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[redacted]

March 7, 2024

CERTIFIED MAIL/RETURN RECEIPT REQUESTED
NO.: 9589 0710 5270 1252 1763 45
Texas Commission on Environmental Quality ("TCEQ")
Financial Administration Division - Cashier's Office, MC-214
P.O. Box 13088
Austin, TX 78711-3088

RE: Water Rights to equal 134.575 AF Municipal Water Rights
Conveyed to East Rio Hondo WSC from COA's
23-829 - 87.500 A/F MUL – CCID#6; and 23-841 - 47.075 A/F MUL – CCID#2
Rio Grande Basin, Hidalgo County, Texas

Dear Sirs:

Enclosed please find this firm's check representing the $312.50 TCEQ fee for processing East Rio Hondo Water Supply Corporation's application to **Sever and Combine** the referenced water rights. East Rio Hondo Water Supply Corporation's **Worksheet 8.0 Calculation of Fees** is included herein.

By copy of this letter, the original application to Sever and Combine has been forwarded to Water Rights Permitting & Availability Section - MC- 160, Water Permits & Resource Management Division, to request that TCEQ update its ownership records of surface water rights to: (1) sever the 134.575 acre-feet water rights from the certificates of adjudication ("COA") referenced above and combine them with East Rio Hondo Water Supply Corporation's COA 23-838; change the purpose of use to municipal and industrial use; and (2) to change the place(s) of use and point(s) of diversion to the diversion point reflected in East Rio Hondo Water Supply Corporation's COA 23-838.

Please return the duplicate copy of this letter enclosed, file-stamped, in the envelope provided to evidence your receipt of this request. If you have any questions regarding this request or the documents enclosed, please contact me. Your usual assistance in this matter is most appreciated.

Very truly yours,

Richard W. Fryer

cc: **via email :** WRPT@tceq.texas.gov
Water Rights Permitting & Availability Section - MC- 160
Water Permits & Resource Management Division
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

plo: C: WR: ERHWSC: ERHWSC - Consolidation -Sever and Combine-Cov.ltr

INDEX

1. Administrative Information Checklist - 10214B;

2. Technical Information Report - 10214C;

3. Summary of Request;

4. Copies of documents evidencing chain of title for water rights;

   FROM COA 23-829 – 87.500 A/F MUN

   FROM COA 23-841 – 47.075 A/F MUN

5. CCID 2 Diversion points;

6. Copy of WSC's Drought Contingency Plan
   (w/copy of Drought Contingency Projections);

7. Copy of Water Conservation Plan
   (w/copy of utility profile);

8. Evidence of Authority authorizing signer's signature;

1. Administrative Information Checklist - 10214B

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): East Rio Hondo 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		Y/N	
Y	**Administrative Information Report**	Y	**Worksheet 3.0**
N	Additional Co-Applicant Information	N	Additional W.S. 3.0 for each Point
N	Additional Co-Applicant Signature Pages	N	Recorded Deeds for Diversion Points
Y	Written Evidence of Signature Authority	N	Consent for Diversion Access
Y	**Technical Information Report**	N	**Worksheet 4.0**
N	USGS Map (or equivalent)	N	TPDES Permit(s)
N	Map Showing Project Details	N	WWTP Discharge Data
N	Original Photographs	N	Groundwater Well Permit
N	Water Availability Analysis	N	Signed Water Supply Contract
Y	**Worksheet 1.0**	N	**Worksheet 4.1**
N	Recorded Deeds for Irrigated Land	N	**Worksheet 5.0**
N	Consent for Irrigated Land	N	Addendum to Worksheet 5.0
N	**Worksheet 1.1**	Y	**Worksheet 6.0**
N	Addendum to Worksheet 1.1	Y	Water Conservation Plan(s)
N	**Worksheet 1.2**	Y	Drought Contingency Plan(s)
N	**Worksheet 2.0**	Y	Documentation of Adoption
N	Additional W.S. 2.0 for Each Reservoir	N	**Worksheet 7.0**
N	Dam Safety Documents	N	Accounting Plan
N	Notice(s) to Governing Bodies	Y	**Worksheet 8.0**
N	Recorded Deeds for Inundated Land	Y	Fees
N	Consent for Inundated Land	N	Public Involvement Plan

ADMINISTRATIVE INFORMATION REPORT

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

******Applicants are REQUIRED 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

X_____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."

East Rio Hondo Water Supply Corporation ("ERHWSC") has acquired additional water rights under several Certificates of Adjudication ("COA"), as follows:
COA 23-841 - 47.075 A/F MUN;
COA 23-831 - 35.935 A/F MUL; and
COA 23-829 - 87.500 A/F MUN

ERHWSC requests that the additional water rights described above be consolidated into its COA 23-838 and the point(s) of diversion be changed to the diversion point(s) identified in COA 23-838 and the purpose of use changed to include to add Industrial use as a beneficial purpose of use.

This action is not inconsitent with the 2022 Region M Water Plan and the 2022 State Water Plan.

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?

East Rio Hondo 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 :600694988 (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: Brian E. Macmanus

Title: General Manager

Have you provided written evidence meeting the signatory requirements in 30 TAC § 295.14, as an attachment to this application? **Y/N** Y

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: East Rio Hondo Water Supply Corporation

Mailing Address: P.O. Box 621

City: Rio Hondo State: Texas ZIP Code: 78563-0621

Indicate an X next to the type of Applicant:

___Individual	___Sole Proprietorship-D.B.A.
___Partnership	X Corporation
___Trust	___Estate
___Federal Government	___State Government
___County Government	___City Government
___Other Government	___Other_____

For Corporations or Limited Partnerships, provide:
State Franchise Tax ID Number: 174200075520 SOS Charter (filing) Number: 0030670501

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 W. Fryer

Title: Attorney at Law

Organization Name: Fryer & Hansen, P.L.L.C.

Mailing Address: 1352 S. Pecan Blvd.

City: McAllen State: Texas ZIP Code: 78501

Phone Number: (956) 686-6606

Fax Number: (956) 686-6601

E-mail Address: [redacted]

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 Number: _____

Fax Number: _____

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** Noo

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

   Account number: N/A Amount past due: N/A

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: N/A Amount past due: N/A

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). Applicants should check survey status on the TWDB website prior to filing: https://www3.twdb.texas.gov/apps/reports/WU/SurveyStatus_PriorThreeYears

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

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Brian E. Macmanus, P.E. 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: Brian E. Macmanus Date: 12-19-23

(Use blue ink)

Subscribed and Sworn to before me by the said

on this 19th day of December, 2023.

My commission expires on the 11th day of March, 2026.

Amanda M Sanchez

Notary Public

AMANDA M. SANCHEZ
Notary Public, State of Texas
Comm. Expires 03-11-2026
Notary ID 128203889

(SEAL)

Cameron

County, Texas

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

2. Technical Information Report - 10214C

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, Applicants are directed to submit additional Worksheets (provided herein). A completed Administrative Information Report is also required for each application.

Applicants are REQUIRED 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 contact the Water Availability Division at (512) 239-4600 or WRPT@tceq.texas.gov to schedule a meeting.

Date of pre-application meeting: Feb. 13, 2024

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: N/A)

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** N/A

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: N/A)

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: 23-838

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

List of water rights to sever	Combine into this ONE water right
23-841 - 47.075 af MUN; & 23-829 - 87.500 af MUN	23-838 MUL

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**Y__

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**Y_

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 the Region M Planning Group. This application is consistent with the 2022 State Water Plan which supports Applicant's acquisition of additional water rights, including those available through urbanization. The Applicant's need for additional water rights are discussed in the 2021 Region M Water Plan as a water management strategy. The plan is not inconsistent wth this Application.

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** Y

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) *(Include losses for Bed and Banks)*	**State Water Source (River Basin) or Alternate Source** *each *alternate source (and new appropriation based on return flows of others) also requires completion of Worksheet 4.0*	**Purpose(s) of Use**	**Place(s) of Use** **requests to move state water out of basin also require completion of Worksheet 1.1 Interbasin Transfer*
N/A			

N/A 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 N/A 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 N/A acres in N/A County, TX.

ii) Location of land to be irrigated: In the N/A Original Survey No. _____, Abstract No. 78563-0621.

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**
(23-841) 47.075 AF	municipal	municipal and industrial	Cameron County	Cameron and Willacy Counties
(23-829) 87.500 AF	municipal	municipal and industrial		Cameron and Willacy Counties

**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 N/A 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 N/A acres in _____ County, TX.

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

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** Y

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

a. Provide the Basin of Origin._____

b. Provide the quantity of water to be transferred (acre-feet). 87.50 A/F

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** Y

b. The proposed transfer is from a basin to an adjoining coastal basin? **Y**/**N** Y

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** 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 amendments 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*

1. 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 the proposed amendment will not impact other water right holders or the on-stream environment beyond and irrespectiveof 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: N/A

b. Provide amount of water (in acre-feet) impounded by structure at normal maximum operating level: N/A.

c. The impoundment is on-channel N/A or off-channel N/A (mark one)

i. Applicant has verified on-channel or off-channel determination by contacting Surface Water Availability Team at (512) 239-4600? **Y** / **N** N/A

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** N/A

d. Is the impoundment structure already constructed? **Y** / **N** N/A

i. For already constructed **on-channel** structures:

1. Date of Construction: N/A

2. Was it constructed to be an exempt structure under TWC § 11.142? **Y** / **N** N/A
   a. If Yes, is Applicant requesting to proceed under TWC § 11.143? **Y** / **N** N/A
   b. If No, has the structure been issued a notice of violation by TCEQ? **Y** / **N** N/A

3. Is it a U.S. Natural Resources Conservation Service (NRCS) (formerly Soil Conservation Service (SCS)) floodwater-retarding structure? **Y** / **N** N/A
   a. If yes, provide the Site No. N/A and watershed project name N/A;
   b. Authorization to close "ports" in the service spillway requested? **Y** / **N** N/A

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** N/A
   Provide the date and the name of the Staff Person N/A

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** N/A
   b. Plans (with engineer's seal) for the structure required. **Y** / **N** N/A
   c. Engineer's signed and sealed hazard classification required. **Y** / **N** NA
   d. Engineer's statement that structure complies with 30 TAC, Ch. 299 Rules required. **Y** / **N** N/A

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**N/A

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

1. Surface area (in acres) of on-channel reservoir at normal maximum operating level:N/A.

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**N/A
If yes, the drainage area isN/A 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):N/A

b. Zip Code: N/A

c. In theN/A Original Survey No.N/A, Abstract No.N/A, N/A 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:

LatitudeN/A °N, LongitudeN/A °W.

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

i. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program):N/A

ii. Map submitted which clearly identifies the Impoundment, dam (where applicable), andthe lands to be inundated. See instructions Page. 15. **Y / N**N/A

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. N/A Diversion Point No.
2. N/A Upstream Limit of Diversion Reach No.
3. N/A Downstream Limit of Diversion Reach No.

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

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

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

*** 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
☐	Directly from stream	N/A
☐	From an on-channel reservoir	N/A
☐	From a stream to an on-channel reservoir	N/A
☑	Other method (explain fully, use additional sheets if necessary)	Cameron County Irrig Dist No. 2; EXISTING

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** N

If yes, the drainage area is N/A 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): Rio Grande

b. Zip Code: N/A

c. Location of point: In the N/A Original Survey No. N/A, Abstract No. N/A, N/A 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 26.045047 °N, Longitude 97.755622 °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): TCEQ Water Rights Team and East Rio Hondo WA

f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 15.

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 N/A.

b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses N/A (% or amount) and explain the method of calculation: N/A

c. Is the source of the discharged water return flows? **Y / N** N/A If yes, provide the following information:

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

PLEASE NOTE: If Applicant is not the discharger of the return flows, or the Applicant is not the water right owner of the underlying surface water right, or the Applicant does not have a contract with the discharger, 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, the surface water right holder, or the contract holder, 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 N/A, surface water N/A?
   5. If any percentage is surface water, provide the base water right number(s) N/A.

d. Is the source of the water being discharged groundwater? **Y / N** N If yes, provide the following information:

   1. Source aquifer(s) from which water will be pumped: N/A
   2. 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/gwdbrpt.asp. Additionally, provide well numbers or identifiers N/A.
   3. Indicate how the groundwater will be conveyed to the stream or reservoir.

      N/A

   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.

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

dii. Identify any other source of the water N/A

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 N/A 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 N/A cfs or N/A gpm.

c. Name of Watercourse as shown on Official USGS maps: N/A

d. Zip Code N/A

e. Location of point: In the N/A Original Survey No. N/A, Abstract No. N/A, N/A County, Texas.

f. Point is at:
Latitude N/A °N, Longitude N/A °W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places

g. Indicate the method used to calculate the discharge point location (examples: Handheld GPS Device, GIS, Mapping Program): N/A

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 28.**

N/A

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: N/A

☐ Other, specify: 0030670501

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: N/A

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

e. 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 mapsubmitted 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 N/A

   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	N/A				
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 N/A and the name of the aquifer from which water is withdrawn N/A.

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. X___Municipal Use. See 30 TAC § 288.2. **

2. X___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** Y

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. X Municipal Uses by public water suppliers. See 30 TAC § 288.20.
2. _____ Irrigation Use/ Irrigation water suppliers. See 30 TAC § 288.21.
3. X 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.

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	*Only for those with an Irrigation Use.* Multiply 50¢ x_____Number of acres that will be irrigated with State Water. **	
Use Fee	*Required for all Use Types, **excluding Irrigation Use.*** Multiply $1.00 x_____Maximum annual diversion of State Water in acre-feet. **	
Recreational Storage Fee	*Only for those with Recreational Storage.* Multiply $1.00 x_____acre-feet of in-place Recreational Use State Water to be stored at normal max operating level.	
Storage Fee	*Only for those with Storage, **excluding Recreational Storage.*** 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 x3 of water rights to combine	300.00
Recording Fee		$12.50
Mailed Notice	Additional notice fee to be determined once application is submitted.	
	TOTAL INCLUDED	$ 312.50

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	$

3. Summary of Request

SUMMARY OF REQUEST

Pursuant to the Texas Water Code and the Commission's Rules and Regulations, East Rio Hondo Water Supply Corporation of Rio Hondo, Cameron County, Texas, (hereinafter called Applicant), hereby requests the Commission to consolidate the following recuently acquired 170.51 A/F of water rights with its Certificate of Adjudication No. 23-838:

COA 23-841 - 47.075 A/F MUN

COA 23-829 - 87.500 A/F MUN

Total: 134.575 A/F MUN

(collectively hereinafter the "Subject Water Rights"), and to add industrial use as a beneficial purpose of use, and to change the point of diversion of the water rights to that reflected in its Certificate of Adjudicate No. 23-838.

1. The existing purpose of the Subject Water Rights is for municipal purposes. Applicant seeks to add "industrial use" as a beneficial purpose of use to the water rights to be combined into Certificate of Adjudication No. 23-838 and, therefore, a change in purpose of use is requested.

2. A. The existing place of use of said Water Rights of Applicant is in Cameron County, Texas. Applicant seeks a change of place of use so that it may use the Water Rights within its service area in Cameron and Willacy counties.

B. Applicant has an exempt interbasin transfer to those portions of the Owner's service area in Cameron and Willacy counties that are within the Nueces-Rui Grabde Ciastak Basin for municipal and industrial purposes. Therefore, Applicant seeks the same

exempt interbasin transfer be applicable to the water rights made the subject of this Application.

3. Applicant requests that the diversion point for the Subject Water Rights be changed to the existing diversion point(s) of Applicant, East Rio Hondo Water Supply Corporation, as maintained in association with Certificate of Adjudication No. 23-838, as amended. The location of these diversion points being well known to the Rio Grande Water Master and described in the Commission records.

4. Applicant states that the change in purpose of use, place(s) of use, and point(s) of diversion, as requested herein, does not contemplate an increased consumptive use of water or rate of diversion which would harm any other existing water rights holders on the Rio Grande below Amistad and Falcon Reservoirs; and will not prejudice any other water rights holder on the Rio Grande below Amistad Reservoir.

5. Applicant has submitted the required fees.

4. Copies of documents evidencing chain of title for water rights

FROM COA 23-829 – 87.500 A/F MUN

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Kelly Keel, *Interim Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 19, 2023

Richard W. Fryer, Attorney
Fryer & Hansen, PLLC
1352 W Pecan Blvd.
McAllen, TX 78501-4352

VIA-EMAIL

RE: Change of Ownership
Certificate of Adjudication No. 23-829

Dear Mr. Fryer:

This acknowledges receipt on August 30, 2023, of the Surface Water Rights Change of Ownership request and fees in the amount of $100 (Voucher No. 658747).

TCEQ Change of Ownership Memorandum attached.

If you have any questions concerning this matter, please contact me via e-mail at Ariel.Black@tceq.texas.gov or by telephone at (512) 239-4625.

Sincerely,

Ariel Black

Ariel Black, Project Manager
Water Rights Compliance Assurance Team
Water Availability Division

Attachment

cc: Rio Grande Watermaster's Office

TCEQ Water Rights Change of Ownership Memorandum

To: Records Management

Date: September 19, 2023

Thru: SD Sandra Douglas, Team Leader
Water Rights Compliance Assurance Team

Certificate of Adjudication No. 23-829

From: Ariel Black, Project Manager
Water Rights Compliance Assurance Team

Source County: Val Verde, Kinney, Maverick, Webb, Zapata, Starr, Hidalgo, and Cameron

Subject: Change of Ownership

Source Basin: Rio Grande

Add: East Rio Hondo Water Supply Corporation, as part-owner

Conveyance Documents Reviewed

Title	Dated	Doc. No.
Water Rights Conveyance	08/22/2023	31568

The change of ownership application and $100 recording fee (Voucher No. 658747) were received on August 30, 2023. The review of the application was completed on September 19, 2023. The conclusions in this memo are based upon a review of the above-mentioned conveyance documents submitted by the applicant from the Official Public Records of Cameron County, Texas. The conclusions are subject to change if additional information is received.

Ownership of Record with Addresses and Remarks:

1. Cameron County Irrigation District No. 6
PO Box 295
Los Fresnos, TX 78566-0295

2. Olmito Water Supply Corporation
PO Box 36
Olmito, TX 78575-0036

3. Cameron County Drainage District No. 1
3510 Old Port Isabel Rd.
Brownsville, TX 78526-9553

4. East Rio Hondo Water Supply Corporation
PO Box 621
Rio Hondo, TX 78583-0621

The owners of record have been updated as follows:

Authorization 1: Diversion of 48,398.522 acre-feet of Class A water per year from the Rio Grande, for agricultural purposes, in Cameron County, and for mining purposes in Val Verde, Kinney, Maverick, Dimmit, Webb, Zapata, Starr, Hidalgo, Willacy, and Cameron counties.

Owner Name	Amount	Purpose
Cameron County Irrigation District No. 6	48,398.522 ac-ft	Agricultural & Mining

Authorization 2: Diversion of 20 acre-feet of Municipal Priority water per year from the Rio Grande, for industrial purposes, in Cameron County.

Owner Name	Amount	Purpose
Cameron County Irrigation District No. 6	20 ac-ft	Industrial

Authorization 3: Diversion of 208 acre-feet of Municipal Priority water per year from the Rio Grande, for municipal purposes, in Cameron County.

Owner Name	Amount	Purpose
Cameron County Irrigation District No. 6	208 ac-ft	Municipal

Authorization 4: Diversion of 100 acre-feet of Municipal Priority water per year from the Rio Grande, for municipal purposes, in Cameron County.

Owner Name	Amount	Purpose
Olmito Water Supply Corporation	100 ac-ft	Municipal

Authorization 5: Diversion of 62.5 acre-feet of Class A water per year from the Rio Grande, for agricultural purposes, in Cameron County.

Owner Name	Amount	Purpose
Cameron County Drainage District No. 1	62.5 ac-ft	Agricultural

Authorization 6: Diversion of 87.5 acre-feet of Municipal Priority water per year from the Rio Grande, for municipal purposes, in Cameron County.

Owner Name	Amount	Purpose
East Rio Hondo Water Supply Corporation	87.5 ac-ft	Municipal

Please be aware that a permanent water right is an easement and passes with title to the land to which it is appurtenant unless the water right is expressly reserved or excepted from conveyance or is conveyed separately from the land. See Texas Water Code §11.040(a) and 30 Texas Administrative Code (TAC) § 297.81(a) and (d). However, also be aware that a permanent water right must be expressly conveyed if the water right is held by a water corporation, water district, river authority, or governmental entity authorized to supply water to others. See 30 TAC § 297.81(b).

This water right falls under the jurisdiction of the Rio Grande Watermaster Program. Prior to diverting, please contact the Rio Grande Watermaster's Office at (800) 609-1219.

Ariel Black

Ariel Black

VG-834-2023-31568

Cameron County
Sylvia Garza-Perez
Cameron County Clerk

Instrument Number: 2023-31568

Real Property Recordings

Recorded On: August 29, 2023 12:25 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: $44.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	31568
Receipt Number:	20230829000095
Recorded Date/Time:	August 29, 2023 12:25 PM
User:	Danielle C
Station:	CCLERK19_10

Record and Return To:

EAST RIO HONDO EASEMENTS
PO BOX 621

RIO HONDO TX 78583

STATE OF TEXAS
Cameron County
I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Cameron County, Texas

Sylvia Garza-Perez
Cameron County Clerk
Cameron County, TX

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS §

COUNTY OF CAMERON §

WATER RIGHTS CONVEYANCE

WHEREAS, **CAMERON COUNTY IRRIGATION DISTRICT NUMBER SIX,** an irrigation district operating under the laws of the State of Texas, of Cameron County, Texas, (hereinafter referred to as "GRANTOR"), owns water rights pursuant to Certificate of Adjudication No. 23-829, as amended; and

WHEREAS, **GRANTOR** has agreed to sell, convey, transfer, and assign to **EAST RIO HONDO WATER SUPPLY CORPORATION**, a water supply corporation operating under the laws of the State of Texas, of Cameron County, Texas, water rights amounting to the right to divert and use a maximum of up to **87.5 acre feet** of water per annum from the Rio Grande for municipal use purposes, being water rights owned by **GRANTOR** out of those water rights evidenced by Certificate of Adjudication No. 23-829, as amended.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That **GRANTOR,** pursuant to Subchapter O of Chapter 49 of the Texas Water Code, and in consideration of the sum of TEN ($10.00) DOLLARS to it in hand paid on behalf of **EAST RIO HONDO WATER SUPPLY CORPORATION**, P.O. Box 621, Rio Hondo, Texas, 78583, hereinafter referred to as **"GRANTEE"**, together with other valuable consideration, receipt of which is hereby acknowledged, does hereby SELL, ASSIGN, TRANSFER AND CONVEY to **GRANTEE** the right to divert and use a maximum of up to **87.5 acre feet** of water per annum from the Rio Grande for municipal use

purposes, being water rights owned by **GRANTOR** evidenced by Certificate of Adjudication No. 23-829, as amended, and hereinafter referred to as the Water Rights.

GRANTOR does hereby expressly sever the Water Rights here conveyed from the facilities and properties of **GRANTOR** to which such Water Rights were heretofore attached or considered appurtenant, and no other water rights of **GRANTOR** evidenced by Certificate of Adjudication No. 23-829, as amended, are covered herein.

GRANTOR does hereby expressly authorize the Texas Commission on Environmental Quality ("TCEQ"), or its successor, or such agency or governmental body or authority having jurisdiction over the subject matter hereof, to make such changes in the records as are necessary to accomplish the conveyance and transfer of the Water Rights; and **GRANTOR** hereby agrees to execute such other instruments as shall be necessary and required by the TCEQ or other applicable authority in regard hereto.

TO HAVE AND TO HOLD the Water Rights together with all and singular the rights and appurtenances thereto, in any way belonging unto **GRANTEE**, its successors and assigns forever, and **GRANTOR** does hereby bind itself its agents, representatives, successors and assigns, to warrant and forever defend all and singular the Water Rights unto the said GRANTEE, and its successors and assigns, against every person whomsoever lawfully claiming or to claim, the Water Rights.

DATED and effective this 22nd day of August, 2023.

GRANTOR

CAMERON COUNTY IRRIGATION DISTRICT
NUMBER SIX

By: _____
Tito Nieto, General Manager of
Cameron County Irrigation District Number Six

STATE OF TEXAS §
COUNTY OF CAMERON §

This instrument was acknowledged before me on this 22nd day of August 2023, by Tito Nieto, General Manager of Cameron County Irrigation District Six, in the capacity as stated, to certify which witness my hand and seal of office.

PATRICIA ANN AVILA MUNOZ
Notary Public, State of Texas
Comm. Expires 08-03-2025
Notary ID 128036347

_____
Notary Public in and for the State of Texas



FILED FOR RECORD
AT 12:25 O'CLOCK P M

AUG 29 2023

SYLVIA GARZA-PEREZ
CAMERON COUNTY CLERK
DOC No 2023-31568
By Deputy

4. Copies of documents evidencing chain of title for water rights

FROM COA 23-841 – 47.075 A/F MUN

VG-818-2023-32660

Cameron County
Sylvia Garza-Perez
Cameron County Clerk

Instrument Number: 2023-32660

Real Property Recordings

Recorded On: September 06, 2023 01:21 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: $48.00

********** THIS PAGE IS PART OF THE INSTRUMENT **********
Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number:	32660
Receipt Number:	20230906000115
Recorded Date/Time:	September 06, 2023 01:21 PM
User:	Brunhilde B
Station:	CCLERK19_05

Record and Return To:

EAST RIO HONDO EASEMENTS
PO BOX 621
RIO HONDO TX 78583

STATE OF TEXAS
Cameron County
I hereby certify that this Instrument was filed in the File Number sequence on the date/time printed hereon, and was duly recorded in the Official Records of Cameron County, Texas

Sylvia Garza-Perez
Cameron County Clerk
Cameron County, TX

WATER RIGHTS SALES CONTRACT

SELLER: **CAMERON COUNTY IRRIGATION DISTRICT NUMBER TWO**
more commonly known as Cameron County Irrigation District No. 2 and Cameron County Irrigation District #2
P.O. Box 687
San Benito, Texas 78586

PURCHASER: **EAST RIO HONDO WATER SUPPLY CORPORATION**
P.O. Box 621
Rio Hondo, Texas 78583

WATER RIGHTS SOLD: **47.075 acre feet of municipal use water from Certificate of Adjudication No. 23-841**

CONSIDERATION:

NINETY-SEVEN THOUSAND THREE HUNDRED FOURTEEN DOLLARS AND THIRTEEN CENTS ($97,314.13), the receipt, adequacy, and sufficiency of which are hereby acknowledged.

1. SITUATION:

1.1 CAMERON COUNTY IRRIGATION DISTRICT NUMBER TWO is an irrigation district and political subdivision of the State of Texas created in 1916, operating under the Texas Water Code, and hereinafter shall be referred to as "SELLER." From April 13, 1917 to February 1, 1981, SELLER was named Cameron County Water Control and Improvement District No. 2. On January 6, 1981, SELLER converted to an Irrigation District and its name changed to Cameron County Irrigation District Number Two effective February 1, 1981, Volume 2, Pages 111-116, 117-122, Contract Record-Water Districts of Cameron County, Texas.

1.2 EAST RIO HONDO WATER SUPPLY CORPORATION, a water supply corporation created in 1986, shall be referred to as "PURCHASER."

1.3 In the Final Judgment in Cause No. 261, in the Court of Civil Appeals for the Thirteenth Judicial District of Texas, in the case styled, *The State of Texas v. Hidalgo County W.C.I.D. No. Eighteen*, 443 S.W.2d 728 (Tex.Civ.App.--Corpus Christ 1969, writ ref'd n.r.e.), there was awarded to SELLER, then known as Cameron County Water Control and Improvement District No. 2, a right to divert and use water from the Rio Grande for domestic, municipal, and agricultural use within the boundaries of SELLER in Cameron County, Texas, and as further evidenced by Certificate of Adjudication No. 23-841 issued by the Texas Water Rights Commission and the records of the Texas Commission on Environmental Quality (successor to the Texas

Quality (successor to the Texas Water Rights Commission), to which reference is hereby made for all purposes.

1.4 SELLER has excluded 37.66 irrigable acres due to subdivision for non- agricultural purposes that qualify under the provisions of Texas Water Code §§ 49.501-49.512, as noted by the petition submitted by PURCHASER to SELLER pursuant to Texas Water Code § 49.503:

2019	1.00 acre
2020	1.82 acres
2022	34.84 acres
Total	37.66 acres

1.5 Pursuant to Texas Water Code § 49.505, the proportionate amount of water rights is 47.075 acre feet of municipal use water:

2019	1.00 acre x 1.25 =	1.250
2020	1.82 acres x 1.25 =	2.275
2022	34.84 acres x 1.25 =	43.550
Total		47.075

1.6 The Rio Grande Regional Water Authority set the true full market value per acre foot for municipal water:

2019	$2,896.81
2020	$3,060.00
2022	$3,043.10

1.7 Pursuant to Texas Water Code § 49.507(b) the purchase price may not exceed 68% of the market value. Accordingly, the sales price for the 47.075 acre feet of municipal use water can be no more than $97,314.13:

2019	$2,896.81 x 0.68 = $1,969.83 x 1.250 =	$2,462.29
2020	$3,060.00 x 0.68 = $2,080.80 x 2.275 =	$4,733.82
2022	$3,043.10 x 0.68 = $2,069.30 x 43.550 =	$90,118.02
Total		$97,314.13

1.8 SELLER has agreed to sell, convey, transfer, and assign to PURCHASER water rights amounting to the right to divert and use a maximum of up to 47.075 acre feet of municipal water out of Certificate of Adjudication No. 23-841, for the sum of $97,314.13, subject to the conditions herein provided, and PURCHASER has agreed to pay $97,314.13 for 47.075 acre feet of municipal water.

2. AGREEMENT

2.1 For the Consideration stated above, SELLER does hereby SELL, ASSIGN, TRANSFER AND CONVEY to PURCHASER the right to use a maximum of up to 47.075 acre feet of Rio Grande River water per annum, measured at the point of diversion of said water rights at the Rio Grande River, for municipal purposes out of those municipal use water rights evidenced by Certificate of Adjudication No. 23-841, as heretofore amended, as above referred to and described, hereinafter referred to as "Water Rights".

2.2 SELLER does hereby expressly sever 47.075 acre feet of municipal use water from Certificate of Adjudication No. 23-841, as heretofore amended. No other rights of SELLER are hereby conveyed relating to Certificate of Adjudication No. 23-841, as amended, or any other water rights under the Judgment referred to above, except the Water Rights herein conveyed, or any other properties of SELLER.

2.3 SELLER does hereby expressly authorize the Texas Commission on Environmental Quality, or such agency or governmental body or authority having jurisdiction over the subject matter hereof, to make such changes in the records as are necessary to accomplish the conveyance and transfer of the Water Rights hereby conveyed; and SELLER hereby agrees to execute such other instruments as shall be necessary and required by the Texas Commission on Environmental Quality or other applicable authority in regard hereto.

TO HAVE AND TO HOLD the Water Rights together with all and singular the rights and appurtenances thereto, and subject to the terms hereof, in any wise belonging unto SELLER, its successors and assigns, to warrant and forever defend all and singular the said Water Rights unto the said PURCHASER, and its successors and assigns, against every person whomsoever lawfully claiming the Water Rights by, through, or under SELLER.

SELLER:	PURCHASER:
CAMERON COUNTY IRRIGATION DISTRICT NUMBER TWO	EAST RIO HONDO WATER SUPPLY CORPORATION
By: Sonia Lambert	By: Brian E. Macmanus
Sonia Lambert General Manager	Brian E. Macmanus, P.E. General Manager
Date: 9-5-23	Date: 8-31-23

The foregoing WATER RIGHTS SALES CONTRACT was acknowledged before me on the 5th day of September, 2023, by Sonia Lambert, General Manager of Cameron County

Irrigation District Number Two, for the purposes and consideration therein expressed and in the capacity therein stated.

VANESSA LOPEZ
My Notary ID # 131617248
Expires December 5, 2026

Vanessa Lopez
Notary Public

The foregoing WATER RIGHTS SALES CONTRACT was acknowledged before me on the 31st day of August, 2023, by Brian Macmanus, General Manager of East Rio Hondo Water Supply Corporation, for the purposes and consideration therein expressed and in the capacity therein stated.

AMANDA M. SANCHEZ
Notary Public, State of Texas
Comm. Expires 03-11-2026
Notary ID 128203889

Amanda M Sanchez
Notary Public

TCEQ Water Rights Change of Ownership Memorandum

To: Records Management

Thru: SD Sandra Douglas, Team Leader
Water Rights Compliance Assurance Team

From: Amy McKellar, Project Manager
Water Rights Compliance Assurance Team

Subject: Combine

Date: October 6, 2023

Certificate of Adjudication No. 23-841

Source County: Cameron

Source Basin: Rio Grande

By Amendment No. 23-841G, issued October 3, 2023, Olmito Water Supply Corporation severed its 80 acre-feet of Class A water per year authorized by Certificate of Adjudication No. 23-809, and combined it with its water rights authorized under this Certificate. By Amendment 23-841G, Olmito Water Supply Corporation changed the purpose of use of the 80 acre-feet of Class A water for agricultural purposes to Municipal Priority for municipal purposes and combined the resulting 40 acre-feet of Municipal Priority water with the water rights authorized by Certificate of Adjudication No. 23-841.

Owners of Record with Addresses and Remarks:

1. Cameron County Irrigation District 2
   PO Box 687
   San Benito, TX 78586-0007
2. City of San Benito
   485 N. Sam Houston Blvd.
   San Benito, TX 78586-4666
3. Olmito Water Supply Corporation
   PO Box 36
   Olmito, TX 78575-0036
4. East Rio Hondo Water Supply Corporation
   PO Box 621
   Rio Hondo, TX 78583-0621

The owners of record have been updated as follows:

Authorization 1: Diversion of 192 acre-feet of Municipal Priority water per year from the Rio Grande, for industrial purposes, within the district's service area in Cameron County.

Owner Name	Amount	Purpose
Cameron County Irrigation District 2	192 ac-ft	Industrial

Authorization 2: Diversion of 151,536.15 acre-feet of Class A water per year from the Rio Grande, for agricultural purposes, within the district's service area in Cameron County.

Owner Name	Amount	Purpose
Cameron County Irrigation District 2	151,536.15 ac-ft	Agricultural

Authorization 3: Diversion of 8,759.245 acre-feet of Municipal Priority water per year from the Rio Grande, for municipal purposes and domestic purposes in Cameron County.

Owner Name	Amount	Purpose
Cameron County Irrigation District 2	5,500 ac-ft	For Municipal Purposes by the City of San Benito
	1,785.5 ac-ft	For Domestic Purposes by the Cities of Lozano, Los Indios & La Paloma
	770.82 ac-ft	For Municipal Purposes by the City of Rio Hondo
	702.925 ac-ft	For Municipal Purposes within the CCID 2 service area

Authorization 4: Diversion of 1,532 acre-feet of Municipal Priority water per year from the Rio Grande, for municipal purposes, in Cameron County.

Owner Name	Amount	Purpose
City of San Benito	1,532 ac-ft	Municipal

Authorization 5: Diversion of 790 acre-feet of Municipal Priority water per year from the Rio Grande, for municipal purposes within Owner's service area, in Cameron County.

Owner Name	Amount	Purpose
Olmito Water Supply Corporation	790 ac-ft	Municipal

Authorization 6: Diversion of 47.075 acre-feet of Municipal Priority water per year from the Rio Grande, for municipal purposes, in Cameron County.

Owner Name	Amount	Purpose
East Rio Hondo Water Supply Corporation	47.075 ac-ft	Municipal

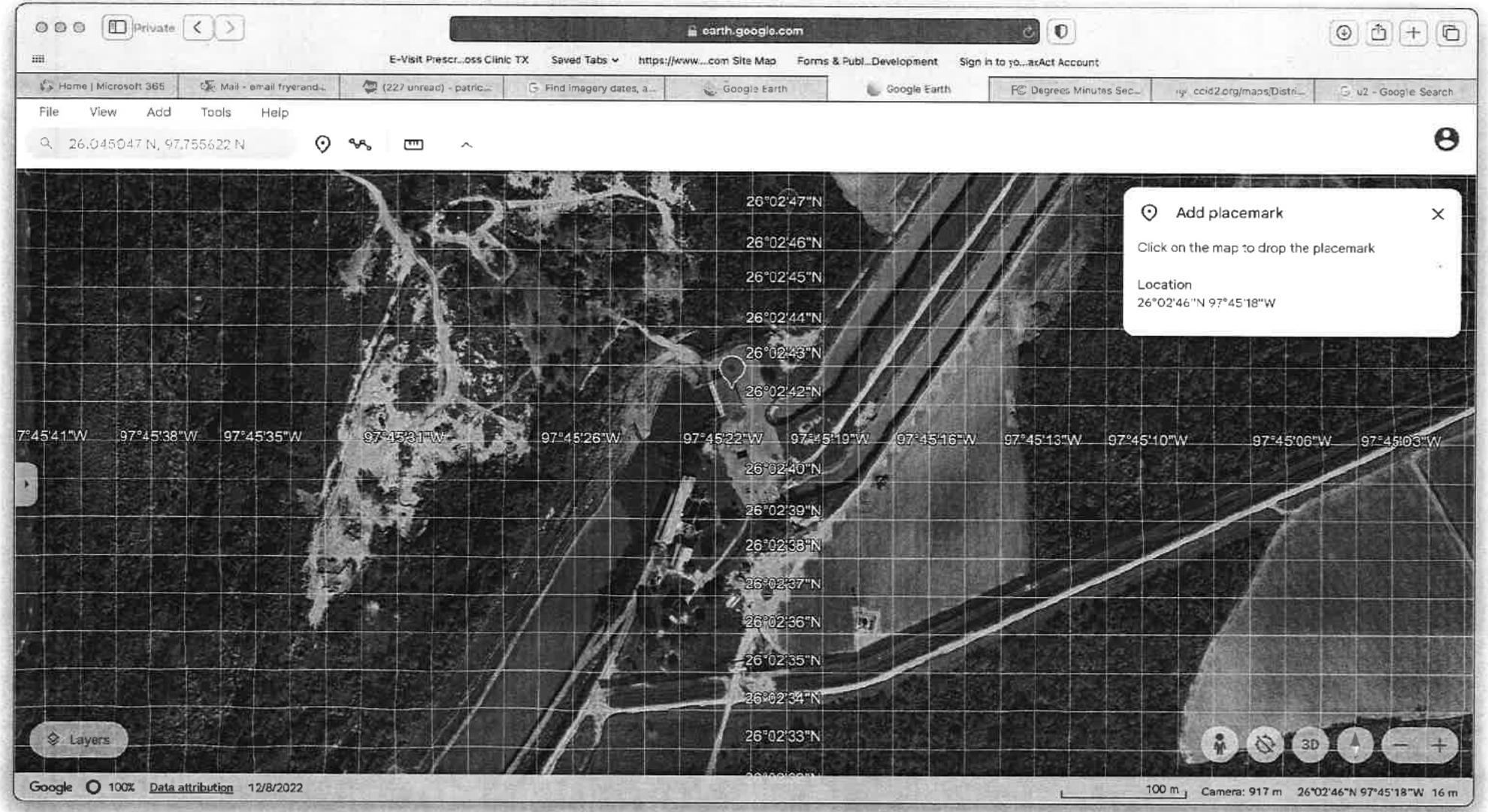
Please be aware that a permanent water right is an easement and passes with title to the land to which it is appurtenant, unless the water right is expressly reserved or excepted from conveyance or is conveyed separately from the land. See Texas Water Code §11.040(a) and 30 Texas Administrative Code §297.81(a) and (d). However, also be aware that a permanent water right must be expressly conveyed if the water right is held by a water corporation, water district, river authority, or governmental entity authorized to supply water to others. See 30 Texas Administrative Code §297.81(b).

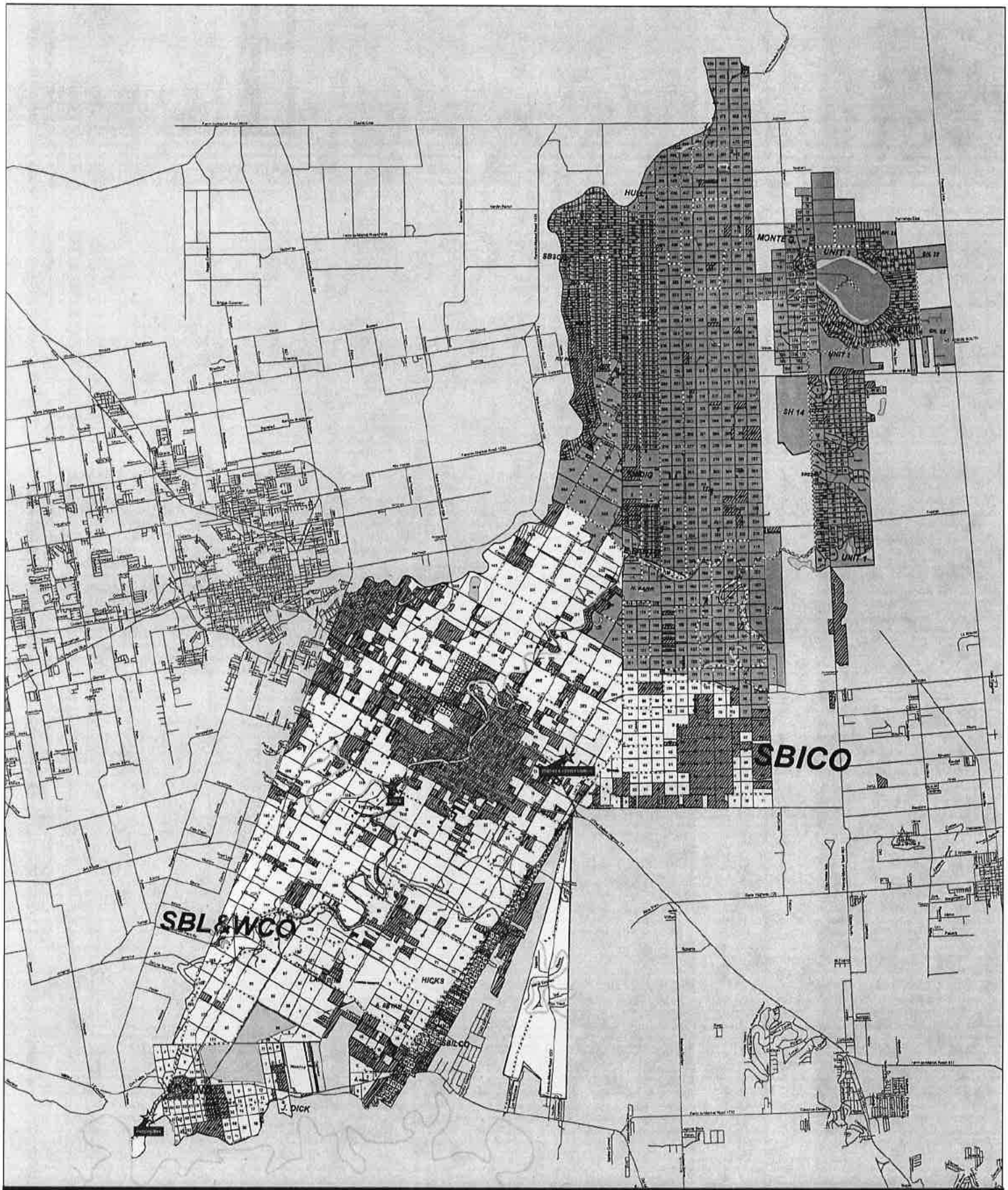
This water right falls under the jurisdiction of the Rio Grande Watermaster Program. Prior to diverting, please contact the Rio Grande Watermaster's Office at (800) 609-1219.

Amy McKellar

Amy McKellar

5. CCID 2 Diversion points


earth.google.com
Private
E-Visit Prescr...oss Clinic TX
Saved Tabs
https://www....com Site Map
Forms & Publ...Development
Sign in to yo...axAct Account
Home | Microsoft 365
Mail - email fryerand...
(227 unread) - patric...
Find imagery dates, a...
Google Earth
Google Earth
Degrees Minutes Sec...
ccid2.org/maps/Distri...
u2 - Google Search
File
View
Add
Tools
Help
26.045047 N, 97.755622 N
Add placemark
Click on the map to drop the placemark
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26°02'46"N
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97°45'13"W
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12/8/2022
100 m
Camera: 917 m
26°02'46"N 97°45'18"W 16 m



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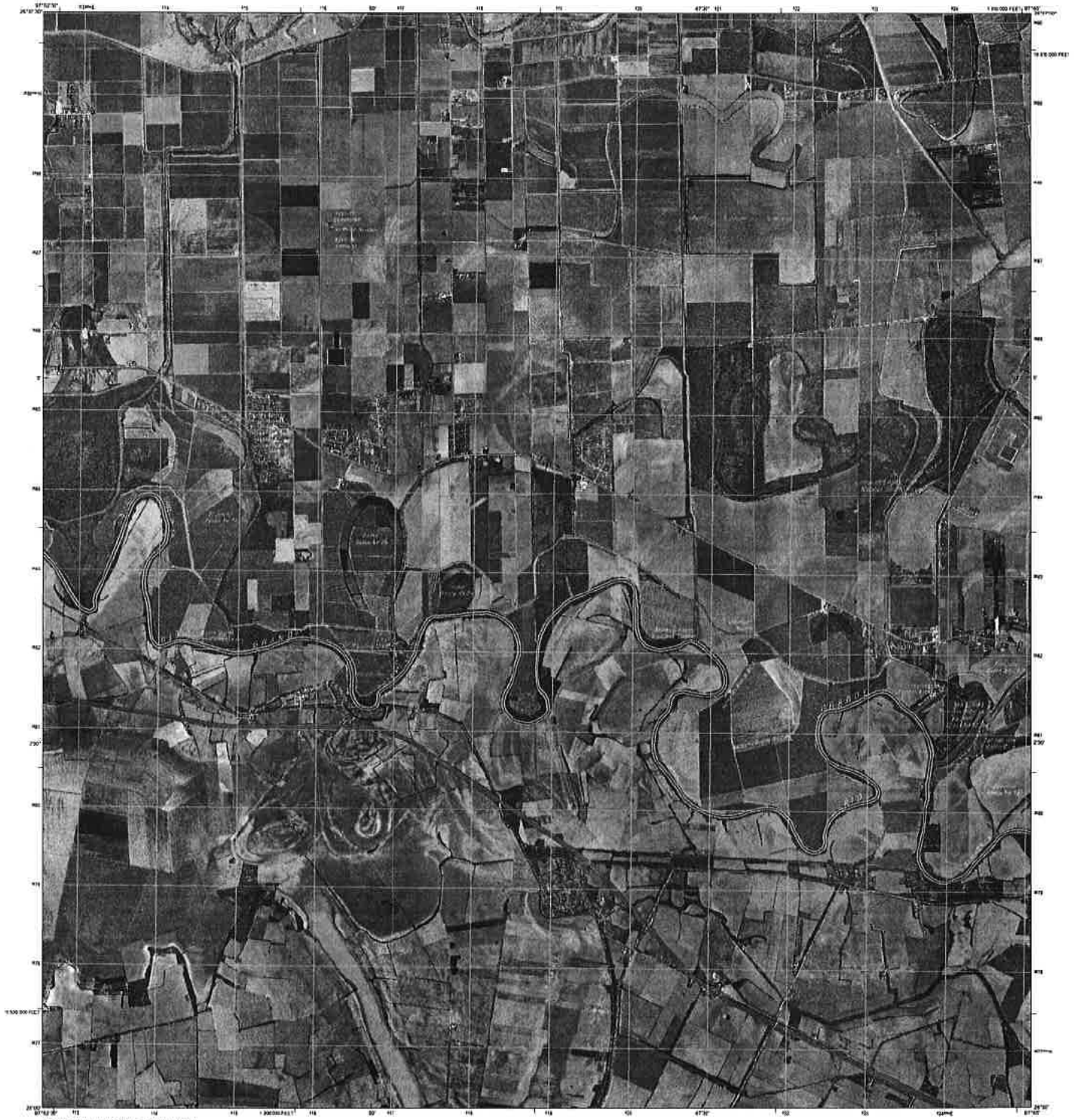
canal — private
ceiling — proposed
concrete — reserve
gunite — river
pipeline

RIDER
EJ
Rollie
Jimmie
Juan

District Boundary

N
W
E
S

February 2022



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

The National Map

SANTA MARIA QUADRANGLE
TEXAS - TAMAULIPUS
7.5-MINUTE SERIES (ORTHOIMAGE)

Produced by the United States Geological Survey

North American Datum of 1983 (NAD 1983) Projection and 1 000-meter Universal Transverse Mercator grid, zone 14N
10 000-foot grid ticks: Texas Coordinate System of 1983 South (2nd)

UTM grid declination, 0° 21' east
2008 Magnetic declination, 6° 58' east

Imagery ..... Digital Orthophoto Quadrangle ..... USGS 2005
Transportation ..... TeleAtlas, 2008
Names ..... Geographic Names Information Systems, 2005
Boundaries ..... USGS, 2007

Any use of trade, product, or firm names is for descriptive purposes only and does not imply endorsement by the U.S. Government

SCALE 1:24 000

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

TEXAS QUADRANGLE LOCATION

ADJOINING 7.5' QUADRANGLES

SANTA MARIA, TX-TAM
2008

The Cameron County Irrigation District #2 will periodically provide water users with information about the Plan, including information about the conditions under which allocation is to be initiated or terminated and the district's policies and procedures for water allocation. This information will be provided by means of posting water allocation guidelines on the district's public bulletin board.

Section IV: Authorization

The General Manager us hereby authorized and directed to implement the applicable provisions of this Plan upon determination by the Board that such implementation is necessary to ensure the equitable and efficient allocation of limited water supplies during times of shortage.

Section V: Application

The provisions of this Plan shall apply to all persons utilizing water provided by the Cameron County Irrigation District #2. The term "person" as used in the Plan includes individuals, corporations, partnerships, associations, and all other legal entities.

Section VI: Initiation of Water Allocation

The General Manager shall monitor water supply conditions on a monthly basis and shall make recommendations to the Board regarding initiation of water allocation. Upon approval of the Board, water allocation will become effective when the - usable balance in the District's irrigation water right account reaches 42,000 acre-feet.

Section VII: Termination of Water Allocation

The district's water allocation policies will remain in effect until the conditions defined in Section IV of the Plan no longer exist and the usable balance in the District's irrigation water right account reaches 50,000 acre feet.

Section VIII: Notice

Notice of the initiation or termination of water allocation will be given by notice posted on the District's public bulletin board and by publication in the local newspaper.

Section IX: Water Allocation

(a) Upon initiation of water allocation, each irrigation user shall be allocated one irrigation per acre for each flat rate acre on which all flat rate assessments have been paid, and on which the water account has remained active for a (24) twenty-four-month period. The water allotment in each irrigation account will be expressed in acres.

(b) As additional water supplies become available to the District in an amount reasonably sufficient for allocation to the District's irrigation users, the additional water made available to the District will be equally distributed to those irrigation users as defined in Section 11.039 of the Texas Water Code.

(c) The amount of water charged against a user's water allocation will be one acre-foot per acre irrigated, or one allocation unit, unless water deliveries to the land are metered. Metered water deliveries will be charged based on actual measured use. It shall be a violation of these guidelines for a water user to use water in excess of water contained in the user irrigation account.

(d) Acreage in an irrigation account that has not been irrigated for any reason within the last two- (2) consecutive years will be considered inactive and will not be allocated water.

Any landowner whose land has not been irrigated within the last two- (2) consecutive years may, upon application to the District expressing intent to irrigate the land, receive future allocations. However, irrigation water allocated shall be applied only upon the acreage to which it was allocated, and such water allotment cannot be transferred until there have been two consecutive years of use.

Section X: Transfers of Allotments

(a) A water allocation in an active irrigation account may be transferred within the boundaries of the District from one irrigation account to another. The transfer of water can only be made by the landowner's agent who is authorized in writing to act on behalf of the landowner in the transfer of all or a part of the water allocation from the described land of the landowner covered by the irrigation account.

(b) A water allocation may not be transferred to land owned by the landowner outside the District boundaries.

(b) Water from outside the District may be transferred by a landowner for use within the District. The District will divert and deliver the water on the same basis as District water is delivered, except that a (25%) twenty-five percent conveyance loss will be charged against the amount of water transferred for use in the District as the water is delivered.

Section XI: Water Delivered to Municipal Suppliers

Water is delivered to municipal suppliers in accordance with existing contracts and the District's water conservation plan and drought contingency plan. Upon the activation of the District's drought contingency provisions, the District will coordinate with municipal suppliers to whom it delivers Rio Grande water for treatment. Normally, if the District expects a shortage in irrigation deliveries which could make it difficult to maintain deliveries to municipal suppliers, it will advise its municipal suppliers, if reasonably possible, at least sixty (60) days in advance, of this possibility, otherwise, as soon as is possible. A copy of this notice will be sent to Rio Grande Watermaster and Texas Water Development Board. Following such notice, the District will monitor available water supply and irrigation deliveries in coordination with the Rio Grande Watermaster, Texas Water Development Board and municipal suppliers during the shortage period.

Section XII: Coordination With Regional Water Planning Group

A copy of this drought management plan shall be filed with the Rio Grande Regional Water Planning Group (Region M, Texas Water Development Board) and the District will coordinate its activities so as to ensure consistency with the approved Regional Water Plan.

Section XIII: Penalties

Any person who willfully opens, closes, changes or interferes with any headgate or uses water in violation of section 11.083 of the Texas Code may be assessed an administrative penalty up to $5,000.00 a day under Section 11.0842 of the Texas Water Code. Additionally, if the violator is also taking, diverting, or appropriating State water, the violator may be assessed a civil penalty in court of up to $5,000.00 a day. Someone who is aggrieved by these violations may sue the violator for injunctive relief and civil damages in court.

Section XII: Severability

It is hereby declared to be the intention of the Board of Directors of the Cameron County Irrigation District #2, that the sections, paragraphs sentences, clauses, and phrases of the Plan are severable and, if any phrase, clause, sentence, paragraph, or section of this plan shall be declared

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the Board without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section XIII: Authority

The foregoing guidelines are adopted pursuant to and in accordance with Sections 11.039, 11.083, 11.1272; Section 49.004; and Section 58.127-130 of the Texas Water Code, *Vernon's Texas Codes Annotated.*

Section XIV: Effective Date of Plan

The effective date of this Plan shall be five (5) days following the date of Publication hereof and ignorance of the guidelines is not a defense for a prosecution for enforcement of the violation of the guidelines.

Texas Commission on Environmental Quality

Water Availability Division
MC-160, P.O. Box 13087 Austin, Texas 78711-3087
Telephone (512) 239-4600, FAX (512) 239-2214

System Inventory and Water Conservation Plan for Agricultural Water Suppliers Providing Water to More Than One User

This form is provided to assist entities in developing a water conservation plan for agricultural water suppliers providing water to more than one user. 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) 239-4600.

Additional resources such as best management practices (BMPs) are available on 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:	Cameron County Irrigation District #2	
Address:	P.O. Box 687/2604 FM 510 San Benito, TX 78586	
Telephone Number:	(956)399-2484	Fax: (956)399-4721
Form Completed By:	Sonia Lambert	
Title:	General Manager	
Signature:	Sonia Lambert	Date: 04/11/2019

A water conservation plan for agriculture use (for a system providing agricultural water to more than one user) must include the following requirements (as detailed in 30 TAC Section 288.4). 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.

I. **BACKGROUND DATA**

A. *Structural Facilities (Supplier's water storage, conveyance, and delivery structures)*

1. Description of service area:

   Central part of Cameron County in the Lower Rio Grande Valley. The southern border of the District is near the Rio Grande and extends from La Paloma westward toward to Los Indios. The Arroyo Colorado forms the northern boundary, which extends from near Harlingen on the west to near Highway 106 on the east.

2. Total miles of main canals and pipelines:

   144

3. Total miles of lateral canals and pipelines:

   241

4. Description of canal construction:

   a. Miles of unlined canals 203

   b. Miles of lined canals 18

   c. Miles of enclosed pipelines 164

   d. Other N/A

5. Description of canal conditions and recent or planned improvements:

   A large number of calas remain earthen which experience water losses through seepage and evaporation. However, since the last conservation plan in 2014, the District continues to pipe open laterals. The District has a contract with the Bureau of Reclamation for lining and piping of several canals.

6. Reservoir capacity, if applicable:

   5,000 acre feet

7. Description of pumps and pumping stations:

   Pump Station - 6 electric motor driven turbine pumps of which 2 are 30-inh 50 CFS and 4 are 42-inch 100 CFS. Also 2 gas motor driven CAT 42- inch pumps with a capacity of 100 CFS each.

8. Description of meters and/or measuring devices:

   2 electromagnetic flowmeter systems, one flowmeter measuring flow through the High Line Canal and the other measuring flow through the Low Line Canal, which are monitored and controlled through a SCADA system.

9. Description of customer gates and measuring devices:

   Customer gates are type W Pressure screw gates varying in sizes of 12", 14", and 18".

10. Description of any other structural facilities not covered above:

    N/A

B. *Management Practices*

1. Total water available to district (in acre-feet/year): 147,823.36 (Irrigation) if water is available in reservoirs for Water Master to allocate. 13.725-Irrigation B; 1,785.5-Domestic; 5,500.00-(City of San Benito) Municipal; 890.00-(City of Rio Hondo) Municipal; 2,400.00-Industiral CP&L; 147,823.65-Irrigation; 750.00-Domestic.

   a. Maximum water rights allocation to district: 147,823.65 (Irrigation)

b. Water right number(s): 0051-000; 841-000; 841-001; 841-002; 841-004; 841-005; 841-006.

c. Other water contracted to be delivered by district: East Rio Hondo Water Supply- 1,485 acre feet; Arroyo Water Supply (now East Rio Hondo Water Supply-200 acre feet.

2. Average annual water diverted by district (in acre-feet/year): 91,943

3. Average annual water delivered to customers (in acre-feet/year): 86,767

4. Delivery efficiency (percentage): 94%

5. Historical diversion and deliveries for the previous three years (in acre-feet/year):

Year	*Total Water Diverted Annually*	*Irrigation Water Delivered Annually*	*Municipal Water Delivered Annually*	*Total Water Delivered Annually*	*Estimated Delivery Efficiency (%)*
2016	70,550	62,130	6,644	68,774	97%
2017	104,181	90,485	7,095	97,580	94%
2018	101,100	87,475	6,472	93,947	93%
Average	91,943	80,030	6,737	86,767	94%

6. Description of practices and/or devices used to account for water deliveries:

   Canal riders monitor water used according to orders placed. A few meters exist and owned by customers which are ready by District personnel.

7. Water pricing policy:

   Water pricing is adopted by the Board of Directors annually in an adopted budget.

8. Operating rules and policies which encourage water conservation (if a separate document, include it as an attachment to the Water Conservation Plan):

   See Water Conservation Plan attached.

9. Provide specific, quantified 5-year and 10-year targets for water savings or system efficiency below, including maximum allowable losses for the storage and distribution system. Water savings may be represented in acre-feet or in water use efficiency.

   5 year quantified target for water savings is 13,600 acre feet per year. Our current Canal Rehabilitation project is only extended for 5 years.

   Quantified 5-year and 10-year targets for water savings and water loss:

   5-year goal:
   Water savings in acre-feet 500 or water use efficiency 95%
   Water loss

   10-year goal:
   Water savings in acre-feet 500 or water use efficiency 95%
   Water loss

10. Describe the practice(s) and/or device(s) which will be utilized to measure and account for the amount of water diverted from the source(s) of supply:

    Diverted water is metered using magnetic flow meters.

11. Describe the monitoring and record management program for water deliveries, sales, and losses:

    District has developed a spreadsheet to reconcile its balance against the TCEQ Water Master program's balance, its deliveries, sales and losses.

12. Describe any programs that will be used for water loss control, leak detection, and repair:

    By use of the District's automated gates and its SCADA system alerts are sent to staff when the system looses the set flow in a canal. Field staff also monitors leaks and submits work orders for repair.

13. Describe any program for customer assistance in the development of on-farm water conservation and pollution prevention plans and/or measures:

    District provides its labor at no cost to the farmer for installation of pipe funded through the NRCS EQUIP Program.

14. Describe any other water conservation practice, method, or technique which the supplier shows to be appropriate for achieving conservation (if applicable):

    Converting open laterals to pipelines

C. *User profile*

1. Total number of acres or square miles in service area: 55,291
2. Average number of acres irrigated annually: 35,000
3. Projected number of acres to be irrigated in 10 years: 50,000
4. Number of active customers taking delivery of water by the system: 300
5. Total irrigation water delivered annually (in acre-feet): 91,943
6. Types of crops grown by customers:

   Cotton, grain, corn, sugarcane, citrus

7. Types of irrigation systems used by customers:

   Open ditch & poly pipe

8. Types of drainage systems used by customers:

   Drop structures which flow into drain ditches

9. Any additional relevant information on irrigation customers:

   N/A

10. List of municipal customers and number of acre-feet allocated annually:

    East Rio Hondo Water Supply- 1685; City of San Benito- 5,500; City of Rio Hondo- 770 acre feet

11. List of industrial and other large customers and number of acre-feet allocated annually:

    N/A

D. Additional Requirements

In addition to the above information, please attach the following as required by Title 30, Texas Administrative Code, §288.4(3).

1. 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 30 TAC Chapter 288. If the customer intends to resell the water, then 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 applicable provisions of 30 TAC Chapter 288.

2. Evidence of official adoption of the water conservation plan and goals, by ordinance, rule, resolution, or tariff, indicating that the plan reflects official policy of the supplier.

3. Documentation of coordination with the Regional Water Planning Group(s) in order to ensure consistency with the appropriate approved regional water plan(s).

II. 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.

RESOLUTION OF THE BOARD OF DIRECTORS
ADOPTNG THE REVISION OF
WATER CONSERVATION PLAN AND
A DROUGHT CONTINGENCY PLAN FOR
THE CAMERON COUNTY IRRIGATION DISTRICT #2
SUBMITTED 2019
August 18, 2022
2022-002

WHEREAS, the Board recognizes that the amount of water available to the Cameron County Irrigation District #2 and to its irrigation water customers is limited and subject to depletion during periods of extended drought;

WHEREAS, the Board recognizes that natural limitations due to drought conditions and other acts of God cannot guarantee an uninterrupted water supply for all purposes.

WHEREAS, Applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a water conservation plan.

WHEREAS, Section 11.039 of the Texas Water Code authorizes water suppliers to distribute available water supplies on a pro rata basis during times of water supply shortage; and

WHEREAS, as authorized under law, and in the best interests of the customers of the Cameron County Irrigation District #2, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CAMERON COUNTY IRRIGATION DISTRICT #2:

SECTION 1. That the Water Conservation Plan and the Drought Contingency Plan attached hereto and are hereby adopted as the official policy of the Cameron County Irrigation District #2.

SECTION 2. That the General Manager is hereby directed to implement, administer, and enforce the Water Conservation Plan and the Drought Contingency Plan.

SECTION 3. That this resolution shall take effect immediately upon its passage.

DULY PASSED BY THE BOARD OF DIRECTORS OF THE CAMERON COUNTY IRRIGATION DISTRICT #2, ON THIS THE 18TH DAY OF AUGUST 2022.

Brady Taubert, Vice-President

William Goad, Secretary

The Manager reported that the district has 3 old mowers not being used and inoperable. A motion was made by Buck Rhyner, seconded by Lupe Argullin, and upon unanimous vote, passed to declare the 3 mowers : 1 John Deere and 2 Rhino mowers surplus and solicit bids for the sale of mowers. Motion carried.

The Manager reported that the Delta Lake Irrigation District, Harlingen Irrigation District , and La Feria Irrigation District were entering into the lease of option of $600/MW/year with 2% escalator with Third Pillar Solar for the installation of floating solar panels in their reservoirs, as recommended by their attorney, who reviewed the offer. The lease does not have to be finalized until the design is complete. No action was taken at this time as TWCA Risk Management Fund (insurance), is reviewing the contracts submitted by Third Pillar Solar.

Attorney, Buddy Dossett, is working on the district's response to the U.S. Army Corp of Engineers' request for a utility easement, along the east side of the Low Line and south of U.S. 281, to provide electricity to the gate on the border wall. No action was taken.

Attorney, Buddy Dossett, replied to the State of Texas' request for an easement over the district's Low Line and High Line Canals, south of U.S. 281, for the construction of the gap of the border wall, north of the district's pumping plant, with changes to their proposed easement acquisition. After discussion, and previously having come to a consensus that the district consider granting an easement for the border wall. A motion was made by William Goad, seconded by Lupe Argullin, and upon unanimous vote, passed to authorize the Manager to grant an easement over the district's Low Line and High Line, for the construction of the Homeland Security border wall, provided it met with Attorney, Buddy Dossett's requested changes to the easement document and construction design. Motion carried. A copy of the easement document and design will be filed in the Supplement to Minute Book #21.

The Board discussed the District's water availability for 2022. No action was taken.

The Manager discussed with the Board a letter from TCEQ's Executive Director, Toby Baker, sent as a 2nd alert of the requirement for the Watermaster to negatively allocate Class A and B accounts, up to an amount necessary to restore 48,000 acre feet, should the operational reserve be depleted. As of the end of the June reporting period, the operational reserve had reached 20,091 acre feet of the normal 75,000 acre feet. As of the date of the letter, the Watermaster projected the operational reserve would be depleted and accounts would be negatively allocated. Since then, it appears there were inflows sufficient enough to avoid a negative allocation from the July 2022 reporting report. The Board discussed possible actions if any, by the district, to its accounts, should a negative allocation occur in the future. No action was taken.

The Manager discussed the possibility of the district's irrigation water in its system being depleted which would require "push water" by the municipalities to refill the system in order to get water to each municipalities' diversion point. The Manager recommended a push water contract for East Rio Hondo Water Supply Corporation, City of Rio Hondo, and City of San Benito be worked on by the Manager and Attorney Buddy Dossett. No action was taken at this time.

The Board entered into Executive Session at 9:41 a.m. pursuant to section 551.072 of the governmental code to deliberate the purchase, exchange, lease, or value of real property; section 551.071 to discuss with attorney pending litigation; and 551.074 to deliberate the appointment, employment, and duties of a joint Assistant General Manager of the Districts to succeed the current joint Manager upon her retirement: a) Legal issues – i) City of San Benito's refusal to approve plats with District's sign-off paragraph; ii) Employment of Assistant General Manager.

The Board returned to Open Session at 10:00 a.m. and took no action.

A motion was made by Buck Rhyner, seconded by Lupe Argullin, and upon unanimous vote, passed to approve the following bills:

Check#	Vendor	Amount
21038	Texas Child Support	$135.69
21039	Aflac	$186.38
21040	City of San Benito	$193.52
21041	Constellation New Energy	$4,399.00
21042	Dearborn Life Insurance	$153.90
21043	Firestone/Bridgestone	$93.11
21044	Fresno Valve & Casting	$2,778.09
21045	Irrigation-Mart, Inc.	$221.42
21046	Romco Equipment	$125.60
21047	Utility Trailer Sales	$32.24
21048	Texas Gas Service	$2,158.50
21049	First Community Bank	$350.91
21050	Hollon Oil Co.	$2,597.00
21051	Military Highway Water	$158.83
21052	Morado's Termite & Pest Control	$175.00
21053	Oil Patch Fuel & Supply	$2,047.25
21054	Pico Propane and Fuels	$17,669.27
21055	TWCA Risk Management Fund	$2,562.00
21056	Texas Child Support	$135.69
21057	United Rentals, Inc.	$460.00

21058	Utility Trailer Sales	$28.78
21059	Autozone	$239.14
21060	American Heritage Life	$350.99
21061	Alamo Iron Works	$36.68
21062	Arroyo's Garage	$7.00
21063	BC/BS of Texas	$11,609.36
21064	Boswell Elliff Ford	$1,507.39
21065	Benitez Diesel Repair	$450.00
21066	Cameron County Drainage District #3	$15,000.00
21067	Cameron County Clerk	$250.00
21068	Direct Energy	$21,639.14
21069	Dossett Law Office	$400.00
21070	Johnny's True Value	$47.62
21071	JR ITSoftware Solutions, LLC	$499.97
21072	Kyrish Truck Centers	$1,120.67
21073	Sonia Lambert	$260.42
21074	LRGV Water District	$1,665.61
21075	Linde Gas & Equipment, Inc.	$498.23
21076	Magic Valley Electric	$879.00
21077	McCoy's	$331.06
21078	O'Reilly Automotive, Inc.	$2,544.87
21079	Orkin	$211.00
21080	Powerplan	$85.50
21081	Pico Propane and Fuels	$16,550.01
21082	Pro Billing & Funding Services	$86.17
21083	Rio Hondo Lumber	$107.75
21084	Rubicon Systems America	$368.21
21085	San Benito News	$30.00
21086	Smartcom Telephone, LLC	$641.96
21087	TWCA Risk Management Fund	$2,557.00
21088	Tractor Supply	$29.99
21089	Unifirst	$643.41
21090	United Rentals, Inc.	$1,952.00
21091	Verizon	$780.87
21092	Waste Management of Texas	$168.62
21093	AT&T Mobility	$65.19
21094	Dainamik Business Solutions	$490.00
21095	Direct Energy	$1,784.38
21096	Firestone/Bridgestone	$472.08
21097	Melendez, Jesse & Maria	$109.15
21098	Hollon Oil, Co.	$166.05
21099	Oil Patch Fuel & Supply	$14,171.68
21100	Tops the Outdoor Store	$156.60
21101	Texas Gas Service	$483.31
21102	TWCA Risk Management Fund	$2,562.00
21103	Texas Child Support	$135.69
21104	Utility Trailer Sales	$51.98

The Manager reported on the following items to the Board of Directors:

a) July Maintenance Report – Includes 56 jobs performed by the crews for the month.

b) July Machine Locations/Accomplishments – A report indicating work performed by the excavators and dozers for the month was presented to the Board.

c) July Pumping Plants Reports – 1) Running standard operations; 2) General maintenance of plant and grounds; 3) Pumping for the month: Pump Station #1 – 6/26 – 2 p.m. New Cert 300 CFS, 7/1 – 2 p.m. Rate reduced to 250 CFS, 7/2 – 3 p.m. Rate reduced to 200 CFS, 7/8 – 2 p.m. Rate reduced to 150 CFS, 7/12 – 4 p.m. Rate increased to 200 CFS, 7/15 – 2 p.m. Rate reduced to 100 CFS, 7/18 – 2 p.m. Rate increased to 150 CFS, 7/22 – 2 p.m. Rate reduced to 100 CFS, 7/25 – 2 p.m. Rate increased to 150 CFS, 7/29 – 2 p.m. Cert at 50 CFS; Pump Station #2 – 6/26 – 2 p.m. Rate set at 6 CFS, 6/28 – 2 p.m. Rate set at 6 CFS, 7/2 – 2 p.m. Rate set at 6 CFS, 7/10 – 2 p.m. Rate set at 6 CFS, 7/13 – 3 p.m. Rate set at 6 CFS, 7/29 – 7 p.m. Rate set at 12 CFS; 4) Rainfall: 2.90"; 5) Acre feet diverted: 11,016.09; 6) Total No Charge Pumping: 4.95; 7) Average TDS readings: 671 p.p.m.

d) July Financial Reports:
   1) M&O Account – The financial report was presented.
   2) Rehab Account – The financial report was presented.
   3) Canal Rehab Account – The financial report was presented.
   4) WaterSMART Account – The financial report was presented.

e) Water Duty – was 0.94 acre-feet per acre for the month of July 2022 and 1.19 acre-feet per acre year to date.

f) Sign/Land Leases – A report with a listing of all contracts and amounts due was presented to the Board.

A motion was made by Buck Rhyner, seconded by William Goad, and upon unanimous vote, passed to adjourn the meeting at 3:28 p.m. Next regular meeting is scheduled for Thursday, September 8, 2022 at 9:00 a.m.

Sam Simmons, President

William Goad, Secretary

6. Copy of WSC's Drought Contingency Plan (w/copy of Drought Contingency Projections)

East Rio Hondo Water Supply Corporation

206 Industrial Pkwy. * P.O. Box 621* Rio Hondo, Texas 78583*www.erhwsc.com*Phone (956) 748-3633 Fax 748-3179

"This institution is an equal opportunity provider and employer"

February 19, 2021

Submitted Electronically via the Interchange Filer
Public Utility Commission of Texas
Central Records

Control Number: 43185

RE: UPDATED East Rio Hondo Water Supply Corporation Tariff
(Sections A., H., and I. Only)

Filing Clerk:

East Rio Hondo Water Supply Corporation (ERHWSC) has updated Section A., Resolution and Authority, Section H., Retail Drought Contingency and Emergency Water Demand Management Plan of the ERHWSC Tariff, and Section I. Wholesale Drought Contingency and Emergency Water Demand Management Plan. Pursuant to the special rules currently in effect due to the coronavirus/COVID-19 pandemic, attached are the updated pages from the ERHWSC Tariff. These pages will replace the previous Section A., Section H., and Section I., and reflect the changes approved by the ERHWSC Board during the ERHWSC's regular board meeting on February 8, 2021.

If you have any questions, please call me at (956) 748-3633.

Sincerely,

Amanda M. Sanchez
Administrative Services Manager

Enclosures: *Section A. of the ERHWSC Tariff*
Section H. of the ERHWSC Tariff
Section I. of the ERHWSC Tariff

SECTION A.
RESOLUTION AND AUTHORITY

THE BOARD OF DIRECTORS OF EAST RIO HONDO WATER SUPPLY CORPORATION ESTABLISHES THAT:

1. This Tariff of the East Rio Hondo Water Supply Corporation, serving in Cameron and Willacy Counties, consisting of Sections A. through I. and forms inclusive, is adopted and enacted as the current regulations and policies effective as of February 8, 2021.

2. Only those preexisting written contracts or agreements executed by the present or previous Board of Directors shall remain in effect, unless the contract or agreement requires compliance with changes of the tariff from time to time.

3. The adoption of this tariff does not prohibit or limit the Corporation from enforcing previous penalties or assessments from before the current effective date.

4. An official copy of this and all policies or records shall be available during regular office hours of the Corporation. The Secretary of the Corporation shall maintain the original copy as approved and all previous copies for exhibit.

5. Rules and regulations of state or federal agencies having jurisdiction shall supersede any terms of this policy. If any section, paragraph, sentence, clause, phrase, word, or words of this policy are declared unconstitutional or invalid for any purpose, the remainder of this policy shall not be affected.

PASSED and APPROVED this 8th day of February, 2021.

Robert E. Middleton, Jr.
President, East Rio Hondo Water Supply Corporation

SEAL

ATTEST:

Tommi Sitton
Secretary/Treasurer, East Rio Hondo Water Supply Corporation

SECTION H.
RETAIL DROUGHT CONTINGENCY
AND
EMERGENCY WATER DEMAND MANAGEMENT PLAN

1. ***Declaration of Policy, Purpose, and Intent.*** In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the East Rio Hondo Water Supply Corporation (ERHWSC) hereby adopts the following regulations and restrictions on the delivery and consumption of water. Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water.

2. ***Public Involvement.*** Opportunity for the public to provide input into the preparation of the initial Plan was provided by the ERHWSC by means of providing public notice of a public meeting held on October 17, 2005, to accept input on the Plan. Additional public input opportunity was provided for during amendments presented at public meetings on July 10, 2006, May 14, 2007, August 11, 2008, March 11, 2013, November 9, 2020, and February 8, 2021.

3. ***Public Education.*** Upon initial ERHWSC Board approval of the plan, ERHWSC will provide all customers written notification that the plan is completed. The notification will address the water supply and financial impacts the plan may have upon the customers, and will inform the customers of its availability upon request. The ERHWSC will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of a mailing to each customer, statements on billing postcards, public announcements via radio and television, the ERHWSC website, and posting of conservation stages in public areas such as local U.S. Post Offices and the ERHWSC main office.

4. ***Coordination with Regional Water Planning Group.*** The service area of the ERHWSC is located within the Rio Grande Regional Water Planning Group (Region M) and ERHWSC has provided a copy of this Plan to the Rio Grande Valley Development Council and the Rio Grande Valley Regional Water Planning Group (Region M).

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

6. ***Application.*** The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the ERHWSC. The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

7. ***Definitions.*** For the purposes of this Plan, the following definitions shall apply:

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

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

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

Customer -- any person, company, member, or organization using water supplied by ERHWSC.

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

Industrial water use -- the use of water in processes designed to convert materials of lower value into forms having greater usability and value. At this time ERWSC has no Industrial use customers. If in the future ERHWSC does begin to serve industrial use customers, ERHWSC will, within ninety days, submit amendments to this Water Conservation Plan and the ERHWSC Drought Contingency Plan to cover industrial use.

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

Non-essential water use -- water uses that are neither essential nor required for the protection of public, health, safety, and welfare, including:

a. use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;

b. use of water to wash down buildings or structures for purposes other than immediate fire protection;

c. flushing gutters or permitting water to run or accumulate in any gutter or street;

d. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

8. ***Triggering Criteria for Initiation and Termination of Drought Response Stages.*** The ERHWSC General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means of direct mail to each customer, signs posted in public places, radio and television public announcements, and/or the ERHWSC website. Emergency water shortage conditions will be publicized via television and/or radio, the ERHWSC website, and the methods noted above as needed. The triggering criteria described below are based on an analysis of the vulnerability of the water source under previous drought conditions.

a. Stage 1 - Moderate Water Shortage Conditions

(1) Requirements for initiation - Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII – Definitions, when (a) the Falcon and Amistad Reservoirs reach 30% of capacity as determined by the Texas Commission on Environmental Quality (TCEQ).

(b) Cameron County Irrigation District Number 2 (CCID2) or other irrigation district suppliers provide notice to ERHWSC that they will disallow farm irrigation water use within 60-90 days.

(2) Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days.

b. Stage 2 - Severe Water Shortage Conditions

(1) Requirements for initiation - Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 2 of this Plan when, (a) Cameron County Irrigation District Number 2 (CCID2) or other irrigation district suppliers disallow farm irrigation water use. (b) distribution system pressures fall below 35 psi requirements due to system demand for two consecutive days, or (c) ERHWSC consumer demand exceeds 85% of ERHWSC system capacity for 15 days out of any consecutive 30 day period.

(2) Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

d. Stage 3 - Emergency Water Shortage Conditions

(1) Requirements for initiation - Customers shall be required to comply with the requirements and restrictions for Stage 3 of this Plan when the ERHWSC General Manager, or his/her designee, determines that a water supply emergency exists based on: (a) major water line breaks, or pump or system failures occur, which cause loss of capability to provide water service; (b) natural or man-made contamination of the water supply source(s); or (c) rapidly occurring low-pressure conditions (less than 20 psi) due to any reason.

(2) Requirements for termination – Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist. Upon termination of Stage 3, the General Manager will determine which Stage will follow.

e. Water Rationing

(1) Requirements for initiation - Customers shall be required to comply with the requirements and restrictions for Stages 2 and 3 of this Plan when these stages are declared to exist by the ERHWSC General Manager.

(2) Requirements for termination – Water use Best Management Practices (restrictions) may be rescinded when all of the conditions listed as triggering events for Stage 2 have ceased to exist for 30 consecutive days.

9. ***Drought Response Stages and Best Management Practices.*** The ERHWSC General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section 8 of the Plan, shall determine that a moderate, severe, or emergency condition exists and shall implement the following actions upon either direct mailing to ERHWSC members, posting at the ERHWSC main office, radio and television public announcements, and/or the ERHWSC website. The ERHWSC General Manager will notify via telephone the TCEQ, major water users, and critical water users (i.e. medical clinics) as determined as

necessary. The TCEQ must be notified in writing within five business days of the implementation of any mandatory provisions of the Plan. Rate structure changes in Stages 2 & 3 will apply to billing following completion of the first full service month after notification.

a. Stage 1 - Moderate Water Shortage Conditions

(1) Target: Achieve a voluntary reduction in daily water demand.

(2) Supply Best Management Practices: ERHWSC will manage limited water resources with the following measures:

(a) Recycle backwash water to the headworks of the plant or reservoir after decanting the settled water away from the settled sludge. This process eliminates the loss of the backwash water to evaporation or disposal.

(b) Flushing of water mains will be conducted when customer complaints of taste and odor are reported, and when insufficient chlorine residuals are measured near the flush valve as required by TCEQ.

(c) ERHWSC will be active in providing public education through public displays, ERHWSC website, mailings and/or water conservation education in local school districts.

(3) Voluntary Water Use Best Management Practices:

(a) Water customers are requested to voluntarily minimize the irrigation of landscaped areas and lawns;

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

b. Stage 2 – Severe Water Shortage Conditions

(1) Target: Achieve a 10% average reduction in daily water demand.

(2) Supply Best Management Practices: All Supply Best Management Practices noted in Stage 1 above.

(3) Water Use Best Management Practices: Under threat of penalty for violation, the following water use Best Management Practices (restrictions) shall apply to all persons:

(a) Irrigation of landscaped or lawn areas with hose-end sprinklers or automatic or manual irrigation systems shall be limited to the hours of 12:00 midnight until 8:00 a.m. and between 8:00 p.m. and 12:00 midnight. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can, or drip irrigation system.

(b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is allowed when done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.

(c) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life.

(d) Use of water from flush valves shall be limited to fire fighting, related activities, or other activities necessary to maintain water quality, public health, safety, and welfare, except that use of water from designated flush valves for construction purposes may be allowed with meter service from the ERHWSC.

(e) Non-essential water uses should be eliminated.

(4) Water Rate Structure:

(a) The Water Rate Structure for meters shall be as follows:

Starting Value	Category Maximum	Cost $ per Thousand
	Base Usage	Base Rate
1 gal above Base	8,000 gal above Base	$ 3.50
8,001 gal above Base	18,000 gal above Base	$ 4.25
18,001 above Base	48,000 above Base	$ 5.00
48,001 above Base	Any greater usage	$ 5.75

(5) Water Rights Surcharge: In the event that TCEQ requires Cameron County Irrigation District #2 (CCID#2), or other irrigation district water suppliers to ERHWSC, to calculate push water volume in order to supply ERHWSC with raw water, and ERHWSC must purchase push water to from other sources, then ERHWSC will pass the cost of the push water equally onto the Membership on a per service unit basis, based upon the number of service units in existence at the time of the assessment.

d. Stage 3 – Emergency Water Shortage Conditions

(1) Target: Minimize all water use to maintain system pressure above 20 psi as required for public health, safety, and welfare, until system repairs or source water contamination is eliminated.

(2) Supply Best Management Practices:

(a) Interconnections with other water utility systems will be utilized to the maximum extent possible. These interconnections include Harlingen Waterworks System, Olmito Water Supply Corporation, and the City of Los Fresnos. It is possible to make additional emergency connections with the City of Los Fresnos and Southmost Regional Water Authority if conditions require such action.

(b) Emergency supplies for repair of water lines of all sizes and valves in the distribution system and water plants are maintained in stock for use.

(c) Back-up raw water, chemical feed, and high service pumps are maintained in running condition at the water plants at all times. Monthly maintenance is conducted on all other equipment as recommended in the owner's manual. Emergency generators are installed at treatment plants to provide backup power supply in the event of loss of power from Magic Valley Electric Cooperative.

(d) ERHWSC will attempt to notify all major water users of emergency conditions and request water usage to be eliminated or minimized.

(3) Water Use Best Management Practices: All requirements of Stage 2 shall remain in effect during Stage 3 except:

(a) Irrigation of landscaped areas is absolutely prohibited.

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

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

(4) Water Rate Structure: The water rate structure under Stage 3 will not change from the previously existing stage, since this stage is for short-term emergencies only.

10. ***Enforcement.***

a. **Violations** –Members found to be in violation of Stage 2 or 3 of this Plan will be notified by the ERHWSC General Manager or his designee in writing. The written notice will contain the specific

violation, date and time the violation was recorded, and will put the customer on notice that any subsequent violation will result in their meter being shut off and padlocked. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at seventy-five dollars ($75.00) and any other costs incurred by the ERHWSC in discontinuing service. In addition the customer, whose water service is disconnected after three separate offenses, must give suitable assurance to ERHWSC that the same action shall not be repeated while the Plan is in effect. After water service is disconnected for two distinct violations, any further distinct violations will result in water service being disconnected immediately. The ERHWSC will reestablish water service after a one hundred and fifty dollar ($150) reconnection charge is paid, the customer's account is cleared of all debts owed to ERHWSC, and the ERHWSC determines that the violations will not reoccur.

b. Any person, including a person classified as a water customer of the ERHWSC, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator. Parents shall be presumed to be responsible for violations by their minor children.

11. ***Variances.*** The ERHWSC General Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

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

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

c. Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the ERHWSC within 15 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the ERHWSC General Manager or his/her designee, and shall include the following:

(1) Name and address of the petitioner(s).

(2) Purpose of water use.

(3) Specific provision(s) of the Plan from which the petitioner is requesting relief.

(4) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.

(5) Description of the relief requested.

(6) Period of time for which the variance is sought.

(7) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.

(8) Other pertinent information.

d. Variances granted by the ERHWSC shall be subject to the following conditions, unless waived or modified by the ERHWSC General Manager or his/her designee:

(1) Variances granted shall include a timetable for compliance.

(2) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

(3) No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

12. ***Severability.*** It is hereby declared to be the intention of the ERHWSC Board of Directors that the sections, paragraphs, sentences, clauses, and phrases of this Section are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the ERHWSC Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION I.
WHOLESALE DROUGHT CONTINGENCY
AND
EMERGENCY WATER DEMAND MANAGEMENT PLAN

1. ***Declaration of Policy, Purpose, and Intent.*** In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the East Rio Hondo Water Supply Corporation (ERHWSC) adopts the following Wholesale Drought Contingency and Emergency Water Demand Management Plan (the Plan).

2. ***Public Involvement.*** Opportunity for the public and wholesale water customers to provide input into the preparation of the original Plan was provided by ERHWSC by means of posting notice of the public meeting for adoption of the plan, and providing printed copies to the wholesale customers before adoption. Additional public and wholesale water customer input opportunity was provide for via public meeting notice for amendment at ERHWSC Board of Directors meeting on March 11, 2013 and February 8, 2021.

3. ***Wholesale Water Customer Education.*** The ERHWSC will periodically provide wholesale water customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. Wholesale water customers have been provided a copy of the Plan.

4. ***Coordination with Regional Water Planning Group.*** The service area of the ERHWSC is located within the Rio Grande Regional Water Planning Group (Region M) and ERHWSC has provided a copy of this Plan to the Rio Grande Valley Development Council and the Rio Grande Valley Regional Water Planning Group (Region M).

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

6. ***Application.*** The provisions of this Plan shall apply to all wholesale customers utilizing water provided by the ERHWSC. The terms person and customer as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

7. ***Triggering Criteria for Initiation and Termination of Drought Response Stages.*** The ERHWSC General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by direct mail to each wholesale customer. The triggering criteria described below are based on an analysis of the vulnerability of the water source under previous drought conditions.
    a. Stage 1 - Moderate Water Shortage Conditions

(1) Requirements for initiation - Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, when (a) the Falcon and Amistad Reservoirs reach 30% of capacity as determined by the Texas Commission on Environmental Quality (TCEQ).

(b) Cameron County Irrigation District Number 2 (CCID2) or other irrigation district suppliers provide notice to ERHWSC that they will disallow farm irrigation water use within 60-90 days.

(2) Requirements for termination - Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days.

b. Stage 2 - Severe Water Shortage Conditions

(1) Requirements for initiation - Customers shall be required to comply with the requirements for Stage 2 of this Plan when (a) Cameron County Irrigation District Number 2 (CCID2) or other irrigation district suppliers disallow farm irrigation water use, (b) distribution system pressures fall below 35 psi requirements due to system demand for two consecutive days, or (c) ERHWSC consumer demand exceeds 85% of ERHWSC system capacity for 15 days out of any consecutive 30 day period.

(2) Requirements for termination - Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. Upon termination of Stage 2, the General Manager will determine which Stage, if any, will follow.

d. Stage 3 - Emergency Water Shortage Conditions

(1) Requirements for initiation - Customers shall be required to comply with the requirements for Stage 3 of this Plan when the ERHWSC General Manager, or his/her designee, determines that a water supply emergency exists based on: (a) major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; (b) natural or man-made contamination of the water supply source(s); or (c) rapidly occurring low-pressure conditions (less than 20 psi) due to any reason.

(2) Requirements for termination – Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist. Upon termination of Stage 3, the General Manager will determine which Stage, if any, will follow.

8. ***Drought Response Stages.*** The ERHWSC General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section 8 of the Plan, shall determine that a moderate, severe, or emergency condition exists and shall implement the following actions upon written notice to wholesale customers. The ERHWSC General Manager will notify the TCEQ for Stage 2 or 3 as necessary.

a. Stage 1 - Moderate Water Shortage Conditions

(1) Target: Achieve a voluntary reduction in daily water demand so that the annual average gallons per capita per day for wholesale customers is below 115.

(2) Supply Management Measures: ERHWSC will manage limited water resources with the following measures:

(a) Recycle backwash water to the headworks of the plant or reservoir after decanting the settled water away from the settled sludge. This process eliminates the loss of the backwash water to evaporation or disposal.

(b) Flushing of water mains will be conducted only when customer complaints of taste and odor are reported, when insufficient chlorine residuals are measured near the flush valve, or TCEQ regulations require otherwise.

(c) ERHWSC will be active in providing public education through public displays, ERHWSC website, mailings, and/or water conservation education in local school districts when invited.

(3) Demand Management Measures: The ERHWSC General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary water use restrictions similar to those listed under Stage 1 of the ERHWSC Retail Drought Contingency Plan.

b. Stage 2 – Severe Water Shortage Conditions

(1) Target: Reduce daily water demand to point that only Stage 1 is applicable.

(2) Supply Management Measures: All Supply Management measures noted in Stage 1 above.

(3) Demand Management Measures: The ERHWSC General Manager, or his/her designee(s), will notify wholesale water customers in writing and request the wholesale customer implement mandatory measures for water conservation similar to those listed under Stage 2 of the ERHWSC Retail Drought Contingency Plan. Customers will be notified in writing when Stage 2 is terminated.

(4) Water Rights Surcharge: In the event that TCEQ requires Cameron County Irrigation District #2 (CCID#2), or other irrigation district water suppliers to ERHWSC, to calculate push water volume in order to supply ERHWSC with raw water, and ERHWSC must purchase push water from other sources, then ERHWSC will pass the cost of the push water equally onto all ERHWSC customers. A wholesaler's percentage of the push water surcharge will be based upon the wholesaler's previous 12 months metered usage as a percentage of the total ERHWSC metered usage.

d. Stage 3 – Emergency Water Shortage Conditions

(1) Target: Minimize all water use to only that required for public health, safety, and welfare, until system repairs or source water contamination is eliminated.

(2) Supply Management Measures:

(a) Interconnections with other water utility systems will be utilized to the maximum extent possible. These interconnections include Harlingen Waterworks System, Olmito Water Supply Corporation, and the City of Los Fresnos. It is possible to make additional emergency connections with the City of Los Fresnos, and Southmost Regional Water Authority if conditions required such action.

(b) Emergency supplies for repair of water lines of all sizes and valves in the distribution system and water plant are maintained in stock for use.

(c) Back-up raw water, chemical feed, and high service pumps are maintained in running condition at the water plants at all times. Monthly maintenance is conducted on all other equipment as recommended in the owner's manual. Emergency generators are installed at treatment plants to provide backup power supply in the event of loss of power from Magic Valley Electric Cooperative.

(d) ERHWSC will attempt to notify all major water users of emergency conditions and request water usage to be eliminated or minimized.

(3) Demand Management Measures: Whenever emergency water shortage conditions exist as defined in Section 7 of the Plan, the ERHWSC General Manager or his/her designee shall:

(a) Assess the severity of the problem and identify the actions needed and time required to solve the problem.

(b) Inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate, to alleviate problems (e.g., notification of the public to reduce water use until service is restored).

(c) If appropriate, notify city, county, and/or state emergency response officials for assistance. Notify the news media as necessary to protect the public health and request reduction in water usage.

(d) Undertake necessary actions, including repairs and/or clean-up as needed.

e. Pro Rata Curtailment of Water Deliveries

(1) Contracts: ERHWSC shall include a provision in every wholesale water contract entered into or renewed after adoption of the plan, including contract extensions, that in case of a shortage or insufficient supply of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, §11.039.

(2) No Contracts: As a condition of service, ERHWSC will require pro rata curtailment of water deliveries, in case of a shortage or insufficient supply of water resulting from drought, to non-contract wholesale customers as provided in Texas Water Code, §11.039.

9. ***Variances.*** The ERHWSC General Manager, or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

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

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

c. Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with the ERHWSC within 15 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the ERHWSC General Manager or his/her designee, and shall include the following:

(1) Name and address of the petitioner(s).

(2) Purpose of water use.

(3) Specific provision(s) of the Plan from which the petitioner is requesting relief.

(4) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.

(5) Description of the relief requested.

(6) Period of time for which the variance is sought.

(7) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.

(8) Other pertinent information.

d. Variances granted by the ERHWSC shall be subject to the following conditions, unless waived or modified by the ERHWSC General Manager or his/her designee:

(1) Variances granted shall include a timetable for compliance.

(2) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

(3) No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

10. ***Severability.*** It is hereby declared to be the intention of the ERHWSC Board of Directors that the sections, paragraphs, sentences, clauses, and phrases of this Section are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the ERHWSC Board of Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.

7. Copy of Water Conservation Plan (w/copy of utility profile)

EAST RIO HONDO WATER SUPPLY CORPORATION

WATER CONSERVATION AND EMERGENCY WATER DEMAND MANAGEMENT PLAN

I. INTRODUCTION

A. GENERAL

East Rio Hondo Water Supply Corporation (ERHWSC) owns and operates the water supply, treatment, and distribution systems in its area covered by its designated Texas Commission on Environmental Quality Certificate of Convenience and Necessity #11552. One surface water treatment plant is located on the West side of Nelson Road approximately ½ mile south of FM 1561. A 2nd surface water treatment plant is located on the south side of FM 510 1.5 miles east of Nelson Road. Raw water is obtained from the Cameron County Irrigation District No. 2 (CCID2) for both plants. CCID2 transfers surface water from the Rio Grande River via pump stations, canals, and resacas. Currently, the Corporation has 5369.0752 acre-ft domestic/municipal/industrial Rio Grande River water rights available for its use through both contract and ownership. ERHWSC has also participated in a partnership with North Alamo Water Supply Corporation (NAWSC) in a brackish groundwater reverse osmosis desalination facility located 3.5 miles west of Business 77 on the north side of SH 107. This facility currently produces 0.766 MGD.

The Corporation has experienced an average annual growth in meter counts of 4.1 percent over the last thirty-eight years. Various cities and counties in the Rio Grande Valley have been affected by unreliable Amistad/Falcon Reservoir levels, due to a drought and ongoing water treaty noncompliance with the nation of Mexico. Since this trend is expected to continue or worsen into the foreseeable future, the Corporation must take action to conserve its raw water resources.

This plan outlines the Corporation's proposed Water Conservation and Emergency Water Demand Management Plan. The objective of the Water Conservation Plan is to reduce the quantity of potable water necessary for every waste consumption activity through the implementation of efficient water use practices, and to establish five and ten year targets for water savings to include goals for water loss programs and goals for municipal use in gallons per capita day. The Emergency Water Demand Plan provides procedures for enforcing voluntary and mandatory actions to be placed in effect, on a temporary basis, which are aimed at reducing the demand placed upon the Corporation's water supply system during a water shortage emergency and includes prohibition of certain undesirable or non-critical uses.

B. PLANNING AREA DESCRIPTION

The ERHWSC was created in the late 1970's to provide potable water supply for the rural residential areas of southern Willacy and northern Cameron County north of Rancho Viejo and FM 100 and east of US Highway 77/83 in Cameron County excluding the governmental entities of Combes, Primera, Harlingen, Los Fresnos, San Benito, Rio Hondo, Valley Municipal Utility District Number Two, and Laguna Madre Water District. The system covers approximately 406.9 square miles and has approximately 8,048 direct water service meters and 817 additional meter equivalents serviced by three wholesale accounts.

C. GOALS OF THE PROGRAM

The primary goal of the Water Conservation Plan is to achieve a reduction in per capita usage in water consumption. The reduction in demand will reduce the quantity of water supplies required for the future, and lower the peak demand requirements of the distribution system. This reduction will allow for:

Reducing capital and operating costs of water system.
Prolonging the life of existing facilities.
Reducing the potential for water rationing associated with drought.
Reducing the need to acquire additional municipal water rights.

1. FIVE-YEAR WATER SAVINGS TARGET

a. Water Loss Program: Maintain water loss 5-year average below 14%
b. Municipal Use: Reduce municipal use 5-year average, in gallons per capita per day to 100 gpcd.
c. Residential Use: 100 gpcd

2. TEN-YEAR WATER SAVINGS TARGET

a. Water Loss Program: Maintain water loss 5-year average below 13.5%
b. Municipal Use: Reduce municipal use 5-year average, in gallons per capita per day to 97.5 gpcd.
c. Residential Use: 97.5 gpcd.

D. UTILITY EVALUATION DATA

A detailed summary of utility evaluation data is included in Attachment "A" to this Report. At this time ERWSC has no Industrial use customers. If in the future ERHWSC does begin to serve industrial use customers, ERHWSC will, within ninety days, submit amendments to this Water Conservation Plan and the ERHWSC Drought Contingency Plan to cover industrial use.

II. WATER CONSERVATION PLAN

A. PLAN ELEMENTS

Of the variety of water conservation methods available to the Corporation, elements considered to be most critical in development of this plan include: outdoor water

conservation practices, water conserving landscaping practices, indoor water conservation practices, elimination of water theft, more rapid leak detection and repair, and plumbing fixture retrofit.

The main categories of water conservation methods are:

Education and information.
Water conservation-oriented rate structure.
Universal metering.
Water conservation landscaping.
Rapid leak detection and repair.
Implementation and enforcement.
Elimination of water theft.

B. EDUCATION AND INFORMATION

1. GENERAL

The Corporation will promote water conservation through a public information program. The program will be based on literature available through the Texas Water Development Board, Texas Commission on Environmental Quality, American Waterworks Association, and private publishing companies. The public information program will be broken into two segments, Annual and New customer program. The information will also be made continually available on the Corporation website.

2. ANNUAL

The Annual program shall include providing water conservation brochures at the teller payment windows and drive-through payment window. These brochures are obtained from the sources noted above and will provide examples of water conservation methods. The educational material and articles will inform customers of methods to reduce water consumption both indoors and outdoors. Customers will be notified of the availability of the brochures in at least one annual mailing.

The conservation methods presented will include:

Outdoor savings hints.
Water savings hints.
Kitchen savings hints.
Bathroom savings hints.

In addition, ERHWSC will participate in distributing water conservation digital or printed literature to schools within the ERHWSC service area annually. This is an annual public education effort which will correspond with annual peak usage periods of spring and summer.

3. NEW CUSTOMERS

New customers to the Corporation's distribution system will receive initial conservation educational material that promotes the conservation of water as detailed in item 1 above.

C. RETROFIT PROGRAM

Water customers of structures which do not have water conserving plumbing devices will be encouraged, through the education program, to voluntarily install water savings fixtures and devices.

D. WATER CONSERVATION-ORIENTED RATE STRUCTURE

The Corporation's water rates encourage water conservation by using an inclining block rate structure. This reduces the total monthly consumption by discouraging high end or peak season usage. The water rate structure is included in the Utility Survey which is Attachment A. Since the unit cost for water increases with consumption, customers will effectively practice water savings measures to lower their water bill.

E. UNIVERSAL METERING

The Corporation currently has universal metering with all meters tested for accuracy of ±2.0%. In addition, a meter replacement program is underway to replace 960 meters per year until all meters have been upgraded to Kamstrup AMI meters. At 2.5% annual growth rate, it is anticipated that all meters will be AMI by 2027. The AMI meters have a 20 year life cycle. The new meters will provide for 24-hour water audits, as well as additional quarter-hour increments of flow to determine actual customer watering schedules, etc.

In addition, the Corporation will estimate and log all flush water used as this quantity is a significant amount with flushing required on a minimum monthly occurrence for dead end lines.

F. WATER CONSERVING LANDSCAPING

The public education program will include brochures and digital information obtained from sources noted above which provide suggestions on water saving landscaping, irrigation procedures, and soil modifications. These suggestions provide a wide range of water savings and maintenance procedures which have a major effect on the water use outside the home.

G. LEAK DETECTION AND REPAIR

The Corporation pursues an active program of locating and repairing leaks. Currently, the program consists of leak location through visual detection. ERHWSC has replaced 99% of the steel carrier pipes in the distribution system with PVC pipes in steel casing. A program to replace original 1981 double disk gate valves with resilient seat gate valves was begun in 2010 and continues.

H. RECYCLING AND REUSE

The Corporation reuses water in its wastewater treatment plant chlorination process and basin washdown. Additional reuse will be considered if the proper situation arises. Recycling is practiced currently at the water treatment plants as decanted backwash and clarifier sludge waters are returned to the process or reservoir.

I. PLAN ADOPTION AND IMPLEMENTATION (ENFORCEMENT)

The General Manager of the ERHWSC or his duly appointed representative will act as Administrator of the Water Conservation Plan. The Administrator will oversee the execution and implementation of the elements associated with the plan. The Administrator will also be responsible to oversee the maintenance of the records for program verification. The Administrator will review this plan as required not later than November 1, 2025, and every five years after that date to coincide with the regional water planning group.

As a means of implementation of the Water Conservation Program, the Corporation will approve a resolution enacting the Water Conservation Plan.

J. ANNUAL REPORTING REQUIREMENTS

ERHWSC currently has a loan from the Texas Water Development Board. In addition to the duties described above, the Administrator will be responsible for submission of an annual report to the Executive Director of the Texas Water Development Board within 60 days of the anniversary date of the loan closing, throughout the life of the loan (25 years). The report will include the following elements:

Progress made in the implementation of the program.
Response to the Program by the public.
Quantitative effectiveness of the program.

K. WHOLESALE CONTRACTS WITH OTHERS

The Corporation currently has one contract for water sales to other public water suppliers. The Corporation included and will, as part of any future contract for sale of water to an entity, require adoption by the entity of applicable provisions of ERHWSC's Water Conservation and Drought Contingency Plan in effect. These requirements include those political subdivisions that also contract wholesale water service.

L. COORDINATION WITH REGIONAL WATER PLANNING GROUP.

The service area of the ERHWSC is located within the Rio Grande Regional Water Planning Group (Region M) and ERHWSC has provided a copy of this Plan to the Rio Grande Valley Development Council and the Rio Grande Valley Regional Water Planning Group (Region M).

RESOLUTION OF THE EAST RIO HONDO WATER SUPPLY CORPORATION REGARDING THE APPROVAL OF REVISED NOVEMBER 2020 WATER CONSERVATION, AND EMERGENCY WATER DEMAND MANAGEMENT PLAN

STATE OF TEXAS	§
	§
COUNTY OF CAMERON	§
	§
EAST RIO HONDO WATER SUPPLY CORPORATION	§

WHEREAS, East Rio Hondo Water Supply Corporation is required by the Texas Water Code §11.1271, §11.1272, & Chapter 30 Texas Administrative Code §288.30 to complete a Water Conservation, and Emergency Water Demand Management Plan and update the plan every five years; and

WHEREAS, East Rio Hondo Water Supply Corporation, desires to maintain compliance with the said Texas Water Code and Chapter 30 Texas Administrative Code in order to maintain eligibility for loan and grant funds from the Texas Water Development Board.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE EAST RIO HONDO WATER SUPPLY CORPORATION THAT:

The East Rio Hondo Water Supply Corporation approves the attached revised November 2020 Water Conservation and Emergency Water Demand Management Plan.

Approved on this 9th day of November, 2020.

Robert E. Middleton, Jr.
President, Board of Directors
East Rio Hondo Water Supply Corporation

ATTEST:

Tommi Sitton
Secretary/Treasurer
East Rio Hondo Water Supply Corporation

East Rio Hondo Water Supply Corporation

206 Industrial Pkwy. * P.O. Box 621* Rio Hondo, Texas 78583*www.erhwsc.com*Phone (956) 748-3633 Fax 748-3179

"This institution is an equal opportunity provider and employer"

November 17, 2020

Submitted Electronically via the Interchange Filer
Public Utility Commission of Texas
Central Records

Control Number: 43185

RE: UPDATED East Rio Hondo Water Supply Corporation Tariff
(Sections A. and H. Only)

Filing Clerk:

East Rio Hondo Water Supply Corporation (ERHWSC) has updated Section A., Resolution and Authority and Section H., Retail Drought Contingency and Emergency Water Demand Management Plan of the ERHWSC Tariff. Pursuant to the special rules currently in effect due to the coronavirus/COVID-19 pandemic, attached are the updated pages from the ERHWSC Tariff. These pages will replace the previous Section A. and Section H. and reflect the changes approved by the ERHWSC Board during the ERHWSC's regular board meeting on November 9, 2020.

If you have any questions, please call me at (956) 748-3633.

Sincerely,

Amanda M. Sanchez
Administrative Services Manager

Enclosures: *Section A. of the ERHWSC Tariff*
Section H. of the ERHWSC Tariff

SECTION A.
RESOLUTION AND AUTHORITY

THE BOARD OF DIRECTORS OF EAST RIO HONDO WATER SUPPLY CORPORATION ESTABLISHES THAT:

1. This Tariff of the East Rio Hondo Water Supply Corporation, serving in Cameron and Willacy Counties, consisting of Sections A. through I. and forms inclusive, is adopted and enacted as the current regulations and policies effective as of November 9, 2020.

2. Only those preexisting written contracts or agreements executed by the present or previous Board of Directors shall remain in effect, unless the contract or agreement requires compliance with changes of the tariff from time to time.

3. The adoption of this tariff does not prohibit or limit the Corporation from enforcing previous penalties or assessments from before the current effective date.

4. An official copy of this and all policies or records shall be available during regular office hours of the Corporation. The Secretary of the Corporation shall maintain the original copy as approved and all previous copies for exhibit.

5. Rules and regulations of state or federal agencies having jurisdiction shall supersede any terms of this policy. If any section, paragraph, sentence, clause, phrase, word, or words of this policy are declared unconstitutional or invalid for any purpose, the remainder of this policy shall not be affected.

PASSED and APPROVED this 9th day of November, 2020.

Robert E. Middleton, Jr.
President, East Rio Hondo Water Supply Corporation

SEAL

ATTEST:

Tommi Sitton
Secretary/Treasurer, East Rio Hondo Water Supply Corporation

APPENDIX A

EAST RIO HONDO WATER SUPPLY CORPORATION

WHOLESALE WATER CONSERVATION
&
EMERGENCY WATER DEMAND MANAGEMENT PLAN

I. INTRODUCTION

A. GENERAL

East Rio Hondo Water Supply Corporation's (ERHWSC) owns and operates the water supply, treatment, and distribution systems in its area covered by its designated Texas Commission on Environmental Quality Certificate of Convenience and Necessity #11552. A detailed description of the service area, population, and customer data, water use data, water supply system data, and wastewater data are included in the ERHWSC Retail Water Conservation Plan.

This Appendix outlines the Corporation's proposed Wholesale Water Conservation and Emergency Water Demand Management Plan. The objective of the Wholesale Water Conservation Plan is to reduce the quantity of potable water necessary for every waste consumption activity related to wholesale water customers through the promotion of efficient water use practices.

B. PLANNING AREA DESCRIPTION

The ERHWSC was create in the late 1970's to provide potable water supply for the rural residential areas of Cameron County north of FM 100 and east of US Highway 77/83 in Cameron County excluding the cities of Combes, Harlingen, Los Fresnos, San Benito, Rio Hondo, and Laguna Madre Water District. The system covers approximately 406.9 square miles and has approximately 8,048 direct water service meters and 817 additional meters serviced by three flat rate (wholesale) accounts. These wholesale accounts include; The Town of Indian Lake, Military Highway Water Supply Corporation, and the Department of Homeland Security, Port Isabel Detention Center.

C. GOALS OF THE PROGRAM

The primary goal of the Water Conservation Plan is to achieve a reduction in per capita usage in water consumption. The reduction in demand will reduce the quantity of water supplies required for the future, and lower the peak demand requirements of the distribution system. This reduction will allow for:

Reducing capital and operating costs of water system.
Prolonging the life of existing facilities and assets.
Reducing the potential for water rationing associated with drought.

1. FIVE-YEAR WATER SAVINGS TARGET

a. Water Loss Program: Maintain water loss 5-year average below 14%

b. Municipal Use: Reduce municipal use 5-year average, in gallons per capita per day to 100 gpcd.

2. TEN-YEAR WATER SAVINGS TARGET

a. Water Loss Program: Maintain water loss 5-year average below 13.5%

b. Municipal Use: Reduce municipal use 5-year average, in gallons per capita per day to 97.5 gpcd.

D. UNIVERSAL METERING

1. GENERAL.

The Corporation currently has universal metering with all meters tested for accuracy of ±2.0%. In addition, a meter testing and replacement program is implemented to test and replace meters, which are beyond factory warranty or not registering correctly. A recommended schedule for meter testing and replacement is as follows:

Master meters – Test every two years.

All other meters – replace at failure or expiration of factory warranty, unless testing of specific meter model proves effective beyond factory warranty, in which case that model will be tested at a point established via testing, beyond the factory warranty.

2. LOCATIONS.

Raw, treated, and sold water are measured via venturi, propeller, turbine, magnetic, or differential pressure meters. Total deliveries, or sold water, are calculated monthly by adding all metered water sales together. System losses are calculated by determining the difference between monthly total of plant treated water and monthly sold water totals.

3. LEAK DETECTION & REPAIR

The Corporation will estimate and log all flush water used as this quantity is a significant amount with flushing required on a minimum monthly occurrence for dead end lines. Leaks are identified by ERHWSC employees and customers. Leaks are fixed in the order of most significant water loss, and are repaired as rapidly as feasible.

II. WATER CONSERVATION PLAN

A. PLAN ELEMENTS

Of the variety of water conservation methods available to the Corporation, elements considered to be most critical in development of this plan include: outdoor water conservation practices, water conserving landscaping practices, indoor water conservation practices, elimination of water theft, more rapid leak detection and repair, and plumbing fixture retrofit. As ERHWSC does not currently have contracts with two

of its wholesale customers, the general approach is to provide education and guidance to promote water conservation.

B. EDUCATION AND INFORMATION

1. GENERAL

The Corporation will promote water conservation through a public information program. The program will be based on literature available through the Texas Water Development Board, Texas Commission on Environmental Quality, American Waterworks Association, and private publishing companies. The public information program will be broken into two segments, Annual and New customer program. The information will also be made continually available on the Corporation website.

2. ANNUAL

The Annual program shall include providing water conservation brochures at the teller payment windows and drive-through payment window. These brochures are obtained from the sources noted above and will provide examples of water conservation methods. The educational material and articles will inform customers of methods to reduce water consumption both indoors and outdoors. Customers will be notified of the availability of the brochures in at least one annual mailing.

The conservation methods presented will include:

Outdoor savings hints.
Water savings hints.
Kitchen savings hints.
Bathroom savings hints.

In addition, ERHWSC will participate in distributing water conservation printed literature to schools within the ERHWSC service area annually. This is an annual public education effort which will correspond with annual peak usage periods of spring and summer.

C. RETROFIT PROGRAM

Water customers of structures which do not have water conserving plumbing devices will be encouraged, through the education program, to voluntarily install water savings fixtures and devices.

D. WATER CONSERVING LANDSCAPING

The public education program will include brochures and digital information obtained from sources noted above which provide suggestions on water saving landscaping, irrigation procedures, and soil

modifications. These suggestions provide a wide range of water savings and maintenance procedures which have a major effect on the water use outside the home.

E. LEAK DETECTION AND REPAIR

The Corporation pursues an active program of locating and repairing leaks. Currently, the program consists of leak location through visual detection. ERHWSC has replaced 99% of the steel carrier pipes in the distribution system with PVC pipes in steel casing. A program to replace double disk gate valves with resilient seat gate valves was begun in 2010.

F. CONTRACTUAL OBLIGATIONS

ERHWSC will have a requirement in every water supply contract entered into or renewed after official adoption of the water conservation 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 of 30 TAC Chapter 288.

G. RESERVOIR OPERATIONS PLAN

The ERHWSC pumps water out of its FM 510 Water Treatment Plant reservoir on a daily basis to meet plant flow demands. Pumping into the reservoir from the Cameron County Irrigation District Two canal is conducted two days per week to minimize CCID2 system losses. ERHWSC does not operate any other reservoirs at this time.

H. PLAN ADOPTION AND IMPLEMENTATION (ENFORCEMENT)

The General Manager of the ERHWSC or his duly appointed representative will act as Administrator of the Wholesale Water Conservation Plan. The Administrator will oversee the execution and implementation of the elements associated with the plan. The Administrator will also be responsible to oversee the maintenance of the records for program verification. The Administrator will review this plan as required not later than May 1, 2019, and every five years after that date to coincide with the regional water planning group.

As a means of implementation of the Water Conservation Program, the Corporation will approve a resolution enacting the Water Conservation Plan.

I. COORDINATION WITH REGIONAL WATER PLANNING GROUP.

The service area of the ERHWSC is located within the Rio Grande Regional Water Planning Group (Region M) and ERHWSC has provided a copy of this Plan to the Rio Grande Valley Development Council and the Rio Grande Valley Regional Water Planning Group (Region M).

J. ADDITIONAL CONSERVATION STRATEGIES.

ERHWSC will encourage all wholesale water customers to have a conservation-oriented rate structure and to practice similar water conservation measures to those in the ERHWSC Retail Water Conservation Plan.

III. WHOLESALE DROUGHT CONTINGENCY AND EMERGENCY WATER DEMAND MANAGEMENT PLAN. *The following was taken directly from the ERHWSC Tariff Section I.*

SECTION I.
WHOLESALE DROUGHT CONTINGENCY AND EMERGENCY WATER DEMAND MANAGEMENT PLAN

1. ***Declaration of Policy, Purpose, and Intent.*** In order to conserve the available water supply and/or to protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the East Rio Hondo Water Supply Corporation (ERHWSC) adopts the following Wholesale Drought Contingency and Emergency Water Demand Management Plan (the Plan).

2. ***Public Involvement.*** Opportunity for the public and wholesale water customers to provide input into the preparation of the original Plan was provided by ERHWSC by means of posting notice of the public meeting for adoption of the plan, and providing printed copies to the wholesale customers before adoption. Additional public and wholesale water customer input opportunity was provide for via public meeting notice for amendment at ERHWSC Board of Directors meeting on March 11, 2013.

3. ***Wholesale Water Customer Education.*** The ERHWSC will periodically provide wholesale water customers with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. Wholesale water customers have been provided a copy of the Plan. In addition, each wholesale customer will be contacted to discuss any changes in Plan stages.

4. ***Coordination with Regional Water Planning Group.*** The service area of the ERHWSC is located within the Rio Grande Regional Water Planning Group (Region M) and ERHWSC has provided a copy of this Plan to the Rio Grande Valley Development Council and the Rio Grande Valley Regional Water Planning Group (Region M).

5. ***Authorization.*** The ERHWSC General Manager, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and

M. RESERVOIR SYSTEMS OPERATIONS PLAN

The ERHWSC pumps water out of its FM 510 Water Treatment Plant reservoir on a daily basis to meet plant flow demands. Pumping into the reservoir from the Cameron County Irrigation District Two canal is conducted two days per week to minimize CCID2 system losses. ERHWSC does not operate any other reservoirs at this time.

III. RETAIL DROUGHT CONTINGENCY AND EMERGENCY WATER DEMAND MANAGEMENT PLAN

The following is taken directly from the Corporation Tariff, Section H.

SECTION H.
RETAIL DROUGHT CONTINGENCY
AND
EMERGENCY WATER DEMAND MANAGEMENT PLAN

1. ***Declaration of Policy, Purpose, and Intent.*** In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the East Rio Hondo Water Supply Corporation (ERHWSC) hereby adopts the following regulations and restrictions on the delivery and consumption of water. Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water.

2. ***Public Involvement.*** Opportunity for the public to provide input into the preparation of the initial Plan was provided by the ERHWSC by means of providing public notice of a public meeting held on October 17, 2005, to accept input on the Plan. Additional public input opportunity was provided for during amendments presented at public meetings on July 10, 2006, May 14, 2007, August 11, 2008, and March 11, 2013.

3. ***Public Education.*** Upon initial ERHWSC Board approval of the plan, ERHWSC will provide all customers written notification that the plan is completed. The notification will address the water supply and financial impacts the plan may have upon the customers, and will inform the customers of its availability upon request. The ERHWSC will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of a mailing to each customer, statements on billing postcards, public announcements via radio and television, and posting of conservation stages in public areas such as local U.S. Post Offices and the ERHWSC main office.

ATTACHMENT "A"

TEXAS WATER DEVELOPMENT BOARD UTILITY PROFILE FOR RETAIL WATER SUPPLIERS

November 2020

Texas Water

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

CONTACT INFORMATION

Name of Utility: EAST RIO HONDO WSC

Public Water Supply Identification Number (PWS ID): TX0310096

Certificate of Convenience and Necessity (CCN) Number: 11552

Surface Water Right ID Number: 838-U

Wastewater ID Number: 20861

Contact: First Name: Brian Last Name: Macmanus

Title: General Manager

Address: 206 Industrial Parkway / PO Box 621 City: Rio Hondo State: TX

Zip Code: 78583 Zip+4: Email: [redacted]

Telephone Number: 9562477815 Date: 5/28/2019

Is this person the designated Conservation Coordinator? (•) Yes ( ) No

Regional Water Planning Group: M

Groundwater Conservation District:

Our records indicate that you:

☑ Received financial assistance of $500,000 or more from TWDB

☑ Have 3,300 or more retail connections

☑ Have a surface water right with TCEQ

A. Population and Service Area Data

1. Current service area size in square miles: 404

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

2. Historical service area population for the previous five years, starting with the most current year.

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Water Service
2018	21,984	3,732	1,095
2017	23,475	2,365	1,095
2016	23,085	2,468	1,089
2015	22,878	2,428	1,068
2014	22,347	1,679	1,065

3. Projected service area population for the following decades.

Year	Projected Population Served By Retail Water Service	Projected Population Served By Wholesale Water Service	Projected Population Served By Wastewater Water Service
2020	23,142	3,552	1,144
2030	28,724	3,572	1,422
2040	35,664	3,602	1,767
2050	44,290	3,682	2,197
2060	55,013	3,842	2,731

4. Described source(s)/method(s) for estimating current and projected populations.

60 meters to transfer from Military Highway WSC (Wholesale) to ERHWSC in 2020. 2.2% Annual Growth

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

B. System Input

System input data for the previous five years.
Total System Input = Self-supplied + Imported – Exported

Year	Water Produced in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input	Total GPCD
2018	785,244,000	213,787,031	131,433,944	867,597,087	108
2017	804,474,900	200,650,275	131,971,327	873,153,848	102
2016	849,358,794	147,860,887	60,722,437	936,497,244	111
2015	820,413,065	56,965,820	61,444,480	815,934,405	98
2014	819,506,066	108,401,400	64,025,500	863,881,966	106
Historic Average	815,799,365	145,533,083	89,919,538	871,412,910	105

C. Water Supply System

1. Designed daily capacity of system in gallons: 12,210,000
2. Storage Capacity
   - 2a. Elevated storage in gallons: 750,000
   - 2b. Ground storage in gallons: 2,500,000

Texas Water

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

D. Projected Demands

1. The estimated water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demand (gallons)
2020	26,694	1,071,764,100
2021	27,201	1,092,126,735
2022	27,719	1,112,935,581
2023	28,249	1,134,200,455
2024	28,790	1,155,931,389
2025	29,343	1,178,138,638
2026	29,909	1,200,832,679
2027	30,486	1,224,024,223
2028	31,077	1,247,724,214
2029	31,680	1,271,943,838

2. Description of source data and how projected water demands were determined.

2.2% growth retail @ 110 gpcd

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

E. High Volume Customers

1. The annual water use for the five highest volume **RETAIL customers.**

Customer	Water Use Category	Annual Water Use	Treated or Raw
Rio Hondo ISD	Institutional	6,754,200	Treated
Casa Paredes, LP	Institutional	5,877,200	Treated
Buena Vista Ranch	Residential	5,333,700	Treated
Los Fresnos CISD	Institutional	4,873,000	Treated
South Texas ISD	Institutional	3,715,700	Treated

2. The annual water use for the five highest volume **WHOLESALE customers.**

Customer	Water Use Category	Annual Water Use	Treated or Raw
ERHWSC-Arroyo City	Municipal	68,766,010	Treated
Immigration & Customs Enforecement	Institutional	40,135,800	Treated
Town of Indian Lake	Municipal	13,459,000	Treated
Military Highway Water Supply Corporation	Municipal	8,940,800	Treated

F. Utility Data Comment Section

Additional comments about utility data.

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Section II: System Data

A. Retail Water Supplier Connections

1. List of active retail connections by major water use category.

Water Use Category Type	Total Retail Connections (Active + Inactive)	Percent of Total Connections
Residential - Single Family	7,260	99.07 %
Residential - Multi-Family	1	0.01 %
Industrial	0	0.00 %
Commercial	38	0.52 %
Institutional	29	0.40 %
Agricultural	0	0.00 %
Total	7,328	100.00 %

2. Net number of new retail connections by water use category for the previous five years.

	Net Number of New Retail Connections						
Year	**Residential - Single Family**	**Residential - Multi-Family**	**Industrial**	**Commercial**	**Institutional**	**Agricultural**	**Total**
2018	115	0	0	0	0	0	115
2017	127	3	0	8	12	0	150
2016	69	0	0	1	0	0	70
2015	177	1	0	1	0	0	179
2014	97	1	0	0	12	0	110

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

B. Accounting Data

The previous five years' gallons of RETAIL water provided in each major water use category.

Year	Residential - Single Family	Residential - Multi-Family	Industrial	Commercial	Institutional	Agricultural	Total
2018	687,001,100	195,100	0	17,463,012	29,905,800	0	734,565,012
2017	727,443,771	481,200	0	19,696,800	31,519,300	0	779,141,071
2016	737,506,900	0	0	20,289,100	1,821,900	0	759,617,900
2015	660,079,400	0	0	19,109,200	1,682,000	0	680,870,600
2014	695,610,300	322,600	0	4,875,000	22,223,400	0	723,031,300

C. Residential Water Use

The previous five years residential GPCD for single family and multi-family units.

Year	Total Residential GPCD
2018	86
2017	93
2016	88
2015	79
2014	86
Historic Average	86

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

D. Annual and Seasonal Water Use

1. The previous five years' gallons of treated water provided to RETAIL customers.

Month	Total Gallons of Treated Water				
	2018	2017	2016	2015	2014
January	56,782,512	57,232,200	50,545,100	48,668,600	53,491,200
February	55,640,000	56,543,700	53,273,800	46,456,400	49,508,000
March	56,167,600	56,367,500	60,331,200	43,638,200	46,657,700
April	67,608,200	66,689,000	63,975,300	48,252,200	55,923,200
May	73,979,100	74,306,700	62,470,600	51,779,300	68,799,300
June	87,270,900	82,415,500	61,036,900	57,821,600	69,618,100
July	69,881,200	80,323,500	72,754,500	74,781,400	74,438,800
August	84,634,000	79,233,000	83,219,700	86,911,500	80,869,100
September	74,535,900	69,325,500	78,662,900	66,579,600	68,039,500
October	54,847,000	64,742,200	62,706,500	55,894,700	52,573,900
November	57,905,000	59,540,144	59,915,800	50,870,000	49,032,800
December	46,655,700	54,451,227	50,725,600	49,217,100	46,686,900
Total	785,907,112	801,170,171	759,617,900	680,870,600	715,638,500

Texas Water

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

2. The previous five years' gallons of raw water provided to RETAIL customers.

Month	Total Gallons of Raw Water				
	2018	2017	2016	2015	2014
January	0	0	0	0	0
February	0	0	0	0	0
March	0	0	0	0	0
April	0	0	0	0	0
May	0	0	0	0	0
June	0	0	0	0	0
July	0	0	0	0	0
August	0	0	0	0	0
September	0	0	0	0	0
October	0	0	0	0	0
November	0	0	0	0	0
December	0	0	0	0	0
Total	0	0	0	0	0

3. Summary of seasonal and annual water use.

	Summer RETAIL (Treated + Raw)	Total RETAIL (Treated + Raw)
2018	241,786,100	785,907,112
2017	241,972,000	801,170,171
2016	217,011,100	759,617,900
2015	219,514,500	680,870,600
2014	224,926,000	715,638,500
Average in Gallons	229,041,940.00	748,640,856.60

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

E. Water Loss

Water Loss data for the previous five years.

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
2018	88,055,494	11	10.15 %
2017	44,498,928	5	5.10 %
2016	150,490,601	18	16.07 %
2015	100,255,865	12	12.29 %
2014	102,928,442	13	11.91 %
Average	97,245,866	12	11.10 %

F. Peak Day Use

Average Daily Water Use and Peak Day Water Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Ratio (peak/avg)
2018	2,153,170	2628109	1.2206
2017	2,194,986	2630130	1.1982
2016	2,081,144	2358816	1.1334
2015	1,865,398	2386027	1.2791
2014	1,960,653	2444847	1.2470

G. Summary of Historic Water Use

Water Use Category	Historic Average	Percent of Connections	Percent of Water Use
Residential - Single Family	701,528,294	99.07 %	95.39 %
Residential - Multi-Family	199,780	0.01 %	0.03 %
Industrial	0	0.00 %	0.00 %
Commercial	16,286,622	0.52 %	2.21 %
Institutional	17,430,480	0.40 %	2.37 %
Agricultural	0	0.00 %	0.00 %

Texas Water

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

H. System Data Comment Section

This information includes East Rio Hondo WSC-Arroyo City

Section III: Wastewater System Data

A. Wastewater System Data

1. Design capacity of wastewater treatment plant(s) in gallons per day: 190,000

2. List of active wastewater connections by major water use category.

Water Use Category	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal	367	0	367	98.13 %
Industrial	0	0	0	0.00 %
Commercial	5	0	5	1.34 %
Institutional	2	0	2	0.53 %
Agricultural	0	0	0	0.00 %
Total	374	0	374	100.00 %

3. Percentage of water serviced by the wastewater system: 0.00 %

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

4. Number of gallons of wastewater that was treated by the utility for the previous five years.

Month	Total Gallons of Treated Water				
	2018	2017	2016	2015	2014
January	1,949,952	2,051,000	800,186	730,000	878,000
February	1,885,487	1,808,000	699,261	602,000	1,302,000
March	2,103,947	1,994,000	770,857	757,000	983,000
April	1,882,446	1,906,000	642,728	740,000	1,965,000
May	1,165,655	1,508,000	799,542	749,000	2,166,000
June	1,006,065	1,858,838	1,752,448	745,000	1,998,000
July	845,510	1,869,469	1,209,781	715,000	1,585,000
August	869,366	1,780,754	613,000	710,000	710,000
September	1,134,132	1,765,710	589,000	740,871	750,000
October	1,173,249	2,006,704	627,000	883,945	785,000
November	872,513	1,949,157	745,000	765,226	698,000
December	1,787,711	1,930,000	1,847,000	813,932	722,000
Total	16,676,033	22,427,632	11,095,803	8,951,974	14,542,000

5. Could treated wastewater be substituted for potable water?

◯ Yes ◉ No

B. Reuse Data

1. Data by type of recycling and reuse activities implemented during the current reporting period.

Type of Reuse	Total Annual Volume (in gallons)
On-site Irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (park,golf courses)	0
Agricultural	
Discharge to surface water	0
Evaporation Pond	0
Other	
Total	0

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

C. Wastewater System Data Comment

Additional comments and files to support or explain wastewater system data listed below.

8. Evidence of Authority authorizing signer's signature

CERTIFICATE OF RESOLUTIONS

Date: February 12, 2021

Corporation: East Rio Hondo Water Supply Corporation

Date of Adoption: February 8, 2021

I hereby certify that I am the Secretary/Treasurer of East Rio Hondo Water Supply Corporation (the "Corporation"), a Texas nonprofit corporation duly organized and existing under the laws of the State of Texas, and that the following is a true copy of a resolution duly adopted by the Board of Directors of said corporation at a meeting held the 8th day of February, 2021, at which meeting a quorum was present and acting throughout, and that such resolution has not been rescinded or modified and is in full force and effect:

> BE IT RESOLVED THE BOARD OF DIRECTORS OF East Rio Hondo Water Supply Corporation that both Brian E. Macmanus, P.E., General Manager, and Robert E. Middleton, Jr., President, are each hereby authorized and empowered in the name of the Corporation, and as its own act, to execute any and all documents necessary to effect the acquisition, sale, and/or other management of water rights on behalf of the Corporation for the purposes within its corporate authority, 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.
>
> BE IT FURTHER RESOLVED, that the resolutions, acts, and proceedings of the Board of Directors of East Rio Hondo Water Supply Corporation for the acquisition, sale, or other management of water rights for the Corporation for purposes within its corporate authority as shown by the records in the Minute Book of East Rio Hondo Water Supply Corporation, be the same hereby adopted, approved, ratified, and confirmed.

I further certify that the Corporation is duly organized and existing under the laws of the state of Texas, is qualified to do business here and is in good standing; that no proceeding is pending for the forfeiture of the certificate of incorporation or for the dissolution, voluntary or involuntary, of the Corporation; that there is no provision of the bylaws or articles of incorporation of the Corporation limiting the powers of the directors of the Corporation to adopt the resolution referred to above, and that the Certificate of Resolutions is in conformity with the provisions of the bylaws and the articles of incorporation of the Corporation; that the undersigned is the keeper of the records and minutes of the proceedings of the Corporation; and that the following persons constitute all of the directors of the Corporation:

Robert E. Middleton, Jr., President

Roque Rodriguez, Vice President

Tommie Sitton, Secretary/Treasurer

Santos Castillo

Frontis Newell

Charles Hervey

Carlos Castaneda

Jim Simmons

The undersigned hereby certifies that she is the duly elected and qualified Secretary/Treasurer of East Rio Hondo Water Supply Corporation and that the foregoing certificate of resolution is true and correct.

EAST RIO HONDO WATER SUPPLY CORP. 1972 TEXAS

Tommi Sitton

Tommi Sitton, Secretary/Treasurer

STATE OF TEXAS §
§
COUNTY OF CAMERON §

The foregoing instrument was acknowledged before me this 12th day of February, 2021, by Tommi Sitton, the Secretary/Treasurer of East Rio Hondo Water Supply Corporation, a Texas non-profit corporation.

NOTARY PUBLIC STATE OF TEXAS
AMANDA M SANCHEZ
Notary ID #128203889
My Commission Expires
March 11, 2022

Amanda M Sanchez

Notary Public, State of Texas

My Commission Expires: 3/11/2022