

NAVARRO MILLS WATER SUPPLY CORPORATION

DROUGHT MANAGEMENT PLAN

A. 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 Navarro Mills Water Supply Corporation 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 XI of this Plan.

B. Public Involvement

Opportunity for the public and retail water customers to provide input into the preparation of the Plan was provided by the Navarro Mills Water Supply Corporation by means of scheduling and providing notice of a public meeting to accept input on the Plan. The Plan was adopted under the open meetings requirement during the February 17, 2000 Board of Directors meeting.

Section III: PUBLIC EDUCATION

The Navarro Mills Water Supply Corporation 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 press releases, direct mailings to customers, radio broadcasts, and signs posted in public places.

Section IV: COORDINATION WITH REGIONAL WATER PLANNING GROUPS

The service area of the Navarro Mills Reservoir is located within Region C and Region G and the City of Corsicana will provide a copy of the Plan to Region C and Region G.

Section V: AUTHORIZATION

The Operator upon advising and along with the Board of Directors of the Navarro Mills Water Supply Corporation 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 Operator upon advising and along with the Board of Directors 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 Navarro Mills Water Supply Corporation. 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 purpose of this 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 the Navarro Mills Water Supply Corporation.

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 Plan;
- b. use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- c. use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- d. use of water to wash down buildings or structures for purposes other than immediate fire protection;
- e. flushing gutters or permitting water to run or accumulate in any gutter or street;
- f. use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- g. use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support
- h. failure to repair 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 flush valves for construction purposes or any other purposes other than fire fighting.

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 DROUGHT RESPONSE STAGES

The Operator upon advising and along with the Board of Directors of the Navarro Mills Water Supply Corporation, 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 press releases, direct mailings to each customer, radio broadcasts, and postings in public places.

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

(a) Stage 1 – 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 of this Plan when, pursuant to requirements specified in the Navarro Mills Water Supply Corporation wholesale water purchase contract with the City of Corsicana, notifies the Navarro Mills Water Supply Corporation requesting that Stage 1 of the Plan shall be initiated due to operations being at less than 100 percent of normal operating capacity. The Navarro Mills Water Supply Corporation will then be given 3 days (72 hours) to notify all customers being served by the Navarro Mills Water Supply Corporation.

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 3 consecutive days (72 hours).

(b) Stage 2—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, pursuant to requirements specified in the Navarro Mills Water Supply Corporation wholesale water purchase contract with the City of Corsicana, notifies the Navarro Mills Water Supply Corporation that Stage 2 of the Plan shall be initiated due to operation being at less than 80 percent of normal operating capacity. The Navarro Mills Water Supply Corporation will then be given 3 days (72 hours) to notify all customers being served by the Navarro Mills Water Supply Corporation.

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 3 consecutive days (72 hours). Upon termination of Stage 2, Stage 1 becomes effective immediately.

(c) Stage 3—Sever 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, pursuant to requirements specified in the Navarro Mills Water Supply Corporation wholesale water purchase contract with the City of Corsicana, notifies the Navarro Mills Water Supply Corporation that Stage 3 of the Plan shall be initiated due to operations being at less than 64 percent of normal operating capacity. The Navarro Mills Water Supply Corporation will then be given 3 days (72 hours) to notify all customers being served by the Navarro Mills Water Supply Corporation.

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 3 consecutive days (72 hours). Upon termination of Stage 3, Stage 2 becomes effective immediately.

(d) Stage 4—Critical 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, pursuant to

requirements specified in the Navarro Mills Water Supply Corporation wholesale water purchase contract with the City of Corsicana, notifies the Navarro Mills Water Supply Corporation that Stage 4 of the Plan shall be initiated due to operations being at less than 46 percent of normal operating capacity. The Navarro Mills Water Supply Corporation will then be given 3 days (72 hours) to notify all customers being served by the Navarro Mills Water Supply Corporation.

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 3 consecutive days (72 hours). Upon termination of Stage 4, Stage 3 becomes effective immediately.

(e) Stage 5—Emergency Water Shortage Conditions

Requirements for initiation—Customers shall be required to comply with the requirements and restrictions when the Operator upon advising the Board of Directors of the Navarro Mills Water Supply Corporation determines that a water supply emergency 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).

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 3 consecutive days (72 hours). Upon termination of Stage 5, Stage 4 will be effective immediately.

(f) Water Rationing

Requirements for initiation – Customers shall be required to comply with the water allocation plan prescribed in Section X of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when the Navarro Mills Water Supply Corporation fails to operate at 31 percent of its capacity.

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 3 consecutive days (72 hours).

Section IX: DROUGHT RESPONSE STAGES

The Operator upon advising the Board of Directors of the Navarro Mills Water Supply Corporation, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe, critical, or emergency condition exists and shall implement the following actions upon publication of notice in a newspaper of general circulation:

Stage 1 – Mild Water Shortage Conditions

Goal: Achieve a voluntary reduction in total water use by the customers of the Navarro Mills Water Supply Corporation.

Supply Management Measures: The Navarro Mills Water Supply Corporation will be implementing directly by management to reduce water demand by reducing unnecessary flushing of water lines.

Voluntary Water Use Restrictions:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to:

<u>Last Digit of address</u>	<u>Allowed Water Dates</u>
0 and 5	5 th , 10 th , 15 th , 20 th , 25 th , 30 th
1 and 6	1 st , 6 th , 11 th , 16 th , 21 st , 26 th
2 and 7	2 nd , 7 th , 12 th , 17 th , 22 nd , 27 th
3 and 8	3 rd , 8 th , 13 th , 18 th , 23 rd , 28 th
4 and 9	4 th , 9 th , 14 th , 19 th , 24 th , 29 th

(b) Water Customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 -- Moderate Water Shortage Conditions

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

- (1) loss of capability to provide water service; **or**
- (2) Natural or man-made contamination of the water supply source(s).

Requirements for termination – Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days (72 hours). Upon termination of Stage 5, Stage 4 will be effective immediately.

(f) Water Rationing

Requirements for initiation – Customers shall be required to comply with the water allocation plan prescribed in Section X of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when the Navarro Mills Water Supply Corporation fails to operate at 31 percent of its capacity.

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 3 consecutive days (72 hours).

Section IX: DROUGHT RESPONSE STAGES

The Operator upon advising the Board of Directors of the Navarro Mills Water Supply Corporation, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering set forth in Section VIII of the Plan, shall determine that a mild, moderate, severe, critical, or emergency condition exists and shall implement the following actions upon publication of notice in a newspaper of general circulation:

Stage 1 – Mild Water Shortage Conditions

Goal: Achieve a voluntary reduction in total water use by the customers of the Navarro Mills Water Supply Corporation.

Supply Management Measures: The Navarro Mills Water Supply Corporation will be implementing directly by management to reduce water demand by reducing unnecessary flushing of water lines.

Voluntary Water Use Restrictions:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6, 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7, 9), and 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 -- Moderate Water Shortage Conditions

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

Water Use Restriction – 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

<u>Last Digit of address</u>	<u>Allowed Water Dates</u>
0 and 5	5 th , 10 th , 15 th , 20 th , 25 th , 30 th
1 and 6	1 st , 6 th , 11 th , 16 th , 21 st , 26 th
2 and 7	2 nd , 7 th , 12 th , 17 th , 22 nd , 27 th
3 and 8	3 rd , 8 th , 13 th , 18 th , 23 rd , 28 th
4 and 9	4 th , 9 th , 14 th , 19 th , 24 th , 29 th

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 anytime if it is by means of a hand-held hose, faucet filled bucket or water 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 rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washings may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.

(c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.

(d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation system.

(e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the Navarro Mills Water Supply Corporation.

(f) All restaurants are prohibited from service water to its patrons except when requested.

(g) 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

Water Use restriction—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 system shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0,2,4,6,8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1,3,5,7,9), 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 anytime if it is by means of a hand-held hose, 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 rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washings may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the Navarro Mills Water Supply Corporation.
- (f) All restaurants are prohibited from serving water to its patrons except when requested.
- (g) The following uses of water are defined as non-essential and are prohibited:
 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 3. use of water for dust control;
 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3—Severe Water Shortage Conditions

Goal: Achieve a 36 percent reduction in total water use.

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

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

Stage 4—Critical Water Shortage Conditions

Goal: Achieve a 54 percent reduction in total water use.

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

- (a) 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.
- (b) 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 10:00 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi-type pools is prohibited.
- (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 re-circulation system.
- (e) No applications for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service.
- (f) Facilities of any kind shall be allowed or approved.

Stage 5—Emergency Water Shortage Conditions

Goal: Achieve a 67 percent reduction in total water use.

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

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

Section X: WATER RATIONING

In the event that water shortage conditions threaten public health, safety, and welfare, the Operator upon advising the Board of Directors of the Navarro Mills Water Supply Corporation 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:

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

“Household” means the residential premises served by the customer’s meter. “Persons per household” includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies the Navarro Mills Water Supply Corporation of a greater number of persons per household on a form prescribed by the Navarro Mills Water Supply Corporation. The Navarro Mills Water Supply Corporation shall see to it 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 Navarro Mills Water Supply Corporation office 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 Navarro Mills Water Supply Corporation. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the Navarro Mills water supply Corporation 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 Navarro Mills Water Supply Corporation in writing within (2) days. In prescribing the method of claiming more than two (2) persons per household, the Navarro Mills Water Supply Corporation 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 Navarro Mills Water Supply Corporation of a reduction in the number of person in a household shall be fined not less than \$500.00 (five hundred dollars). Residential water customers shall pay the following surcharges:

- \$50.00** (fifty dollars) for the first 1,000 gallons over allocation
- \$100.00** (one hundred dollars) for the second 1,000 gallons over allocation
- \$200.00** (two hundred dollars) for the third 1,000 gallons over allocation
- \$300.00** (three hundred dollars) for each additional 1,000 gallons over allocation

Surcharges shall be cumulative.

Commercial Customers

A monthly water usage allocation shall be established by the Navarro Mills Water Supply Corporation 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. The Navarro Mills Water Supply Corporation shall 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 Navarro Mills Water Supply Corporation to determine the allocation. Upon request of the customer or at the initiative of the Navarro Mills Water Supply Corporation, 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 Navarro Mills Water Supply Corporation. Nonresidential commercial customers shall pay the following surcharges:

- \$100.00 (one hundred dollars) per thousand gallons for the first 1,000 gallons over allocation
- \$200.00 (two hundred dollars) per thousand gallons for the second 1,000 gallons over allocation
- \$300.00 (three hundred dollars) per thousand gallons for the third 1,000 gallons over allocation
- \$400.00 (four hundred dollars) per thousand gallons for each additional 1,000 gallons over allocation.

The surcharge 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.

Pro Rata Water Allocation

In the event that the triggering criteria specified in Section VIII of the Plan for Stages 1,2,3,4, and 5, have been met, the City of Corsicana 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. A monthly water usage allocation shall be established by the City of Corsicana for the Navarro Mills Water Supply Corporation. The Navarro Mills Water Supply Corporation's water usage baseline will be computed on the average water usage by month for the 1995-1999 period as shown below. This allocation will be passed on to the retail customers of the Navarro Mills Water Supply Corporation as specified as to the following: If the retail water customer's billing history is less than 5 years, 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. If a retail customer with no billing history starts to divert water, an allocation based on the severity of the water shortage and the need to curtail water diversion will be established. This Plan will be amended to include the allocation.

NAVARRO MILLS WATER SUPPLY CORPORATION
(Water Purchased from the City of Corsicana in Millions of Gallons per Month)

Reservoir: Navarro Mills

Month	1995	1996	1997	1998	1999	Sum	Average	Stage 1 Allocation 90%	Stage 2 Allocation 80%	Stage 3 Allocation 64%	Stage 4 Allocation 46%	Stage 5 Allocation 31%
January	4,982.00	6093.00	6448.00	6784.00	7588.00	31895.00	6379.00	5741.10	5103.20	4082.56	2934.34	1779.74
February	4269.00	3760.00	4389.00	4974.00	5072.00	22464.00	4492.80	4043.52	3594.24	2875.39	2066.69	1253.49
March	5252.00	7940.00	3940.00	4534.00	5435.00	27101.00	5420.20	4878.18	4336.16	3468.93	2493.29	151
April	4669.00	4754.00	4439.00	5973.00	7168.00	27003.00	5400.60	4860.54	4320.48	3456.38	2484.28	150
May	4268.00	5401.00	5253.00	4938.00	5775.00	25635.00	5127.00	4614.30	4101.60	3281.28	2358.42	1430.43
June	6178.00	8652.00	5296.00	11940.00	6576.00	38642.00	7728.40	6955.56	6182.72	4946.18	3555.06	2156.22
July	8856.00	8796.00	6789.00	12380.00	9657.00	46478.00	9295.60	8366.04	7436.48	5949.18	4275.98	2593.47
August	7079.00	6816.00	8995.00	9441.00	9026.00	41357.00	8271.40	7444.26	6617.12	5293.70	3804.84	2307.72
September	7391.00	5484.00	7484.00	7545.00	11550.00	39454.00	7890.80	7101.72	6312.64	5050.11	3629.77	2201.53
October	5130.00	4766.00	6869.00	6168.00	8287.00	31220.00	6244.00	5619.60	4995.20	3996.16	2872.24	1742.08
November	6036.00	5361.00	5327.00	6259.00	6463.00	29446.00	5889.20	5300.28	4711.36	3769.09	2709.03	1643.09
December	5504.00	4304.00	4712.00	6919.00	7602.00	29041.00	5808.20	5227.38	4646.56	3717.25	2671.77	1620.49
TOTAL	69614.00	72127.00	69941.00	87855.00	90199.00	389736.00	77947.20	70152.48	62357.76	49886.21	35855.71	21747.27

Section XI: Enforcement

(a) No person shall knowingly or intentionally allow the use of water from the Navarro Mills Water Supply Corporation for residential, commercial, 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 the Navarro Mills Water Supply Corporation in accordance with provisions of this Plan.

(b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall

- (c) be punished by a fine of not less than five hundred dollars (\$500.00) and not more than one thousand dollars (\$1,000.00). 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 Navarro Mills Water Supply Corporation 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 reconnection charge, hereby established at \$1,500.00 (fifteen hundred dollars, and any other costs incurred by the Navarro Mills Water Supply Corporation in discontinuing service. In addition, suitable assurance must be given to the Navarro Mills Water Supply Corporation 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.
- (d) Any person, including a person classified as a water customer of the Navarro Mills Water Supply Corporation, 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 rebuttal 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 rebuttal presumption that the parent committed the violation.
- (e) Any employee of the Navarro Mills Water Supply Corporation, Navarro County Sheriff's Department, or other Civil Service employee designated by the Navarro Mills Water Supply Corporation, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the Navarro County, County 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 Navarro County, County Court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in Navarro County, County Court, a warrant for his/her arrest may be issued by the Navarro County Sheriff's Department. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting Navarro County, County Court before all other cases.

Section XII: VARIANCES

The Navarro Mills Water Supply Corporation, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

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

Persons requesting an exemption from the provisions of the Plan shall file a petition for a variance with the Navarro Mills Water Supply Corporation within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Navarro Mills Water Supply Corporation 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 Navarro Mills Water supply Corporation shall be subject to the following conditions, unless waived or modified by the Navarro Mills Water Supply Corporation.

- (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 XIII: SEVERABILITY

It is hereby declared to be the intention of the Trinity River Authority of Texas 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 Trinity River Authority of Texas without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.