

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): Laguna Madre Water District

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).

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

ADMINISTRATIVE INFORMATION REPORT

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

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

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

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

- New Appropriation of State Water
- Amendment to a Water Right *
- Bed and Banks

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

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

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?
Laguna Madre Water District

(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 : 600647952 (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: Scott D. Friedman

Title: Chairman of the Board

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

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: Laguna Madre Water District

Mailing Address: 105 Port Road

City: Port Isabel State: TX ZIP Code: 78578

Indicate an X next to the type of Applicant:

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

For Corporations or Limited Partnerships, provide:

State Franchise Tax ID Number: _____ SOS Charter (filing) Number: _____

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: Noe Cantu Jr

Title: Superintendent of Water

Organization Name: Laguna Madre Water District

Mailing Address: 105 Port Road

City: Port Isabel State: TX ZIP Code: 78578

Phone Number: 956-943-2626 x 101

Fax Number: _____

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 N

If yes, provide the following information:

Account number: _____ Amount past due: _____

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

If yes, please provide the following information:

Enforcement order number: _____ Amount past due: _____

b. If the Applicant is a taxable entity (corporation or limited partnership), the Applicant must be in good standing with the Comptroller or the right of the entity to transact business in the State may be forfeited. See Texas Tax Code, Subchapter F. Applicants 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 N/A

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 Y

6. SIGNATURE PAGE (Instructions, Page. 11)

Applicant:

I, Scott D. Friedman Chairman of the Board
(Typed or printed name) (Title)

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

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

Signature: [Handwritten Signature] Date: 10/26/2022
(Use blue ink)

Subscribed and Sworn to before me by the said
on this 26th day of October, 2022.
My commission expires on the 8th day of March, 2023.

Daisy Patricia Martinez
Notary Public

[SEAL]

County, Texas



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

TECHNICAL INFORMATION REPORT WATER RIGHTS PERMITTING

This Report is required for applications for new or amended water rights. Based on the Applicant's responses below, 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: Oct. 7, 2022

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

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

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

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

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

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

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

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

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

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

This section should be completed if Applicant owns an existing water right and Applicant requests to amend the water right. *If Applicant is not currently the Owner of Record in the TCEQ Records, Applicant must submit a Change of Ownership Application (TCEQr10204) 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: 850

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
Adj No. 835 183.13 ac-fl	Adj No. 850

- 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 I of Report (PAGE. 1) regarding New or Additional Appropriations of State Water. this

- 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 I 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 N
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 Y

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 _____ 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 _____

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 _____

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 _____

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 _____

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 _____

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":

Bayview Irrigation District currently has inactive rights and Laguna Madre Water District intends on putting them to use in accordance with section 5.2.8 of the regional water plan.

The proposed service area is stated in attachment. (Port Isabel, South Padre Island, Laguna Heights, Laguna Vista)

- 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 N/A

ENTITY	WMS NAME	YIELD*	A	B	C	D	E	F	G	H
Webb Mining	Implementation of BMPs	1,033	0	1	0	0	0	0	5	1
Webb Steam-Electric Power	Implementation of BMPs	15	0	1	0	0	0	0	5	1
Willacy Mining	Implementation of BMPs	5	0	1	0	0	0	0	5	1
Zapata Manufacturing	Implementation of BMPs	1	0	1	0	0	0	0	5	1
Zapata Mining	Implementation of BMPs	1	0	1	0	0	0	0	5	1

* Indicates first decade of implementation yield (acft/yr)

5.2.8 Conversion/Purchase of Surface Water Rights

Over the planning horizon it is expected that there will be increased urban and suburban development and increased pressure on the existing water supplies. Irrigation demands are expected to decrease as a result of these pressures and associated urbanization of land. In some cases, where water is owned by an individual farmer, there may be a point at which the conversion of irrigated farmland to dry-land farming will make economic sense based on the price of water. According to the TCEQ rules, if an irrigation water right is converted to a domestic, municipal, and industrial (DMI) water right, the maximum authorized diversion is reduced to 50 percent for Class A and 40 percent for Class B.

For the purpose of this plan, it was assumed that the historical rate of conversion of water rights from irrigation to municipal is indicative of the decrease in irrigation demand. The urbanization rate was calculated for each county based on the rate at which irrigation demand decreases per decade beginning with 2020 to 2030. The water rights made available via reduction of agricultural supplies – defined as exclusion – were assumed to be converted for DMI use.

Table 5.2-29 details the projected agricultural demands, the rate at which water rights are converted in each county, the reduction in irrigation supplies, and the reduction in irrigated acreage, assuming that each acre of land that is irrigated has an associated 2.5 acft of water rights. Although there is measured historical urbanization for Jim Hogg and Webb Counties, these measurements were not considered statistically reliable based on the amount of total urbanization water rights.

Table 5.2-29 Urbanization Rates and Available Converted Water Rights Per County

	2020	2030	2040	2050	2060	2070
Cameron County						
Agricultural Demands	537,217	519,972	502,725	485,479	468,233	450,987
Exclusion Rate	3.32%	3.43%	3.55%	3.68%	3.82%	3.82%

WORKSHEET 1.0 Quantity, Purpose and Place of Use

I. New Authorizations (Instructions, Page. 16)

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

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

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

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

a. Location Information Regarding the Lands to be Irrigated

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

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

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

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

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

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

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

Quantity (acre-feet)	Existing Purpose(s) of Use	Proposed Purpose(s) of Use*	Existing Place(s) of Use	Proposed Place(s) of Use**
183.13	Municipal	Municipal	Bayview, Tx Cameron County Account 835	Port Isabel, South Padre Island and Laguna Vista, Tx Cameron County Account 850

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

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

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

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

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

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

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

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

WORKSHEET 1.1 INTERBASIN TRANSFERS, TWC § 11.085

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

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

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

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

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

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

- a. The proposed transfer, which in combination with any existing transfers, totals less than 3,000 acre-feet of water per annum from the same water right. Y/N _____
- b. The proposed transfer is from a basin to an adjoining coastal basin? Y/N 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 _____
- 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 irrespective of the fact that the water right can be used to its full authorized amount.

WORKSHEET 2.0 Impoundment/Dam Information

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

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

1. Storage Information (Instructions, Page. 21)

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

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

iii. Additional information required for on-channel storage:

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

2. Structure Location (Instructions, Page. 23)

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

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

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

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

Latitude_____°N, Longitude_____°W.

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

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

WORKSHEET 3.0 DIVERSION POINT (OR DIVERSION REACH) INFORMATION

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

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

1. Diversion Information (Instructions, Page. 24)

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

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

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

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

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

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

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

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

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

Applicant has calculated the drainage area. Y / N _____

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

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

2. Diversion Location (Instructions, Page 25)

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

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

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

- d. Point is at:
Latitude _____ 'N, Longitude _____ 'W.
Provide Latitude and Longitude coordinates in decimal degrees to at least six decimal places
- e. Indicate the method used to calculate the location (examples: Handheld GPS Device, GIS, Mapping Program): _____
- f. Map submitted must clearly identify each diversion point and/or reach. See instructions Page. 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 _____.
- b. Provide the amount of water that will be lost to transportation, evaporation, seepage, channel or other associated carriage losses _____ (% or amount) and explain the method of calculation: _____
- c. Is the source of the discharged water return flows? Y / N _____ If yes, provide the following information:

1. The TPDES Permit Number(s). _____ (attach a copy of the current TPDES permit(s))

2. Applicant is the owner/holder of each TPDES permit listed above? Y / N _____

PLEASE NOTE: If Applicant is not the discharger of the return flows, 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 _____, surface water _____ ?

5. If any percentage is surface water, provide the base water right number(s) _____.

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

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

2. 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/gwdb rpt.asp>. Additionally, provide well numbers or identifiers _____

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

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

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

dii. Identify any other source of the water _____

WORKSHEET 4.1 DISCHARGE POINT INFORMATION

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

For water discharged at this location provide:

- a. The amount of water that will be discharged at this point is _____ acre-feet per year. The discharged amount should include the amount needed for use and to compensate for any losses.
- b. Water will be discharged at this point at a maximum rate of _____ cfs or _____ gpm.
- c. Name of Watercourse as shown on Official USGS maps: _____
- d. Zip Code _____
- e. Location of point: In the _____ Original Survey No. _____, Abstract No. _____, _____ County, Texas.
- f. Point is at:
Latitude _____ 'N, Longitude _____ '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): _____

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.

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

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

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

a. Identify the appropriate description of the water body.

Stream

Reservoir

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

Other, specify: _____

b. Flow characteristics

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

Intermittent - dry for at least one week during most years

Intermittent with Perennial Pools - enduring pools

Perennial - normally flowing

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

USGS flow records

Historical observation by adjacent landowners

Personal observation

Other, specify: _____

c. Waterbody aesthetics

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

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

d. Waterbody Recreational Uses

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

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

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 maps submitted with the application indicating the location of the photograph and the direction of the shot.
2. If the application includes a proposed reservoir, also include:
 - i. A brief description of the area that will be inundated by the reservoir.
 - ii. If a United States Army Corps of Engineers (USACE) 404 permit is required, provide the project number and USACE project manager.
 - iii. A description of how any impacts to wetland habitat, if any, will be mitigated if the reservoir is greater than 5,000 acre-feet.

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

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

a. For all bed and banks applications:

- i. Submit an assessment of the adequacy of the quantity and quality of flows remaining after the proposed diversion to meet instream uses and bay and estuary freshwater inflow requirements.

b. For all alternate source applications:

- i. If the alternate source is treated return flows, provide the TPDES permit number _____
- ii. If groundwater is the alternate source, or groundwater or other surface water will be discharged into a watercourse provide:
Reasonably current water chemistry information including but not limited to the following parameters in the table below. Additional parameters may be requested if there is a specific water quality concern associated with the aquifer from which water is withdrawn. If data for onsite wells are unavailable; historical data collected from similar sized wells drawing water from the same aquifer may be provided. However, onsite data may still be required when it becomes available. Provide the well number or well identifier. Complete the information below for each well and provide the Well Number or identifier.

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

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

- iii. If groundwater will be used, provide the depth of the well _____ and the name of the aquifer from which water is withdrawn _____.

WORKSHEET 6.0

Water Conservation/Drought Contingency Plans

This form is intended to assist applicants in determining whether a Water Conservation Plan and/or Drought Contingency Plans is required and to specify the requirements for plans. **Instructions, Page 31.**

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

1. Water Conservation Plans

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

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

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

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

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

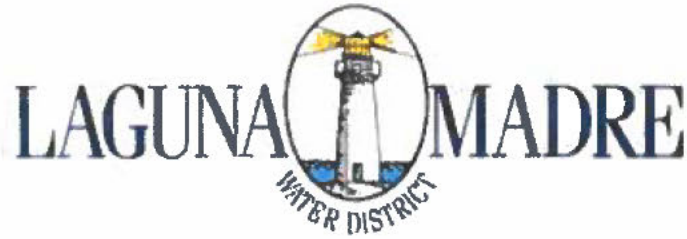
c. Water conservation plans submitted with an application must also include data and information which: supports applicant's proposed use with consideration of the plan's water conservation goals; evaluates conservation as an alternative to the proposed

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

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

2. Drought Contingency Plans

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



Water Conservation and Drought Contingency Plan

Board of Directors

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Laguna Madre Water District

105 Port Road
Port Isabel, Texas

Revised September 8, 2022

Prepared By:

Charles Ortiz

Mission Statement: To proactively serve our customers by providing reliable, safe, high quality water and wastewater services.

The Water Conservation Plan was revised by Laguna Madre Water District pursuant to the Provisions of the Texas Administration Code Chapter 288, Water Conservation Plans, Guidelines, and Requirements.

Water Conservation Plan for the Laguna Madre Water District

2022

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Appendix "A" – Water Utility Profile

Appendix "B" – Water Rate Structure

Laguna Madre Water District Water Conservation and Drought Contingency Plan

I. Introduction

The Water Conservation and Drought Contingency Plan (WCDC Plan) has been revised by the Laguna Madre Water District (LMWD) pursuant to the provisions of the Texas Administrative Code Chapter 288, Water Conservation Plans, Guidelines and Requirements. According to TAC Rule 288, conservation means “those practices, techniques and technologies that will 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 water supply is made available for future or alternative uses”. The Texas Commission on Environmental Quality (TCEQ) is responsible for overseeing these plans.

LMWD has previously submitted Water Conservation Plan to TCEQ & Texas Water Development Board (TWDB), as required by state law, as approved by LMWD on May 13, 2019 via Resolution No. 171-02-19. The current revision is proposed to update status of Water Rights Allocation and System Improvements and clarify water restrictions in drought contingency plan. The District has revised its Drought Contingency Plan to conform to TCEQ form #20191 – Drought Contingency Plan for a Retail Public Water Supplier.

II. Service Area and System Evaluation

Laguna Madre Water District (LMWD) provides water and wastewater services to the City of Port Isabel, City of South Padre Island, the Village of Laguna Vista, and unincorporated areas of Cameron County including Laguna Heights and Long Island.

The LMWD maintains its own water supply system from the Rio Grande to two Water Treatment Plants. The raw water system includes three pump stations, 3 reservoirs and 34 miles of pipeline. Laguna Madre Water District has a Total Service Area of 36,429 Acres as shown in Figure 1.

Raw water is pumped from the Rio Grande under LMWD’s allotted water rights of 7,513.3920 acre feet. This raw water is pumped via the LMWD’s raw water transmission lines from the Rio Grande to Water Treatment Plants 1 & 2. Water Treatment Plant 1 is being upgraded to a 5.0 million gallon per day plant and located in Port Isabel. Water Treatment Plant 2 is an 8.0 million gallon per day plant and located in Laguna Vista. Once the raw water is treated, it is pumped into 5 elevated tanks, 2 ground storage tanks, 2 underground storage clear-wells and distribution pipes. The total capacity of the existing storage tanks is 4,125,000 gallons. Unlimited Tax Bonds, Series 2022, proposes a new 600,000 gallon Elevated Storage Tank #6 to replace the existing Port Isabel Elevated Storage Tank #1 and Laguna Vista Elevated Storage Tank #4 as well as one 1.5 million gallon concrete ground storage tank to replace two existing steel ground storage tanks at

Water Plant 1. Water System Improvements will increase storage capacity by 225,000 gallons resulting in a total storage amount of 4,350,000 gallons.

Water availability and usage:

- Authorized amount for LMWD is 7,696.522 Acre-Feet (AF) of Municipal Water Rights under Normal Conditions. Under drought conditions, TCEQ Watermaster may prorate authorized amount up to 1,750 AF/ Year for a total remaining balance of 5,946.5220 AF/YR. When Falcon and Amistad combined balance is less than 50% capacity, the District authorized amount increases / decreases by 145.8 Acre Feet per year for each percentage change +/- in capacity.
- From Year 2012 through 2021, LMWD used an average of 5,338 Acre-Feet per year of Municipal Water Rights with a maximum diversion of 5,833.2305 Acre-Feet in 2020.
- Because of our proximity to the Gulf of Mexico, hurricanes can be the most frequent natural hazard affecting the area. The District maintains an Emergency Fund reserve as a safeguard to major storm events that could adversely affect annual revenue.

On January 8, 2016, the Bureau of Reclamation issued a Finding that Laguna Madre Water District's Title XVI Feasibility Study Report is Complete. The report serves as a Master Plan to implement a Port Isabel Water Reclamation Facility. Secondary treatment improvements were completed on February 13, 2019, and an Advanced Water Treatment Facility (AWTF) is pending funding. The AWTF will complete the full cycle of direct potable reuse, which will reduce diversions from the Rio Grande and help replenish water capacity in the Falcon and Amistad Reservoir System.

a. Raw Water Source and Delivery System

Currently, the only raw water source for the LMWD is the Rio Grande. This region of Texas is facing steady growth and diminishing water supply.

Because of the increasing cost of delivering raw surface water from the Rio Grande and the desire for alternative sources, the LMWD decided to evaluate the cost and feasibility of developing both Seawater Desalination Treatment Facility and a Water Reclamation and Reuse Facility. These projects will reduce withdrawals from the Rio Grande by providing an Alternate Water Supply.

b. Raw Water System

Raw water is diverted out of the Rio Grande through three pumps, with a capacity of 12.96 MGD per pump. There are five miles of 42-inch concrete pipeline leading to Reservoir 4. Reservoir 4 has a 610 Acre-Foot storage capacity with a 15 MGD pumping capability. 10 miles of 36-inch pipeline connects this reservoir to Cuates pump station, east of the City of Los Fresnos. Cuates Pump Station was upgraded in Series 2012 system improvements to 12 MGD. The water from Reservoir 4 can be gravity fed or pumped to Cuates Pump Station. Series 2012 System Improvements included a third parallel pipeline (24") from Cuates Pump Station to Reservoir #3 in Laguna Vista.

Reservoir 3 has a storage capacity of 230 acre-feet and is the last settling reservoir before treatment at WTP No.2. Raw water pump station at reservoir 3 feeds both WTP No.2 in Laguna Vista and raw water irrigation system for South Padre Island Golf Community.

A separate raw water transfer pump station at Reservoir 3 conveys water supply to Reservoir #1, located in Port Isabel, which is the source water for WTP No.1. Raw water transfer pump station is being upgraded through the Unlimited Tax Bonds, Series 2022, to supply water demand required for proposed WP1 Microfiltration System. Raw water is fed through parallel 16-inch and a 15-inch lines into a 30-acre-foot capacity reservoir.

The South Padre Island Golf Course currently buys raw water from LMWD; averaging 33.4 acre-feet per year.

As part of the Water Management System, the Water Plant Manager accounts for water pumped from the Rio Grande, to the treatment plants and water system sales.

c. Treated Water System and Use

Water Treatment Plant No.1 was originally built over 50 years ago. Clarifiers were restored in 2022 to meet a capacity of 5 MGD. Existing conventional filters will be replaced with a Microfiltration system to provide equal water quality as water plant 2, funded through a Water System Improvements Bond Election passed in November 2020. Upon completion, WTP No.1 improvements include new raw water intake pumps; a new microfiltration (MF) treatment system housed in a new facility with associated mechanical, electrical, plumbing, and instrumentation improvements; equalization tank / feed water tank; chemical storage facilities for microfiltration clean-in-place (CIP) chemicals; new high service pump station; and a 1.5 million gallon ground storage tank. Both Water Plants operate on a single pressure plane and will support each other to meet peak water demand.

Water Treatment Plant No.2 was originally built in 1985. In 2013, the filtration system was upgraded from conventional rapid sand filters to an 8.0 MGD Microfiltration system. Site includes chemical feed facilities, a one-million gallon clearwell, and high service pump

station. Water System Improvements in Unlimited Tax Bonds, Series 2022, include high service pump station rehabilitation to provide a design life through year 2042.

Water Distribution System: The LMWD water distribution system is growing with new development in the South Padre Island Golf Community, Bahia Point Subdivision adjacent to Laguna Heights, Long Island Village Water and Sewer System Improvements, and ongoing development within South Padre Island, Port Isabel, and Laguna Vista. Weekend tourism results in peak water usage adding to the demands of permanent residents.

In October 2012, LMWD completed *Water Distribution & Wastewater Collection Systems Hydraulic Modeling*, prepared by CDMSmith. The Study created an all-pipes water distribution model in InfoWater. Model scenarios include growth projections through year 2040. Freese and Nichols continues to maintain the water model for the District. Most recent model update and calibration was performed in Year 2022 to support a design year of 2042 for ongoing System Improvements funded through Unlimited Tax Bonds, Series 2022.

The LMWD has been working, “system wide”, to improve the reliability and efficiency in the distribution system. These efforts ensure continued quality and reliability in the essential services LMWD provides. The LMWD distribution system is made up of nearly 200 miles of pipeline. The system consists of pipelines ranging in sizes from 2” to 24”. Approximately 75% of the pipe in the system is 8-inches or less in diameter. Distribution crews continually repair aged, small diameter pipelines. Water main upgrades in the Causeway area and an 8-inch loop on Laguna Blvd are current projects along with ongoing Valve Replacement.

d. Billing Cycles

Billing Cycle Process: There are three billing cycles for LMWD. The billing cycle determines when the water meter is read and the due date. It is an integral part of the remote reading process.

LMWD’s utility bills are mailed out monthly or approximately every 30 days. There is a constant rotation of billing dates month to month, however there is a general billing date expectation customers understand.

LMWD billing cycles are as follow: Cycle one includes customers who live in Laguna Heights and the town of Laguna Vista, Cycle two includes customers who live in Port Isabel, and cycle three includes those who live in South Padre Island (Figure 3: Billing Cycles). The customers address dictates what billing cycle he lands under therefore; an address cannot be changed to another location.

Consumption is determined by the verification of several books throughout the three cycles. On average, Laguna Heights and Laguna Vista used 47% of the entire consumption, Port Isabel used 18%, and South Padre Island used 35%.

As shown in the Water Utility Profile (Appendix A), LMWD served a population of 45,264 through 15,088 connections and is comprised of ten class types; they are residential, commercial, industrial, churches, schools, hotels, mobile homes, apartments, restaurants, condominiums, and unassigned.

e. Treated Wastewater System and Use

LMWD operates and maintains regional wastewater facilities where wastewater from the service area is collected and pumped into four Wastewater Treatment Plants (WWTPs). In 1974, the mainland WWTP was built in Port Isabel. On February 13, 2019, Port Isabel Wastewater Treatment Plant modifications were completed, maintaining an existing capacity of 1.1 MGD. These secondary treatment improvements were needed to prepare for a future Port Isabel Water Reclamation Facility. Phase 3, described in the District's Master Plan for Direct Potable Reuse, will proceed based on actual flows treated at the facility. Phase 3 will be an expansion to a 2.0 MGD capacity through the addition of Sludge Holding Tanks and a third Clarifier. The Laguna Vista WWTP was built in 2005 with a treatment capacity of 0.65 MGD. South Padre Island has two WWTPs. One is located in Isla Blanca (IBWWTP) and the other is located at Andy Bowie (ABWWTP), adjacent to South Padre Island Birding, Nature Center & Alligator Sanctuary. IBWWTP was built in 1974 and has an existing capacity of 2.6 MGD; and ABWWTP was built in 1974 and has a capacity of 1.5 MGD.

In October 2012, LMWD completed *Water Distribution & Wastewater Collection Systems Hydraulic Modeling*. The model created scenarios for sewer lift stations and collection pipelines in InfoWorks. The models included growth projections through year 2040. Freese and Nichols continues to maintain the models for ongoing System Improvements. The District is performing wastewater collection system improvements to get wet weather flows through the Port Isabel Wastewater Treatment Facility for a future direct potable reuse facility, meaning the introduction of treated reclaimed municipal wastewater into a raw water supply immediately before the water enters a drinking water treatment plant.

LMWD has created a position for Pretreatment Manager to minimize Fats, Oil, & Grease (FOG) from entering the sewer system. Grease build-up is an unavoidable factor that reduces the life span of the wastewater collection system. When these types of issues arise, LMWD's solution has been to find, fix or replace failed pipe sections. The expenses considered to maintain this program are labor, materials and equipment. This find and fix approach can be costly and inefficient. The District has taken a comprehensive approach to fix these area wide problems. Pretreatment Manager checks manifests at restaurants

and prevents FOG from entering the system. Chemical addition (Microsolve) is used for odor control and pipe maintenance. Lift station rehabilitation is replacing infrastructure that is at the end of its useful life. Hydraulic modeling is done to design for wet weather that remains within the 2 hour peak flow permitted at the sewer plant.

One of the main goals for the LMWD is to find the best available technology that can be used in the design, construction, operation and maintenance of the collection system.

Wastewater Collection Systems Rehabilitation/Replacement: Portions of the sewer collection system warrant replacement. Projects have been prioritized and defined based on the hydraulic model results. Rehabilitation projects are identified by Operations on a continual basis.

f. Service Area and Water Use Projections

LMWD is located at the eastern edge of Cameron County. The three municipalities served are South Padre Island, Port Isabel, and the Town of Laguna Vista including the unincorporated area of Laguna Heights.

LMWD's last 5 years of treated water pumped into the distribution system averages out to 1,372,704,887 gallons. It is estimated that every year the demand rises about 160,000 gallons. The system demand fluctuates depending on seasonal water usage, and the amounts of visitors South Padre Island has at any given time. LMWD averaged 3.75 million gallons of treated water pumped per day in 2021. The Peak Day Use of 7.35 MGD occurred in Year 2018.

III. Problem Identification

The challenges faced are population growth, increased demand, diminishing supplies, stringent regulations, and an aging infrastructure. The most significant issues for LMWD are water supply and distribution pipelines.

a. Inadequate Raw Water Supply to Meet Expected Water Demands

According to the TWDB, the population growth for the LMWD service area, is estimated to be about 20% every ten years from 2020 to 2070. The projected population for 2030 is 54,317 with a raw demand of 6,406 acre-feet. In 2070, we are estimated to have a population of 63,370 with a raw water demand of 7,473 acre-feet. In preparation for this increasing growth, LMWD will continue to research other sources of water such as seawater desalination, brackish water and reuse. Keeping up with this proactive approach will help LMWD with its future demands.

b. Identification and Reduction of Raw Water Losses

In order to identify leaks, the LMWD personnel drives to the river pump station and back, along the pipeline, every time the river/Reservoir No. 4/Cuates pumps are on and whenever needed to verify of any situation in occurrence. In December 2009, LMWD completed a Hydraulic Optimization Study. The report identified Cuates Pump Station and Pipeline Improvements as the most critical need in the raw water conveyance system. These works were completed as part of the System Improvements, Tax Bond Series 2012. Future projects to further reduce raw water losses include rehabilitation of Reservoir No. 4 pipeline.

c. Identification and Reduction of Treated Water Losses

LMWD is committed to improving efficiency by reducing treated water losses and has taken several steps to improve the effectiveness of treated water distribution system.

Major distribution system efficiency projects include:

- i. **Metering: Universal Metering** – The LMWD requires a meter at every connection to the water system including, but not limited to, residential, industrial, municipal, and commercial connections. The LMWD completed an Advanced Meter Infrastructure (AMI) full meter replacement program in 2019. All meters were replaced and upgraded from an AMR to an AMI system. Since then, LMWD has kept up with meter replacement in order to maintain its high standards for correct metering of the system.
- ii. **Metering at point of diversion** – For better accountability, the LMWD has replaced production (distribution) meters and meters located upstream of the high service pump stations at each water plant. The distribution meters were updated accordingly and the meters at the water plants were switched from insertion tube meters to mag meters for more accuracy.
- iii. LMWD maintains a total of 1,325,000 gallons of elevated storage capacity. Laguna Vista and Laguna Heights each have one elevated tower and South Padre Island has two. The proposed Elevated Storage Tank #6 in Port Isabel will provide an additional 600,000 gallons of elevated storage capacity. The existing and proposed elevated storage capacity is adequate for the next 20 years. The LMWD inspects all elevated tanks every year to determine the tanks standing in order to comply with AWWA standards.

d. Raw Water Demand Reduction Possibilities

The LMWDs' four wastewater treatment plants use a small amount of their plants effluent to wash down. Opportunities that have presented themselves are as follows:

- i. Port Isabel Wastewater Treatment Plant – The LMWD is researching the opportunity for direct potable reuse at this facility. This would reduce the amount of raw water that LMWD would have to divert from the Rio Grande.

Port Isabel Wastewater Treatment Plant Modifications were completed on February 4, 2019, as a first step (improve water quality in secondary treatment) in moving forward toward the potable reuse program. Next phase of project will be wastewater effluent characterization. The District will begin lab work to acquire data needed for design and construction of an Advanced Water Treatment Facility. Treated effluent can blend with the source water to reduce diversions from the Rio Grande.

- ii. Effluent from the Andy Bowie Wastewater Treatment Facility is providing beneficial use for estuary management at the South Padre Island Birding, Nature Center & Alligator Sanctuary. It meets their needs and saves them from purchasing treated potable water to maintain the freshwater exhibit.
- iii. Laguna Vista Wastewater Treatment Plant – The South Padre Island Golf course, located in Laguna Vista, currently uses raw water for irrigation. LMWD constructed a Cloth Media Filter (Reuse Authorization No. R14069-001) for Type I reclaimed water use. The authorization is used to fill two golf course (off-channel) amenity lakes at South Padre Island Golf Community.

IV. Water Utility Profile

Appendix A to this water conservation plan is the Laguna Madre Water District Utility Profile based on the format recommended by the TCEQ and the TWDB.

V. Water Conservation Goals

Goal One: Water Loss – Proper accounting of all water use and production is the first step in establishing a goal for the reduction of water loss. Reliable metering ensures that the number of total treated water and total billed water is accurately accounted for. In turn, the LMWD can provide a value of water loss and unaccounted-for -water.

Goal Two: Per Capita Usage – The average daily GPCD over the last five years has been 185 gallons. (Table 2: Gallons per capita per Day)

In 2021, this number was 170 gallons and has fluctuated over the past five years. LMWD is researching for ways to reduce this number, some of which are stated in this plan.

Goal Three: Water Recycling – The LMWD seeks the opportunity to reuse or reclaim at least 50% of its wastewater effluent. Type II reclaimed water use includes irrigation or other uses in areas where the public is not present during the time when irrigation activities occur or other uses where the public would not come in contact with the reclaimed water (Texas Administrative Code, 2009).

Goal Four: Alternative Sources – The LMWD is evaluating resources such as saltwater desalination and direct potable reuse. Desalination is plausible in our area, with Port Isabel being the most viable area for a future Advanced Water Purification Facility. Considering these types of alternative sources is the best way to resolve our long-term demand need.

VI. Water Conservation Plan Elements

a. Education and Public Information

- i. Public Education Campaign – The LMWD will promote water conservation by informing its customers of different methods to conserve water. The municipalities we serve tend to have night outs where LMWD can go out and speak to the customers and hand out informational packets.
- ii. Brochures – Brochures on water conservation are handed out to new customers and any one of the public that request them. Available in these brochures are tips from the ABC's water conservation, Be Water Smart Indoors, Water Savings Tips, and Forty-Nine tips to Conserve Water (Spanish Version).
- iii. LMWD Website – Water conservation, water saving tips and mandatory water conservation restrictions are found on the LMWD website, <https://www.lmwd.org/water-conservation>. LMWD updates this information as needed and also allows you to receive notifications on when they are made.
- iv. School and Community Education - The educational program includes going to our local schools and informing the students of the importance of water and water conservation. LMWD will also provide “tours” of the water plants so that the public can see where their water is treated and get a better understanding of water treatment. Some of the objectives for this education are:
 1. Learning where their tap water comes from
 2. Learning about our raw water source and its troubles
 3. Becoming familiar with the treatment process
 4. Becoming familiar with some of the regulatory agencies and their regulations
 5. Learning our main objective, which is providing safe drinking water to the public
- v. Drought Awareness Campaign – In addition to water conservation, during actual drought conditions, LMWD will educate and enforce a drought awareness campaign. A drought campaign should have similar information however drought regulation should take place. This should be publicized through local newspaper, television advertisement and possibly radio. All customers will receive detailed information of the drought conditions

The overall goal of the Water Conservation Information Program is to provide information to the public for water conservation.

b. Water Rate Structure

The District imposes an inverted block rate structure on both water and wastewater customers. All customers are subject to the conservation-oriented rate structure so that everyone is equally encouraged to conserve.

The current rate structure enforces that high-volume users are penalized for high usage; in essence the more you use, the more you pay. Volumetric rates and charges increase depending on meter size. On September 26, 2018, the District approved water, wastewater, and raw water rates described in a five-year financial schedule included in Resolution No. 165-09-18 Amending Laguna Madre Water District Water, Wastewater, and Raw Water Rate Schedules, as shown in Appendix “B”.

c. Plumbing Fixtures and Retrofit Programs

Building owners will be encouraged to replace plumbing devices with more efficient fixtures. LMWD currently provides conservation kits to its customers that include dye tablets, used to identify water leaks at home.

d. Water Savings Plumbing Code

In June 25, 1986, the LMWD adopted a resolution that includes water conservation requirements for new construction and renovations. For example, toilets that were installed before 1980 would draw about 5.5 gallons per flush. Improved technology has made it possible to considerably save in water.

Fixture	Standard
Lavatory & Sink	No more than 2.2 gpm's at 60 pounds per square inch of pressure
Wall Mounted, Flush meter Toilets	No more than 1.6 gallons per flush
All other Toilets	No more than 1.6 gallons per flush
Urinals	No more than 1.0 gallons per flush
Drinking Water Fountains	Must be self closing
All Hot Water Lines	Must be insulated
Swimming Pools	New pools must have a re-circulating filtration equipment

e. Universal Metering, Meter Repair and Replacement Program

All customers of the LMWD are metered. In 2019, the LMWD converted to an Advanced Metering Infrastructure (AMI) system. The LMWD replaced and retrofitted all meters to communicate through the new AMI system. In addition, Customers now have access to hourly data through their WaterSMART app to quickly catch leaks and make repairs. Advanced Metering Infrastructure (AMI) System includes a new network, software, and full meter replacement to get hourly reads. The technology upgrade will enhance the District's ability to conserve water through better communication with all stakeholders.

f. Control of Unaccounted Water Use

LMWD remains compliant with Texas Water Code Section 1.0121(b) requiring retail public water utilities to conduct a water audit every five years, unless they have an active financial obligation with the Texas Water Development Board or have more than 3,300 connections, in which case they must conduct an audit annually. Four basic steps for a water audit includes:

- i. Identify and quantify each source of water.
- ii. Identify, quantify and verify authorized metered water uses.
- iii. Identify and estimate unmetered water uses.
- iv. Identify and estimate water loss.

g. Leak Detection and Repair Program

The LMWD does not have a leak detection program in place. However, staff addresses leaks in the water distribution system when a customer calls in, when there is low pressure in the system, when there is no water, or when staff has been notified that water is visible on alleys and/or roadways. In addition, water plant operators monitor tank levels and pressure through a SCADA system at Water Pant #2. This information is a monitoring system that can be used to indicate differentials through the LMWD system.

The LMWD will continue taking the following actions to improve and prevent continuing water loss in the distribution system:

- i. The LMWD will continue with line replacement; as it is an ongoing program to maintain high standards with high quality materials.
- ii. Establish a leak detection program in the distribution system.
- iii. Continue with valve maintenance and replacement

h. Pressure Control in the Distribution System

The water distribution system provides economical and compatible facilities that are capable of furnishing sufficient water at suitable pressures. The system consists of almost 200 miles of underground water mains, two pump stations, two ground storage tanks, 2 clearwells, five elevated storage tanks, and approximately 7,161 meters.

After treating the water, it is pumped into the distribution system with excess water being stored in the elevated tanks. The distribution network is laid out in a continuous looped system to circulate water and maintain constant system pressures of about 45 psi.

i. Water Recycling and Reuse

As previously mentioned, the LMWD currently recycles water within their wastewater plants for non-potable use. This includes washing down stations and chlorine system. The LMWD will continue to pursue wastewater effluent reuse opportunities to accommodate future growth

j. Conservation Programs for Industrial, Commercial and Institutional Customers (ICI)

The LMWD will develop a water conservation program for ICI customers that will include the resources to implement efficient water management practices that will help them reduce operating costs for water and energy without sacrificing production quality. In addition, this program will help ICI customers become more efficient to reduce the impact of any potential mandatory water regulation brought by any water shortages. Best of all, a well-planned, efficient program will help extend the LMWD service area.

k. Conservation Additional Requirements (Population over 5,000)

The Texas Administrative Code includes additional requirements for water conservation plans for drinking water suppliers serving populations over 5,000.

288.2(a)(2)(C) – Requirement for Water Conservation Plans by Wholesale Customers

Should LMWD acquire a Wholesale Customer, a requirement in every wholesale water supply contract entered into or renewed after the adoption of the plan (by wither ordinance, resolution, or tariff), each successive wholesale customer develop and implement a water conservation plan or water conservation measures following the requirements of *Title 30, Part 1, Chapter 288, Subchapter A., Rule 288.2* of the Texas Administrative Code. The requirement will also extend to each successive wholesale customer in the resale of the water, 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 customer be required to implement conservation measures in accordance with the provision of this chapter.

l. Implementation and Enforcement

The General Manager (GM) at the Laguna Madre Water District or his/her designee will be responsible for the implementation and enforcement of the Water Conservation Plan. In addition, he or she will ensure that records are maintained in the administration building to prepare reports requested by TCEQ.

m. Coordination with Regional Water Planning Groups

The District will be in coordination with our Rio Grande Regional Water Planning Group (Region M) for the Water Conservation Plan. A copy of the water conservation plan will be provided to the Texas Water Development Board.

n. Periodic Review

The LMWD personnel will ensure that water conservation goals are monitored and unaccounted water is identified. LMWD will update and inform the General Manager of the amendments made to the water conservation plan. It will meet current and future demands.

VII. Drought Contingency Plan

A Drought Contingency Plan for a Retail Public Water Supplier is provided on the following page using format provided by form TCEQ-20191.



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

Drought Contingency Plan for a Retail Public Water Supplier

This form is provided as a model of a drought contingency plan for a retail public water supplier, modified by Laguna Madre Water District. 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.

Drought Contingency Plans must be formally adopted by the governing body of the water provider and documentation of adoption must be submitted with the plan. For municipal water systems, adoption would be by the city council as an ordinance. For other types of publicly-owned water systems (example: utility districts), plan adoption would be by resolution of the entity's board of directors adopting the plan as administrative rules. For private investor-owned utilities, the drought contingency plan is to be incorporated into the utility's rate tariff. Each water supplier shall provide documentation of the formal adoption of their drought contingency plan.

Name: Laguna Madre Water District

Address: 105 Port Road, Port Isabel, Texas 78578

Telephone Number: (956) 943-2626 Fax: (956) 943-6827

Water Right No.(s): 23-850

Regional Water Planning Group: M

Form Completed by: Charles F. Ortiz, P.E.

Title: District Engineer

Person responsible for implementation: Carlos J. Galvan, Jr. Phone: (956) 943-2626

Signature: _____ Date: 9 / 14 / 2022

Section I: 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 Laguna Madre Water District (*name of your water supplier*) hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (the Plan) are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section X of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the Laguna Madre Water District (*name of your water supplier*) by means of website, public Board Meetings, email, and notifications included with bills (*describe methods used to inform the public about the preparation of the plan and provide opportunities for input; for example, scheduling and providing public notice of a public meeting to accept input on the Plan*).

Section III: Public Education

The Laguna Madre Water District (*name of your water supplier*) 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 website, discussion at Board Meetings, email, Customer Service, and notifications included with bills (*describe methods to be used to provide information to the public about the Plan; for example, public events, press releases or utility bill inserts*).

Section IV: Coordination with Regional Water Planning Groups

The service area of the Laguna Madre Water District (*name of your water supplier*) is located within the Rio Grande Regional Water Planning Group (Region M) (*name of regional water planning area or areas*) and Laguna Madre Water District (*name of your water supplier*) has provided a copy of this Plan to the Texas Water Development Board and Region M (*name of your regional water planning group or groups*).

Section V: Authorization

The General Manager (*designated official; for example, the mayor, city manager, utility director, general manager, etc.*), 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 General Manager (*designated official*) or his/her designee shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the Laguna Madre Water District (*name of your water supplier*). The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the 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, hotels and motels, restaurants, and office buildings.

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

Customer: any person, company, or organization using water supplied by Laguna Madre Water District (name of your water supplier).

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

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

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

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

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

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

Section VIII: Criteria for Initiation and Termination of Drought Response Stages

The General Manager (designated official) or his/her designee shall monitor water supply and/or demand conditions on a monthly (example: daily, weekly, monthly) basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified "triggers" are reached.

The triggering criteria described below are based on:

Falcon and Amistad Reservoir Information provided in monthly reports prepared by Texas Commission on Environmental Quality Rio Grande Water Division - Lower, Rio Grande Watermaster.

(Provide a brief description of the rationale for the triggering criteria; for example, triggering criteria / trigger levels based on a statistical analysis of the vulnerability of the water source under drought of record conditions, or based on known system capacity limits).

Utilization of alternative water sources and/or alternative delivery mechanisms:

Alternative water source(s) for Laguna Madre Water District (name of utility) is/are: Use of reclaimed water for non-potable purposes; future direct potable reuse and/or seawater desalination treatment facilities.

(Examples: Other well(s), Inter-connection with other system, Temporary use of a non-municipal water supply, Purchased water, Use of reclaimed water for non-potable purposes, etc.).

Stage 1 Triggers -- MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII Definitions, when the level of U.S. combined storage in Amistad and Falcon Reservoirs reaches 50% or below.

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.

Stage 2 Triggers - MODERATE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when the level of the U.S. combined storage in Amistad and Falcon Reservoirs is 40% or below .

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, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers - SEVERE Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when the level of the U.S. combined storage in Amistad and Falcon Reservoirs is 25% or below.

Requirements for termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. Upon termination of Stage 3, Stage 2, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 4 Triggers - CRITICAL Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when the level of the U.S. combined storage in Amistad and Falcon Reservoirs is 15% or below.

Requirements for termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. Upon termination of Stage 4, Stage 3, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers - EMERGENCY Water Shortage Conditions

Requirements for initiation

Customers shall be required to comply with the requirements and restrictions for Stage 5 of this Plan when General Manager, or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; **or**
2. Natural or man-made contamination of the water supply source(s).

Requirements for termination

Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Section IX: Drought Response Stages

The 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 VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

The General Manager or his/ her designee shall notify the public by means of:

Examples:
Notifications on Website: <https://www.lmwd.org/>
publication in a newspaper of general circulation,
direct mail to each customer,
public service announcements,
signs posted in public places
take-home fliers at schools.

Additional Notification:

The General Manager or his/ her designee shall notify directly, or cause to be notified directly, the following individuals and entities:

Examples:
Mayors and City Managers for South Padre Island, Port Isabel, and Laguna Vista

Fire Chief(s)
City and/or County Emergency Management Coordinator(s)
County Judge & Commissioner(s)
State Disaster District / Department of Public Safety
TCEQ (required when mandatory restrictions are imposed)
Major water users
Critical water users, i.e. hospitals
Parks / street superintendents & public facilities managers
General Manager for Long Island Village

Note: The plan should specify direct notice only as appropriate to respective drought stages.

Stage 1 Response - MILD Water Shortage Conditions

Target: Achieve a voluntary 3 percent reduction in total water use.

Best Management Practices for Supply Management:

The District intends to implement the use of an alternative supply source(s). Both Seawater Treatment Desalination and/or a Port Isabel Water Reclamation Facility (i.e. potable reuse) are being considered at this time. The District purchases additional Water Rights to keep allocation higher than demand at all times.

Voluntary Water Use Restrictions for Reducing Demand:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Mondays and Thursdays for customers in Laguna Heights and Laguna Vista, Tuesdays and Fridays for water customers on South Padre Island, and Saturdays and Wednesdays for water customers in Port Isabel and Long Island Village, and to irrigate landscapes only between 7:00 p.m. to midnight on designated watering days and between the hours of midnight and 7:00 a.m. the following day.
- (b) All operations of the Laguna Madre Water District shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response - MODERATE Water Shortage Conditions

Target: Achieve a 5 percent reduction in total water use.

Water Use Restrictions for Demand Reduction:

Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Mondays and Thursdays for customers in Laguna Heights and Laguna Vista, Tuesdays and Fridays for customers on South Padre Island, and Saturdays and Wednesdays for water customers in Port Isabel and Long

Island Village, and irrigation of landscaped areas is further limited to the hours of 7:00 p.m. and 12:00 midnight on designated watering days and between the hours of midnight and 7:00 a.m. the following day. 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 of five (5) gallons or less, or drip irrigation system.

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between 7:00 p.m. and 12:00 midnight and between the hours of 12:00 midnight and 7:00 a.m. the following day. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between 7:00 p.m. and 12:00 midnight and between the hours of 12:00 midnight and 7:00 a.m. the following day.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the Laguna Madre Water District.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours 7 p.m. and 12:00 midnight and between 12:00 midnight and 7:00 a.m. the following day.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response - SEVERE Water Shortage Conditions

Target: Achieve a 10 percent reduction in total water use .

Water Use Restrictions for Demand Reduction:

All requirements of Stage 2 shall remain in effect during Stage 3 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 7 p.m. and 12:00 midnight and between 12:00 midnight and 7:00 a.m. the following day and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.

Stage 4 Response - CRITICAL Water Shortage Conditions

Target: Achieve a 15 percent reduction in total water use .

Water Use Restrictions for Reducing Demand:

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

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 10 p.m.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded, or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response - EMERGENCY Water Shortage Conditions

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

Water Use Restrictions for Reducing Demand:

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

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

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the Laguna Madre Water District for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by General Manager (*designated official*), or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than two hundred dollars (\$ 200) and not more than one thousand dollars (\$ 1,000). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the General Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$ 25 , and any other costs incurred by the Laguna Madre Water District in discontinuing service. In addition, suitable assurance must be given to the General Manager (*designated official*) that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the Laguna Madre Water District , in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any employee of the Laguna Madre Water District , police officer, or other District employee designated by the General Manager (*designated official*), may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense

charged, and shall direct him/her to appear in the Justice of the Peace, Precinct 1, Place 1 Cameron County court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in Justice of the Peace, Precinct 1, Place 1 Cameron County court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in Justice of the Peace, Precinct 1, Place 1 Cameron County court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in Justice of the Peace, Precinct 1, Place 1 Cameron County court before all other cases.

Section XI: Variances

The General Manager (*designated official*), 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.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the Laguna Madre Water District within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the General Manager (*designated official*), or his/her designee, and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) Purpose of water use.
- (c) Specific provision(s) of the Plan from which the petitioner is requesting relief.
- (d) Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Ordinance.
- (e) Description of the relief requested.
- (f) Period of time for which the variance is sought.
- (g) Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (h) Other pertinent information.

Appendix "A"
Water Utility Profile

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

CONTACT INFORMATION

Name of Utility: **LAGUNA MADRE WATER DISTRICT**

Public Water Supply Identification Number (PWS ID): **TX0310005**

Certificate of Convenience and Necessity (CCN) Number: **[REDACTED]**

Surface Water Right ID Number: **[REDACTED]**

Wastewater ID Number: **[REDACTED]**

Contact: First Name: **Noe** Last Name: **Cantu**
Title: **Water Plant Manager**

Address: **105 Port Road** City: **Port Isabel** State: **TX**
Zip Code: **78578** Zip+4: **[REDACTED]** Email: **[REDACTED]**
Telephone Number: **9569432626** Date: **[REDACTED]**

Is this person the designated Conservation Coordinator? Yes No

Coordinator: First Name: **Robert** Last Name: **Gomez**
Title: **Director of Operations**

Address: **105 Port Road** City: **Port Isabel** Zip Code: **78578**
Email: **[REDACTED]** Telephone Number: **856-943-2626**

Regional Water Planning Group: **M**

Groundwater Conservation District: **[REDACTED]**

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: **57**

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Attached file(s):

File Name	File Description
LMWD District Boundary Map July 2021.pdf	LMWD District Boundary Map

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
2021	21,483	0	21,483
2020	20,892	0	20,892
2019	21,447	0	21,447
2018	17,877	0	17,877
2017	20,739	0	20,739

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
2030	25,441	0	25,441
2040	29,944	0	29,944
2050	34,447	0	34,447
2060	38,950	0	38,950
2070	43,453	0	43,453

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

Attached file(s):

File Name	File Description
2022.xlsx	

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
2021	1,332,892,147	0	0	1,332,892,147	170
2020	1,364,404,167	0	0	1,364,404,167	179
2019	1,302,864,000	0	0	1,302,864,000	166
2018	1,431,298,990	0	0	1,431,298,990	219
2017	1,432,065,130	0	0	1,432,065,130	189
Historic Average	1,372,704,887	0	0	1,372,704,887	185

C. Water Supply System

1. Designed daily capacity of system in gallons 10,900,000
2. Storage Capacity
 - 2a. Elevated storage in gallons: 1,325,000
 - 2b. Ground storage in gallons: 2,550,000

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)
2023	39,170	1,572,667,470
2024	43,237	1,735,983,904
2025	47,305	1,899,300,339
2026	51,373	2,062,618,773
2027	55,440	2,25,933,207
2028	59,508	2,389,249,641
2029	63,576	2,552,566,076
2030	67,643	2,715,882,510
2031	71,711	2,879,198,944
2032	75,779	3,042,515,379

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

Historic GPCD multiplied by projected population growth multiplied by 365 days/year. Population was forecasted using last five years of population.

E. High Volume Customers

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	5,401	75.42 %
Residential - Multi-Family	929	12.97 %
Industrial	3	0.04 %
Commercial	779	10.88 %
Institutional	47	0.66 %
Agricultural	2	0.03 %
Total	7,161	100.00 %

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

Year	Net Number of New Retail Connections						Total
	Residential - Single Family	Residential - Multi-Family	Industrial	Commercial	Institutional	Agricultural	
2021	5,401	929	3	779	47	2	7,161
2020	5,192	932	3	786	48	3	6,964
2019	5,125	1,071	4	879	67	3	7,149
2018	5,027	1,051	4	870	68	2	7,022
2017	5,061	832	8	950	59	3	6,913

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
2021	429,631,600	334,032,900	28,964,800	352,157,800	10,431,900	9,392,800	1,164,611,800
2020	465,832,600	330,507,300	28,722,500	332,879,400	18,277,700	149,190,300	1,325,409,800
2019	453,667,700	328,202,300	32,078,500	344,020,400	19,535,400	128,134,800	1,305,639,100
2018	461,285,300	325,097,300	37,647,700	365,163,100	20,400,300	110,323,500	1,319,917,200
2017	524,931,100	262,182,700	38,086,400	422,982,900	19,060,200	113,891,800	1,381,135,100

C. Residential Water Use

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

Year	Total Residential GPCD
2021	110
2020	119
2019	115
2018	121
2017	122
Historic Average	117

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				
	2021	2020	2019	2018	2017
January	90,522,000	90,263,000	84,646,000	90,753,000	100,217,000
February	84,736,000	84,128,000	82,063,000	86,082,000	94,656,000
March	104,992,000	111,555,000	97,419,000	121,821,000	116,883,000
April	100,831,000	83,241,000	101,708,000	109,879,000	127,120,000
May	103,056,000	127,767,000	118,639,000	132,918,000	139,966,000
June	127,404,000	133,514,000	129,771,000	151,900,000	145,002,000
July	137,928,000	133,683,000	160,860,000	192,221,000	165,305,000
August	132,100,000	128,025,000	149,616,000	177,385,000	138,527,000
September	112,257,000	105,184,000	108,356,000	100,719,000	122,205,000
October	99,182,000	108,302,000	98,270,000	89,279,000	101,454,000
November	89,751,000	103,267,000	84,542,000	79,680,000	90,957,000
December	90,173,000	92,889,000	86,974,000	84,349,000	87,109,000
Total	1,272,912,000	1,309,828,000	1,302,864,000	1,416,986,000	1,429,201,000

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				
	2021	2020	2019	2018	2017
January	1,519,500	932,600	684,000	951,800	489,400
February	1,288,200	1,063,700	372,200	770,300	912,200
March	841,200	1,338,600	535,900	921,500	894,300
April	1,141,100	13,636,100	443,400	1,173,900	839,500
May	1,393,900	16,373,300	1,251,100	1,548,100	968,900
June	889,400	16,973,800	21,727,500	1,242,200	898,300
July	1,324,600	10,687,000	1,733,100	759,700	1,088,000
August	36,200	30,230,700	3,481,600	1,217,700	1,599,800
September	222,800	1,485,300	2,880,400	1,225,500	1,752,000
October	283,800	920,300	1,665,600	879,700	953,800
November	353,000	1,192,200	1,160,000	823,300	743,300
December	294,800	1,141,100	1,016,900	297,000	919,200
Total	9,386,500	95,974,700	36,881,700	11,810,700	12,036,700

3. Summary of seasonal and annual water use.

	Summer RETAIL (Treated + Raw)		Total RETAIL (Treated + Raw)	
2021	399,682,200	0	1,282,298,500	
2020	453,113,500	0	1,405,802,700	
2019	467,169,200	0	1,339,745,700	
2018	524,725,600	0	1,428,796,700	
2017	452,398,100	0	1,441,237,700	
Average in Gallons	459,417,720	0.00	1,379,576,280	0.00

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
2021	162,486,755	21	0.00 %
2020	21,939,315	3	0.00 %
2019			0.00 %
2018	93,490,553	14	0.00 %
2017	30,191,307	4	0.00 %
Average	77,026,983	11	0.00 %

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)
2021	3,751	5,406	1.441
2020	3,578	4,450	1.244
2019	3,894	5,898	1.515
2018	3,873	7,360	1.898
2017	3,949	8,031	1.527

G. Summary of Historic Water Use

Water Use Category	Historic Average	Percent of Connections	Percent of Water Use
Residential - Single Family	467,069,660	75.42 %	35.95 %
Residential - Multi-Family	316,004,500	12.97 %	24.32 %
Industrial	33,099,980	0.04 %	2.55 %
Commercial	363,440,720	10.88 %	27.97 %
Institutional	17,541,100	0.66 %	1.35 %
Agricultural	102,186,640	0.03 %	7.86 %

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

H. System Data Comment Section

Section III: Wastewater System Data

A. Wastewater System Data

1. Design capacity of wastewater treatment plant(s) in gallons per day 5.96

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

Water Use Category	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal			0	100 0.00 %
Industrial			0	0.00 %
Commercial			0	0.00 %
Institutional			0	0.00 %
Agricultural			0	0.00 %
Total			0	100.00 %

3. Percentage of water serviced by the wastewater system 100 %

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				
	2021	2020	2019	2018	2017
January	61,840,000	49,479,000	54,614,000	48,994,000	56,586,000
February	52,383,000	48,795,000	62,453,000	48,707,000	55,558,000
March	65,336,000	47,049,000	63,669,000	57,983,000	66,920,000
April	67,523,000	37,260,000	58,602,000	44,543,000	63,392,000
May	84,258,000	56,676,000	63,398,000	48,324,000	62,819,000
June	89,480,000	67,165,000	75,330,000	60,056,000	74,282,000
July	113,785,000	89,295,000	84,002,000	81,827,000	88,788,000
August	88,806,000	68,878,000	58,347,000	67,632,000	68,183,000
September	74,806,000	69,712,000	51,912,000	49,443,000	54,332,000
October	89,711,000	65,676,000	47,934,000	46,835,000	53,369,000
November	71,363,000	58,784,000	42,029,000	47,085,000	51,531,000
December	74,047,000	41,032,000	45,147,000	50,303,000	61,660,000
Total	933,139,000	677,771,000	897,337,000	651,712,000	745,320,000

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	0
Plant wash down	0
Chlorination/de-chlorination	0
Industrial	0
Landscape Irrigation (park, golf courses)	1,537,000
Agricultural	0
Discharge to surface water	0
Evaporation Pond	0
Other	0
Total	1,537,000

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

C. Wastewater System Data Comment

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

RESOLUTION NO. 194-08-2022 ADOPTING THE REVISED WATER CONSERVATION & DROUGHT CONTINGENCY PLAN FOR LAGUNA MADRE WATER DISTRICT

WHEREAS, the Laguna Madre Water District (District) previously adopted a Water Conservation and Drought Contingency Plan on May 10, 2017; and

WHEREAS, a Water Conservation and Drought Contingency Plan must be updated and adopted by the District; and,

WHEREAS, Section 11.1271 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality and Texas Water Development Board require all public water supply systems in Texas to prepare a water conservation plan; and,

WHEREAS, as authorized under a law and in the best interests of the customers of the Laguna Madre Water District, the Board of Directors deems it reasonable and necessary to establish specific rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies; and

WHEREAS, The Board of Directors further finds, determines, and declares that the meeting at which this resolution has been considered and acted upon was open to the public and public notice of the time, place, and subject of said meeting was duly given, all as required by Texas Water Code Ann. 49.063; Now, therefore,

BE IT RESOLVED by the Board of Directors of the Laguna Madre Water District that:

SECTION 1. The Revised Water Conservation & Drought Contingency Plan attached hereto is hereby adopted as the official policy of the Laguna Madre Water District.

SECTION 2. The Laguna Madre Water District General Manager and their designee are hereby directed to implement, administer and enforce the Revised Water Conservation & Drought Contingency Plan.

SECTION 3. This resolution shall take effect immediately upon its approval.

PASSED AND APPROVED this 14th day of September 2022.

ATTEST:



Jason Starkey, Secretary


Scott Friedman, Chairman

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

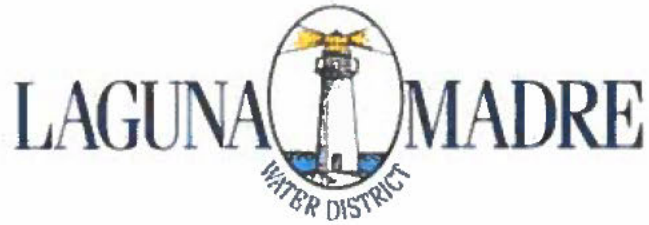
	Description	Amount (\$)
Filing Fee	Circle fee correlating to the total amount of water* requested for any new appropriation and/or impoundment. Amount should match total on Worksheet 1, Section 1. Enter corresponding fee under Amount (\$). In Acre-Feet a. Less than 100 \$100.00 b. 100 - 5,000 \$250.00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

2. AMENDMENT OR SEVER AND COMBINE

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

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		\$



Laguna Madre Water District (LMWD) has purchased 183.13 acre-feet of municipal water rights from the Bayview Irrigation District with the intended purpose of continuing to use them as municipal rights. The existing use of rights is under account 835, that serves Bayview, Tx, and the proposed use of rights is under account 850, which serves Port Isabel, Laguna Heights, Laguna Vista and South Padre Island, Tx. The diversion point for LMWD will remain the same under the account 850, attachment provided. LMWD intends to sever from 835 and combine with 850.

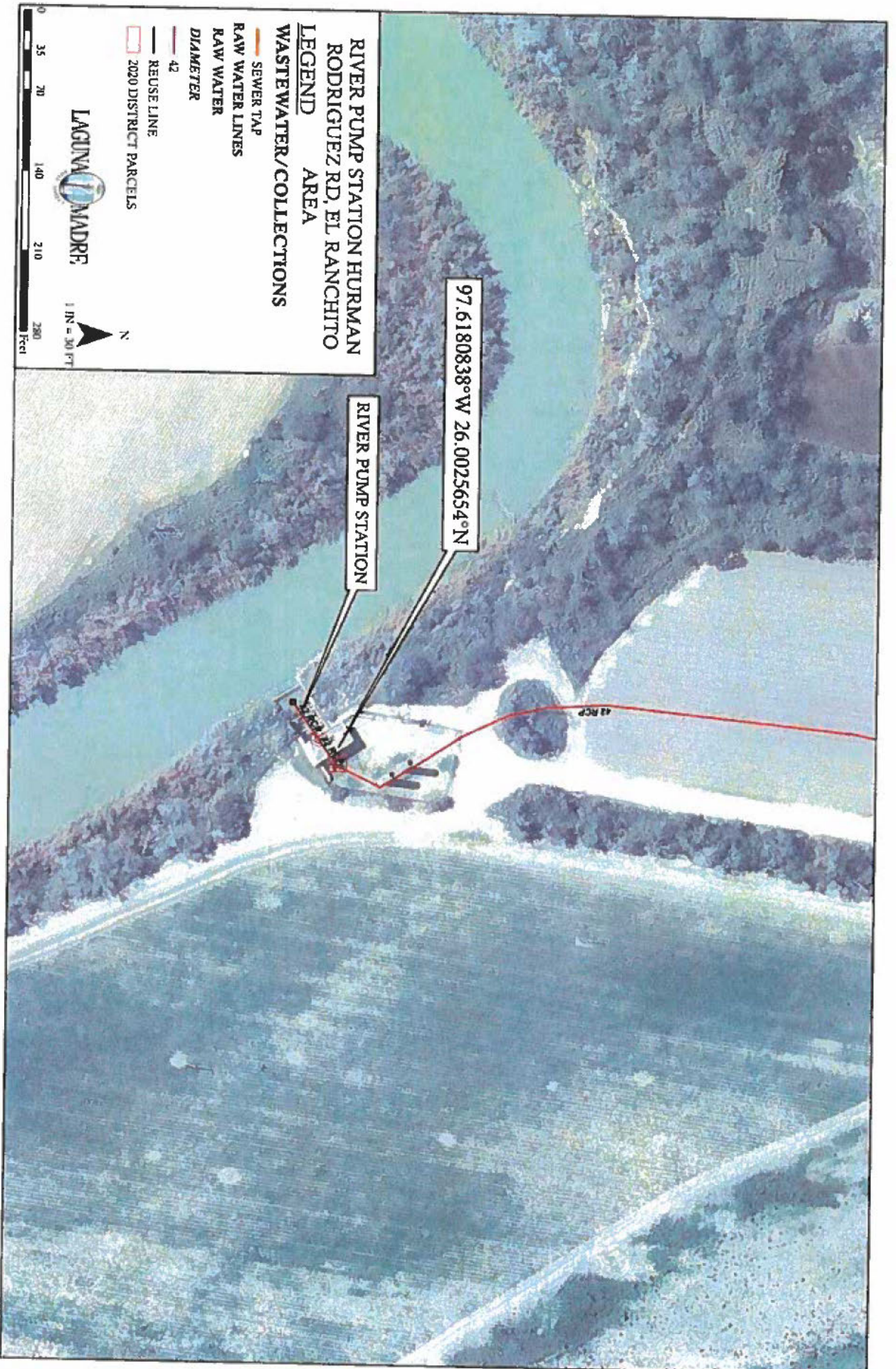
Noe Cantu Jr

A handwritten signature in black ink, appearing to read "Noe Cantu Jr", written over a light blue horizontal line.

Superintendent of Water

956-943-2626 x 101

956-572-0382



**RIVER PUMP STATION HURMAN
RODRIGUEZ RD, EL RANCHITO
AREA**

WASTEWATER/COLLECTIONS

- SEWER TAP
- RAW WATER LINES
- RAW WATER
- DIAMETER
- 42
- REUSE LINE
- 2020 DISTRICT PARCELS

LAGUNA MADRE

1 IN = 30 FT

0 35 70 140 210 280 Feet

History

The Laguna Madre Water District (formerly Cameron County Fresh Water Supply District No. 1) was created by order of the Commissioner's Court of Cameron County, Texas, on December 5, 1950, as a Fresh Water Supply District pursuant to the provisions of Chapter 4, Title 128, Vernon's Texas Civil Statutes, as amended (now Chapter 53, Texas Water Code) and the creation thereof was duly and lawfully confirmed at an election held for such purpose as required by law.

The Board of Supervisors of the District, acting pursuant to the authority conferred by Chapter 54, Texas Water Code, duly and lawfully adopted and entered in the minutes of the Board of Supervisors resolution declaring that in its judgments, conversion into a municipal utility district operating under Chapter 54 and under Article XVI, Section 59, of the Texas Constitution, would serve the best interest of the District and would be a benefit to the land and property included in the District. The Commission on, October 23, 1973, duly passed an order to convert the district into a Municipal Utility District.

Finally, on November 8, 1995, the Board of Directors of Cameron County Fresh Water Supply District No. 1 changed the name to Laguna Madre Water District.

§ 49.053

GENERAL LAW DISTRICTS Title 4

§ 49.053. Quorum

A majority of the membership of the board constitutes a quorum for any meeting, and a concurrence of a majority of the entire membership of the board is sufficient for transacting any business of the district. This section does not apply to special water authorities.

Added by Acts 1995, 74th Leg., ch. 715, § 2, eff. Sept. 1, 1995.

Historical and Statutory Notes

Prior Laws:

Acts 1971, 62nd Leg., p. 782, ch. 84, § 1.
Acts 1983, 68th Leg., p. 2448, ch. 435, § 4.
Acts 1985, 69th Leg., ch. 447, § 1.

Acts 1985, 69th Leg., ch. 688, § 1.
Acts 1987, 70th Leg., 2nd C.S., ch. 68, § 1.
Acts 1989, 71st Leg., ch. 684, § 5.
V.T.C.A., Water Code §§ 50.459, 54.107, 65.107.

§ 49.054. Officers

(a) After a district is created and the directors have qualified, the board shall meet, elect a president, vice-president, secretary, and any other officers or assistant officers as the board may deem necessary, and begin the discharge of its duties.

(b) After each directors election, the board shall meet and elect officers.

(c) The president is the chief executive officer of the district, presides at all meetings of the board, and shall execute all documents on behalf of the district unless the board by resolution authorizes the general manager or other employee of the district to execute a document or documents on behalf of the district. The vice-president shall act as president in case of the absence or disability of the president. The secretary is responsible for seeing that all records and books of the district are properly kept and may attest the president's signature on documents.

(d) If the board appoints a director to serve as treasurer, that director is not subject to the investment officer training requirements of Section 2256.007, Government Code, unless the director is also appointed as the district's investment officer under Chapter 2256, Government Code.

(e) The board may appoint another director, the general manager, or any employee as assistant or deputy secretary to assist the secretary, and any such person shall be entitled to certify as to the authenticity of any record of the district, including but not limited to all proceedings relating to bonds, contracts, or indebtedness of the district.

(f) After any election or appointment of a director, a district shall notify the executive director within 30 days after the date of the election or appointment of the name and mailing address of the director chosen and the date that director's term of office expires. The executive director shall provide forms to the district for such purpose.

(g) This section does not apply to special water authorities.

Added by Acts 1995, 74th Leg., ch. 715, § 2, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 1259, § 1, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 1354, § 6, eff. Sept. 1, 1999.

GENERAL LAW DISTRICTS Ch. 49

His

Acts 1997, 75th Leg., ch. 1259, inserted "unless the board by resolves the general manager or other the district to execute a document o on behalf of the district", substitute "shall" and deleted "all" following den's signature on".

Acts 1999, 76th Leg., ch. 1354, i sec. (d) and relettered former subse as subsecs. (e) to (g).

Prior Laws:

Acts 1925, 39th Leg., p. 96, ch. 25

§ 49.055. Sworn Statement

(a) As soon as practicabl director shall make the sw public office.

(b) As soon as practicable before beginning to perform of office prescribed by the co

(c) Before beginning to i execute a bond for \$10,000 faithful performance of that be approved by the board an

(d) The sworn statement sl bond and oath shall be filec duplicate original of the oa within 10 days after its exact begins to perform the duties

(e) This section does not a

Added by Acts 1995, 74th Leg., 76th Leg., ch. 249, § 2, eff. Aug.

His

Acts 1999, 76th Leg., ch. 249, in the first sentence, substituted "s as prescribed by the constitution. Th", bond,"; in the third sentence, follo inal of the", deleted "sworn stateme and following "after", substituted "their".

Prior Laws:

Acts 1907, p. 82, §§ 18, 19.
Acts 1909, p. 140, §§ 17, 18.
Rev.Civ.St.1911, arts. 2586, 2587, 5584 heree.
Acts 1911, 32nd Leg., p. 251, ch. 19.
Acts 1913, 33rd Leg., p. 380, ch. 1

Barry R. McBee, Chairman
R. B. "Ralph" Marquez, Commissioner
John M. Baker, Commissioner
Dan Pearson, Executive Director



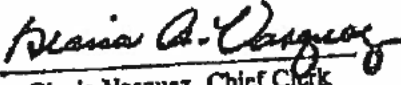
TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
Protecting Texas by Reducing and Preventing Pollution

CHANGE OF NAME FOR
TEXAS NATURAL RESOURCE CONSERVATION COMMISSION
PERMIT NO. 10757-001
FROM CAMERON COUNTY FRESH WATER SUPPLY DISTRICT NO 1
TO LAGUNA MADRE WATER DISTRICT

The name of the above-referenced permit, approved February 3, 1992, has changed. That part of the signature page pertaining to the name and mailing address of the permit holder is hereby changed so that the same shall hereinafter be and read as follows:

"Laguna Madre Water District
105 Port Road
Port Isabel, Texas 78578"

The change of name is in accordance with 30 Texas Administrative Code Section 305.65. This endorsement is part of the permit and should be attached thereto.


Gloria Vasquez, Chief Clerk
Texas Natural Resource Conservation Commission

Issued Date: MAR 28 1996

**RESOLUTION
ADOPTING A CHANGE OF NAME
OF WATER DISTRICT**

WHEREAS, the Board of Directors of the Cameron County Fresh Water Supply District No. 1 have considered a change of name of the water district, and

WHEREAS, the Board of Directors consider that the current name of water district allows the water district to be confused with and associated as part of Cameron County Government; and

WHEREAS, the Board of Directors desire to adopt a name for the water district which is more closely associated with the geographical area that the water district serves; and

WHEREAS, the Board of Directors are of the opinion that a new name would create a new image for the water district, its employees and customers; and

WHEREAS, the Board of Directors have agreed that Laguna Madre Water District is the new name that should be adopted for the water district from this day on.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Cameron County Fresh Water Supply District No. 1 that Laguna Madre Water District be and hereby adopted as the new name of the Cameron County Fresh Water Supply District No. 1.

PASSED AND APPROVED this 8th day of November, 1995.


Joe Castillo, Vice Chairman


Porfirio Vega, Secretary

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



AN ORDER APPROVING A REQUEST BY
CAMERON COUNTY FRESH WATER SUPPLY DISTRICT NO. 1
TO CHANGE ITS NAME TO LAGUNA MADRE WATER DISTRICT

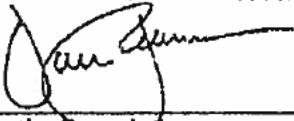
An application by Cameron County Fresh Water Supply District No. 1 (hereafter "District") was presented to the Executive Director of the Texas Natural Resource Conservation Commission (hereafter "Commission") for consideration of approval pursuant to V.T.C.A., TEXAS WATER CODE §§5.122 and 49.071. The District requests approval to change the District's name from Cameron County Fresh Water Supply District No. 1 to Laguna Madre Water District.

The Commission has jurisdiction to consider this matter after examining the application and supporting documentation and finds that the District's request to change its name to Laguna Madre Water District should be approved. The District should also be directed to follow the requirements of V.T.C.A., TEXAS WATER CODE §49.071(c) regarding District actions following a name change.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION that the request by Cameron County Fresh Water Supply District No. 1 to change its name to Laguna Madre Water District is approved. The District is also directed to follow the requirements of V.T.C.A., TEXAS WATER CODE §49.071(c) regarding District actions following a name change.

Issued date: **FEB 16 1996**

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



For the Commission

ATTEST:


Gloria A. Vasquez, Chief Clerk

RECEIVED
MAR 18 1996
E. HERNANDEZ

LAGUNA MADRE WATER DISTRICT
FILING INFORMATION
ITEM #2
BOUNDARY MAP

3274

ORDER GRANTING REQUEST
THAT CAMERON COUNTY FRESH WATER SUPPLY DISTRICT NUMBER ONE BE
CONVERTED TO A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS

TEXAS WATER RIGHTS COMMISSION

On the 19th day of November, 1973, the Texas Water Rights Commission convened in regular session at the regular meeting place in the Sam Houston State Office Building, in Austin, Travis County, Texas, with the following present, to-wit:

Joe D. Carter,	CHAIRMAN
Dorsey Hardeman,	COMMISSIONER

and with the following absent: Otha F. Dent

and there duly came on for hearing the resolution requesting conversion of Cameron County Fresh Water Supply District Number One, in Cameron County, Texas, to a municipal utility district, pursuant to Chapter 54, Texas Water Code, and pursuant to the ORDER OF THE COMMISSION SETTING HEARING ON THE QUESTION OF CONVERSION, duly passed and entered by this Commission on October 23, 1973.

Upon the hearing being opened, the following persons entered their appearances in their respective capacities on behalf of the District; Paul Cunningham, Attorney for the District; Walter W. Zimmerman, President of the Board of Supervisors of the District; and Buddy Reed, General Manager of the District. Leo F. Sanders, Mayor of Port Isabel, Texas, entered an appearance in opposition to said request.

An affidavit of Publication was introduced into evidence by the District showing that proper notice of this hearing was duly published as required by Section 54.032, Texas Water Code.

Thereupon, the above named persons testified orally for and confirmed the findings in the resolution of the Board of Supervisors of the District filed with the Commission and requesting such conversion, and that conversion of the District into one operating under Chapter 54, Texas Water Code, would serve the best interest of the District and would be a benefit to the land and property included in the District. Mr. Sanders testified against and presented evidence against, the District being converted, and the benefits to accrue from conversion.

The Commission, having examined the said resolution and having heard the evidence and the statements of the witnesses, and having fully considered all issues of fact and law relevant to the conversion, and having jurisdiction to act, hereby finds that conversion of the District into one operating under Chapter 54 of the Texas Water Code would serve the best interest of the District and would be a benefit to the land and property included in the District.

The Commission then took under advisement this matter which was later acted upon favorably by the Commission on November 20, 1973.

IT IS, THEREFORE, ORDERED BY THE TEXAS WATER RIGHTS COMMISSION AS FOLLOWS:

1. That the request is granted in all respects.
2. The conversion of Cameron County Fresh Water Supply District Number One into one operating under Chapter 54, Texas Water Code, would serve the best interest of the District and would be a benefit to the land and property included in the District.
3. That the District be constituted a municipal utility district operating under and governed by Chapter 54, Texas Water Code.

4. That the District shall continue to be a conservation and reclamation district under the provisions of Article XVI, Section 59, of the Texas Constitution.

5. That the District have and may exercise all the powers, authority, functions, duties and privileges provided in Chapter 54, Texas Water Code, in the same manner and to the same extent as if the District had been created under said Chapter 54 with the exception that the District shall retain the powers contained in Section 53.109 (a) of the Texas Water Code which grants the District the powers of eminent domain outside the boundaries of the District without limitation, and therefore, Section 54.212 (a) of the Texas Water Code, and the limitation contained therein restricting the exercise of the powers of eminent domain to an area within five miles of the District, shall not apply.

6. That the District shall continue to operate under the name of Cameron County Fresh Water Supply District Number One.

Passed, ordered and approved at Austin, Travis County, Texas, on the 20th day of November, 1973.

s/Joe D. Carter
Joe D. Carter, Chairman
TEXAS WATER RIGHTS COMMISSION

s/Audrey Strandtman
Audrey Strandtman, Secretary
TEXAS WATER RIGHTS COMMISSION

(SEAL)

THE STATE OF TEXAS
COUNTY OF TRAVIS

VOL .75 PAGE 99

I, the undersigned, Secretary of the Texas Water Rights Commission, hereby certify that the foregoing and attached is a true and correct copy of an ORDER CONVERTING CAMERON COUNTY FRESH WATER SUPPLY DISTRICT NUMBER ONE TO A MUNICIPAL UTILITY DISTRICT, duly passed and entered by said Commission on the date indicated therein, the original of which Order is on file in the official and permanent records of said Commission.

I further certify that public notice of the time, place and purpose of the meeting at which said Order was passed was duly given as required by Vernon's Ann. Civ. St. Art. 6252-17.

WITNESS MY HAND and the seal of said Commission
this 12 day of December, 1973.


Audrey Strandtman, Secretary
TEXAS WATER RIGHTS COMMISSION

(SEAL)

VOL 75 100

Handwritten notes:
3274
@ Cameron County
1/28

FILED FOR RECORD
AT 11:45 O'CLOCK AM

FEB 20 1974

LYDIA J. GARCIA
Clerk of the County Court, Tex.
Lydia Garcia

Return To:
Cameron County Fresh Water Supply
District No. 1

STATE OF TEXAS
COUNTY OF CAMERON
I hereby certify that this instrument was FILED FOR
RECORD on the date and in the form stamped hereon by me,
and was duly RECORDED in the date and in the county
shown in the top left hand corner of this instrument.
Clerk of Cameron County, Texas, at the City of Brownsville, Texas.

Worth \$ _____
M. _____
LYDIA J. GARCIA, Clerk of the County Court
Cameron County, Texas

Copy