Drought Contingency Plan
Sonterra Municipal Utility District

July 31, 2017

Section I. Declaration of Policy, Purpose, and Intent

The Board of Directors (the "*Board*") of Sonterra Municipal Utility District (the "*District*") hereby adopts this Drought Contingency Plan (this "*Plan*") in order to conserve its available water supply and protect the integrity of its water supply facilities, with particular regard for domestic water use, sanitation, and fire protection; to protect and preserve the public health, welfare, and safety; and to minimize the adverse impacts of water supply shortages and other water supply emergency conditions.

Water uses regulated or prohibited under this Plan are considered to be non-essential. Continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water and will subject the responsible party to penalties as set forth in Section X of this Plan.

Section II. Public Involvement

This Plan was approved and adopted by Order of the Board at a public meeting, of which notice was given in accordance with applicable law. Accordingly, an opportunity to provide input into the preparation of this Plan was provided to the public.

Section III. Public Education

The District will periodically provide the public with information about this Plan, including information about the conditions under which each stage of this Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information may be provided by means of signage, posting information on the District's website, or utility bills inserts, as appropriate under the circumstances.

Section IV. Coordination with Regional Water Planning Groups

The District's service area is located within the Brazos Regional Water Planning Area (Region G) and the District has provided or will provide a copy of this Plan to the Brazos Regional Water Planning Group.

Section V. Authorization

The District's general manager or, in the event the District's general manager is unavailable, the District's engineer or, in the event both the District's general manager and the District's engineer are unavailable, the Board's designated subcommittee (each, in the order specified, the "*Authorized Official*") 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 foregoing notwithstanding, the implementation of either Stage 3 or Stage 4 of this Plan will be subject to the approval of the Board's designated subcommittee.

Section VI. Application

The provisions of this Plan will apply to all persons and property utilizing water provided by the District.

Section VII. Drought Response Stages and Notice

The Authorized Official will monitor the District's water supply and demand conditions on a daily basis and will determine if a moderate, severe, critical, or emergency water shortage condition exists based on the criteria set forth in this Plan. The members of the Board of Directors of the District will be promptly notified of the implementation or termination of any stage of this Plan by email or telephone. The public will be notified of the implementation or termination of any stage of this Plan by means of signage, posting information on the District's website, or utility bills inserts, as appropriate under the circumstances.

Section VIII. Definitions

For the purposes of this Plan, the following terms will have the meanings indicated below:

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

Commercial and institutional water use: water use that is integral to the operation of commercial and non-profit establishments and governmental entities, including retail establishments, hotels and motels, restaurants, and office buildings.

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

Customer: any person, organization, or governmental entity that uses water supplied by the District.

Designated Watering Day: a day on which a Customer may use water for landscape irrigation use under this Plan, when permitted under this Plan.

Designated Watering Hours: hours on a Customer's Designated Watering Day on which a Customer may use water for landscape irrigation use or Vehicle washing, when permitted under this Plan.

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

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

Builder: a Customer that builds commercial development projects or residential homes within the District.

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

Non-essential water use: the use of water for purposes that are not essential or required for the protection of public, health, safety, and welfare, including:

(a) landscape irrigation use, except as otherwise permitted under this Plan;

(b) washing-down any Vehicle, except as otherwise permitted under this Plan;

(c) washing-down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

(d) washing-down buildings or structures for purposes other than immediate fire suppression or protection;

(e) flushing gutters or permitting water to run into or accumulate in any gutter or street;

(f) using water to fill, refill, or add to any privately-owned indoor or outdoor swimming pools or Jacuzzi-type pools, except as otherwise permitted by this Plan;

(g) using water in a fountain or pond for aesthetic or scenic purposes, except as necessary to support aquatic life;

(h) failing to repair any controllable leak within a reasonable period after having been notified to do so; and

(i) using water from hydrants for any purposes other than fire-fighting, except as otherwise permitted under this Plan.

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

Person(s): individuals and corporations, partnerships, associations, and all other legal entities.

Water Waste: the following constitute Water Waste and are prohibited at all times:

(a) failing to repair any controllable leak, including a broken sprinkler head, a leaking valve or a leaking faucet;

(b) operating a permanently installed irrigation system with a broken head, with a head that is out of adjustment and is either spraying more than ten percent of the spray onto a street, sidewalk, or parking lot or is misting;

(c) allowing a substantial amount of water to run off a landscaped area, or allowing water to pond in the street or on a sidewalk or parking lot to a depth of greater than ¼ of an inch during landscape irrigation; and

(d) failing to comply with the restrictions contained in this Plan applicable to the use of water for landscape irrigation (including the terms of any applicable variance

approved by the District) or the Builder landscape guidelines set forth on the attached **Exhibit "A"**, if applicable.

Vehicle. A motor vehicle, motorbike, boat, trailer, airplane or any other vehicle.

Section IX. Initiation and Termination of Drought Response Stages, Responses and Restrictions; Prohibition of Water Waste; Violations Punishable by Penalty

The Authorized Official or his designee will monitor water supply and demand conditions on a daily basis and will determine when conditions warrant the initiation or termination of any stage of this Plan. The triggering criteria for each stage described in this Plan are based on the District's available water supply and historical drought response experiences. The District hereby establishes the stages of water conservation set forth in this Section IX. Water Waste constitutes a violation of this Plan and is prohibited at all times. A violation of the restrictions set forth in this Plan will be punishable by a penalty as provided in Section X.

A. Voluntary Water Conservation.

1. Initiation. Customers are requested to voluntarily conserve water and adhere to the measures for reducing demand contained in this Subsection A from May 1 through September 30 of each year in order to achieve a voluntary five percent reduction in daily water demand.

2. Voluntary Measures for Reducing Demand :

(a) Designated Watering Days will be as follows:

For Customers with odd-numbered addresses: Monday, Wednesday and Friday
For Customers with even-numbered addresses: Tuesday, Thursday and Saturday

(b) Designated Watering Hours will be between midnight and 10 a.m. and between 8 p.m. and midnight on the Customer's Designated Watering Days.

(c) Customers are requested to voluntarily limit their irrigation of landscaped areas to the Designated Watering Hours on their Designated Watering Days.

(d) Customers are requested to practice water conservation and to minimize or discontinue non-essential water use.

B. Stage 1 MODERATE Water Shortage Conditions

1. Initiation. Customers will be required to comply with the requirements and restrictions provided in this Subsection B. when total daily water demand equals or exceeds 70% of the District's total operating system treatment capacity for three consecutive days.

2. Termination. Stage 1 may be rescinded when the Authorized Official determines that the conditions triggering Stage 1 have ceased to exist for 14 consecutive days or as otherwise determined by the Authorized Official.

3. Target: The target of Stage 1 is to achieve a 10 percent reduction in daily water demand and total treated water use.

4. Best Management Practices for Supply Management:

The District will reduce or discontinue flushing of water mains and reduce or discontinue irrigation of public landscaped areas.

5. Water Use Restrictions for Demand Reduction: During Stage 1, the following water use restrictions will apply to all Customers:

(a) Designated Watering Days will be as follows:

For Customers with odd-numbered addresses: Monday, Wednesday and Friday
For Customers with even-numbered addresses: Tuesday, Thursday and Saturday

(b) Designated Watering Hours will be between midnight and 10 a.m. and between 8 p.m. and midnight on the Customer's Designated Watering Days.

(c) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems will be limited to the Designated Watering Hours on a Customer's Designated Watering Days. This prohibition will not apply to irrigation of a new landscape, subject to the Customer's compliance with the other provisions of this Subsection B.

(d) Irrigation of landscaped areas by means of a hand-held hose, a faucet -filled bucket or watering can of five gallons or less, or a drip irrigation system is permitted at any time.

(e) The use of water to wash any Vehicle, other than on the premises of a commercial car wash or commercial service station or as required to protect the public health, safety, and welfare (such as the washing of garbage trucks and Vehicles used to transport food and perishables), is prohibited except during Designated Watering Hours on the Customer's Designated Watering Days and, when permitted, must be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises.

(f) Filling, refilling, or adding water to any privately-owned indoor or outdoor swimming pool, wading pool, or Jacuzzi-type pool is prohibited except during Designated Watering Hours on a Customer's Designated Watering Days.

(g) Operating any ornamental fountain or pond for aesthetic or scenic purposes is prohibited, except if necessary to support aquatic life or if the fountain or pond is equipped with a recirculation system.

(h) Using water from hydrants will only be permitted for fire-fighting and related activities, or other activities necessary to maintain the public health, safety, and welfare, except that the use of water from designated fire hydrants for construction purposes may be allowed under special permit issued by the District under Section XI.

(i) Restaurants are prohibited from serving water to patrons, except upon request.

(j) Non-essential water use is prohibited.

C. Stage 2 SEVERE Water Shortage Conditions

1. Requirements for initiation. Customers will be required to comply with the requirements and restrictions provided in this Subsection C when any of the District's treated water storage reservoirs do not refill above 80% overnight, or when total daily water demand equals or exceeds 80% of the District's total operating system treatment capacity for three consecutive days, or exceeds 85% of the District's total operating system treatment capacity on any single day.

2. Requirements for termination. Stage 2 may be rescinded when all of the events triggering Stage 2 have ceased to exist for a period of five consecutive days or as otherwise determined by the Authorized Official. Upon termination of Stage 2, Stage 1 becomes operative unless otherwise determined by the Authorized Official.

3. Target: The target of Stage 2 is to achieve a 30 percent reduction in daily water demand and total treated water use.

4. Best Management Practices for Supply Management:

The District will reduce or discontinue flushing of water mains and reduce or discontinue irrigation of public landscaped areas.

5. Water Use Restrictions for Demand Reduction: During Stage 2, the following water use restrictions will apply to all Customers:

(a) Designated Watering Days will be as follows:

For customers with odd-numbered addresses: Monday and Thursday
For customers with even-numbered addresses: Tuesday and Friday

(b) Designated Watering Hours will be between midnight and 10 a.m. and between 8 p.m. and midnight on the Customer's Designated Watering Days.

(c) Irrigation of landscaped areas will be limited to the Designated Watering Hours on the Customer's Designated Watering Days and will be permitted by means of hand-held hoses, hand-held-buckets of five-gallons or less, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times. This prohibition will not apply to irrigation of a new landscape, subject to the Customer's compliance with Section XI of this Plan.

(d) The use of water to wash any Vehicle, other than on the premises of a commercial car wash or commercial service station or as required to protect the public health, safety, and welfare (such as the washing of garbage trucks and Vehicles used to transport food and perishables), is prohibited except during Designated Watering Hours on the Customer's Designated Watering Days and, when permitted, must be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.

(e) Filling, refilling, or adding to any privately-owned indoor or outdoor swimming pool, wading pool, or Jacuzzi-type pool is prohibited except during Designated Watering Hours on a Customer's Designated Watering Days.

(f) Operating any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except if necessary to support aquatic life or if the fountain or pond is equipped with a recirculation system.

(g) Using water from hydrants will only be permitted for fire-fighting and related activities, or other activities necessary to maintain the public health, safety, and welfare, except that the use of water from designated fire hydrants for construction purposes may be allowed under special permit from the District as provided in Section XI.

(h) Restaurants are prohibited from serving water to patrons, except upon request.

(i) Non-essential water use is prohibited.

D. Stage 3 CRITICAL Water Shortage Conditions

1. Requirements for initiation. Customers will be required to comply with the requirements and restrictions of Stage 3 when any of the District's treated water reservoirs do not refill to a level above 60% overnight, or when total daily water demand equals or exceeds 90% of the District's total operating system treatment capacity for three consecutive days, or exceeds 95% of the District's total operating system treatment capacity on any single day.

2. Requirements for termination. Stage 3 may be rescinded when all of the triggering events have ceased to exist for a period of five consecutive days or as otherwise determined by the Authorized Official. Upon termination of Stage 3, Stage 2 becomes operative unless otherwise determined by the Authorized Official.

3. Target: The target of Stage 3 is to achieve a 40 percent reduction in daily water demand and total treated water use.

4. Best Management Practices for Supply Management:

The District will reduce or discontinue flushing of water mains and reduce or discontinue irrigation of public landscaped areas and utilize all available alternative supply sources.

5. Water Use Restrictions for Reducing Demand: During Stage 3, the following water use restrictions will apply to all Customers:

(a) Outdoor watering will be permitted one day per week on the following Designated Watering Days

Addresses ending in 1 or 3: Monday
Addresses ending in 2 or 4: Tuesday
Addresses ending in 5 or 7: Wednesday
Addresses ending in 6 or 8: Thursday
Addresses ending in 9 or 0: Friday

(b) Designated Watering Hours: Between midnight and 6 a.m. and between 10 p.m. and midnight on the Customer's Designated Watering Days.

(c) Irrigation of landscaped areas will be limited to the Designated Watering Hours on

the Customer's Designated Watering Day only and will only be permitted by means of hand-held hoses, hand-held buckets of five gallons or less, or drip irrigation. The use of hose-end sprinklers and permanently installed automatic sprinkler systems is prohibited at all times.

(d) The use of water to wash any Vehicle other than on the premises of a commercial car wash or commercial service station or as required to protect the public health, safety, and welfare is prohibited. Vehicle washing at a commercial car wash or commercial service station will be limited to between the hours of 6:00 a.m. and 10:00 a.m. and between the hours of 6:00 p.m. and 10 p.m.

(e) The filling, refilling, or adding of water to privately owned swimming pools, wading pools, and Jacuzzi-type pools is prohibited.

(f) Operating any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except if necessary to support aquatic life.

(g) Using water from hydrants will only be permitted for fire-fighting and related activities, or other activities necessary to maintain the public health, safety, and welfare, except that the use of water from designated fire hydrants for construction purposes may be allowed under a special permit issued by the District.

(h) Restaurants are prohibited from serving water to patrons, except upon request.

(i) Non-essential water use is prohibited.

(j) 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 will be approved, and time limits for approval of such applications will be suspended while Stage 3 is in effect.

E. Stage 4 EMERGENCY Water Shortage Conditions

1. Requirements for initiation. Customers will be required to comply with the requirements and restrictions of Stage 4 when the Authorized Official determines that a water supply emergency exists based on:

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

(b) Natural or man-made contamination of the water supply source(s).

2. Requirements for termination. Stage 4 may be rescinded when all of the triggering events described in Subsubsection 1 above have ceased to exist, as determined by the Authorized Official. Upon termination of Stage 4, Stage 3 becomes operative unless otherwise determined by the Authorized Official.

3. Target: The target of Stage 4 is to achieve a 50 percent reduction in daily water demand and total water use.

4. Best Management Practices for Supply Management:

The District will reduce or discontinue flushing of water mains and reduce or discontinue irrigation of public landscaped areas and utilize all available alternative supply sources.

5. Water Use Restrictions for Reducing Demand: During Stage 4, the following water use restrictions will apply to all Customers:

(a) Irrigation of landscaped areas is prohibited at all times.

(b) Vehicle washing at commercial car washes and commercial service stations is prohibited.

(c) The filling, refilling, or adding of water to privately owned swimming pools, wading pools, and Jacuzzi-type pools, ponds or fountains is prohibited.

(d) Operating any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except if necessary to support aquatic life.

(e) Using water from hydrants will only be permitted for fire-fighting and related activities, or other activities necessary to maintain the public health, safety, and welfare.

(f) 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 will 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 will be in effect.

(g) Restaurants are prohibited from serving water to patrons, except upon request.

(h) Non-essential water use is prohibited.

6. Water Allocation: In the event that water shortage conditions continue to exist and threaten the public health, safety, and welfare, the Authorized Official may order water rationing and/or restrict or terminate service to specific customers in the following order:

i) Recreational uses;

ii) Commercial uses;

iii) School uses;

iv) Residential uses; and

v) Hospitals and public health and safety facilities

Section X. Enforcement

ENFORCEMENT PROVISIONS

A. No person may knowingly or intentionally use or allow the use of District water for any purpose contrary to any provision of this Plan, use water in an amount in excess of that permitted by

the drought response stage in effect, or allow water waste.

B. The provisions of this Plan constitute rules adopted under the authority set forth in Section 54.205, *Texas Water Code*. Any person who violates any provision of this Plan will be subject to a fine in an amount per violation that does not exceed the jurisdiction of a justice court, as set forth in Section 27.031, *Texas Government Code*, as authorized by Section 49.004, *Texas Water Code*. Each day of violation will constitute a separate offense. In addition, the offending party will be liable to the District for any costs incurred by the District in connection with any violation. Compliance with this Plan may also be sought through injunctive relief in a Williamson County District Court.

C. In accordance with the authority set out in Subsection B above, the following fines, penalties and/or conditions of service are established for any violation occurring when the District is under Stage 1 or Stage 2 of this Plan:

1. Following the first documented violation, the violator will be given a notice specifying the type of violation and the date and time it was observed and that fines and restrictions on service may result from additional violations.

2. Following the second documented violation, the violator will be subject to a fine of $200.

3. Following the third documented violation, the violator will be subject to a fine of $500.

D. In accordance with the authority set out in Subsection B above, the following fines, penalties and/or conditions of service are established during any period when the District is under Stage 3 or Stage 4 of this Plan:

1. Following the first documented violation, the violator will be given a notice specifying the type of violation and the date and time it was observed and that fines and restrictions on service may result from additional violations.

2. Following the second documented violation, the violator will be subject to a fine of $2,000.

3. Following the third documented violation, the violator will be subject to a fine of $10,000.

4. Following any fourth documented violation, the authorized officer may, after written notice to the violator, discontinue water service to the premises where the violation has occurred. Service discontinued under such circumstances will only be restored upon payment of all fines established under this Plan, any reconnection fee or additional deposit specified in the District's rate order, and any costs incurred by the District in connection with discontinuing or reinitiating service.

5. Each day that one or more of the provisions in this Plan is violated will constitute a separate violation, and, if violations exist or occur at multiple service connections or addresses owned by a single Customer, each will constitute a separate violation. Any person who is in apparent control of the property where a violation occurs or originates will be presumed to be the violator, and proof that a violation occurred on a person's property constitutes a rebuttable presumption that the person committed the violation. Parents are responsible for violations of their minor children and

proof that a violation, committed by a child, occurred on property within the parents' control constitutes a rebuttable presumption that the parent committed the violation.

Section XI. Exceptions and Variances

A. The provisions of this Plan to the contrary notwithstanding, the Authorized Official may, in writing, grant temporary variances for existing water uses otherwise prohibited under this Plan if the Authorized Officer determines that failure to grant the variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting the variance and if one or more of the following conditions are met:

(a) Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.

(b) Alternative methods can be implemented that will achieve the same level of reduction in water use.

(c) New landscaping has been installed or, if the Authorized Official determines that a proposed new landscaping installation cannot be postponed, is installed subject to compliance with the requirements of Section C, below.

B. Persons requesting an exemption from the provisions of this Plan must file a written petition for variance with the District. All applications for variances will be reviewed by the Authorized Official or his designee and must include the following:

(a) Name and address of the applicant.

(b) Purpose of the requested water use.

(c) Specific provision(s) of this Plan from which the applicant is requesting relief.

(d) Detailed statement as to how the specific provision of the Plan adversely affects the applicant or what damage or harm will occur to the applicant or others if applicant 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 applicant proposes to take to meet the intent of this Plan and the date by which the applicant will come into full compliance with this Plan.

(h) Other pertinent information.

C. A variance for the irrigation of new landscaping may only be granted during Stage 1 or Stage 2 and will be subject to the following requirements and limitations:

(a) Irrigation will be limited to the Designated Watering Hours.

(b) For the first ten days after installation, irrigation will be permitted once per day for a

duration that results in an application rate that does not exceed one-half inch of water per watering day;

(c) For days 11 through 20 after installation, irrigation will be permitted once every other day for a duration that results in an application rate that does not exceed one-half inch of water per watering day; and

(d) For days 21 through 30 after installation, irrigation will be limited to once every third day for a duration that results in an application rate that does not exceed one inch of water per watering day.

(e) All landscaping irrigation systems must be equipped with a timer or controller that is set to limit the duration of irrigation to the authorized watering days and hours.

(f) Builders will be subject to additional landscaping guidelines set forth on the attached **Exhibit "A"**.

(g) Under no circumstances will a variance for the irrigation of new landscaping be granted during Stage 3 or Stage 4 drought conditions.

EXHIBIT A

Sonterra Municipal Utility District

Additional Builder Landscaping Guidelines

A Builder within the District must comply with the following additional water use guidelines in order to qualify for a variance associated with the establishment of new landscaping under Section XI of the Drought Contingency Plan.

1. The Builder must use Hybrid Bermuda or another variety of grass determined by the District to be a reasonably drought tolerant equivalent for all new sodded areas.

2. The Builder must submit a schedule of its projected lawn installations for each week between May 1 through September 30 to the District's Authorized Representative for review and approval.

3. The Builder may not install more than five new lawns within the District in any week during the period beginning May 1 and ending September 30.

4. The Builder may not utilize more than 20,000 gallons of water per month at each of the Builder's water service connections within the District.

5. The Builder must comply with all applicable provisions of the District's Drought Contingency Plan, including the additional water waste prohibitions and the provisions applicable to the irrigation of new landscaping.