

**2011 DROUGHT CONTINGENCY PLAN
FOR
DRIPPING SPRINGS WATER SUPPLY CORPORATION
May 2, 2011**

Section 1.0: Declaration of Policy, Purpose, Intent and Application

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 Dripping Springs Water Supply Corporation (DSWSC) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this 2011 Drought Contingency Plan (the 2011 Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to surcharges and penalty as defined in Section 11.0 of this 2011 Plan.

DSWSC has contracted with the Lower Colorado River Authority (LCRA) for surface water supply. In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, LCRA may require DSWSC to institute temporary restrictions to limit non-essential water usage. This 2011 Plan is designed to protect the available water supply and integrity of water supply facilities, with particular regard for domestic water use, sanitation and fire protection during such periods or other water supply emergencies.

The provisions of this 2011 Plan shall apply to all persons, customers, and property utilizing water provided by DSWSC. The terms “person” and “customer” as used in the 2011 Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section 2.0: Public Involvement

The 2011 Plan was an Agenda item at the April 4, 2011 Board of Directors Meeting for purpose of discussing and providing input on proposed revisions and updating of the previous 2009 Plan. Opportunity for the public to provide input into the preparation of the 2011 Plan was provided by DSWSC by informing the public about the preparation of the 2011 Plan and providing opportunities for input at the annual meeting of the membership of Corporation on April 28, 2011.

Section 3.0: Public Education

DSWSC will periodically provide the public with information about the 2011 Plan, including information about the conditions under which each stage of the 2011 Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information

will be provided by various methods as determined appropriate including press releases, special notes on utility bill inserts and/or membership newsletter mailed to each customer.

Section 4.0: Coordination with Regional Water Planning Groups

The service area of DSWSC is located within the lower Colorado River basin Region K planning area and DSWSC has provided a copy of this 2011 Plan to the Lower Colorado River Authority (LCRA).

Section 5.0: Authorization

The Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this 2011 Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The Manager or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this 2011 Plan.

Section 6.0: Notice Requirements

DSWSC shall notify the executive director of the Texas Commission on Environmental Quality (TCEQ) and LCRA General Manager in writing within five (5) business days of the implementation of any mandatory provision of the 2011 Plan.

Section 7.0: Definitions

For the purposes of this 2011 Plan, the following definitions shall apply:

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

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

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss 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.

Customer: any person, company, or organization using water supplied by DSWSC.

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

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

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

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

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

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this 2011 Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Use of water for livestock is not included in the definition of “non-essential water use”.

New landscape:

- (a) landscape installed during or as part of the construction of a new house, multi-family building, commercial building or public use building;
- (b) landscape installed as part of a government entity’s capital improvement project; or
- (c) landscape which alters more than one-half of the area of an existing landscape.

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

Section 8.0: Permanent Water Use Restrictions

The following restrictions apply to all service connections on a year-round basis, regardless of water supply or water facilities condition. Permanent water use restrictions require that a water user must not:

- (1) Fail to repair a controllable leak, including a broken sprinkler head, a leaking valve, leaking or broken pipes, or a leaking faucet;
- (2) Operate an irrigation system with:
 - A. a broken head; or
 - B. a head that is out of adjustment and the arc of the spray head is over a street or parking area; or
 - C. a head that is fogging or misting because of excessive water pressure.
- (3) During irrigation, allow water:
 - A. to run off a property and form a stream of water in a street for a distance of 50 feet or greater; or
 - B. to pool in a street or parking lot to a depth greater than one-quarter of an inch.

Section 9.0: Initiation and Termination of Response Stages

The Manager shall monitor water supply and demand conditions on a regular basis and shall determine when conditions warrant initiation and termination of each stage of the 2011 Plan. Water supply conditions will be determined by the availability of water from the wholesale water supplier (LCRA), the static water level in DSWSC Well No. 4, the total daily water demand equals or exceeds the specified quantity for either four (4) consecutive days or single peak day, system capacity, and weather conditions.

Public notification of the initiation or termination of drought response stages shall be by local media, direct mail to each customer, and signs posted at DSWSC offices and other public places.

9.1 Triggering Criteria for Initiation and Termination of Drought Response Stages

- (1) **Stage 1 -- MILD Water Shortage Conditions (Voluntary Measures)**
 - A. Requirements for Initiation: Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain non-essential water uses, defined in Section 7.0 – Definitions, when one or a combination of the following triggering criteria occurs:

1. The static water level in DSWSC Well No. 4 is equal to 160 feet below the surface of the ground, or
2. When total daily water demand equals or exceeds 800,000 gallons for four (4) consecutive days, or
3. When total daily water demand equals or exceeds 950,000 gallons on a single day, or
4. When notice or announcement is given by the LCRA that total daily water demand equals or exceeds 80 percent of the total operating surface water treatment capacity for three (3) consecutive days, or 85 percent on a single day; or
5. Combined storage of Lakes Travis and Buchanan reaches 1.4 million acre-feet in accordance with the LCRA Drought Contingency Plan (DCP).

B. Requirements for Termination - Stage 1 of the 2011 Plan may be rescinded when:

1. All of the conditions 1, 2 and 3 listed as triggering events have ceased to exist for a period of seven (7) consecutive days, or
2. LCRA announces that the surface water treatment plant capacity condition listed above as a triggering event for Stage 1 has ceased to existing for five (5) consecutive days, or
3. LCRA announces that voluntary restrictions by its firm raw water customers are no longer needed in accordance with the LCRA DCP.

(2) Stage 2 -- MODERATE Water Shortage Conditions (Mandatory Measures)

A. Requirements for Initiation: Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses (defined in Section 7.0) for Stage 2 of this 2011 Plan when any one or combination of the following events occur:

1. When the static water level in DSWSC Well No. 4 is 180 feet or greater below the surface of the ground, or
2. When the total daily water demand equals or exceeds 850,000 gallons for four (4) consecutive days, or
3. When the total daily water demand equals or exceeds 1,000,000 gallons on a single day, or

4. When continually falling water reservoir levels do not refill above 75 percent overnight, or

5. When notice is given by the LCRA that total daily water demand equals or exceeds 93 percent of the total operating surface water treatment capacity for three (3) consecutive days, or 95 percent on a single day, or

6. Combined storage of Lakes Travis and Buchanan reaches 900,000 acre-feet in accordance with the LCRA DCP.

B. Requirements for Termination - Stage 2 of the 2011 Plan may be rescinded when:

1. All of conditions 1, 2, 3 and 4 listed as triggering events have ceased to exist for a period of seven (7) consecutive days, or
2. When notice is given by the LCRA that surface water treatment plant capacity condition listed above as a triggering event for Stage 2 has ceased to exist for five (5) consecutive days, or
3. LCRA announces that voluntary compliance to implement a utility's mandatory water restrictions are no longer needed in accordance with the LCRA DCP.

Upon termination of Stage 2, Stage 1 becomes operative.

(3) Stage 3 -- SEVERE Water Shortage Conditions (Mandatory Measures)

A. Requirements for Initiation: Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses (defined in Section 7.0) for Stage 3 of this 2011 Plan when any one or combination of the following events occurs:

1. When the static water level in DSWSC Well No. 4 is 225 feet or greater below the surface of the ground, or
2. When the total daily water demand equals or exceeds 950,000 gallons for four (4) consecutive days,
3. When the total daily water demand equals or exceeds 1,200,000 gallons on a single day, or
4. When continually falling water reservoir levels do not refill above 50 percent overnight, or

5. When notice is given by the LCRA that total daily water demand equals or exceeds 95 percent of the total operating surface water treatment capacity for three (3) consecutive days, or 97 percent on a single day, or
6. Combined storage of Lakes Travis and Buchanan reaches 600,000 acre-feet, in accordance with the LCRA DCP, or
7. The LCRA Board declares a drought worse than the Drought of Record or other water supply emergency and orders the mandatory curtailment of firm water supplies.

B. Requirements for Termination - Stage 3 of the 2011 Plan may be rescinded when:

1. All of conditions 1, 2, 3 and 4 listed as triggering events have ceased to exist for a period of seven (7) consecutive days, or
2. The surface water treatment plant capacity condition listed above as a triggering event for Stage 3 has ceased to exist for five (5) consecutive days, or
3. LCRA announces that mandatory water restrictions for firm water supplies are no longer required in accordance with the LCRA DCP.

Upon termination of Stage 3, Stage 2 becomes operative.

(4) Stage 4 -- EMERGENCY Water Shortage Conditions

A. Requirements for Initiation: Customers shall be required to comply with the requirements and restrictions for Stage 4 of this 2011 Plan when the Manager, or designee, determines that a water emergency exists. Examples of a water emergency include, but are not limited, to the following:

1. Major water line break, loss of distribution pressure or pump system failure occurs which causes substantial loss of capability to maintain adequate system pressure to provide water service, or
2. Natural or man-made contamination of the water supply source, or
3. Any other emergency water supply or demand conditions the LCRA General Manager or the LCRA Board determines that either constitutes a water supply emergency or is associated with the LCRA Board declaration of a drought worse than the Drought of Record.

B. Requirements for Termination: Stage 4 of the 2011 Plan may be rescinded when all of the conditions listed as triggering events for Stage 4 have ceased to exist for five

(5) consecutive days; or LCRA announces that mandatory water restrictions for firm water customers are no longer required in accordance with the LCRA DCP.

Section 10.0: Drought Response Measures

The Manager, or designee, shall monitor water supply and demand conditions on a regular basis and, in accordance with the triggering criteria set forth in Section 9.0 of this 2011 Plan, shall determine that a mild, moderate, severe, or emergency water condition exists and shall implement the following notification procedures:

10.1 Notification of the Public:

The Manager or designee shall notify the public by any one or all of the following means as determined appropriate by the particular stage initiated:

radio / television with local coverage,
publication in a newspaper of general circulation in area,
direct mail to each customer,
signs posted in public places.

10.2 Additional Notification:

If Stage 2 or a higher stage, the Manager or designee shall notify directly, or cause to be notified directly, the following individuals and entities:

City of Dripping Springs Administrator
Hays County Emergency District #6 Fire Chief
TCEQ (only if mandatory restrictions are imposed)
Major water users
Critical water users, i.e. retirement home, nursing home, child day care facilities, public schools, and health care facilities.

10.3 Targets for Water Use Reduction:

(1) Stage 1 – MILD Water Shortage Conditions (Voluntary Measures)

- A. Goal: Achieve a voluntary 6 percent reduction in water use from either or both the 800,000 gallon daily water demand and the 950,000 gallon single day demand.
- B. System Management Measures: DSWSC will review system operations including looking for leaks on system lines and discontinue the flushing of water mains unless necessary for public health reasons.
- C. Voluntary Water Use Restrictions:

1. Water customers will be reminded to carefully monitor compliance of permanent water use restrictions and limit landscape irrigation to not more than ½ inch of water application per each irrigation day.
2. All operations of DSWSC shall adhere to water use restrictions prescribed for Stage 2 of the 2011 Plan.
3. Water customers will be requested to voluntarily comply with the water use restrictions outlined in Stage 2 of this 2011 Plan.

(2) Stage 2 – MODERATE Water Shortage Conditions (Mandatory Measures)

- A. Goal: Achieve a 15 percent reduction from either or both the 850,000 gallon daily water demand and the 1,000,000 gallon single day demand.
- B. System Management Measures:
 1. Apply all water-use restrictions prescribed for Stage 2 of the 2011 Plan for DSWSC owned facilities and properties;
 2. Review all system operations including looking for leaks on system lines and discontinuing the flushing of water mains unless necessary for public health reasons; and
 3. Keep customers informed about issues regarding current and projected water supply and demand conditions.
- C. Water Use Restrictions: Under threat of surcharges and penalty, the following water use restrictions shall apply to all water customers:
 1. Irrigation of Landscaped Areas:
 - (a.) If the combined water storage of lakes Buchanan and Travis are less than 900,000 AF but greater than 750,000 AF - Irrigation of landscaped areas with hose-end sprinklers or in-ground irrigation systems shall be limited to a no more than a TWICE weekly watering schedule determined by DSWSC and based on the nature of the current drought or water emergency. Irrigation of commercial landscapes and recreational areas may apply for a variance but must still develop a schedule where no part of the landscape is watered more than twice per week. The DSWSC twice weekly watering schedule is given in Appendix A.
 - (b.) If the combined water storage of lakes Buchanan and Travis are less than or equal to 750,000 AF - Irrigation of landscaped areas with hose-end

sprinklers or in-ground irrigation systems shall be limited to a no more than a ONCE weekly watering schedule as determined by DSWSC and based on the nature of the current drought or water emergency. Irrigation of commercial landscapes and recreational areas may apply for a variance but must still develop a schedule where no part of the landscape is watered more than once per week. The DSWSC once weekly watering schedule is given in Appendix A.

(c.) Outdoor watering hours will be limited to between midnight and 10 a.m. and between 7 p.m. and midnight on designated days. This prohibition does not apply to irrigation of landscaped areas if it is by means of:

- i. a hand-held hose; or
- ii. a faucet-filled bucket or watering can of five gallons or less.

(d.) New landscapes may be installed and re-vegetation seeding performed under these specific criteria:

i. A completed variance request for new landscapes has been submitted to DSWSC and has been approved prior to the installation of the landscape, or re-vegetation seed application.

ii. Irrigation of the new landscape follows the schedule identified in the new landscape variance. The schedule will be developed to minimize water waste.

iii. Areas being re-vegetated for soil stabilization must also comply with the (i) and (ii) specific criteria above. Options for re-vegetation may be available in times of low water supply. Specific information regarding options is available in the LCRA Highland Lakes Watershed Ordinance Technical Manual.

iv. Variances for new landscapes may be issued for a period of no more than 30 days from the day of issuance. A variance is not an exemption from compliance with the permanent water use restrictions under Section 8.0 of this 2011 Plan. Variances will not be granted for seasonal "color bed" or temporary grass installation (overseeding).

2. Vehicle Washing: Use of water to wash any motor vehicle, such as a motorbike, boat, trailer, or airplane is prohibited except on designated watering days between the hours of midnight and 10 a.m. and between 7 p.m. and midnight. Such activity, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle. A vehicle may be washed any time at a commercial car wash facility or commercial service station. Further, this activity is exempt from these regulations if the health, safety, and welfare of the public are served by washing the vehicle, such as a truck used to collect garbage or used to transport food and perishables.

3. Pools:
 - (a.) Filling of all new and existing swimming pools, hot tubs, wading pools and other types of pools, is prohibited. Replenishing to maintenance level is permitted. Draining is permitted only onto pervious surfaces or onto a surface where water will be transmitted directly to a pervious surface, and only if:
 - i. Draining excess water from pool due to rain in order to lower water to maintenance level;
 - ii. Repairing, maintaining or replacing pool components that have become hazardous; or
 - iii. Repair of a pool leak.
 - (b.) Refilling of public/community swimming pools permitted only if pool has been drained for repairs, maintenance, or replacement as outlined in items above.
4. Outside Water Features: Operation of outside water features, such as, but not limited to, fountains, splash pad type fountains or outdoor misting systems, is prohibited, except where such features are used to sustain aquatic life or maintain water quality. (This provision includes fountains associated with aesthetic ponds and swimming pools).
5. Ponds: Ponds used for aesthetic, amenity, and/or storm water purposes may maintain water levels only necessary to preserve the integrity of the liner and operating system. DSWSC may request specific design documentation regarding a pond and the intended purpose.
6. Golf Courses: Golf courses receiving any amount of treated water from DSWSC must develop a drought contingency plan that meets the minimum water reduction target set for Stage 2.
7. Events: Events involving the use of water such as: car washes, festivals, parties, water slides, and other activities involving the use of water are permitted, if the water being used drains to a recirculating device, or onto a pervious surface to prevent water waste.
8. Restaurants: All restaurants are encouraged to serve water to their patrons only upon request.
9. Fire Hydrants: Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety, and welfare. Use of water from designated fire hydrants for construction purposes may be allowed under special conditions and requires a meter; a variance application must be submitted with an explanation of the special conditions.
10. Recreational areas (includes parks and athletic fields): The areas can only be used for designated or scheduled events or activities. Unnecessary foot

traffic must be discouraged. Watering must follow a no more than twice per week schedule. A variance can be obtained if watering cannot be completed on the designated two day schedule.

11. Water Waste: The following non-essential uses of water are prohibited at all times during periods in which restrictions have gone into effect:
 - (a.) Washing sidewalks, walkways, driveways, parking lots, street, tennis courts, and other impervious surfaces is prohibited except for immediate health and safety.
 - (b.) Washing buildings, houses or structures with a pressure washer or garden hose is prohibited for aesthetic purposes but allowable for surface preparation of maintenance work to be performed;
 - (c.) Flushing gutters or flooding gutters is prohibited except for immediate health and safety; and
 - (d.) Controlling dust is prohibited, unless there is a demonstrated need to do so for reasons of public health and safety, or as part of an approved construction plan.

(3) Stage 3 – SEVERE Water Shortage Conditions (Mandatory Measures)

- A. Goal: Achieve a minimum 20 percent reduction from either or both the 950,000 gallon daily water demand and the 1,200,000 gallon single day demand.
- B. System Management Measures:
 1. Apply all water-use restrictions prescribed for Stage 2 of the 2011 Plan for DSWSC owned facilities and properties;
 2. Review all system operations including looking for leaks on system lines and discontinue the flushing of water mains unless necessary for public health reasons.
 3. Keep customers informed about issues regarding current and projected water supply and demand conditions.
- C. Water Use Management Measures: Under threat of surcharges and penalty, all customers are required to further reduce non-essential water uses as set forth below. All requirements of Stage 2 shall remain in effect during Stage 3 with the following modifications and additions.
 1. Irrigation of Landscaped Areas:
 - (a.) Irrigation of landscaped areas is prohibited, except with hand-held hoses, hand-held buckets, or drip irrigation. The use of hose-end sprinklers or in-ground irrigation systems are prohibited at all times during Stage 3.
 - (b.) No new landscapes may be installed.

2. The watering of golf courses, public landscape areas and public recreational areas is prohibited unless a water source other than that provided by DSWSC is used.
3. The use of water for construction purposes from fire hydrant meters under special permit or any other point of delivery is to be discontinued.
4. Vehicle Washing: Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane, or other vehicle is prohibited. A vehicle can be washed at any time at a commercial car wash facility or commercial service station that recycles its water. Further, this activity is exempt from these regulations if the health, safety, and welfare of the public are served by washing the vehicle, such as a truck used to collect garbage or used to transport food and perishables.
5. Pools: Installation of swimming pools is prohibited. The filling or replenishing of water to swimming pools, hot tubs, wading pools, and other types of pools is prohibited. Public/community swimming pools may be exempt from this prohibition to maintain safe levels of water quality for human contact.
6. 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.
7. No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.
8. Events: Events involving the use of water such as: car washes; festivals; parties; water slides; and other activities involving the use of water are prohibited.
9. Recreation Areas (includes parks and athletic fields): The areas can only be used for designated or scheduled events or activities. Unnecessary foot traffic must be discouraged. Watering is prohibited except with a hand-held hose.

(4) Stage 4 -- EMERGENCY Water Shortage Conditions

- A. Goal: Achieve a reduction in daily water demand sufficient that will allow DSWSC to supply water within the capability of the system during the emergency event.
- B. System Management Measures: DSWSC will identify the cause of the loss of capability to provide water service and implement corrective action immediately. If contamination of water supply occurs, potable water tank trucks will be utilized to haul water.
- C. Water Use Management Measures:
 1. All requirements of Stage 2 and 3 shall remain in effect during Stage 4.
 2. Irrigation of landscaped areas is prohibited.

3. Use of water from fire hydrants shall be limited to firefighting and activities necessary to maintain public health, safety, and welfare only.
4. No applications for new, additional, expanded, or larger water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be allowed or approved.

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

1. **Single-Family Residential Customers**: The allocation to residential water customers residing in a single-family dwelling shall be as follows:

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

“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 DSWSC of a greater number of persons per household on a form prescribed by the Manager. The Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the DSWSC offices to complete and sign the form claiming more than two (2) persons per household. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the DSWSC 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 DSWSC in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Manager shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, falsely reports the number of persons in a household or fails to timely notify DSWSC of a reduction in the number of person in a household may be assessed a surcharge of \$50.00.

Residential water customers shall pay the following surcharges:

\$2.50 for the first 1,000 gallons over allocation.

\$5.00 for the second 1,000 gallons over allocation.

\$7.50 for the third 1,000 gallons over allocation.

\$10.00 for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

2. 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 3,000 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 DSWSC of a greater number on a form prescribed by the Manager. The Manager shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the DSWSC office 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. If the number of dwelling units served by a master meter is reduced, the customer shall notify the DSWSC in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the Manager shall adopt methods to insure the accuracy of the claim. Any person who knowingly or recklessly, or falsely reports the number of dwelling units served by a master meter may be assessed a surcharge of \$50.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

\$2.50 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.

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

\$7.50, thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.

\$10.00, thereafter for each additional 1,000 gallons over allocation.

Surcharges shall be cumulative.

3. Commercial Customers: A monthly water allocation shall be established by the Manager, or his/her designee, for each nonresidential commercial customer. 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, 75 percent of whose monthly usage is less than 10,000 gallons, shall be allocated 10,000 gallons. The Manager shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the DSWSC to

determine the allocation. Upon request of the customer or at the initiative of the Manager, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one 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 Board of Directors. Nonresidential commercial customers shall pay the following surcharges:

Customers whose allocation is 3,000 gallons through 10,000 gallons per month:

\$2.50 per thousand gallons for the first 1,000 gallons over allocation.

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

\$7.50 per thousand gallons for the third 1,000 gallons over allocation.

\$10.00 per thousand gallons for each additional 1,000 gallons over allocation.

Customers whose allocation is 10,001 gallons per month or more:

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

2.0 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.

2.5 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.

3.0 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 11.0: Enforcement

11.1 Enforcement Provisions:

The following enforcement provisions shall apply to all DSWSC water customers and/or members:

- (1.) No customer/member shall knowingly or intentionally allow the use of water from DSWSC for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this 2011 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 the Manager, or his/her designee, in accordance with provisions of this 2011 Plan.

- (2.) Any DSWSC member who owns rent or lease property served by DSWSC is responsible for all surcharge and penalty charges due DSWSC as a result of violation(s) in the event the renter or lessee leaves with any unpaid DSWSC surcharge. Any member is fully responsible for any and all unpaid water bills including surcharge charges left unpaid by a renter/lessee.

The Manager shall, upon due notice to the customer/member, be authorized to discontinue service to the water meter where such violation(s) occur. Service discontinued under such circumstances shall be restored only upon payment of reconnection fee as set forth on Sheet G-3B Section G.6.b in the DSWSC Tariff.

Parents shall be responsible for violations committed by a child, 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 2011 Plan and that the parent could not have reasonably known of the violation.

- (3.) The Manager shall issue a Notice of Violation to a customer/member whose water use is observed to be in violation of this 2011 Plan. The notice shall contain the name and address of the alleged violation and the violation observed. Subsequent violation(s) shall result in issuance of Notice of Violation and Surcharge and require surcharge payment by date of not more than 5 days from the date the notice was issued. Service of the notice shall be complete upon delivery of the notice to the customer/member, to an agent or employee of a customer/member, or to a person over 14 years of age who is a member of the customer/member's immediate family or is a resident of the customer/member's residence.

- (4.) Any customer/member who violates this 2011 Plan is subject to the following surcharges and penalty.

A. **First Violation:** The customer/member will be notified by a written notice of their violation specifying the type of violation and date and time it was observed and their need to comply with the 2011 Plan regulations. The notice will show the amount of surcharge and restrictions to be assessed for continued violations.

B. **Second Violation:** Following the second documented violation, the violator shall be sent by certified mail a notice of violation and shall be assessed a surcharge of \$70.00.

C. **Third Violation:** Following the third documented violation, the violator shall be sent by certified mail a notice of violation and shall be assessed a surcharge of \$105.00.

D. **Fourth Violation:** Following the fourth documented violation, DSWSC shall, upon due notice to the customer, discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge, hereby established at \$20.00 and any outstanding charges including late payment fees or surcharges. In addition, suitable assurance in the amount of a deposit of \$200.00 must be paid to DSWSC so that the same action shall not be repeated while the 2011 Plan is in effect. DSWSC may apply the deposit to any surcharges subsequently assessed

under this 2011 Plan against a customer. The deposit, if any, shall be returned to the customer at the time of the customer's voluntary disconnection from the utility system.

- E. Each day that one or more of the provisions in this 2011 Plan is violated shall constitute a separate violation. Any person, including one classified as a water customer/member of DSWSC, in apparent control of the property where a violation occurs or originates, shall be presumed to be the violator. Any such person, however, shall have the right to show that he did not commit the violation. A diagram showing the enforcement process is provided in Appendix B.

The Texas Water Code Section 67.011(b) allows DSWSC to charge a reasonable surcharge to customers/members that fail to comply with the water conservation regulations.

- (a.) the surcharge is clearly stated in the Tariff,
- (b.) the surcharge is reasonable and does not exceed 6 times the minimum monthly bill stated in the DSWSC Tariff, and
- (c.) DSWSC has deposited the surcharge in a separate account dedicated to enhancing water supply for the benefit of all DSWSC customers/members.

11.2 Variances:

- (1.) The Manager, or designee, may grant variances:
 - A. From specific application of the outdoor water schedule, providing that the variances do not increase the time allowed for watering but rather alter the schedule for watering; and
 - B. Allowing the use of alternative water sources (i.e. reclaimed wastewater or other approved source) that do not increase demand on potable water sources for outdoor use. Variance requests may be submitted to the Manager, or designee, and need not meet the requirements of subsection below.
- (2.) The Manager, or designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this 2011 Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:
 - A. Compliance with this 2011 Plan cannot be accomplished during the duration of the time the 2011 Plan is in effect.
 - B. Alternative methods can be implemented that will achieve the same level of reduction in water use.
- (3.) Persons requesting a variance from the provisions of this 2011 Plan shall file a petition for variance with DSWSC any time the 2011 Plan or a particular drought response stage is in effect. All petitions for variances shall be reviewed by the Manager, or his 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 2011 Plan from which the petitioner is requesting relief.
 - D. Detailed statement as to how the specific provision of the 2011 Plan adversely affects the petitioner or what damage or harm will occur to the petitioner, or others, if petitioner complies with this 2011 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 2011 Plan and the compliance date.
 - H. Other pertinent information.
- (4.) Variances granted by DSWSC shall be subject to the following conditions, unless waived or modified by the Manager or his designee:
- A. Variances granted shall include a timetable for compliance.
 - B. Variances granted shall expire when the 2011 Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.
- (5.) No variance shall be retroactive or otherwise justify any violation of this 2011 Plan occurring prior to the issuance of the variance.

11.3: Plan Revision:

The 2011 Plan will be reviewed and updated as needed to meet both the Texas Commission on Environmental Quality (TCEQ) and Lower Colorado River Authority (LCRA) drought contingency plan rules.

Appendix A

Watering Schedule Dripping Springs Water Supply Corporation

TWICE Per Week Schedule:

Irrigate outdoors using an in-ground irrigation system or hose-end sprinkler no more than TWICE per week and only during scheduled days and times as indicated below:

Residential

Odd number addresses: Wednesday and Saturdays

Even number addresses: Thursdays and Sundays

Commercial (including large landscapes such as HOA common areas)
Tuesdays and Fridays

Watering Hours

Midnight to 10 a.m. and 7 p.m. to midnight

ONCE Per Week Schedule:

Irrigate outdoors using an in-ground irrigation system or hose-end sprinkler no more than ONCE per week and only during scheduled days and times as indicated below:

Residential

Odd number addresses: Wednesday

Even number addresses: Thursdays

Commercial (including large landscapes such as HOA common areas)
Tuesdays

Watering Hours

Midnight to 10 a.m. and 7 p.m. to midnight

CUSTOMER / MEMBER NOTICE OF WATER USE RESTRICTIONS

DATE: _____

TO: Customer/Member of Dripping Springs Water Supply Corporation

FROM: Greg Perrin, Manager
Dripping Springs Water Supply Corporation

Due to the need to conserve both ground and surface water supplies, certain water use restrictions are now necessary and must be implemented. Therefore, under the 2011 Drought Contingency Plan on file with the Texas Commission on Environmental Quality, Stage ____ - _____ water use restrictions will begin on _____ and will be in effect until water supply conditions improve.

Stage _____ restricts your water use as follows:

The Board of Directors has authorized surcharges contained in the Dripping Springs Water Supply Corporation (DSWSC) 2011 Drought Contingency Plan may be levied against you and placed on a customer/member account(s) if found violating applicable water use restrictions. Subsequent violation(s) may result in temporary termination of water service. If you feel you have good cause for an exemption from the water use restriction regulations, please contact the DSWSC office and request a copy of Section 11.2 - Variances from the 2011 Drought Contingency Plan for information relating to filing a written request for variance. A complete copy of our approved 2011 Drought Contingency Plan is available for review at our business office. A copy may be obtained upon payment of standard copying charges.

Thank you for your cooperation and willingness to conserve water.

NOTICE OF FIRST WATER USE RESTRICTIONS VIOLATION

DATE: _____

TO: _____ (Customer/Member of DSWSC)

FROM: Greg Perrin, Manager
Dripping Springs Water Supply Corporation

You are hereby notified that on _____ it was observed and determined that you violated the water use restrictions required under the Dripping Springs Water Supply (DSWSC) 2011 Drought Contingency Plan regulations. Specifically,

Failure to restrict water use will result in the issuance of a Notice of Second Violation and a surcharge of \$70.00. Further violation(s) after the Notice of Second Violation will result in an additional surcharge of \$105.00.

This is the FIRST Violation Notice. Currently, Stage ____ - _____ is in effect and restricts your water use as follows:

Failure to pay the surcharge by the date and time stipulated in Notice will result in termination of your water service WITHOUT FURTHER NOTICE. Prior to service reconnection, you will be required to pay the surcharge and the reconnection charge to restore service.

You will also be assessed an additional surcharge for any violation following this Notice. Continued violation(s) may result in termination of your water service regardless of whether you pay the surcharges assessed for violation(s).

A complete copy of the DSWSC 2011 Drought Contingency Plan is available for review at our business office. A copy may be obtained upon payment of standard copying charges.

The conservation of our water resources is an important responsibility of all members and customers. Your cooperation is appreciated.

**NOTICE OF SECOND WATER USE
RESTRICTIONS VIOLATION AND SURCHARGE**

DATE: _____

TO: _____ (Customer/Member of DSWSC)

FROM: Greg Perrin, Manager
Dripping Springs Water Supply Corporation

You are hereby notified that on _____ it was observed and determined that you violated the water use restrictions required under the Dripping Springs Water Supply (DSWSC) 2011 Drought Contingency Plan regulations. Specifically,

This is the SECOND Violation Notice. You were notified of a previous violation on _____ (see attached copy of First Notice). Accordingly, and as provided on Sheet G-3C Section G.(7.) of the DSWSC Tariff, you are hereby directed to pay a surcharge of \$70.00, to be received in the DSWSC business office no later than _____ am/pm, on _____.

Failure to pay the surcharge by the date and time stipulated in Notice will result in termination of your water service WITHOUT FURTHER NOTICE. Prior to service reconnection, you will be required to pay the surcharge and reconnection charge to restore service.

You are directed immediately to restrict your water use as setforth in the DSWSC First Violation Notice to you. You will be assessed an additional surcharge for any violation following this Notice. Continued violation(s) may result in termination of your water service regardless of whether you pay the surcharges assessed for violation(s).

A complete copy of the DSWSC 2011 Drought Contingency Plan is available for review at our business office. A copy may be obtained upon payment of standard copying charges.

The conservation of our water resources is an important responsibility of all members and customers. Your cooperation is appreciated.

**NOTICE OF THIRD WATER USE
RESTRICTIONS VIOLATION AND SURCHARGE**

DATE: _____

TO: _____ (Customer/Member of DSWSC)

FROM: Greg Perrin, Manager
Dripping Springs Water Supply Corporation

You are hereby notified that on _____ it was observed and determined that you violated the water use restrictions required under the Dripping Springs Water Supply (DSWSC) 2011 Drought Contingency Plan regulations. Specifically,

You were notified of a previous violation of the restrictions on your water use that must be followed, and you were assessed a surcharge for your Second Violation which occurred on _____ (see attached copy of Second Notice).

DSWSC's previous notice advised you that you would be assessed an additional surcharge if the violation continued as set forth on Sheet G-3C Section G.(7.) of DSWSC Tariff. Accordingly, you are hereby directed to pay a surcharge of \$105.00, to be received in the DSWSC business office no later than _____ am/pm, on _____.

Failure to pay the surcharge by the date and time stipulated in Notice will result in termination of your water service WITHOUT FURTHER NOTICE. Prior to service reconnection, you will be required to pay the surcharge, the \$20.00 reconnection charge to restore service and \$200.00 deposit.

You are once again directed immediately to restrict your water use as set forth in the DSWSC First Violation Notice to you. You have been directed to do so twice previously. An additional penalty will be assessed for additional violations. In addition to these surcharges, **YOUR WATER SERVICE WILL BE TERMINATED FOR ANY ADDITIONAL VIOLATIONS** regardless of whether you pay the surcharges assessed for violation(s).

Your prompt attention to this matter will be appreciated by DSWSC and its members.