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Telephone (702) 397-6893 \* Facsimile (702) 397-6894

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To: Chairman Ken Staton and MVWD Board of Directors  
From: Jeannie Poynor, Office Manager  
Date: December 31, 2013  
Subject: 3335 Hillside Drive / Account 2058

### **Background**

Staff has been contacted by Kurth Law Offices regarding the property at 3335 Hillside Drive, Moapa NV 89025. The account balance is currently \$32,686.98. Kurth Law Offices are asking for a reduction in the bill as they do not believe they should have to pay the late fees associated with the outstanding balance.

The Districts Delinquent Accounts Policy has changed since the last time this account had a zero balance, therefore the account has been charged penalties based on what the current policy was at the time the penalties were incurred. In the past the Board has not instructed staff to refund late fees accrued according to policy. (The policy changes were not made to apply retroactively.)

3335 Hillside Drive / Account 2058

Wed: 11/20/2013 5:49 PM

**From:** Robert Kurth**To:** Chairman@moapawater.com

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Moapa Valley Water District

Dear Chairman Staton:

This email is a request for consideration of a reduction in the accrued balance on the above-referenced account. I have spoken with a couple representatives at the Moapa Valley Water District, who informed me that said request should be brought to your attention as it may not be automatically placed on the agenda. I am the attorney for Buckskin, LLC, which involves my parents, Bob & Laura Kurth, and is not a large business entity. Buckskin initially loaned a substantial amount of money to the prior owner of 3335 Hillside Drive ("Moapa Property"). Unfortunately, the money was not repaid so Buckskin was forced to foreclose on the Moapa Property to protect their interest therein. As such, Buckskin took title to the Moapa Property on or about March 1, 2013. Upon taking title to the Moapa Property, Buckskin learned that there were many unpaid items concerning the Moapa Property such as real property taxes and a past due water bill to the Moapa Valley Water District. Understand that Buckskin only wanted to be repaid the monies due and owing them; they did not want to take over the Moapa Property with its associated costs, etc.

Because Buckskin has already lost thousands and thousands and thousands of dollars due to the unpaid obligations to them, along with the associated and continuing costs they are incurring, Buckskin is requesting that the Moapa Valley Water District give them some type of reprieve in a reduction of the approximate \$32,475.18 currently owed; though, approximately \$3,000.00 has accrued since March 1, 2013. Therefore, it appears that the prior owner did not pay their water bill for approximately 7 years.

Please understand that Buckskin is ready, willing and able to bring this account current, and will subsequently continue to make said payments as they are evaluating the use of said Moapa Property.

Notwithstanding, prior to paying such, Buckskin wanted to present this request to the Board for consideration to determine if the Board would agree to a reduced amount, considering the circumstances.

Consequently, Buckskin is bringing this request to you, as Chairman of the Moapa Valley Water District, to determine if the matter should be an agenda item, or public comment, or if the Board will consider this request; and Buckskin hopes that they will consider such.

Should you have any questions, need additional information, or require me to appear at the Board meeting, please contact me. I await your decision and THANK YOU for your consideration in this matter.

Best Regards,  
**KURTH LAW OFFICE**

Robert O. Kurth, Jr.

## **KURTH LAW OFFICE**

3420 North Buffalo Drive  
North Buffalo Business Centre  
Las Vegas, NV 89129  
Tel: (702) 438-5810  
Fax: (702) 459-1585

Re: 3335 Hillside Drive / Account 2058

Wed 12/18/2013 5:26 PM

**From:** Robert Kurth

**To:** Chairman@moapawater.com

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Dear Chairman Staton,

Thank you for your response.

I understand the District's position in not waiving the meter cost; even though, it has to do with the prior owner not fulfilling their obligations. Nonetheless, my client is requesting the Moapa Valley Water District take off any late charges or other penalties as they intend on paying everything current. If it is agreed for them to pay the cost of the meter, less any late charges or other penalties, please have someone from your office provide the total amount so that I can obtain a check and make said payment. Again, thank you for your cooperation and consideration in this matter.

Best Regards,

**KURTH LAW OFFICE**

Robert O. Kurth, Jr.

## **KURTH LAW OFFICE**

3420 North Buffalo Drive  
North Buffalo Business Centre  
Las Vegas, NV 89129  
Tel: (702) 438-5810  
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On Fri, Nov 22, 2013 at 7:47 PM, Staton <kns@mvdsl.com> wrote:

Dear Mr. Kurth,

I have read your email with regards to your concerns on the outstanding water bill at 3335 Hillside Drive. It is most unfortunate that your client, and in this case your parents, find themselves in with regards to the foreclosure on the property listed. I understand in today's climate it has become far too easy for many people to "walk away from" and simply leave unpaid obligations in the hands of those who thought they were protected by signed contracts. We have had many people with similar stories come to this board looking for direction. We have followed the same policy, which has

3335 Hillside Drive

	Usage	Charges	Backflow	Late Charge	Payment	Adjustment	Balance
5/20/2010	299000	\$ 922.93	\$ 7.13		\$ 760.00	\$ -	\$ 263.07
6/17/2010	701900	\$ 1,760.96	\$ 7.13	\$ 93.01	\$ 500.00	\$ -	\$ 1,734.28
7/22/2010	955700	\$ 2,288.87	\$ 7.13	\$ 203.12		\$ -	\$ 4,030.28
8/19/2010	699000	\$ 1,754.93	\$ 7.13	\$ 403.03		\$ 25.00 shut off fee	\$ 6,220.37
9/22/2010	0	\$ 301.01		\$ 622.04			\$ 7,143.42
10/21/2010	0	\$ 301.01		\$ 715.06			\$ 8,159.49
11/17/2010	0	\$ 301.01		\$ 817.38			\$ 9,277.88
12/15/2010	0	\$ 301.01		\$ 929.93			\$ 10,508.82
1/20/2011	0	\$ 310.04		\$ 677.03			\$ 11,495.89
2/17/2011	0	\$ 310.04		\$ 708.76			\$ 12,514.69
3/17/2011	0	\$ 310.04		\$ 740.50			\$ 13,565.23
4/20/2011	0	\$ 310.04		\$ 772.24			\$ 14,647.51
5/18/2011	0	\$ 310.04		\$ 803.98			\$ 15,761.53
6/22/2011	0	\$ 310.04		\$ 835.72			\$ 16,907.29
7/19/2011	0	\$ 310.04		\$ 867.45			\$ 18,084.78
8/18/2011	0	\$ 310.04		\$ 899.19			\$ 19,294.01
9/22/2011	0	\$ 310.04		\$ 930.93			\$ 20,534.98
10/19/2011	0	\$ 310.04		\$ 963.86			\$ 21,808.88
11/17/2011	0	\$ 310.04		\$ 995.39			\$ 23,114.31
12/8/2011	0	\$ 310.04		\$ 1,026.92			\$ 24,451.27
1/11/2012	0	\$ 310.04		\$ 31.53			\$ 24,792.84
2/8/2012	0	\$ 310.04		\$ 31.53			\$ 25,134.41
3/7/2012	0	\$ 310.04		\$ 31.53			\$ 25,475.98
4/5/2012	0	\$ 310.04		\$ 31.53			\$ 25,817.55
5/8/2012	0	\$ 310.04		\$ 31.53			\$ 26,159.12
6/7/2012	0	\$ 310.04		\$ 31.53			\$ 26,500.69
7/11/2012	0	\$ 310.04		\$ 31.00			\$ 26,841.73
8/7/2012	0	\$ 310.04		\$ 31.00			\$ 27,182.77
9/6/2012	0	\$ 310.04		\$ 31.00			\$ 27,523.81
10/9/2012	0	\$ 310.04		\$ 31.00			\$ 27,864.85
11/6/2012	0	\$ 310.04		\$ 31.00			\$ 28,205.89
12/11/2012	0	\$ 310.04		\$ 31.00			\$ 28,546.93
1/8/2013	0	\$ 310.04		\$ 31.00			\$ 28,887.97
2/5/2013	0	\$ 310.04		\$ 31.00			\$ 29,229.01
3/5/2013	0	\$ 310.04		\$ 31.00			\$ 29,570.05
4/9/2013	0	\$ 310.04		\$ 31.00			\$ 29,911.09
5/7/2013	0	\$ 310.04		\$ 31.00			\$ 30,252.13
6/11/2013	0	\$ 310.04		\$ 31.00			\$ 30,593.17
7/9/2013	0	\$ 310.04		\$ 31.00			\$ 30,934.21
8/6/2013	0	\$ 310.04		\$ 31.00			\$ 31,275.25
9/10/2013	0	\$ 310.04		\$ 31.00			\$ 31,616.29
10/8/2013	0	\$ 310.04		\$ 31.00			\$ 31,957.33
11/12/2013	0	\$ 310.04		\$ 31.00			\$ 32,298.37
12/12/2013	0	\$ 310.04		\$ 31.00			\$ 32,639.41

\$ 14,752.72

3335 Hillside Drive

Usage	Charges	Backflow	Late Charge	Payment	Adjustment	Balance
5/20/2010	\$ 299000	\$ 7.13		\$ 760.00	\$ -	\$ 263.07
6/17/2010	\$ 701900	\$ 7.13	\$ 93.01	\$ 500.00	\$ -	\$ 1,734.28
7/22/2010	\$ 955700	\$ 7.13	\$ 176.10		\$ -	\$ 4,030.28
8/19/2010	\$ 699000	\$ 7.13	\$ 228.89		\$ 25.00 shut off fee	\$ 6,220.37
9/22/2010	\$ 0		\$ 175.49		\$ -	\$ 7,143.42
10/21/2010	\$ 0		\$ 30.10		\$ -	\$ 7,474.53
11/17/2010	\$ 0		\$ 30.10		\$ -	\$ 7,805.64
12/15/2010	\$ 0		\$ 30.10		\$ -	\$ 8,136.75
1/20/2011	\$ 0		\$ 30.10		\$ -	\$ 8,476.89
2/17/2011	\$ 0		\$ 31.00		\$ -	\$ 8,817.94
3/17/2011	\$ 0		\$ 31.00		\$ -	\$ 9,158.98
4/20/2011	\$ 0		\$ 31.00		\$ -	\$ 9,500.03
5/18/2011	\$ 0		\$ 31.00		\$ -	\$ 9,841.07
6/22/2011	\$ 0		\$ 31.00		\$ -	\$ 10,182.11
7/19/2011	\$ 0		\$ 31.00		\$ -	\$ 10,523.16
8/18/2011	\$ 0		\$ 31.00		\$ -	\$ 10,864.20
9/22/2011	\$ 0		\$ 31.00		\$ -	\$ 11,205.25
10/19/2011	\$ 0		\$ 31.00		\$ -	\$ 11,546.29
11/17/2011	\$ 0		\$ 31.00		\$ -	\$ 11,887.33
12/8/2011	\$ 0		\$ 31.00		\$ -	\$ 12,228.38
1/11/2012	\$ 0		\$ 31.53		\$ -	\$ 12,569.95
2/8/2012	\$ 0		\$ 31.53		\$ -	\$ 12,911.52
3/7/2012	\$ 0		\$ 31.53		\$ -	\$ 13,253.09
4/5/2012	\$ 0		\$ 31.53		\$ -	\$ 13,594.66
5/8/2012	\$ 0		\$ 31.53		\$ -	\$ 13,936.23
6/7/2012	\$ 0		\$ 31.53		\$ -	\$ 14,277.80
7/11/2012	\$ 0		\$ 31.00		\$ -	\$ 14,618.84
8/7/2012	\$ 0		\$ 31.00		\$ -	\$ 14,959.88
9/6/2012	\$ 0		\$ 31.00		\$ -	\$ 15,300.92
10/9/2012	\$ 0		\$ 31.00		\$ -	\$ 15,641.96
11/6/2012	\$ 0		\$ 31.00		\$ -	\$ 15,983.00
12/11/2012	\$ 0		\$ 31.00		\$ -	\$ 16,324.04
1/8/2013	\$ 0		\$ 31.00		\$ -	\$ 16,665.08
2/5/2013	\$ 0		\$ 31.00		\$ -	\$ 17,006.12
3/5/2013	\$ 0		\$ 31.00		\$ -	\$ 17,347.16
4/9/2013	\$ 0		\$ 31.00		\$ -	\$ 17,688.20
5/7/2013	\$ 0		\$ 31.00		\$ -	\$ 18,029.24
6/11/2013	\$ 0		\$ 31.00		\$ -	\$ 18,370.28
7/9/2013	\$ 0		\$ 31.00		\$ -	\$ 18,711.32
8/6/2013	\$ 0		\$ 31.00		\$ -	\$ 19,052.36
9/10/2013	\$ 0		\$ 31.00		\$ -	\$ 19,393.40
10/8/2013	\$ 0		\$ 31.00		\$ -	\$ 19,734.44
11/12/2013	\$ 0		\$ 31.00		\$ -	\$ 20,075.48
12/12/2013	\$ 0		\$ 31.00		\$ -	\$ 20,416.52

1,882.11

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