1,000 gallons and is subject to change at any time.

The non-potable water irrigation rate will be at or below the annual average cost that the potable and non-potable water users would pay for potable water service on an annual basis.

Periodically, the annual average cost will be computed for a recent 12-month period using the actual monthly water demands of each non-potable water user and each golf course consuming potable water. Each water service included in the computation will use service size to determine the appropriate daily service charges, daily backflow service charges, and water tier sizes. SNWA Commodity Charge, SNWA Reliability Surcharge and any other charges normally paid by potable water users for irrigation water service will also be included. When new potable water rates are being proposed, the annual average cost computation will be adjusted to reflect applicable changes in any and all components of the computation

8.26 Equity Buy-In for Non-Potable Water System (NPWS) Connection

The formula to calculate Equity Buy-In for a User is as follows:

Initial Users are not required to provide an Equity Buy-In to connect to the system. Initial Users must begin to take non-potable water within six months of it being available to their property or forfeit Initial User status.

Following the start of operation of a non-potable water system, a new User will pay an Equity Buy-In for their proportional share of the net system capital costs which have been paid as of the end of the prior fiscal year.

	NPWS Capital Costs Paid-to-Date (amount of debt repaid)
Minus	<u>NPWS Depreciation to Date</u>
Equals	NPWS Net Capital Costs Paid-to-Date
Divided by	<u>New Subscriber Estimated NPWS Maximum Daily Water Consumption Total Estimated NPWS Maximum Daily Water Consumption (including new subscriber)</u>
Equals	Estimated New Subscriber Pro rata Maximum Daily Water Consumption
Multiply by	<u>NPWS Net Capital Costs Paid-to-Date</u>
Equals	New Subscriber Equity Buy-In Amount

All Equity Buy-In funds received will be included in the NPWS Capital Costs Paid-to-Date. An Equity Buy-In calculation with a negative result will result in a buy-in amount of \$0. All Equity Buy-In amounts are non-refundable.

All Users who provide non-potable mains to service their facilities from a District-approved facility shall be subject to application and inspection fees based on the size of the main and the fees in effect at the time of plan approval.

SECTION 9 - TIME AND MANNER OF PAYMENT

9.1 Bills Due When Presented

Meters will be read or estimated monthly. The District will, as soon after the meter reading date as practical, issue a bill to the customer for each connection to District facilities, for usage and related fees and charges. All bills shall be due and payable upon receipt. Failure to receive a bill does not relieve a customer of liability. Customers are responsible for payment of all water recorded as having passed through the meter, regardless of whether such water was put to beneficial use. When current bills are not paid within twenty-four (24) days from the billing date as shown on the bill, they are subject to the assessment of late charges, and will be considered delinquent. Service may then be discontinued if not paid by the disconnection date as identified in the succeeding bill statement. The District may, at its sole and exclusive discretion, make arrangements to extend this payment deadline or allow the customer to pay the unpaid balance amount in installments. Failure to remit valid payment in compliance with arrangements made may result in service discontinuance without notice.

9.2 Proration of Service Charges

All service charges shall be calculated on a daily basis.

9.3 Commercial Subdivisions

In the event a commercial subdivision does not have individual meters to each parcel, the District is not responsible for dividing water use among the commercial subdivision occupants. If there is a need for individual meters to each parcel, it is the owner/applicant's responsibility to obtain approval for installation of additional water facilities and pay all fees in accordance with these Rules.

9.4 Estimated Bills

- a. 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 District reserves the right to estimate any meter readings periodically. The next succeeding bill that is based upon actual meter readings will reflect the difference between prior estimates and actual consumption.
- b. If a meter reading is obtained which indicates a meter malfunction, an estimate shall be made of the quantity of water used and a bill rendered for the estimated quantity.
- c. Estimates shall be based first on account history and/or comparable services within the area. If there is no comparable service within the area, then estimates shall be based on comparable service within the District.

9.5 Collection Stations

For the convenience of its customers, the District may designate and authorize others to serve as agents for the collection of bills. However, at the discretion of the District, delinquent bills may require payment at the District offices.

9.6 Payments Not Honored by Financial Institutions

Remittance(s) presented in payment of bills which are not honored and are returned by any financial institution shall be treated as though no payment had been made and service may be discontinued without notice.

Accounts with the District that are paid by checks or electronic presentment which are not honored by any financial institution shall be charged a \$15 "returned fee in addition to any other applicable fees and charges. Redemption of returned payments, as well as any additional fees and/or charges assessed, may be required to be by cash or equivalent at the discretion of the District.

Remittance for amounts due on accounts with the District which have recorded three (3) payments not honored and returned by any financial institution within a twelve (12) month period shall be required to be by cash or equivalent, at the discretion of the District, for six (6) consecutive months.

Customers who submit a payment not honored by any financial institution for a water account in a shut-off status must pay the total amount due plus any assessed security deposits, related delinquent processing or restoration fees in cash.

9.7 Billing Errors

Correction of billing errors shall be made on the next regular bill, but in no case will the District make corrections retroactively for a period of more than thirty-six (36) months.

9.8 Billing Adjustments

The District at its discretion and for purposes of account dispute resolution, offers to a customer a one-time partial consumption adjustment for unexplained non-beneficial usage. This adjustment will be based on recorded average daily usage for historically comparable usage periods and will be applied only when a thorough investigation conducted by the District has concluded no reasonable or viable explanation for the usage.

SECTION 10 - INSTALLATION OF WATER FACILITIES

10.1 General Conditions for Installation of Water Facilities

a. Applicability

Any work on District facilities, including, but not limited to the installation of new service connections, water main, backflow prevention devices and associated appurtenances (water facilities), relocation or removal of existing facilities, not contracted for directly by the District, shall comply with the requirements of this section. All work shall be submitted for review, required fees and charges paid and approved in writing by the District prior to the time the work is started.

A main extension may be required along the entire length of at least one property line frontage of the property to be developed whenever future line extension is possible, or when the adjacent main cannot meet the needs of the proposed development.

b. Construction Plans

All water plans submitted for review shall conform to the Uniform Design and Construction Standards for Water Distribution Systems (UDACS), (latest edition, as amended). Water plans shall include, at a minimum, the following:

1. A copy of the recorded final subdivision map, parcel map or any other map, if applicable.
2. Two (2) sets (24" x 36") of detailed water plans,
3. A completed data sheet as provided by the District,
4. The required application fee as specified in Section 8, and
5. Development approval or water commitment.

Water plans which meet the requirements of Items 1 through 4 above but do not have a development approval or water commitment may be accepted for review, but the acceptance and review does not in itself give any additional consideration toward a commitment or any property right in water to said new development or other project. Such plans shall be prepared by a Registered Professional Engineer duly registered in the State of Nevada, shall clearly indicate the size and location of mains and appurtenances, including all lateral pipe and fire hydrants and shall also indicate size and location of all other existing and proposed utilities. Water plans shall designate boundaries of the applicant's property which will be served by the proposed main extension. Proof of right-of-way and/or easement must also be provided.

The District will review the water plan and return one (1) set of plans to the applicant indicating any necessary revisions. The applicant shall prepare and submit to the District a set of reproducible mylar water plans conforming with the revisions, which shall be retained by the District and considered the master water plan after approval by the District. Upon execution of the appropriate agreements by the applicant and payment of all outstanding bills, applicable charges, fees and

deposits, and after approval of other governmental agencies as may be necessary, and any other requirements, the water plan shall be approved and released for construction purposes.

c. Time Limitation

Approval by the District for the installation of water facilities shall be valid for a limited time. In the event that construction of the mains or services covered by any approved plan is not started within one (1) year from the date of approval, or as designated in the construction agreement, the project shall be assumed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project, including fulfilling all water commitment requirements in effect at the time the project is reactivated. Construction is considered to have started upon the installation of a main or service, or portion thereof, per approved District plans, that normally requires an inspection. Any limitations on approval for other than one (1) year shall be shown on the drawings. The same shall apply when active construction work is discontinued for one (1) year.

All water facility construction must be completed within two (2) years from the date of plan approval. If work is not completed in the two (2) year period, the developer may request a time extension, however, an additional inspection fee is required. If the work will not be completed in the next six (6) months, the developer shall also post a bond or cash deposit with the District to assure completion in one (1) year or the project may be canceled.

In the event the project received a water commitment pursuant to Section 1.2.b or 1.2.c of these Rules, the District may, at its discretion, invoke the performance bond for the installation of the water facilities rather than canceling the project.

d. Construction, Assignment, Abandonment, Cessation, Cancellation

In the event of abandonment or cessation of construction, prepaid installation fees and other charges and deposits shall be refunded, or used by the District to pursue completion of all or part of the project, as determined by the District.

If a project receives a water commitment under the provisions of Section 1.2.b of these Rules, and the water plans are subsequently proposed for cancellation, all prepaid installation fees and other charges and deposits shall be retained by the District until the water commitment is terminated, the project is reverted to acreage, and the Developer requests in writing the fees be returned to him. If the project will require a new approval of the water plan, any retained fees shall be applied to any increased fees required at the time a water plan is reapproved.

If a project receives a water commitment under the provisions of Section 1.2.c of these Rules and the water plans are subsequently proposed for cancellation prior to the installation of water facilities, all prepaid installation fees and other charges and deposits shall be retained by the District until the water commitment is terminated, the building permit is terminated or expires, and the Developer requests in writing the fees be returned to him. If the project will require a new approval of the water plan, any retained fees shall be applied to any increased fees required at the time a water plan is reapproved.

If funds are not available to complete the work, the District may complete the work on an actual cost basis and bill the Developer. Subsequent projects submitted for approval shall be held until invoices for uncompleted work are paid.

To assure District recognition of an assignment from one developer/owner to another, a District provided assignment form should be completed, and a fully executed duplicate original should be returned to the District.

e. Compliance with Specifications

Main extensions, service connections, and appurtenances shall be constructed by a contractor properly licensed by the State of Nevada to conform with all District specifications, standards, and procedures which are in effect at the time the water plans receive District approval. In addition to all such specifications, standards, and procedures, the following requirements shall be met:

1. All new water facilities shall be disinfected and tested to the satisfaction of the District before connecting the new mains to existing mains, unless otherwise permitted by the District.
2. Connections to existing mains shall be made only when authorized by the District and then only in the presence of an authorized representative of the District, at times specified by the District.
3. Existing mains shall not be taken out of service for the purpose of making new connections when other options are feasible. Mains may only be taken out of service with the specific approval of the District.

f. Construction Inspection

The District shall inspect the installation of water facilities including assemblies, from construction commencement through final water project acceptance. The District reserves the right to terminate service if the work does not comply with District requirements. The District will not provide domestic water service to an identified permanent structure(s) until all water facilities related to that structure(s), as shown on the approved water plans, have been accepted by the District.

g. Meter Installation

For meters 2" and smaller, the applicant shall obtain the meter from the District. For meters larger than 2", the applicant shall provide a meter which meets District specifications.

Meters obtained from District stock will be acquired in accordance with procedures adopted and approved by the General Manager. The meter shall be installed before any water is drawn through the service connection.

No meter shall be installed until a successful pressure test and water sample has been verified by the District.

h. Payment for Water

Payment for all water used from the time of initial meter installation shall be the responsibility of the applicant and will be charged and billed monthly at the Metered Construction Water rate set forth in Section 8. The District reserves the right to audit meter installation. The District reserves the right to start service at its discretion upon verification of meter installation, occupancy, or irrigation. Upon verification, monthly billing will be based on the rate for Metered Construction Water.

The applicant (developer) shall remain responsible for correction of all deficiencies and shall remain liable for the monthly bill payment for all metered water used and associated deficiency fees, regardless of whether subject facilities are in use by a subsequent developer, domestic, or commercial customer, until said defects are corrected by the applicant and are accepted by the District.

Following acceptance of all facilities by the District for ownership and maintenance, the applicant (developer) is responsible for ensuring that services accepted by the District are removed from the developer's account. Until that notification to the District occurs by the developer, billing for all consumption through all meters at the rate for Metered Construction Water remains the responsibility of the developer.

i. Guarantee

Installation, materials, and workmanship shall be guaranteed complete and free of defects for a period of one (1) year from the date of acceptance by the District. Upon receipt of notice of incomplete work or defect from the District, the developer shall immediately correct the situation, or shall reimburse the District for the cost of correction.

j. Location

1. Main extensions and appurtenances shall be located within right-of-way or private streets fifty (50) feet in width or greater, dedicated for utility purposes, if the water main is twenty-four (24) inches in diameter and larger, or longer than one hundred fifty (150) feet. Main extensions of lesser diameter, or length may be located in private streets or rights-of-way thirty (30) feet in width dedicated for utility purposes.
2. If the fifty (50) foot right-of-way or private streets dedicated for utility purposes is not available, the applicant may petition the District and upon District approval, a main extension and appurtenances may be located within utility easements granted to the District (which may include right-of-way or private streets) for a total thirty (30) foot utility dedication.
3. Right-of-way, private street, and/or easement grants for utility purposes totaling less than fifty (50) feet may be accepted at the discretion of the District.
4. All right-of-way, private streets and/or easements shall be shown on the water plans and shall be provided to the District prior to the approval of water plans and must provide adequate clearances for the safe operation, maintenance, and repair of the water facilities. The District reserves the right to determine the location of a main extension and appurtenances.

k. Easements

1. No buildings, structures or trees will be placed upon, over or under any District easement, now or hereafter, except that an easement can be improved and used for street, road or driveway purposes and for other utilities, insofar as such use does not interfere with the operation and maintenance of the District's facilities within the easement.
2. Should the District act to repair any of its facilities within the easement, the District is not responsible for repair or reconstruction of any property located within the easement.
3. Should any of the District's facilities within an easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the property owner will bear the full cost of such relocation or repair.

l. Size of Mains

A main extension shall be of sufficient size to provide an adequate water supply to the development (subdivision, commercial, industrial, or single residential property). The minimum water main size will be based on the existing or proposed street right-of-way width, which may include common areas.

A developer extending water mains will be required to install these minimum size water mains at their sole expense. The minimum water main diameters are as follows:

STREET WIDTH	MINIMUM WATER MAIN DIAMETER
Up to 60'	8"
61' to 80'	10"
Greater than 80'	12"

Water mains in cul-de-sacs, internal streets within subdivisions, and other areas where water mains will not be extended in the future, may be 6" in diameter if that size water main meets the water demand requirement of the development. The District reserves the right to establish the size of all mains and appurtenances.

m. Fire Hydrants

Fire hydrant installations shall conform with design and location requirements of the governmental agency having jurisdiction.

n. Use of Facilities

A main extension constructed for a development shall not be considered as reserved for service to that development exclusively. Extensions of and connections to a main extension for other development may be permitted when, in the opinion of the District, such connections will not substantially affect service to the original development.

o. Conveyance of Title

Upon satisfactory completion of construction and acceptance of the facilities by the District, the developer shall deliver to the District a valid bill of sale conveying unencumbered title to the facilities to the District.

p. Construction by Private Contractor or District

Construction work shall be performed by a contractor properly licensed by the State of Nevada and selected by the applicant. Proof of licensing may be required. In certain circumstances when, in the opinion of the District, the extent of work to be performed is minor and can be accomplished efficiently and economically by District forces, the applicant may deposit an amount determined by the District. Upon completion of construction, the difference between the estimated and actual costs will be either billed or refunded.

q. Refund of Frontage Connection Charges

The developer will receive frontage connection charges collected by the District for connections to the main extension installed by the developer under the provisions of a main extension agreement specifically providing for the refund of frontage connection charges. The potential refunds paid to the developer shall be limited to the fees collected by the District up to ten years from the date of the agreement. The total of potential refunds made for connections on either side of the main extension for the development shall not exceed \$17 per linear foot per side of adjacent right of way, to a maximum of \$34.00 per linear foot of installed main. Any refund for a connection to the main extension shall be made following the date the main and/or services are inspected and accepted by the District, and a signed Bill of Sale is provided by the developer.

At the sole discretion of the District, transmission mains may have limited connections made to them. Conditions limiting these connections include ensuring system reliability and the nature of the materials used to construct large diameter pipelines. Due to these conditions, parallel mains may be required to be constructed in order to serve adjacent developments.

By deciding whether a connection will be adjacent to, or parallel to a transmission main, the potential for the refunding of frontage connection charges by the District to the developer of the transmission main will be calculated in accordance with these Rules. Development(s) connecting to parallel or adjacent mains shall be assessed frontage charges based on the main providing the direct service with refunding to the main providing the direct service. Refunding of frontage connection charges to the developer of a transmission main may occur with parallel main installations. However, refunds will be based only on the difference between the frontage of the property to be developed and the length of the parallel main serving that property.

10.2 Service Connections Installed by Private Contractor

If service connections are installed by private contractor, the provisions of Section 10 shall apply.

10.3 Standard Main Extensions

a. Applicability

A standard main extension shall apply if the property to be served does not meet the requirements of a residential main extension, or if a residential main extension does not meet the needs of the applicant, and if the District chooses not to oversize the main.

b. Responsibility for Cost

The cost of a standard main extension, including service laterals, fire hydrants, and all other appurtenances, shall be borne by the applicant.

10.4 Oversized Main Extensions

a. Applicability

An oversized main extension is a main larger in diameter than the minimum diameter necessary to provide a supply to a proposed development, which will be capable of meeting future demands on the District's distribution system. The District may increase the length of an oversized main extension beyond that required to serve a particular development, in order to provide for the orderly development of the District's distribution system, improve water quality and/or improve system reliability.

Appendix I shows Non-Oversizing and Oversizing Areas. As such, it also demonstrates the extension of Oversizing Area beyond the Las Vegas Basin to include, where appropriate, the balance of the service area of the District.

The applicability of oversizing is delineated in Appendix I as follows:

1. Non-Oversizing Area: This area identifies the developed area of the distribution system, and is designated as a non-oversizing area.
2. Oversizing Area: Oversized main extensions may be required in this area. District participation and reimbursement will be in accordance with this section.

b. Approval by Board

A proposal for oversizing of a main extension shall be submitted to the Board for those projects with District participation. If the oversizing of the main extension is approved by the Board, the developer must initiate construction within one (1) year from the date of water plan approval, unless specified otherwise in the agreement, or the Board's action shall be void.

c. Refunding for Oversizing

The District shall refund, without interest, to the developer for the cost of oversizing the main extension within the Oversizing Area, as identified in Appendix I and as specified in the agreement(s), within forty-five (45) calendar days following acceptance by the District and delivery of an unencumbered bill of sale.

In the event water mains are oversized to a diameter greater than 42 inches in diameter, the District will refund the cost for that portion of the oversized main

extension greater than 42 inches in diameter, separate from the oversized portion less than 42 inches in diameter. The cost of oversizing that portion of the water main in excess of 42 inches in diameter will be refunded by the District, as specified in the agreement(s) within forty-five (45) calendar days following acceptance by the District and delivery of an unencumbered bill of sale.

An oversized main extension is required to be bid as a public works project in accordance with Nevada Revised Statutes as amended whenever the pipe size is greater than 42 inches.

d. Cost Allowances

Refunding by the District for the oversizing of a main extension shall be based on the difference in cost allowance between the oversized main installed and the main required by the developer, multiplied by the horizontal lineal feet of main actually installed. Cost allowances per lineal foot for various diameters are as follows:

<u>Diameter</u>	<u>Cost Allowance per Lineal Foot</u>
<8"	\$ 0
8"	29
10"	35
12"	42
16"	64
20"	90
24"	116
30"	182
36"	201
42"	220
>42"	Based on competitive bids

At the developer's option, the reimbursement amount may be based on actual construction costs if an open competitive bid process in accordance with Nevada Revised Statutes as amended, is completed for the oversized main.

e. Alternate Method of Payment

The Board may, in lieu of a lump sum payment of the District's portion of the cost, arrange with the developer or customer for an alternate method of payment.

f. Special Requirements

For an oversized main extension twenty inches or larger in diameter, the District may add special requirements in addition to those specified in this section.

10.5 Bolstering

Bolstering may be required by the District as a condition of the development approval process.

The District shall refund to the developer, without interest, the cost of bolstering the main extension(s) as specified in the agreement(s) within forty-five (45) calendar days following acceptance by the District and delivery of an unencumbered bill of sale.

10.6 Assessment District Improvements

Property owners may petition the District for formulation of an assessment district for the purpose of providing a water supply system or for improving an existing system which is inadequate. Proceedings for petition and formulation of the assessment district will be pursuant to Chapter 271, Nevada Revised Statutes.

10.7 Residential Main Extensions

a. Applicability

A residential main extension is described as a main extension sized in accordance with these Rules which is installed by the District to provide service to a single family residentially zoned lot. This extension shall apply only as part of a voluntary or mandatory well conversion, or to individual, developed parcels located within a well service area that apply to convert to District service without participating in the SNWA Well Conversion Program.

b. Application

The applicant shall meet the following requirements, submit the following information, and pay the applicable fees, charges and deposits.

1. Have a water commitment in accordance with Section 1 of these Rules.
2. Provide a legal description of the parcel to be served.
3. Provide a dedicated right-of-way or easement in which the main is to be located.
4. Execute a residential main extension agreement.
5. Provide other information as required by the District.

The District shall commence construction of the main extension following payment of fees and obtaining necessary approvals and permits for the project.

The District reserves the right to deny a residential main extension application in certain circumstances, such as the existence of an assessment district or another previously approved form of providing water.

There are no frontage connection charge refunds due the applicant of a Residential Main Extension for any connection to said main.

c. Length Limitations

The length of main to be installed shall be as necessary to extend from an existing active main with sufficient capacity and pressure to a point which will provide a minimum of twenty feet of main fronting the parcel receiving service. The maximum length of a residential main extension shall be 1,250 feet.

d. Fire Hydrants

Fire hydrants will be installed as a part of residential main extensions when required by the governmental agencies having jurisdiction. Any costs for providing fire protection are the full responsibility of the applicant.

SECTION 11 - INSTALLATIONS OF NON-POTABLE WATER FACILITIES

11.1 Conditions

The District fully supports the use of non-potable water for use by large turf and landscape irrigators, and appropriate non-residential users as part of a continuing effort to conserve potable water for domestic consumption. This alternative water resource is subject to availability as determined by the District.

All non-potable water delivered by the District shall be used for irrigation or non-residential use on the user(s) premises in compliance with these Service Rules and all applicable rules and regulations of federal, state, county, city, other local regulatory agencies, and the approved State EMP. The District shall be solely responsible for conveying and controlling the non-potable water in compliance with applicable regulatory agency requirements, up to and including the point of delivery.

Plans for the installation of non-potable services shall be submitted as required under the District Service Rules, as amended. The design, construction, operation, and maintenance of all onsite potable golf course systems, or other non-potable irrigation and non-residential area systems shall be the responsibility of the non-potable water user.

11.2 Responsibilities

The District will:

- a. Provide and operate the Recycled Water Distribution System (RWDS), as necessary, to deliver non-potable water to the User's point of delivery in compliance with applicable regulatory agency requirements.
- b. Maintain ownership, control, and assume maintenance and repair responsibility of the RWDS, including, as appropriate, meter, control valve, and vault, to the point of delivery, as well as the reservoir level sensing device and its appurtenant communication features.
- c. Allow non-potable large turf and landscape irrigation or non-residential services to be designed and constructed in accordance with District standards, and subject to applicable rates, fees, and charges.
- d. Allow potable service as part of large turf and landscape areas that, for example, may be designated for golf tees and putting greens. This type of service will be allowed either as a conversion from a District approved non-potable irrigation system, or as an initial installation during new golf course construction, or of other large turf and landscape irrigation systems. Potable water charges will be based on the rates and charges found in these Rules.
- e. Review User plans for a transition from a potable water supply to a non-potable water supply, with ongoing fees being the responsibility of the User.
- f. Develop a system buy-in formula to establish equity among users.

The Non-Potable Water User(s) will:

- a. Install, operate, maintain, and repair any on-site non-potable water irrigation system with all appurtenances necessary to meet, convey, control, distribute through the irrigation or storage system, and use the non-potable water delivered by the District in compliance with the applicable provisions of city, county, state, and federal statutes, ordinances, or regulations and pursuant to the District's Service Rules.

User installation, operation, maintenance, and repair responsibility will include, but not be limited to, responsibility for all types of onsite irrigation pipelines, pumps, sprinklers, storage facilities and their maintenance if located on User's property, and compliance with the EMP.

- b. Provide a forecast of maximum daily non-potable water demands, as required by the District.
- c. As necessary, design and construct any non-potable conversions to potable water irrigation for designated large turf and landscaped areas.
- d. Warrant that it will conduct an annual inspection of activated onsite potable and non-potable irrigation systems. These inspections shall be performed by a certified cross-connection control specialist. The non-potable water user will ensure that no cross-connections of potable and non-potable systems occur during the life of the irrigation systems.

11.3 Irrigation System Charges

This subsection describes the means of assessing or refunding fees and charges for partial conversions of non-potable irrigation systems to potable irrigation systems for large turf and landscape irrigators.

The following charges apply to potable irrigation systems that are installed or retained with non-potable irrigation systems.

- a. For potable services installed prior to February 7, 2000, and subsequently converted to a non-potable irrigation system, applicable District fees and charges (application, inspection, and frontage connection) will be assessed for downsizing or relocating existing potable services. This option is available for up to four (4) years after the date of the accepted conversion to a non-potable irrigation system. After the four year period, any partial conversion to, or new installation of potable services will require the payment of all District and regional fees and charges.
- b. For potable services installed after February 7, 2000, and subsequently converted to a non-potable irrigation system, all regional connection charges for these services will be refunded based on the amount of acreage serviced by a non-potable irrigation system. This option is available for up to four (4) years after the

date of the accepted conversion to a non-potable irrigation system. After the four year period, any partial conversion to, or new installation of potable services will require the payment of all District and regional fees and charges.

- c. Fees, charges, credits, and refunds for new connections to existing recycled water distribution systems, or for the development of new recycled systems, will require individual project review. The purpose of the reviews will be to assess the variables of distribution, system supply, development costs, perform audits on conversion acreage, and assess appropriate fees and charges as prescribed in Section

SECTION 12 – CONSERVATION

12.1 Introduction

Groundwater and Colorado River water are two physical resources used to meet water demands in Southern Nevada, but there is a third, tangible resource that is critical to managing and extending those physical resources over time - conservation. Conservation involves no real infrastructure challenges or significant capital costs, yet it effectively provides an additional resource by freeing up water that was previously consumed inefficiently or wasted. In this sense, it is the cheapest source of water available to the community. It is also a resource over which we have complete control, because future availability depends more on our own efforts and less on influences outside the community.

The Las Vegas Valley Water District, as a member agency of the Southern Nevada Water Authority (SNWA), is committed to an ongoing conservation strategic planning process that will result in the implementation of a 199 gallons per capita per day (GPCD) conservation goal by 2035. The goals focuses on reductions in Nevada’s consumptive use of Colorado River water. Consumptive use is the net amount of water used each year and not returned through return-flow credit to use again to extend our Colorado River water allotment. The SNWA and its purveyor members must focus on changing the outdoor water use habits of all customers. Outdoor use accounts for the greatest consumption of water. While water resources will not be extended by conserving water indoors due to return flow credits, environmental benefits result from efficient use of water and returning as little as possible.

12.2 Water Waste Enforcement

As a condition of service, customers of the District must use water delivered through the District’s system in a manner that promotes efficiency and avoids waste.

In the event of a conflict between the District Service Rules and other applicable ordinances or regulations, the most stringent will prevail.

12.3 Water Waste Prohibited

A. Water waste shall include:

1. Allowing water provided by the District to flow or spray off the property.
2. Failure to correct a malfunctioning device or supply line, where the customer or their agent has known of the problem for more than 48 hours.
3. Non-compliance with regulations regarding washing of vehicles, equipment, driveways, parking lots, sidewalks, streets or other surfaces or objects.
4. Discharging swimming pool or spa water drainage off the property where discharge into a public sanitary sewer is available.
5. Using spray irrigation (sprinklers) between the hours of 11:00 a.m. and 7:00 p.m. from May 1st through September 30th each year.

6. Non-compliance with regulations relating to ornamental water features and misters.
7. Non-compliance with watering group assignments.

B. Exemptions

Exemptions to specific provisions are outlined in Section 12.5.

C. Violations

Upon the first observation of waste, the customer will be notified and allowed a prescribed time period to take corrective action. Subsequent violations will result in a fee assessment. In addition, the District may exercise authority granted by any appropriate jurisdictions, including the issuance of misdemeanor citations.

The District has adopted specific administrative policies and procedures to support these Service Rules. These policies and procedures:

1. Specifically define water waste and exemptions;
2. Require observation and documentation of water waste by a representative of the District;
3. Require notification to the customer explaining the District's policy prior to fee assessment;
4. May allow a customer to receive additional time to pursue corrective action;
5. Provide a mechanism by which a customer may protest the fee assessment;

D. Administrative Fees

Customers issued a violation notice as defined by the District shall be assessed a fee according to the listed schedules. Violation levels shall be based upon violation history for the preceding 18 months. Administrative fees are assessed in accordance with the following schedule.

Water Waste Fee Schedule					
Meter Size	1st Violation	2nd Violation	3rd Violation	4th Violation	5th Violation and More
1" and Less	\$ 80.00	\$ 160.00	\$ 320.00	\$ 640.00	\$ 1,280.00
Over 1" but less than 3"	160.00	320.00	640.00	1,280.00	2,560.00
3" and over	320.00	640.00	1,280.00	2,560.00	5,120.00

12.4 Exemptions

Exemptions to various provisions of this section are outlined in the Water Use Exemptions table. The following exemptions shall apply.

Water Use Exemptions					
<u>Handwatering</u>	Time of Day	Exempt	<u>Non-Spray Irrigation</u>	Time of Day	Exempt
	Assigned Day	Exempt		Assigned Day	Exempt (not to exceed Maximum Water Frequency)
	Flow or Spray Off Property	Not Exempt		Flow or Spray Off Property	Not Exempt
<u>New Landscape</u> ¹	Time of Day	Exempt 30 days	<u>Irrigation of Commercial Nursery Stock</u>	Time of Day	Exempt
	Assigned Day	Exempt 30 days		Assigned Day	Exempt
	Flow or Spray Off Property	Not Exempt		Flow or Spray Off Property	Not Exempt
<u>Supervised Testing</u>	Time of Day	Exempt	<u>Water Budgeted Facilities</u>	Time of Day	Exempt
	Assigned Day	Exempt		Assigned Day	Exempt
	Flow or Spray Off Property	Exempt		Flow or Spray Off Property	Not Exempt
<u>Public Health and Welfare</u>	Time of Day	Exempt	<u>Syringing</u>	Time of Day	Exempt
	Assigned Day	Exempt		Assigned Day	Exempt
	Flow or Spray Off Property	Exempt		Flow or Spray Off Property	Not Exempt

Water Use Exemptions					
<u>Residential Car Washing</u>	Time of Day	Exempt	<u>Overseeding</u> ^{1,2}	Time of Day	Exempt 30 Days
	Assigned Day	Exempt		Assigned Day	Exempt 30 Days
	Flow or Spray Off Property	Exempt for 5 Minutes		Flow or Spray Off Property	Not Exempt

¹Customer must contact District prior to change in irrigation schedule. Must be in compliance with all applicable codes and conservation restrictions.

²Exemption limited to one 30-day period per calendar year. No cool season grass plantings May – August.

12.5 Compliance with Water Efficiency and Conservation Codes

All customers of the District are required to comply with all applicable water efficiency and landscape codes. The District may reject the application for, rescind, or terminate water service to any property or use determined to be in violation of applicable codes or standards which are directly or indirectly intended to conserve or protect the waters of the District.

12.6 Conservation Restrictions

A. Irrigation Restrictions for Properties not Subject to Water Budgets

For the purpose of managing the water distribution system, specific watering days and/or schedules will be assigned to each customer by the District.

1. Between May 1st and September 30th of each calendar year, it shall be considered water waste to spray irrigate outdoor vegetation between the hours of 11:00 a.m. and 7:00 p.m.
2. It shall be considered water waste to irrigate outdoor vegetation at variance with the following table, unless the property is designated as a Community Use Recreational Turf Area, or qualifies as a property restricted by Water Budgeting as identified in this section.

Season	Watering Schedule
Winter November – February	One Assigned Day Per Week
Spring March – April	3 Assigned Days per Week
Summer May- August	Any Day
Fall September - October	3 Assigned Days per Week

3. Community Use Recreational Turf Area (CURTA).

Public or private areas designated as CURTA by government jurisdictions shall comply with the following restrictions:

- a. During the spring and fall a watering schedule for each area may not exceed seven (7) days out of 14 days and the schedule must be posted at each location.
- b. During the winter a watering schedule for each area may not exceed two (2) days out of seven (7) days and the schedule must be posted at each location.
- c. Irrigation shall be eligible to commence no earlier than 9:00 p.m. the day prior to the designated day.
- d. The District may require areas designated as CURTA to submit an irrigation schedule to the District for the current season (Spring, Winter, Fall) within 30 days of the designation. Irrigation schedules for subsequent seasons must be submitted 30 days prior to the next season.

Government bodies may approve an alternative to landscape watering restrictions on a specific CURTA, and under such circumstances the District shall defer enforcement of provisions 3 a. and b. above.

B. Water Budgeted Golf Courses

Any golf course using District supplied water shall be on a water budget, and shall be exempt from time of day and assigned watering day provisions. A golf course on a water budget shall be measured and charged based upon a specified amount of acre-feet of SNWA member agency water (including potable, raw, reuse, and non-potable) for each acre currently being irrigated. The irrigated acreage will include lakes and ponds existing within a golf course and lakes and ponds serving in total or in part, as a golf course irrigation reservoir.

A water budget is established at 6.3 acre feet per irrigated acre per year for golf courses.

In the event a golf course customer contests the calculated irrigated acreage as determined by the District, the golf course may provide calculations supported by other methods acceptable to the District. Alternative measurements would need to be determined by an independent consultant not affiliated with the golf course. In any case however, the District shall make the final determination of irrigated acreage. Once measured, the irrigated acreage shall remain fixed, thus creating an incentive for golf courses to convert unneeded turf to other styles of water efficient landscaping. However, if a golf course expands its course by increasing the number of playing holes, a new irrigated acreage will be determined.

Water used in excess of the budget will be assessed a surcharge based upon the schedule below. Surcharges will be imposed in lieu of the fourth tier of adopted rates (the third tier rate will be charged for all water used above the third tier shown in Section 8.1).

Percentage of budget	101 to 120 percent	121 to 140 percent	Over 140 percent
Surcharge to apply to water use in excess of budget.	2.0 times the highest non-potable rate.	5.0 times the highest non-potable rate.	9.0 times the highest non-potable rate.

Each golf course shall be required to submit its own water use reduction plan containing at least the following elements: a physical description of the course, including detailed descriptions of all irrigated areas; an itemized accounting of calendar year 2002 water use; a review of spray irrigation efficiency; and a description of key water use reduction strategies and timelines for implementing those strategies.

C. Mist System Restrictions

Residential mist systems used for human comfort are not restricted. However, commercial use is allowed only under the following conditions:

1. From May 1st to August 31st and,
2. Between noon and midnight

D. Water Feature Conditions and Exemptions

Water features may not be operated and will not be required to be drained. It can maintain a re-circulating water pool to sustain pumps, pond liners, surface coatings, and ancillary equipment. The water feature may be operated only between 1:00 a.m. and 4:00 a.m., or whenever freezing conditions require system preservation. This shall include the use of District water that has been recycled or reprocessed by the customer.

The following uses are exempt:

1. Residential

A water feature of less than 25 feet surface area:

- a. At a single-family residence, or
- b. Centrally located within a residential development. No feature incorporated into an entryway or streetscape, as defined by local government, will be allowed.

2. Non-Residential

Government bodies may approve exemptions to water feature restrictions, and establish any other conditions or requirements that may apply.

3. Swimming pools and recreational water parks, both public and private.
4. Water features that are necessary and functional components serving other allowable uses (e.g., storage ponds on a golf course, or aeration devices).
5. Indoor water features or features with the majority of the total water volume contained indoors or underground. If practical alternatives exist for separating indoor and outdoor components, they shall be separated and managed accordingly.
6. Recreational water parks, both public and private.
7. Fountains and water features at resorts as defined by the governing jurisdiction.
8. Fountains or water features necessary to sustain aquatic animals provided that such animals are of significant value and have been actively managed within the water feature.
9. Fountains and water features supplied by privately owned water rights, unless restricted by the code of the applicable jurisdiction.

E. Other Outdoor Water Use Restrictions

1. Surface, Building, and Equipment Washing (excluding motor vehicles).

Surface, building, and equipment washing is prohibited, unless the water is discharged to a sanitary sewer through approved methods, or contained on site.

2. Personal Vehicle Washing

Washing of personal vehicles upon residential properties is limited to once per week, per vehicle and requires a positive shut-off nozzle on the garden hose.

3. Commercial Vehicle Washing

Commercial vehicles may only be washed at a commercial facility where water is discharged to the sanitary sewer through approved methods or, with the use of a high-pressure, low volume sprayer using less than ten (10) gallons per vehicle. There is no limitation on frequency.

F. Manmade Lake Provisions

All man-made lakes with over one acre of surface area shall pay the same rate as metered construction water, as defined by Section 8.6(e). Lakes that serve, in whole or part, as a functional reservoir for a golf course are included in the calculation of a golf course water budget.

G. Governmental Facility Provisions

1. Government facilities shall be subject to landscape water restrictions.
2. Government facilities shall be subject to District water rates and water waste fees.
3. Government facilities with greater than five (5) acres of turf must conduct a self-assessment of water conservation potential and implement a plan to maximize outdoor water use efficiency.

12.7 Water Budgets

In addition to, or in lieu of, any provisions of this section, the District reserves the right to assign specific water budgets to customers, and the right to prescribe rates and/or surcharges for varying levels of use related to the budget. The District shall provide written notification to each individual water budgeted customer of the amount of water provided for the budget and associated provisions. Where a water budgeted customer is served by more than one SNWA member agency, the District may collaborate with any of those member agencies for purposes of administering the water budget. The District may assign water budgets for any specified period of time and may prorate the amount of water at its discretion. If conditions at a property change such that an alteration in the water budget may be merited, the District may reconsider the budget. Water budgeted customers are exempt from time and day, assigned day, and watering frequency restrictions described elsewhere in this Section.

SECTION 13 - MISCELLANEOUS

13.1 Interpretation and Application

Except for the provisions put forth in Section 1, Water Commitments, the General Manager shall have discretion in the interpretation and application of these Rules. This discretion shall be exercised to maintain equity among users with full documentation, which will accomplish the intent of the Rules, policies, and procedures of the District, and protect the public health, safety, and welfare.

13.2 Water Use Limitations

In the event of water shortages, emergency conditions, or inability of the delivery system to provide adequate volumes of water, the General Manager shall have the authority to limit water usage. Any actions taken by the General Manager pursuant to this section shall be reviewed by the Board of Directors at its next regularly scheduled meeting in complete compliance with Chapter 241 of Nevada Revised Statutes. The District may enforce any action taken under these sections by any legal means, including disconnection of a customer's water service.

13.3 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 Master Plan from proceeds of General Obligation Bond sales. At the discretion of the Board of Directors, and as funds are available, the District may construct main extensions and other improvements which are required to improve or reinforce the distribution system.

13.4 Special Conditions

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

13.5 Effective Date

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

13.6 Continuity

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

13.7 Administrative Appeal

a. Administrative Appeal Process

An applicant or customer who is aggrieved by a denial of any water service request may appeal that decision within ten (10) days from written notice of the denial by the District. Written notice of appeal shall be served upon the General Manager, who shall conduct a review of the grounds alleged for appeal. Upon delivery of the General Manager's decision, the aggrieved party may, within ten (10) days, appeal that decision to the Board of Directors.

b. Rules of Administrative Appeal

1. Any notice given in accordance with Section 13.7(a) shall commence to run on the day following the mailing of the decision addressed to the applicant or customer at the address used by such person on his application.
2. The burden of proof is on the party appealing the decision.
3. All notices of appeal shall clearly identify the matter appealed and as concisely as possible, state the argument for reversal of the decision appealed from.
4. Review by the General Manager shall be conducted and completed within thirty (30) days of the receipt of the written notice of appeal.
5. Not later than thirty (30) days from the date of notice of appeal from the action of the General Manager, the Board of Directors shall set the date for the public hearing at a regular meeting of the Board, within not less than thirty (30) days.
6. The Board of Directors may reverse the final decision of the General Manager if it is:
 - a. In violation of constitutional, statutory or Service Rules rights.
 - b. Clearly erroneous in view of the reliable probative and substantial evidence of the hearing; or
 - c. Arbitrary or capricious or characterized by abuse of direction.

c. Hearing Procedure

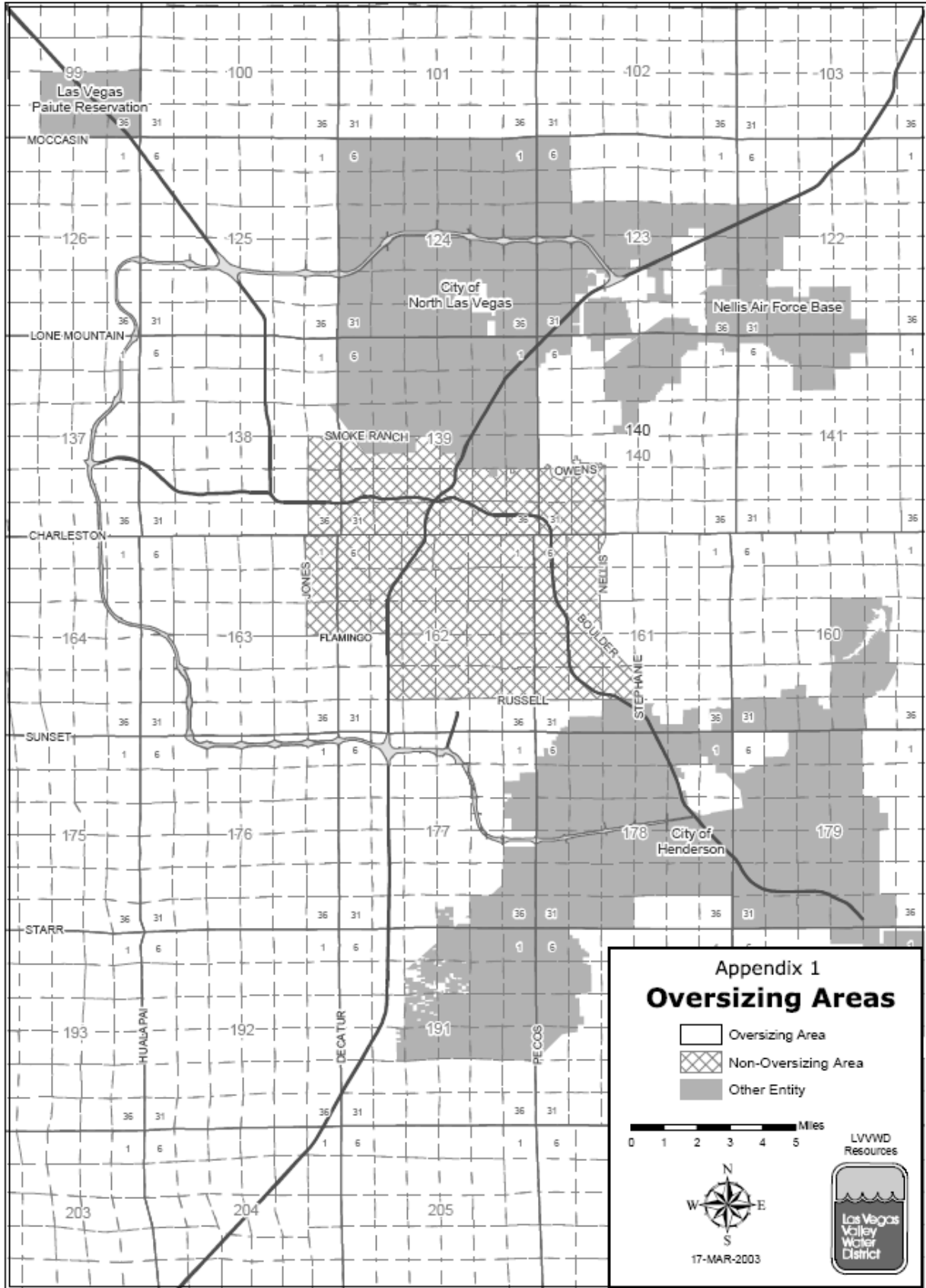
The following procedures shall apply to Administrative Appeals heard before the Board of Directors:

1. The proceedings shall be reported either stenographically or by a phonographic reporter;

2. Oral evidence shall be taken only upon oath or affirmation.
3. Every party to a hearing shall have the right:
 - a. To call and examine witnesses.
 - b. To introduce exhibits relevant to the issues of the case.
 - c. To cross-examine opposing witnesses on any matter relevant to the case, even though the matter was not covered in a direct examination.
 - d. To offer rebuttal evidence.
4. The hearing is not conducted according to technical Rules relating to evidence and witnesses. Any relevant evidence may be admitted and may be sufficient in itself to support a finding if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of common law or statutory rule which might make improper the admission of such evidence over objection in an action in a court of law.
5. The Board may take official notice of any generally accepted information or technical or scientific matter, any other fact which may be judicially noticed by the courts of this state and the content of any Las Vegas Valley Water District record or official report. Parties shall be informed of any information, matters or facts so noticed, and shall be given a reasonable opportunity to refute such information, matters or facts.

13.10 Business Impact Statement Appeals

A petition authorized by NRS Chapter 237 shall be filed with the General Manager or her designee. The petition must meet the requirements as set forth in NRS Chapter 237 and will be reviewed by the General Manager within sixty days (60) from receipt. The petition will be scheduled for Board review at the first meeting following the review process.



APPENDIX II

ELDORADO VALLEY PIPELINE SERVICE RULES

Water service from the Eldorado Valley pipeline is provided in accordance with the Cooperative Agreement with the City of Henderson dated May 3, 1988, and is subject to the terms and conditions of that agreement. The Eldorado Valley pipeline is generally located south of Railroad Pass (U.S. Highway 93) and west of U.S. Highway 95 within Sections 11, 14, and 23 of Town 23 South, Range 63 East.

The Service Rules of the Las Vegas Valley Water District shall be in full force and effect within the area serviced through the Eldorado Valley pipeline, with the following exceptions:

Section 8.1 Metered Rates for Domestic Service

Each customer within the Eldorado Valley pipeline service area shall meter the water received and shall pay a pro rata share of all related system costs. Each user shall be responsible for any costs associated with its individual service connection. Each user's share of water costs shall be computed as the product of the cost of the item times a fraction which shall have as a denominator the total water delivered during the month through the Eldorado Valley pipeline, and as a numerator the water delivered to the user. The item costs being pro rated shall be:

- a. A commodity charge as established and found in the Las Vegas Valley Water District/City of Henderson Agreement effective August 1, 1988, and as may be amended from time to time.
- b. All costs associated with the operation and maintenance of the Eldorado Valley pipeline including, but not limited to repairs, relocations, replacement and/or correction of defects.

All other rates, charges, and rules shall be those listed in the Las Vegas Valley Water District's Service Rules.

APPENDIX III

GOLD STRIKE INN PIPELINE SERVICE RULES

Water service from the Gold Strike Inn pipeline is provided in accordance with the Cooperative Agreement with the City of Boulder City dated July 1, 1988, and is subject to the terms and conditions of that agreement. The Gold Strike Inn pipeline is generally located along U.S. Highway 93 extending northeast from the Boulder City/Lake Mead National Recreation Area boundary to the Gold Strike Inn within Sections 25, 26, 34 and 35 of Town 22 South, Range 64 East.

The Service Rules of the Las Vegas Valley Water District shall be in full force and effect within the area serviced through the Gold Strike Inn pipeline, with the following exceptions:

8.1 Metered Rates for Domestic Service

- a. For a single user, said user shall pay all costs incurred by the District related to the operation, maintenance and repair of the Boulder City-Gold Strike Inn pipeline to include:
 1. A commodity charge as established and found in the Las Vegas Valley Water District/City of Boulder City Agreement effective July 1, 1988, and as may be amended from time to time.
 2. All costs associated with the operation and maintenance of the Gold Strike Inn pipeline including, but not limited to repairs, relocations, replacement and/or correction of defects.
 3. As long as there is only a single user, the user's service need not be metered.
- b. When multiple users are receiving services from the Gold Strike Inn pipeline, each user shall meter the water he receives and shall pay a pro rata share of all related costs. Each user's share shall be computed as the product of the cost of the item times a fraction which shall have as a denominator the total water delivered during the month through the Gold Strike Inn pipeline, and as a numerator the water delivered to the user. The item costs being pro rated shall be as shown in Items 8.1.a.1 and 8.1.a.2 above.

All other rates, charges, and rules shall be those listed in the Las Vegas Valley Water District's Service Rules.

APPENDIX IV

GARNET VALLEY SERVICE RULES

Water service to Garnet Valley is provided based on the Las Vegas Valley Water District Service Rules, as amended. The Service Rules of the Las Vegas Valley Water District shall be in full force and effect within the area mapped for service, with the following exceptions:

1. The exceptions to the Rules for effective development of Garnet Valley are that the District shall own all constructed facilities, shall recover all of its costs of operation and maintenance of those facilities, and shall be entitled to manage all water delivered to or developed from Garnet Valley.
2. LVVWD does not guarantee or warrant in any manner that water service is or shall be available in Garnet Valley. All requests for service within Garnet Valley shall be by individual project review for public health, welfare, and safety; evaluation of available resources; costs; and best available alternative supplies.
3. The District shall recover all costs of serving customers within the Garnet Valley through rates and charges specifically designed to recover the costs of designing and constructing water facilities and providing water service within the Garnet Valley.

Each customer will pay a monthly water bill consisting of at least four components as follows:

- a. Service charges calculated to cover the costs of providing administrative service to the customer and the system. Service charges will be based upon the service size and service type. Service charges will include, but not be limited to costs associated with providing customer service, billing, meter reading, and water quality.
- b. An operation and maintenance charge to cover costs associated with the operation and maintenance of the Garnet Valley water system, including, but not limited to repairs, relocations, replacements, and/or correction of defects.
- c. A Facility Capital Charge to cover the cost of water facilities installed to provide service to the Garnet Valley. The Garnet Valley system facility capital costs shall be reduced by any Facility Connection Charges received and returned by the District with the balance charged to customers according to size of service.
- d. Other charges as deemed appropriate by the District as set forth in future amendments to the Service Rules or imposed by other entities.

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For more information regarding the rules, rates and regulations for the areas operated by LVVWD, or to request additional copies of area Service Rules, please call the Development Services Office at 702-258-3865 or 800-252-2011, ext. 3865, or visit our website at www.lvvwd.com.

Big Bend

Blue Diamond

Coyote Springs

Kyle Canyon

Las Vegas Valley
(including Jean)

Searchlight



Las Vegas Valley Water District
1001 South Valley View Boulevard
Las Vegas, NV 89153