

F I N A L

Appendix A to I
Volume 3, Book 1

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C O Y O T E S P R I N G S
I N V E S T M E N T

P L A N N E D D E V E L O P M E N T P R O J E C T

Coyote Springs Investment Planned Development Project

Appendix A to I July 2008

Prepared EIS for:

LEAD AGENCY

U.S. Fish and Wildlife Service
Reno, NV

COOPERATING AGENCIES

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St. George, UT

U.S. Bureau of Land Management
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COYOTE SPRINGS INVESTMENT PLANNED DEVELOPMENT PROJECT

Appendix A to I



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**Coyote Springs Water Resources
General Improvement District
Service Rules for Clark County**

**COYOTE SPRINGS WATER RESOURCES
GENERAL IMPROVEMENT DISTRICT
SERVICE RULES**

ADOPTED: FEBRUARY 6, 2007

The effective date for these Service Rules is February 6, 2007

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**COYOTE SPRINGS WATER RESOURCES
GENERAL IMPROVEMENT DISTRICT
SERVICE RULES**

INTRODUCTION

The Clark County - Coyote Springs Water Resources General Improvement District (“CC - CSWRGID”) is a publicly owned, quasi-municipal political subdivision created by the County Commission of Clark County, Nevada, through enactment of Ordinance No. 3456, effective November 8, 2006. For the purpose of these Service Rules (hereafter known as the “Service Rules”), the CC - CSWRGID will be known and publicly identified as the Coyote Springs Water Resources District (hereafter known as “CSWRD”). Within the CC - CSWRGID and under separate agreements are two operating entities delegated to provide water and sewer services, including but not limited to, distribution, operation, maintenance, customer billing, and sewer collection and treatment. These entities are the Las Vegas Valley Water District (hereafter known as “LVVWD”) and the Clark County Water Reclamation District (hereafter known as “CCWRD”). These Service Rules establish LVVWD and CCWRD’s operating responsibilities as operator of the CSWRD.

The CSWRD is governed by a Board of Trustees, which has jurisdiction over all of its affairs and has sole responsibility for establishing rates, rules, and regulations for the sale and distribution of all water resources to the area to be served and the use of such water.

“CSWRGID” refers to the Coyote Springs Water Resources General Improvement District, its Board of Trustees, and their actions, policies, and procedures, as related to the supply, design, funding, and construction of all water and wastewater infrastructure necessary for the development of the CSWRGID. CSWRGID and the CSWRD shall mean the CSWRGID Board of Trustees and shall be the same Board of Trustees in all respects and at all times, as the Board of Trustees for the CSWRGID. The CSWRD shall not be a separate entity or organization, but shall mean CSWRGID doing business as the CSWRD.

The CSWRD shall also mean the LVVWD and the CCWRD. The LVVWD is designated as General Manager and operator for the CSWRD. As such, references to CSWRD will encompass actions such as plan review and approval, system and operations maintenance, customer service, customer billing, and design and construction standards for development in accordance with these Service Rules and established procedures.

The purpose of these Service Rules is to define conditions governing customer service, approval of plans, acceptance and disbursement of appropriate rates, fees, charges, and deposits for designated potable, wastewater, non-potable, and raw water treatment and distribution systems, and to ensure uniform and equitable treatment of all customers and developers by CSWRD.

The LVVWD shall operate, maintain, and repair the Coyote Springs water treatment and distribution system, and the CCWRD shall operate and maintain, under the management of the LVVWD, the wastewater treatment and collection system in accordance with these Service Rules. LVVWD will be responsible for the customer billing and account processing of the water and sewer services.

No officer, agent, or employee of the LVVWD, CCWRD, or CSWRD has authority to waive, alter, or amend these rules in any respect any part thereof, or to make any agreement inconsistent herewith. Rates, rules, and regulations are subject at all times to revision by the Board of Trustees.

Any conflict arising from the application and/or interpretation of any rate schedule, rule or regulation herein shall be resolved by the General Manager of LVVWD, subject to review, as needed, by the Board of Trustees.

DEFINITIONS

1. Abandoned Service

“Abandoned Service” shall mean a water or sewer / wastewater 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 CSWRD records. See also the defined term "Removed Service". All facilities abandoned must be abandoned in accordance with Uniform Building Code criteria.

2. American Water Works Association Standards or AWWA

“American Water Works Association Standards” or “AWWA” shall mean the latest revision of the standards adopted by American Water Works Association, Denver.

3. Annual Sewer Service Charge

“Annual Sewer Service Charge” shall mean the total annual charge, which shall be a component of the User Charge, debt service/capital reserve, construction, and service charge components. The Annual Sewer Service Charge shall be collected as part of the regular joint water and sewer bill.

4. Applicant

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

5. Authorized Representative

“Authorized Representative” shall mean an authorized representative of any Person, and may be:

- a. Principal executive officer of at least the level of vice-president, if the Person is a corporation;
- b. General partner or proprietor if the Person is a partnership or proprietorship, respectively;
- c. Manager or managing member of a limited liability company if the Person is a partnership or proprietorship, respectively;
- d. Duly authorized representative of a., b., or c. above, if such representative is responsible for the overall operation of the facilities from which any water or sewer discharge originates.

6. Automated Meter Reading or AMR

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

7. 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, daily service charges, private fire protection service charge, combined service charge, and backflow service charge.

8. Backflow Prevention Assembly

“Backflow Prevention Assembly” shall mean an assembly for the prevention of backflow from the customer's water system to the CSWRD'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.

9. Backflow Prevention Assembly - Approved

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

10. Billing Date

“Billing Date” shall be the date shown on the monthly water and wastewater bill.

11. Biochemical Oxygen Demand or BOD

“Biochemical Oxygen Demand” or “BOD” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions of five (5) days at 20°C, expressed in milligrams per liter (mg/l).

12. Board or Board of Trustees

“Board” or “Board of Trustees” shall mean the Board of Trustees of the Coyote Springs Water Resources General Improvement District.

13. Clark County Water Reclamation District or CCWRD

“Clark County Water Reclamation District” or “CCWRD” shall mean the entity established under Chapter 318, Nevada Revised Statutes to develop and operate sewer collection facilities in designated portions of Clark County.

14. Clark County Water Reclamation District Representative

“Clark County Water Reclamation District Representative” shall mean the Clark County Water Reclamation District General Manager or designee.

15. 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.

16. Conditional Water Commitment
- “Conditional Water Commitment” shall mean a water commitment that may be made if the applicant completes specific requirements within these Rules.
17. Construction Water
- “Construction Water” shall mean metered water delivered for construction purposes including, but not limited to, compaction and dust control, and as more specifically described in Chapter 1.
18. Consumptive Use
- “Consumptive Use” shall mean water that is not returned to the CSWRD sewer facilities for treatment. Such water shall include, but not be limited to, septic tanks, water features, turf irrigation with potable water, and other, similar uses.
19. Cost Accounting
- “Cost Accounting” shall mean providing detailed information of the cost of carrying out an operation in a business or a specific portion or process of a business.
20. “Coyote Springs Investment LLC” or “CSI”
- “Coyote Springs Investment LLC” or “CSI” shall mean Coyote Springs Investment LLC, a Nevada limited liability company, the principal owner of the land comprising the Coyote Springs master planned community.
21. Coyote Springs Land Development Corporation or CSLD
- “Coyote Springs Land Development Corporation” or “CSLD” shall mean Coyote Springs Land Development Corporation, a Nevada corporation, the master planner of the Coyote Springs master planned community.
22. Coyote Springs Water Resources District or CSWRD
- “Coyote Springs Water Resources District” or “CSWRD” shall refer to and be the public designation of the Clark County - Coyote Springs Water Resources General Improvement District.
23. Clark County - Coyote Springs Water Resources General Improvement District or CC-CSWRGID
- “Clark County - Coyote Springs Water Resources General Improvement District” or “CC-CSWRGID” shall mean a political subdivision of the State of Nevada created pursuant to Nevada Revised Statute Chapter 318, created by Clark County Ordinance #3456, dated November 8, 2006, and shall be also be known as Coyote Springs Water Resources District.
24. Coyote Springs Water Resources Management Program
- “Coyote Springs Water Resources Management Program” shall mean a resource management program adopted by CSWRD that develops and performs programs and activities solely for the conservation of long-term groundwater, wastewater, non-potable water management and aquifer

protection within the CSWRD.

25. 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 multi-port tube.

26. Customer

“User” or “customer” shall be used interchangeably in these Service Rules, and shall mean, as to water, the legal owner of each parcel of land who is a recipient of water service from the CSWRD through any existing water system connection, or a property owner applying for water through an existing system connection; and as to wastewater, the legal owner of each parcel of land upon which there is any billing unit(s) or ERU which is connected to, and may contribute, cause, or permit the direct or indirect contribution of domestic or non-domestic pollutants or wastewater, treated or untreated, into the Publicly Owned Treatment Works (POTW) or the waters of the State.

27. Debt Service/Capital Reserve

“Debt Service/Capital Reserve” shall mean a component of the monthly water and sewer charge identified for debt service/capital reserve purposes, which includes principal, interest or reserve for capital projects.

28. Deserted Service

“Deserted Service” shall mean a water or wastewater service connection whose existence is documented in CSWRD records, but cannot be field located.

29. Design Criteria

“Design Criteria” shall mean the existing Uniform Design and Construction Standards (UDACS), as amended, for Water Systems, and the Design and Construction Standards for Wastewater Collection Systems, as amended by the CSWRD Board.

30. Developer

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

31. Development Approval

“Development Approval” shall mean all approval(s), reviews and completed administrative processes required by Clark County for division of property, construction, issuance of a building permit, and/or final construction approvals.

32. Discharge

“Discharge” shall mean the introduction from any source, directly or indirectly, of a non-domestic pollutant or wastewater, treated or untreated, into the District’s wastewater treatment system (including holding tank waste discharged into the system) or the waters of Nevada. As relates to the District itself, discharge includes discharges into as well as from the District’s wastewater treatment system. The term discharge includes either the discharge of a single pollutant or the discharge of multiple pollutants.

33. Discharge Permit

“Discharge Permit” shall mean a permit issued by the State of Nevada in accordance with the National Pollutant Discharge Elimination System and other applicable regulations.

34. Disconnected Service

“Disconnected Service” shall mean an active water service connection which has been turned-off or terminated for non-payment of monthly water and/or wastewater charges.

35. District

“District” shall mean the Clark County - Coyote Springs Water Resource General Improvement District, the Coyote Springs Water Resource General Improvement Board of Trustees and representatives of the Clark County - Coyote Springs Water Resource General Improvement District.

36. District Representative

“District Representative” shall mean the General Manager of the District or a duly authorized representative of the General Manager.

37. Domestic Water Service

“Domestic Water Service” shall mean a water service connection through which water is obtained for all purposes permissible under law, including, but not limited to domestic, commercial and industrial uses exclusive of fire protection and construction service.

38. Domestic Strength Wastewater

“Domestic Strength Wastewater” shall mean wastewater that has BOD concentration of not more than 250 mg/l, a suspended solids concentration of not more than 250 mg/l, phosphorus concentration of not more than 5.5 mg/l and ammonia concentration of not more than 19 mg/l.

39. 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.

40. Emergency Service Connection

“Emergency Service Connection” shall mean a CSWRD authorized water or wastewater service connection on an interim basis required to safeguard health and protect private or public property.

41. Emergency Relief

“Emergency Relief” shall mean the structure on the user’s land has been damaged or destroyed such that ninety percent (90%) or more of the total ERUs cannot reasonably be used to contribute to the CSWRD treatment works. Upon request, the user shall provide a copy of a fire or demolition report or the appropriate documentation to substantiate the user’s claim.

42. Employee

“Employee” shall mean any individual employed by the CSWRD, LVVWD, or CCWRD performing any duties for the CSWRD, excluding independent contractors, consultants, and their employees.

43. Equivalency - 5/8"

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

<u>Meter Size</u>	<u>Typical 5/8" Equivalency</u>
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

44. Equivalent Residential Unit or ERU

“Equivalent Residential Unit” or “ERU” shall mean an annual 90,000 gallons (250 gallons per unit per day) allowance of domestic strength wastewater a user contributes to the wastewater flow including the user’s proportionate share of infiltration/inflow.

45. Existing Landscape

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

46. Expansion or Addition

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

47. 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 CSWRD immediately adjacent to the approved water plans work area. The water facilities include laterals, meters, valves, collars, fire hydrants, blow-offs, vault access cover, air vacuum air release assemblies, backflow assemblies, anode test stations, and or chlorine/pressure monitoring stations.

48. Financial Management System

“Financial Management System” shall mean an accounting system mandated to be included in the User Charge System which conforms with Generally Accepted Accounting Principles (GAAP) and accurately accounts for revenues generated by the system and expenditures for operation, maintenance and repairs (including replacement), including line item breakout of income sources and expense items, and provisions for adjusting operating cost data to reflect operating changes, wage escalation and staffing changes.

49. 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.

50. Fiscal Program

“Fiscal Program” shall mean the total financial program for water and wastewater facilities, including both the revenue and expense programs.

51. Fixture Units

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

52. Food Handling Establishments

“Food Handling Establishments” shall mean those whose function includes the preparation and service of food and food products.

53. 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.

54. Handwatering

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

55. Hazardous Waste

“Hazardous Waste” shall mean a hazardous waste as defined in 40 CFR 261.3.

56. Health District

“Health District” shall mean The Southern Nevada Health District.

57. Idler

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

58. Illegal Service

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

59. Inactive Service

“Inactive Service” shall mean a water or wastewater service connection which is not in use, but is fully operational, installed in accordance with CSWRD standards and documented in CSWRD records.

60. Indoor Water Feature

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

61. Infiltration

“Infiltration” shall mean water other than wastewater entering a sewer system through such means as defective pipes, pipe joints, connections, or manholes.

62. Inflow

“Inflow” shall mean water other than wastewater that enters a sewer system (including sewer service connections) from sources such as, but not limited to, roof leaders, cellar drains, yard drains, area drains, drains from springs and swampy areas, manhole covers, cross connections between storm sewers and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters or drainage. Inflow does not include, and is distinguished from, infiltration.

63. Inter-Connection (Cross Connection)

“Inter-Connection” (Cross Connection) shall mean any actual or potential unauthorized connection from customer piping, which will provide water or wastewater service to another property, or permit use of water or wastewater services for purposes other than that for which a service connection was authorized.

64. Interceptor

“Interceptor” shall mean a device for retaining grease, sand or oil by gravity – differential separation from wastewater.

65. 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.

66. Land Division

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

67. Las Vegas Valley Water District or LVVWD

“Las Vegas Valley Water District” or “LVVWD” shall mean the entity formed by the Statutes of Nevada Chapter 163 (1947), acting as the designated General Manager and operator of the CSWRD water and wastewater systems, and the agent for CSWRD for the technical and administrative review and regulation of proposed water and wastewater systems.

68. 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 CSWRD authorizing said person to apply for new water or wastewater service on behalf of the property owner. The documentation presented to the CSWRD 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 and wastewater 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 NRS 318.197.

69. Main Extension

“Main Extension” shall mean an adjacent, parallel, or extended addition to the CSWRD'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 CSWRD 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 CSWRD's distribution system, improve water quality, and/or improve system reliability.

70. Main Line Extension

“Main Line Extension” shall mean a sewer line, including pump stations with their associated force mains, which extends from the developer's property to the nearest available District sewer line with the capacity, as determined by the District, to handle the sewage flow which will be generated by the proposed development.

71. 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

72. Master Meter

“Master Meter” shall mean the CSWRD approved primary measuring device installed for, but owned by the CSWRD, which is used for the purpose of accurately measuring and recording all water whether or not provided to sub-metered services.

73. Meter

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

74. Meter Maintenance

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

75. Multiple Meter Service

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

76. NRS or NAC

“NRS” shall mean Nevada Revised Statutes, as amended from time to time; and “NAC” shall mean Nevada Administrative Code as amended from time to time

77. 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.

78. Non-Potable Water

“Non-Potable Water” (also called recycled, raw, 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.

79. 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).

80. Non-Standard Service Connection

“Non-Standard Service Connection” shall mean a water or wastewater service connection from a water main or wastewater collection line 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.

81. Off-Site Water Main

“Off-Site-Water Main” shall mean a water main, regardless of size, which extends from the existing water system to a development and generally remains outside the development boundaries.

82. On-Site Water Main

“On-Site Water Main” shall mean those public water mains, which are installed specifically to provide water service to any development within the property, and which such On-Site Water Mains are generally located within the property’s boundaries.

83. On-Site Sewer Pump Station

“On-Site Sewer Pump Station” shall mean a facility located on private property, from the pump station and the force main to the point of connection to the CSWRD collection system that is owned, operated and maintained by a pump station owner/operator.

84. On-Site Sewer Pump Station User

“On-Site Sewer Pump Station User” shall mean any customer of the CSWRD, which conveys any or all of its wastewater to the CSWRD wastewater collection system by pumping. Single-family dwelling units are specifically exempted from this definition when no more than four (4) single-family dwelling units are serviced by a single on-site wastewater pump station.

85. On-Site Sewer Line

“On-Site Sewer Line” shall mean a sewer line constructed within the property limits of the property that will be operated and maintained by the property owner.

86. Operation and Maintenance

“Operation and Maintenance” shall mean those functions that result in expenditures during the useful life of water or sewer / wastewater facilities for materials, labor, utilities, and other items which are necessary for the operation, maintenance and replacement of those facilities. The term “operation and maintenance” includes replacements.

87. 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.

88. Overseeding

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

89. Parallel Water Main

“Parallel Water Main” shall mean a water distribution main extension installed adjacent to an existing distribution main or transmission main.

90. Parcel Map

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

91. Person

“Person” shall mean any individual, firm, association, organization, partnership, trust, company, consortium, corporation or entity, and any municipal, political, or governmental corporation, body or agency other than the CSWRD, the LVVWD or the CCWRD.

92. Pollutant

“Pollutant” shall mean anything which may present an imminent and substantial danger to public health or welfare of the United States, when introduced into the water or air, alters the chemical, physical, biological or radiological integrity of:

- a. As it relates to discharges under these regulations; water or
- b. In any other context herein; water or air as appropriate within the context in which the term is used. Pollutant includes, but is not limited to, any dredged spoil, solid waste, incinerator residue, sewage or wastewater, garbage, sewage or wastewater sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt or industrial, municipal or agricultural waste when discharged.

93. Potable Water

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

94. Primary Building Permit(s)

“Primary Building Permit(s) ” shall mean the permit(s) issued by Clark County for a structure including but not limited to the foundation, shell, and other related building components.

95. 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 CSWRD approved double check detector assembly.

96. Private Main

“Private Main” shall mean a water pipeline and appurtenances not owned by the CSWRD after completion.

97. Private Sewer Line

“Private Sewer Line” also known as a Sewer Line, shall mean a sewer line being constructed by a developer in accordance with the Design Criteria for Wastewater Collection Systems within the property limits of the land being improved by a developer that will be privately operated and maintained.

98. 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 which holds or will hold a water account with the CSWRD.

99. Property Owner

“Property Owner” shall mean the owner of record of a parcel of land or property, which is or will be receiving water service from the CSWRD.

100. 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.

101. Public Main or Main

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

102. Publicly Operated Treatment Works or POTW

“Publicly Operated Treatment Works” or “POTW” shall mean any devices and systems (if any are managed by the CSWRD) for the collection, transportation, storage, treatment, recycling and reclamation of municipal or domestic sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their appurtenances; extension improvements, remodeling, additions and alterations thereof; elements essential to provide reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisitions of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage for such compost and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste.

103. Pump Station

“Pump Station” shall mean a facility owned, operated and maintained by the District in a public right of way or within an easement on private property for the purpose of conveying water or wastewater to the District system.

104. Raw Water

“Raw Water” shall mean non-potable water from a groundwater source to be used as a source for the potable water treatment facilities, which can also be used for irrigation, recreation, fire protection and other uses appropriate to the quality of such raw water.

105. 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 LVVWD records. If field conditions later indicate that a service classified as removed was actually abandoned, the service shall be classified as abandoned in LVVWD records. See "Abandoned Service".

106. Replacement / Repair

“Replacement/Repair” shall mean expenditures for obtaining and installing equipment, accessories or appurtenances that are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed. Does not include expenditures for major rehabilitations or reconstruction upon expiration of the useful life of the treatment works.

107. Residential Car Washing

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

108. Residential User

“Residential User” means any customer or user, as the case may be, to the water or sewer facilities operated by CSWRD whose lot, parcel or real estate, or building is used solely for domestic dwelling purposes.

109. 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.

110. Service Charge

“Service Charge” shall mean a component of the water and sewer charge, which is associated with billing costs for each account, including, without limitation, such administrative costs such as postage, labor, supplies.

111. 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 CSWRD main, to the point where the water being delivered leaves the piping owned by the CSWRD.

112. Service Deposit

“Service Deposit” shall mean an amount deposited with the CSWRD to assure payment of water and sewer bills. The deposit may be in cash or another form of security acceptable to the CSWRD.

113. 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.

114. Sewer

“Sewer” – See Publicly Operated Treatment Works or POTW

115. Sewer Service Connection

“Sewer Service Connection” shall mean a sewer line (lateral) that connects a parcel to a Main Line Extension. The sewer service connection is installed, owned and maintained by the developer up to the public right of way or CSWRD easement. The sewer service connection is sized to carry the flow from the developer’s parcel as determined by the developer and approved by the CSWRD.

116. Sewer Use Regulations

“Sewer Use Regulations” shall be legally binding documents that establish parameters for new connections, inflow sources, and limits on the toxicity and the levels of other pollutants in the wastewater that is introduced into the treatment works. These may include state or federal regulations.

117. “Shall” and “may”

The words “shall and “may” shall have the following meanings: “shall” shall mean a mandatory statement or action, and “may” shall mean a permissive statement or action.

118. Spacer

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

119. Spray Irrigation

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

120. Subdivision

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

121. 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.

122. 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.

123. 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.

124. System Development Approval or SDA

“System Development Approval”, or “SDA” shall mean a charge for connection to the treatment works / facilities owned, or to be owned by the CSWRD.

125. Tampering

“Tampering” shall mean acts by persons which cause damage to, or alteration of, CSWRD 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.

126. Temporary Riser

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

127. Temporary Potable Water Service Connection

“Temporary Potable Water Service Connection” shall mean a CSWRD 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.

128. 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.

129. Total Suspended Solids or TSS

“Total Suspended Solids”, or “TSS” shall mean solids that either float on the surface of or are in suspension in water, wastewater, or other liquids and which are removable by laboratory filtering.

130. 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.

131. Uniform Design and Construction Standards or UDACS

“Uniform Design and Construction Standards”, or “UDACS” shall mean the minimum design and construction criteria for potable water distribution systems constructed within the jurisdiction of the CSWRD, as may be amended by the Board of the CC - CSWRGID to reflect circumstances unique to CSWRD.

132. Uniform Plumbing Code

“Uniform Plumbing Code” shall mean the current edition of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials, and as adopted by the entity having jurisdiction over the CSWRD.

133. 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.

134. Useful Life

“Useful Life” shall mean the estimated period during which a treatment works will be operated.

135. User

“User” or “customer” shall be used interchangeably in these Service Rules, and shall mean, as to water, the legal owner of each parcel of land who is a recipient of water service from the CSWRD through any existing water system connection, or a property owner applying for water through an existing system connection; and as to sewer, the legal owner of each parcel of land upon which there is any billing unit(s) or ERU which is connected to and may contribute, cause, or permit the direct or indirect contribution of domestic or non-domestic pollutants or wastewater, treated or untreated, into the POTW or the waters of the State.

136. User Charge Rate

“User Charge Rate” shall mean the federally mandated rate charged treatment works users proportionate to their usage for the cost of operation and maintenance of such works, which such charge is included in the normal and customary rates and charges of each User.

137. User Charge System

“User Charge System” shall mean a federally approved accounting of operation and maintenance expenses and the corresponding rates charged to users to produce revenue to meet those expenses.

138. Valved Outlet

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

139. Wastewater

“Wastewater” shall mean any liquid or water carried wastes from any source, industrial or domestic, whether treated or untreated, which is contributed into or permitted to enter the publicly owned treatment works or the waters of the state.

140. Wastewater Collection System

“Wastewater Collection System” shall mean the pipes and pumps necessary to convey wastewater within the public right-of-way and wastewater easements to the treatment facilities. Laterals and other appurtenances located on private property and not within an easement granted for that purpose are excluded from the collection system.

141. Wastewater Discharge

“Wastewater Discharge” shall mean the introduction from any source, directly or indirectly, of a non-domestic pollutant or wastewater, treated or untreated, into the District’s wastewater treatment system (including holding tank waste discharged into the system) or the waters of Nevada. As relates to the District itself, discharge includes discharges into as well as from the District’s wastewater treatment system. The term discharge includes either the discharge of a single pollutant or the discharge of multiple pollutants.

142. Wastewater Discharge Permit

“Wastewater Discharge Permit” shall mean a permit issued by the State of Nevada in accordance with the National Pollutant Discharge Elimination System (NPDES) and other applicable regulations.

143. Water Budgeted Facility

“Water Budgeted Facility” shall mean any facility that is assigned water budgeting provisions by the CSWRD in accordance with Chapter 1.

144. Water Commitment

"Water Commitment" shall mean a commitment from the CSWRD to provide water service to a specific development, facility or customer, on a specific parcel of land.

145. Water Conservation

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

146. Water Facilities

“Water Facilities” shall mean, but not be limited to, water treatment plants, 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 CSWRD.

147. Water Resources

“Water Resources” shall mean any water legally available to the CSWRD for water resource planning.

148. Water Waste

“Water Waste” shall mean the use of CSWRD water in a manner described in Chapter 1.

149. Waters of the State

“Waters of the State” shall mean all waters situated wholly or partly within, flowing through, or bordering upon the State of Nevada, or any portion thereof, including but not limited to:

- a. All streams, lakes, ponds, reservoirs, marshes, water courses, waterways, wells, springs, irrigation systems, drainage systems, aquifers, and;
- b. All other bodies or accumulations of water, surface or underground, natural or artificial, public or private..

**CHAPTER 1
CUSTOMER SERVICES, RATES, FEES AND CHARGES
WATER/WASTEWATER**

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SECTION 1 – CUSTOMER SERVICES, RATES, FEES AND CHARGES

The CSWRD will endeavor to provide its customers with a continuous and adequate supply of water within reasonable maximum and minimum pressures. However, varying pressures will normally prevail throughout the distribution system due to changes in elevation and other factors. The CSWRD will 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.

A user of the sewer / wastewater facilities receives sewer services at all times during which there is any billing unit or ERU upon the user's parcel of land which is connected to and may contribute to the CSWRD's sewer system, except for periods during which the user qualifies for the emergency relief rate. Each user is responsible for all charges charged or assessed by CSWRD, applicable to the user's land, whether for system development approval charges, pretreatment requirements, or monthly sewer charges. It is the responsibility of the user to inform the CSWRD of any changes in use, ownership, billing address, installation or removal of any billing units or ERUs within 30 calendar days after each such change. The user may be held liable for unpaid charges from the date of such change. Removal of any billing unit or ERU must be to the satisfaction of the CSWRD.

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

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

The conservation of groundwater is an integral component of the CSWRD's long-range water resource plan. The CSWRD, through these Service Rules, policies, and procedures makes a consistent effort to maximize the resources of groundwater basins. The CSWRD is required under various statutes and federal codes to provide for beneficial use and avert the waste of water. The CSWRD 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 CSWRD may conserve water by providing customers with non-potable water, when available, for use in an efficient, effective manner.

1. Interruption of Service

The CSWRD will exercise reasonable diligence and care to deliver a continuous supply of water and collection and treatment of wastewater. However, the CSWRD will not be liable for interruptions, shortage, and insufficiency of supply or for any loss, inconvenience or damage occasioned thereby. The CSWRD will endeavor to notify customers in advance of any interruption in service due to repairs, or other causes. However, in emergency conditions, when notification is not practical, service may be interrupted without warning for indefinite periods of time.

2. Area Served

Water and wastewater services pursuant to these Service Rules may be provided to any property within the area described and approved by the CSWRD as its service area.

3. Parcel Location and Main Lines

New applications for service will be accepted only if flow and treatment capacity within CSWRD facilities are available. For a parcel adjacent to any water or sewer main line, main lines must be within a dedicated right-of-way or easement grant to the CSWRD. Applications for service that do not meet these conditions will require a main extension or other improvements to meet CSWRD standards.

In order to obtain service to a parcel not immediately adjacent to any water or sewer main as required above, the applicant will be required to provide a main line extension in accordance with the requirements of these Service Rules, and in accordance with NRS 318.170.

4. Damage to Property

The CSWRD will not be liable for damage to property occasioned by water and/or wastewater running from open or faulty piping or fixtures on the customer's property.

5. Access to CSWRD Facilities

Property owners who permit landscaping, fencing, structures, or other fixed or movable obstructions to block, prevent, hamper, or restrict free and easy access to CSWRD facilities for work of any nature, shall be liable for costs incurred in removing such items. The CSWRD will mail a 60-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 obstruction within the 60-day period, the CSWRD may complete the work, at the sole cost of the property owner. However, in the event of an emergency, the CCWRD 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 CSWRD prior approval, the CSWRD 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 CSWRD; or the property owner may make application for relocation by the CSWRD 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 with the above shall be just cause for terminating water or wastewater service to the subject property.

For the purposes of providing service to offsite facilities, the CCWRD shall use the doctrine of prescriptive easement as the basis for access to those facilities. In the case of offsite mains located on private property through no fault of the CCWRD, such mains shall have non-exclusive right of access. Any construction by property owners, which affects those facilities, shall be allowed, subject to the removal and reinstallation of the facility to CCWRD specification and approval, at the expense of the property owner(s).

Subject to CSWRD prior approval, and at the property owner's option, CSWRD 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 CSWRD. Alternatively, the property owner may make application for relocation by the CSWRD and at that time pay a

deposit towards the actual total cost to be borne by said property owner.

6. Customer's Premises

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

1-1.1 Coyote Springs Water Resources District Monthly Metered Rates for Domestic Service:

Meter Size (inches)	Service Charge Daily	Rate Blocks Avg. Daily Use	Consumption Rate Per 1,000 gallons
5/8"	\$0.1350	First 167 Next 167 Next 333 Over 667	\$1.10 \$1.90 \$2.65 \$3.50
3/4"	\$0.1555	First 250 Next 250 Next 500 Over 1,000	\$1.10 \$1.90 \$2.65 \$3.50
1"	\$0.1965	First 417 Next 417 Next 1,666 Over 2,500	\$1.10 \$1.90 \$2.65 \$3.50
1½"	\$0.2988	First 833 Next 833 Next 6,667 Over 8,333	\$1.10 \$1.90 \$2.65 \$3.50
2"	\$0.4217	First 1,333 Next 1,333 Next 16,000 Over 18,666	\$1.10 \$1.90 \$2.65 \$3.50
3"	\$0.7493	First 2,667 Next 2,667 Next 42,666 Over 48,000	\$1.10 \$1.90 \$2.65 \$3.50
4"	\$1.1179	First 4,167 Next 4,167 Next 125,000 Over 133,334	\$1.10 \$1.90 \$2.65 \$3.50
6"	\$2.1417	First 8,333 Next 8,333 Next 400,000 Over 416,666	\$1.10 \$1.90 \$2.65 \$3.50
8"	\$3.3703	First 13,333 Next 13,333 Next 773,337 Over 800,000	\$1.10 \$1.90 \$2.65 \$3.50
10"	\$4.8036	First 19,167 Next 19,167 Next 1,303,333 Over 1,341,667	\$1.10 \$1.90 \$2.65 \$3.50
12"	\$7.0560	First 28,333 Next 28,333 Next 1,926,667 Over 1,983,333	\$1.10 \$1.90 \$2.65 \$3.50

Average Daily Use Rate Blocks described in this Chapter 1, 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 as described in this Chapter 1, will be multiplied by the number of days in the billing period to determine the service charge for that billing period.

Charges for water may be affected by water budgeting rules.

A rate for raw water delivery and consumption will be set in the future.

1-1.2 Private Fire Protection Service

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

<u>Service Size</u>	<u>Daily Charge</u>
2" and under	\$ 0.23
3"	0.382
4"	0.549
6"	1.0127
8"	1.5692
10"	2.2185
12"	3.2387

The consumption charge will be set at the third tier consumption rate of the adopted Rate Schedule for all non-fire related consumption.

1-1.3 Combined Service

The service charge will be determined by applying the domestic daily service charge to the smaller meter and the private fire protection daily service charge (Chapter 1 of these Service Rules) to the larger meter. The consumption through both meters will be added together and billed at the appropriate domestic service rate (Chapter 1) based on rate blocks for the smaller meter. Charges for combined services include, but are not limited to, those on the table for this section.

<u>Size</u>	<u>Fire</u>
4" x 2"	\$0.5490
6" x 2"	\$1.0127
8" x 2"	\$1.5692
10" x 2"	\$2.2185
6" x 3"	\$1.0127
8" x 4"	\$1.5692
10" x 6"	\$2.2185

1-1.4 Backflow Service Charge

All customers having backflow prevention assemblies shall be required to pay the following daily service charges for each backflow prevention assembly required by the CSWRD in addition to other daily service charges:

<u>Assembly Size</u>	<u>Assembly Location</u>	<u>Daily Service Charge</u>
3/4"	All	\$ 0.1278
1"	All	0.1278
1½"	All	0.1278
2"	All	0.1278
3"	Above Ground	0.3834
3"	Below Ground	0.8307
4"	Above Ground	0.6391
4"	Below Ground	1.3848
6"	Above Ground	1.2779
6"	Below Ground	2.7687
8"	Above Ground	2.0447
8"	Below Ground	4.4301
10"	Above Ground	2.9395
10"	Below Ground	6.3690

1-1.5 Water and Wastewater Capital Infrastructure Surcharge

In addition to other rates, charges, usage and consumption charges, a monthly surcharge for water and wastewater infrastructure will be assessed in the amount of \$45 based on 1 ERU of equivalent service. This charge applies if the water service is shut off and remains off for any reason.

1-1.6 Asset Management Charge

The charge established for the financial impact of residential and non-residential services on the capital cost of infrastructure replacement shall be \$.63 per thousand gallons of potable water.

1-1.7 Application for Service

Application for service for water or wastewater may be through:

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

The CSWRD will require any person requesting service to demonstrate that an adequate water supply exists to fulfill water commitment requirements, to sign appropriate application forms provided by the CSWRD, and to pay all required fees, charges and deposits.

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

The CSWRD permits persons to request water service turn-on and shut-off, over the telephone

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

1-1.8 Existing Service Connection

Customers requesting service through existing service connections of the CSWRD must provide information as required by the CSWRD. Such information shall include, but not be limited to, full name and Social Security number or Tax I.D. number. If a spouse or co-owner wants to share the account credit history, that person's full name and Social Security Number must be provided as well. The customer shall provide any other information, which will assist the CSWRD 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 CSWRD to bring a service connection to CSWRD 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.

1-1.9 New Service Connection

A new service connection to CSWRD facilities shall be made to a main only after evidence of a water commitment is presented to the CSWRD and a proper application has been made by the property owner or his legally designated representative on forms provided by the CSWRD, and the application is acceptable to the CSWRD. The application for a new service connection must conform to the requirements listed in Chapter 2 of these Service Rules.

1-1.10 Relocation of Service

A service connection may be relocated on an existing parcel, however, it may not be moved to a new parcel. Service connection relocations are subject to the requirements of these Service Rules, including, without limitation, Chapter 1 and Chapter 3 of these Service Rules.

1-1.11 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. Chapter 1 of these Rules will also apply in instances of onsite changes necessitating corrective action or modification to the service connection.

1-1.12 Refusal of Service

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

- a. There is no water commitment to the property.
- 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 CSWRD, is to circumvent

discontinuance of service in another name because of non-payment of bills or other infraction of these Service Rules.

- d. The requirements of these Service Rules are not fulfilled.

1-1.13 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 CSWRD 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.

1-1.14 Deserted Service Connection

Applicants who apply for activation of a service that has been classified in CSWRD records as a “deserted service” 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 a “deserted service,” the service must be brought to CSWRD standards at the property owner(s) or applicant’s expense, and an application fee paid, before it is reactivated.

1-1.15 Wastewater Application for Service

It is unlawful for any person, to connect to or otherwise use CSWRD wastewater facilities without a system development approval. Connection to CSWRD facilities shall be granted when the following requirements are met:

- a. Submission of a completed application for sanitary sewer service provided by the CSWRD which shall include a legal description of the property to be served including address or the County’s Assessor’s parcel number (APN) assigned to the legal tax lot(s) and submission of complete plans showing the number and type of billing units to be connected to the sewer system and the type of waste to be generated;
- b. Approval by the CSWRD of completed application and plans in accordance with the CSWRD design criteria.
- c. Payment of the System Development Approval charges for the number and type of billing units shown on the plans.
- d. Payment of System Development Approval charges for all billing units on the property for which charges were not previously paid; and
- e. Payment of all delinquent charges related to the property for sewer charges, emergency

relief, and lien or lien release recording and processing, interest penalties, and other charges. For the number of ERUs calculated from the number and type of billing units shown on the plans submitted with the completed application, System Development Approval charges for connection shall be due and payable in advance and at the rate in effect on the date of issuance of the system development approval. The CSWRD will keep a record of the total number of billing units or ERUs for which each user has paid system development approval charges and a record of the type or location of any billing units upon the user's land. Before a user installs billing units or ERUs, which have not been paid for or are in addition to those for which charges have been paid, a system development approval for the additional billing units or ERUs must be obtained from the CSWRD. The CSWRD may at any time, but is not obligated to, inspect the billing units located upon any user's land for the purpose of calculating ERUs which have been installed.

System Development Approval charges for billing units or ERUs which have not been paid for or are in addition to the type for which charges have been paid are due and payable as of the date of discovery and at the rate in effect at the date of discovery by the CSWRD of such additional billing units or ERUs. Penalties at the maximum amount permitted by law shall be added to the amount due when System Development Approval charges are not paid prior to installation of additional billing units pursuant to applicable sections of NRS 318. Additional ERUs shall be billed to the property owner.

For projects which will be connected to CSWRD facilities, if construction is not commenced (as defined in Clark County Code), within one year from the date of issuance of a system development approval, or if construction is discontinued for a period of one year, the project shall be deemed to have been abandoned and any subsequent proposal to resume construction shall be treated as a new project. In the event of abandonment of a project, prepaid system development approval charges shall be refunded.

Projects which have obtained system development approvals under the provisions of a "presell resolution" shall be governed by the provisions of the specific "presell resolution" adopted by the Board.

1-1.16 Water Pressures

Applicants for service from a main through which prevailing water pressure will either exceed or fall below normal operating limits shall be responsible for installation of pressure regulators, storage tanks, or other devices as required by the CSWRD. In accordance with the Uniform Plumbing Code, individual pressure reducing valves are required to be installed and maintained by the property owner whenever static water pressure exceeds 80 psi.

Prior to CSWRD service being provided which will either exceed or fall below normal operating limits, the customer will be required to give written acknowledgment and acceptance of the high or low pressure conditions.

The CSWRD may adjust normal operating limits after advising the affected customers.

1-1.17 Interruption of Service

The CSWRD will exercise reasonable diligence and care to deliver a continuous supply of water. However, neither the CSWRD, nor the LVVWD nor the CCWRD, will be liable for interruptions, shortage, and insufficiency of supply or for any loss, inconvenience or damage occasioned thereby. The CSWRD will endeavor to notify customers in advance of any interruption in service

due to repairs, or other causes. However, in emergency conditions, when notification is not practical, service may be interrupted without warning for indefinite periods of time.

1-1.18 Area Served

Water and wastewater service may be provided to property that is a part of the area in which the CSWRD is authorized to provide services, and as further described in the well permits approved by the State Division of Water Resources.

1-1.19 Parcel Location Adjacent to Main

New applications for service will be accepted only if a minimum of twenty feet of useable main which meets the CSWRD's pressure, flow, and treatment capacity standards are located adjacent to the parcel to be served. Said mains must be within a dedicated right-of-way or easement grant to the CSWRD. Applications for service which do not meet those conditions will require a main extension or other improvements to meet pressure, flow, and treatment capacity standards.

1-1.20 Parcel Not Adjacent to Main

In order to obtain service to a property not immediately adjacent to a water or sewer main as required above, the applicant will be required to provide a main extension in accordance with the requirements of these Service Rules, and in accordance with NRS 318.170, or the applicant may make application for a non-standard service if the property meets the requirements for a non-standard water or sewer service.

1-1.21 Damage to Property

The CSWRD will not be liable for damage to property occasioned by water or wastewater running from open or faulty piping or fixtures on any 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 fixtures on the customer's property. The CSWRD 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 CSWRD will endeavor to leave a notice of explanation for the customer. In the event of request for same day service activation, the associated fee will remain applicable.

1-1.22 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, water smart landscape, in the conservation of water.

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

1-1.23 Classes of Water Service

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

- a. 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.
- b. Private Fire Service
Includes all service connections through which water is delivered to private property for fire protection exclusively.
- c. Combined Service
Includes all service connections through which water is delivered for domestic use and for onsite private fire protection.
- d. Construction Water
 1. Includes non-permanent, metered connections for delivery of water for use during construction projects.
 2. Construction services may not be used to avoid installation of a permanent water service, connection for permanent irrigation, domestic service, or private fire service.

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

1-1.24 Rates

Rates for areas operated by the CSWRD may be established and approved by the Board of Trustees based on actual costs to serve those designated areas. The CSWRD shall have the right to directly access property, bill, receive, and collect all charges, fees, and deposits. The CSWRD shall maintain accurate records of such transactions subject to standard audit processes.

1-1.25 Delinquent Processing Charge

If a service is processed for shut-off for non-payment of bills, payment arrangements, deposits, or other violation of these Service Rules, the customer shall pay the rate specified in these Service Rules for any actual or potential water use each month that water service would have been available since the delinquency occurred. Before the service will be reactivated, the customer must pay all past due charges plus processing fees. The CSWRD may, at its sole and exclusive discretion, make arrangements for other than full payment.

Should the customer reactivate the service or tamper without consent of the CSWRD, an additional charge of \$120 will be made for each such occurrence. In addition to the \$120 fee, the CSWRD may determine that a shutoff valve is to be installed at the expense of the property owner in accordance with these Service Rules.

1-1.26 Fee to Reestablish Service

Customer(s) or property owners will be charged a \$120 fee per incident for services that have been locked for tampering, illegal use, and/or prevention of further damage to CSWRD facilities. Further service to the parcel 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 CSWRD 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 in the form of cash, cashier's check, or money order to the CSWRD to cover the actual cost of damage incurred by the CSWRD 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 CSWRD that neither the property owner nor an authorized 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 CSWRD a one year irrevocable letter of credit or a bond in a form approved by the CSWRD, in an amount equal to the average of the three (3) highest water bills for the property in question over the last calendar year prior to turn-on, in addition to posting a cash deposit in the amount of \$1,800 to cover the actual cost of damage incurred by the CSWRD. Should the deposit exceed the damages incurred by the CSWRD, a refund of the excess will be made.

1-1.27 Late Fees - Delinquent Accounts

If payment of a bill is not received by the CSWRD 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 a succeeding bill, at a rate of four percent (4%) of the first \$300 in arrears, plus two percent (2%) of any amount in arrears in excess of \$300. Said fees shall not be compounded by more than a single application to delinquent accounts. Government agencies shall be exempt.

1-1.28 Turn-On/Shut Off Fees

- a. An existing water service will be turned on or shut off for a fee of \$100, provided that the requested effective date for service activation or service interrupted for delinquency is at least one business day after an application is accepted.

Same-day service activation or restoration for service interrupted for delinquency may be provided for a fee of \$120 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 activation or restoration will be assessed a fee of \$180 provided that the CSWRD can respond to the customer's request.

- b. Same day shut off service may be provided for a fee of \$120 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 shut-off will be assessed a fee of \$180 provided that the CSWRD can respond to the customer's request.

1-1.29 Damage to or Tampering with CSWRD Property

Persons causing damage to, or tampering with, CSWRD property including, but not limited to, service connections, shut-off valves, hydrants, meters, and mains by any willful or negligent act shall be responsible for payment of costs incurred and any and all penalties prescribed by the Service Rules or law.

1-1.30 Prosecution for Illegal Use of Water

Any person who shall wrongfully and maliciously appropriate or use any CSWRD water or

wrongfully and maliciously interfere with any officer, agent, or employee of the CSWRD, LVVWD or CCWRD in the proper discharge of his or its duties as related to the CSWRD shall be guilty of a misdemeanor and shall be fined in any sum not exceeding \$1,000 or imprisonment not to exceed six months in the county jail or by both such fine and imprisonment; provided further, that the CSWRD officer, agent, or employee damaged by any such act may also bring a civil action for damages sustained by any such act, and in such proceeding the prevailing party shall also be entitled to attorney's fees and costs of court.

1-1.31 Service Guarantee Program

At the CSWRD's sole discretion, CSWRD will apply a single, non-aggregating and non-compiling, \$10 credit to a current customer's active account in the following situations:

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

1-1.32 Locked Service

If a lock installed on a service connection to restrict use of water is removed by anyone other than an authorized CSWRD employee, the customer or developer shall be charged \$140 for a damaged simple lock, \$220 for a damaged complex (Birdcage) lock, in addition to any other charges or fees.

1-1.33 Automated Meter Reading Equipment

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

1-1.34 Meter Testing Fee

A customer serviced by a meter 2" and smaller may request that the meter, once tested onsite, be removed for further accuracy testing and replaced with another meter for 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.

1-1.35 Payments Not Honored by Financial Institutions

Payments 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 CSWRD that are paid by checks or electronic presentment which are not honored by any financial institution shall be charged a \$15 "returned payment fee" in addition to any other 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 CSWRD.

Remittance for amounts due on accounts with the CSWRD 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 CSWRD, for six (6) consecutive months.

Customers who submit a payment not honored by any financial institution for payment for a water account in a shut-off status must pay the amount and charges due in cash.

1-1.36 Water Waste - Administrative Fees

Customers issued a violation notice as defined by the CSWRD shall be assessed a fee according to the listed schedule. Violation levels shall be based upon violation history for the preceding 36 months.

Sustainable, Concerned and Critical Schedule					
Meter Size	1 st Violation	2 nd Violation	3 rd Violation	4 th Violation	5 ^{th+} Violation
1" and Less	\$100.00	\$100.00	\$100.00	\$160.00	\$320.00
Over 1" but less than 3"	\$120.00	\$140.00	\$160.00	\$320.00	\$640.00
3" and over	\$140.00	\$160.00	\$320.00	\$640.00	\$1280.00

Emergency Schedule					
Meter Size	1 st Violation	2 nd Violation	3 rd Violation	4 th Violation	5 ^{th+} Violation
1" and Less	\$120.00	\$140.00	\$160.00	\$200.00	\$400.00
Over 1" but less than 3"	\$140.00	\$160.00	\$180.00	\$400.00	\$800.00
3" and over	\$160.00	\$200.00	\$400.00	\$800.00	\$1,600.00

1-1.37 Wastewater Billing Schedule

The rate for the collection and treatment of wastewater shall be \$20.00 monthly, per ERU, for both residential and non-residential customers, per the schedule below.

The current method for determining ERUs from which all residential charges will be calculated shall be determined as follows:

SCHEDULE		
Customer Class	Billing Unit	ERU
Single-Family	Each Dwelling Unit	1.00
Mobile Home	Each Dwelling Unit, Lot or Space	1.00
Recreational Vehicle Parks	Each Space or Site	0.10
	Each Outside Fixture	0.45
Multiple Residential	Each Dwelling Unit	0.70
Senior Apartment	Each Dwelling Unit	0.50
Condominiums/Townhouses	Each Dwelling Unit	0.50
Other	Each Dwelling Unit	1.00

The number of ERUs for all commercial and other customer classes shall be determined in accordance with the schedule set forth below:

SCHEDULE		
Customer Class	Billing Unit	ERU
Hotel	Each Room	0.60
** Plus fixtures outside of hotel rooms	Each Fixture	1.50
Casino	Each Fixture	1.50
Restaurant	Each Fixture	1.33
Hospital	Each Bed	1.20
Convalescent and Rest Homes	Each Bed	0.75
Church	Church	0.50
Theme Parks	Each Fixture	1.00
Special Events Centers	Each Fixture	0.65
Limited Events Centers ⁴	Each Fixture	0.45

Business operations separately rated:

Type A – Each Fixture = 1.00 ERU

Dry cleaners, markets with garbage disposals, bars/taverns with food sales, and motor vehicle sales with automated wash facilities

Type B – Each Fixture = 0.65 ERU

Bars and taverns, retail sales, drug stores, service stations, food sales without cooking facilities, and miscellaneous businesses not separately rated

Type C – Each Fixture = 0.45 ERU

Offices, office-warehouses, Laundromats, and maintenance and repairs

Type D – Each Fixture = 0.25 ERU

Beauty and barbershops and all types of medical or dental clinics

School², both public and private facilities – Each Student = 0.10 ERU

Large commercial, commercial $\frac{\text{adjusted annual water use}}{90,000 \text{ gallons}} = \text{Total ERUs}$

Laundry and car washes³

To calculate total ERUs, multiply the number of billing units by the ERU factor for the applicable customer category.

Examples:

Single Family home	x 1.00	per dwelling unit	= 1.00 ERU
8 Multiple Residential	x .70	per dwelling unit	= 5.60 ERUs
An office with 20 Fixtures	x .45	per plumbing fixture	= 9.00 ERUs
A dental office with 10 Fixtures	x .25	per plumbing fixture	= 2.50 ERUs

For purposes of this Chapter, the following foot-notes shall apply:

¹A “Dwelling Unit” is the billing unit for mobile homes on private property and not within a park or mobile home estate. “Lot” is the billing unit for mobile homes on a privately owned parcel within a park or estate. “Space” is the billing unit for each mobile home site within a park or estate.

²The number of a students from which the number of ERUs shall be calculated shall be the average daily attendance for the 12-month period ending June 30 of each year, where reporting of such information is required by the State of Nevada. Should the information not be available, ERUs shall be calculated by the number of full-time students for which the school is licensed by Clark County, if licensed, or the number of full-time students, which the school is designed to accommodate, if not licensed.

³Customers in these classes must have meters on all sources of water. Annual water use is based upon the actual metering records of the local water purveyor for the 12-month period (May 1-April 30) of water supplied from all sources to the commercial property. For purposes of calculating ERUs, the annual water use may be adjusted upon written request of the user to the CSWRD for consumptive water uses, which do not contribute, to the sewage system, as determined by the CCWRD General Manager on behalf of CSWRD.

⁴The user shall have the one-time option at the commencement of sewer service to decide whether the sewer charge shall be based upon the Total ERUs for the Limited Events Center, or actual records for the 12-month period (May 1-April 30) of actual wastewater flow or metered water supplied from all sources to the property.

Pretreatment Permit Charges - The following permit fees will be charged annually:

Grease or Sand/Oil Interceptor	\$ 225
On-Site Lift Station	\$ 500
Industrial User Permits:	\$ 300
Categorical	\$1,000
Significant Industrial User *	\$1,000
Industrial User	\$ 300

*Any industrial facility discharging in excess of 40,000 gallons of industrial wastewater per day.

1-1.38 The following definitions apply to the customer classes set forth above in Chapter 1.

- a. “Casino” means a place where the main function is to provide games of chance or gambling devices that are made available for play by the public.

- b. “Church” means a structure primarily used for religious services by a religious organization.
- c. “Commercial laundry” means an establishment where clothing, linens, rags, rugs, or other articles are washed for remuneration by the employee(s) or agent (s) of the establishment in addition, but not limited to, industrial laundries providing services for commercial and industrial businesses not located on the same site and linen services which launder on premises.
- d. “Convalescent and Rest Homes” mean establishments used or designed to provide personal and health care supervision to convalescents, invalids, aged, or infirm persons.
- e. “Dwelling unit” means one or more rooms designed or used as living quarters for one family and having facilities for the preparation of food.
- f. “Family” means one or more individuals living together as a single housekeeping unit.
- g. “Fixture” means a plumbing device or appliance that is permanently connected to the water supply system, and is connected to the wastewater collection system of the CSWRD either directly or through a drain. Examples of the definition of “fixture,” include, but are not limited to, the following. Each of the following examples is considered to be one fixture:

Bathtub (with or without overhead shower)	Bedpan washer
Bidet	Clothes washing machine
Combination sink and tray (with or without food disposal unit) dipwell	Dishwashing machine
Faucet head (in conjunction with a floor drain) ⁵	Kitchen sink
Lavatory	Laundry (1 or 2 compartments)
Pot filler (with adjacent trough)	Shower stall (domestic) ⁵
Showers (group) per head ⁵	Sink
Steam table	Urinal
Urinal trough (each 2-foot section)	Wash sink
Water closet (tank operated or valve operated)	Water supply outlet (in conjunction with drain)
Wok	

⁵Faucet head(s) or shower head(s) that flow into a single drain.

Devices and appliances expressly excluded from the definition of “Fixture” are contained in, but not limited to, the following list:

Air conditioner	Boiler	Coffee urn
Garbage disposal unit	Glass filler	Ice machine
Refrigerator	Drinking fountain	Garbage disposal unit
Soft drink machine	Water softener	X-ray machine

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- h. “Hospital” means an establishment staffed and equipped to provide diagnosis, care and treatment of human illness or injury and which provides 24-hour professional nursing services under the direction of physicians.
 - i. “Hotel” means a structure containing two or more rooms, each of which is designed or used for sleeping quarters for one family and contains one or more fixtures.
 - j. “Large Commercial” means a commercial establishment (of single ownership or operation) which uses more than calendar year average of 250,000 gallons of water per day.
 - k. “Mobile Home” means a vehicular structure which is built on a chassis or frame, which is designed to be used with or without a permanent foundation and which is used as living quarters and suitable for year-round occupancy as a residence.
 - l. “Multiple Residential” means a structure containing two or more contiguous dwelling units under one ownership and situated upon the same parcel of land.
 - m. “Recreational Vehicle” means a vehicular structure, which is built on a chassis, or frame, which is designed to be used as a temporary living quarters, whether drawn by a motor vehicle or propelled by its own power.
 - n. “Recreational Vehicle Park(s)” means a place which is used or intended for use to park two or more recreational vehicles for occupancy as living quarters for persons for less than thirty (30) days.
 - o. “Restaurant” means a place, which is not a part of a hotel, which has cooking facilities and whose primary business is serving food to the public. A restaurant may or may not include a bar/tavern.
 - p. “School” means an establishment, whether public or private, in which is offered a full-time academic, vocational or technical course of study or other educational services, whether elementary, secondary, or post-secondary, and the definition includes childcare facilities.
 - q. “Senior Apartment” means a rental unit within a multiple residential property, which consists solely of rental units averaging eight-hundred twenty-five (825) interior square feet or less, which is intended and operated for occupancy exclusively by persons fifty-five years of age or older, and is limited to one or two occupants per unit. ERUs for any fixtures outside the residential units will be calculated at the applicable commercial rate.
 - r. “Single-Family Residence” means a structure containing only one dwelling unit and each individually owned unit, in a structure containing two or more dwelling units.
 - s. “Special Events Center” means any permanent location designed and used primarily for entertainment, exhibitions or trade shows which display, show, or demonstrate technology, concepts, designs, art, science or history, or any concerts, sporting events, special events, and other such similar activities.
 - t. “Theme Park” means any permanent location, which is open to use, or attendance by the public at which is exclusively offered activities for entertainment, amusement, pleasure, or relaxation.

1-1.39 Designation / Customer Classes

- a. Should the billing unit and/or ERU factor per billing unit for a given customer class be revised by these Service Rules, that revision will affect the charges beginning with the next billing cycle, and will not require additional System Development Approval Charges for connections already properly paid for at the previous rate, unless a change in use or classification occurs.
- b. All commercial user classifications shall be based on the primary use of the structure(s) as determined by the CSWRD.

The CSWRD may use the classification of the business license issued by the Clark County Department of Business License in determining the primary use. The CSWRD General Manager shall have the authority to change the customer class, change the number of ERUs, or change the number or type of billing units applicable to any user or adjust charges or establish credit against future charges, if the user demonstrates that the customer class, the number of ERUs, the number or type of billing unit or the charges were not in accordance with these Service Rules.

1-1.40 Extra Strength Surcharge

In addition to the sewer charge, users who discharge wastewater having concentrations exceeding domestic strength wastewater shall be assessed an "extra strength surcharge," if applicable. The extra strength surcharge shall be:

BOD - \$0.10/ERU for each mg/l above 250 mg/l

TSS - \$0.08/ERU for each mg/l above 250 mg/l

PHOSPHORUS - \$10/ERU for each mg/l above 5.5 mg/l

AMMONIA - \$0.56/ERU for each mg/l above 19 mg/l

1-1.41 Surcharge Adjustment

The CSWRD shall determine average extra strength concentrations of BOD, TSS, Phosphorus and Ammonia for each surcharged user class. The CCWRD General Manager, upon written request of the surcharged user, may adjust the surcharge based upon onsite monitoring of each of the user's wastewater source(s). The "pretreatment section or division" of the CSWRD must approve any such monitoring. Costs associated with monitoring are the responsibility of the user.

1-1.42 Interest on Deposits

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

1-1.43 Bills Due When Presented

Meters will be read or estimated monthly. CSWRD will, as soon after the meter reading date as practical, issue a bill to the property owner for each connection to the CSWRD facilities, consumption and usage. Failure to receive a bill does not relieve a customer of liability for payment of any such bills.

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 and for all internal wastewater use. When current CSWRD 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 on the succeeding bill statement. The CSWRD may, at its sole and exclusive discretion, make arrangements to extend this payment deadline and/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.

1-1.44 Proration of Service Charges - Minimum Bill

If any opening or closing bill is for a period shorter than the regular billing period, the service charge and monthly flat rate charges for private fire and combined service shall be reduced in the same proportion as the actual period of use is reduced from the regular billing period.

1-1.45 Basis for Billing

All services shall be billed in accordance with the adopted rate and charge schedules for CSWRD. These rates shall apply to all lots commencing at the time the service is installed and shall apply for each month of the year.

1-1.46 Commercial Subdivisions

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

1-1.47 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 CSWRD reserves the right to estimate residential 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 CSWRD.

1-1.48 Collection Stations

For the convenience of its customers, the CSWRD may designate and authorize others to serve as agents for the collection of water bills; however, delinquent bills must be paid at the office of the CSWRD, unless otherwise designated in writing by the CSWRD.

1-1.49 Billing Errors

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

1-1.50 Water Bills

For the purpose of computing charges, each service will be considered separately.

1-1.51 Billing Adjustments

The CSWRD 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 CSWRD has concluded no reasonable or viable explanation for the usage.

SECTION 2- CHARGES, FEES, AND DEPOSITS

1-2.1 Charges, fees, and deposits for areas operated by the CSWRD may be established and approved by the Board of Trustees based on actual costs to serve those designated areas. The CSWRD shall have the right to directly access property, bill, receive, and collect all charges, fees, and deposits. The CSWRD shall maintain accurate records of such transactions.

1-2.2 Charges for Installing Service Connections

Charges, fees and deposits shall be in accordance with the approved rate schedule in effect at the time of water plan approval or at the time the CSWRD's water service application form is signed and returned to the CSWRD. All charges, fees, and deposits must be paid directly to the CSWRD, prior to approval of water plans for construction by others, or prior to commencement of any scheduling or construction activity for services to be installed by the CSWRD.

1-2.3 Connection

A connection is 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.

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.

1-2.4 Deposits - Based on Projected Costs

When the CSWRD is requested to perform work and there is no fixed charge, the applicant shall deposit an amount established by the CSWRD, 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 CSWRD may establish a "not to exceed" upper limit.

1-2.5 Reactivation of Deserted or Inactive Service Connections

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 CSWRD standards. If the service cannot be located, it will be classified as an abandoned or removed service. If a service is located but found to be non-functional, the service may be classified as abandoned or removed.

1-2.6 Illegal Service Connection

A service connection which is located in the field, but whose existence is not documented in CSWRD records will be considered as a new service. All fees, charges and deposits required by the CSWRD must be paid before the account is established in the CSWRD's system. In the event an illegal service is discovered and a water commitment is required by the CSWRD and is not obtained, or the fees, charges, and deposits are not paid, the CSWRD may physically remove the

illegal service connection at the property owner's expense. Any service connection which is in violation of these Service Rules will be considered an illegal service connection and be subject to all of the conditions and restrictions listed herein.

1-2.7 Relocation of Service Connection

An existing service connection may be relocated on the same parcel, with the approval of the CSWRD, however it may not be moved to a new parcel. A relocated service connection shall be installed pursuant to the same Service Rules and applicable rate schedules as a new service connection, except that no application fee or facilities connection charge shall be applied.

1-2.8 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 for replacement meters shall pay the application fee for the new meter, the meter charge, and other charges as established by the rate schedule. Facilities connection charges shall apply to increases in meter sizes. A water commitment in accordance with Chapter 2 of these Service 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 CSWRD approval. The cost to reduce the meter size shall be the application fee for the new meter, the cost of the new meter, 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 CSWRD 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 applicant shall be responsible for all applicable fees and charges.

1-2.9 Increase in Size of Service Connection

An existing service connection may be enlarged with the approval of the CSWRD, provided a water commitment is obtained in accordance with these Service Rules for the additional capacity requested. An enlarged service connection shall be installed pursuant to the current Service Rules and applicable rate schedules. If the new service connection is not on the same side of the property as the abandoned or removed service. Service size cannot change unless the property use legally changes, subject to the discretion of the CSWRD and payment of appropriate fees.

1-2.10 Service Connection Removal

In the event that a service connection is to be permanently deactivated, the owner of the parcel must sign a removal order form provided by the CSWRD. The meter and other salvageable materials may be removed by the CSWRD on an actual cost basis, without credit to the property owner, or by a private contractor in accordance with the requirements of CSWRD standards. Any water commitment associated with a removed service shall terminate, except as provided in Chapter 2. In the event a service will be relocated or the size of service changed, the service removal may be done either by the CSWRD on an actual cost basis or by a private contractor in accordance with the requirements of Chapter 2.

1-2.11 Installation of Shut Off Valve

If it is necessary to shut off any existing service and there is no shut off valve at the property line, the CSWRD shall install the shut off valve at the expense of the property owner.

1-2.12 Public Fire Hydrants

Charges for water available through public fire hydrants shall be periodically negotiated with appropriate governmental agencies and shall be billed accordingly.

1-2.13 Private Use of Public Fire Hydrants

Connections to public fire hydrants are prohibited unless a use permit is issued by the CSWRD and a CSWRD-owned hydrant valve and meter is utilized. The applicant shall pay a use permit fee in accordance with the rate schedule prior to issuance. The applicant shall designate the period of time and purpose for which water is to be used. The CSWRD may discontinue the supply and remove its equipment at the expiration of the period so designated if the supply is used for any purpose or manner other than designated by applicant, or if any part of the fire hydrant is operated. The CSWRD may establish limitations on the location, rate of flow, and time of use. The CSWRD will install all equipment necessary for the metered connection and no water will be used until such equipment is installed. Water may only be provided for use within the limits and service area of the CSWRD, as described in Chapter 1 of these Service Rules. The applicant is responsible for providing any required backflow protection required by CSWRD. The CSWRD requires hydrant valves and meters when using hydrants which have not been accepted for public use and maintenance. 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 CSWRD, and may be subject to other penalties as established by law. Except for emergency service connections, which may be established by the CSWRD for a limited time. Water service from a fire hydrant for domestic purposes is prohibited.

1-2.14 Public Agency Deposit Requirements

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

1-2.15 Security Deposits to Assure Payment of Bills

The CSWRD may require security deposits from new customers who have not established credit with the CSWRD, or from customers whose accounts are consistently delinquent, or in any situation where the CSWRD 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 proximate to, but not less than, the sum of the three (3) highest monthly bills as estimated during a twelve-month period. The CSWRD may establish standard deposits for individual units within multi-unit developments, e.g., townhouses or condominiums, and for single-family residences with a one-inch (1") service or less.

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 CSWRD 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, either a surety bond, or an irrevocable letter of credit 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 CSWRD, refunded to the customer at the CSWRD 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.

1-2.16 Unauthorized Use of Private Fire Service

When it is found that a private fire service is being used for purposes other than standby fire protection, the CSWRD shall notify the customer of unauthorized use. Failure to discontinue unauthorized use will be cause for shutoff, and/or prosecution as prescribed by law. The customer may be charged for the estimated water consumed through unauthorized use.

1-2.17 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 CSWRD as part of the payment for the first water bill issued for such permit.

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

SECTION 3– CONSERVATION AND DEMAND MANAGEMENT

Groundwater is used to meet water demands in Coyote Springs, but there is a second, tangible resource that is critical to managing and extending that resource over time, conservation.

1-3.1 Introduction

These Service Rules serve as an enforceable mechanism to contribute to system reliability, and growing water demands on the Coyote Springs water resources system.

1-3.2 Drought and Water Supply Conditions

Drought occurs when existing water supplies cannot meet established demands for a period of time. Communities can also induce or aggravate drought conditions through high water consumption or inefficient water use.

Water conservation is necessary to manage demands on the Coyote Springs water system and its groundwater wells. For the purpose of demand management, four “Operating Condition” stages shall apply:

1. “Sustainable” or “Sustainable Operating Conditions”
2. “Concerned” or “Concerned Operating Conditions”
3. “Critical” or “Critical Operating Conditions”
4. “Emergency” or “Emergency Operating Conditions”

The CSWRD will continually monitor the effectiveness of the water management measures during each year and revisit its operating condition declarations to reflect the status of the water resource environment. The CSWRD may consider several factors in making an operating condition determination, including, but not limited to, anticipated or actual higher demands for water, system failure or water quality issues.

1-3.3 Notification of operating conditions

When a concerned, critical or emergency Operating Condition is declared, the applicable sections of these Service Rules shall take effect. Official public notice shall be provided by way of publication for two consecutive weeks in a newspaper of general circulation following the declaration by the CSWRD, and direct mailed correspondence providing notice of the effective date of the declared operating condition within 45 days following the CSWRD declaration. The mailed notice shall serve as official notification to customers of the Operating Condition and its subsequent effects on CSWRD Service Rules and procedures.

1-3.4 Water Waste Enforcement

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

1-3.5 Water Waste Prohibited

- a. The term “water waste” shall include, but not be limited to allowing water provided by

the CSWRD to flow or spray off of the parcel for which the water was provided. Rule violations may result from, but are not limited to:

1. The operation of landscape watering systems.
2. Malfunctioning device or supply line, where the customer or their agent has known of the problem for more than 48 hours.
3. Washing vehicles, equipment, driveways, parking lots, sidewalks, streets or other surfaces or objects, where water is allowed to flow off of the parcel for a continuous period of five minutes or greater.
4. 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.
5. Under an operating condition declaration described in Chapter 1, non-compliance with regulations relating to watering assignments shall be considered water waste.

b. Exceptions

The following shall not be considered wasting water:

1. Water waste generated as an inherent outcome of water used to abate a health or safety hazard where the proper application of water is the most appropriate and practical technology, or water used to reasonably meet the provisions of federal, state, or local law.
2. Spray irrigation used at any time of day, during any month, to sustain plantings less than 30 days old. The exemption does not, however, allow water to spray or flow off of the parcel.
3. Supervised testing or maintenance of a system to repair, adjust, or conduct a performance assessment. Both the operation of spray irrigation and the generation of spray or flow from the parcel shall be exempt by this provision, provided that no reasonable alternative exists.

c. Violations

Under sustainable, concerned and critical operating conditions and upon the first observation of waste, the customer will be notified and allowed a prescribed period of time to take corrective action. Subsequent violations will result in a formal violation notice and fee assessment, pursuant to Chapter 1 of these Service Rules.

Under emergency operating conditions and upon observation of water waste, the customer will be issued a formal violation notice and fee assessment. If the customer is unavailable or refuses to comply with the appropriate management measures prescribed in these Service Rules during emergency operating conditions, the service may be terminated and a fee will be assessed.

Policies and procedures to support these Service Rules include:

1. Specifically define water waste and exceptions;

2. Require observation and documentation of water waste by a representative of the CSWRD;
3. Require notification to the customer by the CSWRD explaining the CSWRD’s policy prior to issuance of a violation during all operating conditions except emergency operating conditions;
 - a. During the emergency Operating Stages the CSWRD may terminate service and/or issue a violation without prior notice.
4. Provide a mechanism by which a customer may protest the finding of violation;
5. May allow a customer to receive additional time to pursue corrective action;
6. Provide educational and/or incentive programs to assist customers to abate water waste.

1-3.6 Water Efficiency and Conservation Codes

All customers of the CSWRD are expected to comply with all applicable water efficiency codes. The CSWRD, may reject the application for, rescind or terminate water service to any parcel 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 CSWRD.

1-3.7 Demand Management

a. Spray Irrigation Restrictions

As determined by operating conditions, all designated customers will comply with the irrigation watering restrictions.

1. During all Operating Stages, it shall be considered water waste to spray irrigate outdoor vegetation between the hours of 11:00 a.m. and 7:00 p.m. between May 1 and September 30 of each calendar year.
2. During concerned, critical and emergency operating conditions watering days are restricted. It shall be considered water waste to spray irrigate outdoor irrigation in variance with the following table:

Maximum Watering Frequency			
Season	Concerned	Critical	Emergency
Winter November – February	One Assigned Day Per Week	One Assigned Day Per Week	TBD
Spring March – April	3 Assigned Days per Week & Sunday (Option)	3 Assigned Days per Week	TBD
Summer May- August	Any Day	Any Day	TBD
Fall September - October	3 Assigned Days per Week & Sunday (Option)	3 Assigned Days per Week	TBD

b. Watering Schedules

For the purpose of managing the water distribution system, specific watering days and/or schedules will be assigned by the CSWRD. Affected water users will be provided notification by way of phone calls, direct mailed correspondence, visible signage, email or any combination thereof. This notice shall serve as official notification to customers of the Operating Condition and its subsequent effects on CSWRD Service Rules and procedures.

c. Golf Course Water Budgets

Any golf course using CSWRD-supplied water is encouraged to develop and implement a water budget. All water used for golf course-related irrigation must be accounted, planned and projected in the annual water resource and supply plan. Golf courses shall be charged for potable, raw and non-potable water use. Golf courses implementing a water budget shall be measured and charged based upon a specified amount of acre-feet of water, including potable, raw and non-potable for each acre currently being irrigated. The 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 suggested water budget for established golf courses is shown below:

<u>Operating Condition</u>	<u>Annual Budget</u>
Sustainable	6.8 acre-feet per irrigated acre
Concerned	6.5 acre-feet per irrigated acre
Critical	6.3 acre-feet per irrigated acre
Emergency	TBD

The water demand management “Operating Condition” will be declared by the Board of Trustees. At the end of each calendar year, the annual water budget will be determined by the reconciliation of the water resource plan.

As part of the annual water resource and supply plan process, 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, calculated irrigation acreage; an itemized accounting of the most recent calendar year of water use by water type; a review of spray irrigation efficiency; and a description of key potable water use reduction strategies and timelines for implementing those strategies.

In the event a golf course customer contests the calculated irrigated acreage as determined by the CSWRD, the golf course may provide calculations supported by other methods acceptable to the CSWRD. Alternative measurements would need to be determined by an independent consultant not affiliated with the golf course. In any case however, the CSWRD 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.

1-3.8 Exemptions

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

Water Use Exemptions					
	Type	Sustainable	Concerned	Critical	Emergency
Handwatering	Time of Day	Exempt	Exempt	Exempt	Prohibited
	Assigned Day	Exempt	Exempt	Exempt	Prohibited
	Flow or Spray Off Property	Not Exempt	Not Exempt	Not Exempt	Prohibited
New Landscape ¹	Time of Day	Exempt 30 days	Exempt 30 days	Exempt 30 days	Prohibited
	Assigned Day	Exempt 30 days	Exempt 30 days	Exempt 30 days	Prohibited
	Flow or Spray Off Property	Not Exempt	Not Exempt	Not Exempt	Prohibited
Supervised Testing	Time of Day	Exempt	Exempt	Exempt	TBD
	Assigned Day	Exempt	Exempt	Exempt	TBD
	Flow or Spray	Exempt	Exempt	Exempt	TBD
Public Health and Welfare	Time of Day	Exempt	Exempt	Exempt	TBD
	Assigned Day	Exempt	Exempt	Exempt	TBD
	Flow or Spray Off Property	Exempt	Exempt	Exempt	TBD
Residential Car Washing	Time of Day	Exempt	Exempt	Exempt	TBD
	Assigned Day	Exempt	Exempt	Exempt	TBD
	Flow or Spray Off Property	Exempt for 5 Minutes	Exempt for 5 Minutes	Exempt for 5 Minutes	TBD
Non-Spray Irrigation	Time of Day	Exempt	Exempt	Exempt	Prohibited
	Assigned Day	Exempt (not to exceed Maximum Water Frequency)	Exempt (not to exceed Maximum Water Frequency)	Exempt (not to exceed Maximum Water Frequency)	Prohibited
	Flow or Spray Off Property	Not Exempt	Not Exempt	Not Exempt	Prohibited

Water Use Exemptions					
	Type	Sustainable	Concerned	Critical	Emergency
Irrigation of Commercial Nursery Stock	Time of Day	Exempt	Exempt	Exempt	TBD
	Assigned Day	Exempt	Exempt	Exempt	TBD
	Flow or Spray Off Property	Not Exempt	Not Exempt	Not Exempt	TBD
Syrringing	Time of Day	Exempt	Exempt	Exempt	Prohibited
	Assigned Day	Exempt	Exempt	Exempt	Prohibited
	Flow or Spray Off Property	Not Exempt	Not Exempt	Not Exempt	Prohibited
Overseeding ^{1,2}	Time of Day	Exempt 30 Days	Exempt 30 Days	Exempt 30 Days	Prohibited
	Assigned Day	Exempt 30 Days	Exempt 30 Days	Exempt 30 Days	Prohibited
	Flow or Spray Off Property	Not Exempt	Not Exempt	Not Exempt	Prohibited

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

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

1-3.9 Compliance with Water Efficiency and Conservation Codes

All customers of the CSWRD are required to comply with all applicable water efficiency and landscape codes. The CSWRD 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 CSWRD

1-3.10 Demand Restrictions

a. Community Use Recreational Turf Area or “CURTA”.

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

1. 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.
2. 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.
3. Irrigation shall be eligible to commence no earlier than 9:00 p.m. the day prior to the designated day.

4. The CSWRD may require areas designated as CURTA to submit an irrigation schedule to the CSWRD 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 CSWRD shall defer enforcement of provisions set forth in these Service Rules.

b. Mist System Restrictions

During sustainable, critical, and concerned operating conditions, residential mist systems used for human comfort will not be restricted. However, commercial use is allowed only under the following conditions:

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

c. Water Feature Conditions and Exemptions

Water features may not be operated during concerned or critical operating conditions. During concerned and critical stages, a water feature 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 CSWRD water that has been recycled or reprocessed by the customer.

The following uses are exempt:

1. Residential

A water feature of less than 200 square feet surface area during concerned operating conditions, and less than 25 feet surface area during critical operating conditions:

- a. At a single-family residence, or
- b. Centrally located within a residential development.

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 prior to declaration of drought.
9. Fountains and water features supplied by privately owned water rights, unless restricted by the code of the applicable jurisdiction.

d. Other Outdoor Water Use Restrictions

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

During sustainable, concerned, and critical conditions, surface, building, and equipment washing will be prohibited, unless the water is discharged to a sanitary sewer through approved methods, or contained on site.

2. Personal Vehicle Washing

- a. Under sustainable, personal vehicles may be washed upon residential properties with a leak free hose equipped with a positive shut-off nozzle and where water does not flow off the property for a continuous period of five minutes or greater.

- b. Under concerned and critical operating conditions, washing of personal vehicles upon residential properties shall be limited to once per week, per vehicle.

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.

e. Manmade Lake Provisions

All man-made lakes with over one acre of surface area shall pay the same rate as metered construction water. 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.

f. Landscape Reservoirs

Landscape reservoirs may be established to store non-potable water for irrigation of all areas other than golf courses. Such reservoirs shall provide water for irrigation at the rate identical to metered construction water.

- g. Governmental Facility Provisions
 - 1. Government facilities shall be subject to landscape water restrictions.
 - 2. Government facilities shall be subject to CSWRD water rates and water waste fees.
 - 3. During a concerned and critical, 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.

SECTION 4- TERMINATION OF SERVICE

1-4.1 Customer's Request

a. Water Service Termination

Customers desiring to terminate service shall notify the CSWRD and provide a mailing address to which the closing bill will be mailed. The legal owner of the property will be billed for water service even if the property is vacant or leased to a tenant. Failure to notify CSWRD of changes in billing address shall not relieve the property owner of responsibility for payment of the water charges.

b. Sewer Service Terminations

A user receives sewer services at all time during which there is any billing unit or ERU on the user's parcel of land that is connected to and may contribute to the sewer system, except for periods during which the user qualifies for the emergency relief rate. The legal owner of the property will continue to be billed for sewer service even if the property is vacant or leased to a tenant. Failure to notify CSWRD of changes in billing address shall not relieve the property owner of responsibility for payment of the sewer charges.

1-4.2 Cause

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

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

1-4.3 Notice of Termination

The CSWRD shall endeavor to notify the customer prior to terminating or discontinuing a service. The CSWRD, 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. In the event the service termination may result in a financial impact to the owner to reestablish service, the CSWRD will endeavor to also notify the property owner prior to the service termination or disconnection.

1-4.4 Bankruptcy Actions

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

SECTION 5 – WASTEWATER PRETREATMENT

Pretreatment Service Rules and enforcement matters deal with the commercial establishment operator. Compliance with these rules is ultimately the responsibility of the property owner.

Control of grease, sand and oil loadings to the CSWRD collection system is achieved by the use of grease and sand-oil interceptors, approved alternates, or other means. In addition to the following requirements/prohibitions, the provisions set forth within promulgated federal law 40 CFR Part 403 applies to all customers of the CSWRD.

1-5.1 The following are prohibited from unregulated discharge into the collection system:

- a. Non-domestic concentrations of liquid wastes containing grease and oil, which are a bi-product of animal or vegetable origin.
- b. Liquid waste containing concentrations of sand and/or inert substances or oil of petroleum origin.
- c. Any non-domestic concentration(s) of grease and/or oil.
- d. Any other discharge from either food handling establishments or vehicular facilities which may impede, obstruct or cause damage to the collection system. Note: vehicular facilities shall be defined as (but not limited to); car washes, motor vehicle boat or airplane storage yards, gasoline and diesel service stations, repair garages or any other similar facility.
- e. Chemical toilet wastes or septage.
- f. Groundwater or any other inflow, bypass water.
- g. Industrial sludge, hazardous wastes including any grit or grease from such.
- h. Non-domestic reverse-osmosis discharge, including that which is generated by mister systems.
- i. Sodium potassium discharging softeners. Only regenerative ion exchange water softeners are allowed.
- j. All substances following under the federal Resource Connection and Recovery Act (RCRA).

1-5.2 Requirements for Grease Interceptors

- a. Where Required:

A grease interceptor as described in these Service Rules shall be installed in any business establishment with kitchen facilities or trash compactors, including restaurants, cafes, lunch counters, cafeterias, supermarkets, convenience stores, bakeries, bars and clubs, hotels, hospitals, sanitariums, factory or school kitchens, or any other commercial establishment where non-domestic concentrations of grease may be introduced into the collection system.

Special consideration shall be given to every fish, fowl and animal slaughterhouse or establishment; every fish, fowl and meat packing or curing establishment; every soap factory, tallow rendering, fat rendering and hide curing establishment; or any other establishment from which considerable amounts of grease are likely to be discharged into the collection system. Written application describing exact operation, anticipated volumes of grease, and proposed interceptor size and design shall be made to the CSWRD for approval.

b. Fixtures

The wastewater discharge from fixtures and equipment in food handling establishments which may contain grease shall be drained through a grease interceptor or grease interceptors which comply with these rules.

Fixtures, such as, but not limited to, the following are included: Scullery sinks, pots and pans sinks, dishwashing machines, soup kettles and similar cooking equipment, trash compactor areas, floor drains in grease generating areas, and trash can wash areas.

c. Prohibited Fixtures

The waste lines from toilets, urinals and other similar fixtures shall not drain through a grease interceptor.

d. High-Heat Discharge

When the temperature of any waste discharge is in excess of one hundred and forty (140) degrees Fahrenheit and drains through a grease interceptor, the size of the interceptor shall be doubled. The addition of cold water to the influent of the interceptor is not allowed.

e. Location

i. Location of all interceptors shall be shown on the approved plans.

ii. Grease interceptors shall be:

- a) Located on the exterior of buildings unless specifically approved otherwise by the Health District.
- b) Placed as close as practical to the fixtures served.
- c) Installed and connected that at all times they shall be easily accessible for inspection, cleaning and removal of the intercepted grease.
- d) Located so that they can be serviced without the use of ladders or the removal of bulky equipment.

f. Sizing & Design Requirements

Sizing and Design requirements shall conform to approved CSWRD design criteria.

- i. Each establishment for which a grease interceptor is required shall have an interceptor, which will serve only that establishment. Multiple connections to a single interceptor shall not be permitted.

- ii. A grease interceptor or interceptors may serve a single business establishment that includes multiple restaurants if and only if the owner or the owner's designated representative(s) of the establishment submits a written declaration of responsibility for maintenance to, and is accepted by, the CCWRD Pretreatment Section. Further, if the establishment is sold, the new owner must abide by the maintenance agreement or separate interceptors must be installed by the new owner(s) at their expense.
- iii. No grease interceptor shall be installed which has a design rate of flow of more than fifty-five (55) gallons per minute (3.5 L/s), nor less than twenty (20) gallons per minute (1.3 L/s), except when specifically approved, in writing, by the Clark County Development Services Department.
- iv. Each fixture discharging into a grease interceptor shall be individually trapped and vented in an approved manner. An approved type grease interceptor may be used as a fixture trap for a single fixture when the horizontal distance between the fixture outlet and the grease interceptor does not exceed four (4) feet (1.2 m), and the vertical tailpipe or drain between the fixture outlet and interceptor does not exceed two and one-half (2½) feet (0.8 m).
- v. No water-jacketed grease trap or grease interceptor shall be approved or installed.
- vi. Each grease interceptor shall have an approved water seal of not less than two (2) inches (50.8 mm) in depth or the diameter of its outlet whichever is greater.
- vii. Design standards other than those listed above may be acceptable. Any alternate design shall be designed for review by a Nevada Registered Professional Engineer and submitted for approval to the CSWRD and the Clark County Development Services Department.

1-5.3. Requirements for Sand/Oil Interceptors

1. Where Required

A sand/oil interceptor shall be provided for the proper handling of liquid wastes containing oil (of petroleum origin), sand, inert solids or any other similar substances.

NOTE: A sand/oil interceptor is not intended for the disposal of hazardous waste or as a backup system for accidental spills.

Interceptors as described in these standards shall be installed in, but not limited to, the following locations: Car washes, applicable parking garages, storage yards for motor vehicles, boats, or airplanes, gasoline and diesel service stations, repair garages, or any other similar facility which may introduce sand and oil into the sewer system. A written application describing the exact facility operation and the types and anticipated volumes of waste to be generated shall be submitted to the CSWRD, and the Clark County Development Services Department.

2. Fixtures

The waste discharge from fixtures and equipment which may contain sand, oil-based wastes and inert solids shall drain through an interceptor. This requirement includes, but is not limited to, the following: Floor drains, floor sinks, special processing equipment,

trench drains and area drains.

3. High Heat Discharge to Separators

When the temperature of the waste to be drained through a separator exceeds 140 degrees Fahrenheit (60 degrees Celsius), the size of the interceptor shall be doubled. The addition of cold water to the influent of the interceptor is not allowed.

4. Prohibited Fixtures

The waste line from toilets, urinals, lavatories and other similar fixtures, which discharge domestic wastes only, shall not drain through the interceptor.

5. Prohibited Materials

Materials which may not be discharged into the separator include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides or other substances that have been determined by the CSWRD, State of Nevada, or the United States Environmental Protection Agency to be a fire danger or other hazard to the system. In no case may a user discharge any pollutant or wastewater having a pH of less than 5.0 or greater than 11.0. The user shall introduce no materials, which may cause pass through, interference, or upset of the collection or treatment systems.

- a. Each establishment for which a sand/oil interceptor is required shall have an interceptor, which will serve only that establishment. Multiple connections to a single interceptor shall not be permitted.
- b. A sand/oil interceptor or interceptors may serve a single business establishment with multiple shops if and only if the owner or the owner's designated representative of the establishment submits a written declaration to, and is accepted by the CSWRD Pretreatment Section. Further, if the establishment is sold, the new owner(s) must abide by the maintenance agreement or separate interceptors must be installed by the new owner(s) at their expense.
- c. An alternate design must be prepared by a Nevada Registered Professional Engineer and submitted for approval to the CCWRD and the Clark County Development Services Department.

6. Maintenance of Interceptors

Interceptors shall be installed in a location that allows for physical access related to maintenance and/or pumping conditions.

- a. Grease and sand/oil interceptors shall be maintained in an efficient operating condition by removal of accumulated grease or sand/oil, and be pumped a minimum of two times in a twelve-month period, or more frequently as needed. The CSWRD may require a specified removal schedule if it is deemed necessary. No such collected grease or sand/oil, or any material collected from the interceptor shall be introduced into public sewers or any piping draining into public sewers. The materials removed from interceptors shall be handled and disposed of in a proper manner in accordance with established Southern Nevada Health District requirements. Illegal dumping of waste into the CSWRD sewer

system shall be considered non-compliance with the CSWRD's pretreatment regulations, and may be subject to enforcement and administrative and/or monetary penalties by local, state, or federal authorities.

- b. Maintenance records for each installed interceptor shall be maintained on the premises at all times and presented to a duly authorized agent of the CSWRD upon request.
- c. The use of enzymes and emulsifiers is specifically prohibited from use in grease and sand/oil interceptors as a method of maintenance.

7. Abandoned Interceptors

Abandoned interceptors shall be cleaned and filled as specified in the Uniform Plumbing Code, as amended, for abandoned sewers and sewage disposal facilities. Prior approval to abandon an interceptor is required from the CSWRD and the Clark County Development Services Department.

8. Existing Buildings

All facilities must meet current pretreatment criteria prior to commencing business. The most current standards with regards to; interceptor capacity (sizing), interceptor location, interceptor design criteria and floor drains, must be met regardless of what was present within the existing structure. The most current standards, shall be defined as; those pertinent requirements, mandated by CSWRD and the current Uniform Plumbing Code. Compliance must be achieved, even though a retrofitting process may be necessary to bring an existing structure into compliance.

9. Alternate Materials and Methods

Any alternate designs must be prepared by a Nevada Registered Professional Engineer, be stamped by the Engineer, and be submitted for approval to the CSWRD and Clark County Development Services Department. The Clark County Development Services Department may require that sufficient evidence or proof be submitted for any claims that may be made regarding the use of alternate materials and methods.

10. Permits

Each user required by these regulations to have a grease interceptor, sand/oil interceptor, or other approved alternate device, must register with the CCWRD and obtain a permit for discharge into the public system. Annual permit fees will be assessed in accordance with these Service Rules.

1-5.4 Enforcement and Penalties

Whenever CSWRD finds that any person does not comply with any prohibition, limitation or requirement contained in these Service Rules, CSWRD shall serve upon such person a written notice stating the nature of the non-compliance. In the case of written notice, the person shall submit to the CSWRD within thirty (30) days of the date of notice, a plan for the satisfactory correction of the non-compliance. Such plan shall be at the person's expense, and shall address installation, maintenance, and monitoring programs to correct the non-compliance. If any person fails to comply with these regulations, the CSWRD shall take such steps, as it deems necessary, including immediate severance of the sewer connection, and may commence an action for other

appropriate legal or equitable relief.

If any person is found to have contributed to stoppages, blockages, obstructions or other damage to the water or sewer system or facilities as a result of a non-compliance with these Service Rules, the person may be required to reimburse the CSWRD for any and all costs incurred by the CSWRD to clean or repair the sewer system.

Any person who fails to comply with any provision of these Service Rules may be guilty of a misdemeanor and may pay a fine of up to \$1,000 per offense per day. In addition to the various penalties provided herein, any person not in compliance with these Service Rules shall pay all reasonable attorneys' fees, court costs, other expenses of litigation and damages for any loss sustained or costs incurred as a result of any non-compliance of these Service Rules or of bringing such non-compliance into compliance herewith.

**CHAPTER 2
WATER SERVICE RULES**

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SECTION 1 – DEVELOPER FEES AND CHARGES

2-1.1 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, excluding fire hydrant meters with backflow prevention assembly sets, may be accommodated with payment of an additional \$100 fee.

- a. A fire hydrant permit fee of \$178 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 CSWRD 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 CSWRD 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 \$1 per day.
- e. The consumption rate shall be set at the third tier consumption rate of the adopted monthly metered rates for domestic services schedule.

In lieu of a fire hydrant meter for taking construction water, the construction water may be taken through the service connection which is intended to serve the parcel, or it may be taken through any other metered method approved by the CSWRD which assures that all water utilized during the construction period is metered.

The construction period shall be considered to have ended for the applicant upon notification to the CSWRD by the applicant and after the CSWRD has made a final meter reading for billing purposes. The CSWRD 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 CSWRD that the construction period has ended will remain the responsibility of the applicant.

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 CSWRD 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 CSWRD facilities within this approved transferred area.

All construction water, except as provided in these Service Rules, must be measured for consumption using approved meters installed by CSWRD.

2-1.2 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 CSWRD representative.

2-1.3 Application for Water Service Fee

All applicants for any 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 charge for staff review of each revision to applications and plans that constitute a change to documents, fees, or services.

2-1.4 Inspection Fee

<u>Size</u>	<u>Inspection Fee per Each</u>
a. All water Services 2" or less	\$ 295
b. Domestic Services greater than 2" and Combined Services	1,880
c. Firelines	1,430
d. Public Fire Hydrants, temporary riser (per project) (without domestic service)	1,230
e. Backflow Prevention Assembly (Retrofit Only)	No Charge

After hours inspection fee is \$90/hour.

All other inspections occurring after the time limitation established herein and not related to above services description shall be \$60/hour, plus a round trip fee of \$120 per inspection.

A minimum of \$295 will be charged for accumulated site inspections for any project that is cancelled in accordance with these Service Rules. The balance of Inspection Fees will be refunded as part of the cancellation process.

2-1.5 Service Connection Installation Charges

The following charges shall apply under normal conditions:

<u>Meter Size</u>	<u>Complete¹ Service</u>	<u>Service Excluding Meter</u>	<u>Meter² Only</u>	<u>Automated Meter³ Reading Device (AMR)</u>	<u>Backflow⁴ Prevention</u>
5/8" x 3/4"	\$ 1,314	\$ 1,177	\$ 33	\$104	\$ 840
3/4"	1,324	1,177	43	104	840
1"	1,348	1,177	67	104	840
1½"	1,563	1,267	192	104	1,120
2"	2,749	2,391	254	104	1,180
Over 2"	Actual Cost				

¹Price includes \$104 for AMR device for District installed services, unless AMR already exists.

²Price effective upon installation of full service only. A District approved meter is required for all single-family residences with fire sprinkler systems.

³Required of all new services.

⁴Devices required under NAC 445A.67185-67255, as amended, will be installed at the rate shown above, or on an actual cost basis 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, which 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. 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.

2-1.6 Credit for Returned Meters

If meters obtained from the CSWRD 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 CSWRD, the following credits will be made:

- a. Undamaged meters - 100% of original developer cost
- b. Damaged meters - 30% of original developer cost

2-1.7 Charge for CSWRD Installation of Meters -

When the CSWRD 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 CSWRD 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 CSWRD. If the development is under warranty for its water facilities, the developer can replace the meter at his expense.

SECTION 2 - WATER COMMITMENT

This section identifies the process of obtaining a new water commitment. The process is designed to address the association of a water resource plan with obtaining a water plan approval, and ensuring against the over-commitment of water beyond an unused and available water supply. The Board of Trustees for the CC - CSWRGID shall prepare and adopt a water resource and supply plan, and thereafter, review annually and modify as necessary to reflect the actual historical water use and revised projections. The plan will be based on staff review of information provided by CSI or CSLD, as the case may be, that identifies present water usage, projected future use and identify water resources and facilities necessary to meet future demands in the Coyote Springs master planned community being developed by CSI and its affiliates.

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 CSWRD. The water commitment process requires the developer 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. This commitment process is on a “first come, first served basis”. Compliance with these Service 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 CSWRD's expense, the CSWRD may deny any request for a water commitment or request for a water connection if the CSWRD 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 compromises public health and safety.

A water commitment process administered by the CSWRD staff will cease when the CSWRD has less than 700 AFY of unused water available for commitment in the final map area. Instead, during such time, the Board of Trustees will be responsible for issuing any water commitment approvals. As soon as CSWRD has more than 700 AFY of unused water, then the commitment process will again be administered by CSWRD staff.

2-2.1 Applicability

a. New Domestic Service Connections

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

b. Expansions or Additions

Any expansion or addition of buildings or structures on any parcel presently served by the CSWRD which will add more than 24 fixture units or equivalent will require a water commitment from CSWRD 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 may 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 CSWRD will provide the additional capacity.

2-2.2 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 only be issued according to the following process:

a. Development Approval

Any new water commitment, except those provided for in this Chapter, will require development approval from Clark County. The CSWRD will process development approvals on a first come, first served basis as the requirements of the water commitment process listed below are fulfilled, and as long as water is available to commit.

b. Water Commitments for all New Subdivisions, New Parcel Maps and New Land Divisions (Mapping Process)

A water commitment for all new subdivisions, new parcel maps, and new land divisions will be made upon completion of all 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 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 CSWRD by Clark County in the form of constructed improvements, bonds, other acceptable surety, or a combination thereof.

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

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

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

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

3. The development approval(s) are issued by Clark County.
4. All fees, charges and deposits required by these rules are paid, all CSWRD agreements are executed, and the appropriate water plan approval is obtained from the CSWRD.
5. Final subdivision map, parcel map, or land division map with commitment certified by CSWRD 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 map.
 - Non single-family residential subdivision lots, multi-family residential parcel map lots, and multi-family residential land division lots or master plan developments will receive a water commitment limited to one (1) acre-foot per lot, or one (1) acre-foot per acre, whichever is less. If an additional water commitment is required to complete a project, the process in effect at the time will be followed.
 - 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 Chapter 2.2.c below or the process in effect at the time.
- c. Permit Process - Water Commitments for All Projects Other than New Subdivisions, New Parcel Maps, and New Land Divisions (Permit Process)

To obtain a water commitment for any project other than new subdivisions, new parcel maps, and new land divisions, 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 including water facilities are constructed, or bonds or other acceptable surety are posted as required by Clark County or the CSWRD.
3. The development approval(s) are issued by Clark County.
4. All fees, charges, and deposits required by these rules are paid, all CSWRD agreements are executed, and water plan approval is obtained from the CSWRD. Fees may not be paid until 1-3 are completed.

Once the requirements listed above (1-4) are met, a conditional commitment is issued by the CSWRD. 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 CSWRD, and the certificate of occupancy or certificate of completion is issued by Clark County.

If a development approval is issued by Clark County for 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 the offsite improvement plan approval, or other beginning action such as a “notice to proceed” issued by the public entity for construction. The conditional commitment will become a final commitment when all construction is accepted as complete by all approving public entities.

2-2.3 Water Commitment Limitations

Water commitments cannot be traded, sold, or transferred.

2-2.4 Commitment Documentation

It is the applicant’s responsibility to provide proof to the CSWRD of a water commitment or other documentation where required.

2-2.5 Unauthorized Expansion/Addition

In the event an increase in water consumption occurs due to an unauthorized expansion or addition to a parcel as identified in Section 2-2.1(b) of these Service Rules that has not received an additional water commitment from CSWRD, the CSWRD may terminate service to the parcel in accordance with these Service Rules.

2-2.6 Water Plan Review

CSWRD may review water plans for new development without development approval from Clark County, or without 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.

2-2.7 Projected Water Usage

The projected water usage for any and all projects is determined solely and exclusively by the CSWRD including consideration of the density and uses of land permitted in the zoning district or master plan approved by Clark County.

2-2.8 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.

2-2.9 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 CSWRD’s sole discretion.

2-2.10 Commitment Documentation

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

2-2.11 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 2-2.1.b, the CSWRD may terminate service to the property in accordance with Chapter 1-4 of these Service Rules.

2-2.12 Water Plan Review

The CSWRD may review water plans for new development without development approval from 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.

2-2.13 Projected Water Usage

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

2-2.14 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 CSWRD's sole discretion.

SECTION 3 - SERVICE CONNECTIONS

2-3.1 General Provisions and Conditions

The installation of meters is required for all existing non-single-family residential services and all new services. Payment for all water used from the time of initial service installation shall be the responsibility of the applicant along with payment of the required connection charges for all service connection types.

The CSWRD reserves the right to determine the size of the service connection to be installed. The minimum lateral pipe size shall be one inch (1"). For new service connections greater than one inch (1"), 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

The minimum sizing standard for meters will be a three quarter inch (3/4").

In the event an existing main is determined to be inadequate to meet the requirements of an applicant and main extension will provide for those requirements, provisions of these rules applying to main extensions will be followed.

Whenever two mains are available from which service can be provided, the CSWRD shall, at its option, determine the main to which service connection will be made.

Plans acceptable to the CSWRD are required for all service connections except individual residential service connections under two (2) inches in diameter to be installed by CSWRD. Water plans shall be prepared by a Nevada Registered Professional Engineer for review by the CSWRD for conformance to CSWRD construction standards, as stipulated in Chapter 2-4, "Installation of Water Facilities". However, the review is neither 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 commitment. It is the applicant's responsibility to obtain development approval along with other commitment requirements specified in these Service Rules.

In the event the authority having jurisdiction over the right-of-way within which the service connection will be installed requires a permit for such installation, the CSWRD will make application for such permit for work to be performed by the CSWRD and for water facilities installed by a private contractor that are located within 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 CSWRD by the authority having jurisdiction, the applicant shall be so notified in writing. The applicant may then make application for such permit to the authority having jurisdiction or may request the return of all fees, charges and deposits paid. If the applicant chooses the latter option, the CSWRD shall not be required to provide service. If the applicant is unable to obtain the required permit, the CSWRD has no obligation to provide service and shall return all fees, charges, and deposits paid.

2-3.2 Location

New or relocated service connections shall be installed at nominal right angles to a main or in accordance with CSWRD Standards. The point of connection shall not be within a street intersection, 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 CSWRD 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 parcel line within which the main is located. All meters shall be located outside of driveways and other areas where access by CSWRD personnel for operation and maintenance may be restricted.

The meter shall be located outside of travel lanes and driveways and shall be protected from vehicular traffic, as determined by the CSWRD. If the applicant feels extraordinary conditions exist that would prevent compliance with this requirement, he may submit to the CSWRD a written request for a waiver of this requirement at the time the water plan is submitted for review.

2-3.3 Composition

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

2-3.4 Ownership

Service connections, including laterals, meters, curb stops, boxes, shut-off valves, backflow assemblies, and other appurtenances, shall be and remain the property of the CSWRD. Upon acceptance of the installation by the CSWRD, the CSWRD 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 from the distribution main to the meter, regardless of the meter location on the customer's property, shall be maintained by the CSWRD. If no meter exists, all pipe and fittings from the distribution main to the property line shall be maintained by the CSWRD. All other piping and facilities from the meter box or if no meter exists, from the property line, to the building(s) served are the responsibility of the customer. The CSWRD will be responsible for the maintenance and testing of backflow prevention assemblies. Any entry into, or work, including but not limited to operation, maintenance, repair, or relocation of CSWRD property by any person or firm not employed by the CSWRD is expressly prohibited.

2-3.5 Installation of Service Connection

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

2-3.6 Service Connection Types

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

a. Private Fire Service

Private fire service shall be equipped with a CSWRD approved double check detector assembly and use is restricted to standby for emergency fire protection.

b. Emergency Service

Emergency service shall be authorized for limited periods of time when the usual source of supply fails or is declared to be potentially harmful or in other circumstances that endanger health or property. Connections may be provided, at the discretion of the

CSWRD, to a fire hydrant or any available outlet from facilities and shall conform with the requirements of these Service Rules. The applicant shall pay all installation costs, applicable fees, charges, and deposits and shall make application for a main extension in accordance with Chapter 2 of these Service Rules, if applicable.

All emergency services shall be limited to a maximum of sixty calendar days. Should the need for the emergency service extend beyond sixty (60) calendar days, the applicant shall apply to the CSWRD 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 (30) 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.

c. Non-Standard Service

A non-standard service may be authorized when in the opinion of the CSWRD a main extension will not be necessary for orderly development of the system, fire protection, service to other property or other reasons. On-site piping from the meter or shut-off valve to the customer shall not be located within public thoroughfare. A copy of the recorded easement grant between the property owner and applicant for the on-site piping shall be provided to the CSWRD.

d. Temporary Service

A temporary service may be authorized by the CSWRD 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 Service Rules.

2-3.7 Metering Requirements for New Developments

- a. It is the intent of the CSWRD 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 CSWRD 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 CSWRD, a single meter for all service is the most practical installation for CSWRD access, operations, and maintenance, one (1) properly sized meter may be installed to serve the entire development. The CSWRD shall make the final determination of a properly sized meter.
- c. In the event a parcel is divided into more than one (1) lot after water service is obtained from the CSWRD, it is the property owner's responsibility to obtain additional water commitments and services for the additional lots from the CSWRD 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 subdivisions, 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. CSWRD will not prorate water bills between or among customers.

2-3.8 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 CSWRD may authorize the retention of the existing metered services, with or without modifications, for cause.

2-3.9 Meter Maintenance

CSWRD water meters are routinely serviced and maintained during normal business hours. This procedure will cause a total shut down of the services located on a site. Customers can avoid this interruption in service by providing a bypass valve and piping, per CSWRD standards.

2-3.10 Cross-Connection Control (Backflow Prevention)

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

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

The CSWRD 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 CSWRD'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 CSWRD's supply. The installation of a CSWRD 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 CSWRD may determine that there is the potential for contamination of the CSWRD'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 CSWRD 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 CSWRD 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 CSWRD shall be deferred at that time. The CSWRD may require the customer to obtain, at his own expense, a similar CSWRD 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 CSWRD, which will determine the need for an assembly. Failure to provide such a survey shall be cause for the CSWRD 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 CSWRD 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 CSWRD Standards before the service is activated.

Installations of backflow prevention assemblies larger than 2" by the customer/applicant shall be accomplished in accordance with Chapter 2 of these Service Rules. An easement shall be provided to the CSWRD 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 CSWRD. A permit for the installation and inspection shall be obtained by the owner/developer for all assemblies 2" and smaller. Failure to provide the CSWRD 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 CSWRD 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 CSWRD 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 CSWRD 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 CSWRD 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 CSWRD may elect to install the appropriate assembly at the expense of the customer. Upon completion of installation of the backflow prevention assembly, the CSWRD may restore service.

If the customer so requests, the CSWRD shall take the necessary actions to have the backflow prevention assembly installed. If a customer qualifies due to a public works or CSWRD 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 CSWRD. 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 CSWRD, the 120-day installation period shall be considered as having been satisfied. The CSWRD may make arrangements for the installation by a contractor, or may do the installation using CSWRD work forces. The application shall be considered to have been received by the CSWRD 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 CSWRD as set forth in Chapter 2 for the installation work. Following completion of the work, the CSWRD 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 CSWRD 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 CSWRD 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 CSWRD will notify the customer in advance of installation should this situation arise.

2-3.11 Installation of Hydrants

Upon approval of the Clark County Fire Department, the CSWRD may install a fire hydrant for single-family residentially zoned lots 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 4- INSTALLATION OF WATER FACILITIES

2-4.1 General Conditions for the Installation of CSWRD Water Facilities

a. Applicability

Any work on CSWRD facilities, including, but not limited to the installation of new service connections, water main, backflow prevention assemblies and associated appurtenances (water facilities); and relocation or removal of existing facilities not installed by CSWRD, 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 CSWRD, prior to the time the work is started by the developer.

A main extension shall be required whenever 20' of useable main is not directly adjacent to the proposed development requiring water service, or when the adjacent main cannot meet the needs of the proposed development.

Notwithstanding any provision in these Service Rules, payment of fee, or construction of water facilities at a developer or CSWRD's expense, the CSWRD may deny any request for a water commitment or request for a water connection if the CSWRD 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 compromises public health and safety.

b. Responsibility for Cost

Applicant shall pay all costs for review, approval, acceptance, and provision of said facilities which shall include design and other appurtenant costs, as well as construction costs. Such facilities shall conform with the rules, regulations, and design requirements of the CSWRD.

c. Construction Plans

All water plans submitted for review shall conform to the latest standards of the CSWRD design criteria. Water plans shall all include, at a minimum, the following:

1. Copy of the recorded subdivision final map, parcel map or any other map, if applicable,
2. Two (2) sets (24" x 36") of detailed water plans at a scale not to exceed 1"= 60',
3. A completed data sheet as provided by the CSWRD,
4. The required application fee as specified in this Chapter, 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 CSWRD 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 CSWRD a set of reproducible mylar water plans conforming with the revisions, which shall be considered the master water plan after approval by the CSWRD. Upon execution of the appropriate agreements by the applicant and payment of 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.

d. Time Limitations

Approval by the CSWRD for any water facilities shall be valid for a limited time. In the event that construction of the water facilities 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. 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. A day for day time extension may be granted by the CSWRD for work that cannot progress due to weather and ground conditions which disrupt normal construction operations.

If toward the completing of the two (2) year period, the work will not be completed in the next six (6) months, the developer shall also post a bond or cash deposit with the CSWRD to assure completion in one (1) year, or the project may be canceled.

In the event the project received a water commitment pursuant to Chapter 2, Section 2.2(b) or 2.2(c) of these Service Rules, the CSWRD may, at its discretion, invoke the performance bond for the installation of the water facilities rather than canceling the project.

e. Construction, 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 CSWRD to pursue completion of all or part of the project, as determined by the CSWRD.

If a project receives a water commitment under the provisions of Chapter 2, of these Service Rules, and the water plans are subsequently proposed for cancellation, all prepaid installation fees and other charges and deposits shall be retained by the CSWRD 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 Chapter 2 of these Service 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 CSWRD 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 CSWRD 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 CSWRD recognition of an assignment from one developer/owner to another, an assignment form provided by the CSWRD should be completed, and a fully executed duplicate original should be returned to CSWRD.

f. 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 CSWRD specifications, standards, and procedures which are in effect at the time the water plans receive CSWRD 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 CSWRD before connecting the new mains to existing mains, unless otherwise permitted by the CSWRD.
2. Connections to existing mains shall be made only when authorized by the CSWRD and then only in the presence of an authorized representative of the CSWRD, at times specified by the CSWRD.
3. Existing mains shall not be taken out of service for the purpose of making new connections when other options such as wet taps are feasible. Mains may only be taken out of service with the specific approval of the CSWRD.

g. Construction Inspection

The CSWRD shall inspect the installation of the service connection and backflow prevention assemblies from construction commencement through final water project acceptance. The CSWRD reserves the right to terminate service if the work does not comply with CSWRD requirements. The CSWRD 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 CSWRD.

h. Meter Installation

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

specifications.

Meters obtained from CSWRD 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 have been verified by the CSWRD.

i. 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 at the commodity rate set forth in Chapter 1 herein. The developer (applicant) shall remain responsible for correction of all deficiencies and shall remain liable for payment for all metered water used 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 CSWRD.

j. Guarantee

Materials and workmanship shall be guaranteed free of defect for a period of one year from date of acceptance by the CSWRD. Upon receipt of notice from the CSWRD, the developer shall immediately cause any defect to be corrected, or shall reimburse the CSWRD for the cost of correction. Any corrective actions shall themselves be warranted for a one-year period.

k. Location

1. Main extensions and appurtenances shall be located within a dedicated right-of-way or private streets thirty (30) feet in width or greater, dedicated for utility purposes provided adequate clearances are available for operation, maintenance, and repair of the water facilities.
2. If dedicated rights-of-way or a private street dedicated for utility purposes is not available, the applicant may petition the CSWRD and upon CSWRD approval, a main extension and appurtenances may be located within easement grants to the CSWRD not less than thirty (30) feet in width, or as the CSWRD may specify.
3. All rights-of-way, private streets and/or easements shall be shown on the water plans and shall be provided to the CSWRD prior to the approval of water plans and must provide adequate clearances for the safe operation, maintenance, and repair of the water facilities. The CSWRD reserves the right to determine the location of a main extension and appurtenances.

l. Easements

1. No buildings, structures or trees will be placed upon, over or under any CSWRD 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 CSWRD's facilities within the easement.

- 2. Should the CSWRD act to repair any facilities within the easement, the CSWRD is not responsible for repair or reconstruction of any property located within the easement.
- 3. Should any of the CSWRD'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, unless the changes in grade or other construction were done by third parties with the written consent of the CSWRD.

m. 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 size of any main to be constructed as a part of the CSWRD distribution system shall be 8 inches in diameter; except in certain locations where the CSWRD may allow mains 6 inches in diameter. A developer installing water mains will be required to install these minimum size mains at their sole expense.

n. Fire Hydrants

Fire hydrant installations shall conform with design and location requirements of the Clark County Fire Department.

o. 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 such mains for other development may be permitted when, in the opinion of the CSWRD, such connections will not substantially affect service to the original development.

p. Conveyance of Title

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

q. Construction by Private Contractor or CSWRD

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 CSWRD, the extent of work to be performed is minor and can be accomplished efficiently and economically by CSWRD forces, the applicant shall deposit an amount determined by the CSWRD. Upon completion of construction, the difference between the estimated and actual costs will be either billed or refunded.

r. Refund of Frontage Connection Charges

The developer will receive frontage connection charges collected by the CSWRD 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 CSWRD 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 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 CSWRD, and a signed Bill of Sale is provided by the developer.

2-4.2 Service Connections Installed by Private Contractor

If service connections are installed by private contractor, the provisions of this Chapter shall apply.

2-4.3 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 CSWRD 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.

SECTION 5 – NON-POTABLE WATER RESOURCES

See Chapter 3-4 “Use of Reclaimed Water”.

Among the steps taken to provide water resources for Coyote Springs, the adopted annual water resource and supply plan shall include the budgeted development and use of non-potable water throughout the Coyote Springs development.

**CHAPTER 3
WASTEWATER SERVICE RULES**

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SECTION 1 - CONNECTION TO WASTEWATER FACILITIES

For all purposes of these Service Rules, any use of the word “sewer” shall mean “sewer or wastewater”, as the case may be, these terms shall be used interchangeably in this instrument.

3-1.1 Any property within the CSWRD may be connected to one or more laterals or other service connections, which are connected to the facilities of the CSWRD only upon compliance by the owner or owners or the agent or agents of the owner or owners with all of the following conditions:

- a. A system development approval is obtained and all charges imposed under the CSWRD’s Service Rules are paid; and
- b. One or more laterals or other service connections of sizes and at locations, slopes and depths specified by the owner or owners or the agent or agents of the owner or owners have been installed in accordance with CSWRD’s design criteria at no expense to the CSWRD (1) by the owner or owners or by the agent or agents of the owner or owners or (2) by the CSWRD or its contractor upon request of and reimbursement of all costs and expenses by the owner or owners or the agent or agents of the owner or owners; and
- c. That portion of each lateral or other service connection which is located within a public right-of-way or a CSWRD easement has been inspected and approved by the CSWRD; and
- d. Notice of the desire to connect one or more laterals or other service connections to the CSWRD’s facilities has been given to the CSWRD on a working day of the CSWRD at least two (2) business days before the desired time of such connection; and
- e. Connection of each lateral or other service connection to the CSWRD’s facilities has been made in the presence of the CSWRD’s representative and in accordance with the CSWRD Design and Construction Standards.

3-1.2 If any property is connected to any one or more laterals or other service connections which are connected to the facilities of the CSWRD without compliance with all of the conditions of Chapter 3, of these Wastewater Service Rules and remains so connected without compliance with all of the conditions of Chapter 3, of these Wastewater Service Rules, 30 days after receipt by the owner or owners of written notice from the General Manager specifying the violations of the conditions of Chapter 3, of these Wastewater Service Rules, the CSWRD shall have the right to disconnect that property from the facilities of the CSWRD. The property may be reconnected to the facilities of the CSWRD only upon compliance with all of the above conditions and payment of the costs incurred by the CSWRD in disconnecting the property from the facilities of the CSWRD.

The CSWRD will maintain its facilities, which do not include laterals or other service connections within the public right of way or an easement granted to the CSWRD. The owner or owners will retain ownership of and will maintain all laterals or other service connections originating on their property to the point of the public right of way or an easement granted to the CSWRD at no expense to the CSWRD. CSWRD will exercise its option to repair as determined by a CCTV inspection of the lateral located only within the right of way/easement. The lateral portion located behind the property line is the sole responsibility of the owner to repair.

The owner or owners will indemnify and hold the CSWRD harmless from all liability for

damages, costs, expenses and attorneys' and other professionals' fees based upon, resulting or arising from the size, location, slope or depth of any lateral or other service connection.

SECTION 2 - WASTEWATER MAIN LINE EXTENSIONS

3-2.1 General

- a. When a developer intends to construct an improvement upon his land which requires a sewer main extension, he shall submit sewer main line extension plans, in accordance with the CSWRD design criteria, as amended, to the CSWRD for review and approval by the CSWRD. Construction on a main line extension shall not commence until the CSWRD has approved the plans and as otherwise provided in this Chapter 3.
- b. The developer shall be bound by and subject to the CSWRD's decision as to the necessity for and extent of oversizing of a main line extension.

3-2.2 Source of Funds

The developer shall be responsible for all costs for a main line extension including, but not limited to design, easements and construction, except for the cost of oversizing. Funds for the CSWRD's share of construction costs of oversized main line extensions may be expended from the CSWRD's capital account. Payment for oversized main line extensions shall not be made until the CSWRD has accepted the main line extension for operation and maintenance, except as indicated in Chapter 3, of these Wastewater Service Rules and then only after the developer has invoiced the CSWRD for the cost of oversizing.

3-2.3 Main Line Extension

The developer shall supervise the design utilizing the services of the developer-designated engineer. The developer shall be bound by and subject to the CSWRD's decision as to the necessity for and extent of oversizing of a main line extension. The developer shall schedule the design and construction of such main line extension to best fit the need of the developer and the time schedule provided by the developer. The CSWRD will not assume any responsibility or liability for any financial loss incurred by a developer due to delays in the completion of construction of a main line extension, but shall exercise every diligence for timely approval of plans, specifications and construction inspection of the main line extension for compliance with CSWRD design criteria. The developer shall conform to all federal, state and local laws or regulations.

3-2.4 Wastewater Main Line Construction by a Developer

- a. In the event the construction by a developer of sewer lines covered by any approved sewer main line extension plan is not started within one (1) year from the date of approval, the project shall be deemed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project. The same shall apply when active construction work is discontinued for a period of one (1) year. In the event of abandonment or cessation of construction, prepaid connection privilege fees and other deposits shall be refunded proportionately to the extent of completion. A time extension may be granted upon request to the CSWRD by the developer provided the plans are revised to meet current conditions and design criteria. In the event of abandonment of off-site sewer lines, other developers shall be permitted to utilize the abandoned sewer lines and appurtenances in their work should they desire to do so, based on their own set of sewer main line extension plans submitted to and approved by the CCWRD for finishing the abandoned work. It will be the developer's responsibility to receive permission from the original developer, or his contractor, to complete the work.

- b. Time Limitations (see earlier comments on proportionate refunds)

Approval by the CSWRD for any main line extension shall be valid for a limited time. In the event that construction of the mains covered by any approved plan is not started within one (1) year from the date of approval, 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. The same shall apply when active construction work is discontinued for one (1) year.

All sewer 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. A day for daytime extension may be granted by the CCWRD for work that cannot progress due to weather and ground conditions, which disrupt normal construction operations.

If toward the completing of the two (2) year period, the work will not be completed in the next six (6) months, the developer shall also post a bond or cash deposit with the CCWRD to assure completion in one (1) year, or the project may be canceled.

- c. All developer-constructed sewer lines, service connections, and appurtenances, excluding service laterals, which are owned and maintained by the developer, shall be constructed to conform to the CSWRD design criteria, subject to inspection and acceptance by the CSWRD. Connections to the existing sewer lines shall be made only in the presence of a representative of the CSWRD. The developer shall provide timely notice to the CSWRD in accordance with design criteria.
- d. Materials and workmanship of work performed solely by developer shall be guaranteed free of defects for a period of one (1) year from the date of acceptance by the CSWRD. Should any defective material or workmanship affecting facilities installed by the developer be disclosed within one (1) year of the date of completion and acceptance of the facilities by the CSWRD, the developer shall immediately cause the defect to be corrected, or shall immediately reimburse the CSWRD for the cost in correcting it. If the developer fails within thirty (30) days after receiving a demand from the CSWRD by certified mail, to reimburse the CSWRD for its cost in correcting a defect in materials or workmanship, the CSWRD shall refuse to issue a certificate to the building officer, "that all sewer facilities necessary for the permitted use or occupancy of the developer's building (s) or structure (s) have been accepted by the CSWRD.
- e. Sewer lines and appurtenances shall be located within dedicated rights-of-way or within easements granted to the CSWRD not less than twenty (20) feet in width or as the CSWRD may specify. Where sewer lines or its appurtenances are to be constructed in other than dedicated public streets or alleys, the customer or developer shall furnish the CSWRD easements, satisfactory in form. The conditions of such easements shall be such that no buildings, permanent structures, fences, trees or other improvements which would interfere with the use by the CSWRD may be placed upon it; that the CSWRD shall have the right to operate, maintain, repair, replace, and/or change the size and/or number of pipelines and appurtenances; and that proper access to all parts of the easement by CSWRD personnel and equipment is provided. The CSWRD may provide that other utility lines may be installed in said easement, so long as they do not interfere with its use by the CSWRD or conflict with legal requirements as to separation of utility lines. All rights-of-way and easements shall be indicated on the sewer main line extension plans,

and be recorded prior to release of the approved plans.

- f. Upon satisfactory completion of construction and acceptance of the sewer main line extension facilities by the CSWRD, the developer shall convey the sewer line, service connections, excluding service laterals which are owned and maintained by the developer, and appurtenances thereto, to the CSWRD so as to grant it absolute right, title, and interest in all such sewer lines, service connections, excluding service laterals which are owned and maintained by the developer, and appurtenances thereto, free of liens and other encumbrances.

SECTION 3 - ON-SITE PUMPING STATIONS

These regulations establish uniform requirements for contributions into the wastewater collection and treatment system of the CSWRD via on-site sewage pump stations. The purpose and objective of these regulations is to enable the CSWRD to control the levels of corrosive and odorous sulfide compounds contributed by private on-site sewage pump stations, to limit damage to CSWRD facilities and control odor emissions caused by discharges of on-site sewage pump stations.

Therefore, these regulations, in addition to requiring registration of on-site pump stations, require user reporting, require that users submit to monitoring activities, provide sanctions for violations of these regulations, and establish procedures for the recovery of costs from pump station users of the wastewater treatment system for damages.

These regulations shall be implemented, administered and enforced by the CSWRD.

3-3.1 Pump Station Design

All pump station design criteria must conform to the CSWRD Design and Construction Standards for Wastewater Collection Systems and must be approved prior to construction.

3-3.2 Sulfide Discharge Limitation

Pump station owners/operators, must maintain pump stations in a manner which prevents the emissions of excessive Hydrogen Sulfide (both liquid and gas) into the pump station wet-well and collection system.

A series of Best Management Practices, relating to maintenance and Hydrogen Sulfide prevention must be presented and approved by the CSWRD. Best Management Practices shall be presented at the time of plan submittal for each pump station.

Any actual damage to the CSWRD collection system from Hydrogen Sulfide emissions shall be the responsibility of the pump station user. For the purpose of these rules, this responsibility includes, but is not limited to: sewer lines, manhole housings, laterals and surrounding concrete. The cost for repair and replacement shall be paid by the owner/operator.

3-3.3 Pump Station Monitoring

To assist in ascertaining compliance with these Service Rules, CSWRD Representatives may enter upon lands, waters and premises for the purpose of making inspections, tests, examinations and observations.

Where the CSWRD has determined that any discharge limitations established by these Service Rules are exceeded, a pump station-monitoring program shall be implemented. A proposed monitoring program shall be submitted by the customer to the CSWRD within 30 days of written notice of non-compliance by the CSWRD. The monitoring program shall be implemented within two (2) weeks following CSWRD approval. Monitoring requirements shall be specified on a case-by-case basis and shall take into account the duration and intensity of the non-compliance, potential damage to CSWRD property, odor emissions attributable to the pump station, and other factors which may be appropriate. The cost for any required monitoring, including but not limited to purchase and installation of equipment, and analytical services is the sole responsibility of the pump station owner/operator.

3-3.4 Pump Station Registration

All pump station owners/operators, or their duly authorized representatives, must register their pump station with the CSWRD and obtain a permit for discharge into the CSWRD's system. Registration information shall include name and address of the owner/operator, location, type, make, model, capacity and written standard operating procedures. Information shall be submitted on a form prepared by the CSWRD at the time of application for sewer service. Any permit issued to the pump station user may be conditioned on compliance with requirements deemed necessary by the CSWRD to protect the collection system.

3-3.5 Pump Station Inspections

All devices shall be inspected on a yearly basis by a licensed, qualified individual for the purpose of determining structural integrity. Such individual shall be contracted by the pump station owner/operator.

3-3.6 Enforcement and Penalties (On-Site Pumping Station)

Whenever the CSWRD finds that any pump station owner/operator is in non-compliance with any prohibition, limitation or requirement contained in these Service Rules, the CSWRD shall serve upon such person a written notice stating the nature of the violation.

In the case of written notice, the user shall submit to the CSWRD within thirty (30) days of the date of notice, a plan for the satisfactory correction of the violation.

Any pump station owner/operator notified of a suspension or revocation of his discharge permit shall immediately cease discharging. If the pump station user fails to comply with these regulations, CSWRD shall take such steps, as it deems necessary, including immediate severance of the sewer connection, and may commence an action for other appropriate legal or equitable relief.

Any pump station user who fails to comply with any provision of these Service Rules or any order, rule, regulation or permit issued hereunder, may pay a fine not to exceed \$100 for each offense, in addition to any costs incurred by CSWRD for repair to the collection system. The CSWRD shall set the amount of the fine in each case within the allowable range, depending on the nature and grievousness of the offense.

Any person who knowingly or negligently makes any false statements, representation or certification in any application, record, report, plan or other document made, filed or required to be maintained pursuant to these regulations, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these regulations shall, upon conviction, be punished by a fine of not more than \$100.00 or by imprisonment for not more than one (1) month, or both, for each separate offense. Nothing contained herein shall limit in any way the right of the CSWRD Board of Trustees to establish uniform criteria for assessing fines or to adjust any monetary fines set by the CSWRD, within the allowable range, after a hearing and in the interest of justice. Each day on which a violation occurs or continues to occur shall be deemed a separate and distinct offense.

In addition to the various penalties provide herein, the pump station owner/operator shall pay and the CSWRD shall seek to recover reasonable attorney's fees, court costs, court reporter's fees, other expenses of litigation and damages for any loss sustained or costs incurred as a result of non-compliance with these regulations or any orders, rules, regulations or permits issued hereunder.

3-3.7 Show Cause Hearing (On-Site Pumping Station)

CSWRD shall allow any owner/operator found to be in non-compliance of these Service Rules to show cause before the Board of Trustees or the General Manager why any proposed enforcement action should not be taken. Notice shall be given to the pump station owner/operator requesting the hearing, specifying the time and place of the hearing, who will hold the hearing (the Board or its designee), what action and the reasons why the action is to be taken, and directing the pump station owner/operator to show cause before the Board or their designee why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation. Failure on the part of any pump station user requesting such a hearing to be present for such hearing after notice has been given shall constitute a waiver of rights relative to and consent to abide by the enforcement action.

3-3.8 The Board may itself conduct the hearing and take the evidence or may designate any of its members to:

- a. Issue in the name of the Board of Trustees notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings.
- b. Take the evidence, including testimony to be given under oath and to be recorded stenographical.
- c. Transmit a report of the evidence and hearing including transcripts and other evidence, together with recommendations to the Board of Trustees, for action thereon.
- d. Make available to any member of the public or to any party to the hearing, transcript of the hearing upon payment of a reasonable charge.

After the Board has reviewed the evidence and stated its findings, the pump station user shall abide by any appropriate and necessary order issued by the Board, including any order to install and/or properly operate adequate facilities, devices, or other appurtenances or to pay any fines. The Board shall specify in its order, a time period for compliance with its directives.

Provision for adjunctive/monetary relief in the event centralized maintenance and operations management is violated will include all costs incurred by CSWRD including fines paid by CSWRD. Adjunctive relief shall be in accordance with federal, state and local law.

SECTION 4 - USE OF RECLAIMED WATER

3-4.1 Conditions

The CSWRD 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.

CSI will deliver non-potable water from approved CSWRD treatment facilities, and such water shall be used for irrigation or non-residential use on the user(s) premises in compliance with these Services Rules, all applicable rules and regulations of federal, state, county, city, other local regulatory agencies, and the approved State Effluent Management Plan. The CSWRD shall be solely responsible for receiving and treating the non-potable water in compliance with applicable regulatory agency requirements, up to and including the point of connection to the CSWRD distribution system.

Plans for the installation of non-potable services shall be submitted as required under the CSWRD 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.

3-4.2 Responsibilities

The CSWRD will:

- a. Operate the POTW to deliver non-potable water to the CSWRD point of connection in compliance with applicable regulatory agency requirements.
- b. Maintain ownership, control, and assume maintenance and repair responsibility of the POTW, including, as appropriate, meter, control valve, and vault, to the point of distribution, 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 CSWRD standards, and subject to applicable rates, fees, and charges by each agency.
- 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 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 established in these Service Rules.
- e. Review and approve 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 of the treatment facilities.

The Non-Potable Water User(s) will:

- a. Install, operate, maintain, and repair any off-site and on-site non-potable water irrigation

systems with all appurtenances necessary to meet, convey, control, distribute through the irrigation or storage system, and use the non-potable water delivered by the CSWRD in compliance with the applicable provisions of city, county, state, and federal statutes, ordinances, or regulations and pursuant to these Service Rules.

User on-site 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 any approved effluent management plan.

- b. Provide a forecast of maximum daily non-potable water demands, as required by the CSWRD.
- c. As necessary, design and construct any non-potable conversions to potable water irrigation for designated large turf and landscaped areas.

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 and a copy of the Inspection results will be forwarded to the CSWRD. 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 and correct any deficiencies in this regard.

SECTION 5
SYSTEM DEVELOPMENT APPROVALS WHEN LINES ARE AT CAPACITY

In the event the capacity of any CSWRD collection facility becomes limited, the General Manager may reserve such capacity as is deemed necessary for any public governmental use. If this reservation of capacity is protested, a notice of appeal must be submitted to the Board of Trustees of the Coyote Springs Water Resource General Improvement District for consideration at their next regularly scheduled meeting. Such appeal must be in writing and delivered to the General Manager at least five (5) days prior to the next regularly scheduled meeting of the Board of Trustees.

In the event the capacity of any Coyote Springs Water Resource General Improvement District collection facility becomes limited, the General Manager is authorized to pre-sell System Development Approvals on a first-come-first-served basis for any system capacity increase that has been authorized by the Board of Trustees for projects or development in the affected area. The pre-selling of System Development Approvals (SDA) will only be authorized for those projects or developments to the extent of future wastewater collection capacity are projected to be available.

The pre-selling of System Development Approvals does not guarantee wastewater collection capacity for any project or development but provides a mechanism on which development can commence concurrently with the time in which collection capacity is projected for construction.

Any person who purchases an SDA under the provisions of these Rules shall not discharge any sewage into the system until the CSWRD's project to relieve the Capacity Sewer is completed.

Any person who purchases an SDA under the provisions of these Rules shall assume all risk associated with and hold the CSWRD harmless from delays in completing the relief sewers prior to the time sewer service is required by the customer.

When available, future capacity will be allocated on a first-come-first-served basis and the date of issuance of the System Development Approval will serve as the determination of first-come-first-served for the purpose of this section. Any project or development requesting System Development Approvals to be issued on a pre-sell basis will be required to commence actual construction (as defined in Clark County Code), within three (3) months from the date of advance from a System Development Approval.

In the event that actual construction is discontinued for a period of three (3) months, the project shall be deemed to be abandoned and any subsequent proposal for commencement or reactivation will be treated as a new project. In the event of abandonment of a project, prepaid System Development Approval charges shall be refunded.

**CHAPTER 4
ADMINISTRATIVE**

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SECTION 1 - ADMINISTRATIVE

4-1.1 Interpretation and Application

Except as specifically provided otherwise in these Service Rules, the General Manager shall have discretion in the interpretation and application of these Service Rules, with the exception of the adjustments of any rates, fees, or charges. This discretion shall be exercised to maintain equity among users and customers with full documentation, which will accomplish the intent of the Service Rules, policies, and procedures of the CSWRD, and protect the public health, safety, and welfare.

4-1.2 Adjustment of Complaints

The General Manager shall have the power of discretion in the interpretation and application of these rules, except adjustment or rebate of charges, if with reasonable judgment and with full documentation, the intent of the rules would not be accomplished and an inequity would result by their strict application.

4-1.3 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 Trustees at its next regularly scheduled meeting in complete compliance with Chapter 241 of Nevada Revised Statutes. The CSWRD may enforce any action taken under these sections by any legal means, including disconnection of a customer's water service.

4-1.4 Expansion of Facilities - CSWRD Financing

As the need arises, as determined solely by the CSWRD, the CSWRD will construct major facilities required to provide an adequate water and wastewater supplies, including but not limited to, wells, collection mains, transmission mains, reservoirs, and pumping stations, in general conformity with its Master Plan from proceeds of General Obligation Bond sales. As funds are available, the Board of Trustees may direct the CSWRD to construct main extensions and other improvements which are required to improve or reinforce the distribution system.

4-1.5 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 their discretion, is warranted.

4-1.6 Customer's Premises

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

4-1.7 Effective Date

These rules, rates, and regulations shall become effective on the date specified by the Board in its

motion for adoption.

4-1.8 Continuity

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

4-1.9 Administrative Appeal

a. Administrative Appeal Process

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

b. Service Rules of Administrative Appeal

1. Any notice given in accordance with these Service Rules, 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 30 days of the receipt of the written notice of appeal.
5. Not later than thirty days from the date of notice of appeal from the action of the General Manager, the Board of Trustees shall set the date for the public hearing at a regular meeting of the Board, within not less than thirty days.
6. The Board of Trustees may reverse the final decision of the General Manager if it is:
 - a) In violation of constitutional, statutory or Coyote Springs Water Resources 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 discretion.

c. Hearing Procedure

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

1. The proceedings shall be reported either stenographically or by a phonographic reporter, or any other similar or successor reporting method;

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 CSWRD 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.

4-1.10 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.

SECTION 2 - SEVERABILITY

These rules shall be construed to give effect to the purposes and objectives state herein. If these rules or any portion thereof are ever invalidated by a court of competent jurisdiction, the remainder shall not be affected and shall continue in full force and effect, unless to do so would cause an absurd result.

Any other regulations, rules, or orders or parts thereof, which are inconsistent with or conflict with any part of these regulations, are hereby repealed to the extent of such inconsistency or conflict.

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