

TCEQ Interoffice Memorandum

TO: Office of the Chief Clerk
Texas Commission on Environmental Quality

THRU: Chris Kozlowski, Team Leader
Water Rights Permitting Team

FROM: Jenna Rollins, Project Manager
Water Rights Permitting Team

DATE: January 7, 2022

SUBJECT: North Alamo Water Supply Corporation
ADJ 401
CN600633713, RN101470664
Application No. 23-401A to Amend Certificate of Adjudication No. 23-401
Texas Water Code § 11.122, Not Requiring Notice
Rio Grande, Rio Grande Basin
Hidalgo County

The application and fees were received on November 22, 2021. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on January 7, 2022. Notice is not required pursuant to Title 30 Texas Administrative Code § 303.42.

All fees have been paid and the application is sufficient for filing.

Jenna L. Rollins

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

OCC Mailed Notice Required YES NO

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 7, 2022

Mr. Richard W. Fryer
Fryer & Hansen, P.L.L.C.
1352 W. Pecan Blvd.
McAllen, TX 78501-4352

VIA E-MAIL

RE: North Alamo Water Supply Corporation
ADJ 401
CN600633713, RN101470664
Application No. 23-401A to Amend Certificate of Adjudication No. 23-401
Texas Water Code § 11.122, Not Requiring Notice
Rio Grande, Rio Grande Basin
Hidalgo County

Dear Mr. Fryer:

This acknowledges receipt, on November 22, 2021, of the referenced application and fees in the amount of \$112.50 (Receipt No. M204797B, copy attached).

The application was declared administratively complete and filed with the Office of the Chief Clerk on January 7, 2022. Staff will continue processing the application for consideration by the Executive Director.

Please be advised that additional information may be requested during the technical review phase of the application process.

If you have any questions concerning the application, please contact me via email at jenna.rollins@tceq.texas.gov or by phone at 512-239-1845.

Sincerely,

A handwritten signature in cursive script that reads "Jenna L. Rollins".

Jenna Rollins, Project Manager
Water Rights Permitting Team
Water Rights Permitting and Availability Section

SURFACE WATER RIGHTS CHANGE OF OWNERSHIP FORM

This Form is required to update the TCEQ ownership records of surface water rights in Texas. Submit a separate form for each water right. **See accompanying instructions regarding completion of this Form.** If you require additional assistance, you may contact the Water Rights Compliance Assurance Team (WRCAT) at (512) 239-4600.

1. Indicate: Water Rights Permit No. _____ and River Basin No. _____, or
Certificate of Adjudication No. 23-401

2. Provide the contact information for the person TCEQ may contact while processing this form. Please verify that the mailing address is recognized by the US Postal Service (USPS) on the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>.

Contact Name: EUGENE R. VAUGHAN, III

Mailing Address: P.O. DRAWER 1247

City: WESLACO State: TEXAS ZIP Code + four: 78599-1247

Telephone No(s). Home: _____ Office: 956-968-5402

Email Address: [REDACTED]

3. Provide the Full Legal Name of each new owner of the water right and the address information of each owner (for Notices and communications once the water right ownership has been updated) in the spaces below. **Note - The names of the new owner(s) must match the legal recorded conveyance documents that prove the change of ownership. Additionally, if a new owner is an entity, the legal name must match the name as filed with the Texas Secretary of State, County, or any other legal documents forming the entity.*

Please verify that the mailing address is recognized by the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>.

First New Owner's Name(s): NORTH ALAMO WATER SUPPLY CORPORATION

Mailing Address: 420 SOUTH DOOLITTLE ROAD

City: EDINBURG State: TEXAS ZIP Code + four: 78542-9707

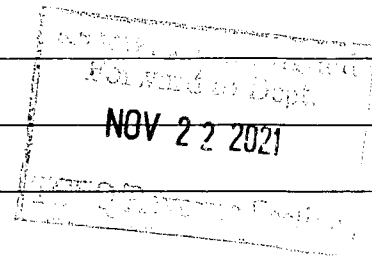
Telephone No(s). Home: _____ Office: 956-383-1618

Email Address: _____

Submit additional new owners name(s) and address(es) below or on a supplemental sheet.

Additional New Owner(s) Contact Information:

COPY



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WORKSHEET 8.0 CALCULATION OF FEES

COPY

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. **Instructions, Page. 34**

I. NEW APPROPRIATION

	Description	Amount (\$)
	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet I, Section I. Enter corresponding fee under Amount (\$) .	
	<i>In Acre-Feet</i>	
Filing Fee	a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	206797 \$222
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	
TOTAL		\$

2. AMENDMENT OR SEVER AND COMBINE

	Description	Amount (\$)
Filing Fee	Amendment: \$100 OR Sever and Combine: \$100 x _____ of water rights to combine	100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
TOTAL INCLUDED		\$ 112.50

3. BED AND BANKS

	Description	Amount (\$)
Filing Fee		\$100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
TOTAL INCLUDED		\$

JONES, GALLIGAN, KEY & LOZANO, L.L.P.

F. L. Jones (1939-2007)
Robert L. Galligan
Terry D. Key (Retired)
Anita G. Lozano
Matthew L. Jones
Lance A. Kirby
Rebecca Gay Jones
Rudy Salinas, Jr.

ATTORNEYS AT LAW

Town Center Tower
2300 West Pike Blvd., Suite 300, Weslaco, Texas 78596
P.O. Drawer 1247, Weslaco, Texas 78599-1247
Telephone: (956) 968-5402
General Fax: (956) 968-6089 -- Litigation Fax: (956) 969-9402

Ivan F. Pérez
Eugene R. Vaughan, III
Paola R. Guerrero
Gregory P. Kerr
Juan M. Pequeño, Jr. *
Lauren K. Christy
David Lozano
Alexandro Benavides

*1400 E. Madison, Suite 4, Brownsville, Texas 78520
Telephone: (956) 621-0710

E-mail: [REDACTED]
File No. 41237

November 18, 2021

Texas Commission on Environmental Quality
P.O. Box 13088, MC-160
Austin, Texas 78711-3088

Via CMRRR #7020 0090 0001 5726 4696

Re: Certificate of Adjudication No. 23-401; Change of Ownership and Application for Amendment to a Water Right

To Whom It May Concern:

Please be advised that our firm represents **MARTHA S. DEAN; GERALD CHRISTOPHER DOFFING; JAMES N. DOFFING; PETER CHARLES DOFFING; RICHARD DOFFING;** and **JOANNE C. GERMER** (collectively, "Doffing"). Doffing has agreed to sell 625 acre-feet of Class B irrigation rights to **NORTH ALAMO WATER SUPPLY CORPORATION** ("NAWSC") to be converted to 250 acre-feet per annum municipal use. As part of the transfer of those rights from Doffing to NAWSC, we are coordinating the efforts with TCEQ to effectuate the transfer and conversion of these rights.

Accordingly, we enclose the following documents:

1. Original Change of Ownership Form (Form TCEQ-10204) [transferring ownership of 625 acre-feet per annum out of Cert. Adj. No. 23-401 to NAWSC], which is supported by the following documents establishing chain of title:
 - a. Copy of Water Rights Sales Agreement by and between Doffing, as Seller, and NAWSC, as Buyer; and
 - b. Copy of Water Rights Conveyance dated September 28, 2021, from Doffing, as Grantor, to NAWSC, as Grantee, for the conveyance of a total of 625 acre-feet of Class B irrigation rights evidenced by Certificate of Adjudication No. 23-401, recorded under Document No. 2021-3272445, Official Records, Hidalgo County, Texas.
2. Original TCEQ Water Rights Permitting Application (Form TCEQ-10214B) for Cert. Adj. No. 23-832 (7 pages), which includes the following:
 - a. Original Technical Information Report (Form TCEQ-10214C) requesting that the point of diversion from the Rio Grande River be changed;
 - b. Attachment "A" – Summary of the Request/Location of Diversion Points;

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Water Availability Division

- c. Attachment "B" – Evidence of Signature Authority;
 - d. Attachment "C" - Copy of the Utility Profile for NAWSC;
 - e. Attachment "D" – Reserved; and
 - f. Attachment "E" – Copy of the Water Conservation Plan and Drought Contingency Plan for NAWSC.
3. A check in the amount of \$212.50, payable to the Texas Commission on Environmental Quality.

Time is of the essence in this transaction. I realize that you process applications in the order in which they arrive at TCEQ; however, I would appreciate your prompt attention to this matter. I believe, based on prior transactions of this nature, that we have attached all of the documents that you will need. If you need anything further, though, or if you have any questions or comments, please do not hesitate to contact me.

Yours very truly,

JONES, GALLIGAN, KEY & LOZANO, L.L.P.

By: 

EUGENE R. VAUGHAN, III
For the Firm

Encl. as stated.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

TCEQ WATER RIGHTS PERMITTING APPLICATION

ADMINISTRATIVE INFORMATION CHECKLIST

Complete and submit this checklist for each application. See Instructions Page. 5.

APPLICANT(S): NORTH ALAMO WATER SUPPLY CORPORATION

Indicate whether the following items are included in your application by writing either Y (for yes) or N (for no) next to each item (all items are not required for every application).

Y/N

Administrative Information Report
 Additional Co-Applicant Information
 Additional Co-Applicant Signature Pages
 Written Evidence of Signature Authority
 Technical Information Report
 USGS Map (or equivalent)
 Map Showing Project Details
 Original Photographs
 Water Availability Analysis
 Worksheet 1.0
 Recorded Deeds for Irrigated Land
 Consent For Irrigation Land
 Worksheet 1.1
 Addendum to Worksheet 1.1
 Worksheet 1.2
 Addendum to Worksheet 1.2
 Worksheet 2.0
 Additional W.S 2.0 for Each Reservoir
 Dam Safety Documents
 Notice(s) to Governing Bodies
 Recorded Deeds for Inundated Land
 Consent For Inundation Land

Y/N

Worksheet 3.0
 Additional W.S 3.0 for each Point
 Recorded Deeds for Diversion Points
 Consent For Diversion Access
 Worksheet 4.0
 TPDES Permit(s)
 WWTP Discharge Data
 24-hour Pump Test
 Groundwater Well Permit
 Signed Water Supply Contract
 Worksheet 4.1
 Worksheet 5.0
 Addendum to Worksheet 5.0
 Worksheet 6.0
 Water Conservation Plan(s)
 Drought Contingency Plan(s)
 Documentation of Adoption
 Worksheet 7.0
 Accounting Plan
 Worksheet 8.0
 Fees

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Water Availability Division

For Commission Use Only:

Proposed/Current Water Right Number: _____

Basin: _____ Watermaster area Y/N: _____

ADMINISTRATIVE INFORMATION REPORT

The following information is required for all new applications and amendments.

*****Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Staff to discuss Applicant's needs prior to submitting an application. Call the Water Rights Permitting Team to schedule a meeting at (512) 239-4600.**

1. TYPE OF APPLICATION (Instructions, Page. 6)

Indicate, by marking X, next to the following authorizations you are seeking.

New Appropriation of State Water

Amendment to a Water Right *

Bed and Banks

****If you are seeking an amendment to an existing water rights authorization, you must be the owner of record of the authorization. If the name of the Applicant in Section 2, does not match the name of the current owner(s) of record for the permit or certificate or if any of the co-owners is not included as an applicant in this amendment request, your application could be returned. If you or a co-applicant are a new owner, but ownership is not reflected in the records of the TCEQ, submit a change of ownership request (Form TCEQ-10204) prior to submitting the application for an amendment. See Instructions page. 6. Please note that an amendment application may be returned, and the Applicant may resubmit once the change of ownership is complete.***

Please summarize the authorizations or amendments you are seeking in the space below or attach a narrative description entitled "Summary of Request."

SEE SUMMARY OF REQUEST ON EXHIBIT "A"

2. APPLICANT INFORMATION (Instructions, Page. 6)

a. Applicant

Indicate the number of Applicants/Co-Applicants 1
(Include a copy of this section for each Co-Applicant, if any)

What is the Full Legal Name of the individual or entity (applicant) applying for this permit?

NORTH ALAMO WATER SUPPLY CORPORATION

(If the Applicant is an entity, the legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?

You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN : 600633713 (leave blank if you do not yet have a CN).

What is the name and title of the person or persons signing the application? Unless an application is signed by an individual applicant, the person or persons must submit written evidence that they meet the signatory requirements in 30 TAC § 295.14.

First/Last Name: STEVEN SANCHEZ

Title: GENERAL MANAGER

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? YES. SEE ATTACHMENT "B"

What is the applicant's mailing address as recognized by the US Postal Service (USPS)? You may verify the address on the USPS website at

<https://tools.usps.com/go/ZipLookupAction!input.action>.

Name: NORTH ALAMO WATER

Mailing Address: 420 SOUTH DOOLITTLE

City: EDINBURG

State: TEXAS

ZIP Code: 78542-9707

Indicate an X next to the type of Applicant:

- | | |
|---|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Sole Proprietorship-D.B.A. |
| <input type="checkbox"/> Partnership | <input checked="" type="checkbox"/> Corporation |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Estate |
| <input type="checkbox"/> Federal Government | <input type="checkbox"/> State Government |
| <input type="checkbox"/> County Government | <input type="checkbox"/> City Government |
| <input type="checkbox"/> Other Government | <input type="checkbox"/> Other _____ |

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: 17415953193 SOS Charter (filing) Number: 0022548901

3. APPLICATION CONTACT INFORMATION (Instructions, Page. 9)

If the TCEQ needs additional information during the review of the application, who should be contacted? Applicant may submit their own contact information if Applicant wishes to be the point of contact.

First and Last Name: RICHARD FRYER

Title: ATTORNEY

Organization Name: FRYER & HANSEN, PLLC

Mailing Address: 1352 WEST PECAN BLVD

City: MCALLEN


State: TEXAS

ZIP Code: 78501

Phone No.: 956-686-6606

Extension:

Fax No.: 956-686-6601

E-mail Address: 

4. WATER RIGHT CONSOLIDATED CONTACT INFORMATION (Instructions, Page. 9)

This section applies only if there are multiple Owners of the same authorization. Unless otherwise requested, Co-Owners will each receive future correspondence from the Commission regarding this water right (after a permit has been issued), such as notices and water use reports. Multiple copies will be sent to the same address if Co-Owners share the same address. Complete this section if there will be multiple owners and all owners agree to let one owner receive correspondence from the Commission. Leave this section blank if you would like all future notices to be sent to the address of each of the applicants listed in section 2 above.

I/We authorize all future notices be received on my/our behalf at the following:

First and Last Name:

Title:

Organization Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

Extension:

Fax No.:

E-mail Address:

5. MISCELLANEOUS INFORMATION (Instructions, Page. 9)

a. The application will not be processed unless all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol by all applicants/co-applicants. If you need assistance determining whether you owe delinquent penalties or fees, please call the Water Rights Permitting Team at (512) 239-4600, prior to submitting your application.

1. Does Applicant or Co-Applicant owe any fees to the TCEQ? **Yes / No NO**

If **yes**, provide the following information:

Account number:

Amount past due:

2. Does Applicant or Co-Applicant owe any penalties to the TCEQ? **Yes / No NO**

If **yes**, please provide the following information:

Enforcement order number:

Amount past due:

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicant's may check their status with the Comptroller at <https://mycpa.cpa.state.tx.us/coa/>

Is the Applicant or Co-Applicant in good standing with the Comptroller? **Yes / No YES**

c. The commission will not grant an application for a water right unless the applicant has submitted all Texas Water Development Board (TWDB) surveys of groundwater and surface water use - if required. See TWC §16.012(m) and 30 TAC § 297.41(a)(5).

Applicant has submitted all required TWDB surveys of groundwater and surface water? **Yes / No YES**

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, STEVEN P. SANCHEZ, GENERAL MANAGER

(Typed or printed name)

(Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under Title 30 Texas Administrative Code §295.14 to sign and submit this document and I have submitted written evidence of my signature authority.

Signature: [Handwritten Signature]
(Use blue ink)

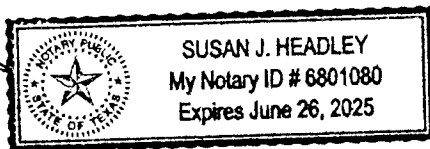
Date: 11-12-2021

Subscribed and Sworn to before me by the said

on this 12th day of November, 2021.

My commission expires on the 26th day of June, 2025.

Susan J. Headley
Notary Public



[SEAL]

Hidalgo
County, Texas

If the Application includes Co-Applicants, each Applicant and Co-Applicant must submit an original, separate signature page

TECHNICAL INFORMATION REPORT

WATER RIGHTS PERMITTING

This Report is required for applications for new or amended water rights. Based on the Applicant's responses below, Applicant are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

Applicants are strongly encouraged to schedule a pre-application meeting with TCEQ Permitting Staff to discuss Applicant's needs and to confirm information necessary for an application prior to submitting such application. Please call Water Availability Division at (512) 239-4600 to schedule a meeting. Applicant attended a pre-application meeting with TCEQ Staff for this Application? Y / N^N_____ (If yes, date :_____).

1. New or Additional Appropriations of State Water. Texas Water Code (TWC) § 11.121 (Instructions, Page. 12)

State Water is: *The water of the ordinary flow, underflow, and tides of every flowing river, natural stream, and lake, and of every bay or arm of the Gulf of Mexico, and the storm water, floodwater, and rainwater of every river, natural stream, canyon, ravine, depression, and watershed in the state. TWC § 11.021.*

- a. Applicant requests a new appropriation (diversion or impoundment) of State Water? Y / N^N_____
- b. Applicant requests an amendment to an existing water right requesting an increase in the appropriation of State Water or an increase of the overall or maximum combined diversion rate? Y / N^N_____ (If yes, indicate the Certificate or Permit number:_____)

If Applicant answered yes to (a) or (b) above, does Applicant also wish to be considered for a term permit pursuant to TWC § 11.1381? Y / N_____

- c. Applicant requests to extend an existing Term authorization or to make the right permanent? Y / N^N_____ (If yes, indicate the Term Certificate or Permit number:_____)

If Applicant answered yes to (a), (b) or (c), the following worksheets and documents are required:

- **Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir requested in the application)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point and/or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach requested in the application)
- **Worksheet 5.0 – Environmental Information Worksheet**
- **Worksheet 6.0 – Water Conservation Information Worksheet**
- **Worksheet 7.0 – Accounting Plan Information Worksheet**
- **Worksheet 8.0 – Calculation of Fees**
- **Fees calculated on Worksheet 8.0 – see instructions Page. 34.**
- **Maps – See instructions Page. 15.**
- **Photographs - See instructions Page. 30.**

Additionally, if Applicant wishes to submit an alternate source of water for the project/authorization, see Section 3, Page 3 for Bed and Banks Authorizations (Alternate sources may include groundwater, imported water, contract water or other sources).

Additional Documents and Worksheets may be required (see within).

2. Amendments to Water Rights. TWC § 11.122 (Instructions, Page. 12)

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. *If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQ-10204) prior to submitting the amendment Application or provide consent from the current owner to make the requested amendment. If the application does not contain consent from the current owner to make the requested amendment, TCEQ will not begin processing the amendment application until the Change of Ownership has been completed and will consider the Received Date for the application to be the date the Change of Ownership is completed. See instructions page. 6.*

Water Right (Certificate or Permit) number you are requesting to amend: 23-401

Applicant requests to sever and combine existing water rights from one or more Permits or Certificates into another Permit or Certificate? Y / N^N _____ (if yes, complete chart below):

List of water rights to sever	Combine into this ONE water right

- a. Applicant requests an amendment to an existing water right to increase the amount of the appropriation of State Water (diversion and/or impoundment)? Y / N^N _____

If yes, application is a new appropriation for the increased amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

- b. Applicant requests to amend existing Term authorization to extend the term or make the water right permanent (remove conditions restricting water right to a term of years)? Y / N^N _____

If yes, application is a new appropriation for the entire amount, complete Section 1 of this Report (PAGE. 1) regarding New or Additional Appropriations of State Water.

- c. Applicant requests an amendment to change the purpose or place of use or to add an additional purpose or place of use to an existing Permit or Certificate? Y / N^Y _____

If yes, submit:

- ~~Worksheet 1.0 – Quantity, Purpose, and Place of Use Information Worksheet~~
- Worksheet 1.2 - Notice: "Marshall Criteria"

- d. Applicant requests to change: diversion point(s); or reach(es); or diversion rate? Y / N^Y _____
If yes, submit:

- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for each diversion point or one worksheet for the upstream limit and one worksheet for the downstream limit of each diversion reach)
- **Worksheet 5.0 – Environmental Information** (Required for any new diversion points that are not already authorized in a water right)

- e. Applicant requests amendment to add or modify an impoundment, reservoir, or dam? Y / N^N _____

If yes, submit: Worksheet 2.0 - Impoundment/Dam Information Worksheet (submit one worksheet for each impoundment or reservoir)

f. Other - Applicant requests to change any provision of an authorization not mentioned above? Y / N^N_____ *If yes, call the Water Availability Division at (512) 239-4600 to discuss.*

Additionally, all amendments require:

- **Worksheet 8.0 - Calculation of Fees; and Fees calculated - see instructions Page. 34**
- **Maps - See instructions Page. 15.**
- **Additional Documents and Worksheets may be required (see within).**

3. Bed and Banks. TWC § 11.042 (Instructions, Page 13)

a. Pursuant to contract, Applicant requests authorization to convey, stored or conserved water to the place of use or diversion point of purchaser(s) using the bed and banks of a watercourse? TWC § 11.042(a). Y/N^N_____

If yes, submit a signed copy of the Water Supply Contract pursuant to 30 TAC §§ 295.101 and 297.101. Further, if the underlying Permit or Authorization upon which the Contract is based does not authorize Purchaser's requested Quantity, Purpose or Place of Use, or Purchaser's diversion point(s), then either:

- 1. Purchaser must submit the worksheets required under Section 1 above with the Contract Water identified as an alternate source; or*
- 2. Seller must amend its underlying water right under Section 2.*

b. Applicant requests to convey water imported into the state from a source located wholly outside the state using the bed and banks of a watercourse? TWC § 11.042(a-1). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps and fees from the list below.

c. Applicant requests to convey Applicant's own return flows derived from privately owned groundwater using the bed and banks of a watercourse? TWC § 11.042(b). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

d. Applicant requests to convey Applicant's own return flows derived from surface water using the bed and banks of a watercourse? TWC § 11.042(c). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 6.0, 7.0, 8.0, Maps, and fees from the list below.

****Please note, if Applicant requests the reuse of return flows belonging to others, the Applicant will need to submit the worksheets and documents under Section 1 above, as the application will be treated as a new appropriation subject to termination upon direct or indirect reuse by the return flow discharger/owner.***

e. Applicant requests to convey water from any other source, other than (a)-(d) above, using the bed and banks of a watercourse? TWC § 11.042(c). Y / N^N_____

If yes, submit: worksheets 1.0, 2.0, 3.0, 4.0, 5.0, 7.0, 8.0, Maps, and fees from the list below.

Worksheets and information:

- **Worksheet 1.0 - Quantity, Purpose, and Place of Use Information Worksheet**
- **Worksheet 2.0 - Impoundment/Dam Information Worksheet** (submit one worksheet for each impoundment or reservoir owned by the applicant through which water will be conveyed or diverted)
- **Worksheet 3.0 - Diversion Point Information Worksheet** (submit one worksheet for the downstream limit of each diversion reach for the proposed conveyances)
- **Worksheet 4.0 - Discharge Information Worksheet** (for each discharge point)

- Worksheet 5.0 – Environmental Information Worksheet
- Worksheet 6.0 – Water Conservation Information Worksheet
- Worksheet 7.0 – Accounting Plan Information Worksheet
- Worksheet 8.0 – Calculation of Fees; and Fees calculated – see instructions Page. 34
- Maps – See instructions Page. 15.
- Additional Documents and Worksheets may be required (see within).

4. General Information, Response Required for all Water Right Applications (Instructions, Page 15)

- a. Provide information describing how this application addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement (*not required for applications to use groundwater-based return flows*). Include citations or page numbers for the State and Regional Water Plans, if applicable. Provide the information in the space below or submit a supplemental sheet entitled “Addendum Regarding the State and Regional Water Plans”:

Applicant is located within Region M Planning Group. This application is consistent with the State Water Plan, which supports the conversion of irrigation use rights to municipal use. In addition, the 2021 Region M Water Plan adopts the conversion of agricultural rights to municipal use rights as a water management strategy.

- b. Did the Applicant perform its own Water Availability Analysis? Y / N N

If the Applicant performed its own Water Availability Analysis, provide electronic copies of any modeling files and reports.

- c. Does the application include required Maps? (Instructions Page. 15) Y / N _____

WORKSHEET 1.0

Quantity, Purpose and Place of Use

1. New Authorizations (Instructions, Page. 16)

Submit the following information regarding quantity, purpose and place of use for requests for new or additional appropriations of State Water or Bed and Banks authorizations:

Quantity (acre- feet) <i>(Include losses for Bed and Banks)</i>	State Water Source (River Basin) or Alternate Source <i>*each alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0</i>	Purpose(s) of Use	Place(s) of Use <i>*requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer</i>
625	RIO GRANDE RIVER BASIN	Municipal Use	HIDALGO COUNTY, TEXAS

_____ Total amount of water (in acre-feet) to be used annually (*include losses for Bed and Banks applications*)

If the Purpose of Use is Agricultural/Irrigation for any amount of water, provide:

a. Location Information Regarding the Lands to be Irrigated

i) Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.

ii) Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____.

A copy of the deed(s) or other acceptable instrument describing the overall tract(s) with the recording information from the county records must be submitted.

Applicant's name must match deeds.

If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

2. Amendments - Purpose or Place of Use (Instructions, Page. 12)

a. Complete this section for each requested amendment changing, adding, or removing Purpose(s) or Place(s) of Use, complete the following:

Quantity (acre-feet)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**
625	AGRICULTURAL	MUNICIPAL; SEE ATTACHMENT "A"	HIDALGO COUNTY AGRICULTURAL LAND; SEE ATTACHMENT "A"	HIDALGO COUNTY SERVICE AREA OF APPLICANT; SEE ATTACHMENT "A"

*If the request is to add additional purpose(s) of use, include the existing and new purposes of use under "Proposed Purpose(s) of Use."

**If the request is to add additional place(s) of use, include the existing and new places of use under "Proposed Place(s) of Use."

Changes to the purpose of use in the Rio Grande Basin may require conversion. 30 TAC § 303.43.

b. For any request which adds Agricultural purpose of use or changes the place of use for Agricultural rights, provide the following location information regarding the lands to be irrigated:

- i. Applicant proposes to irrigate a total of _____ acres in any one year. This acreage is all of or part of a larger tract(s) which is described in a supplement attached to this application and contains a total of _____ acres in _____ County, TX.
- ii. Location of land to be irrigated: In the _____ Original Survey No. _____, Abstract No. _____

A copy of the deed(s) describing the overall tract(s) with the recording information from the county records must be submitted. Applicant's name must match deeds. If the Applicant is not currently the sole owner of the lands to be irrigated, Applicant must submit documentation evidencing consent or other legal right for Applicant to use the land described.

Water Rights for Irrigation may be appurtenant to the land irrigated and convey with the land unless reserved in the conveyance. 30 TAC § 297.81.

- c. Submit Worksheet 1.1, Interbasin Transfers, for any request to change the place of use which moves State Water to another river basin.
- d. See Worksheet 1.2, Marshall Criteria, and submit if required.
- e. See Worksheet 6.0, Water Conservation/Drought Contingency, and submit if required.

WORKSHEET 1.1

INTERBASIN TRANSFERS, TWC § 11.085

Submit this worksheet for an application for a new or amended water right which requests to transfer State Water from its river basin of origin to use in a different river basin. A river basin is defined and designated by the Texas Water Development Board by rule pursuant to TWC § 16.051.

Applicant requests to transfer State Water to another river basin within the State? Y / N_____

1. Interbasin Transfer Request (Instructions, Page. 20)

- a. Provide the Basin of Origin. _____
- b. Provide the quantity of water to be transferred (acre-feet). _____
- c. Provide the Basin(s) and count(y/ies) where use will occur in the space below:

2. Exemptions (Instructions, Page. 20), TWC § 11.085(v)

Certain interbasin transfers are exempt from further requirements. Answer the following:

- a. The proposed transfer, which in combination with any existing transfers, totals less than 3,000 acre-feet of water per annum from the same water right. Y/N__
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N__
- c. The proposed transfer from the part of the geographic area of a county or municipality, or the part of the retail service area of a retail public utility as defined by Section 13.002, that is within the basin of origin for use in that part of the geographic area of the county or municipality, or that contiguous part of the retail service area of the utility, not within the basin of origin? Y/N__
- d. The proposed transfer is for water that is imported from a source located wholly outside the boundaries of Texas, except water that is imported from a source located in the United Mexican States? Y/N__

3. Interbasin Transfer Requirements (Instructions, Page. 20)

For each Interbasin Transfer request that is not exempt under any of the exemptions listed above Section 2, provide the following information in a supplemental attachment titled "Addendum to Worksheet 1.1, Interbasin Transfer":

- a. the contract price of the water to be transferred (if applicable) (also include a copy of the contract or adopted rate for contract water);
- b. a statement of each general category of proposed use of the water to be transferred and a detailed description of the proposed uses and users under each category;
- c. the cost of diverting, conveying, distributing, and supplying the water to, and treating the water for, the proposed users (example - expert plans and/or reports documents may be provided to show the cost);

- d. describe the need for the water in the basin of origin and in the proposed receiving basin based on the period for which the water supply is requested, but not to exceed 50 years (the need can be identified in the most recently approved regional water plans. The state and regional water plans are available for download at this website: (<http://www.twdb.texas.gov/waterplanning/swp/index.asp>);
 - e. address the factors identified in the applicable most recently approved regional water plans which address the following:
 - (i) the availability of feasible and practicable alternative supplies in the receiving basin to the water proposed for transfer;
 - (ii) the amount and purposes of use in the receiving basin for which water is needed;
 - (iii) proposed methods and efforts by the receiving basin to avoid waste and implement water conservation and drought contingency measures;
 - (iv) proposed methods and efforts by the receiving basin to put the water proposed for transfer to beneficial use;
 - (v) the projected economic impact that is reasonably expected to occur in each basin as a result of the transfer; and
 - (vi) the projected impacts of the proposed transfer that are reasonably expected to occur on existing water rights, instream uses, water quality, aquatic and riparian habitat, and bays and estuaries that must be assessed under Sections 11.147, 11.150, and 11.152 in each basin (*if applicable*). If the water sought to be transferred is currently authorized to be used under an existing permit, certified filing, or certificate of adjudication, such impacts shall only be considered in relation to that portion of the permit, certified filing, or certificate of adjudication proposed for transfer and shall be based on historical uses of the permit, certified filing, or certificate of adjudication for which amendment is sought;
 - f. proposed mitigation or compensation, if any, to the basin of origin by the applicant; and
 - g. the continued need to use the water for the purposes authorized under the existing Permit, Certified Filing, or Certificate of Adjudication, if an amendment to an existing water right is sought.
-
-

WORKSHEET 1.2 NOTICE. "THE MARSHALL CRITERIA"

This worksheet assists the Commission in determining notice required for certain **amendments** that do not already have a specific notice requirement in a rule for that type of amendment, and *that do not change the amount of water to be taken or the diversion rate*. The worksheet provides information that Applicant **is required** to submit for such amendments which include changes in use, changes in place of use, or other non-substantive changes in a water right (such as certain amendments to special conditions or changes to off-channel storage). These criteria address whether the proposed amendment will impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

This worksheet is not required for Applications in the Rio Grande Basin requesting changes in the purpose of use, rate of diversion, point of diversion, and place of use for water rights held in and transferred within and between the mainstems of the Lower Rio Grande, Middle Rio Grande, and Amistad Reservoir. See 30 TAC § 303.42.

This worksheet is not required for amendments which are only changing or adding diversion points, or request only a bed and banks authorization or an IBT authorization. However, Applicants may wish to submit the Marshall Criteria to ensure that the administrative record includes information supporting each of these criteria

I. The "Marshall Criteria" (Instructions, Page. 21)

Submit responses on a supplemental attachment titled "Marshall Criteria" in a manner that conforms to the paragraphs (a) - (g) below:

- a. Administrative Requirements and Fees. Confirm whether application meets the administrative requirements for an amendment to a water use permit pursuant to TWC Chapter 11 and Title 30 Texas Administrative Code (TAC) Chapters 281, 295, and 297. An amendment application should include, but is not limited to, a sworn application, maps, completed conservation plan, fees, etc.
- b. Beneficial Use. Discuss how proposed amendment is a beneficial use of the water as defined ~~in TWC § 11.002 and listed in TWC § 11.023. Identify the specific proposed use of the water~~ (e.g., road construction, hydrostatic testing, etc.) for which the amendment is requested.
- c. Public Welfare. Explain how proposed amendment is not detrimental to the public welfare. Consider any public welfare matters that might be relevant to a decision on the application. Examples could include concerns related to the well-being of humans and the environment.
- d. Groundwater Effects. Discuss effects of proposed amendment on groundwater or groundwater recharge.

- e. State Water Plan. Describe how proposed amendment addresses a water supply need in a manner that is consistent with the state water plan or the applicable approved regional water plan for any area in which the proposed appropriation is located or, in the alternative, describe conditions that warrant a waiver of this requirement. The state and regional water plans are available for download at:
<http://www.twdb.texas.gov/waterplanning/swp/index.asp>.
- f. Waste Avoidance. Provide evidence that reasonable diligence will be used to avoid waste and achieve water conservation as defined in TWC § 11.002. Examples of evidence could include, but are not limited to, a water conservation plan or, if required, a drought contingency plan, meeting the requirements of 30 TAC Chapter 288.
- g. Impacts on Water Rights or On-stream Environment. Explain how proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespective of the fact that the water right can be used to its full authorized amount.

WORKSHEET 2.0

Impoundment/Dam Information

This worksheet is **required** for any impoundment, reservoir and/or dam. Submit an additional Worksheet 2.0 for each impoundment or reservoir requested in this application.

If there is more than one structure, the numbering/naming of structures should be consistent throughout the application and on any supplemental documents (e.g. maps).

1. Storage Information (Instructions, Page. 21)

- a. Official USGS name of reservoir, if applicable: _____
- b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: _____.
- c. The impoundment is on-channel _____ or off-channel _____ (mark one)
 - i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? Y / N _____
 - ii. If on-channel, will the structure have the ability to pass all State Water inflows that Applicant does not have authorization to impound? Y / N _____
- d. Is the impoundment structure already constructed? Y / N _____
 - i. For already constructed **on-channel** structures:
 1. Date of Construction: _____
 2. Was it constructed to be an exempt structure under TWC § 11.142? Y / N _____
 - a. If Yes, is Applicant requesting to proceed under TWC § 11.143? Y / N _____
 - b. If No, has the structure been issued a notice of violation by TCEQ? Y / N _____
 3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? Y / N _____
 - a. If yes, provide the Site No. _____ and watershed project name _____;
 - b. Authorization to close "ports" in the service spillway requested? Y / N _____
 - ii. For **any** proposed new structures or modifications to structures:
 1. Applicant **must** contact TCEQ Dam Safety Section at (512) 239-0326, *prior to submitting an Application*. Applicant has contacted the TCEQ Dam Safety Section regarding the submission requirements of 30 TAC, Ch. 299? Y / N _____
Provide the date and the name of the Staff Person _____
 2. As a result of Applicant's consultation with the TCEQ Dam Safety Section, TCEQ has confirmed that:
 - a. No additional dam safety documents required with the Application. Y / N _____
 - b. Plans (with engineer's seal) for the structure required. Y / N _____
 - c. Engineer's signed and sealed hazard classification required. Y / N _____
 - d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. Y / N _____

3. Applicants **shall** give notice by certified mail to each member of the governing body of each county and municipality in which the reservoir, or any part of the reservoir to be constructed, will be located. (30 TAC § 295.42). Applicant must submit a copy of all the notices and certified mailing cards with this Application. Notices and cards are included? Y / N_____

iii. Additional information required for **on-channel** storage:

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level:_____.
2. Based on the Application information provided, Staff will calculate the drainage area above the on-channel dam or reservoir. If Applicant wishes to also calculate the drainage area they may do so at their option. Applicant has calculated the drainage area. Y/N_____ If yes, the drainage area is _____ sq. miles. (If assistance is needed, call the Surface Water Availability Team prior to submitting the application, (512) 239-4600).

2. Structure Location (Instructions, Page. 23)

- a. On Watercourse (if on-channel) (USGS name):_____
- b. Zip Code: _____
- c. In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.

**** A copy of the deed(s) with the recording information from the county records must be submitted describing the tract(s) that include the structure and all lands to be inundated.***

*****If the Applicant is not currently the sole owner of the land on which the structure is or will be built and sole owner of all lands to be inundated, Applicant must submit documentation evidencing consent or other documentation supporting Applicant's right to use the land described.***

- d. A point on the centerline of the dam (on-channel) or anywhere within the impoundment (off-channel) is:

Latitude _____°N, Longitude _____°W.

****Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places***

- di. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):_____
- dii. Map submitted which clearly identifies the Impoundment, dam (where applicable), and the lands to be inundated. See instructions Page. 15. Y / N_____

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

This worksheet is **required** for each diversion point or diversion reach. Submit one Worksheet 3.0 for **each** diversion point and two Worksheets for **each** diversion reach (one for the upstream limit and one for the downstream limit of each diversion reach).

The numbering of any points or reach limits should be consistent throughout the application and on supplemental documents (e.g. maps).

1. Diversion Information (Instructions, Page 24)

a. This Worksheet is to add new (select 1 of 3 below):

1. ___ Diversion Point No.
2. ___ Upstream Limit of Diversion Reach No.
3. ___ Downstream Limit of Diversion Reach No.

b. Maximum Rate of Diversion for **this new point** _____ cfs (cubic feet per second)
or _____ gpm (gallons per minute)

c. Does this point share a diversion rate with other points? Y / N _____
*If yes, submit Maximum **Combined** Rate of Diversion for all points/reaches _____ cfs or _____ gpm*

d. For amendments, is Applicant seeking to increase combined diversion rate? Y / N _____

*** An increase in diversion rate is considered a new appropriation and would require completion of Section 1, New or Additional Appropriation of State Water.*

e. Check (✓) the appropriate box to indicate diversion location and indicate whether the diversion location is existing or proposed):

Check one		Write: Existing or Proposed
X	Directly from stream	EXISTING
	From an on-channel reservoir	
	From a stream to an on-channel reservoir	
	Other method (explain fully, use additional sheets if necessary)	

f. Based on the Application information provided, Staff will calculate the drainage area above the diversion point (or reach limit). If Applicant wishes to also calculate the drainage area, you may do so at their option.

Applicant has calculated the drainage area. Y / N _____

If yes, the drainage area is _____ sq. miles.

(If assistance is needed, call the Surface Water Availability Team at (512) 239-4600, prior to submitting application)

2. Diversion Location (Instructions, Page 25)

- a. On watercourse (USGS name): SEE ATTACHMENT "A"
- b. Zip Code: _____
- c. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.

A copy of the deed(s) with the recording information from the county records must be submitted describing tract(s) that include the diversion structure.

For diversion reaches, the Commission cannot grant an Applicant access to property that the Applicant does not own or have consent or a legal right to access, the Applicant will be required to provide deeds, or consent, or other documents supporting a legal right to use the specific points when specific diversion points within the reach are utilized. Other documents may include, but are not limited to: a recorded easement, a land lease, a contract, or a citation to the Applicant's right to exercise eminent domain to acquire access.

- d. Point is at:
Latitude _____°N, Longitude _____°W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): _____
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 38.
- g. If the Plan of Diversion is complicated and not readily discernable from looking at the map, attach additional sheets that fully explain the plan of diversion.

WORKSHEET 4.0 DISCHARGE INFORMATION

This worksheet required for any requested authorization to discharge water into a State Watercourse for conveyance and later withdrawal or in-place use. Worksheet 4.1 is also required for each Discharge point location requested. **Instructions Page. 26. Applicant is responsible for obtaining any separate water quality authorizations which may be required and for insuring compliance with TWC, Chapter 26 or any other applicable law.**

- a. The purpose of use for the water being discharged will be _____.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses _____% and explain the method of calculation: _____

Is the source of the discharged water return flows? Y / N _____ If yes, provide the following information:

1. The TPDES Permit Number(s) _____ (attach a copy of the **current** TPDES permit(s))
2. Applicant is the owner/holder of each TPDES permit listed above? Y / N _____

PLEASE NOTE: If Applicant is not the discharger of the return flows, the application should be submitted under Section 1, New or Additional Appropriation of State Water, as a request for a new appropriation of state water. If Applicant is the discharger, then the application should be submitted under Section 3, Bed and Banks.

3. Monthly WWTP discharge data for the past 5 years in electronic format. (Attach and label as "Supplement to Worksheet 4.0").
 4. The percentage of return flows from groundwater _____, surface water _____?
 5. If any percentage is surface water, provide the base water right number(s) _____.
- c. Is the source of the water being discharged groundwater? Y / N _____ If yes, provide the following information:

1. Source aquifer(s) from which water will be pumped: _____

2. Any 24 hour pump test for the well if one has been conducted. If the well has not been constructed, provide production information for wells in the same aquifer in the area of the application. See <http://www.twdb.texas.gov/groundwater/data/gwdbbrpt.asp>. Additionally, provide well numbers or identifiers _____

3. Indicate how the groundwater will be conveyed to the stream or reservoir.

4. A copy of the groundwater well permit if it is located in a Groundwater Conservation District (GCD) or evidence that a groundwater well permit is not required.

ci. Is the source of the water being discharged a surface water supply contract? Y / N _____
If yes, provide the signed contract(s).

cii. Identify any other source of the water _____

WORKSHEET 4.1 DISCHARGE POINT INFORMATION

This worksheet is required for **each** discharge point. Submit one Worksheet 4.1 for each discharge point. If there is more than one discharge point, the numbering of the points should be consistent throughout the application and on any supplemental documents (e.g. maps).
Instructions, Page 27.

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is _____ acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of _____ cfs or _____ gpm.
- c. Name of Watercourse as shown on Official USGS maps: _____
- d. Zip Code _____
- f. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.
- g. Point is at:
Latitude _____°N, Longitude _____°W.
**Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places*
- h. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): _____

Map submitted must clearly identify each discharge point. See instructions Page. 15.

WORKSHEET 5.0

ENVIRONMENTAL INFORMATION

1. Impingement and Entrainment

This section is required for any new diversion point that is not already authorized. Indicate the measures the applicant will take to avoid impingement and entrainment of aquatic organisms (ex. Screens on any new diversion structure that is not already authorized in a water right). **Instructions, Page 29.**

2. New Appropriations of Water (Canadian, Red, Sulphur, and Cypress Creek Basins only) and Changes in Diversion Point(s)

This section is required for new appropriations of water in the Canadian, Red, Sulphur, and Cypress Creek Basins and in all basins for requests to change a diversion point. **Instructions, Page 30.**

Description of the Water Body at each Diversion Point or Dam Location. (Provide an Environmental Information Sheet for each location),

a. Identify the appropriate description of the water body.

Stream

Reservoir

Average depth of the entire water body, in feet: _____

Other, specify: _____

b. Flow characteristics

If a stream, was checked above, provide the following. For new diversion locations, check one of the following that best characterize the area downstream of the diversion (check one).

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

Check the method used to characterize the area downstream of the new diversion location.

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the stream segments affected by the application and the area surrounding those stream segments.

- Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- Natural Area: trees and/or native vegetation common; some development evident (from fields, pastures, dwellings); water clarity discolored
- Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

d. Waterbody Recreational Uses

Are there any known recreational uses of the stream segments affected by the application?

- Primary contact recreation (swimming or direct contact with water)
- Secondary contact recreation (fishing, canoeing, or limited contact with water)
- Non-contact recreation

Submit the following information in a Supplemental Attachment, labeled Addendum to Worksheet 5.0:

1. Photographs of the stream at the diversion point or dam location. Photographs should be in color and show the proposed point or reservoir and upstream and downstream views of the stream, including riparian vegetation along the banks. ~~Include a description of each photograph and reference the photograph to the map submitted with the application indicating the location of the photograph and the direction of the shot.~~
2. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

3. Alternate Sources of Water and/or Bed and Banks Applications

This section is required for applications using an alternate source of water and bed and banks applications in any basins. **Instructions, page 31.**

- a. For all bed and banks applications:
 - i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.
- b. For all alternate source applications:
 - i. If the alternate source is treated return flows, provide the TPDES permit number_____
 - ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:
Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

Parameter	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Sulfate, mg/L					
Chloride, mg/L					
Total Dissolved Solids, mg/L					
pH, standard units					
Temperature*, degrees Celsius					

* Temperature must be measured onsite at the time the groundwater sample is collected.

- iii. If groundwater will be used, provide the depth of the well_____and the name of the aquifer from which water is withdrawn_____.

WORKSHEET 6.0

Water Conservation/Drought Contingency Plans

This form is intended to assist applicants in determining whether a Water Conservation Plan and/or Drought Contingency Plans is required and to specify the requirements for plans.

Instructions, Page 31.

The TCEQ has developed guidance and model plans to help applicants prepare plans. Applicants may use the model plan with pertinent information filled in. For assistance submitting a plan call the Resource Protection Team (Water Conservation staff) at 512-239-4600, or e-mail wras@tceq.texas.gov. The model plans can also be downloaded from the TCEQ webpage. Please use the most up-to-date plan documents available on the webpage.

1. Water Conservation Plans

a. The following applications must include a completed Water Conservation Plan (30 TAC § 295.9) for each use specified in 30 TAC, Chapter 288 (municipal, industrial or mining, agriculture - including irrigation, wholesale):

1. Request for a new appropriation or use of State Water.
2. Request to amend water right to increase appropriation of State Water.
3. Request to amend water right to extend a term.
4. Request to amend water right to change a place of use.
**does not apply to a request to expand irrigation acreage to adjacent tracts.*
5. Request to amend water right to change the purpose of use.
**applicant need only address new uses.*
6. Request for bed and banks under TWC § 11.042(c), when the source water is State Water
**including return flows, contract water, or other State Water.*

b. If Applicant is requesting any authorization in section (1)(a) above, indicate each use for which Applicant is submitting a Water Conservation Plan as an attachment:

-
-
1. Municipal Use. See 30 TAC § 288.2. **
 2. Industrial or Mining Use. See 30 TAC § 288.3.
 3. Agricultural Use, including irrigation. See 30 TAC § 288.4.
 4. Wholesale Water Suppliers. See 30 TAC § 288.5. **

If Applicant is a water supplier, Applicant must also submit documentation of adoption of the plan. Documentation may include an ordinance, resolution, or tariff, etc. See 30 TAC §§ 288.2(a)(1)(J)(i) and 288.5(1)(H). Applicant has submitted such documentation with each water conservation plan? **Y / N Y

c. Water conservation plans submitted with an application must also include data and information which: supports applicant's proposed use with consideration of the plan's water conservation goals; evaluates conservation as an alternative to the proposed

appropriation; and evaluates any other feasible alternative to new water development.
See 30 TAC § 288.7.

Applicant has included this information in each applicable plan? Y / N ___

2. Drought Contingency Plans

- a. A drought contingency plan is also required for the following entities if Applicant is requesting any of the authorizations in section (1) (a) above - indicate each that applies:
1. Municipal Uses by public water suppliers. See 30 TAC § 288.20.
 2. Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
 3. Wholesale Water Suppliers. See 30 TAC § 288.22.
- b. If Applicant must submit a plan under section 2(a) above, Applicant has also submitted documentation of adoption of drought contingency plan (*ordinance, resolution, or tariff, etc. See 30 TAC § 288.30*) Y / N Y

WORKSHEET 7.0

ACCOUNTING PLAN INFORMATION WORKSHEET

The following information provides guidance on when an Accounting Plan may be required for certain applications and if so, what information should be provided. An accounting plan can either be very simple such as keeping records of gage flows, discharges, and diversions; or, more complex depending on the requests in the application. Contact the Surface Water Availability Team at 512-239-4600 for information about accounting plan requirements, if any, for your application. **Instructions, Page 34.**

1. Is Accounting Plan Required

Accounting Plans are generally required:

- For applications that request authorization to divert large amounts of water from a single point where multiple diversion rates, priority dates, and water rights can also divert from that point;
- For applications for new major water supply reservoirs;
- For applications that amend a water right where an accounting plan is already required, if the amendment would require changes to the accounting plan;
- For applications with complex environmental flow requirements;
- For applications with an alternate source of water where the water is conveyed and diverted; and
- For reuse applications.

2. Accounting Plan Requirements

a. A text file that includes:

1. an introduction explaining the water rights and what they authorize;
2. an explanation of the fields in the accounting plan spreadsheet including how they are calculated and the source of the data;
3. for accounting plans that include multiple priority dates and authorizations, a section that discusses how water is accounted for by priority date and which water is subject to a priority call by whom; and
4. Should provide a summary of all sources of water.

b. A spreadsheet that includes:

1. Basic daily data such as diversions, deliveries, compliance with any instream flow requirements, return flows discharged and diverted and reservoir content;
2. Method for accounting for inflows if needed;
3. Reporting of all water use from all authorizations, both existing and proposed;
4. An accounting for all sources of water;
5. An accounting of water by priority date;
6. For bed and banks applications, the accounting plan must track the discharged water from the point of delivery to the final point of diversion;
7. Accounting for conveyance losses;
8. Evaporation losses if the water will be stored in or transported through a reservoir. Include changes in evaporation losses and a method for measuring reservoir content resulting from the discharge of additional water into the reservoir;
9. An accounting for spills of other water added to the reservoir; and
10. Calculation of the amount of drawdown resulting from diversion by junior rights or diversions of other water discharged into and then stored in the reservoir.

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WORKSHEET 8.0 CALCULATION OF FEES

This worksheet is for calculating required application fees. Applications are not Administratively Complete until all required fees are received. **Instructions, Page. 34**

1. NEW APPROPRIATION

	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$) . In Acre-Feet a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00 c. 5,001 - 10,000 \$500.00 d. 10,001 - 250,000 \$1,000.00 e. More than 250,000 \$2,000.00	
Recording Fee		\$25.00
Agriculture Use Fee	<i>Only for those with an Irrigation Use.</i> Multiply 50¢ x _____ Number of acres that will be irrigated with State Water. **	
Use Fee	<i>Required for all Use Types, excluding Irrigation Use.</i> Multiply \$1.00 x _____ Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	<i>Only for those with Recreational Storage.</i> Multiply \$1.00 x _____ acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
Storage Fee	<i>Only for those with Storage, excluding Recreational Storage.</i> Multiply 50¢ x _____ acre-feet of State Water to be stored at normal max operating level.	
Mailed Notice	Cost of mailed notice to all water rights in the basin. Contact Staff to determine the amount (512) 239-4600.	
TOTAL		\$

2. AMENDMENT OR SEVER AND COMBINE

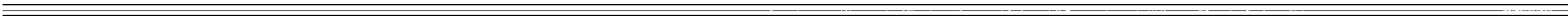
	Description	Amount (\$)
Filing Fee	Amendment: \$100 OR Sever and Combine: \$100 x _____ of water rights to combine	100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
TOTAL INCLUDED		\$ 112.50

3. BED AND BANKS

	Description	Amount (\$)
Filing Fee		\$100.00
Recording Fee		\$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
TOTAL INCLUDED		\$

ATTACHMENT A

SUMMARY OF REQUEST/LOCATION OF DIVERSION POINTS



ATTACHMENT "A"

SUMMARY OF REQUEST

RE: APPLICATION TO SEVER RIGHTS FROM CERTIFICATE OF ADJUDICATION NO. 23-401, AS AMENDED, RIO GRANDE

1. **NORTH ALAMO WATER SUPPLY CORPORATION**, 420 South Doolittle Road, Edinburg, Texas 78542-9707 (hereafter called **APPLICANT**), requests the Commission to change the point of diversion, place and purpose of use of the right to divert up to a maximum of **625 acre feet** of water per annum from the Rio Grande on a Class "B" irrigation priority basis being a portion of those water rights evidenced by **Certificate No. 23-401**.

2. **MARTHA S. DEAN**, 3841 Arroyo Seco, Schertz, Texas 78154-2686; **GERALD CHRISTOPHER DOFFING**, 336 San Saba Street, Meadowlakes, Texas 78654-7009; **JAMES N. DOFFING**, 324 East Doffing Road, San Juan, Texas 78589-5138; **PETER CHARLES DOFFING**, 703 Hyde Park Place, Austin, Texas 78748-6561; **RICHARD DOFFING**, P.O. Box 816, Glendale, Oregon 97442-0816; and **JOANNE C. GERMER**, 3248 F.M. 1966, Maxwell, Texas 78656-4509, have conveyed to Applicant rights under Certificate of Adjudication No. 23-401, amounting to the right to divert 625 acre feet per annum for irrigation purposes on a Class "B" irrigation priority basis. A recorded copy of said Conveyance has been filed with Change of Ownership request form and fees with the Commission.

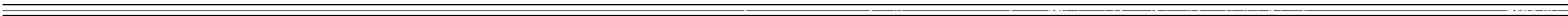
3. The existing purpose of use of the Water Rights is for irrigation purposes. Applicant will utilize the allocated water under the Water Rights for municipal purposes, and therefore, a change in purpose of use from irrigation to municipal use with municipal priority of allocation is hereby requested.

4. The existing place of use of the Water Rights of Applicant is upon land in Hidalgo County, Texas.

5. The proposed new place of use of the Water Rights of Applicant is within the service area of Applicant in Hidalgo County, Texas, as it presently exists, or as it is hereafter changed.
6. Applicant is authorized to divert from the Rio Grande through the pumping facilities of any or all of the following districts:
 - Delta Lake Irrigation District: on the Rio Grande at Latitude 26.066375° N, Longitude 97.882513° W, 68,00 feet from the southeast corner of the Juan Jose Ynojosa Y. de Balli "Llano Grande" Grant, Abstract No. 54, approximately 24 miles southeast of Edinburg, Hidalgo County, Texas.
 - Hidalgo and Cameron Counties Irrigation District No. 9: on the Rio Grande at Latitude 26.061878° N, Longitude 97.900010° W, 12,875 feet from the aforesaid grant corner, approximately 23 miles southeast of Edinburg, Hidalgo County, Texas.
 - Hidalgo County Irrigation District No. 1: on the Rio Grande at Latitude 26.224192° N, Longitude 98.499126° W, 17,200 feet from the northeast corner of the Town of Reynosa (Los Ejidos de Reynosa Viejo) Survey No. 26, Abstract No. 70, approximately 18.5 miles southwest of Edinburg, Hidalgo County, Texas.
 - Hidalgo County Irrigation District No. 2: on the Rio Grande at Latitude 26.079671° N, Longitude 98.251481° W, 1,900 feet from the southeast corner of the Juan Antonio Villarreal Survey, Abstract No. 44, approximately 16 miles southwest of Edinburg, Hidalgo County, Texas.
 - Donna Irrigation District: on the Rio Grande at Latitude 26.067048° N, Longitude 98.075771° W, in Hidalgo County, Texas.
7. Applicant requests that the Commission issue an Amendment to Certificate of Adjudication No. 23-401 changing the place and purpose of use and diversion points as requested in this Application.

8. Applicant states that the change of points of diversion, and place and purpose of use, as requested herein, does not contemplate an increased use of water or rate of diversion and does not harm any other existing water right holders on the Rio Grande below Amistad and Falcon Reservoirs. Current Commission rules provide in cases of change in purpose of use and priority of allocation from irrigation to municipal use with a municipal priority of allocation on the Lower Rio Grande, that a conversion factor be applied which results in Applicant's right of diversion being limited to the diversion of **250.00 acre feet** of water per annum for municipal use purposes with a municipal priority of allocation on the Rio Grande. Applicant does not object to the application of such existing rule, but does so without prejudice to any rights it may have in the event such rule is amended, changed or eliminated in the future.
9. Applicant understands that the Commission may require additional information in regard to the requested Amendment of the Water Rights before considering this Application. Applicant is submitting the required fees herewith.

ATTACHMENT B
EVIDENCE OF SIGNATURE AUTHORITY



**EXCERPT FROM THE MINUTES
OF A REGULARLY SCHEDULED MEETING
OF THE BOARD OF DIRECTORS OF
NORTH ALAMO WATER SUPPLY CORPORATION**

THE BOARD OF DIRECTORS OF NORTH ALAMO WATER SUPPLY CORPORATION, at a meeting held on January 17, 2017, at the office of the Corporation, a quorum being present, adopted the following resolution:

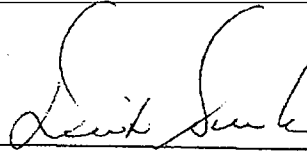
WHEREAS, North Alamo Water Supply Corporation is a non-profit water supply corporation doing business in Hidalgo, Cameron and Willacy Counties, Texas; and

WHEREAS, from time to time North Alamo Water Supply Corporation buys additional water rights to insure the availability of water service to its customers; and therefore;

The following resolution has been adopted by the Board of Directors:

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF North Alamo WATER SUPPLY CORPORATION ("Corporation") that, Steven P. Sanchez, General Manager of North Alamo Water Supply Corporation, is hereby authorized and empowered in the name of North Alamo Water Supply Corporation, and as its own act, to execute any and all documents necessary to effect the acquisition, management, consolidation or reconveyance of water rights on behalf of the corporation, and to certify and attest to any documents which such officer may deem necessary and appropriate to consummate the transactions contemplated by this resolution, but such certification shall not be required for the validity of the particular document.

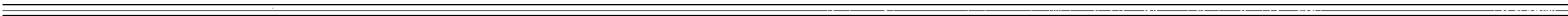
I, Derrick Swanberg, Secretary-Treasurer of North Alamo Water Supply Corporation, hereby certify that the above-and foregoing is a true and correct copy of the excerpt from the Minutes of the regularly scheduled Meeting of the Board of Directors of North Alamo Water Supply Corporation held on January 17, 2017.



Secretary-Treasurer

ATTACHMENT C

Water Utility Profile for North Alamo Water Supply Corp.





Texas Commission on Environmental Quality

Water Availability Division

MC-160, P.O. Box 13087 Austin, Texas 78711-3087

Telephone (512) 239-4691, FAX (512) 239-2214

Utility Profile and Water Conservation Plan Requirements for Municipal Water Use by Retail Public Water Suppliers

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

Water users can find best management practices (BMPs) at the Texas Water Development Board's website <http://www.twdb.texas.gov/conservation/BMPs/index.asp>. The practices are broken out into sectors such as Agriculture, Commercial and Institutional, Industrial, Municipal and Wholesale. BMPs are voluntary measures that water users use to develop the required components of Title 30, Texas Administrative Code, Chapter 288. BMPs can also be implemented in addition to the rule requirements to achieve water conservation goals.

Contact Information

Name of Water Supplier: North Alamo Water Supply Corporation

Address: 420 S. Doolittle Road, Edinburg, TX 78542

Telephone Number: Ø56)383-1618 Fax: (956) 383-1372

Water Right No.(s): 0240-000

Regional Water Planning Group: Rio Grande Regional Water Planning Group

Water Conservation Coordinator (or person responsible for implementing conservation program): Robert Rodriguez
Assitant General Manager Phone: (956) 383-1618

Form Completed by: Robert Rodriguez

Title: Assitant General Manager

Signature: *Robert Rodriguez* Date: 2/28/2020

A water conservation plan for municipal use by retail public water suppliers must include the following requirements (as detailed in 30 TAC Section 288.5). If the plan does not provide information for each requirement, you must include in the plan an explanation of why the requirement is not applicable.

Utility Profile

I. POPULATION AND CUSTOMER DATA

A. *Population and Service Area Data*

1. Attach a copy of your service-area map and, if applicable, a copy of your Certificate of Convenience and Necessity (CCN). Attached
 2. Service area size (in square miles): 973
(Please attach a copy of service-area map)
 3. Current population of service area: 162,960
 4. Current population served for:
 - a. Water -162,960
 - b. Wastewater -16,065
-
-

5. Population served for previous five years:

<i>Year</i>	<i>Population</i>
2019	161,857
2018	159,828
2017	155,295
2016	149,829
2015	145,465

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

<i>Year</i>	<i>Population</i>
2020	162,960
2030	201,502
2040	240,156
2050	278,948
2060	317,715

7. List source or method for the calculation of current and projected population size.

Previous 5 years population was calculated using 3.57 persons per household census 2013-2017 data for Hidalgo, Cameron, and Willacy Counties multiplied by the yearly number of residential connections.

Population projections for years 2020-2060 were based on the TWDB Regional Water Plan Population Projections for North Alamo WSC.

B. Customer Data

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

1. Quantified 5-year and 10-year goals for water savings:

	<i>Historic 5-year Average</i>	<i>Baseline</i>	<i>5-year goal for year</i>	<i>10-year goal for year</i>
Total GPCD	155	141	128	125
Residential GPCD	109	127	90	88
Water Loss GPCD	17	14	12	11
Water Loss Percentage	11%	10%	9%	9%

Notes:

Total GPCD = (Total Gallons in System ÷ Permanent Population) ÷ 365

Residential GPCD = (Gallons Used for Residential Use ÷ Residential Population) ÷ 365

Water Loss GPCD = (Total Water Loss ÷ Permanent Population) ÷ 365

Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

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

<i>Treated Water Users</i>	<i>Metered</i>	<i>Non-Metered</i>	<i>Totals</i>
Residential			
Single-Family	44,770	0	44,770
Multi-Family	1,889	0	1,889
Commercial	5	0	5
Industrial/Mining	6	0	6
Institutional	198	0	198
Agriculture	0	0	0
Other/Wholesale			

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

<i>Year</i>	<i>2018</i>	<i>2017</i>	<i>2016</i>
<i>Treated Water Users</i>			
Residential			
Single-Family	44,770	43,500	41,969
Multi-Family	1,899	1,853	1,772
Commercial	5	5	5
Industrial/Mining	6	6	6
Institutional	198	164	193
Agriculture	0	0	0
Other/Wholesale			

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

<i>Customer</i>	<i>Use (1,000 gal/year)</i>	<i>Treated or Raw Water</i>
PICT SWEET CO	137,355	TREATED
EDINBURG CISD	89,865	TREATED
PSJA ISD	55,900	TREATED
WILDER CORP	22,491	TREATED
DONNA ISD	21,973	TREATED

II. WATER USE DATA FOR SERVICE AREA

A. Water Accounting Data

1. List the amount of water use for the previous five years (in 1,000 gallons).

Indicate whether this is diverted or treated water.

<i>Year</i>	2018	2017	2016	2015	2014
<i>Month</i>					
January	459,633,800	471,577,900	433,082,700	367,176,300	359,295,700
February	434,379,900	476,035,000	417,147,500	349,490,500	396,774,000
March	461,664,900	435,683,700	515,749,100	358,881,300	413,901,700
April	533,353,300	481,327,600	459,359,400	381,414,300	386,735,800
May	563,626,200	549,854,000	541,969,800	395,952,500	514,601,400
June	669,097,800	633,604,600	517,171,500	438,832,900	571,523,600
July	564,910,900	665,364,600	589,492,600	445,790,500	618,341,300
August	660,380,200	689,318,400	634,981,100	581,443,800	691,739,600
September	623,635,500	641,294,100	602,778,600	560,130,400	585,988,000
October	490,565,800	518,969,600	544,520,100	484,424,000	425,615,000
November	425,636,300	461,844,400	507,175,100	412,589,000	412,374,900
December	453,757,800	452,681,900	429,452,800	435,228,400	386,328,000
Totals	6,340,642,400	6,477,555,800	6,192,880,300	5,211,353,900	5,763,219,000

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

Water Sales

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

<i>Year</i>	2018	2017	2016	2015	2014
<i>Account Types</i>					
Residential					
Single-Family	5,245,808	5,297,064	6,107,727	6,048,627	5,990,099
Multi-Family	674,521	688,473	516,668	506,197	495,939
Commercial	859	862	48		
Industrial/Mining	144,126	131,473	11,617		
Institutional	275,326	359,685	19,789		
Agriculture	0	0	0		
Other/Wholesale					

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

<i>Year</i>	<i>Amount (gallons)</i>	<i>Percent %</i>
2018	721,209,200	8
2017	833,956,700	10
2016	1,035,101,600	12
2015	1,060,344,320	14
2014	862,435,700	10

B. Projected Water Demands

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

III. WATER SUPPLY SYSTEM DATA

A. Water Supply Sources

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

<i>Water Type</i>	<i>Source</i>	<i>Amount Authorized</i>
-------------------	---------------	--------------------------

	Irrigation Districts, N Cameron and Cities	18,273
Surface Water		
Groundwater		
Other		

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

1. Design daily capacity of system (MGD): 32
2. Storage capacity (MGD):
 - a. Elevated - 5
 - b. Ground 11.3
3. If surface water, do you recycle filter backwash to the head of the plant?
 Yes No If yes, approximate amount (MGD): 163,873

IV. WASTEWATER SYSTEM DATA

A. Wastewater System Data (if applicable)

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

If yes, approximate amount (in gallons per month): 17,346,748

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

The Corporation's wastewater collection system consists of 29 miles of pipelines ranging in size from 6" to 12". There are nine lift stations and five grinder stations which collect and transfer the wastewater to the Corporation's four wastewater treatment plants.

B. Wastewater Data for Service Area (if applicable)

1. Percent of water service area served by wastewater system: 10 %
2. Monthly volume treated for previous five years (in 1,000 gallons):

Year	2018	2017	2016
Month			
January			
February			
March			

April				
May				
June				
July				
August				
September				
October				
November				
December				
Totals	582,139	158,252	200,202	

Water Conservation Plan

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

A. *Record Management System* Included in current plan

The water conservation plan must include a record management system which allows for the classification of water sales and uses in to the most detailed level of water use data currently available to it, including if possible, the following sectors: residential (single and multi-family), commercial.

B. *Specific, Quantified 5 & 10-Year Targets* Included in current plan

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

C. *Measuring and Accounting for Diversions* Included in current plan

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

D. *Universal Metering* Included in current plan

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

E. *Measures to Determine and Control Water Loss* Included in current plan

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

F. *Continuing Public Education & Information* Included in current plan

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

G. *Non-Promotional Water Rate Structure* Included in current plan

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

H. *Reservoir Systems Operations Plan* N/A

The water conservation plan must include a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies.

I. Enforcement Procedure and Plan Adoption Included in current plan

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

J. Coordination with the Regional Water Planning Group(s) Included in current plan

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

K. Plan Review and Update Included in current plan

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

VI. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

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

A. Leak Detection and Repair Included in current plan

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

B. Contract Requirements

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

VII. ADDITIONAL CONSERVATION STRATEGIES

Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements of 30 TAC §288.2(1), if they are necessary in order to achieve the stated water conservation goals of the plan. The commission may require by commission order that any of the following strategies be implemented by the water supplier if the commission determines that the strategies are necessary in order for the conservation plan to be achieved:

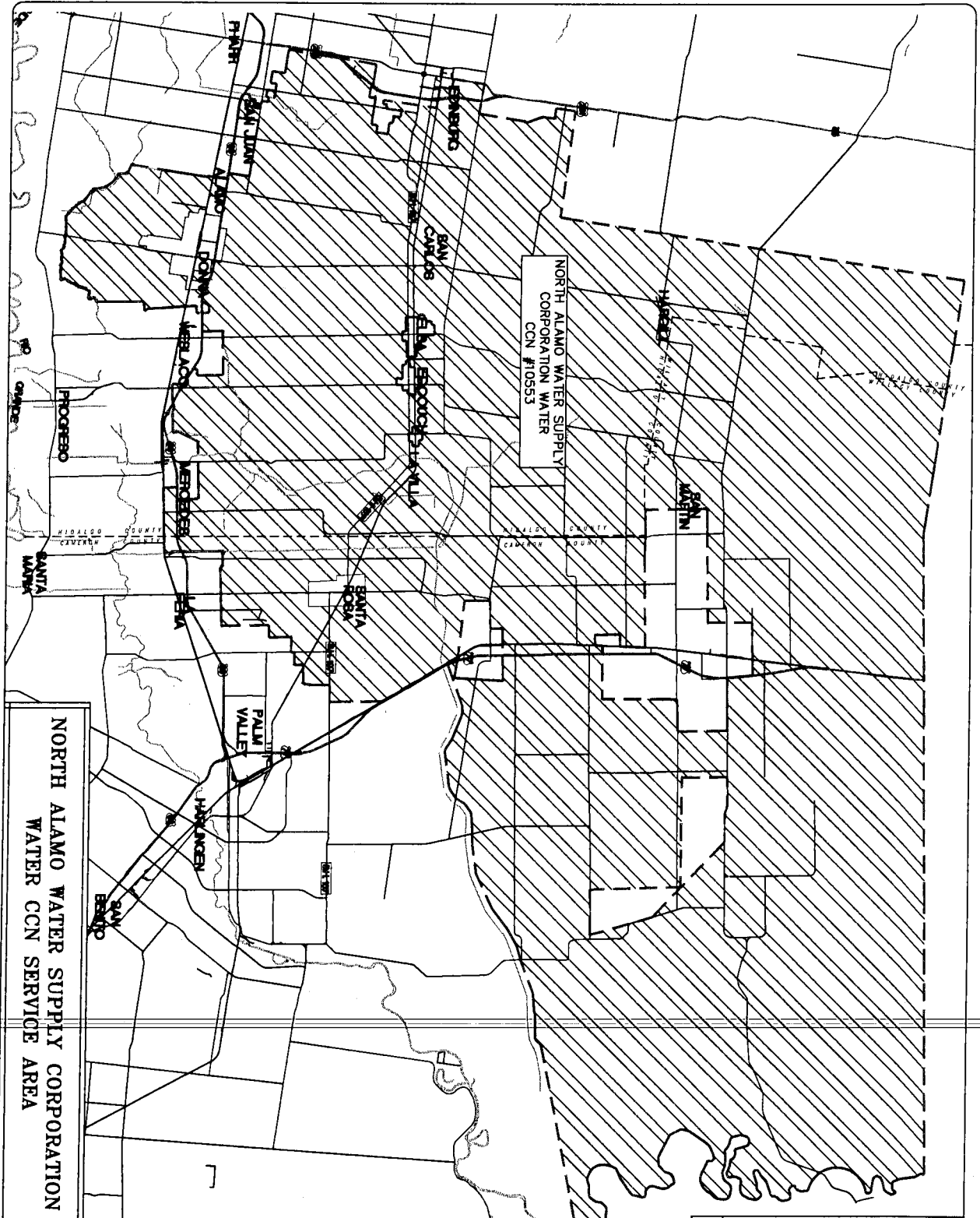
1. Conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;
2. Adoption of ordinances, plumbing codes, and/or rules requiring water conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;
3. A program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;
4. A program for reuse and/or recycling of wastewater and/or graywater;
5. A program for pressure control and/or reduction in the distribution system and/or for customer connections;
6. A program and/or ordinance(s) for landscape water management;
7. A method for monitoring the effectiveness and efficiency of the water conservation plan; and
8. Any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

VIII. WATER CONSERVATION PLANS SUBMITTED WITH A WATER RIGHT APPLICATION FOR NEW OR ADDITIONAL STATE WATER

Water Conservation Plans submitted with a water right application for New or Additional State Water must include data and information which:

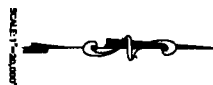
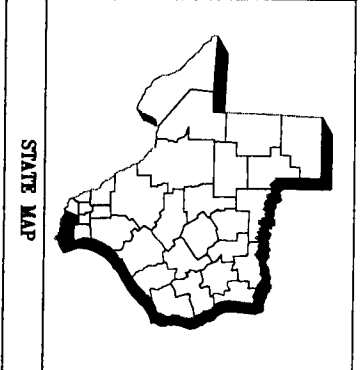
1. support the applicant's proposed use of water with consideration of the water conservation goals of the water conservation plan;
2. evaluates conservation as an alternative to the proposed appropriation; and
3. evaluates any other feasible alternative to new water development including, but not limited to, waste prevention, recycling and reuse, water transfer and marketing, regionalization, and optimum water management practices and procedures.

Additionally, it shall be the burden of proof of the applicant to demonstrate that no feasible alternative to the proposed appropriation exists and that the requested amount of appropriation is necessary and reasonable for the proposed use.



NORTH ALAMO WATER SUPPLY CORPORATION
WATER CCN SERVICE AREA

RIO DELTA ENGINEERING
 THE ENGINEERING FIRM
 2001 N. 17TH AVENUE
 DENVER, CO 80202
 (303) 555-5110 (FAX) 555-50-0440



SECTION D. WATER GEOGRAPHIC AREA SERVED.

This section includes an area map which shows the Corporation's Certified Service Area, consequently the Corporation will make sure that its service area corresponds to its Certified Area. **It is the responsibility of the Corporation to properly file a map showing its service area with the TCEQ.**

CERTIFICATE OF CONVENIENCE AND NECESSITY

To Provide Water Service Under V.T.C.A., Water Code And Texas Commission on Environmental Quality Substantive Rules

Certificate No. 10553

I. Certificate Holder:

Name: North Alamo Water Supply Corporation

Address: 420 South Doolittle Road
Edinburg, Texas 78539

II. General Description and Location of Service Area:

The area covered by this certificate is located generally east of Edinburg, Texas, with FM 186 as its northern boundary in both Hidalgo and Willacy Counties; its southern most boundary being Expressway 83 in Hidalgo County, with its eastern most boundary current being FM 1425 in Willacy County. Its southern boundary in Willacy County is the southern county line road. Generally within this area, any CCN areas held by incorporated communities are excluded from North Alamo Water Corporation's CCN area.

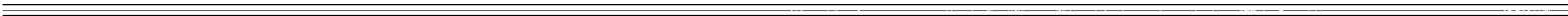
III. Certificate Maps:

The certificate holder is authorized to provide water service in the Area identified on the Commission's official service area map, WRS-255, maintained in the offices of the Texas Commission on Environmental Quality, Austin, Texas with all attendant privileges and obligations.

This certificate is issued under various applications and subject to the rules and orders of the Commission, the laws of the State of Texas, conditions contained herein and may be revoked for violations thereof. The certificate is valid until amended or revoked by the Commission.

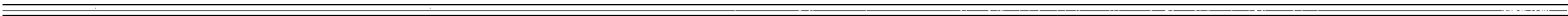
Issued Date: November 1st, 1979

ATTACHMENT D
Not Used



ATTACHMENT E

Water Conservation Plan/Drought Contingency Plan



WATER CONSERVATION PLAN

FOR

**North Alamo Water Supply Corporation
420 South Doolittle Road
Edinburg, TX 78542**

PWS #1080029

September 2019

Water Conservation Plan

System Profile

The North Alamo Water Supply Corporation is a legally chartered corporation operating under the laws of the state of Texas for the purpose of furnishing a potable and wastewater utility service for rural residents of eastern Hidalgo County, Willacy county, and northwest Cameron County as described in Certificates of Convenience and Necessity Nos. 10553 and 20645 (CCN). The Corporation's CCN encompasses 973 square miles and either surrounds or is adjacent to 16 cities and/or communities that operate public water systems.

The system presently serves approximately 46,800 metered connections, which includes households, numerous businesses, 24 schools, and six other Public Water Systems, from six surface water treatment plants and one reverse osmosis treatment plant. The 46,800 metered connections represent an estimated population of 180,000 persons. The surface water treatment plants treat surface water conveyed by six irrigation districts. The original source of raw water is the Rio Grande River. The reverse osmosis treatment plant treats brackish groundwater. Of the 46,800 metered connections, approximately 4,500 are also served by the Corporation's wastewater system.

The Corporation's operating policies, rates, tariffs and regulations are formulated and implemented by a nine-member Board of Directors elected by the members of the Corporation.

A. Record Management System

The Corporation will continue implement to use a records management system which allows for the desegregation of water sales and uses into the following user classes: residential, commercial, public and institutional, and industrial.

B. Specific, Quantified 5 & 10-Year Targets

It shall be the goal of the Corporation to reduce residential daily per capita consumption of water to 90 and 88 gallons per person per day by the years 2024, and 2029 respectively; and unaccounted-for uses of water shall be reduced to 8.0% or less by 2024 and 7.0% by 2029. These goals are consistent with the Region M Water Planning Group's "Regional Water Plan".

C. Measuring and Accounting for Diversions

~~All metering devices measuring the amount of raw water received at the water treatment plant shall be maintained within an accuracy level of +- 5%.~~

D. Universal Metering

All uses of water shall be individually metered. The Corporation will continue its current practice of meter testing and its meter change-out program.

E. Measures to Determine and Control Water Loss

The Corporation's employees will continue to visually inspect all transmission and distribution lines for leaks and check for illegal connections during their monthly meter reading duties. The Corporation will continue to monitor and report monthly to the board of Directors the amount of unaccounted-for water on its monthly "Water Report".

F. Continuing Public Education & Information

The Corporation will have available a supply of public education materials at its office to encourage residential water conservation. The Corporation will continue to participate with Federal, State, and local agencies in promoting public awareness and water conservation.

G. Non-Promotional Water Rate Structure

The Corporation will continue its practice of charging an inclining block rate, not promotional, and which promotes water conservation.

H. Enforcement Procedure and Plan Adoption

This water Conservation Plan shall be made a part of and included in the Corporation's tariff under Section I.

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

The service area of the Corporation is located within the Region M Water Planning Group, and the Corporation has provided a copy of this water conservation plan to the Region M Water Planning Group.

J. Plan Review and Update

Following adoption, this water conservation plan shall be updated every five years as required by TCEQ or as appropriate based on new and/or updated information.

II. ADDITIONAL REQUIREMENTS FOR LARGE SUPPLIERS

A. Leak Detection, Repair, and Water Loss Accounting

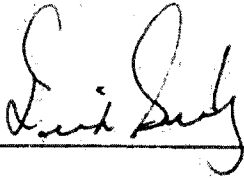
The Corporation will repair identified leaks on an as-needed basis and then conduct periodic checks of the repairs to ensure that they don't reoccur. The Corporation has a strategy to detect and repair leaks by regular on-site testing and others acceptable methods. The Corporation's meter readers are trained to observe the system on their route and identify leaks. The Corporation's personnel shall look for and report evidence of leaks in the water distribution system. Areas of the water distribution system in which numerous leaks and line breaks occur shall be targeted for replacement as funds are available.

B. Wholesale Water Supply Contracts

The Corporation will include a requirement in every wholesale water supply contract entered into or renewed after adoption of this plan, and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements by Texas Commission on Environmental Quality rules in Title 30 Texas Administrative Code Chapter 288.

Passed, approved, and adopted at a duly noticed, called, and convened meeting of the Board of Directors of North Alamo Water Supply Corporation at which a quorum was present on the 17th day of September, 2019.

Seal



Derrick Swanberg
Secretary/Treasurer



Steve D. Krenek
President

WATER CONSERVATION PLAN 5- AND 10-YR GOALS FOR WATER SAVINGS

Facility Name: North Alamo WSC

Water Conservation Plan Year: 2019

	Historic 5yr Average	Baseline	5-yr Goal for year <u>2024</u>	10-yr Goal for year <u>2029</u>
Total GPCD ¹	155	141	128	125
Residential GPCD ²	109	127	90	88
Water Loss (GPCD) ³	17	14	12	11
Water Loss (Percentage) ⁴	11 %	10 %	9 %	9 %

1. Total GPCD = (Total Gallons in System + Permanent Population) ÷ 365
2. Residential GPCD = (Gallons Used for Residential Use + Residential Population) ÷ 365
3. Water Loss GPCD = (Total Water Loss + Permanent Population) ÷ 365
4. Water Loss Percentage = (Total Water Loss ÷ Total Gallons in System) x 100; or (Water Loss GPCD ÷ Total GPCD) x 100

North Alamo Water Supply Corporation
5-year and 10-year Targets and Goals for water savings
2019 Water Conservation Plan

Description	Current 5-year Average (gpcd)	5-year Goal (gpcd)	10-year Goal (gpcd)
Total avg. residential GPCD (2014-2018)	109		
Water Conservation Goals		90	88

*Current average residential consumption gpcd as per 2019 TWDB Utility Profile

DROUGHT CONTINGENCY AND EMERGENCY RATIONING PLAN

1. SCOPE

The following Drought Contingency and Emergency Rationing Plan (Water Rationing Plan) is adopted for emergency use during periods of drought and water shortages.

2. DECLARATION OF POLICY

In view of the limited water resources available to the North Alamo Water Supply Corporation (Corporation), it is hereby declared the public health, safety and welfare requires that all water resources available to the Corporation be put to maximum beneficial use and that the waste, unreasonable use, and unreasonable method of use of water be prevented. The goal of this Water Rationing Plan is the conservation of all water resources for the most reasonable and beneficial use of water in the interests of all people in the Corporation's service area that is served by the Corporation.

3. AUTHORIZATION

The Board of Directors of the Corporation, or their designee (the General Manager), is authorized and directed to implement the applicable provisions of this Water Rationing Plan upon the determination that such implementation is necessary to protect the public health, safety, and welfare. The provisions of this Water Rationing Plan may be amended, supplemented, changed or repealed at any time during a duly called, noticed, and convened meeting of the Corporation's Board of Directors.

4. COORDINATION WITH THE REGIONAL PLANNING GROUPS

The service area of the Corporation is located within the Region M Water Planning Group, and the Corporation has provided a copy of this Drought Contingency Plan to the Region M Water Planning Group.

5. PREPARATION OF PLAN AND CONTINUING EDUCATION PROGRAM

The Corporation will actively inform its customers and members of the Water Rationing Plan and affirmatively provide opportunity for public input at the annual membership meetings held at a time and place convenient to the public. The customers and members will be notified of any major changes to the plan by direct mail-out.

6. APPLICATION

- a) The provisions of this Water Rationing Plan will apply to all members, customers, persons, and property utilizing the Corporation's water services located within the Corporation's service area.

- b) In promoting the conservation of limited water resources available to the Corporation, **FOUR** water conservation stages have been created and are listed in No.6 of this Water Rationing Plan.
- c) When the use of water is regulated during any period of water shortage, the regulations or restrictions on the use of water will continue until water conservation measures are no longer deemed necessary by the Board of Directors, or their designee (the General Manager).
- d) The directive by the Board of Directors, or their designee (the General Manager), to implement or terminate Conservation Stages 2 - 4 will be made by a direct mail-out to each member/customer or by public announcement and published a minimum of one time in at least three newspapers of general circulation in the Corporation's service area before the dates of implementation. The dates for implementation of Stages 3 and 4 will be as follows;

Billing 1 - the 5th of the month following the date of the announcement,
Billing 2 - the 15th of the month following the date of the announcement,
Billing 3 - the 25th of the month following the date of the announcement.

- e) The highest priority of water use during any Stage will be for human consumption, fire protection, and the watering of livestock. However, if an alternative source of water is available for the watering of livestock, the customer should take the necessary steps to obtain water from the alternative source.
- f) All new wholesale water contracts and/or contract renewals and extensions shall include a provision that in the case of shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, 11.039.

7. WATER CONSERVATION STAGES

a) Stage 1 – Potential Water Shortage

- i. Stage I will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 49%.
- ii. Upon reaching this stage, all customers will be notified by a message on the monthly water bill that a potential water shortage may exist later in the year and that each customer should use water conservation practices. All customers should check their individual plumbing fixtures and facilities to ensure that they are working properly and that no water is being wasted.
- iii. Industrial customers, wholesale customers, and certain commercial customers will be required to develop and submit to the Corporation their individual Water Rationing Plans within 60 days of notification. The plans are subject to approval by the Corporation's Management Staff and the Board of Directors.

b) Stage 2 – Voluntary Water Conservation

- i. Stage 2 will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 40% of capacity.
- ii. Upon reaching this stage, all customers will be notified by public announcement and publication of notice, or by direct mail-out to voluntarily conserve water. All faulty or leaking plumbing fixtures should be repaired or be replaced immediately.
- iii. All Corporation owned facilities and operations will be placed on mandatory conservation practices.
- iv. All customers will be requested to voluntarily comply with the following lawn watering schedule;

~~Customers in Routes 11 - 19 will be allowed to water on Mondays and Thursdays.~~

Customers in Routes 20 - 29 will be allowed to water on Tuesdays and Fridays.

Customers in Routes 30 - 43 will be allowed to water on Wednesdays and Saturdays.

The first two digits in the customer's account number determines the customer's Route. For example, account no. 17-0100 is in Route 17. The permitted time of watering is between the hours of 6:00 AM to 9:00 AM and between the hours of 8:00 PM to 10:00 PM on the designated days. Lawn watering on Sundays will not be allowed.

c) Stage 3 – Mandatory Water Conservation

- i. Stage 3 will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 23% of capacity.
- ii. Upon reaching this stage, all customers will be notified by public announcement and publication of notice, or by direct mail-out that mandatory conservation practices have been implemented. All Corporation owned facilities and operations will continue on mandatory conservation practices. If any provision in Stage 2 conflicts with a provision in Stage 3, the Stage 3 provision will control.

- iii. The above voluntary lawn watering schedule will become mandatory.
- iv. All water allowed to run off yards, plants, or other vegetation into gutters, streets or roads will be deemed a waste of water and is prohibited.
- v. The use of potable water to irrigate land that is irrigable is prohibited.
- vi. Noncommercial washing of any vehicle or other mobile equipment may be done only with a handheld hose equipped with a positive shut-off nozzle or with a hand-held bucket or can with a capacity of 5 gallons or less between the hours of 6:00 AM to 9:00 AM and 7:00 PM to 9:00 PM.
- vii. Commercial washing of any vehicle or other mobile equipment will be limited to the immediate premises of a commercial washing facility.
- viii. The exterior washing of any house, trailer house or any structure is prohibited.
- ix. The use of water to wash down sidewalks, driveways or any hard surface is prohibited.
- x. Continued use of defective plumbing in a home, business or any location is prohibited.
- xi. The use of fire hydrants for any purpose other than firefighting is prohibited.
- xii. The use of water for dust control is prohibited.
- xiii. Industrial customers, wholesale customers, and certain commercial customers will be required to implement their individual Water Rationing Plans previously submitted and approved.

d) Stage 4 – Water Use Curtailment

- i. Stage 4 will be implemented when the level of U.S. water stored in Amistad and Falcon Reservoirs, as determined by the International Boundary and Water Commission, reaches 13% of capacity, or in response to (i) supply source contamination, (ii) water production or distribution system limitations, and (iii) system outage due to the failure or damage of major water system components.
- ii. All nonessential uses of water or uses not necessary to maintain the public health, safety and welfare and for the watering of livestock are prohibited. Nonessential water uses are defined in this Water Rationing Plan to include the watering of grass, trees, plants, and other vegetation; the noncommercial washing of any vehicle or other mobile equipment; the use of water for all publicly and privately owned swimming pools, water parks, fountains or artificial waterfalls; ~~and the use of water to construct roads, streets or highways.~~
- iii. A pro rata curtailment of water deliveries to wholesale water customers will be imposed as provided in Texas Water Code, 11.039.
- iv. No application for new, additional, expanded, or increased in size water service connections, meters, service lines, pipeline extensions, mains, or other water service facilities of any kind shall be allowed or approved except as approved by the **Review Committee**.
- v. The maximum amounts of monthly water usage for residential and nonresidential customers and the accompanying surcharges may be revised during the state of an emergency in Stage 4. These revised allocations and surcharge amounts are subject to the approval of the Corporation's Board of Directors.
- vi. The General Manager is authorized to take any other actions deemed necessary to meet the conditions resulting from the emergency, including, but not limited to system pressure reductions and the utilization of alternative water sources with the approval of the Executive Director as appropriate.

8. REVIEW COMMITTEE – FORMATION, POWERS AND DUTIES

- a) Upon approval of this Water Rationing Plan, the Board of Directors of the Corporation will establish a **Review Committee** to review hardship and special cases involving customers, persons, or property utilizing the Corporation's water that cannot abide by the provisions of this Water Rationing Plan. The Review Committee will consist of the Corporation's General Manager, Water Operations Manager, Wastewater Operations Manager, and Office Manager, and a member/ customer chosen by the Board of Directors. The General Manager will be the Chairman of the Review Committee, and the Water Operations Manager will be the Vice-Chairman.
- b) All requests for a variance to the provisions of this Water Rationing Plan must be submitted to the Review Committee in writing and must state the circumstances supporting the request. The Review Committee is authorized to grant variances from the provisions of this Water Rationing Plan if, owing to peculiar circumstances, an undue hardship will result, and the granting of the variance will not be contrary to the public interest.
- c) All decisions of the Review Committee will be reported to the Board of Directors at the next regularly scheduled Board Meeting. If the Review Committee denies a request for a variance, an appeal can be made to the Board of Directors at the next regularly scheduled Board Meeting. If a protest is received after the granting of a variance, the Review Committee will refer the protest to the Board of Directors at the next regularly scheduled Board Meeting. The decisions of the Board of Directors are final.

9. VIOLATIONS, PENALTIES AND ENFORCEMENT

- a) No person shall knowingly or intentionally allow the use of water from the Corporation's system for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provisions of this Water Rationing Plan.
- b) Any person or customer who violates this Water Rationing Plan will be issued a warning on the first offence. Each day that anyone or more of the provisions in this Water Rationing Plan are violated will constitute a separate offense. Upon receiving a notice of violation on the second offence, the customer's meter is subject to being locked. If a customer receives a notice of violation for two or more distinct violations in anyone day period, the General Manager will, upon due notice, be authorized to discontinue water service to the premises where the violations occurred, and a fee will be required to be paid before service is restored. Should any person or customer receive a third notice of violation, water service will be discontinued, and a flow restriction device will be installed at the customer's meter at the customer's expense, and a second fee will be required to be paid before service is restored. Should a customer's water service be discontinued for a third time, then the fee for restoring water service shall be doubled.
- c) Any Corporation employee may issue a notice of violation to a person he/she reasonably believes to ~~have committed a violation of this Water Rationing Plan. The notice of violation will be prepared in~~ duplicate and will contain the name of the member and the tenant, if any, the address, the alleged violation, and the date.
- d) The customer in apparent control of the property where a violation occurs or originates will be presumed to be the violator, but the customer will have the right to show that he/she did not commit the violation. The customer will be presumed to be responsible for minor children and for anyone residing in the customer's household who commits a violation.

10. SURCHARGES, FEES, AND TERMINATION OF SERVICE

- a) When a Stage 3 - Mandatory Conservation stage has been implemented, a surcharge of \$1.00 for each 1,000 gallons above **10,000** gallons monthly usage per meter equivalent will be imposed for Residential, and Commercial and Multi-family customers. For Industrial and Institutional customers, a surcharge of \$0.25 for each 1,000 gallons used will be imposed. These surcharges are in addition to the Corporation's current rate structure. A meter equivalent is based upon meter size and is defined as follows:

5/8" – 1

1.0" – 2

1.5" – 4

2.0" – 8

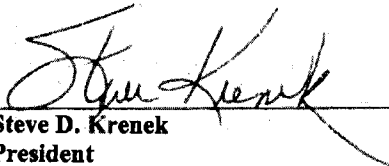
3.0" – 16

4.0" – 32

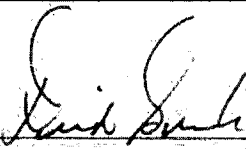
- b) When a Stage 4 - Water Use Curtailment stage has been implemented, a surcharge of **\$2.00** for each 1,000 gallons above **10,000** gallons monthly usage per meter equivalent will be imposed for Residential and Commercial and Multi-family customers. For Industrial and Institutional customers, a surcharge of **\$.50** for each 1,000 gallons used will be imposed. These surcharges are in addition to the Corporation's current rate structure.
- c) For any customer whose meter equivalent is 1, water service will be restored after the first disconnection for a fee of **\$50**. For any customer whose meter equivalent is more than 1, water service will be restored after the first disconnection for a fee of \$50 per meter equivalent. After the second disconnection, water service will be restored only after a second fee of \$50 per meter equivalent has been paid and a flow restriction device has been installed at the customer's meter at the customer's expense. This device will remain connected to the customer's meter until the Corporation returns to Stage 2 or less. After the third disconnection, water service will be restored only after a third fee of \$100 per meter equivalent has been paid.
- d) The above surcharges and termination provisions will not apply if the water used resulted from a loss of water (ie, water leak) through no fault of the customer. The customer will have to prove that immediate steps were taken to correct the leak after its discovery and that the customer was not in any way negligent in causing or permitting the loss of water.
- e) The limits, charges, and other requirements of this Water Rationing Plan will be in effect for water used on or after the date these limits. Changes and other requirements are to become effective as published by the General Manager.

AMENDED this 17th day of September, 2019 at a duly called, noticed, and convened meeting of the Board of Directors of the North Alamo Water Supply Corporation.

SEAL


Steve D. Krenek
President

ATTEST:


Derrick Swanberg
Secretary- Treasurer


Steven P. Sanchez
General Manager

North Alamo Water Supply Corporation

Targets for water use reductions to be achieved during periods of water shortage and drought for each stage of the drought contingency plan

Stage 1 reduce the average daily water consumption by: %

Stage 2 reduce the average daily water consumption by: %

Stage 3 reduce the average daily water consumption by: %

Stage 4 reduce the average daily water consumption by: %

****As per 2019 drought contingency plan***

ATTACHMENT F

**Meeting Minutes Evidencing Approval of Water Conservation Plan and Drought
Contingency Plan from Meeting Held September 17, 2019 (See Item #12)**

MINUTES
NORTH ALAMO WATER SUPPLY CORPORATION
September 17, 2019

Present

Steve D. Krenek
Thomas Jendrusch
Martin Drewry
Abdiel Cuevas
Derrick Swanberg

Staff

Steven Sanchez
Robert Rodríguez
Irma Tamez
Robyn Rodriguez
Janie Sandoval
Agustin Gomez

Other

Richard Fryer – Corp. Attorney
Mike Hernández – Melden & Hunt Eng.
Ulises Garcia – G4 Eng.
Jorge Arroyo – F&N
Eddie Lucio – BBS

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North Alamo WSC Board of Directors Meeting – September 17, 2019

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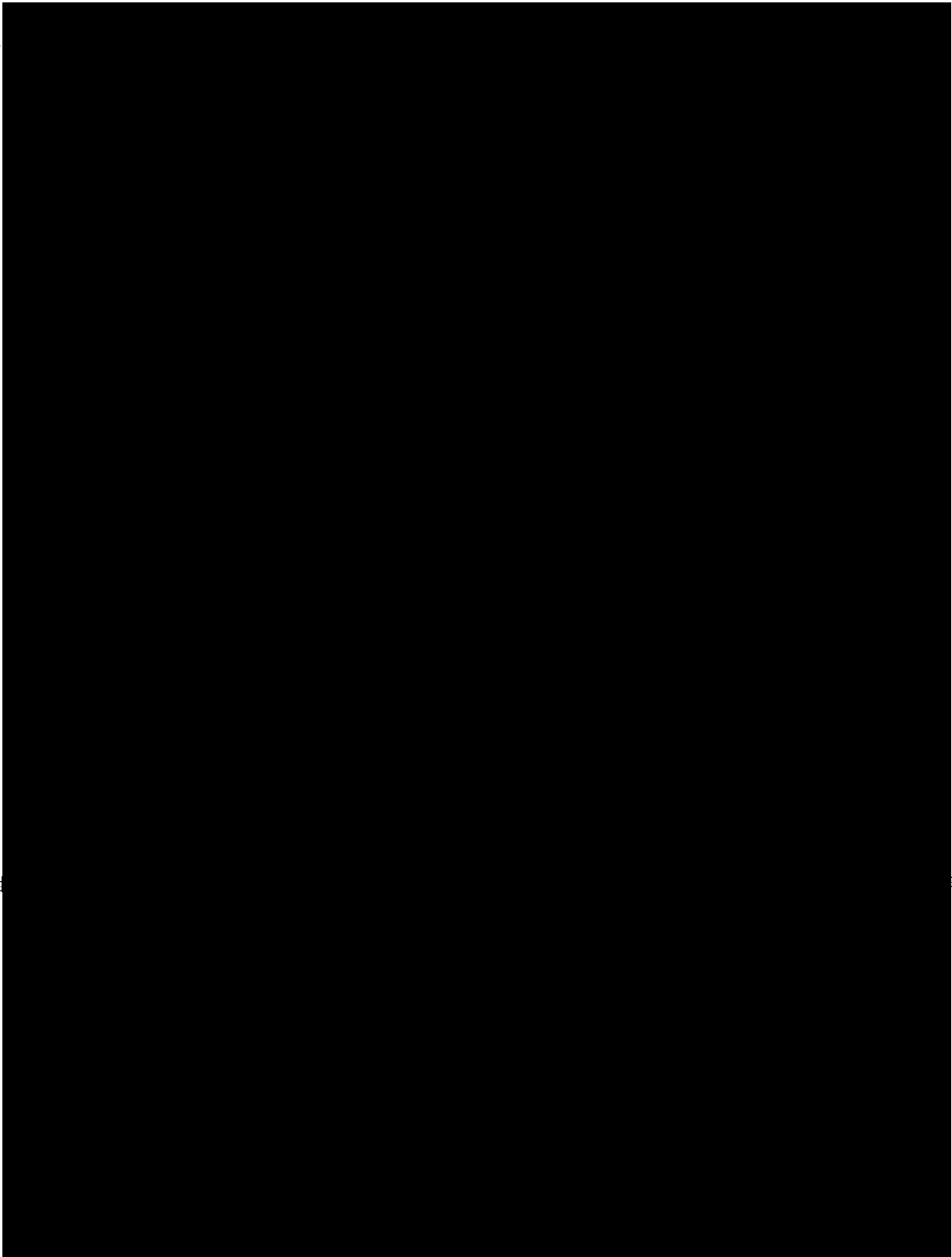
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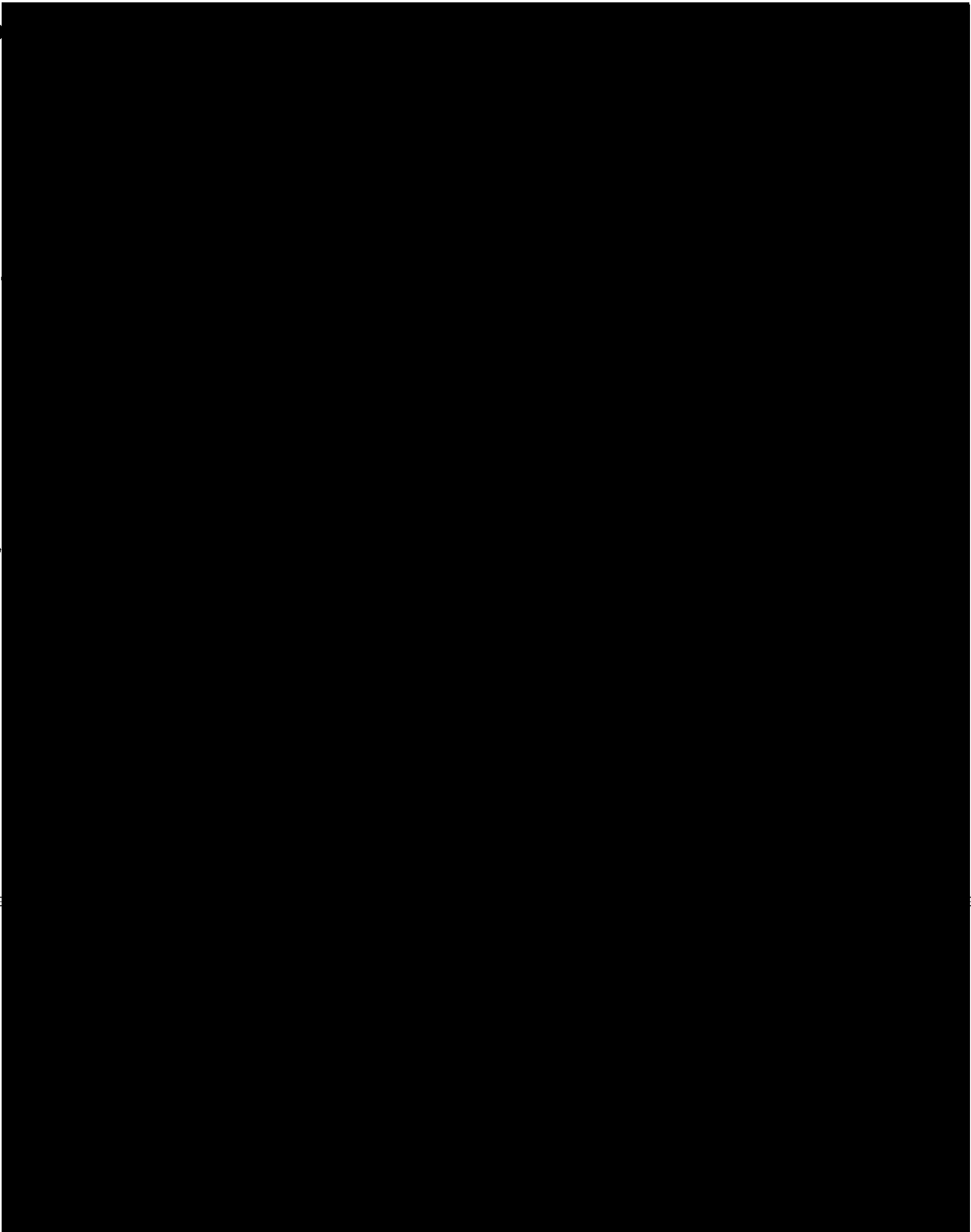
North Alamo WSC Board of Directors Meeting – September 17, 2019

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North Alamo WSC Board of Directors Meeting – September 17, 2019

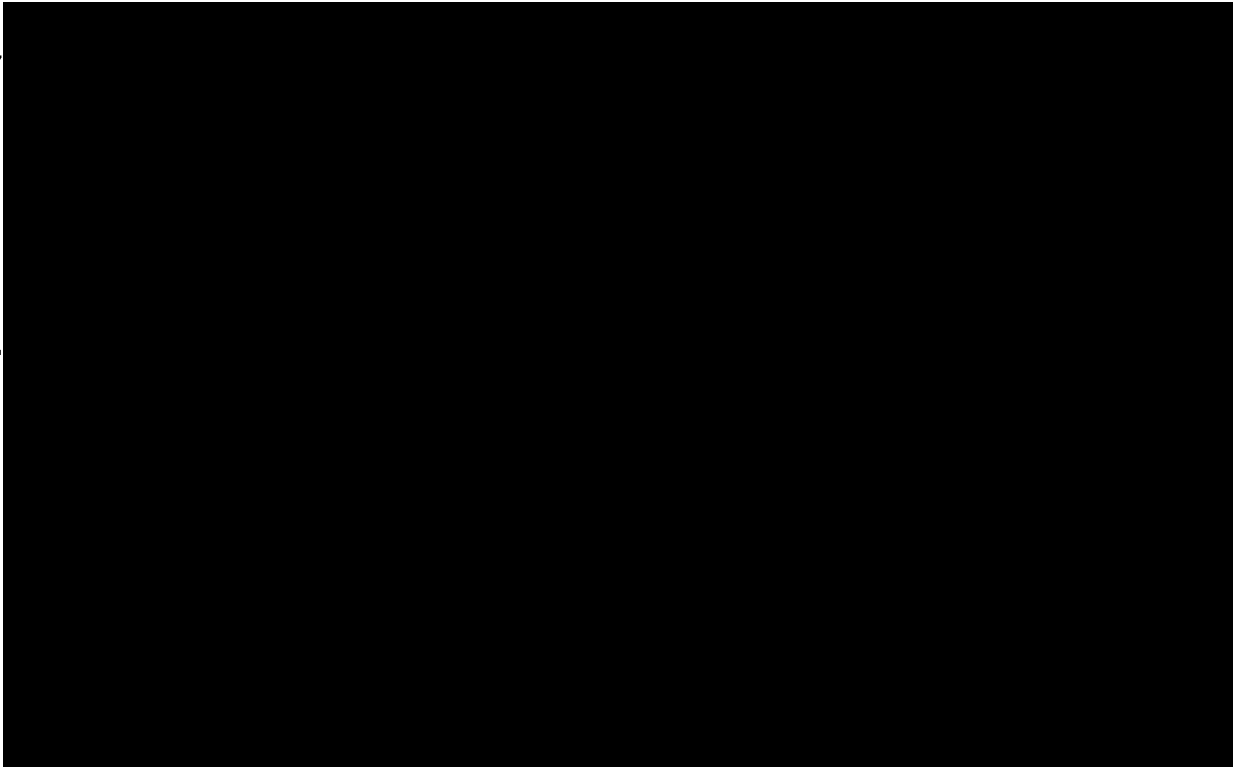
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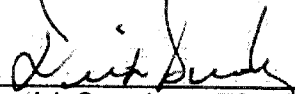
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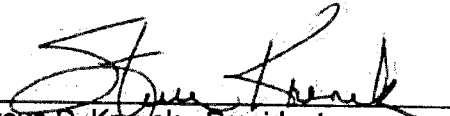
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Irma Tamez, Recording


Derrick Swanberg – Secretary


Steve D. Krenek - President