

SECTION 2 - CONDITIONS OF SERVICE

The KCWD 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 LVVWD, as agent for the KCWD, will also act to conserve water resources in a manner that reflects the goal of achieving and maintaining a sustainable community within the desert environment of Southern Nevada.

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

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

The conservation of ground water is an integral component of the KCWD's long-range water resource plan. The KCWD, through its rules, policies, and procedures makes a consistent effort to maximize the resources of the groundwater basins. The KCWD is required under various statutes and local codes to avert the waste of water. The KCWD 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.

2.1 Water Pressures

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

Prior to KCWD service being provided that 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 LVVWD may adjust normal operating limits as the need arises after advising the affected customers.

2.2 Interruption of Service

The LVVWD will exercise reasonable diligence and care to deliver a continuous supply of water. However, the KCWD and/or LVVWD will not be liable for interruptions, shortage, and insufficiency of supply or for any loss, inconvenience, or damage occasioned thereby. The LVVWD 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.

2.3 Area Served

Water service may be provided to property within the area described in the well permits approved by the State Division of Water Resources. Those certain tracts of land are generally located in Sections 25, 26, 35, and 36 Township 19 South, Range 56 East, M.D.M., Nevada and Section 31, Township 19 South, Range 57 East, M.D.M., Nevada, described as follows:

The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 25, Township 19 South, Range 56 East, M.D.M., Nevada. The Southeast Quarter (SE 1/4) of Section 26, Township 19 South, Range 56 East, M.D.M., Nevada. Saving and excepting the Northwest Quarter (NW 1/4) thereof. The Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section 35, Township 19 South, Range 56 East, M.D.M., Nevada. The North One-Half (N 1/2) of the North One-Half (N 1/2) and the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 36, Township 19 South, Range 56 East, M.D.M., Nevada. The North One-Half (N 1/2) of Section 31, Township 19 South, Range 57 East, M.D.M., Nevada. Saving and excepting the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) thereof.

2.4 Parcel Location Adjacent to Main

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

2.5 Parcel Not Adjacent to a Water Main

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

2.6 Damage to Property

The KCWD and/or LVVWD will not be liable for damage to property occasioned by water running from open or faulty piping or fixtures on the customer's property. Customers who request activation of a service shall be responsible for damage resulting from such activation due to open or faulty piping and fixtures on the customer's property. The LVVWD 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 LVVWD will endeavor to leave a notice of explanation for the customer. In the event of request for same day service activation, the \$100 fee will remain applicable.

2.7 Access to KCWD 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 LVVWD facilities for work of any nature including meter reading, shall be liable for costs incurred in removing such items. The LVVWD will mail a either a fourteen (14) or a sixty (60) calendar day notice by certified mail, return receipt requested to the mailing address on file with the County of Clark's Ex-Officio Tax Receiver in order that the parcel owner may correct the condition. If the parcel owner fails to remove the moveable obstruction in fourteen (14) days or the fixed obstruction within the sixty (60) day period, the LVVWD may complete the work, at the sole cost of the parcel owner. However, in the event of an emergency, the LVVWD has the right to cause the obstruction to be removed without notice to the parcel owner and all related costs are the parcel owner's responsibility. At the property owner's option, subject to LVVWD's prior approval, the KCWD's facilities may be relocated by a Nevada Licensed Contractor of the property owner's choice at the sole expense of said property owner but subject to the standards and procedures of the LVVWD; or the property owner may make application for relocation by the LVVWD 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 service to the subject property.

For the purposes of providing service to off-site facilities, the LVVWD 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 LVVWD, such mains shall have non-exclusive right of access. Any construction by property owners that affects those facilities shall be allowed, subject to the removal and reinstallation of the facility to LVVWD specification and approval, at the expense of the property owner(s).

Subject to LVVWD prior approval, and at the property owner's option, KCWD 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 LVVWD. Alternatively, the property owner may make application for relocation by the KCWD and at that time pay a deposit towards the actual total cost to be borne by said property owner.

2.8 Customer's Premises

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

2.9 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 KCWD must use water delivered through the KCWD's system in a manner that promotes efficiency and avoids waste.