

**RESOLUTION**  
**A RESOLUTION IMPOSING A TEMPORARY MORATORIUM  
ON ADDITIONAL WATER COMMITMENTS, METER-SIZE  
INCREASES AND EXPANDED USE WITHIN THE BLUE  
DIAMOND WATER SYSTEM**

WHEREAS, the Las Vegas Valley Water District (“District”) is a political subdivision of the State of Nevada and a quasi-municipal corporation;

WHEREAS, the District was created by Chapter 167, Statutes of Nevada 1947 (“1947 Act”), a special act of the Nevada Legislature, and has the powers set forth in that special act, as well as those powers conferred through the Legislature’s enactment of applicable general laws;

WHEREAS, Section 1(6) of the 1947 Act authorizes the District to conserve and prevent the diminution of water within the District, and Section 9(1) of the 1947 Act authorizes the District’s Board of Directors (“Board”) to “establish bylaws, rules and regulations for the distribution and use of water in the District;”

WHEREAS, the Board has previously established service rules for the distribution and use of water for the Blue Diamond Water System, a water system owned and operated by the District;

WHEREAS, the Service Rules require customers to obtain a water commitment before receiving service from the District and, with the exception of single-family residential customers, before increasing meter sizes at existing connections or increasing use due to the expansion or addition of buildings or structures by adding more than 24 fixture units or the equivalent on a parcel presently served by the District (“Expanded Use”);

WHEREAS, the Service Rules provide that the District may deny water commitments and reject, rescind, reduce or terminate current and proposed water use in its discretion due to supply or capacity inadequacies, or public health, welfare and safety concerns;

WHEREAS, the Blue Diamond Water System supplies water to residences and businesses in Blue Diamond, Nevada, from two wells with an estimated construction date of 1950, and the recharge of such wells depends principally on winter precipitation in the southern Spring Mountains;

WHEREAS, the continued viability of the Blue Diamond wells is threatened by the tenuous and deteriorating physical condition of the aging wells, as well as the inconsistent and declining winter precipitation in the pertinent area;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board finds that the viability of the Blue Diamond wells would be further threatened by the issuance of additional water commitments and by increases to meter size and Expanded Use, including without limitation, at existing connections to single-family residences within the Blue Diamond Water System.
2. The Board finds that additional water commitments and increases to meter size and Expanded Use, including without limitation, at existing connections to single family residences within the Blue Diamond Water System may encumber or impair the District’s ability to maintain an adequate level of service to existing connections in Blue Diamond and may compromise the public health, welfare and safety.
3. The Board hereby imposes a temporary moratorium on the issuance of additional water commitments and on meter-size increases and service for Expanded Use, including without limitation, at existing connections to single family residences within the Blue Diamond Water System, as of the date this resolution is approved.

4. This temporary moratorium shall remain in effect until such time as the Board determines that the viability of the Blue Diamond wells is no longer threatened by additional water commitments and meter-size increases and Expanded Use, or until an alternative supply of water is available and the Board determines that such supply is adequate to permit additional water commitments, meter-size increases and service for Expanded Use within the Blue Diamond Water System.
5. Staff shall update the Board on the condition of the Blue Diamond wells at least annually.

INTRODUCED, PASSED and APPROVED this 1st day of December, 2020.

Attest: Las Vegas Valley Water District:

  
John J. Entsminger, General Manager

  
Marilyn Kirkpatrick, President

Approved as to Form:

  
For Gregory J. Walch, General Counsel