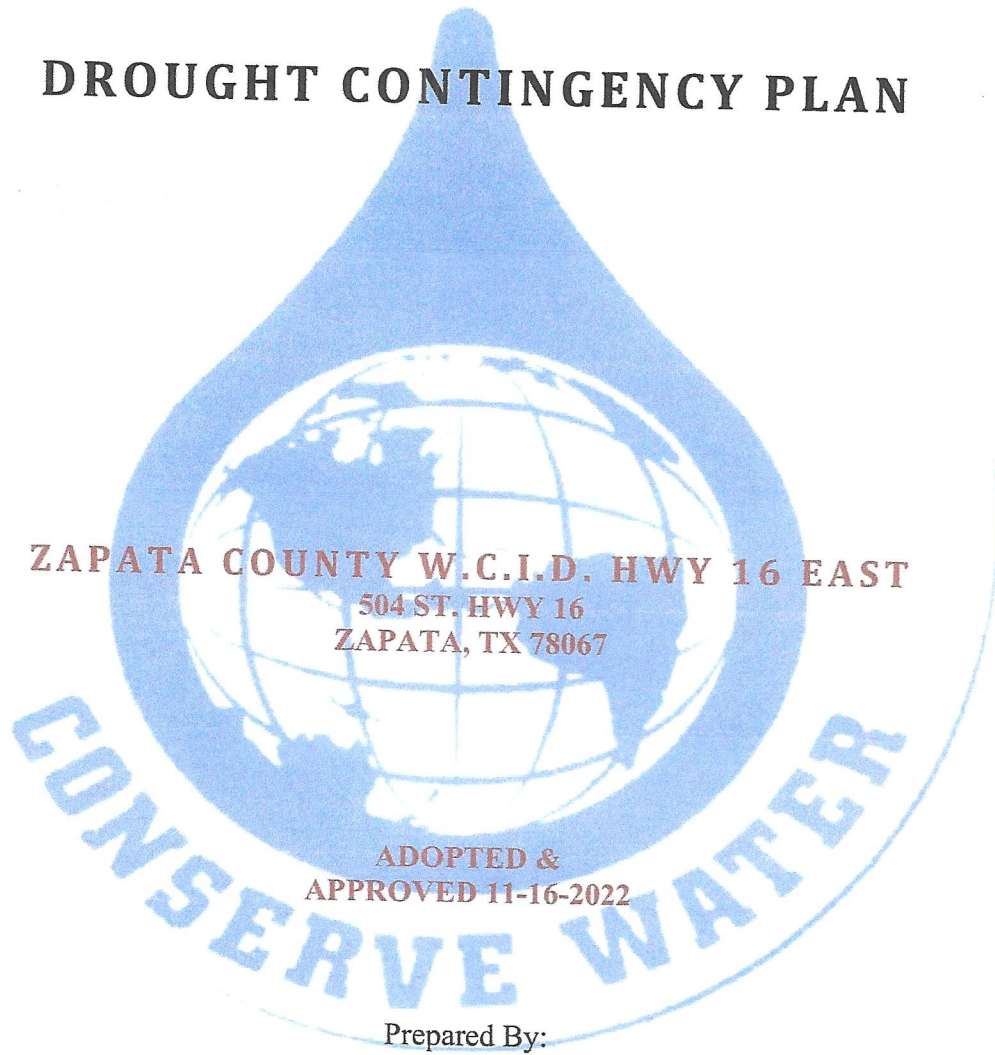


WATER CONSERVATION PLAN

AND

DROUGHT CONTINGENCY PLAN



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Zapata County W.C.I.D. Hwy 16 East
Water Conservation Plan and Drought Contingency Plan
Resolution Adopted November 16, 2022

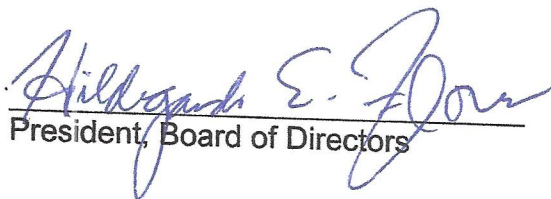
Resolution for Adopting Water Conservation Plan and Drought Contingency Plan

Recognizing the need to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, **Zapata County W.C.I.D. Hwy 16 East** hereby adopts the Water Conservation Plan and Drought Contingency Plan.

The **District** will enforce regulations and restrictions on the delivery and consumption of drinking water as outlined by the Water Conservation Plan and Drought Contingency Plan.

Passed, approved, and adopted by the Board of Directors of **Zapata County Water Control and Improvement District Hwy 16 East** this 16TH day of **November 2022**.

Acknowledgement:



President, Board of Directors

ATTESTED TO:



Secretary, Board of Directors

**WATER CONSERVATION PLAN AND DROUGHT CONTINGENCY PLAN
FOR THE
ZAPATA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT HWY 16 EAST
November 16, 2022**

SECTION 1: DECLARATION OF POLICY, PURPOSE, AND INTENT

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, **Zapata County Water Control and Improvement District Hwy 16 East** hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under the Water Conservation Plan (the Plan) are considered to be non-essential and continuation of such use during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section XI of this Plan.

SECTION 2: PUBLIC INVOLVEMENT

Opportunity for the public to provide input into the preparation of the Water Conservation Plan and the Drought Management Plans was provided by **Zapata County Water Control and Improvement District Hwy 16 East** by means of once a month regular meetings. The agenda for these meetings are posted in accordance with the Texas Open Meetings Act, with items listed for discussion and items to be acted on by the Corporation. Meetings are open to the public and the public is given an opportunity to speak and voice their views and opinions.

SECTION 3: PUBLIC EDUCATION AND INFORMATION

The **Zapata County Water Control and Improvement District Hwy 16 East** will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought to response measures to be implemented in each stage. This information will be provided by means of a fact sheet explaining the conservation plan which will be mailed to all water customers.

SECTION 4: COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of **Zapata County Water Control and Improvement District Hwy 16 East** is located within Rio Grande Regional Water Planning Group and **Zapata County**

Water Control and Improvement District Hwy 16 East will provided a copy of this Plan to the Rio Grande Regional Water Planning Group. Appendix A includes a map of the area covered by the planning group.

SECTION 5: AUTHORIZATION

The Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of thus Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Manager, or his/her designee, shall have the authority to initiate or terminate drought or other water supply, emergency response measures as described in this Plan.

SECTION 6: APPLICATION

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by **Zapata County Water Control and Improvement District Hwy 16 East**. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

SECTION 7: SEVERABILITY

It is hereby declared to be the intention of the Board of Directors of **Zapata County Water Control and Improvement District Hwy 16 East** that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the Board of Directors of **Zapata County Water Control and Improvement District Hwy 16 East** with the incorporation of this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8 UTILITY PROFILE

Zapata County Water Control and Improvement District Hwy 16 East utility profile is found under Appendix B to this Water Conservation Plan.

SECTION 9: DEFINITIONS

For the purpose of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposed such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss of waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company, or organization using water supplied by **Zapata County W.C.I.D. Hwy 16 East**

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Even number address: street address, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and right-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash away any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes

- (h) except where necessary to support aquatic life;
failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Odd number address: street addresses, box numbers or rural postal route numbers ending in 1, 3, 5, 7, or 9.

SECTION 10 WATER CONSERVATION PLAN

10.1 Specification of Conservation Goals and Objectives

In accordance with 30 TAC Part 1, Chapter 288, Subchapter A, Rule 288.2 (a)(1)(C) the following objectives and five (5) and ten (10) year targets have been established:

The objectives of this water conservation plan are as follows:

- To reduce water consumption from the levels that would prevail without conservation efforts.
- To reduce the loss and waste of water.
- To improve efficiency in the use of water.
- To document the level of recycling and reuse in the water supply.

Five-year targets based on 5-year rolling averages

1. Reduce per capita per day consumption by 3%
2. Reduce the level of unaccounted water losses to 15%.

Ten-year targets based on 5-year rolling averages

1. Reduce per capita per day consumption by an additional 3%.
2. Reduce the level of unaccounted water losses to 12%.

To accomplish these goals the **Zapata County Water Control and Improvement District Hwy 16 East** will utilize the programs and policies in this Plan such as accurate metering devices, universal metering, meter testing and repair, periodic meter replacement, control of unaccounted water, public education, non-promotional water rates, and leak detection and repair.

10.2 Metering Devices

Zapata County W.C.I.D. Hwy 16 East currently monitors water consumption and

inspects meters which vary from its previously established norms. In addition, **Zapata County W.C.I.D. Hwy 16 East** has established the following meter maintenance and replacement programs: Customer pays for replacement, District pays for meter repairs.

<u>Meter Type</u>	<u>Replacement or Calibration Period</u>
Master Meters	Annually
Commercial Meters & Meters larger than 1" and Smaller	Annually or as needed Every 8 years or as needed

10.3 Determination and Control of Unaccounted for Water

Zapata County W.C.I.D. Hwy 16 East personnel associated with meter reading and billing monitor monthly water consumption. This monitoring has become an important tool in water distribution system management. **Zapata County W.C.I.D. Hwy 16 East** will continue to use modern leak detection techniques in locating and reducing leaks. A continuous leak detection and repair program is vital to the **Zapata County W.C.I.D. Hwy 16 East** water conservation plan.

Unaccounted for water will be targeted for a 15% reduction per year during the first two (2) years of the water conservation program. **Zapata County W.C.I.D. Hwy 16 East** is aware that assistance in leak detection surveys can be obtained from the Texas Water Development Board staff and they will be called upon for advice and assistance as necessary.

Meter classification and aggressive follow-up on repair of detected leaks will aid in diminishing the amount of unaccounted for water. The current detection program consists of the following observations and activities.

- Leaks reported by citizens
- Leak detection by meter readers
- Continual checking and servicing of production, pumping and storage facilities.
- Rapid response by staff to reported problems.

10.4 Water Rates

Within this Water Conservation Plan, **Zapata County W.C.I.D. Hwy 16 East** also has a Drought Contingency Plan, whereby if activated, rates increase significantly if the customer exceeds specified amounts.

10.5 Plumbing Standards

In 1991, the Texas Legislature passed legislation requiring that plumbing fixtures sold in Texas after January 1, 1992 meet certain standards. The legislation imposed requirements directly on the manufacturers, importers, and suppliers of new fixtures in Texas. The standards are:

- Shower Heads: No more than 2.75 gpm at 80 psi pressure.
- Lavatory/Sink Faucets and Aerators: No more than 2.2 gpm at 60 psi pressure.
- Wall Mounted, Flushometer Toilets: No more than 2 gpf.
- All Other Toilets: No more than 1.6 gpf.
- Drinking Water Fountains: Must be self closing.

In addition, **Zapata County W.C.I.D. Hwy 16 East** encourages the following water conservations measures:

- Hot Water Pipes: Hot water lines not in or under a concrete slab should be insulated.
- Pressure Reduction Valves: Pressure reduction valves may be installed by a licensed plumber at the customer's expense where system pressures exceed 80 psi.
- Swimming Pools: Swimming pools should have recirculating filtration equipment.
- Automatic Dishwashers: Automatic dishwashers installed in residential dwellings should be a design that uses a maximum of 6 gallons of water per cycle.
- Automatic Clothes Washers: Automatic clothes washers installed in residential dwellings should be a design that uses a maximum of 14 gallons of water per cycle.

SECTION 11 DROUGHT CONTINGENCY PLAN

Criteria For Initiation And Termination Of Drought Response Stages

The Manager or his/her designee shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of which stage of the Plan, that is, when the specified "triggers" are reached.

The triggering criteria described below are based on the water system capacity of the **Zapata County Water Control and Improvement District Hwy 16 East**.

Stage 1 Triggers – Mild Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section 9 - Definitions,

annually, beginning on May 1 through September 30 of each year.

Requirements for termination

Stage 1 of the Plan may be rescinded each October 1st.

Stage 2 Triggers – Moderate Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section 9 of this Plan when Stage 2 water shortage conditions as described in Section 9 of this Plan are initiated by the **Zapata County Water Control and Improvement District Hwy 16 East**. Stage 2 shall be initiated when Falcon Lake level drops below 275 Ft above sea level or daily water demand exceeds 60% of supply capacity for three consecutive days.

Requirements for termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggers events have ceased to exist and Falcon Lake level rises above 270 ft above sea level for a period of thirty (30) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 Triggers – Severe Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when Stage 3 water shortage conditions as described in Section 9 of this Plan are initiated by the **Zapata County Water Control and Improvement District Hwy 16 East**. Stage 3 shall be initiated when Falcon Lake level drops below 265 ft above sea level or daily water demand exceeds 70% of supply capacity for three consecutive days.

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggers events have ceased to exist and Falcon Lake level rises above 265ft above sea level for a period of thirty (30) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Section 4 Triggers – Critical Water Shortage

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when Stage 4 water shortage

conditions as described in Section 9 of this Plan are initiated by the **Zapata County Water Control and Improvement District Hwy 16 East**. Stage 4 shall be initiated when Falcon Lake level drops below 260ft above sea level or daily water demand exceeds 80% of supply capacity for three consecutive days.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggers events have ceased to exist and Falcon Lake level rises above 260ft above sea level for a period of thirty (30) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

Stage 5 Triggers – Emergency Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line brakes, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contaminating of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

Stage 6 Triggers – Water Allocation

Requirements for initiation

Customers shall be required to comply with the water allocation plan described in Section 9 of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when Stage 6 water shortage conditions as described in Section 9 of this Plan are initiated by the **Zapata County Water Control and Improvement District Hwy 16 East**.

Requirements for termination

Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days.

Drought Response Stages

The Manager, or his/her designee, shall monitor water supply and/or demand conditions

on a daily basis and, in accordance with the triggering criteria set forth in Section VII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

The Manager or his/her designee shall notify the public by means of publication in a newspaper of general circulation or by direct mail to each customer.

Additional Notification

The Manager or his/her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

Fire Chiefs
City and/or County Emergency Management Coordinator(s)
County Judge & Commissioner(s)

Stage 1 Response – Mild Water Shortage Conditions

Goal: Achieve a voluntary 10% reduction in daily water use.

Supply Management Measures:

Zapata County Water Control and Improvement District Hwy 16 East in order to manage limited water supplies and/or reduce demand, will reduce or discontinue flushing of water mains.

Voluntary Water Use Restrictions:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas between the hours of 12:00 midnight and 10:00 a.m. for sprinkler systems and 8:00 p.m. to 12:00 midnight for physical watering, on designated watering days.
- (b) All operations of **Zapata County Water Control and Improvement District Hwy 16 East** shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – Moderate Water Shortage Conditions

Goal: Achieve a 25% reduction in total water use and daily water demand.

Supply Management Measures:

Zapata County Water Control and Improvement District Hwy 16 East in order to manage limited water supplies and/or reduce demand will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7, or 9), and to irrigate landscapes only between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or

scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.

- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from **Zapata County Water Control and Improvement District Hwy 16 East**.
- (f) Use of water for irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by **Zapata County Water Control and Improvement District Hwy 16 East**, the facility shall not be subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 – Severe Water Shortage Conditions

Goal: Achieve a 30% reduction in total water use.

Supply Management Measures:

Zapata County Water Control and Improvement District Hwy 16 East

in order to manage limited water supplies and/or reduce demand will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (b) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, handheld buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response – Critical Water Shortage Conditions

Goal: Achieve a 40% reduction in total water use and daily demand.

Supply Management Measures:

Zapata County Water Control and Improvement District Hwy 16 East in order to manage limited water supplies and/or reduce demand will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:

- (d) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (e) Use of water to wash any motor vehicle, motorbike, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial

service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10:00 p.m.

- (f) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (g) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (h) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response – Emergency Water Shortage Conditions

Goal: Achieve a 50% reduction in total water use and daily water demand.

Supply Management Plan:

Zapata County Water Control and Improvement District Hwy 16 East in order to manage limited water supplies and/or reduce demand, will reduce or discontinue flushing of water mains and irrigation of landscaped areas.

Water Use Restrictions: All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:

- (a) Irrigation of landscaped areas is absolutely prohibited.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Stage 6 Response – Water Allocation

In the event that water shortage conditions threaten public health, safety, and welfare, the Manager is hereby authorized to allocate water according to the following water allocation plan:

Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

“Household” means the residential premises served by the customer’s meter. “Persons per household” includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies **Zapata County Water Control and Improvement District Hwy 16 East** of a greater number of persons per household on a form prescribed by the Manager. The Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to **Zapata County Water Control and Improvement District Hwy 16 East** offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify **Zapata County Water Control and Improvement District Hwy 16 East** on such form and change will be implemented in the next practical billing period. If the number of persons in a household is reduced, the customer shall notify **Zapata County Water Control and Improvement District Hwy 16 East** in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Manager shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify **Zapata County Water Control and Improvement District Hwy 16 East** of a reduction in the number of persons in a household shall be fined not less than \$50.00.

Residential water customers shall pay the following surcharges:

\$4.00 for the first 1,000 gallons over allocation.

- \$4.25 for the second 1,000 gallons over allocation.
- \$4.50 for the third 1,000 gallons over allocation.
- \$5.00 for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

Master-Metered Multi-Family Residential Customers

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g. apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer notifies **Zapata County Water Control and Improvement District Hwy 16 East** of a greater number on a form prescribed by the Manager. The Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to **Zapata County Water Control and Improvement District Hwy 16 East** offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the Manager. If the number of dwelling units served by a master meter is reduced, the customer shall notify **Zapata County Water Control and Improvement District Hwy 16 East** in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the Manager shall adopt methods to insure the accuracy of the claims. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify **Zapata County Water Control and Improvement District Hwy 16 East** of a reduction in the number of persons in a household shall be fined not less than \$50.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

- \$5.00 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
- \$5.25 thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons over allocation unit.
- \$5.50 thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
- \$6.00 thereafter for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

Commercial Customers

A monthly water allocation shall be established by the Manager or his/her designee, for each non-residential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 75% of the customer's usage for corresponding month's billing period for the previous twelve (12) months. If the customer's billing history is shorter than twelve (12) months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. Provided, however, a customer, 100 percent of whose monthly usage is less than 3,000 gallons, shall be allocated 3,000 gallons. The Manager shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact **Zapata County Water Control and Improvement District Hwy 16 East** to determine the allocation. Upon request of the customer or at the initiative of the Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one non-residential customer agrees to transfer part of its allocation to another non-residential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Manager. Non-residential commercial customers shall pay the following surcharges:

Customers whose allocation is 3,000 gallons through 9,000 gallons per month:

\$5.00 per thousand gallons for the first 1,000 gallons over allocation.

\$5.25 per thousand gallons for the second 1,000 gallons over allocation.

\$5.50 per thousand gallons for the third 1,000 gallons over allocation.

\$6.00 per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is 10,000 gallons per month or more:

\$1.05 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.

\$1.10 times the block rate for each 1,000 gallons from 5% through 10 % above allocation.

\$1.20 times the block rate for each 1,000 gallons from 10% through 15% above allocation.

\$1.10 times the block rate for each 1,000 gallons more than 15% above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Industrial Customers

A monthly water allocation shall be established by the Manager, or his/her designee, for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 90% of the customer's water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer's allocation shall be further reduced to 85% of the customer's water usage baseline. The industrial customer's water baseline will be computed on the average water use for the twelve (12) month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer's billing history is shorter than twelve (12) months, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists. The Manager shall give his/her best effort to see that notice of each industrial customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact **Zapata County Water Control and Improvement District Hwy 16 East** to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the Manager, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water use because the customer had shutdown a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shutdown or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Manager. Industrial customers shall pay the following surcharges:

Customers whose allocation is 3,000 gallons through 9,000 gallons per month:

- \$5.00 per thousand gallons for the first 1,000 gallons over allocation.
- \$5.25 per thousand gallons for the second 1,000 gallons over allocation.
- \$5.50 per thousand gallons for the third 1,000 gallons over allocation.

\$6.00 per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is 10,000 gallons per month or more:

\$1.05 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.

\$1.10 times the block rate for each 1,000 gallons from 5% through 10 % above allocation.

\$1.20 times the block rate for each 1,000 gallons from 10% through 15% above allocation.

\$1.10 times the block rate for each 1,000 gallons more than 15% above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Enforcement

- (A) No person shall knowingly or intentionally allow the use of water from the **Zapata County Water Control and Improvement District Hwy 16 East** for residential, commercial, industrial, agriculture, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Manager, or his/her designee, in accordance with provisions of this Plan.
- (B) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than fifty dollars (\$50) and not more than fifty dollars (\$50). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Manager shall, upon due notice to the customer, be authorized to discontinue water services to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$30, and any other costs incurred by **Zapata County Water Control and Improvement District Hwy 16 East** in discontinuing services. In addition, suitable assurance must be given to the Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this Plan may also be sought through injunctive relief in the district court.

- (C) Any person, including a person classified as a water customer of **Zapata County Water Control and Improvement District Hwy 16 East**, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person shall have the right to show that he/she did not commit the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could have not responsibly known of the violation.
- (D) Any employee of **Zapata County Water Control and Improvement District Hwy 16 East**, police officer, or other employee designated by the Manager, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the Zapata County Municipal Court on the date shown on the citation for which the date shall not be less than three (3) days nor more than five (5) days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in Zapata County Municipal Court to enter a plea of guilty or not guilty for the violation of this Plan.

Section 12: Variances

The Manager (designated official), or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with **Zapata County Water Control and Improvement District Hwy 16 East** within five (5) days after the Plan or a particular drought response stage that has been invoked. All petitions for variances shall be reviewed by the General Manager, or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specified provision(s) if the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Variances granted by **Zapata County Water Control and Improvement District Hwy 16 East** shall be subject to the following conditions, unless waived or modified by the Manager or his/her designee:

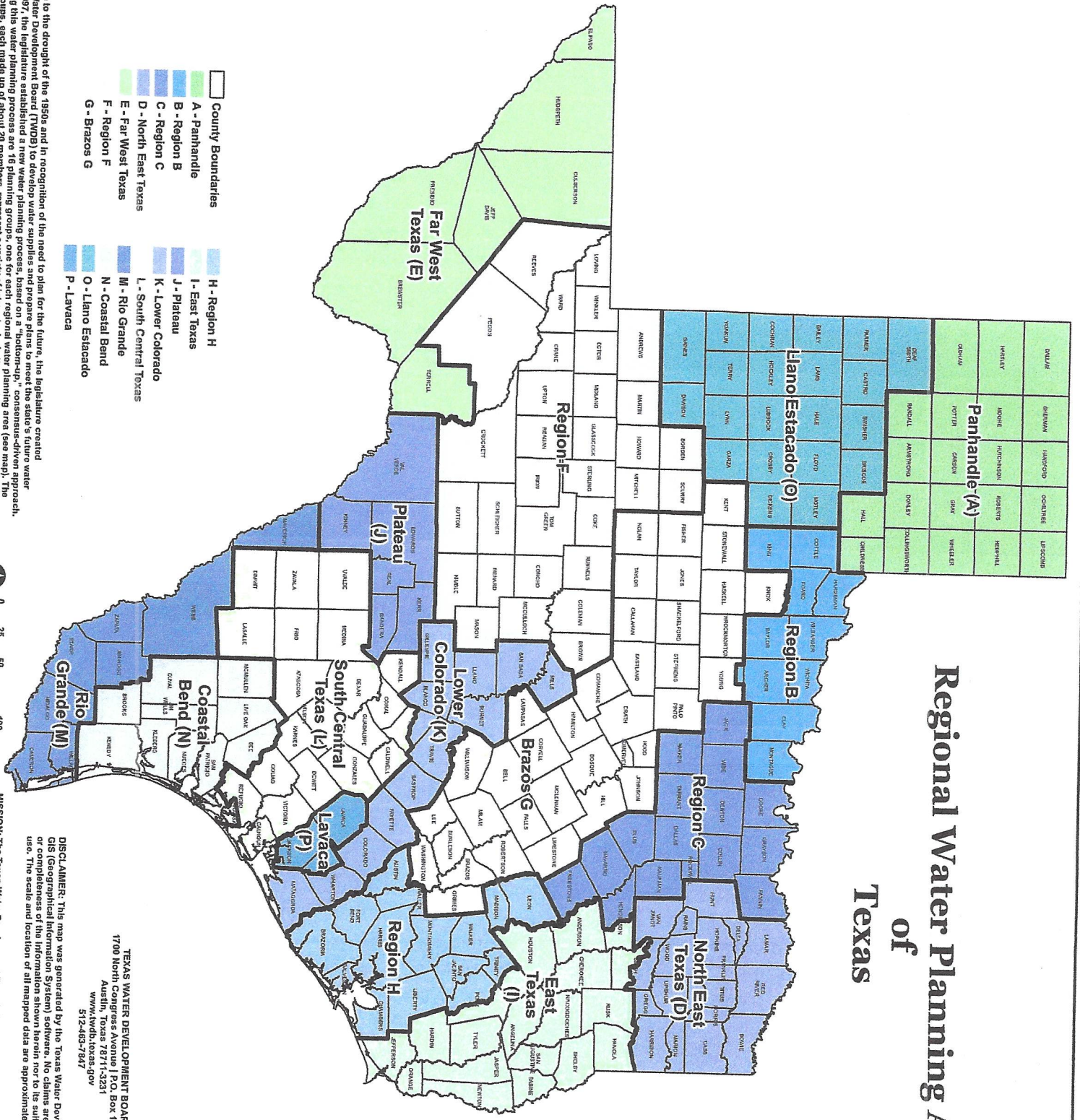
- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Appendix A

Copy of Rio Grande Regional Water Planning Group
Coverage Area

Regional Water Planning Areas of Texas



- County Boundaries
- A - Panhandle
- B - Region B
- C - Region C
- D - North East Texas
- E - Far West Texas
- F - Region F
- G - Brazos G
- H - Region H
- I - East Texas
- J - Plateau
- K - Lower Colorado
- L - South Central Texas
- M - Rio Grande
- N - Coastal Bend
- O - Llano Estacado
- P - Lavaca

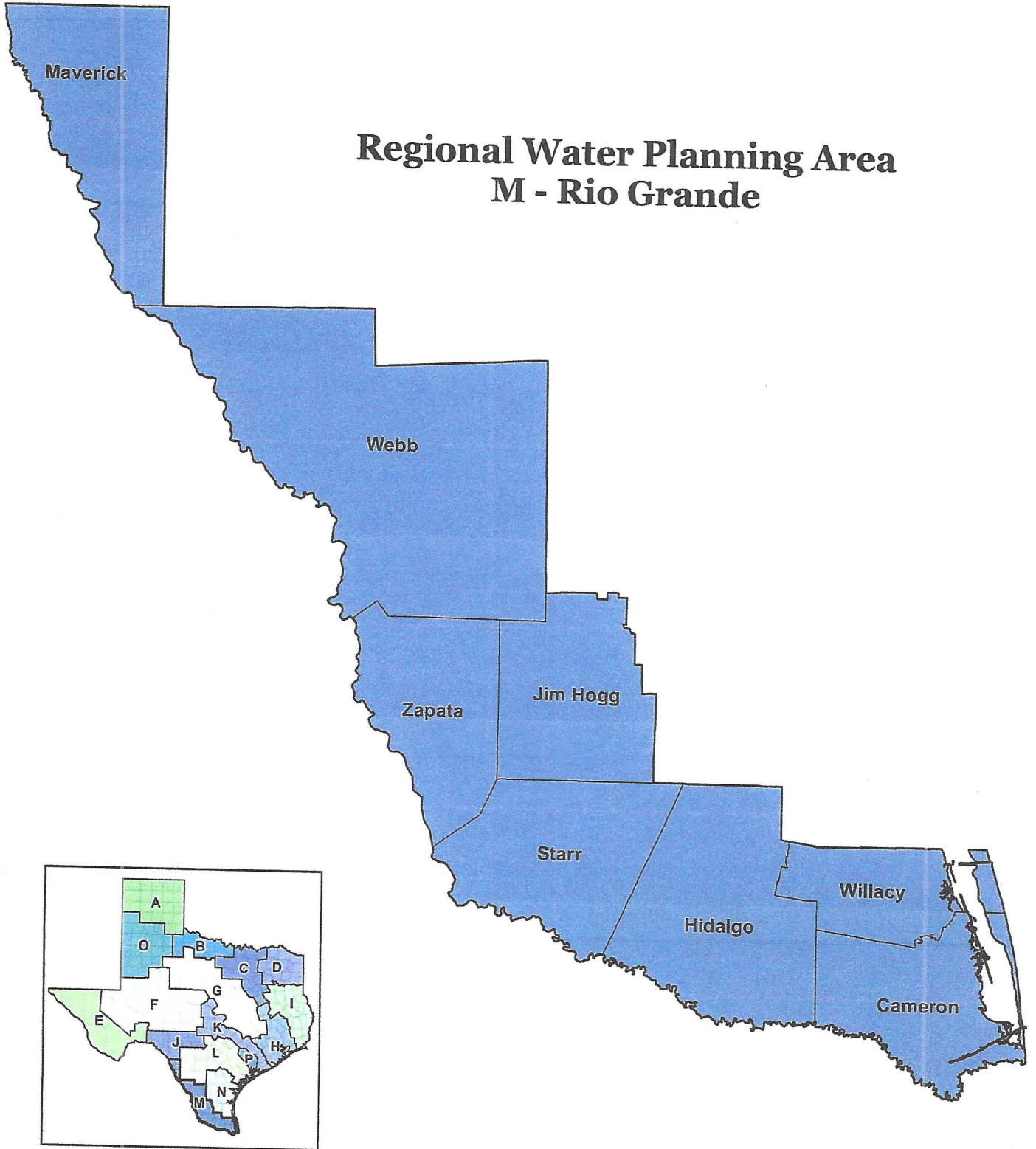
In response to the drought of the 1950s and in recognition of the need to plan for the future, the legislature created the Texas Water Development Board (TWDB) to develop water supplies and prepare plans to meet the state's future water needs. In 1987, the TWDB established a new water planning process, based on a "bottom-up," consensus-driven approach. Coordinating this water planning process are 16 planning groups, one for each regional water planning area (see map). The planning groups, each made up of local, state, and federal officials, river authorities, water utilities, counties, and power generation, environment, public, municipalities, business, water districts, river authorities, water utilities, counties, and power generation.



TEXAS WATER DEVELOPMENT BOARD
 1700 North Congress Avenue | P.O. Box 13231
 Austin, Texas 78711-5231
 www.twdb.texas.gov
 512-463-6417

DISCLAIMER: This map was generated by the Texas Water Development Board using GIS (Geographical Information System) software. No claims are made to the accuracy or completeness of the information shown herein, nor any liability for a particular use. The scale and location of all mapped data are approximate. Map date: JAN2014

MISSION: The Texas Water Development Board's (TWDB) mission is to provide leadership, planning, financial assistance, information, and education for the conservation and responsible development of water for Texas.



Regional Water Planning Area M - Rio Grande

DISCLAIMER: This map was generated by the Texas Water Development Board using GIS (Geographical Information System) software. No claims are made to the accuracy or completeness of the information shown herein nor to its suitability for a particular use. The scale and location of all mapped data are approximate. Map date: JAN-2014

TEXAS WATER DEVELOPMENT BOARD
1700 North Congress Avenue | P.O. Box 13231
Austin, Texas 78711-3231
www.twdb.texas.gov



MISSION: The Texas Water Development Board's (TWDB) mission is to provide leadership, planning, financial assistance, information, and education for the conservation and responsible development of water for Texas.

**Texas Water
Development Board**



Appendix B

Zapata County Water Control and Improvement District Hwy 16 East Utility Profile

UTILITY PROFILE

PURPOSE:

The purpose of this utility profile is to provide general information concerning the public water system

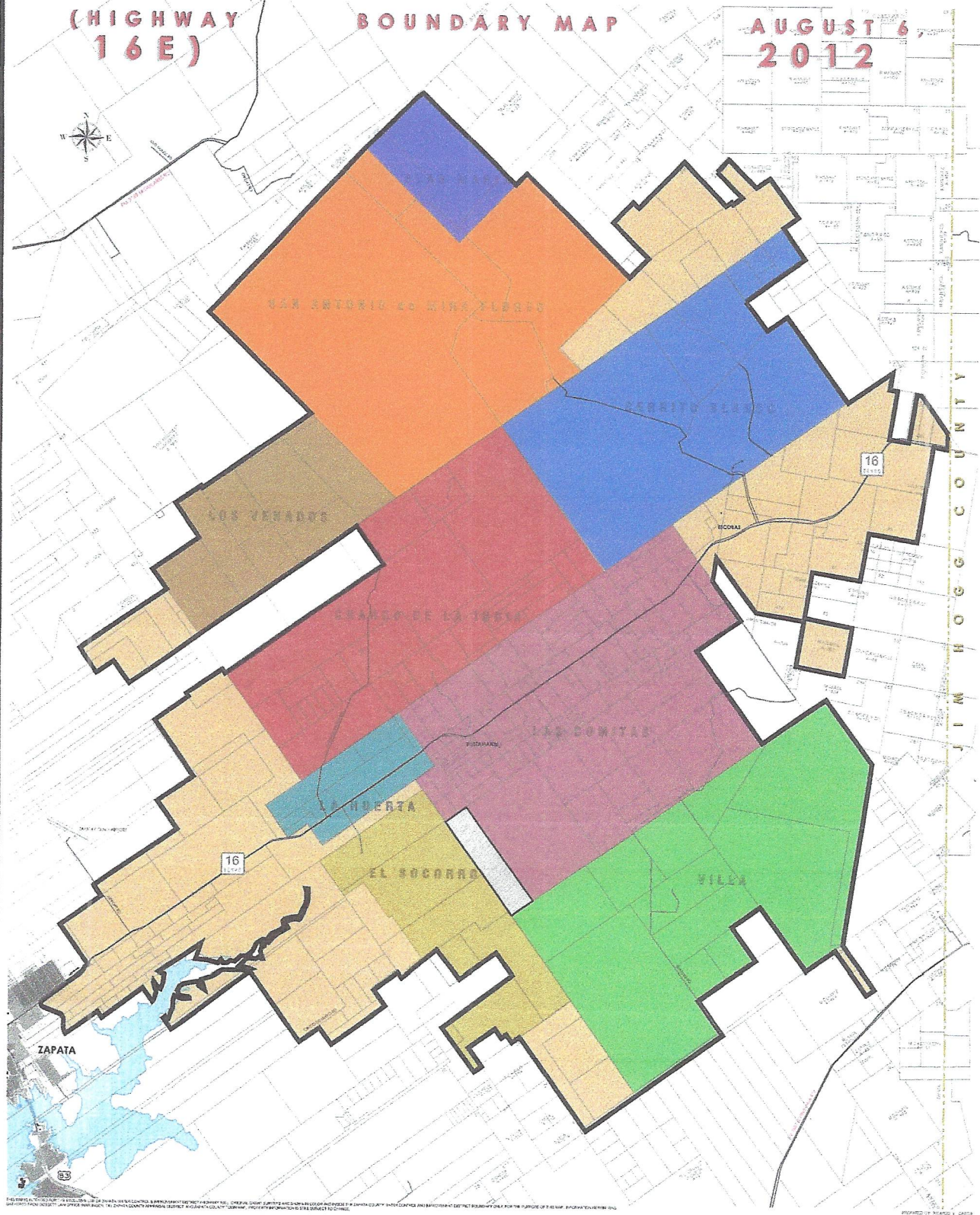
1. **Public Water System Name:** Zapata County W.C.I.D. Hwy 16 East
2. **Public Water Supply I. D. No.:** 2530023
3. **Address:**
504 St. Hwy 16
Zapata, Texas 78067
4. **Status:** Active
5. **County Name:** Zapata
6. **County Code:** 253
7. **RN Regulated Entity Number:** RN101218949
8. **Utility Type:** Water Utility
9. **Ownership Type:** Water Control and Improvement District
10. **Reference Number:** CN600660781
11. **Service Area Size (sq. miles):** 226 square miles
12. **Current No. of Customers:** 219
13. **Current Population Served:** 75
14. **Residential Water Users:** 213
15. **Multi-family Water Users:** 0
16. **Commercial Water Users:** 6
17. **Industrial Water Users:** 0
18. **Regional Planning Group:** Rio Grande Regional Planning Group
19. **No. of New Connections in last three years:** 33
20. **No. of High Volume Users:** 12
21. **Water Supply Source:** Surface – Falcon Lake
22. **Water Purchase Contract:** Yes
23. **Maximum Water Line Size:** 8 inch

ZAPATA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT

(HIGHWAY 16 E)

BOUNDARY MAP

AUGUST 6, 2012



PREMIER
ENGINEERING SURVEYING

1302 CASIE DEL NORTE, SUITE 2 | AARDO, TEXAS 78041 | PH: (956) 717-1199 | FAX: (956) 717-1196
premier-ce.com

JAIME A. GONZALEZ
VICE PRESIDENT

RAMIRO RAMIREZ Jr.
SECRETARY/TREASURER

HILDEGARDO E. FLORES
PRESIDENT

JAIME DE LOS SANTOS
MEMBER

JESSE A. PORRAS
MEMBER

This instrument was acknowledged before me on the ____ day of _____, 2013 by Hildegardo E. Flores, Jaime A. Gonzalez, Ramiro Ramirez, Jr., Jaime de los Santos, and Jesse A. Porras.
Notary Public