

**RESOLUTION FOR ADOPTION OF THE
UPDATED Acton MUNICIPAL UTILITY DISTRICT
WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN
RESOLUTION NO. 14-04-216**

A RESOLUTION OF THE BOARD OF DIRECTORS
ADOPTING A WATER CONSERVATION AND
DROUGHT CONTINGENCY PLAN FOR THE DISTRICT.

WHEREAS, the Directors recognizes that the amount of water available to the District and its water utility customers is limited and subject to depletion during periods of extended drought; and

WHEREAS, the Directors recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all affected public water supply systems in Texas to prepare a water conservation and drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the customers of the District, the Directors deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

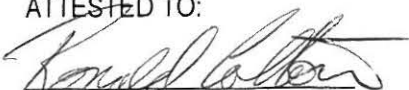
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT:

- SECTION 1. That the Water Conservation and Drought Contingency Plan attached hereto as Exhibit A and made part hereof for all purposes be adopted as the official policy of the District.
- SECTION 2. That the General Manager is hereby directed to implement, administer, and enforce the Water Conservation and Drought Contingency Plan.
- SECTION 3. That this resolution shall take effect immediately upon its passage.

DULY PASSED BY THE BOARD OF DIRECTORS OF THE DISTRICT, ON THIS 24 day of
April, 2014.


President, Board of Directors

ATTESTED TO:


Secretary, Board of Directors

ACTON MUNICIPAL UTILITY DISTRICT

WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN

PWSID 1110007

Revised April 2014

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- Appendix B Municipal Use Utility Profile**
- Appendix C Wholesale Public Water Supplier Utility Profile**
- Appendix D District's Current Water Rate Structure**
- Appendix E Copy of Resolution Adopting Water Conservation and Drought Contingency Plan**
- Appendix F Example of Notification Letter to Wholesale Purchasers**

ACTON MUNICIPAL UTILITY DISTRICT WATER CONSERVATION PLAN

Section I. Declaration of Policy, Purpose and Intent

The purpose of the Water Conservation Plan (the Plan) is to: promote the wise and responsible use of water by implementing structural programs that result in quantifiable water conservation results; develop, maintain, and enforce water conservation policies and ordinances; and support public education programs that educate customers about water and wastewater facilities operations, water conservation and non-point source protection.

In accordance with 30 Texas Administrative Code Chapter 288, the Acton Municipal Utility District (Acton MUD or District) practices and promotes conservation of water through the implementation of practices described in the Texas Water Development Board's (TWDB's) *Best Management Practices (BMP) Guide for Municipal and Wholesale Users*. Where they appear in this Plan, BMPs are noted by "(recognized BMP)".

Section II. Utility Profile

The Acton Municipal Utility District, is located primarily in Hood County and is situated approximately 25 miles southwest of Fort Worth. The service area for the District's water distribution system (Certificate of Convenience and Necessity [CCN] 12971) covers approximately 10.5 square miles and is depicted in the service area map provided in Appendix A.

The District supplies water to wholesale customers consisting of Montego Bay Estates (CCN 12983), Rancho Brazos Subdivision (CCN 12983), Acton Water Royal Oaks (CCN 12983), Comanche Harbor (CCN 12983), Canyon Creek Addition (CCN 12809), and the City of Granbury (CCN 10904). The service area for all wholesale purchasers combined equals approximately 15 square miles and is also depicted in Appendix A. It should be noted that the wholesale users utilize multiple water sources included but not limited to those supplied by AMUD. Population and water demand figures provided herein for wholesale users represent that portion of the wholesale water systems supplied by AMUD contracts. It should also be noted that the contract for wholesale water deliveries to Granbury terminates on October 1st, 2017. After September 30th, 2017, AMUD will no longer provide water on a wholesale basis to City of Granbury users.

Since the District serves municipal use and wholesale customers, both Municipal Use and Wholesale Use Profiles have been provided for the Acton MUD system. The Municipal Use Utility Profile is provided in Appendix B while the Wholesale Use Utility Profile has been included in Appendix C. Both profiles are summarized as follows:

A. Population

Acton MUD's population in the year 2014 as determined from information obtained from the Texas

Water Development Board database is approximately 17,144 persons. Acton MUD supplies treated water, based on Texas Water Utility Database figures in conjunction with AMUD's wholesale contracts, to wholesale users totaling approximately 5,605 persons in the year 2014. Table 1 provides population figures for Acton MUD and wholesale users for the previous five years.

Table 1: Population for District System Users (2009-2013)		
Year	Acton MUD Population	Wholesale Population
2009	14,884	6,429
2010	15,169	6,429
2011	15,663	6,429
2012	16,157	6,429
2013	16,650	7,341
Source: TWDB Database and TCEQ Water Utility Database		

Table 2 depicts projected population figures for Acton MUD's retail and wholesale users through the year 2050.

Table 2: Projected Population for Acton MUD System Users (2020-2060)		
Year	Acton MUD Population	Wholesale Population
2020	20,107	3,105
2030	32,427	3,105
2040	40,538	3,105
2050	44,779	3,105
2060	49,464	3,105
Source: TWDB Database and TCEQ Water Utility Database		

B. Customer Data and Water Use Data

The District's water customers consist of a mixture of residential single family, residential multi-family, commercial, public/institutional and wholesale users. The District's single-family residential customers are supplied through approximately 6,680 connections while multi-family residential customers are supplied through approximately 92 connections. Acton MUD serves approximately

118 commercial connections. The wholesale users (Montego Bay Estates, Rancho Brazos Subdivision, Acton Water Royal Oaks, Comanche Harbor, Canyon Creek Addition, and the City of Granbury) supply treated water to their customers through approximately 2,447 metered service connections.

On average, Acton MUD retail customers use approximately 97% while wholesale customers use approximately 3% of the total ground and surface water delivered from the District's potable water treatment works. Table 3 summarizes the expected population and water use figures for Acton MUD's retail and wholesale users over the next decade.

Table 3: Projected Water Demand for the Coming Decade					
Year	Acton MUD's Population (persons)	Wholesale Population (persons)	Acton MUD's Demand (ac-ft/yr)	Wholesale Demand (ac-ft/yr)	Total Demand (ac-ft/yr)
2014	17,144	5,605	2,643	1,142	3,785
2015	17,638	5,605	2,693	1,142	3,835
2016	18,132	5,605	2,742	1,142	3,884
2017	18,626	5,605	2,791	938	3,729
2018	19,119	3,105	2,840	335	3,175
2019	19,613	3,105	2,890	335	3,225
2020	20,107	3,105	2,939	335	3,274
2021	21,339	3,105	2,985	335	3,320
2022	22,571	3,105	3,030	335	3,365
2023	23,803	3,105	3,076	335	3,411

Source: TWDB Database and TCEQ Water Utility Database

C. Water Supply System

1. Water Sources

Acton MUD's water supply comes from a combination of surface and groundwater sources. Treated surface water from Lake Granbury is used in conjunction with ground water from the District's wells which have a capacity of approximately 3.1 million gallons per day or approximately 3,472 acre-feet per year (ac-ft/yr). The District's treated water purchase contract is with the Brazos Regional Public Utility Agency (BRPUA) which contracts with the District to supply up to 5.81 mgd or 6,508 ac-ft/yr of treated water to the District via the SWATS Plant.

2. Water Treatment

Water produced from the District's wells is dosed with chlorine and ammonia prior to being sent to the distribution system. No additional treatment is provided to treated water entering the system from the SWATS plant.

3. Water Distribution

The District's water distribution system provides economical and compatible facilities capable of furnishing sufficient water at suitable pressures to Acton MUD's retail users and to the wholesale interconnections. The District's distribution system consists of underground water mains, pumping stations, ground storage and elevated storage tanks, valves, fire hydrants, and approximately 7,000 metered service connections.

After water is processed at the treatment plant or produced from the wells, it is pumped into the distribution system and stored in ground storage tanks with a storage capacity of 4.94 million gallons and elevated storage tanks with a storage capacity of 1.78 million gallons. Total storage capacity of the distribution system tanks is 6.72 million gallons. The distribution network is laid out in a continuous looped fashion to circulate water and maintain constant system pressure.

D. Wastewater System

1. Wastewater Collection

Acton MUD's wastewater collection system consists of a network of sewer lines, lift stations, and manholes serving Acton MUD users. Approximately 20% of the water distributed to Acton MUD's retail users is returned to the District's two wastewater treatment plants for treatment. Sewage flows by gravity, aided when necessary by lift stations, through the collection system into the wastewater treatment plants. No wholesale customers are served by the District's sewage collection and treatment system.

2. Wastewater Treatment

The District owns and operates two wastewater treatment plants under permit numbers WQ0014211001 and WQ0014212001. The Wastewater Plant No. 1 at DeCordova has a rated treatment capacity of 0.6 mgd while the Wastewater Plant No. 2 at Pecan Plantation is rated for 0.487 mgd. Sewage undergoes treatment in the plants consisting of prescreening, activated sludge process, sedimentation, and chemical disinfection.

Section III. Water Conservation Goals

The 5- and 10-year goals for total per capita water use (the total water diverted and/or pumped for potable use) by District users is to maintain per capita water use at or below 135 gpcd by the end of 2019 and 2024. The 5- and 10-year goal for residential per capita water use (total gallons sold for residential use) by District users is to maintain residential per capita water use at or below 115 gpcd by the end of 2019 and 2024. The 5- and 10-year per capita water loss goal is to maintain per capita water loss at less than 15%, or less than 20 gallons per capita. These goals are set in accordance with Brazos G Regional Water Planning Group projections and in accordance with historic water use rates for Acton MUD water system users.

The 5 and 10-year goals for wholesale users supplied by the District is to maintain per capita use at 65 gpcd by the end of 2019 and 2024 with loss rates for wholesale water deliveries to the wholesale users maintained at less than 15%. These goals are set in accordance with historic water use rates by Acton MUD's wholesale water users.

Section IV. Metering Devices

It is District policy to purchase meters that meet at least the minimum standards developed by the American Water Works Association. All metering devices used to meter water diverted from the source of supply are accurate to within plus-or-minus 5% to measure and account for water diverted from the source of supply. Aged meters are systematically replaced to assure reliability of meter performance. The District currently monitors water consumption and inspects meters which vary from established norms. In addition, the City has established the following meter maintenance and replacement programs:

<u>Meter Type</u>	<u>Replacement or Calibration Period</u>
Master Meters	Annually
Commercial Meters and Meters Larger than 1"	Annually or as needed
1" and Smaller	Every 10 years or as needed

The District strives to maintain water delivery rates, from production to the consumer at or above the accepted standard of 85 %. The primary tools for monitoring the water delivery rate are meter maintenance and leak detection programs.

Section V. Universal Metering

It is District policy to individually meter all water usage, except for fire protection, including all new construction within the City's retail service area (recognized BMP). At present there are no known unmetered water connections within the system. The District's ongoing meter repair and replacement program involves meter readers checking each meter monthly for proper operation. Any meter found not to be functioning properly is identified for replacement.

Section VI. Measures to Determine and Control Unaccounted-For Uses of Water

It is Acton MUD's policy to investigate customer complaints of low pressure and possible leaks. Acton MUD's goal for unaccounted-for water use is 15% or less. The City's ongoing meter repair and replacement program involves checking each meter monthly for proper operation (recognized BMP). Any meter found to be not functioning properly is identified for replacement. The District practices a leak detection and repair program involving visual inspections of the system (recognized BMP). Water Department personnel visually inspect suspected leaks and make quick and timely repairs to those leaks when detected. Leaking pipelines or pipeline sections are repaired or replaced as they are detected.

Acton MUD utilizes a record management system which records water pumped, water delivered, water sales and water losses to track water transmission, distribution, and delivery to customers (recognized BMP). This information is used to evaluate the integrity of the water delivery system from source to end user to control and minimize unaccounted-for uses of water. The record management system utilized by the District segregates water sales and users into user classes of single-family residential, multi-family residential, commercial, public/institutional, and wholesale users (recognized BMP).

Section VII. Continuing Public Education and Information Program

The education and information program in use by the District consists of the following activities:

1. Presentations may be offered annually at local schools. These presentations cover a variety of water conservation information.
2. Newspaper ads are placed during the year based on the areas of current need for water conservation as determined from current water supply conditions.
3. Each customer establishing a new connection and account receives water conservation information.
4. Annually the District mails out its Consumer Confidence Report to all water customers. Materials covering water conservation, as it pertains to current water supply conditions, may be included with the Consumer Confidence Report.
5. The District makes water conservation information available at no cost to the public, at the District office. The public is made aware of the availability of this information via utility bill statements, the District web site, public postings, and local media.

Section VIII. Non-Promotional Water Rate Structure

The District utilizes an inclining block rate to encourage water conservation. The District periodically

evaluates its water rate structure and adjusts costs and/or structure as needed to encourage water conservation.

Section IX. Leak Detection and Repair

District personnel associated with meter reading and billing and collection monitor monthly consumption. This monitoring has become an important tool in distribution system management. The District will continue to use modern leak detection techniques in locating and reducing leaks (recognized BMP).

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

1. Leaks reported by citizens.
2. Leak detection by meter readers.
3. Continual checking and servicing of production, pumping and storage facilities.
4. Periodic leak detection testing throughout system by professional leak detection service.
5. Rapid response by District staff to reported problems.

Section X. Additional Wholesale Water Contract Requirements

It is the District's policy to include in every wholesale water supply contract entered into or renewed after official adoption of the Plan, including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using applicable elements in 30 TAC 288, Subchapter A. If the wholesale customer intends to resell the water, then the contract between Acton MUD and the wholesale customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with 30 TAC 288, Subchapter A, Rule §288.5 (G).

Section XI. Plan Enforcement and Adoption

The Plan is enforced within the District's service area by providing service taps only to customers complying with adopted resolutions, maintaining a non-declining rate structure, discontinuing service to those customers who do not pay their water bills until payment is made, and certifying new construction only after verifying if conforms to adopted resolutions and plumbing codes. (A copy of the resolution adopting this Plan has been included here in Appendix E.)

Wholesale customers will receive written notification of Plan adoption and any subsequent Amendments. Adoption of this Plan by the District per 30 TAC Chapter 288, Subchapter A, Rule §288.5 (G) obligates wholesale customers as defined in 30 TAC Chapter 288, Subchapter A, Rule §288.1 to implement water

conservation measures. (A copy of the notification letter to wholesale users has been included in Appendix F.)

Section XII. Coordination with Regional Planning Group

All retail and wholesale users served by Acton MUD are located within the Region G Planning Group area. The District has provided a copy of the Plan to the Region G Planning Group.

Section XIII. Reservoir Operation Plan

Lake Granbury is operated by the Brazos River Authority (BRA). The BRA maintains and implements the reservoir operation plan for Lake Granbury.

Section XIV. Revisions to the Water Conservation Plan

The latest revision of the District's Water Conservation Plan was adopted in April 2014. The District will review and update this Water Conservation Plan, as appropriate, based on new or updated information, such as the adoption or revision of the regional water plan. As a minimum the Plan will be updated again before May 1, 2019 and every five (5) years thereafter.

Section XV. Annual Reporting

The General Manager for the District will submit an Annual Report to the Texas Water Development Board on the Water Conservation Plan. The report shall include the following:

1. Public information which has been issued.
2. Public response to the plan.
3. Effectiveness of the Water Conservation Plan in lowering water consumption.
4. Implementation progress and status of plan.
5. Effectiveness of leak detection and repair programs in reducing water loss.

Section XVI. Severability

It is hereby to be the intention of Acton MUD that the sections, paragraphs, sentences, clauses, and phrases of this Plan are severable and if, any phrase, clause, sentence, paragraph or section 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 or sections of this Plan, since the same would not have been enacted by Acton MUD without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph or section.

**Acton MUNICIPAL UTILITY DISTRICT
RETAIL DROUGHT CONTINGENCY PLAN**

Section I. 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 fire protection, 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, the Acton Municipal Utility District (Acton MUD) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses 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 X of this Plan.

Section II. Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the Acton MUD by means scheduling and providing public notice of a public Board of Directors' meeting to accept input on the Plan.

Section III. Public Education

The Acton MUD 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 response measures to be implemented in each stage. This information will be provided by means of newsletter articles and mail outs.

Section IV. Coordination with Regional Water Planning Group

The service area of the Acton MUD is located within Region G Water Planning Area of the Brazos River Basin and Acton MUD has provided a copy of this Plan to the within Region G Water Planning Area of the Brazos River Basin.

Section V. Authorization

The General Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The General 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 VI. Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the Acton MUD. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII. Definitions

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

- a) Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.
- b) 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.
- c) Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or 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.
- d) Customer: any person, company, or organization using water supplied by Acton MUD.
- e) 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.
- f) Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6, or 8 and locations without addresses.
- g) Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.
- h) 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 rights-of-way and medians.
- i) Non-essential water use: water uses that are not essential nor required for the protection of public,

health, safety, and welfare, including:

1. irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
2. use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
3. use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
4. use of water to wash down buildings or structures for purposes other than immediate fire protection;
5. flushing gutters or permitting water to run or accumulate in any gutter or street;
6. use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
7. use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
8. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
9. use of water from hydrants for construction purposes or any other purposes other than firefighting.

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

Section VIII. Triggering Criteria for Initiation and Termination of Drought Response Stages

The General Manager or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means of direct mail to each customer, or publication in a newspaper of general circulation.

The triggering criteria described below are based on a statistical analysis of the vulnerability of the water source under drought of record conditions.

a) 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 VII - Definitions, when total daily water demand equals or exceeds 80 percent of the safe operating capacity of water supply facilities.

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days.

b) 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 VII of this Plan when total daily water demand equals or exceeds 85 percent of the safe operating capacity of water supply facilities.

Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

c) 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 total daily water demand equals or exceeds 90 percent of the safe operating capacity of water supply facilities.

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

d) Stage 4 Triggers - Critical 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 4 of this Plan when continually falling treated water reservoir levels which do not refill above 50 percent overnight (e.g., based on an evaluation of minimum treated water storage required to avoid system outage).

Requirements for termination - Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

e) 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 the General Manager or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or

2. Natural or man-made contamination of the water supply source(s); or
3. When the specific capacity of the Acton MUD well(s) is equal to or less than 50 percent of the well's original specific capacity; or
4. When the reservoir level of Tank NO.7 at the Acton Booster Station falls below a level of 11 feet and the level continues to decrease for 4 hours.

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 1 day.

f) Stage 6 Triggers - Water Allocation

Requirements for initiation - Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when total daily water demand equals or exceeds 80 percent of the safe operating capacity of water supply facilities.

Requirements for termination - Water rationing may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 7 consecutive days.

Section IX. Drought Response Stages

The General 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 VIII of the Plan, shall determine that a mild, moderate, severe, critical, or emergency or water shortage condition exists and shall implement the following notification procedures:

Notification of the Public:

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

Additional Notification:

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

1. Utility Board
2. Fire Chiefs
3. County Emergency Management Coordinator

Stage 1 Response - Mild Water Shortage Conditions

Target: Achieve a voluntary 5 percent reduction in total water use.

Supply Management Measures:

- a) Acton MUD shall implement measures to manage limited water supplies and by reduced or discontinued flushing of water mains.

Voluntary Water Use Restrictions:

- a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to even numbered dates for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and odd numbered dates for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Customers are encouraged to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m to midnight on designated watering days.
- b) 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

Target: Achieve a 10 percent reduction total water use.

Supply Management Measures:

- a) Acton MUD shall implement measures to manage limited water supplies and by reduced or discontinued flushing of water mains.

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 irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 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 any time 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 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 firefighting, 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 the Acton MUD.
- f) Use of water for the 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 p.m. and 12:00 midnight. However, if the golf course utilizes a water source other than that provided by the Acton MUD, the facility shall not be subject to these regulations.
- g) All restaurants are prohibited from serving water to its patrons except when requested.
- 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 Response - Severe Water Shortage Conditions

Target: Achieve a 20 percent reduction in total water use.

Supply Management Measures:

- a) Acton MUD shall implement measures to manage limited water supplies by discontinued flushing of water mains.

Water Use Restrictions.

- a) All requirements of Stage 2 shall remain in effect during Stage 3 except:
 1. 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 p.m. and 12:00 midnight and shall be by means of handheld hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
 2. The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the Acton MUD.
 3. 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

Target: Achieve a 30 percent reduction in total water use.

Supply Management Measures:

- a) Acton MUD shall implement measures to manage limited water supplies by discontinued flushing of water mains and use of reclaimed water for non-potable purposes.

Water Use Restrictions.

- a) All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:
 1. 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.
 2. Use of water to wash any motor vehicle, motorbike, boat, 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 p.m.

3. The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.
4. 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.
5. No applications 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 allowed or approved.

Stage 5 Response - Emergency Water Shortage Conditions

Target: Achieve a 60 percent reduction in total water use.

Supply Management Measures:

- a) Acton MUD shall implement measures to manage limited water supplies by discontinued flushing of water mains.

Water Use Restrictions.

- a) All requirements of Stage 2, 3, and 4 shall remain in effect during Stage 5 except:
 1. Irrigation of landscaped areas is absolutely prohibited.
 2. 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 General Manager is hereby authorized to ration 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:

<u>Persons per Household</u>	<u>Gallons per Month</u>
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 the Acton MUD of a greater number of persons per household on a form prescribed by the General Manager. The General 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 the Acton MUD 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 General Manager. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the Acton MUD on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the Acton MUD in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the General 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 the Acton MUD of a reduction in the number of person in a household shall be fined not less than \$35.00.

Residential water customers shall pay the following surcharges:

- a) \$10.00 for the first 1,000 gallons over allocation.
- b) \$15.00 for the second 1,000 gallons over allocation.
- c) \$20.00 for the third 1,000 gallons over allocation.
- d) \$25.00 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's meter serves two dwelling units unless the customer notifies the Acton MUD of a greater number on a form prescribed by the General Manager. The General 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 the Acton MUD 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 General Manager. If the number of dwelling units served by a master meter is reduced,

the customer shall notify the Acton MUD in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the General 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 dwelling units served by a master meter or fails to timely notify the Acton MUD of a reduction in the number of person in a household shall be fined not less than \$100.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

- a) \$10.00 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.
- b) \$15.00 thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.
- c) \$20.00 thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.
- d) \$25.00 thereafter for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

Commercial Customers

A monthly water usage allocation shall be established by the General Manager, or his/her designee, for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 75 percent of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 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, 50 percent of whose monthly usage is less than 15000 gallons, shall be allocated 10000 gallons. The General 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 the Acton MUD to determine the allocation. Upon request of the customer or at the initiative of the General 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 nonresidential customer agrees to transfer part of its allocation to another nonresidential 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 General Manager. Nonresidential commercial customers shall pay the following surcharges:

Customers whose allocation is 0 gallons through 15000 gallons per month:

- a) \$10.00 per thousand gallons for the first 1,000 gallons over allocation.
- b) \$12.00 per thousand gallons for the second 1,000 gallons over allocation.
- c) \$12.00 per thousand gallons for the third 1,000 gallons over allocation.
- d) \$15.00 per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is 15,000 gallons per month or more:

- a) 1.1 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- b) 1.2 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- c) 1.3 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- d) 1.5 times the block rate for each 1,000 gallons more than 15 percent 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 usage allocation shall be established by the General Manager, or his/her designee, for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 80% percent 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 75% percent of the customer's water usage baseline. The industrial customer's water usage baseline will be computed on the average water usage for the 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 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 General 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 the Acton MUD 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 General Manager, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water usage because the customer had shut down 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 shut down 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 usage 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 General Manager. Industrial customers shall pay the following surcharges:

Customers whose allocation is 0 gallons through 25,000 gallons per month:

- a) \$5.00 per thousand gallons for the first 1,000 gallons over allocation.
- b) \$6.00 per thousand gallons for the second 1,000 gallons over allocation.
- c) \$8.00 per thousand gallons for the third 1,000 gallons over allocation.
- d) \$10.00 per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is 25,000 gallons per month or more:

- a) 1.2 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- b) 1.4 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- c) 1.6 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- d) 2.0 times the block rate for each 1,000 gallons more than 15 percent 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.

Section X. Enforcement

- a) No person shall knowingly or intentionally allow the use of water from the Acton MUD for residential, commercial, industrial, agricultural, 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 General 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 thirty-five dollars (\$35.00) and not more than one hundred dollars (\$100.00). 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 General Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, as established in the most current version of the District's Rates and Connection Fees, and any other costs incurred by the Acton MUD in discontinuing service. In addition, suitable assurance must be given to the General 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 the Acton MUD, 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 in apparent control of the property committed 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 not have reasonably known of the violation.

- d) Any employee of the Acton MUD, police officer, or other security employee designated by the General Manager, may issue a citation to a person he/she reasonably believes to be in violation of this Plan. The citation shall be prepared in duplicate and shall contain the name and addresses of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the justice of the peace court on the date shown on the citation for which the date shall not be less than 3 days nor more than 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 justice of the peace court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in justice of the peace court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in justice of the peace court before all other cases.

Section XI. Variances

The General Manager, 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:

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.

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 Plan shall file a petition for variance with the Acton MUD within 5 days after the Plan or a particular drought response stage 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) Specific provision(s) of 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 Plan.
- 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.

Variations granted by the Acton MUD shall be subject to the following conditions, unless waived or modified by the General Manager:

- a) Variations granted shall include a timetable for compliance.
- b) Variations 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.

Section XII. Severability

It is hereby declared to be the intention of the Acton Municipal Utility District Board of Directors 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 Acton Municipal Utility District Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**ACTON MUNICIPAL UTILITY DISTRICT
WHOLESALE DROUGHT CONTINGENCY PLAN**

Section I. Declaration of Policy, Purpose and Intent

In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, 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, the Acton Municipal Utility District adopts the following Drought Contingency Plan (the Plan).

Section II. Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the Acton MUD by means scheduling and providing public notice of a public Board of Directors' meeting to accept input on the Plan.

Section III. Wholesale Customer Education

The Acton Municipal Utility District will periodically provide wholesale water customers 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 response measures to be implemented in each stage. This information will be provided by means of providing a copy of the Plan or periodically including information about the Plan with invoices for water sales.

Section IV. Coordination with Regional Water Planning Group

The service area of the Acton MUD is located within Region G Water Planning Area of the Brazos River Basin and Acton MUD has provided a copy of this Plan to the Region G Water Planning Group.

Section V. Authorization

The General Manager or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The General 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 VI. Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by

the Acton MUD. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII. Triggering Criteria for Initiation and Termination of Drought Response Stages

The General Manager or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means of direct mail to each customer, or publication in a newspaper of general circulation.

The triggering criteria described below are based on a statistical analysis of the vulnerability of the water source under drought of record conditions.

a) Stage 1 Triggers - Mild Water Shortage Conditions

Requirements for initiation -The Acton Municipal Utility District will recognize that a mild water shortage condition exists when the total daily water demand equals or exceeds 80 percent of the safe operating capacity of water supply facilities.

Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. The Acton Municipal Utility District will notify its wholesale customers and the media of the termination of Stage 1 in the same manner as the notification of initiation of Stage 1 of the Plan.

b) Stage 2 Triggers - Moderate Water Shortage Conditions

Requirements for initiation - The Acton Municipal Utility District will recognize that a moderate water shortage condition exists when the total daily water demand equals or exceeds 90 percent of the safe operating capacity of water supply facilities.

Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative. The Acton Municipal Utility District will notify its wholesale customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 1 of the Plan.

c) Stage 3 Triggers - Severe Water Shortage Conditions

Requirements for initiation - The Acton Municipal Utility District will recognize that a severe water shortage condition exists when the total daily water demand equals or exceeds 95 percent of the safe

operating capacity of water supply facilities.

Requirements for termination - Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of seven (7) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative. Acton Municipal Utility District will notify its wholesale customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 3 of the Plan.

d) Stage 4 Triggers - Critical Water Shortage Conditions

Requirements for initiation - The Acton Municipal Utility District will recognize that an emergency water shortage condition exists when the General Manager or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s); or
3. When the specific capacity of the Acton MUD wells is equal to or less than 50 percent of the total wells original specific capacity; or
4. When the reservoir level of Tank NO.7 at the Acton Booster Station falls below a level of 11 feet and the level continues to decrease for 4 hours.

Requirements for termination - Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of one (1) day. Acton Municipal Utility District will notify its wholesale customers of the termination of Stage 4.

Section VIII. Drought Response Stages

The General Manager, or his/her designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria set forth in Section VII, shall determine that mild, moderate, or severe water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

Stage 1 Response - Mild Water Shortage Conditions

Target: Achieve a voluntary 5 percent reduction in total water use.

Supply Management Measures:

- b) Acton MUD shall implement measures to manage limited water supplies and by reduced or discontinued flushing of water mains.

Demand Management Measures:

- a) The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use (e.g., implement Stage 1 of the customer's drought contingency plan).
- b) The General Manager, or his/her designee(s), will provide a weekly report to wholesale water customers with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 2 Response - Moderate Water Shortage Conditions

Target: Achieve a 10 percent reduction total water use.

Supply Management Measures:

- a) Acton MUD shall implement measures to manage limited water supplies and by reduced or discontinued flushing of water mains.

Demand Management Measures:

- a) The General Manager, or his/her designee(s), will initiate weekly contact with wholesale water customers to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water diversions and/or deliveries..
- b) The General Manager, or his/her designee(s), will request wholesale water customers to initiate mandatory measures to reduce non-essential water use (e.g., implement Stage 2 of the customer's drought contingency plan).
- c) The General Manager, or his/her designee(s), will initiate preparations for the implementation of pro rata curtailment of water diversions and/or deliveries by preparing a monthly water usage allocation baseline for each wholesale customer according to the procedures specified in Section IX of the Plan.

Stage 3 Response - Severe Water Shortage Conditions

Target: Achieve a 20 percent reduction in total water use.

Supply Management Measures:

- b) Acton MUD shall implement measures to manage limited water supplies by discontinued flushing of water mains.

Demand Management Measures:

- a) The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate additional mandatory measures to reduce non-essential water use (e.g. Implement Stage 3 of the customer's drought contingency plan).
- b) The General Manager, or his/her designee(s), will initiate pro rata curtailment of water diversions and/or deliveries for each wholesale customer according to the procedures specified in Section IX of the Plan.

Stage 4 Response - Emergency Water Shortage Conditions

Whenever emergency water shortage conditions exist as defined in Section VII of the Plan, the General Manager shall:

- a) Assess the severity of the problem and identify the actions needed and time required to solve the problem.
- b) Inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems.
- c) If appropriate, notify city, county, and/or state emergency response officials for assistance.
- d) Undertake necessary actions, including repairs and/or clean-up as needed.
- e) Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

Section IX. Pro Rata Water Allocation

In the event that the triggering criteria specified in Section VII of the Plan for Stage 2 - Moderate Water Shortage Conditions have been met, the General Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water code Section 11.039.

Section X. Enforcement

During any period when pro rata allocation of available water supplies is in effect, wholesale customers shall pay the following surcharges on excess water diversions and/or deliveries:

- a) 1.5 times the normal water charge per 1000 gallons for water diversions and/or deliveries in excess of the monthly allocation up through 5 percent above the monthly allocation.
- b) times the normal water charge per 1000 gallons for water diversions and/or deliveries in excess of the monthly allocation from 5 percent through 10 percent above the monthly allocation.
- c) 2.5 times the normal water charge per 1000 gallons for water diversions and/or deliveries in excess of the monthly allocation from 10 percent through 15 percent above the monthly allocation.
- d) times the normal water charge per 1000 gallons for water diversions and/or deliveries more than 15 percent above the monthly allocation.
- e) The above surcharges shall be cumulative.

Section XI. Variances

The General Manager), or his/her designee, may, in writing, grant a temporary variance to the pro rata water allocation policies provided by this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety and if one or more of the following conditions are met:

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 Plan shall file a petition for variance with the Acton MUD within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the Acton MUD Board of Directors or its designee and shall include the following:

- a) Name and address of the petitioner(s).
- b) Detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- c) Description of the relief requested.
- d) Period of time for which the variance is sought.
- e) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and

- the compliance date.
- f) Other pertinent information.

Variations granted by the Acton Municipal Utility District Board of Directors shall be subject to the following conditions, unless waived or modified by the Acton MUD Board of Directors or its designee:

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

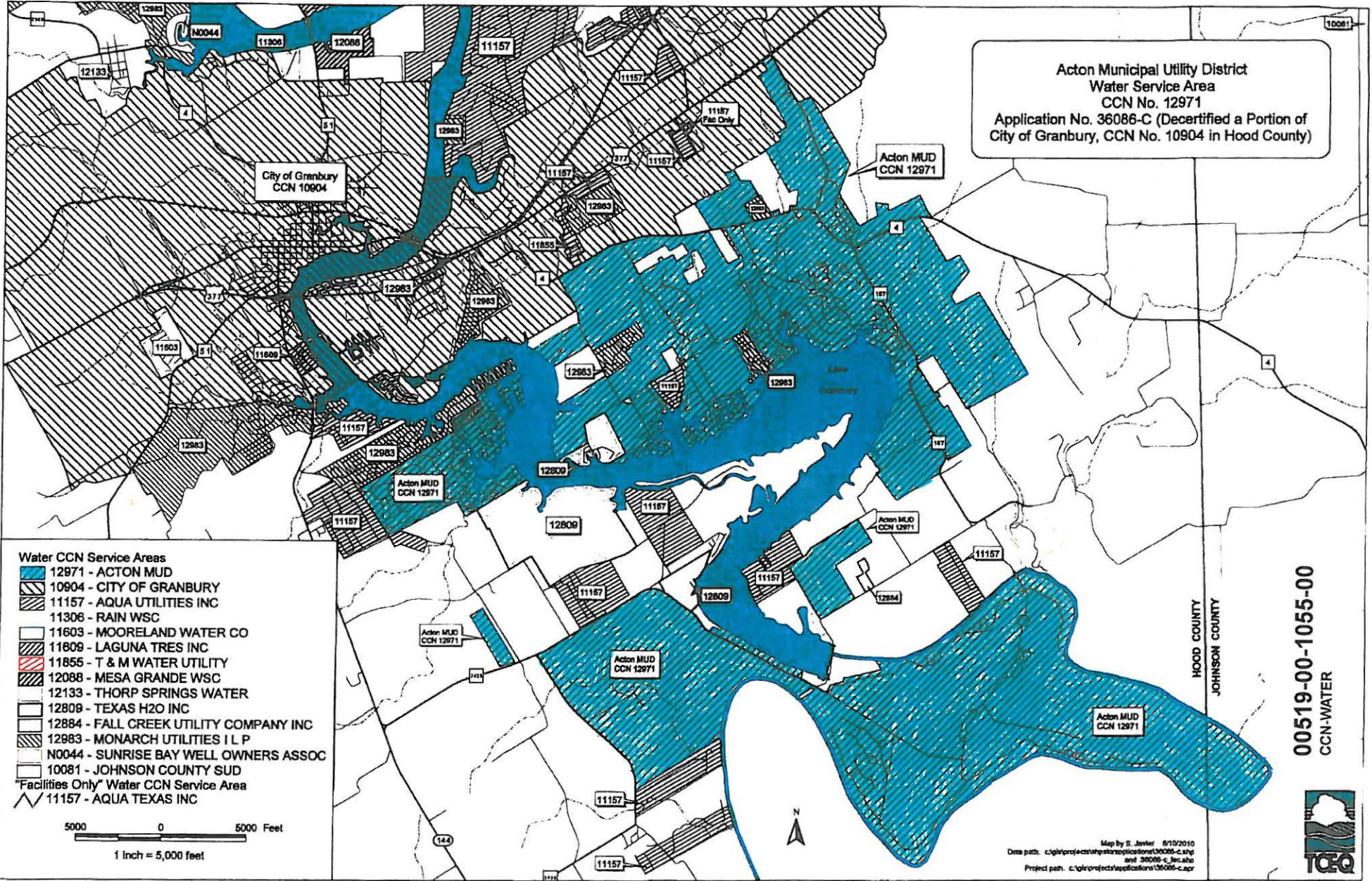
No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section XII. Severability

It is hereby declared to be the intention of the Acton MUD Board of Directors 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 Acton Municipal Utility District Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Appendix A

Service Area Maps and Copy of CCN



Acton Municipal Utility District
 Water Service Area
 CCN No. 12971
 Application No. 36086-C (Decertified a Portion of
 City of Granbury, CCN No. 10904 in Hood County)

- Water CCN Service Areas**
- 12971 - ACTON MUD
 - 10904 - CITY OF GRANBURY
 - 11157 - AQUA UTILITIES INC
 - 11306 - RAIN WSC
 - 11603 - MOORELAND WATER CO
 - 11609 - LAGUNA TRES INC
 - 11855 - T & M WATER UTILITY
 - 12088 - MESA GRANDE WSC
 - 12133 - THORP SPRINGS WATER
 - 12809 - TEXAS H2O INC
 - 12884 - FALL CREEK UTILITY COMPANY INC
 - 12983 - MONARCH UTILITIES I L P
 - N0044 - SUNRISE BAY WELL OWNERS ASSOC
 - 10081 - JOHNSON COUNTY SUD
 - Facilities Only Water CCN Service Area
 - 11157 - AQUA TEXAS INC

HOOD COUNTY
 JOHNSON COUNTY

00519-00-1055-00
 CCN-WATER

Map by S. Jester 6/10/2010
 Data path: c:\projects\acton\mud\applications\36086-c.shp and 36086-c_fac.shp
 Project path: c:\projects\applications\36086-c.apr



Appendix B
Municipal Use Utility Profile



Texas Commission on Environmental Quality

UTILITY PROFILE AND WATER CONSERVATION PLAN REQUIREMENTS FOR MUNICIPAL WATER USE BY RETAIL PUBLIC WATER SUPPLIERS

This form is provided to assist retail public water suppliers in water conservation plan development. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Name: Acton Municipal Utility District

Address: 6420 Lusk Branch Ct., Granbury, TX 76049

Telephone Number: (817) 3264720 Fax: ()


Water Right No.(s): _____

Regional Water Planning Group: G

Form Completed by: Dave Baker; eHT

Title: Operations Specialist

Person responsible for implementing conservation program: Greg Reynolds Phone: (817) 3264720

Signature:  Date: 4/24/2014

NOTE: If the plan does not provide information for each requirement, include an explanation of why the requirement is not applicable.

UTILITY PROFILE

I. POPULATION AND CUSTOMER DATA

A. Population and Service Area Data

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN).
2. Service area size (in square miles): 10.5
(Please attach a copy of service-area map)
3. Current population of service area: 17,144
4. Current population served for:
 - a. Water 17,144
 - b. Wastewater 3,430

5. Population served for previous five years:
6. Projected population for service area in the following decades:

<i>Year</i>	<i>Population</i>	<i>Year</i>	<i>Population</i>
2009	14,884	2020	20,107
2010	15,169	2030	32,427
2011	15,663	2040	40,538
2012	16,157	2050	44,779
2013	16,650	2060	49,464

7. List source or method for the calculation of current and projected population size.
Texas Water Development Board Database

B. Customers Data

Senate Bill 181 requires that uniform consistent methodologies for calculating water use and conservation be developed and available to retail water providers and certain other water use sectors as a guide for preparation of water use reports, water conservation plans, and reports on water conservation efforts. A water system must provide the most detailed level of customer and water use data available to it, however, any new billing system purchased must be capable of reporting data for each of the sectors listed below. http://www.tceq.texas.gov/assets/public/permitting/watersupply/water_rights/sb181_guidance.pdf

1. Current number of active connections. Check whether multi-family service is counted as Residential or Commercial?

<i>Treated Water Users</i>	<i>Metered</i>	<i>Non-Metered</i>	Totals
Residential	6,772	0	6,772
Single-Family	6,680	0	6,680
Multi-Family	92	0	92
Commercial	118	0	118
Industrial/Mining	0	0	0
Institutional	73	0	73
Agriculture	0	0	0
Other/Wholesale	5	0	5

2. List the number of new connections per year for most recent three years.

<i>Year</i>	2011	2012	2013
<i>Treated Water Users</i>			
Residential	52	95	95
Single-Family	52	95	95
Multi-Family	0	0	0
Commercial	0	0	0
Industrial/Mining	0	0	0
Institutional	0	0	0
Agriculture	0	0	0
Other/Wholesale	0	0	0

3. List of annual water use for the five highest volume customers.

	<i>Customer</i>	<i>Use (1,000 gal/year)</i>	<i>Treated or Raw Water</i>
1.	Southwest Water Co.	17,451	Treated
2.	Texas H2o	3,927	Treated
3.	Pecan Plantation Owners Association	3,310	Treated
4.	Fairway Condos	1,311	Treated
5.	Thunderbird Cove	1,279	Treated

II. WATER USE DATA FOR SERVICE AREA

A. Water Accounting Data

1. List the amount of water use for the previous five years (in 1,000 gallons). Indicate whether this is diverted or treated water.

<u>Year</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
<i>Month</i>					
January	43,678	40,174	38,561	47,657	41,663
February	42,960	31,777	36,877	33,709	41,162
March	51,107	39,450	64,649	44,327	55,211
April	53,377	51,540	75,169	62,757	53,711
May	60,184	66,039	78,616	83,427	64,487
June	84,581	103,499	130,702	78,593	90,612
July	121,937	87,130	152,284	97,586	105,391
August	106,314	114,803	136,988	94,724	118,138
September	66,149	66,743	117,820	86,459	93,131
October	39,418	67,597	81,654	63,690	57,208
November	40,134	46,195	51,357	63,050	44,648
December	39,350	45,285	38,558	51,937	44,609
Totals	751,190	760,232	1,003,234	807,914	809,971

Describe how the above figures were determined (e.g., from a master meter located at the point of a diversion from the source, or located at a point where raw water enters the treatment plant, or from water sales).

Master meter from point of diversion.

2. Amount of water (in 1,000 gallons) delivered/sold as recorded by the following account types for the past five years.

<u>Year</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
<i>Account Types</i>					
Residential	576,921	597,509	809,503	655,151	624,187
Single-Family	572,844	593,611	804,556	652,090	620,291
Multi-Family	4,077	3,898	4,947	3,061	3,896
Commercial	13,047	8,208	9,926	9,966	18,538
Industrial/Mining	0	0	0	0	0
Institutional	0	0	0	0	6,760
Agriculture	0	0	0	0	0
Other/Wholesale	15,689	20,205	21,408	19,661	22,460

3. List the previous records for water loss for the past five years (the difference between water diverted or treated and water delivered or sold).

<i>Year</i>	<i>Amount (gallons)</i>	<i>Percent %</i>
2009	107,858,324	14
2010	101,109,267	13
2011	116,495,677	12
2012	89,548,872	11
2013	84,310,686	10

B. Projected Water Demands

If applicable, attach or cite projected water supply demands from the applicable Regional Water Planning Group for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirements from such growth.

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

List all current water supply sources and the amounts authorized (in acre feet) with each.

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
Surface Water		
Groundwater	Acton MUD Wells	3,472 ac-ft/yr
Contracts	BRPUA SWATS Plant	6,508 ac-ft/yr
Other		

B. Treatment and Distribution System

1. Design daily capacity of system (MGD):6.7
2. Storage capacity (MGD):
 - a. Elevated 1.78
 - b. Ground 4.94
3. If surface water, do you recycle filter backwash to the head of the plant?

Yes No If yes, approximate amount (MGD):

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

1. Design capacity of wastewater treatment plant(s) (MGD): 1.087
2. Treated effluent is used for on-site irrigation, off-site irrigation, for plant wash-down, and/or for chlorination/dechlorination.

If yes, approximate amount (in gallons per month): NA

3. Briefly describe the wastewater system(s) of the area serviced by the water utility. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

Acton MUD’s wastewater collection system consists of a network of sewer lines, lift stations, and manholes serving Acton MUD users. Approximately 20% of the water distributed to Acton MUD’s retail users is returned to the District’s two wastewater treatment plants for treatment. Sewage flows by gravity, aided when necessary by lift stations, through the collection system into the wastewater treatment plants. No wholesale customers are served by the District’s sewage collection and treatment system.

The District owns and operates two wastewater treatment plants under permit numbers WQ0014211001 and WQ0014212001. The Wastewater Plant No. 1 at DeCordova has a rated treatment capacity of 0.6 mgd while the Wastewater Plant No. 2 at Pecan Plantation is rated for 0.487 mgd. Sewage undergoes treatment in the plants consisting of prescreening, activated sludge process, sedimentation, and chemical disinfection.

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 20 %
2. Monthly volume treated for previous five years (in 1,000 gallons):

<i>Year</i>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
<i>Month</i>					
January	<u>4,285</u>	<u>7,144</u>	<u>6,476</u>	<u>11,285</u>	<u>7,722</u>
February	<u>4,128</u>	<u>11,107</u>	<u>5,832</u>	<u>10,543</u>	<u>6,298</u>
March	<u>6,666</u>	<u>11,161</u>	<u>5,565</u>	<u>13,625</u>	<u>7,542</u>
April	<u>5,770</u>	<u>9,526</u>	<u>5,202</u>	<u>8,024</u>	<u>8,862</u>
May	<u>6,258</u>	<u>6,864</u>	<u>7,070</u>	<u>6,977</u>	<u>7,846</u>
June	<u>5,827</u>	<u>5,344</u>	<u>4,589</u>	<u>6,906</u>	<u>6,573</u>
July	<u>3,520</u>	<u>6,799</u>	<u>4,829</u>	<u>6,468</u>	<u>8,013</u>

August	4,908	5,214	4,169	6,546	6,485
September	6,858	9,657	4,049	5,976	7,180
October	10,116	5,668	5,480	5,777	7,419
November	7,775	5,351	4,606	5,596	7,323
December	6,228	5,394	7,032	6,191	9,908
Totals	72,339	89,229	64,899	93,914	91,171

V. ADDITIONAL REQUIRED INFORMATION

In addition to the utility profile, please attach the following as required by Title 30, Texas Administrative Code, §288.2. Note: If the water conservation plan does not provide information for each requirement, an explanation must be included as to why the requirement is not applicable.

A. Specific, Quantified 5 & 10-Year Targets

The water conservation plan must include specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in gallons per capita per day. Note that the goals established by a public water supplier under this subparagraph are not enforceable

B. Metering Devices

The water conservation plan must include a statement about the water suppliers metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply.

C. Universal Metering

The water conservation plan must include and a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement.

D. Unaccounted- For Water Use

The water conservation plan must include measures to determine and control unaccounted-for uses of water (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.).

E. Continuing Public Education & Information

The water conservation plan must include a description of the program of continuing public education and information regarding water conservation by the water supplier.

F. Non-Promotional Water Rate Structure

The water supplier must have a water rate structure which is not “promotional,” i.e., a rate structure which is cost-based and which does not encourage the excessive use of water. This rate structure must be listed in the water conservation plan.

G. Reservoir Systems Operations Plan

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin. The reservoir systems operations plan shall include optimization of water supplies as one of the significant goals of the plan.

H. Enforcement Procedure and Plan Adoption

The water conservation plan must include a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan.

I. Coordination with the Regional Water Planning Group(s)

The water conservation plan must include documentation of coordination with the regional water planning groups for the service area of the wholesale water supplier in order to ensure consistency with the appropriate approved regional water plans.

J. Plan Review and Update

A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan not later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

VI. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

Required of suppliers serving population of 5,000 or more or a projected population of 5,000 or more within ten years

A. Leak Detection and Repair

The plan must include a description of the program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system in order to control unaccounted for uses of water.

B. Contract Requirements

A requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

VII. ADDITIONAL CONSERVATION STRATEGIES

A. Conservation Strategies

Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements of this chapter, if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

2. Adoption of ordinances, plumbing codes, and/or rules requiring water conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;
3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;
4. A program for reuse and/or recycling of wastewater and/or graywater;
5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;
6. A program and/or ordinance(s) for landscape water management;
7. A method for monitoring the effectiveness and efficiency of the water conservation plan; and
8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

Best Management Practices

The Texas Water Developmental Board's (TWDB) Report 362 is the Water Conservation Best Management Practices (BMP) guide. The BMP Guide is a voluntary list of management practices that water users may implement in addition to the required components of Title 30, Texas Administrative Code, Chapter 288. The Best Management Practices Guide broken out by sector, including Agriculture, Commercial, and Institutional, Industrial, Municipal and Wholesale along with any new or revised BMP's can be found at the following link on the Texas Water Developments Board's website: <http://www.twdb.state.tx.us/conservation/bmps/index.asp>

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact 512-239-3282.

Appendix C

Wholesale Public Water Supplier Utility Profile



Texas Commission on Environmental Quality

PROFILE AND WATER CONSERVATION PLAN REQUIREMENTS FOR WHOLESAL PUBLIC WATER SUPPLIERS

This form is provided to assist wholesale public water suppliers in water conservation plan development. If you need assistance in completing this form or in developing your plan, please contact the conservation staff of the Resource Protection Team in the Water Availability Division at (512) 239-4691.

Name: Acton Municipal Utility District

Address: 6420 Lusk Branch Ct., Granbury, TX 76049

Telephone Number: (817) 3264720 Fax: ()


Water Right No.(s): _____

Regional Water Planning Group: Region G

Form Completed by: Dave Baker; eHT

Title: Operations Specialist

Person responsible for implementing conservation program: Greg Reynolds Phone: (817) 3264720

Signature:  Date: 4/24/2014

NOTE: If the plan does not provide information for each requirement, include an explanation of why the requirement is not applicable.

PROFILE

I. WHOLESAL SERVICE AREA POPULATION AND CUSTOMER DATA

A. Population and Service Area Data

1. Service area size (in square miles): 15
(Please attach a copy of service-area map)
2. Current population of service area: 4,408 persons

3. Current population served for:

- a. Water 5,605
- b. Wastewater 0

4. Population served for previous five years:

Year	Population
<u>2009</u>	<u>6,429</u>
<u>2010</u>	<u>6,429</u>
<u>2011</u>	<u>6,429</u>
<u>2012</u>	<u>6,429</u>
<u>2013</u>	<u>7,341</u>

5. Projected population for service area in the following decades:

Year	Population
<u>2020</u>	<u>3,105</u>
<u>2030</u>	<u>3,105</u>
<u>2040</u>	<u>3,105</u>
<u>2050</u>	<u>3,105</u>
<u>2060</u>	<u>3,105</u>

6. List source or method for the calculation of current and projected population size.
Texas Water Utility Database

B. Customers Data

List (or attach) the names of all wholesale customers, amount of annual contract, and amount of annual use for each customer for the previous year:

	Wholesale Customer	Contracted Amount (acre-feet)	Previous Year Amount of Water Delivered (acre-feet)
1.	<u>Southwest Water Co.</u>	<u>258</u>	<u>69</u>
2.	<u>Texas H2O</u>	<u>59</u>	<u>12</u>
3.	<u>City of Granbury</u>	<u>1,367</u>	<u>339</u>
4.	<u></u>	<u></u>	<u></u>
5.	<u></u>	<u></u>	<u></u>

II. WATER USE DATA FOR SERVICE AREA

A. Water Delivery

Indicate if the water provided under wholesale contracts is treated or raw water and the annual amounts for the previous five years (in acre feet):

<u>Year</u>	<u>Treated Water</u>	<u>Raw Water</u>
<u>2009</u>	<u>215</u>	<u>0</u>
<u>2010</u>	<u>234</u>	<u>0</u>
<u>2011</u>	<u>615</u>	<u>0</u>
<u>2012</u>	<u>433</u>	<u>0</u>
<u>2013</u>	<u>420</u>	<u>0</u>
Totals	<u>1,917</u>	<u>0</u>

B. Water Accounting Data

- Total amount of water diverted at the point of diversion(s) for the previous five years (in acre-feet) for all water uses:

<u>Year</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
<i>Month</i>					
January	<u>134</u>	<u>123</u>	<u>118</u>	<u>146</u>	<u>128</u>
February	<u>132</u>	<u>98</u>	<u>113</u>	<u>103</u>	<u>126</u>
March	<u>157</u>	<u>121</u>	<u>198</u>	<u>136</u>	<u>169</u>
April	<u>170</u>	<u>158</u>	<u>231</u>	<u>193</u>	<u>165</u>
May	<u>185</u>	<u>203</u>	<u>241</u>	<u>256</u>	<u>198</u>
June	<u>260</u>	<u>318</u>	<u>401</u>	<u>241</u>	<u>278</u>
July	<u>374</u>	<u>267</u>	<u>467</u>	<u>299</u>	<u>323</u>
August	<u>326</u>	<u>352</u>	<u>420</u>	<u>291</u>	<u>363</u>
September	<u>203</u>	<u>205</u>	<u>362</u>	<u>265</u>	<u>286</u>
October	<u>121</u>	<u>207</u>	<u>251</u>	<u>195</u>	<u>176</u>
November	<u>132</u>	<u>142</u>	<u>158</u>	<u>193</u>	<u>137</u>
December	<u>121</u>	<u>139</u>	<u>118</u>	<u>159</u>	<u>137</u>
Totals	<u>2,305</u>	<u>2,333</u>	<u>3,079</u>	<u>2,479</u>	<u>2,486</u>

2. Wholesale population served and total amount of water diverted for **municipal use** for the previous five years (in acre-feet):

Year	Total Population Served	Total Annual Water Diverted for Municipal Use
2009	6,429	215
2010	6,429	234
2011	6,429	615
2012	6,429	433
2013	7,341	420

C. Projected Water Demands

If applicable, project and attach water supply demands for the next ten years using information such as population trends, historical water use, and economic growth in the service area over the next ten years and any additional water supply requirements from such growth.

III. WATER SUPPLY SYSTEM DATA

A. Projected Water Demands

List all current water supply sources and the amounts authorized (in acre feet) with each.

Water Type	Source	Amount Authorized
Surface Water		
Groundwater	Acton MUD Wells	3,472 ac-ft/yr
Other	BRPUA SWATS Plant	6,508 ac-ft/yr

B. Treatment and Distribution System (if providing treated water)

1. Design daily capacity of system (MGD):6.7
2. Storage capacity (MGD):
 - c. Elevated 1.78
 - d. Ground 4.94
3. Please attach a description of the water system. Include the number of treatment plants, wells, and storage tanks.

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

1. Design capacity of wastewater treatment plant(s) (MGD): 1.087
2. Briefly describe the wastewater system(s) of the area serviced by the wholesale public water supplier. Describe how treated wastewater is disposed. Where applicable, identify treatment plant(s) with the TCEQ name and number, the operator, owner, and the receiving stream if wastewater is discharged.

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 0 %
2. Monthly volume treated for previous five years (in 1,000 gallons):

<i>Year</i>	_____	_____	_____	_____	_____
<i>Month</i>	_____	_____	_____	_____	_____
January	_____	_____	_____	_____	_____
February	_____	_____	_____	_____	_____
March	_____	_____	_____	_____	_____
April	_____	_____	_____	_____	_____
May	_____	_____	_____	_____	_____
June	_____	_____	_____	_____	_____
July	_____	_____	_____	_____	_____
August	_____	_____	_____	_____	_____
September	_____	_____	_____	_____	_____
October	_____	_____	_____	_____	_____
November	_____	_____	_____	_____	_____
December	_____	_____	_____	_____	_____
Totals	_____	_____	_____	_____	_____

V. ADDITIONAL REQUIRED INFORMATION

In addition to the description of the wholesaler’s service area (profile from above), a water conservation plan for a wholesale public water supplier must include, at a minimum, additional information as required by Title 30, Texas Administrative Code, Chapter 288.5. Note: If the water conservation plan does not provide information for each requirement an explanation must be included as to why the requirement is not applicable.

A. Specific, Quantified 5 & 10-Year Targets

The water conservation plan must include specific, quantified five-year and ten-year targets for water savings including, where appropriate, target goals for municipal use in gallons per capita per day for the wholesaler's service area, maximum acceptable unaccounted-for water, and the basis for the development of these goals. Note that the goals established by wholesale water suppliers under this subparagraph are not enforceable.

B. Metering Devices

The water conservation plan must include a description as to which practice(s) and/or device(s) will be utilized to measure and account for the amount of water diverted from the source(s) of supply.

C. Record Management Program

The water conservation plan must include a monitoring and record management program for determining water deliveries, sales, and losses.

D. Metering/Leak-Detection and Repair Program

The water conservation plan must include a program of metering and leak detection and repair for the wholesaler's water storage, delivery, and distribution system.

E. Reservoir Systems Operations Plan

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin. The reservoir systems operations plan shall include optimization of water supplies as one of the significant goals of the plan.

F. Contract Requirements for Successive Customer Conservation

The water conservation plan must include a requirement in every water supply contract entered into or renewed after official adoption of the water conservation plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements of Title 30 TAC Chapter 288. If the customer intends to resell the water, then the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

G. Enforcement Procedure and Official Adoption

The water conservation plan must include a means for implementation and enforcement, which shall be evidenced by a copy of the ordinance, rule, resolution, or tariff, indicating official adoption of the water conservation plan by the water supplier; and a description of the authority by which the water supplier will implement and enforce the conservation plan.

H. Coordination with the Regional Water Planning Group(s)

The water conservation plan must include documentation of coordination with the regional water planning groups for the service area of the wholesale water supplier in order to ensure consistency with the appropriate approved regional water plans.

Example statement to be included within the water conservation plan:

The service area of the _____ (name of water supplier) is located within the _____ (name of regional water planning area or areas) and _____ (name of water supplier) has provided a copy of this water conservation plan to the _____ (name of regional water planning group or groups).

I. Plan Review and Update

A wholesale water supplier shall review and update its water conservation plan, as appropriate based on an assessment of previous five-year and ten-year targets and any other new or updated information. A wholesale water supplier shall review and update the next revision of its water conservation plan no later than May 1, 2009, and every five years after that date to coincide with the regional water planning group. The revised plan must also include an implementation report.

J. Additional Conservation Strategies

Any combination of the following strategies shall be selected by the water wholesaler, in addition to the minimum requirements of this chapter, if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;
2. A program to assist agricultural customers in the development of conservation, pollution prevention and abatement plans;
3. A program for reuse and/or recycling of wastewater and/or graywater;
4. A cost-share program;
5. A technical assistance and outreach program;
6. A program for purchase and direct distribution of water conservation equipment; and
7. Any other water conservation practice, method, or technique which the wholesaler shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

Best Management Practices

The Texas Water Developmental Board's (TWDB) Report 362 is the Water Conservation Best Management Practices (BMP) guide. The BMP Guide is a voluntary list of management practices that water users may implement in addition to the required components of Title 30, Texas Administrative Code, Chapter 288. The Best Management Practices Guide broken out by sector, including Agriculture, Commercial, and Institutional, Industrial, Municipal and Wholesale along with any new or revised BMP's can be found at the following link on the Texas Water Developments Board's website: <http://www.twdb.state.tx.us/conservation/bmps/index.asp>

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact 512-239-3282.

Appendix D
Current Water Rate Structure

RATES AND CONNECTION FEES

<u>IN-DISTRICT RATES</u>	<u>NON-DISTRICT RATES</u>																														
<p>\$ 145.00 New Service Fees</p> <p>\$ 30.00 Meter Maintenance \$ 15.00 Account Maintenance \$ 100.00 Refundable Deposit** <i>(\$ 30.00 After hours service fee after 2:30)</i></p> <p>\$ 4,080.00 Water Connection Fees</p> <p>\$ 375.00 Meter Set Fee \$ 15.00 Account Maintenance \$ 100.00 Refundable Deposit** \$ 3,000.00 Impact Fees for standard 5/8" meter \$ 500.00 Water Tap Fees \$ 90.00 Water Plumbing Inspection Fee</p> <p>\$ 3,143.00 Sewer Connection Fees</p> <p>\$ 2,738.00 Impact Fees \$ 375.00 Sewer Tap Fees \$ 30.00 Sewer Plumbing Inspection Fee</p> <p style="text-align: center;"><i>\$7,223.00 Combined Water and Sewer Connection Fees</i></p> <p>Add the following costs when upgrading to a larger meter:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Meter Size</th> <th>Water Impact</th> <th>Sewer Impact</th> <th>Meter Set</th> <th>Tap Fee</th> </tr> </thead> <tbody> <tr> <td>¾" meter</td> <td>\$ 1,500.00</td> <td>\$ 1,369.00</td> <td>\$ 105.00</td> <td>\$ 0</td> </tr> <tr> <td>1" meter</td> <td>\$ 4,500.00</td> <td>\$ 4,107.00</td> <td>\$ 240.00</td> <td>\$ 80.00</td> </tr> <tr> <td>1 ½" meter</td> <td>\$ 12,000.00</td> <td>\$ 10,952.00</td> <td>\$ 620.00</td> <td>\$ 420.00</td> </tr> <tr> <td>2" meter</td> <td>\$ 21,000.00</td> <td>\$ 19,166.00</td> <td>\$ 1,050.00</td> <td>\$ 705.00</td> </tr> </tbody> </table> <p style="text-align: center;">Call on 3" meter connections and larger</p>	Meter Size	Water Impact	Sewer Impact	Meter Set	Tap Fee	¾" meter	\$ 1,500.00	\$ 1,369.00	\$ 105.00	\$ 0	1" meter	\$ 4,500.00	\$ 4,107.00	\$ 240.00	\$ 80.00	1 ½" meter	\$ 12,000.00	\$ 10,952.00	\$ 620.00	\$ 420.00	2" meter	\$ 21,000.00	\$ 19,166.00	\$ 1,050.00	\$ 705.00	<p>\$ 197.50 New Service Fees</p> <p>\$ 56.25 Meter Maintenance \$ 41.25 Account Maintenance \$ 100.00 Refundable Deposit** <i>(\$ 30.00 After hours service fee after 2:30)</i></p> <p style="text-align: center;">Non-District Customer Sites must be pre approved by the Board of Directors prior to setting up service.</p> <p style="text-align: center;">Sewer unavailable to Non-District Customers</p> <p style="text-align: center;">Fire Hydrant Rate</p> <p>\$ 70.00 Minimum Fire Hydrant Meter Bill \$ 9.90 Per 1,000 gallons</p> <p>\$ 800.00 Refundable Meter Deposit **</p>					
Meter Size	Water Impact	Sewer Impact	Meter Set	Tap Fee																											
¾" meter	\$ 1,500.00	\$ 1,369.00	\$ 105.00	\$ 0																											
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<p style="text-align: center;">Monthly IN-DISTRICT RATES</p> <p style="text-align: center;">Monthly Residential and Commercial Water Rates</p> <p>\$ 22.50 Minimum Water Bill (std 5/8" meter) \$ 4.10 0-8,000 gallons (per 1,000 gallons) \$ 5.00 8,001 - 25,000 gallons (per 1,000 gallons) \$ 7.25 Over 25,000 gallons (per 1,000 gallons)</p> <p>Alternate Monthly Minimum Water Rates:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td>\$ 35.16</td> <td>0 gallons</td> <td>(1" meter)</td> </tr> <tr> <td>\$ 45.99</td> <td>0 gallons</td> <td>(1 ½" meter)</td> </tr> <tr> <td>\$ 56.51</td> <td>0 gallons</td> <td>(2" meter)</td> </tr> <tr> <td>\$ 81.74</td> <td>0 gallons</td> <td>(3" meter)</td> </tr> <tr> <td>\$ 290.74</td> <td>0 gallons</td> <td>(4" meter)</td> </tr> </tbody> </table>	\$ 35.16	0 gallons	(1" meter)	\$ 45.99	0 gallons	(1 ½" meter)	\$ 56.51	0 gallons	(2" meter)	\$ 81.74	0 gallons	(3" meter)	\$ 290.74	0 gallons	(4" meter)	<p style="text-align: center;">Monthly NON-DISTRICT RATES</p> <p style="text-align: center;">Monthly Residential and Commercial Water Rates</p> <p>\$ 44.00 Minimum 0-2,000 gallons (std 5/8" meter) \$ 6.12 2,001-25,000 gallons (per 1,000 gallons) \$ 10.00 Over 25,000 gallons (per 1,000 gallons)</p> <p>Alternate Monthly Minimum Water Rates:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td>\$ 72.32</td> <td>0-2,000 gallons</td> <td>(1" meter)</td> </tr> <tr> <td>\$ 93.98</td> <td>0-2,000 gallons</td> <td>(1 ½" meter)</td> </tr> <tr> <td>\$ 115.02</td> <td>0-2,000 gallons</td> <td>(2" meter)</td> </tr> <tr> <td>\$ 175.48</td> <td>0-2,000 gallons</td> <td>(3" meter)</td> </tr> <tr> <td>\$ 583.48</td> <td>0-2,000 gallons</td> <td>(4" meter)</td> </tr> </tbody> </table>	\$ 72.32	0-2,000 gallons	(1" meter)	\$ 93.98	0-2,000 gallons	(1 ½" meter)	\$ 115.02	0-2,000 gallons	(2" meter)	\$ 175.48	0-2,000 gallons	(3" meter)	\$ 583.48	0-2,000 gallons	(4" meter)
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<p style="text-align: center;">Monthly Multi-Unit Water Rates</p> <p style="text-align: center;">Each unit is billed at the appropriate Water and Sewer Rates</p>	<p style="text-align: center;">Miscellaneous Charges</p> <p>\$ 42.50 Re-Connect Charge \$ 17.50 Collection Fee \$ 30.00 Returned Check Fee \$ 75.00 Meter Test Charge \$ 25.00 Backflow Testing Fee \$ 25.00 Sprinkler Permit Fee \$ 60.00 Vacation Reconnect Fee \$ 100.00 Annexation Filing Fee \$ 100.00 Meter Tampering Fee 10% of total bill Late Payment Charge (after due date) \$45.00 Transfer Fee \$2,600.00 Grinder Pump \$40.00 Grinder Pump Plumbing Inspection Fee \$30.00 Re-Inspection Fee</p>																														
<p style="text-align: center;">Monthly Residential Sewer Rates</p> <p>\$ 24.00 Minimum Sewer Bill \$ 3.50 0-6,000 gallons (per 1,000 gallons) 6,000 gallon cap based on winter average</p>																															
<p style="text-align: center;">Monthly Commercial Sewer Rates</p> <p>\$ 24.00 Minimum Sewer Bill \$ 3.50 per 1,000 gallons</p>																															
<p style="text-align: center;">Pass Thru Fees from other Agencies</p> <p>TCEQ Regulatory Assessment Fee: The Texas Commission on Environmental Quality charges an assessment of 0.5% on water and sewer charges.</p> <p>UTGCD Fee: The Upper Trinity Groundwater Conservation District charges an assessment of \$0.22 per 1,000 gallons on ground water pulled from local aquifers.</p> <p>TX EMS: Optional ambulance service membership with the Texas Emergency Medical Services, (Texas EMS) for residential customers, \$1.00 a month.</p> <p>Careflite: Optional ambulance service membership for residential customers, \$1.00 a month.</p>																															

Effective 12/01/2013

**Deposit applied to final bill when account is closed.

Appendix E

Resolution Adopting Water Conservation and Drought Contingency Plan

**RESOLUTION FOR ADOPTION OF THE
UPDATED Acton MUNICIPAL UTILITY DISTRICT
WATER CONSERVATION AND DROUGHT CONTINGENCY PLAN
RESOLUTION NO.**

A RESOLUTION OF THE BOARD OF DIRECTORS
ADOPTING A WATER CONSERVATION AND
DROUGHT CONTINGENCY PLAN FOR THE DISTRICT.

WHEREAS, the Directors recognizes that the amount of water available to the District and its water utility customers is limited and subject to depletion during periods of extended drought; and

WHEREAS, the Directors recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes; and

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all affected public water supply systems in Texas to prepare a water conservation and drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the customers of the District, the Directors deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT:

- SECTION 1. That the Water Conservation and Drought Contingency Plan attached hereto as Exhibit A and made part hereof for all purposes be adopted as the official policy of the District.
- SECTION 2. That the General Manager is hereby directed to implement, administer, and enforce the Water Conservation and Drought Contingency Plan.
- SECTION 3. That this resolution shall take effect immediately upon its passage.

DULY PASSED BY THE BOARD OF DIRECTORS OF THE DISTRICT, ON THIS ___ day of _____, 20__.

President, Board of Directors

ATTESTED TO:

Secretary, Board of Directors

Appendix F

Example of Notification Letter to Wholesale Purchasers

(Date)

(Wholesale Customer)
(Address)

Dear (Wholesale Customer);

Pursuant to requirements found in 30 Texas Administrative Code (TAC) Chapter 288, the District is required by the State of Texas to develop, implement, and maintain Water Conservation and Drought Contingency Plans ("Plans"). The District's plans recently underwent amendments. While the Plans remain substantially the same, we take this opportunity to make you aware of the plan updates.

Sincerely

Acton MUD