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DROUGHT CONTINGENCY PLAN

Canadian River Municipal Water Authority

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 Canadian River Municipal Water Authority (CRMWA) adopts the following Drought Contingency Plan (the Plan). All previous versions of this Drought Contingency Plan are rescinded.

Section II: Public Involvement

Opportunity for the public and wholesale water customers to provide input into the preparation of the Plan was provided by the CRMWA by posting a draft of the plan & notice of public meeting on the internet, direct mailings to each CRMWA Member City, and a press release for a public meeting held at CRMWA Headquarters.

Section III: Wholesale Water Customer Education

The CRMWA will periodically provide Member Cities 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 mailed directly to each Member City initially and periodically for all draft & final revisions.

Section IV: Coordination with Regional Water Planning Groups

The water service area of the CRMWA is located within the Region A & O Planning areas and the CRMWA has provided a copy of the draft Plan to the Region A & O Planning Groups and will provide a copy of the approved plan.

Section V: Authorization

The General Manager, or Deputy General Manager, 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 customers utilizing water provided by CRMWA. The terms "person" and "customer" as used in the Plan include municipalities, individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Available Sources of Supply

CRMWA supplies water to its member cities from two sources. Lake Meredith is the surface source, which has an estimated firm yield of less than 50,000 acre-feet annually. A groundwater source is also available, from which CRMWA can supply up to 69,000 acre-feet annually. A combination of these two sources will be used to meet the water supply needs of the member cities, up to the delivery capability of CRMWA's aqueduct system. The daily capacity of the wellfield is 65-MGD and the lake has ranged from 0 to over 30-

MGD over the last decade, depending on water quality and availability. Most of the member cities have other sources of water supply available to them, in addition to the supply received from CRMWA. These alternative sources are used when the supply from CRMWA has been reduced, the need to meet peak demand requirements, or as determined to be advantageous to the city in question.

Section VIII: Triggering Criteria, Drought Response Stages

The General Manager, or Deputy General Manager, shall monitor water supply and/or demand conditions and, in accordance with the following triggering criteria, and shall implement the appropriate response actions.

Stage 1 (Mild Shortage):

Requirements for Initiation: One or more of the following events may trigger Stage 1:

- A. CRMWA cannot maintain current or projected demand.
- B. CRMWA cannot maintain a combined storage of 70% in the Regulating Reservoirs.
- C. Other conditions exists where there is concern for current or future water supplies.

Response:

1. The goal is a 5% reduction in usage or meet CRMWA's current supply capacity.
2. CRMWA will notify city officials about the initiation of the Drought Contingency Plan and the general condition of the water supply.

Stage 2 (Moderate Shortage):

Requirements for Initiation: One or more of the following events may trigger Stage 2:

- A. CRMWA cannot maintain current or projected demand.
- B. CRMWA cannot maintain a combined storage of 50% in the Regulating Reservoirs.
- C. Other conditions exists where there is concern for current or future water supplies.

Response:

1. The goal is a 10% reduction in usage or meet CRMWA's current supply capacity.
2. CRMWA will notify city officials about the initiation of the Drought Contingency Plan and the general condition of the water supply.

Stage 3 (Severe Shortage):

Requirements for Initiation: One or more of the following events may trigger Stage 3:

- D. CRMWA cannot maintain current or projected demand.
- E. CRMWA cannot maintain a combined storage of 30% in the Regulating Reservoirs.
- F. Other conditions exists where there is concern for current or future water supplies.

Response:

3. The goal is a 15% reduction in usage or meet CRMWA's current supply capacity.
4. CRMWA will notify city officials about the initiation of the Drought Contingency Plan and the general condition of the water supply.

Requirements for Termination:

Each respective Stage of the Plan may be rescinded when a sufficient supply from CRMWA is available. Upon termination of each Stage the next lower Stage becomes operative if appropriate. CRMWA will notify its member cities of the termination of each Stage in the same manner as the notification of initiation of stages of the Plan.

Supply Management Measures:

CRMWA will utilize the various sources of supply available to it to meet the water supply needs of the member cities. To the maximum extent possible, the surface source of supply will be utilized so as to conserve the Authority's non-renewable groundwater resources. When sufficient surface water and ground water supply is not available to meet the expected needs of the member cities, the total annual supply available will be reduced. When the supply available to the member cities from CMRWA has been

reduced, the General Manager or his designee will contact the Member Cities regularly to discuss water supply and/or demand conditions, and will review delivery schedules to determine how the needs of each member city can best be addressed.

Demand Management Measures:

When shortage conditions exist, CRMWA member cities will be encouraged to carefully review the supply available from CRMWA and from their other sources of supply, and to attempt to reduce demand so as to avoid any critical shortfall of water supply. Their own Drought Contingency Plans may be used for this purpose, or any other method of regulating demand which the city may find appropriate or necessary.

Section IX: Pro Rata Water Allocation

In the event that the triggering criteria specified in Section VIII of the Plan has been declared in effect, the General Manager, or Deputy 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 and according to the following water allocation policies and procedures:

(a) The Member City's annual allocation percentages will be based on contract allocations. The percentage of total contract allocations will be set by resolution of the CRMWA Board of Directors based on the General Manager's assessment of the severity of the water shortage condition and the need to curtail water diversions and/or deliveries and may be adjusted periodically by resolution of the Board of Directors as conditions warrant. Once pro rata allocation is in effect, water diversions by or deliveries to each Member City shall be limited to the allocation established for the year.

(b) The General Manager, or Deputy General Manager shall provide notice to each Member City informing them of their annual water usage allocations and shall notify the executive director of the Texas Natural Resource Conservation Commission upon initiation of pro rata water allocation.

(c) The following provision will be included in every wholesale water supply contract entered into or renewed after official adoption of this plan, including any contract extension:

CRMWA will include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039

Section X: Enforcement

During any period when pro rata allocation of available water supplies is in effect, Member Cities will be strictly limited to allocated amounts. Service will be discontinued when annual allocations have been reached.

Section XI: Variances

The General Manager, or Deputy General Manager, with the approval of the Operating Committee of the Board of Directors, 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:

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

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the General Manager within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the Board of Directors, 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 Board of Directors shall be subject to the following conditions, unless waived or modified by the 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 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 Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.