



Water Conservation Plan

to serve

Fort Bend County Municipal Utility District No. 25

Effective May 1, 2024

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Section 1

This Water Conservation Plan is intended to meet the requirements of the Texas Water Code Section 13.146, which requires the Texas Commission on Environmental Quality (TCEQ) to require retail public utilities that provide potable water service to 3,300 or more connections to submit a water conservation plan to the Texas Water Development Board (TWDB) by May 1, 2024. This Water Conservation Plan (the Plan) is a strategy or combination of strategies for reducing the consumption of water by Fort Bend County Municipal Utility District No. 25, of Fort Bend County, Texas (the District) and reducing the loss or waste of water, improving or maintaining the efficiency in the use of water, or increasing recycling and reuse of water and contains best management practice measures to try to meet the targets and goals identified in the Plan.

1.1 Utility Profile

Profile data for the District is provided in **Appendix A**, Utility Profile TWDB Form 1965 - R. A summary of the information is provided below.

- The District currently obtains its water supply from the Gulf Coast Aquifer via four (4) groundwater wells at four (4) water treatment facilities (Water Treatment Facilities). The groundwater wells at the four water treatment facilities range from 1,000 gallons per minute (gpm) each and to 1,900 gpm. The District independently owns and operates the facilities that withdraw the raw water from the aquifer, treat and disinfect the drinking water supply and deliver the potable water to its retail customers. The District's water utility operates as TCEQ Public Water Supply System 0790130 and serves the area defined by the TCEQ Certificate of Convenience and Necessity (CCN) P0147.
- The District is approximately 2.34 square miles in size located north of U.S. Highway 90A and west of the Sugar Land Municipal Airport located along State Highway 6. The District serves 4,780 retail connections within its boundaries and four (4) retail connections outside its boundaries.
- The current District population is approximately 16,175 as of December 2023, which is estimated by using an average population of 3.5 individuals per connection for all residential households. The population is estimated to grow to 21,949 as of 2034 based on the District growing by 150 connections per year between 2029 and 2034 and estimating an average of 3.5 individuals per connection for all residential connections.
- Water system data compiled from 2023 indicated an average daily water use of 1.6 million gallons and a peak daily use of 2.1 million gallons. Given the population estimate that equates to an average usage of 99 gallons per capita per day (GPCD) and a peak usage of 130 GPCD. The District's current water treatment facilities have the ability to provide 8.274 million gallons per day (MGD) based on well design capacity. The District owns 7 ground storage tanks that provide storage tank capacity of 2,164,000 gallons and has 14 booster pumps that provide a capacity of 8,500 gpm.
- The District owns and operates two wastewater treatment facilities that currently treat the effluent to standards suitable for landscape irrigation uses. The wastewater treatment plant (WWTP) #1 is permitted to discharge 1.6 MGD and WWTP #2 is permitted to discharge a maximum of .5 MGD. The District currently provides non-potable reuse water from WWTP #1 to Black Hawk Country Club and Orchard Lakes Estates Home Owners' Association for use in the landscape amenity basins as well as irrigation for landscaped areas. The total water reused is limited to the amount of effluent generated by the wastewater treatment facility and usage needs by the end users, which varies seasonably.

1.2 Conservation Goals

The District shall use reasonable efforts to reduce water loss and municipal use of water. In doing so, the District identified the following goals for water saving:

- **Five Year Target:** Within five (5) years of the date hereof, the District shall attempt to reduce the average daily municipal use of water by 2 percent of the average daily water usage and to keep the unaccounted water in the system below 13 percent, annually. The current average daily municipal use of water is 96 GPCD. A 2 percent reduction would equate to 99 GPCD.
- **Ten Year Target:** Within ten (10) years of the date hereof, the District shall attempt to reduce the average daily municipal use of water by 2 percent of the average daily water usage and to keep the unaccounted water in the system below 13 percent, annually. The current average daily municipal use of water is 96 GPCD. A 2 percent reduction would equate to 99 GPCD.

Additional reductions in the average daily municipal water use will be challenging to achieve but the District is committed to making these changes. In addition, water use, and population estimates are such that the District may be achieving these GPCD goals already but because of the small difference between the goal and the current GPCD, it may not be detectable.

In order to reach these goals, the District plans to continue the water education program currently in place, leak detection monitoring program, support a plumbing retrofit program, the use of a tiered rate structure and implementation of a universal metering program. The District plans to include a xeriscaping measure in the next rate order update to encourage the use of drought tolerant plants to realize additional reductions in outdoor water use. Previous retrofitting programs and incentives have focused on single family residential customers. The District plans to expand programs to focus on multifamily residential customers and schools. These goals are outlined in more detail in **Section 2**.

The steps defined to achieve water conservation goals may not be the only items implemented by the District and, as other effective measures are determined, such measures may be implemented over the life of the Plan. Notwithstanding the targets identified above, the District shall not be obligated to achieve any water savings, and the District's failure to do so shall not subject the District to any liability whatsoever.

Section 2

Water Conservation Goals

In order to reach the water conservation goals, the District plans to continue the water education program currently in place as well as continued implementation of their leak detection monitoring program, support a plumbing retrofit program, the use of a tiered rate structure, continued implementation of their non-potable reuse program and continued implementation of a universal metering program. The District plans to include a xeriscaping measure in the next rate order update to encourage the use of drought tolerant plants to realize additional reductions in outdoor water use. These goals are outlined in more detail in the following section.

2.1 Public Education Program

The District maintains a public education program that focuses on providing water conservation education materials for its customers on an on-going basis. Such information will be provided to customers through various mediums including but not limited to utility bill inserts, pamphlets provided at public facilities, direct mailings, school presentations, and periodic articles published in a local newspaper or periodicals. When appropriate, the District will also coordinate education efforts with other local water suppliers, agencies and regulators to promote water conservation education.

The District educational program currently focuses on the following groups of water customers:

- **New customers** - Water conservation information is made available to new water customers when applying for service. The information is made available at the District's office and website. Continued implementation of this program is anticipated throughout the life of this water conservation plan.
- **School Education** - The District is committed to bringing water conservation awareness to all the children in schools located within the District through a variety of school education activities, including classroom presentations and activities, and an annual water conservation and stormwater quality calendar contest. Continued implementation of this program is anticipated throughout the life of this water conservation plan.
- **Existing Customers** – The District has several programs in place for existing water customers:
 - **WaterSense Fix a Leak:** The District promotes USEPA's WaterSense Fix a Leak Week every March. Fix a Leak Week encourages the repairing of household leaks to reduce water waste. Continued implementation of this program is anticipated throughout the life of this water conservation plan.
 - **Smart Irrigation Month:** The District also promotes in the Irrigation Association's Smart Irrigation Month each July. Smart Irrigation Month is an initiative to increase awareness of the value of water use and to promote efficient irrigation. Continued implementation of this program is anticipated throughout the life of this water conservation plan.
 - **Water Conservation Rebate Incentive Program:** The District currently has in place a Water Conservation Rebate Incentive program whereby residents voluntarily enroll in a one-year program (annual reenrollment available). If, at the end of the one-year period, the resident has

used less water than the previous year, then the District grants a rebate to the resident. This program is to encourage and reward residential users for taking steps to conserve water and is only available for single family residential connections.

2.2 Leak Detection/Repair Program

The District maintains a comprehensive leak detection/repair program and investigates all reported leaks, performs periodic visual inspections, and schedules leak detection surveys of the water distribution lines. Monthly reports are prepared and incorporated into the monthly and annual system audits. Continued implementation of this program is anticipated throughout the life of this water conservation plan.

2.3 Plumbing Retrofit Program

The District maintains a plumbing retrofit program. As part of this program, the District will provide to every residential connection in the District, upon the residents' request, two low flow shower heads. This program is implemented as part of the District's partnership with the United States Environmental Protection Agency's (USEPA) Water Sense program.

Additionally, as part of this program, the District will subsidize the installation of High-Efficiency Toilets, Rain Harvesting Systems, and/or SMART Irrigation Systems that sense the environment's conditions and automatically adjust the irrigation timing.

Continued implementation of this program is anticipated throughout the life of this water conservation plan.

2.4-Tiered Water Rate Structure

The District uses a tiered water rate structure to encourage water conservation. The user rate is structured as a minimum monthly base rate for the first 5,000 gallons per month for residential and commercial users. After this initial usage, a volumetric charge per each additional thousand (1,000) gallons metered is then applied to customers that charges a higher rate for higher volumes of water metered. The rate structure is conservation-oriented as it discourages high water usage by charging higher rates. A copy of the District's current water rate order is attached as **Appendix B**.

Service regulations that address the conservation of water include the following:

- Requirements that there be no free service
- All Public (including District) usage of water is required to pay the user rates set out in the Rate Order.

Continued implementation of the tiered rate structure is anticipated throughout the life of this water conservation plan.

2.5 Water Reuse Program

The District currently utilizes a water reclamation program to supply amenity ponds and irrigate adjacent property, including the Black Hawk Country Club, Orchard Lakes Estates Home Owners' Association, and District property. The District provides treated wastewater effluent to these entities for use on their grounds to irrigate landscaped areas and for use in the amenity basins/landscape ponds.

The District will assess the feasibility and cost-effectiveness of expanding the current water reuse plan to include other landscaped areas within the District, including roadway medians and rights-of-way, other

subdivision amenity lakes to include Chelsea Harbor Home Owners' Association and Old Orchard Home Owners' Association or other landscaped areas.

The District will also assess the feasibility and cost-effectiveness of utilizing the treated effluent to provide non-potable water to industrial or commercial entities that have use for such water.

Continued implementation of this program is anticipated throughout the life of this water conservation plan.

2.6 Control Unaccounted Water

The District currently has a comprehensive program in place to implement measures to control unaccounted water. As part of this program, the District performs monthly water system audits to track unaccounted for water using the following monthly data: billing data (gallons sold), treated water data (gallons pumped), number of repaired leaks, and estimated gallons lost through leakage and estimated gallons used for line flushing and fire hydrant testing. Additionally, the District performs a detailed water system audit annually as required by the TWDB. Continued implementation of this program is anticipated throughout the life of this water conservation plan.

Section 3

Water Conservation Program Administration

The District maintains several programs to implement and administer the Water Conservation Program. These measures are described in more detail in the following section.

3.1 Source Supply Metering Devices

The District currently meters all supply water as it leaves the Water Treatment Facilities. The meters are calibrated and tested annually to an accuracy of plus or minus five percent (5%).

3.2 Universal Metering and Meter Maintenance

The District meters both customer and public uses of water, and the District's operator will continue to implement any reasonable program for meter testing and repair, and for periodic meter replacement. However, water used for such public purposes as fire-fighting, main or hydrant flushing and street sweeping, shall not be required to be metered.

3.3 Record Management System

The District administers a comprehensive record management system that accounts for its water use characteristics. The record management system is maintained by the District and is configured to provide, at a minimum, the following water use information:

- Water production
- Metered water sales
- Known water losses, including estimated volumes lost during repaired leaks
- Other known water usages

Additionally, the District's record management system further allows for the separation of the water sales and water usage characteristics into additional categories, as required for water usage monitoring

- Residential
- Commercial
- Public/Institutional
- Industrial

3.4 Water Wholesale Agreements

This Plan shall require that any future wholesale water supply contract that the District negotiates with a wholesale customer shall contain a "pass-through" clause that requires direct compliance with the District's accepted Drought Contingency Plan, attached as **Appendix C**, and this Plan.

3.5 Implementation and Enforcement

Without limitation to specific actions stated in this Plan to be taken by the District's operator, the District's operator will administer and enforce this Plan, and will oversee and be responsible for the execution and implementation of all elements of this Plan. The operator will keep adequate records for plan verification. The operator shall prepare the required annual report. The District's operator will report to the Board of the District, at meetings of the Board, requiring actions taken and which need to be taken under this Plan. The District has the authority under the Texas Water Code to implement and enforce this Plan. The District has the ability under the Texas Water Code to adopt and enforce rules pertaining to prevention of waste and unauthorized use of water. Included as **Appendix D** is the Resolution from the District's Board of Directors accepting the terms and conditions of this Plan.

3.6 Coordination with Regional Water Planning Groups

The District is part of the Region H Planning Group and the District has provided a copy of the Plan to this Group (see **Appendix E**).

3.7 Implementation Schedule

The following implementation schedule shall be adhered to in order to achieve the District's targets and goals:

- The District shall maintain master meters already in place as required by **Section 3.1** on an ongoing basis.
- The District shall meter both customer and public uses of water, and the District's operator shall continue to implement a program for meter testing and repair, and for periodic replacement, as required by **Section 3.2** on an ongoing basis.
- The District's operator shall continue to implement the water conservation goals, as required by **Section 2**.
- The District shall explore the implementation of a drought resistant landscape program as part of the next Rate Order update to ensure that residents can use drought resistant landscaping as part of their yard by May 1, 2024 and if determined to be feasible, will be implemented by May 1, 2025.

The District has a program in place to track water use within the system. This existing accounting system will be used to track implementation and effectiveness of the Plan. The system currently in place provides sufficient information to evaluate the implementation of the conservation goals set forth in this Plan such as billing data (gallons sold) and treated water data (gallons pumped).

3.8 Five Year Review

The District shall review and update the Plan every five years, or more frequently, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information.

Appendix A
Utility Profile

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

CONTACT INFORMATION

Name of Utility: FORT BEND COUNTY MUD 25

Public Water Supply Identification Number (PWS ID): TX0790130

Certificate of Convenience and Necessity (CCN) Number: P0147

Surface Water Right ID Number:

Wastewater ID Number:

Contact: First Name: Jose Last Name: Cabrera

Title: Regulatory Compliance

Address: 10347 Clodine Rd City: Richmond State: TX

Zip Code: 77407 Zip+4: Email: jcabrera@waterdistrict25.com

Telephone Number: 2813092596 Date: 3/26/2024

Is this person the designated Conservation Coordinator? Yes No

Regional Water Planning Group: H

Groundwater Conservation District:

Our records indicate that you:

- Received financial assistance of \$500,000 or more from TWDB
- Have 3,300 or more retail connections
- Have a surface water right with TCEQ

A. Population and Service Area Data

1. Current service area size in square miles: 2

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

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

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Water Service
2023	16,175	0	16,175
2022	15,579	0	15,579
2021	15,593	0	15,593
2020	15,593	0	15,593
2019	16,111	0	16,111

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	19,849	0	19,849
2040	25,099	0	25,099
2050	30,349	0	30,349
2060	35,599	0	35,599
2070	40,849	0	40,849

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

population projections were estimated based on growth rate of 150 connections per year and an average of 3.5 persons per connection.

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
2023	607,593,200	0	0	607,593,200	103
2022	584,064,831	0	0	584,064,831	103
2021	517,628,206	0	0	517,628,206	91
2020	578,656,642	0	0	578,656,642	102
2019	552,222,333	0	0	552,222,333	94
Historic Average	568,033,042	0	0	568,033,042	98

C. Water Supply System

1. Designed daily capacity of system in gallons 8,723,520
2. Storage Capacity
 - 2a. Elevated storage in gallons: 0
 - 2b. Ground storage in gallons: 2,164,000

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)
2025	17,224	622,389,240
2026	17,749	641,360,115
2027	18,274	660,330,990
2028	18,799	679,301,865
2029	19,324	698,272,740
2030	19,849	717,243,615
2031	20,374	736,214,490
2032	20,899	755,185,365
2033	21,424	774,156,240
2034	21,949	793,127,115

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

estimated population times the GPCD times 365

E. High Volume Customers

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

Customer	Water Use Category	Annual Water Use	Treated or Raw
Residential	Residential	358,024,300	Treated
Commercial	Commercial	74,159,700	Treated
Institutional	Institutional	34,555,300	Treated
Multi-Family	Residential	33,197,500	Treated

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

Customer	Water Use Category	Annual Water Use	Treated or Raw
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UTILITY PROFILE FOR RETAIL WATER SUPPLIER

F. Utility Data Comment Section

Additional comments about utility data.

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	3,949	82.62 %
Residential - Multi-Family	672	14.06 %
Industrial	0	0.00 %
Commercial	129	2.70 %
Institutional	30	0.63 %
Agricultural	0	0.00 %
Total	4,780	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	
2023	0	0	0	9	0	0	9
2022	0	0	0	2	0	0	2
2021	1	0	0	0	0	0	1
2020	0	0	0	6	0	0	6
2019	0	0	0	5	0	0	5

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
2023	358,024,300	33,197,500	0	74,159,700	34,555,300	0	499,936,800
2022	350,710,800	32,124,500	0	69,251,700	37,462,100	0	489,549,100
2021	315,497,700	36,006,000	0	50,905,700	22,384,600	0	424,794,000
2020	354,990,200	31,724,500	0	55,754,300	9,108,400	0	451,577,400
2019	348,981,100	32,348,000	0	49,624,960	24,811,000	0	455,765,060

C. Residential Water Use

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

Year	Total Residential GPCD
2023	66
2022	67
2021	62
2020	68
2019	65
Historic Average	66

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				
	2023	2022	2021	2020	2019
January	39,698,834	36,537,780	43,745,435	38,947,392	36,882,000
February	32,226,541	34,859,500	45,268,828	36,636,561	32,508,000
March	35,533,775	30,459,530	35,452,953	38,314,719	39,968,000
April	40,861,272	44,433,582	39,957,845	50,613,201	44,388,000
May	39,445,763	45,611,534	39,998,923	50,022,939	47,436,000
June	51,911,316	61,619,528	50,252,436	56,861,641	49,033,000
July	62,689,571	75,523,000	40,231,690	54,103,044	59,638,000
August	80,309,912	68,359,778	48,538,950	56,216,491	62,798,000
September	73,696,014	50,983,928	52,510,892	58,314,000	53,290,000
October	58,642,035	54,611,255	42,362,299	47,287,993	49,210,000
November	51,160,659	41,957,227	39,807,802	47,309,366	39,182,000
December	42,511,176	40,159,506	39,655,441	38,242,729	39,546,000
Total	608,686,868	585,116,148	517,783,494	572,870,076	553,879,000

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				
	2023	2022	2021	2020	2019
January	0	0	0	0	0
February	0	0	0	0	0
March	0	0	0	0	0
April	0	0	0	0	0
May	0	0	0	0	0
June	0	0	0	0	0
July	0	0	0	0	0
August	0	0	0	0	0
September	0	0	0	0	0
October	0	0	0	0	0
November	0	0	0	0	0
December	0	0	0	0	0
Total	0	0	0	0	0

3. Summary of seasonal and annual water use.

	Summer RETAIL (Treated + Raw)	Total RETAIL (Treated + Raw)
2023	194,910,799	608,686,868
2022	205,502,306	585,116,148
2021	139,023,076	517,783,494
2020	167,181,176	572,870,076
2019	171,469,000	553,879,000
Average in Gallons	175,617,271.40	567,667,117.20

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
2023	93,586,858	16	15.40 %
2022	67,726,213	12	11.60 %
2021	69,927,505	12	13.51 %
2020	102,639,379	18	17.74 %
2019	64,686,559	11	11.71 %
Average	79,713,303	14	13.99 %

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)
2023	1,667,635	2118595	1.2704
2022	1,603,057	2233720	1.3934
2021	1,418,584	1511120	1.0652
2020	1,569,507	1817186	1.1578
2019	1,517,476	1863793	1.2282

G. Summary of Historic Water Use

Water Use Category	Historic Average	Percent of Connections	Percent of Water Use
Residential - Single Family	345,640,820	82.62 %	74.44 %
Residential - Multi-Family	33,080,100	14.06 %	7.12 %
Industrial	0	0.00 %	0.00 %
Commercial	59,939,272	2.70 %	12.91 %
Institutional	25,664,280	0.63 %	5.53 %
Agricultural	0	0.00 %	0.00 %

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: 2,100,000

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

Water Use Category	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal	3,969	0	3,969	98.32 %
Industrial	0	0	0	0.00 %
Commercial	64	0	64	1.59 %
Institutional	4	0	4	0.10 %
Agricultural	0	0	0	0.00 %
Total	4,037	0	4,037	100.00 %

3. Percentage of water serviced by the wastewater system: 99.00 %

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

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

Month	Total Gallons of Treated Water				
	2023	2022	2021	2020	2019
January	7,893,555	6,130,588	15,481,855	22,994,800	7,107,000
February	5,661,500	5,283,433	15,021,639	13,837,900	5,332,000
March	7,895,800	6,823,776	17,590,638	10,376,200	14,946,000
April	8,140,555	15,443,931	15,532,115	23,131,500	20,486,600
May	9,123,800	21,929,278	22,505,088	26,016,000	28,806,500
June	18,058,960	25,693,930	20,295,611	25,049,230	27,679,900
July	26,491,300	26,400,112	18,774,130	18,099,000	21,916,200
August	29,024,162	21,171,378	22,950,590	14,834,110	21,102,000
September	31,955,542	12,992,376	25,934,925	21,524,361	22,237,700
October	26,134,457	18,808,816	19,564,493	15,214,168	17,809,700
November	27,281,267	8,147,067	12,289,558	21,973,340	17,652,090
December	29,529,922	10,088,911	8,545,826	16,166,063	17,002,600
Total	227,190,820	178,913,596	214,486,468	229,216,672	222,078,290

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	50,954,455
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (park, golf courses)	78,597,000
Agricultural	
Discharge to surface water	0
Evaporation Pond	0
Other	47,855,000
Total	177,406,455

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

C. Wastewater System Data Comment

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

Appendix B
Rate Order

CERTIFICATE FOR ORDER

I, the undersigned officer of the Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 25, of Fort Bend County, Texas (the "District"), hereby certify as follows:

1. The Board met in regular session on August 3, 2023, at a meeting place of the District, inside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Glenn Farley	President
Escoto Thomas	Vice President/Assistant Secretary
Brian Addicks	Assistant Vice President/Investment Officer
Dan Turner	Secretary
Jeffery Williams	Assistant Secretary

and all of said persons were present except Director Thomas, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

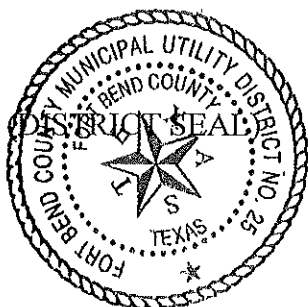
RATE ORDER (August 3, 2023)

was introduced for the consideration of the Board. It was then duly moved and seconded that the Order be adopted, and, after due discussion, the motion, carrying with it the adoption of the document, prevailed and carried by the following vote:

AYES: 4 NAYS: 0

2. That a true, full and correct copy of the aforesaid Order adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; that each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that the Order would be introduced and considered for adoption at the meeting, and each of the officers and members consented, in advance, to the holding of the meeting for such purpose; that the meeting was open to the public as required by law; and that public notice of the time, place and subject of the meeting was given as required by Chapter 551, Texas Government Code, and Section 49.063, Texas Water Code.

SIGNED AND SEALED the 3rd day of August, 2023.





Secretary, Board of Directors

**FORT BEND COUNTY MUNICIPAL UTILITY
DISTRICT NO. 25, OF FORT BEND COUNTY, TEXAS**

RATE ORDER

(August 3, 2023)

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SECTION 1: DEFINITIONS

- A. “Commercial User”** shall mean any user of the District's water and sewer system that is not a Single-Family Residential User or a Multi-Family Residential User, including, but not limited to, commercial establishments, churches, homeowners' association facilities and schools. All multi-tenant commercial establishments must have individual water lines and meters to each tenant space and each tenant must establish an individual service account.
- B. “Multi-Family Residential User”** shall mean any user of the District's water and sewer system, other than a Single-Family Residential User or a Commercial User, that consists of a building designed for use and occupancy by multi-family units, including apartments, townhouses, and other multi-family dwelling units.
- C. “Single-Family Residential User”** shall mean any user of the District's water and sewer system that consists of one residence designed for use and occupancy by a single-family unit.
- D. “Storm Sewer User”** shall mean a user of the District's storm drainage system, including, without limitation, construction site operators and District residents.
- E. “TCEQ”** shall mean the Texas Commission on Environmental Quality and its successors and assigns.
- F. “User”** shall mean any and all persons or entities who use the District's water, sewer and/or storm drainage system, including, but not limited to, the users defined in this Section.

SECTION 2: TAP FEES AND INSPECTIONS

- A. Tap Fees.** Prior to connecting to the District's water system, an electronic water meter must be installed. The fees for such meters are as follows:
- (1) Single-Family Residential Users. Prior to the connection of a Single-Family Residential User to the District's water system with a water meter that is 3/4" or 5/8", a tap fee of \$900.00, plus all expenses incurred by the District in making said connection (provided that the total tap fee paid does not exceed three (3) times the District's actual cost of installing the tap and meter), shall be paid to the District. Prior to the connection of a Single-Family Residential User to the District's water system with a water meter that is 1", a tap fee of \$1,200.00, plus all expenses incurred by the District in making said connection (provided that the total tap fee paid does not exceed three (3) times the District's actual cost of installing the tap and meter), shall be paid to the District.
 - (2) Multi-Family Residential Users and Commercial Users. Prior to the connection of a Multi-Family Residential User or a Commercial User that is not exempt

from the payment of ad valorem property taxes under Texas law, a tap fee equal to up to three (3) times the cost to the District of installing the tap, meter, and any necessary service lines and of repairing or restoring any yards, sidewalks, streets, or other improvements affected by the installation shall be paid to the District. The provisions of this Section 2.A.(2) are effective as of January 1, 2023. Notwithstanding that the repair and/or restoration costs are part of the tap fee, the repair and/or restoration costs shall be billed to the User on a monthly water and sewer bill. No connection will be made to a multi-tenant commercial establishment unless individual water lines and meters have been installed to each tenant space and each tenant has established an individual service account, unless otherwise authorized by the Board of Directors of the District (the "Board"), in its sole discretion.

- (3) Non-Taxable User. Prior to the connection of a Commercial User that is exempt from the payment of ad valorem property taxes under Texas law, a tap fee equal to the District's actual cost of installing the tap, meter and any necessary service lines plus such User's pro rata share of the District's actual cost of the facilities necessary to provide District services to such User that are financed or to be fully or partially financed by the District's tax bonds [as determined by the District's consultants and approved by the Board] shall be paid to the District.
- (4) Irrigation Systems. Prior to connection to the District's water system, a tap fee equal to the District's actual cost for installation plus the cost of the meter shall be paid to the District for irrigation systems that have been authorized by the District and that are to be used solely for the purpose of providing irrigation water to landscaped areas within the District.

B. Installation and Inspections. All connections to the District's water system shall be made by a representative of the District. Connections to the District's water system shall not be allowed prior to an approved sewer inspection as provided in this Order. A backflow prevention assembly must be installed prior to the testing of any line that is connected to the District's water system.

SECTION 3: RULES AND REGULATIONS GOVERNING SEWER HOUSE LINES AND SEWER CONNECTIONS

The following regulations govern the installation of all sanitary sewer connections within the District.

A. Service Lines.

- (1) A "service line" is defined as the sewer line from the foundation of the house, multi-family structure or commercial building to the sewer line owned by the District.
- (2) Only one service line connection to the District's sanitary sewer collection system is

permitted for each residence, multi-family structure or commercial building.

- (3) Only the following types of pipe and fitting materials are approved for constructing service lines. Pipe and fittings in each individual service line will be of identical material.
 - a. Schedule 40 conforming to ASTM, D-1785 and installed as per section II of these specifications.
 - b. Six-inch lines and over; polyvinylchloride (PVC) pressure rated pipe SDR 26 or SDR 21 conforming to ASTM D 2241 SDR 26 with rubber gasket joints conforming to ASTM, F-477 and installed as per section II of these specifications.
- (4) Minimum sizes of service lines shall be as follows:
 - a. Residential – 4 inches in diameter.
 - b. Commercial – 6 inches in diameter.
- (5) Minimum grades for service lines shall be as follows:
 - a. 4-inch pipe – one-foot drop per hundred feet (1%).
 - b. 6-inch pipe – six inches drop per hundred feet (.50%).
 - c. 8-inch pipe – four inches drop per hundred feet (.40%).
- (6) Maximum grades for service lines shall be as follows:
 - a. 4-inch pipe – one-inch drop per ten feet.
 - b. 6-inch pipe – one-inch drop per ten feet.
 - c. 8-inch pipe – one-inch drop per ten feet.
- (7) Service lines shall be constructed to true alignment and grade. Warped and sagging lines will not be permitted.

B. Connection of Building Sewer Outlet to Service Lines.

- (1) A building tie-on connection will be made directly to the stub-out from the building plumbing at the foundation on all waste outlets.
- (2) Water-tight adapters of a type compatible with the materials being joined will be used at the point of connection of the service line to the building plumbing. No cement grout materials are permitted.
- (3) Existing “wye” and stack connections must be utilized for connection of the service line to the sewer main unless an exception is permitted by the District’s operator.

- (4) The physical connection to the sewer main shall be made by use of an adapter of a type compatible with materials being joined. The connection shall be watertight.
- (5) Portion to be cut out from sewer main shall be circular and available for inspection.
- (6) No connection shall be made into a manhole without approval from the District.
- (7) No sewer lines shall be laid within nine (9) feet of a water line unless the sewer pipe and its couplings have a pressure rating of not less than one hundred fifty (150) pounds per square inch (psi).

C. Fittings and Cleanouts.

- (1) No bends or turns at any point will be greater than 45 degrees. Each 45-degree or 22-degree fitting must be no less than six (6) inches apart.
- (2) Each horizontal service line will be provided with a cleanout at its upper terminal; and each such run of piping which is more than fifty (50) feet in length will be provided with a cleanout for each fifty (50) feet, or fraction thereof, in the length of such piping.
- (3) Each cleanout will be installed so that it opens in a direction opposite to the two (2) way flow of the waste and, except in the case of "wye" branch and end-of-the-line cleanouts, cleanouts will be installed vertically above the flow line of the pipe.
- (4) A cleanout must have an air-tight mechanical plug.

D. Connection Permit.

- (1) An application for sanitary sewer service (the "Sewer Application") must be filed prior to construction of the service line and the connection fee should accompany the Sewer Application. (Sewer Application forms are available at the District's offices). Construction must not begin until authorized by the District.
- (2) When the service line is complete, and prior to backfilling the pipe trench, the application for sewer service shall request an inspection of the installation. Requests for inspections shall be made to the District twenty-four (24) hours in advance of the inspection.
- (3) The physical connection to the District's sewer main will be made by use of an adapter of a type compatible with materials being joined. The connection shall be water-tight. No cement grout materials are permitted.
- (4) All tie ends to the District's sewer main shall be sealed inside and out with mortar or grout and inspected.

- (5) Backfilling of service lines trench must be accomplished within twenty-four (24) hours of inspection and approval. The trench backfill material must be clean and free of debris and must be compacted in one-foot lifts to prevent trench settlement.
- (6) A connection permit will be granted after inspection confirming that all requirements of these Rules and Regulations have been met.

SECTION 4: WATER

A. Monthly Water Rates.

- (1) **Builder Connections.** During construction and prior to initial occupancy, a builder shall be charged monthly for water as follows:

0 - 25,000 gals.	\$3.37 per 1,000 gals.
25,001 to 50,000 gals.	\$3.75 per 1,000 gals.
All over 50,000 gals.	\$4.09 per 1,000 gals.

- (2) **Single-Family Residential Users.** Single-Family Residential Users shall be charged monthly for water as follows:

0 - 5,000 gals.	\$20.20 (minimum)
5,001 to 10,000 gals.	\$2.24 per 1,000 gals.
10,001 to 15,000 gals.	\$2.81 per 1,000 gals.
15,001 to 25,000 gals.	\$4.21 per 1,000 gals.
All over 25,000 gals.	\$4.92 per 1,000 gals.

; provided, however, that for new accounts activated or existing accounts finalized during a month, the minimum charge set out above will not apply. Instead, the first or final invoice (as applicable) will be based on a per day estimated usage (as determined by the District) for the number of days in the month the account was active.

- (3) **Multi-Family Residential Users.** For each meter serving a multi-family building, the multi-family building shall be charged monthly for water at the following rates times the number of units served by each meter:

0 - 5,000 gals.	\$14.59 (minimum)
5,001 to 10,000 gals.	\$2.24 per 1,000 gals.
10,001 to 15,000 gals.	\$2.81 per 1,000 gals.
All over 15,000 gals.	\$4.20 per 1,000 gals.

For a multi-family building served by a single meter, the total water usage per month shall be divided by the number of units to determine the monthly water usage per unit. The charge for a single unit shall be calculated on the basis of

the rates set forth above and the unit charge shall be multiplied by the number of units to determine the total charge for the multi-family building.

Water charges in accordance with this subsection shall commence when the District's inspection of the multi-family building's sanitary sewer connection is complete.

- (4) **Commercial Users.** Each business unit occupied by a separate business, including separate establishments within a single building, shall be charged a monthly minimum of \$20.20 per unit *or* per equivalent connection, whether connected by a single meter or multiple meters, for 0 to 5,000 gallons. Water usage in excess of 5,000 gallons per unit or equivalent connection per month shall be charged at the following rates:

5,001 to 10,000 gals.	\$2.24 per 1,000 gals.
10,001 to 15,000 gals.	\$2.81 per 1,000 gals.
15,001 to 25,000 gals.	\$4.21 per 1,000 gals.
All over 25,000 gals.	\$4.92 per 1,000 gals.

- (5) **Irrigation Systems.** Metered water connections authorized by the District and established solely for the purpose of providing water to irrigation systems shall be charged monthly for water usage at the following rates:

0 - 5,000 gals.	\$20.20 (minimum)
5,001 to 15,000 gals.	\$2.52 per 1,000 gals.
15,001 to 25,000 gals.	\$4.20 per 1,000 gals.
Over 25,000 gals.	\$4.92 per 1,000 gals.

There shall be no sewer service charge for irrigation meters.

There shall be no waiver, adjustment or reduction in fees charged and incurred as a result of water loss that occurs on the User's side of the meter once water has been processed through the meter, regardless if the loss is the results of leaks, broken pipes, etc., unless otherwise authorized by the Board in its sole discretion.

Notwithstanding the foregoing, the District reserves the right to forego mailing water bills when the amount due is less than \$1.50.

B. Pressure of Water. The District agrees to use all reasonable efforts to supply adequate pressure of water to any User. The District does not and will not guarantee to any User a specific quantity or pressure of water for any purpose whatsoever. The District is required only to furnish a connection to its water system and in no case shall the District be liable for the failure or refusal to furnish water or any particular amount or pressure of water; however, the District shall use reasonable efforts to supply water to all Users at an acceptable minimum pressure.

C. Sale or Provision of Water. It shall be an unauthorized use of District services and facilities for any person, firm, or entity to sell or use water from the District's water system without having a direct connection to the District's water system, unless such sale or use of water is to or by Users having common ownership or tenancy of the land being served by the District's water system or with the written consent of the Board.

It also shall be an unauthorized use of District services and facilities for any person, firm or entity to sell or provide water from the District's water system to any other person or entity whose service has been disconnected by the District.

D. No Potable Water for Amenity Lakes. It shall be unauthorized use of District services and facilities for any person, firm or entity to use water from the District's water system to recharge, refill, add to or deposit in a lake or other body of water, any portion of which was/is designed, constructed and/or used for amenity purposes.

SECTION 5: SEWER

A. Sewer Connections and Inspections. All connections to the District's sewer system shall be made in accordance with the District's Rules and Regulations Governing Sewer House Lines and Sewer Connections set out in Section 3 (the "Sewer Rules"), as same may be amended from time to time. No sewer connection or house lead shall be covered in the ground before a representative of the District has inspected the connection. A fee of \$50.00 for each single-family residential sewer inspection and a fee of \$75.00 for each multi-family and commercial sewer inspection made by the District shall be charged and paid with the tap fee. If a sewer connection fails an inspection, an additional inspection fee at the same rate shall be paid to the District prior to reinspection.

B. Monthly Sewer Rates.

- (1) Builder Connections. \$23.56 per month for water consumption of 0 to 25,000 gallons per connection per month and \$24.66 per month for water consumption in excess of 25,000 gallons per connection per month.
- (2) Single-Family Residential Users. \$16.83 per month per connection for water consumption of 0 to 15,000 gallons; \$23.56 per month per connection for 15,001 to 25,000 gallons of water consumption; and \$24.68 per month per connection for water consumption in excess of 25,000 gallons.
- (3) Multi-Family Residential Users. \$11.22 per month per unit for water consumption of 0 to 15,000 gallons; \$15.71 per month per unit for 15,001 to 25,000 gallons of water consumption; and \$16.83 per month per unit for water consumption in excess of 25,000 gallons. Sewer charges in accordance with this subsection shall commence when the District's inspection of the multi-family building's sanitary sewer connection is complete.
- (4) Commercial Users. \$16.83 per month per unit or equivalent connection plus: \$1.12

per 1,000 gallons of water consumption of 5,000 gallons to 15,000 gallons per unit or equivalent connections per month; \$2.81 per 1,000 gallons of water consumption from 15,001 gallons to 25,000 gallons per unit or equivalent connections per month; and \$3.37 per 1,000 gallons of water consumption in excess of 25,000 gallons per unit or equivalent connections per month.

Notwithstanding the foregoing, the District reserves the right to forego mailing sewer bills when the amount due is less than \$1.50.

C. Quality of Sewage.

- (1) Domestic Waste. Only ordinary liquid and water-carried waste from domestic activities that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged into the District's sanitary sewer lines. Waste resulting from any process of commerce or industry may not be discharged into the District's sanitary sewer lines except as authorized pursuant to the following subsection.
- (2) Commercial and Industrial Waste. All discharges other than waste described in the preceding subsection are prohibited unless the User has applied to and received written authorization from the District for such discharge. The applicant must file a statement with the District containing the following information:
 - (a) Name and address of applicant;
 - (b) Type of industry, business, activity, or other waste-creative process;
 - (c) Quantity of waste to be discharged;
 - (d) Typical analysis of the waste;
 - (e) Type of pretreatment proposed; and
 - (f) Such other information as the District may request in writing.

The District shall have the right to reject any application for discharge of non-domestic waste into the District's sanitary sewer lines if the District determines in its sole discretion that the proposed discharge may be harmful to the District's sanitary sewer system or the environment. In approving any application for the discharge of non-domestic waste, the District also shall have the right to impose any limitations on such discharge that the District determines in its sole discretion to be necessary to protect the District's sanitary sewer system or the environment.

- (3) National Categorical Pretreatment Standard. If a User is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the Environmental Protection Agency under Section 307 of the federal Clean Water Act, the User is prohibited from discharging pollutants into the District's sanitary sewer system in violation of applicable categorical pretreatment standards.

- (4) District Testing; Pretreatment. The District shall have the right to sample and test any User's discharge at the discretion of the District, with no limit as to the frequency of the tests, and to charge the user for the District's cost of such sampling and testing. The District also shall have the right to require pretreatment, at the User's expense, of any discharge of non-domestic waste if the District determines in its sole discretion that pretreatment of such waste is necessary to protect the District's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to the preceding subsection.

D. Grease Trap and/or Sand Trap Inspections. Any User responsible for a discharge requiring a trap and sampling well and/or a sand trap shall provide equipment and facilities of a type and capacity approved by the District, locate the equipment in a manner that provides ready and easy access for cleaning and inspection, and maintain the equipment in effective operating condition. It shall be the responsibility of the User to maintain and service such User's traps. All traps shall be inspected by the District once a month, and cleaned only by a company having the required licenses and permits. Grease traps and grease interceptors subject to these standards shall be completely evacuated a minimum of every ninety (90) days, or more frequently when:

- (A) twenty-five (25) or more of the wetted height of the grease trap or grease interceptor, as measured from the bottom of the device to the invert of the outlet pipe, contains floating materials, sediment, oils or greases; or
- (B) the discharge exceeds BOD, COD, TSS, FOG, pH, or other pollutant levels established by the District; or
- (C) there is a history of non-compliance.

For each grease and/or sand trap installed, there shall be charged a flat rate initial inspection fee of \$50.00. If the District's operator is required to reinspect the grease and/or sand trap after the initial inspection due to problems or concerns about the grease and/or sand trap, such reinspection shall be charged at the same \$50.00 rate. Thereafter, for each monthly inspection and/or reinspection, if required, a fee of \$50.00 shall be charged.

E. Required Service. No sewer service shall be provided by the District except to customers of the District's water system.

F. Swimming Pool Inspections and Fee. Every User who plans to construct or install a swimming pool within the District shall notify the District in writing prior to commencing construction of the pool. Upon notification by the User of the intention to construct or install a swimming pool, the User shall pay an inspection fee of \$50.00. After the notification is received, the District shall ensure that all drains from the swimming pool are connected to the District's sanitary sewer system. After the drains have been installed, the User shall notify the District, who shall make an inspection of all swimming pool drains to verify that the proper connection is made before service is authorized for said swimming pool.

G. Excluded Flow and Waste. No waste material which is not biologically degradable will be permitted to be discharged into the District's sanitary sewer facilities, including mud and debris accumulated during service line installation or otherwise.

SECTION 6: TEMPORARY WATER SERVICE

A. Meter Required. The District shall be authorized to make a temporary connection to any fire hydrant or flushing valve upon execution of the Temporary Construction Water Permit in the form attached hereto as **Exhibit "D"**. Such temporary service shall be supplied only through a District meter installed by the District.

B. Deposit. The person applying for temporary water service shall be required to deposit \$500.00 with the District to secure (i) the payment for water supplied by the District, (ii) the safe return of the District's meter and other issued equipment, and (iii) the repair of the any and all District equipment and facilities damaged during the temporary water service. Upon receipt of full payment for temporary water used and return of the meter and other District-issued equipment in good condition, the deposit will be returned; provided, however, any damage to the meter, other District-issued equipment or any District facilities damaged during the temporary water service period or any unpaid balances will be paid from the deposit and a \$35.00 fee will be deducted from the deposit if the hydrant wrench is not returned in good condition.

C. Fees. The fees for temporary water service shall be as follows: (1) a \$50.00 one-time setup fee; (2) \$3.00 per 1,000 gallons of water delivered through the meter; and (3) a monthly (each thirty-day period or any portion thereof) rental charge of \$25.00 for a 5/8" meter, \$37.50 for a 1" meter, \$50.00 for a 2" meter and \$100.00 for a 3" meter. The person applying for the temporary water service shall provide a meter reading to the District office between the 15th and 20th day of each month. Failure to report meter readings for two (2) months can result in forfeiture of the deposit required in Section 6.B.

SECTION 7: SECURITY DEPOSITS

The following deposits are required:

A. Construction Deposits. The District shall require a deposit of \$1,500.00 from the developer of each structure in the District to pay for the review of architectural/engineering drawings and the preparation of any utility commitment letters or other agreements relating to the project (the "Consultant Fees"). When the deposit has been reduced to \$250.00, the District's engineer will notify the developer of the need to deposit funds sufficient to return the deposit to the original balance. Upon completion of the project and inspection by the District's engineer and/or operator, and receipt of all governmental approvals, the developer will be refunded the balance of the security deposit, less any expenses incurred by the District for the plan review and approval of such project, including the Consultant Fees. Such deposit also may be applied by the District to the cost of repairing any damage caused to District property by the developer or its agents or subcontractors, whereupon it will be the developer's responsibility to reinstate the original amount of the deposit prior

to the District making any additional water taps for said developer. In addition, the entire deposit will be forfeited as a penalty in the event any provision of this Order or the Rules and Regulations is violated, in addition to any other penalties authorized by law, this Order or the Sewer Rules.

B. Customer Deposits. A deposit of \$75.00 shall be charged to all new Single-Family Residential Users in the District, other than tenants. A deposit of \$150.00 shall be charged to all new Users who rent a single-family structure in the District. A deposit of \$250.00 shall be charged to each individual tenant located in a multi-tenant commercial establishment. A deposit equal to three times the average monthly utility bill, as determined by the District, shall be required of all other Users in the District.

Any User whose service is terminated two (2) times within a six (6) month period pursuant to Section 13A or 13B hereof also shall be required to increase the deposit to two (2) times the amount stated above. Such sums shall be required to be paid prior to service being initiated or restored and shall be held by the District as a deposit to assure prompt payment of all charges for utility service.

No interest will be allowed on deposits. Upon final termination of service, deposits shall be credited against amounts owed to the District and any balance exceeding \$1.50 will be refunded to the User within forty-five (45) days after termination of service.

C. Deposit Transfers. Security deposits may not be transferred from one User to another; provided, however, that a User who moves from one address to another within the District may have the security deposit from the account at the previous address transferred to the account at the new address.

D. Builder Deposits and Inspection Fees. In addition to other deposits required by this Order, a \$2,000.00 deposit shall be required of builders at the time a request for an initial water tap is made for each single-family residential building, commercial building, or other structure in the District, provided no builder shall be required to deposit more than \$6,000 at any one time with the District. Said deposit will be refunded upon a builder's written request; provided, however, that the entire deposit shall be forfeited as a penalty in the event any provision of this Order or the Sewer Rules, as may be amended from time to time, is violated. The deposit described in this subsection may be applied by the District to the cost to repair any damage caused to District property by the builder or the builder's agent or contractor of any tier, whereupon it will be the builder's responsibility to reinstate the original amount of the deposit prior to the District making any additional water taps for said builder.

E. Refund of Deposit. Following full payment of the final bill and all fees and charges, the balance of the refundable portion of a security deposit, if any, will be refunded by check mailed to the account holder.

SECTION 8: BACKCHARGES TO BUILDERS

A. Pre-Facility Inspection. All builders or contractors for property owners within the District must contact the District office prior to starting any work on property within the District, to schedule an inspection to verify the location of District facilities. If any District facility is either damaged or cannot be located, the District's operator will make necessary repairs or locate and make the facilities visible at the expense of the District. A copy of the inspection report will be given to the builder's or contractor's representative. After the inspection and any necessary work is completed, the builder or contractor will then be responsible for paying the costs of all damages, adjustments, relocations and repairs found during the final site survey described below. The cost for each inspection is \$25.00 and must be paid with payment of the tap fee.

B. Final Site Survey. After construction has been completed on the property, but before service is transferred to a User, the District will conduct a final site survey to inspect the water tap, meter and all other District facilities on the property for a fee of \$25.00, which must be paid with payment of the tap fee. The property owner, builder or contractor will be held responsible for any damages or adjustments to District facilities and the cost of repairing, adjusting or relocating the facilities (the "Backcharges") before service will be initiated to a User. If any reinspections are required to ensure that the District's facilities are repaired, relocated or adjusted, a fee in the amount of \$25.00 shall be charged for each such reinspection before service will be transferred to a subsequent User. Payment of the Backcharges or inspection or reinspection fees shall be made on or before the due date of the invoice for said charges. The District may withhold the provision of service to the property or to other property owned by any User, property owner, builder or contractor who has failed to timely pay for the Backcharges or inspection or reinspection fees, including, specifically, the provision of additional taps.

SECTION 9: REGULATORY ASSESSMENT

As required by Section 5.701(n)(1) of the Texas Water Code, each User of the District's water and sanitary sewer system is hereby assessed a charge of one-half of one percent of the District's charge for water and sewer service. This assessment is included in the rate schedules listed above and will be forwarded to the TCEQ for use in paying costs and expenses incurred in its regulation of water districts.

SECTION 10: TRANSFER FEE; NEW SERVICE FEES

A fee in the amount of \$15.00 shall be charged by the District to all Users opening or transferring an account for water and sewer service. The fee shall be billed to each new User as an item on that User's first monthly bill for initial or transfer water and/or sewer service. Additionally, a customer service inspection is required to be performed by the District for each new or transfer account, provided, however, such fee will not exceed more than one inspection per twelve-month period. A \$25.00 fee will be charged for the customer service inspection for Single-Family Residential Users and \$50.00 for all other Users and will be billed on that User's first monthly bill for water and/or sewer service.

SECTION 11: PAYMENT METHOD

All payments required by this Order must be made by check, automatic bank draft, cashier's check, money order, online or telephone check and credit card payments unless otherwise specified in this Order. Certain payment options are made available through service providers who may charge Users a convenience fee. Such convenience fees are the sole responsibility of the User and are separate from any amount owed by the User to the District. Acceptable payment methods for delinquent accounts may be restricted as specified elsewhere in this Order.

SECTION 12: LATE PAYMENTS

A late payment fee of ten dollars (\$10.00) for overdue bills for single-family residential customers and ten percent (10%) of the unpaid balance for all other users will be due the District for any monthly water or sewer bill that is not paid on or before the due date shown on the bill in order to cover the District's costs of collection of such delinquent amount. All accounts not paid by the due date shall be considered delinquent. A waiver of the late fee is permitted once per twelve-month period in the sole discretion of the District provided the account has not been delinquent at any time during the prior twelve-month period.

SECTION 13: TERMINATION AND RECONNECTION OF SERVICE

A. Termination for Delinquent Accounts. The District reserves the right to terminate service to any User whose account is delinquent. In such event, service shall be disconnected only after sending written notice by first class United States mail to the User at the address of the connection and providing the User with an opportunity to contest, explain, or correct the charges, services, or disconnection. The written notice shall inform the User of the amount of the delinquent payment, the date service will be disconnected if payment is not made, the date, time, and place of the next scheduled meeting of the Board, and of the opportunity to contest, explain, or correct the charges, services, or disconnection by presenting (either in person or in writing) such matter to the Board at its next scheduled meeting as shown on the notice. The notice shall be deposited, postpaid, in a post office or official depository under the care and custody of the United States Postal Service at least seven (7) days prior to the date of the scheduled meeting of the Board. A written statement by the District's operator that the notice was so mailed and a certificate of mailing by the United States Postal Service shall be prima facie evidence of delivery of same. If the User appears before the Board (either in person or in writing), the Board shall hear and consider the matter and inform the User of its determination by sending written notice by first class United States mail to the User at the address of the connection.

All accounts that have had water and sewer services terminated for two (2) consecutive billing cycles will be placed on inactive status by the District's Billing Department.

All outstanding delinquent accounts may be turned over to a collection agency and reported to credit bureau and all costs of collection will be added to the User's outstanding

balance.

B. Termination for Rate Order Violations. Any User who violates any provision of this Order, in addition to being subject to all other penalties described herein, shall be subject to having water and sewer service terminated; provided, however, that prior to disconnecting service for such violation, the District shall give written notice, by first class United States mail or otherwise, to such User of the pending disconnection and shall give such User the opportunity to contest, explain, or correct the violation at a meeting of the Board.

C. Reconnection. If service to a User is disconnected for any cause, a reconnection fee of \$50.00 shall be paid to the District before service is again commenced at such location. In addition, all past due and current amounts owed to District shall be paid in full and, if such User has not previously paid a security deposit as required by this Order, the security deposit shall be collected before service is reconnected. Payment of all amounts under this Section must be in the form of cashier's check, money order, or credit card with verified approval code.

D. Termination of Service Upon Request of User. Whenever a User requests that water and sewer service be temporarily discontinued, such User shall notify the District's operator at least two (2) days prior to the time the User desires that such service be discontinued. A charge of \$20.00 shall be made for discontinuing and a charge of \$20.00 for restoring water service when such service is discontinued or restored at the request of the User and the User is not delinquent in the payment of any bill at the time of either request. During the period of temporary discontinuance of service, the normal billing charges will be halted.

E. Billing and Service During Extreme Weather Emergency. Notwithstanding any provisions of this Rate Order to the contrary, a User or entity may not be charged late fees nor have service disconnected for nonpayment of a bill that is due during an extreme weather emergency until after the emergency is over. A User or entity may, within thirty (30) days from the date the extreme weather emergency is over, request from the District a payment schedule for any unpaid bill that is due during an extreme weather emergency. Upon receipt of a timely payment schedule request, the District shall provide, in writing, a payment schedule and a deadline for accepting the payment schedule. The District or the District's operator may, at the discretion of the District and/or the District's operator, determine the terms of the payment schedule described in this paragraph in accordance with applicable laws and regulations. If a User or entity requests a payment schedule pursuant to this paragraph, the District shall not disconnect the User or entity from service for nonpayment of bills that are due during an extreme weather emergency unless: (1) the payment schedule has been offered and the User or entity has declined to accept the payment schedule in a timely fashion; or (2) the User or entity has violated the terms of the payment schedule. Any preexisting disconnection notices issued to a User or entity for nonpayment of bills due during an extreme weather emergency are suspended upon the timely request for a payment schedule made under this paragraph; provided, however, that if: (1) the User or entity does not timely accept a payment schedule offered by the District;

or (2) the User or entity violates the terms of the payment schedule, then any suspended disconnection notices may be reinstated. A User or entity who violates the terms of a payment schedule shall be subject to disconnection from service pursuant to the provisions of this Rate Order. For purposes of this paragraph, "extreme weather emergency" means a period when the previous day's highest temperature in an area did not exceed 28 degrees Fahrenheit and the temperature is predicted to remain at or below that level for the next 24 hours according to the nearest National Weather Service reports for that area. For purposes of this paragraph, an "extreme weather emergency" is over on the second business day the temperature exceeds 28 degrees Fahrenheit.

SECTION 14: OBSTRUCTION

After a water meter has been set, the User shall at all times keep the area in, around and upon the meter, meter box and District easements and property under User's control free from rubbish or obstructions of any kind. Failure to keep the meter and box and District easements and property under User's control free from rubbish or obstructions shall result in disconnection of water service and/or the assessment of charges necessary to remove said obstructions.

SECTION 15: CALIBRATION OF METERS; DAMAGE TO METERS AND APPURTENANCES

A User who suspects that its meter is not accurately measuring the amount of water used may, once within a six-month period, request that the District calibrate such User's meter, at no cost to the User. If, after receiving a copy of the results of the meter test, the User still suspects that the meter is inaccurate, it may, once within a six-month period, request that the District bench test the meter, at no cost to the User. A User may request additional meter tests during a six-month period and shall be responsible for the cost of all such additional tests, unless the results of the additional tests reveal a problem with the meter.

No person other than a duly authorized agent of the District shall open any meter box, repair, alter, adjust, remove, make connections or additions to or in any other way take any action which affects any meter, meter box, service line or other water and/or sewer system appurtenance. The District reserves the right to immediately and without notice remove the meter or disconnect water service to any User who has removed, tampered with or altered in any way a meter, meter box, service line or other water and/or sewer system appurtenance or who has reconnected service which was terminated by the District, and to assess repair charges to the User plus a damage fee of \$50.00.

SECTION 16: BUILDER RESPONSIBILITIES

A. Street Cleaning. The builder and developer will be responsible for ensuring that the street in front of their lots stays free from the accumulation of trash, sediment, dirt and all other debris. Street cleaning will be done by street scraping or a vacuum sweeper. Washing sediments into the storm sewer inlets is prohibited by Section 21 and the United States Environmental Protection Agency.

B. Concrete Wash-Out Site. Each builder will provide a single, dedicated concrete wash-out site on one of its reserved lots for use during construction. The site selected will be reviewed with the District and developer, and an identification sign must be erected on the site by the builder prior to use.

The builder will clean and maintain the concrete wash-out site as necessary and is responsible for the proper and legal disposal of concrete. Silt fencing must be installed along the curb in front of the wash-out site as well as an access pad.

The builder will inform its subcontractors of the location and purpose of the concrete wash-out site.

C. Other Builder Responsibilities. The builder is responsible for observing all signs and for enforcing the provisions of this Order with all employees, suppliers and subcontractors. Builders are responsible for conducting regular inspections of their erosion control measures to ensure they are functioning properly.

D. Failure to Comply. Failure of a builder to comply with the builder responsibilities contained in this Section 16 will be considered a violation of this Order and will subject the builder to penalties in Section 22. Further, the District, in its sole discretion, may perform or have performed any of the builder's responsibilities and backcharge the builder for the cost. In addition, failure to timely pay a backcharge or to comply with the provisions of this Order will subject the builder to termination of service in accordance with Section 12 or the withholding of taps in accordance with Section 7(A).

SECTION 17: PLUMBING REGULATIONS; PROHIBITION AGAINST CROSS-CONNECTIONS AND UNACCEPTABLE PLUMBING PRACTICES; PENALTY FOR VIOLATION

Pursuant to Chapter 290 of Title 30 of the Texas Administrative Code, the District adopts the following plumbing regulations, which apply to all Users of the District's potable water distribution system.

A. Service Agreements. Prior to receiving service from the District to new construction or to buildings containing new plumbing fixtures, or prior to having service reconnected to any building after termination of water service, a User must execute a Service Agreement in the form attached to this Order as **Exhibit "A"**, provide proof of residency or of ownership of property in the District and valid proof of identity, including a social security number and any other personal information, as defined in Section 182.051, Texas Utilities Code.

B. Plumbing Fixtures. A User is not permitted to install any plumbing fixture which is not in compliance with a state approved plumbing code and the plumbing code, if any, required by a governmental entity in whose jurisdiction the District is located.

C. Prohibition Against Water Contamination. No direct connection between the District's potable water distribution system and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the District's potable water distribution system by the installation of an air-gap or an appropriate backflow prevention device in accordance with state plumbing regulations. In addition, all pressure relief valves and thermal expansion devices must be in accordance with state plumbing codes and the plumbing code, if any, required by the city in whose jurisdiction the District is located.

D. Backflow Prevention Assemblies. A backflow prevention assembly must be installed prior to the testing of any line that is connected to the District's water system. All sprinkler systems, spas and pools must have backflow prevention assemblies installed by the User at the User's sole cost and expense. In addition, the District, in its sole discretion, may require a Multi-Family Residential User or Commercial User to install a backflow prevention assembly at any meter(s) servicing such a User's property. The District, in its sole discretion, also may require any User to install other backflow prevention assemblies at any fixture in order to prevent contamination of the District's potable water distribution system or if the User's plumbing system poses a high health hazard. A high health hazard is defined by the TCEQ as a "cross-connection, potential cross-connection, or other situation involving any substance that could cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply." "High health hazard connections" may include, but are not limited to:

- (1) An irrigation system with an injection device;
- (2) A car wash;
- (3) A clinic (medical, dental, veterinary);
- (4) A film laboratory;
- (5) A laundry;
- (6) A nursing home;
- (7) A recreational facility using water; and
- (8) A school.

If the District determines that a User must install a backflow prevention assembly as a protection against a high health hazard, the backflow prevention assembly used must comply with a state approved plumbing code and the plumbing code, if any, required by a governmental entity in whose jurisdiction the District is located, and must be tested and certified at least annually by a District representative.

The User is responsible for ensuring that all backflow prevention assemblies are tested upon installation by a District representative, and thereafter, the District will test all backflow prevention assemblies annually. The cost of the test, per backflow assembly tested, is \$35.00 for a Single-Family Residential User and \$100.00 for any other User; provided, however, that any additional backflow prevention assemblies are tested at the same address and same time for any User (other than a Single-Family Residential User) shall be tested at a cost of \$75.00 per each additional backflow prevention assembly. If the

District requires the installation of a backflow prevention assembly by a User in order to prevent a serious threat to the District's public water supply, then the District, in its sole discretion, may immediately terminate service to the User. In that event, service will not be restored until the backflow prevention assembly has been installed and tested and a signed and dated original of a Backflow Prevention Assembly Test and Maintenance Report in the form attached to this Order as **Exhibit "B"** has been filed with the District.

If the District determines that a backflow prevention assembly must be installed pursuant to this Order for reasons other than to eliminate a serious threat to the District's public water system, the User must install the backflow prevention assembly within ten (10) working days after receipt of notice from the District that such installation is required. In addition, the User must have the backflow prevention assembly tested by a District representative, as described above, so the District has a signed and dated original of a Backflow Prevention Assembly Test and Maintenance Report in the form attached to this Order as **Exhibit "B"** within five (5) working days of the installation of the backflow prevention assembly and within ten (10) working days of any subsequent repair, maintenance or testing of such assembly. If the User fails to have the backflow prevention assembly tested within this time, the District, in its discretion, may terminate service to the User pursuant to the terms of this Order. The District will retain such reports for a minimum of three (3) years.

E. Customer Service Inspections. A customer service inspection is required prior to the time the District (i) provides continuous water service to new Users, not to exceed one inspection per each twelve-month period for Users, or new construction, (ii) provides water service to private plumbing facilities that have been added to existing construction or materially improved or corrected, or (iii) continues service to a User when the District has reason to believe that cross-connections or other unacceptable plumbing practices exist. The cost of such customer service inspection will be the sole responsibility of the User. The District shall perform all customer service inspections. There is a \$25.00 charge for Single-Family Residential Users and \$50.00 charge for all other Users (commercial and builders). If the inspection is made in connection with new construction, the fee will be collected at the time the tap fee is paid.

Prior to initiating service to Users or new construction or buildings containing new plumbing fixtures, the customer service inspection must be completed satisfactorily. The District representative shall complete a Customer Service Inspection Certificate, in the form attached hereto as **Exhibit "C"**, on each such inspection and shall retain such inspection certifications for a minimum of ten (10) years. The User shall allow its property to be inspected by the District or its subcontractors during normal business hours for possible cross-connections and other unacceptable plumbing practices which violate this Order. The District or its subcontractors may, at the discretion of the District, periodically inspect a User's plumbing system during normal business hours for the purpose of identifying possible cross-connections and other unacceptable plumbing practices which violate this Order.

F. Prohibition Against Cross-Connections. No cross-connection between the

District's potable water distribution system and a private water system is permitted. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly must be properly installed and such assembly must be annually inspected and tested by a certified backflow prevention device tester. A list of certified backflow prevention device testers may be obtained from the local office of the TCEQ. By accepting service from the District, all Users agree to allow such annual inspection and testing of backflow prevention assemblies to take place during normal business hours. If any User refuses to allow such annual inspection and testing, service to such User will be discontinued until such inspection and testing is completed.

No connection which allows water to be returned to the District's potable water distribution system is permitted. This includes, but is not limited to, any device pursuant to which water is removed from the District's potable water distribution system, circulated through a User's system for condensing, cooling and heating of fluids or industrial processes, including, but not limited to, a heat exchange system, and routed back to the District's potable water distribution system.

G. Notice of Unacceptable Plumbing Practices. The District shall notify the User in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the customer service inspection, any periodic reinspection, or any other inspection. At its sole cost and expense, the User shall immediately correct any unacceptable plumbing practice on its premises and properly install, test and maintain any backflow prevention device required by the District within ten (10) working days of receipt of notice of the improper cross-connection. The User shall provide copies of all testing and maintenance records on such devices to the District within three (3) working days of the testing or maintenance. If the User fails to correct the noted unacceptable plumbing practice, the District may immediately terminate water service or, at the User's sole cost and expense, eliminate the cross-connection or correct the unacceptable plumbing practice.

H. Penalty for Violation. The failure of a User to comply with the terms of this Section will be considered a violation of this Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the District's water supply, the District, in its sole option, may, in addition to all other legal remedies available to it, including those remedies set out in this Order, immediately terminate service or, at the User's sole cost and expense, install the plumbing fixtures or assemblies necessary to correct the unacceptable plumbing practice. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or until additional safeguards have been taken. Any and all expenses associated with the enforcement of this Section shall be billed to the User.

SECTION 18: RETURNED ITEMS

Users who tender checks for payment of any fees listed in this Order and whose checks are returned unpaid to the District, or Users who participate in the automatic bank draft program

and who do not have sufficient funds available on the payment date, shall be charged a \$25.00 fee, in addition to any and all other fees and charges due, to cover the District's cost of handling. If such User's account also is more than thirty (30) days delinquent, the account shall be scheduled for termination and notice thereof shall be given as provided in this Order. In such event, payment for the amount due on such account must be in the form of cashier's check or money order. Users who tender checks for payment of any fees listed in this Rate Order and whose checks are returned unpaid to the District two (2) times within six (6) months, or Users who participate in the automatic bank draft program and who do not have sufficient funds available on the payment date two (2) times within six (6) months will be required to make all future payments of fees in the form of cashier's check or money order until notified otherwise by the District. Such a User also may be required by the District to increase its deposit to two (2) times the usual required amount.

SECTION 19: REQUIREMENTS FOR SERVICE

A. Platting Requirement. Prior to initial connection to the District's water, sewer, or drainage system, a User shall submit to the District's operator proof that the User's property has been platted in accordance with the subdivision ordinances of the City of Houston, as required by Chapter 212 of the Texas Local Government Code. Acceptable proof of platting includes a copy of the recorded plat or a certificate from the City of Houston that the property has been platted or that the property is legally exempt from the platting process.

B. Permits. Any applicant requesting connection to the District's system must have obtained all necessary permits from Fort Bend County. The District may require proof that a permit has been obtained or that Fort Bend County has waived the requirement for such permit.

C. Plumbing Material Restrictions.

(1) Prohibition on Use of Specified Materials. The use of the following plumbing materials is prohibited in any and all improvements connected to the District's water system after May 17, 1994:

a. Any pipe or pipe fitting which contains more than 0.25% lead; and

b. Any solder or flux which contains more than 0.2% lead.

D. Approval of Plans and Facilities.

(1) No service will be provided to any User unless and until the water, sanitary sewer and drainage facilities constructed to serve the property for which service is sought have been approved by the District's engineer.

(2) Before any connection, other than an existing Single-Family Residential User

connection, is made to the District's water, sewer, or drainage system, or before any reconnection is made, the person requesting such connection shall submit three (3) sets of plans to the District's engineer for review and approval the water, sanitary sewer, and drainage plans and specifications for the property for which the connection is sought. Such plans shall clearly show the estimated volumes of water or effluent and the proposed points of connection to the District's system. A copy of such approved plans, with the engineer's approval indicated thereon, shall be submitted to the District's operator. Any modification of such plans shall require re-approval by the District's engineer. The District reserves the right to require removal of any connection made in violation of this Section.

E. Easements. Before service is commenced to any User, the person requesting such service shall grant an easement of ingress and egress to and from the meter for such maintenance and repair as the District, in its judgment, may deem necessary.

SECTION 20: CAR WASH FACILITIES REQUIREMENTS

In addition to other applicable requirements of this Order, a car wash facility is required to utilize a water recycling system and at least one (1) sampling well for use by the District in testing water quality, as determined and approved by the District's engineer and Operator.

SECTION 21: DISCHARGES TO THE STORM DRAINAGE SYSTEM

Pursuant to Title 30, Chapter 311 of the Texas Administrative Code and Title 40, Chapter 122 of the Code of Federal Regulations, the District adopts the following storm sewer regulations, which apply to all users of the District's storm sewer (the "Storm Sewer Users"). In addition, the regulations are included and adopted as part of the implementation of the District's Storm Water Management Plan ("SWMP") and provide for detection, regulation and elimination of illicit discharges to the small municipal storm sewer system ("MS4") and compliance with the General Permit.

A. Construction Site Operator Responsibilities.

(1) **Compliance with TPDES General Permit No. TXR040260 (the "General Permit").** The Construction Site Operator (as defined in the General Permit) is required to be compliant with the General Permit issued by the TCEQ. A storm water pollution prevention plan (the "SWPPP") with a narrative, a site plan, and proposed Best Management Practices ("BMPs") (as such term is defined in the General Permit) must be prepared at least seven (7) days prior to commencement of soil disturbing activities or as required by the General Permit. The construction site operator will be responsible for providing qualified personnel to conduct all inspections required by the General Permit and for the implementation and regular maintenance of all BMPs listed in the SWPPP as required under the General Permit.

(2) **Other Construction Site Operator Responsibilities.** The Construction Site

Operator is responsible for the management, SWPPP compliance, and compliance with this Order by all of its contractors, subcontractors, trades, suppliers, and agents.

- (3) **Post-Construction Runoff.** Plans for redevelopment or new development greater than or equal to one (1) acre must be approved by the District's engineer. The plans must adequately address post-construction runoff. This includes use of Structural Controls (as such term is defined in the General Permit) as well as non-structural controls.
- (4) **Failure to Comply.** Failure of a Construction Site Operator to comply with the provisions of this Order will be considered a violation of this Order and will subject the construction site operator to penalties as outlined below:
 - (a) Failure to obtain permit coverage under the General Permit: \$1,000 fine
 - (b) Failure to prepare a SWPPP as required under the General Permit: \$500 fine
 - (c) Failure to install or adopt or maintain BMPs: \$100 fine per incident*

*The District reserves the right to charge the Construction Site Operator for any and all expenses incurred while correcting the deficiencies listed in any Notice of Violation issued pursuant to this Order.

(5) **Penalty for Violation.** The failure of a Construction Site Operator to comply with the terms of this Section will be considered a violation of this Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the District's water supply, the District, in its sole discretion, may, in addition to all other legal remedies available to it, including those remedies set out in this Order, immediately terminate service or, at the Construction Site Operator's sole cost and expense, install or repair the BMPs necessary to correct the cause of the notice of violation. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or when additional safeguards have been taken and all fines/penalties have been resolved. Any and all expenses associated with the enforcement of this Section shall be billed to the Construction Site Operator.

B. District Responsibilities.

- (1) **Construction Site Inspection.** The District may perform construction site inspections within its boundaries. The District may issue a notice of inspection ("Notice of Inspection") if there are deficiencies found with any BMP described in the SWPPP. If seven (7) or more days pass and the issues listed in the Notice of Inspection have not been addressed, the District will issue a notice of violation ("Notice of Violation") for all outstanding deficiencies. The District, in its sole discretion, may have the deficiencies repaired at the Construction Site Operator's expense.

- (2) **Illicit Discharge Inspection.** The District will perform inspections of Storm Sewer User activity that may pose a serious threat to the integrity of the District's waters or storm drainage system. A Notice of Violation will be issued to the Storm Sewer User responsible for the illicit discharge. The District, at its sole discretion, may have the illicit discharge remedied at the Storm Sewer User's expense.

C. District Storm Sewer User Responsibilities.

- (1) **Storm Sewer User Responsibilities.** If a User discharges any unauthorized material, including, but not limited to, grass clippings, into a storm sewer within the District, the District has the right to either fine the User pursuant to Section 22 of this Order or disconnect water service pursuant to Section 49.212(c) of the Texas Water Code and Section 13 of this Order. No downspouts, yard or street drains, or gutters will be permitted to be connected to the District's sanitary sewer facilities. Swimming pools, spa drains, overflow piping and filter backwash piping connections will be made to the District's sanitary sewer system.

- (2) **Illicit Discharge.** Only runoff composed entirely of storm water or certain allowable non-storm water shall be discharged into the District's storm sewer system. Other discharges are not authorized. A list of allowable non-storm water discharge is as follows:

- (a) water line flushing (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life);
- (b) runoff or return flow from landscape irrigation, lawn irrigation and other irrigation utilizing potable water, groundwater or surface water sources;
- (c) discharges from potable water sources;
- (d) diverted stream flows;
- (e) rising ground waters and springs;
- (f) uncontaminated ground water infiltration;
- (g) uncontaminated pumped ground water;
- (h) foundation and footing drains;
- (i) air conditioning condensation;
- (j) water from crawl space pumps;
- (k) individual residential vehicle washing;
- (l) flows from wetlands and riparian habitats;
- (m) dechlorinated swimming pool discharge;
- (n) street wash water;
- (o) discharges or flows from fire-fighting activities (fire-fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, and similar activities);

- (p) other allowable non-storm water discharges listed in 40 CFR 122.26(d)(2)(iv)(B)(1);
- (q) non-storm water discharges that are specifically listed in the TPDES Multi-Sector General Permit (MSGP) or the General Permit; and
- (r) other similar occasional incidental non-storm water discharges, unless the TCEQ develops permits or regulations addressing these discharges.

(3) **Detection and Elimination.** The District's consultants may perform random testing and/or inspection when the District has reason to believe that an illicit connection to the District's storm sewer system exists or that an illicit discharge to the District's storm sewer system is occurring. The cost of such inspection will be the sole responsibility of the Storm Sewer User. In connection with the inspection, the Storm Sewer User shall allow its property and/or the property under its control to be inspected by the District's consultants during normal business hours for possible illicit connections to the District's storm sewer system and other unacceptable discharges to the District's storm sewer system which violate this Order. Thereafter, the District may, at its sole discretion, periodically inspect a Storm Sewer User's drainage system during normal business hours for the purpose of identifying possible illicit connections and other unacceptable discharges which violate this Order.

(4) **Failure to Comply.** The failure of a Storm Sewer User to comply with these Storm Sewer User Responsibilities will be considered a violation of this Order and will subject the Storm Sewer User to penalties as outlined below:

(a) **Notice of Violation for Illicit Discharge to District Facilities:** \$1,000 fine per notice. In addition, the District reserves the right to charge the Storm Sewer User for any and all expenses incurred while correcting the deficiencies listed in the Notice of Violation.

(5) **Penalty for Violation.** The failure of a Storm Sewer User to comply with the terms of this Section will be considered a violation of this Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the District's water supply, the District, in its sole discretion, may, in addition to all other legal remedies available to it, including those remedies set out in this Order, immediately terminate service or, at the Storm Sewer User's sole cost and expense, install the fixtures or assemblies necessary to correct the illicit connection or unacceptable discharge. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or until additional safeguards have been taken and all fines/penalties have been paid. Any and all expenses associated with the enforcement of this Section shall be billed to the User.

SECTION 22: MISCELLANEOUS PROVISIONS

A. **Future Adjustments.** The District reserves the right to increase rates and fees from time

to time when, in the opinion of the Board, such increases are required to cover the costs of administration, efficient operation, and adequate maintenance of the District's facilities.

B. No Free Service. No free service shall be granted to any User for water or sewer services furnished by the District, whether such User is a charitable or eleemosynary institution, a political subdivision, or a municipal corporation, and all charges for water and sewer service shall be made as required herein.

C. Penalties for Violation. Any User who:

- (1) violates any Section of this Order; or
- (2) makes unauthorized use of District services or facilities; or
- (3) causes damage to District facilities by using such facilities in a manner or for a purpose contrary to the purpose for which such facilities were designed; or
- (4) disposes unauthorized material into the District's storm sewer system; or
- (5) uses or permits the use of any septic tank or holding tank within the District; or
- (6) swims in any District drainage facility; or
- (7) violates the District's Sewer Rules; or
- (8) constructs facilities or buildings which are not included in the approved plans for development described in this Order; or
- (9) violates the District's Order Adopting Drought Contingency Plan; Providing for Implementation and Enforcement Thereof; Providing Penalties for Violations; and Containing Other Provisions Related to the Subject, or
- (10) occupies a building that receives water and/or sewer service from the District without either (i) owning title to such building, or (ii) occupying such building pursuant to a valid, written lease agreement,

shall be subject to a penalty of up to \$5,000.00 for each breach of the foregoing provisions. Each day that a breach of any provision hereof continues shall be considered a separate breach. This penalty shall be in addition to the other penalties provided by the laws of the State and to any other legal rights and remedies of the District as may be allowed by law.

D. Maintenance and Repair of User Facilities. It shall be the responsibility of each User to maintain the water and sewer lines from the building served to the point of connection to the District's system (the "User Facilities"). Leaks must be repaired within five (5) days of the leak occurring and proof of such repair must be provided to the District. In the case of sanitary sewer line repairs, the User must schedule an inspection of the repaired line prior to backfill. In the event the District notices a water or sewer leak at a connection and determines, in the interest of public health and safety, that such leak poses a health hazard, the District shall send a notice to the User ordering repair of the leak within five (5) days or such other time frame deemed appropriate by the District for the situation. If the leak is not repaired within the time frame set out in the notice, the District has the right (but not the obligation) to make the needed repairs and backcharge the User's account

for the cost thereof; provided, however, that the District will not replace or otherwise reimburse the User for landscaping or other items that are located in a District easement or a public right-of-way and removed in order to effectuate the repairs or otherwise damaged during the repair process. If the District does make the repairs, such repair work will be warranted for a maximum of two (2) years from the date of the repair.

If neither the User nor the District makes the repair, the User's account will be subject to disconnection of service in accordance with Section 13 for the User's failure to repair the leak. In addition, failure to pay billed backcharges will result in termination of service in accordance with Section 13.

E. Maintenance and Repair of District Facilities. Any repairs made by the District to an item on the District side of the point of connection and that effects the connection to the residential line will be warranted for a maximum of two (2) years from the date of the repair.

F. Out-of-District Service. The Board shall, in its sole discretion, determine whether to provide any utility service to areas outside of the District, the terms and conditions for such service, and the fee to be charged for such service. The fee to be charged to out-of-District users (unless otherwise determined by the Board in its sole discretion) shall be equal to the average residential District tax bill for the current tax year

G. Illegal Dumping on District Property. No person or entity may deposit, dispose of or dump material of any kind on District property. Any such activity will be considered a violation of this Order and will subject such person or entity to a \$1,000 fine per notice and a charge for any and all expenses incurred while removing the illegally dumped material from the District's property.

In addition, if the District determines the illegal dumping constitutes a serious threat to the integrity of the District's water supply or a District facility, the District, in its sole discretion, may, in addition to all other legal remedies available to it, including those remedies set out in this Order, immediately terminate utility service. Utility service will be restored only when the illegally dumped materials have been removed and all fines/penalties have been paid. Any and all expenses associated with the enforcement of this Section shall be billed to the offending party.

SECTION 23: EFFECTIVE DATE; SUPERSEDING ORDER

This Order shall become effective as of the 3rd day of August, 2023, unless otherwise provided herein, and shall then supersede all previous Rate Orders adopted by the Board.

[SIGNATURE PAGES FOLLOW]

PASSED AND APPROVED August 3, 2023.

/s/ Glenn Farley

By: _____

Name: Glenn Farley

Title: President, Board of Directors

ATTEST:

/s/ Dan Turner

By: _____

Name: Dan Turner

Title: Secretary, Board of Directors



EXHIBIT "A"

SERVICE AGREEMENT

1. **PURPOSE.** Fort Bend County Municipal Utility District No. 25, of Fort Bend County, Texas (the "District"), is responsible for protecting the drinking water supply from contamination or pollution, which could result from improper plumbing practices. The purpose of this Service Agreement is to notify each customer of the plumbing restrictions which are in place to provide this protection. The District enforces these restrictions to ensure the public health and welfare. Each customer must sign this agreement before the District will begin service. In addition, when service to an existing connection has been suspended or terminated, the District will not re-establish service unless it has a signed copy of this Service Agreement.

2. **PLUMBING RESTRICTIONS.** The following unacceptable plumbing practices are prohibited by State regulations.
 - A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an appropriate backflow prevention device.

 - B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.

 - C. No connection, which allows water to be returned to the public drinking water supply, is permitted.

 - D. No pipe or pipe fitting which contains more than 0.25 % lead may be used for the installation or repair of plumbing at any connection, which provides water for human use.

 - E. No solder or flux, which contains more than 0.2 % lead, can be used for the installation or repair of plumbing at any connection, which provides water for human use.

3. **SERVICE AGREEMENT.**

The following are the terms of the service agreement between the District and _____ (the "Customer").

- A. The District will maintain a copy of this Agreement as long as Customer and/or the premises are connected to the District's water system.

- B. Customer shall allow its/his/her property to be inspected for possible cross-connections, potential contamination hazards and other unacceptable plumbing practices. These inspections shall be conducted by the District or its designated agent prior to initiating new water service; when there is reason to believe that cross-connections. Other potential contamination hazards or other unacceptable plumbing practices exist; or after any major changes to the private water distribution/plumbing facilities. The inspections shall be conducted during the District's normal

business hours.

- C. The District shall notify Customer in writing of any cross-connection, other potential contamination hazard or other unacceptable plumbing practice, which has been identified during the initial inspection or the periodic reinspection.
 - D. Customer shall immediately remove or adequately isolate any potential cross-connections or other potential contamination hazards and correct any unacceptable plumbing practice on its/his/her premises.
 - E. Customer shall, at its/his/her expense, properly install, test, and maintain any backflow prevention device required by the District. Copies of all testing and maintenance records shall be provided to the District.
 - F. Customer understands and agrees that the District does not guarantee any specific quantity or pressure of water for any purpose whatsoever and that the District is not liable to customer for failure or refusal to furnish any particular amount or pressure of water to Customer at any time.
4. **ENFORCEMENT.** If Customer fails to comply with the terms of this Agreement, the District shall, at its option, terminate service or properly install, test, and maintain an appropriate backflow prevention device at the service connection. Any expenses associated with the enforcement of this Agreement shall be billed to Customer.

CUSTOMER'S SIGNATURE: _____

Date: _____

Address: _____

EXHIBIT "B"

Texas Commission on Environmental Quality BACKFLOW PREVENTION ASSEMBLY TEST AND MAINTENANCE REPORT

The following form must be completed for each assembly tested. A signed and dated original must be submitted to the public water supplier for recordkeeping purposes:

NAME OF PWS:	Fort Bend County Municipal Utility District #25
PWS ID#:	0790130
PWS MAILING ADDRESS:	10347 Clodine Road, Richmond, Texas 77407
PWS CONTACT PERSON:	
ADDRESS OF SERVICE:	

The backflow prevention assembly detailed below has been tested and maintained as required by commission regulations and is certified to be operating within acceptable parameters.

TYPE OF BACKFLOW PREVENTION ASSEMBLY (BPA):			
<input type="checkbox"/>	Reduced Pressure Principle (RPBA)	<input type="checkbox"/>	Reduced Pressure Principle-Detector (RPBA-D) Type II <input type="checkbox"/>
<input type="checkbox"/>	Double Check Valve (DCVA)	<input type="checkbox"/>	Double Check-Detector (DCVA-D) Type II <input type="checkbox"/>
<input type="checkbox"/>	Pressure Vacuum Breaker (PVB)	<input type="checkbox"/>	Spill-Resistant Pressure Vacuum Breaker (SVB)

Manufacturer:	Main:	Bypass:	Size:	Main:	Bypass:
Model Number:	Main:	Bypass:	BPA Location:		
Serial Number:	Main:	Bypass:	BPA Serves:		

Reason for test:	New <input type="checkbox"/>	Existing <input type="checkbox"/>	Replacement <input type="checkbox"/>	Old Model/Serial #	
Is the assembly installed in accordance with manufacturer recommendations and/or local codes?					<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the assembly installed on a non-potable water supply (auxiliary)?					<input type="checkbox"/> Yes <input type="checkbox"/> No

TEST RESULT PASS <input type="checkbox"/> FAIL <input type="checkbox"/>	Reduced Pressure Principle Assembly (RPBA)		Relief Valve	Type II Assembly		PVB & SVB	
	DCVA			Bypass Check	Air Inlet	Check Valve	
	1 st Check	2 nd Check***					
Initial Test Date: Time:	Held at [] psid Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Held at [] psid Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at [] psid Did not open <input type="checkbox"/>	Held at [] psid Closed Tight <input type="checkbox"/> Leaked <input type="checkbox"/>	Opened at [] psid Did not open <input type="checkbox"/> Did it fully open (Yes <input type="checkbox"/> /No <input type="checkbox"/>)	Held at [] psid Leaked <input type="checkbox"/>	
Repairs and Materials Used**	Main: Bypass:						
Test After Repair Date: Time:	Held at [] psid Closed Tight <input type="checkbox"/>	Held at [] psid Closed Tight <input type="checkbox"/>	Opened at [] psid	Held at [] psid Closed Tight <input type="checkbox"/>	Opened at [] psid	Held at [] psid	

*** 2nd check: numeric reading required for DCVA only

Differential pressure gauge used:	Potable: <input type="checkbox"/>	Non-Potable: <input type="checkbox"/>
Make/Model:	SN:	Date tested for accuracy:

Remarks:	

Company Name:	Fort Bend County Municipal Utility District #25	Licensed Tester Name (Print/Type):	
Company Address:	10347 Clodine Rd Richmond, Tx 77407	Licensed Tester Name (Signature):	
Company Phone #:	281-277-0129	BPAT License #	
		License Expiration Date:	

The above is certified to be true at the time of testing.

* TEST RECORDS MUST BE KEPT FOR AT LEAST THREE YEARS [30 TAC §290.46(B)]

** USE ONLY MANUFACTURER'S REPLACEMENT PARTS

EXHIBIT "C"

Texas Commission on Environmental Quality Customer Service Inspection Certificate

Name of PWS:	Fort Bend County Municipal Utility District #25
PWS ID #:	0790130
Location of Service:	

Reason for Inspection:	
New construction	<input type="checkbox"/>
Existing service where contaminant hazards are suspected	<input type="checkbox"/>
Material improvement, correction or expansion of distribution facilities	<input type="checkbox"/>

I, _____, upon inspection of the private water distribution facilities connected to the aforementioned public water supply do hereby certify that, to the best of my knowledge

Compliance	Non-Compliance		
<input type="checkbox"/>	<input type="checkbox"/>	(1)	No direct or indirect connection between the public drinking water supply and a potential source of contamination exists. Potential sources of contamination are isolated from the public water system by an air gap or an appropriate backflow prevention assembly in accordance with Commission regulations.
<input type="checkbox"/>	<input type="checkbox"/>	(2)	No cross-connection between the public drinking water supply and a private water system exists. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure principle backflow prevention assembly is properly installed.
<input type="checkbox"/>	<input type="checkbox"/>	(3)	No connection exists which would allow the return of water used for condensing, cooling or industrial processes back to the public water supply.
<input type="checkbox"/>	<input type="checkbox"/>	(4)	No pipe or pipe fitting which contains more than 8.0% lead exists in private water distribution facilities installed on or after July 1, 1988 and prior to January 4, 2014.
<input type="checkbox"/>	<input type="checkbox"/>	(5)	Plumbing installed on or after January 4, 2014 bears the expected labeling indicating ≤0.25% lead content. If not properly labeled, please provide written comment.
<input type="checkbox"/>	<input type="checkbox"/>	(6)	No solder or flux which contains more than 0.2% lead exists in private water distribution facilities installed on or after July 1, 1988.

I further certify that the following materials were used in the installation of the private water distribution facilities:

Service lines:	Lead <input type="checkbox"/>	Copper <input type="checkbox"/>	PVC <input type="checkbox"/>	Other <input type="checkbox"/>
Solder:	Lead <input type="checkbox"/>	Lead Free <input type="checkbox"/>	Solvent Weld <input type="checkbox"/>	Other <input type="checkbox"/>

Remarks:	

I recognize that this document shall be retained by the aforementioned Public Water System for a minimum of ten years and that I am legally responsible for the validity of the information I have provided.

Signature of Inspector:	License Type:	
Inspector Name(Print/Type):	License Number:	
Title of Inspector:	Date / Time of Insp.:	/

A Customer Service Inspection Certificate should be on file for each connection in a public water system to document compliance with 30 TAC § 290.44(h)/290.46(j).

EXHIBIT "D"

FORT BEND COUNTY MUD NO. 25

TEMPORARY CONSTRUCTION WATER PERMIT

Date of issuance: _____ Contractor: _____

Business Phone _____ Contact Person: _____

Cellular Number: _____ Deposit Amount: _____

Mailing Address: _____

Location of Water Usage: _____

Type of Construction: _____

The Contractor issued this Permit has paid the required deposit and is authorized to use water for its construction project in the District. The water meter issued under this Permit will be subject to a monthly rental charge as follows: \$25.00 for a 5/8" meter, \$37.50 for a 1" meter, \$50.00 for a 2" meter, \$150.00 for a 3" meter, for each thirty (30) day period or portions thereof that this Permit is in effect. Applicable sales tax will be added to all rental charges. In addition, actual water usage will be charged on a monthly basis as follows: (1) a \$50.00 one-time setup fee; and (2) \$3.00 per 1,000 gallons of water delivered through the meter. The Contractor agrees to call in the meter reading to the District at (281) 277-0129 between the 15th and 20th of each month to allow for accurate billings

The Contractor is responsible for damage or loss to the meter, other equipment issued under this Permit and any and all District facilities utilized in connection with this Permit, including, but not limited to, any hydrants used by the Contractor.

A \$500.00 deposit is required to be made to the District in connection with this Permit. Upon receipt of full payment for water used, the return of the meter and other issued equipment in good condition and the repair of any District facilities damaged during the term of this Permit, the deposit will be returned; provided, however, that any damage to the meter and other District facilities and equipment or unpaid balances will be deducted from the deposit. Failure to report meter readings for two (2) months can result in forfeiture of deposit. The Contractor agrees that the water meter and other equipment issued under this Permit remain the property of the District

CONTRACTOR: WILL ENSURE THAT NO DIRECT CONNECTION BETWEEN THE PUBLIC DRINKING WATER SUPPLY AND A POTENTIAL SOURCE OF CONTAMINATION EXISTS. POTENTIAL SOURCES OF CONTAMINATION WILL BE ISOLATED FROM THE PUBLIC WATER SYSTEM BY AN AIR GAP OR AN APPROPRIATE BACKFLOW PREVENTION ASSEMBLY IN ACCORDANCE WITH STATE PLUMBING REGULATIONS.

THIS PERMIT MUST REMAIN AT THE USAGE LOCATION FOR INSPECTION BY DISTRICT PERSONNEL. FAILURE TO SHOW THIS PERMIT MAY RESULT IN FORFEITURE OF THE DEPOSIT.

Meter Type: _____

Meter Size: _____

Meter Serial Number _____

Meter reading at time issued: _____

Date Returned: _____

Meter reading at upon return: _____

Returned by: _____

Date Returned: _____

Fire Hydrant Wrench Issued? Yes No (**\$35.00 fee if not returned**)

Contractor Representative

Fort Bend County MUD No. 25 Representative

Signature of person returning meter

Printed Name of person returning meter

Appendix C
Drought Contingency Plan

ORDER ADOPTING DROUGHT CONTINGENCY PLAN; PROVIDING FOR IMPLEMENTATION AND ENFORCEMENT THEREOF; PROVIDING PENALTIES FOR VIOLATIONS; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT

WHEREAS, the Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 25, of Fort Bend County, Texas (the "District"), has carefully considered the current water conditions in the District and area-wide and has determined that the adoption of this Drought Contingency Plan (this "Plan") by the District is necessary to ensure that an adequate supply of water is maintained; and

WHEREAS, the Board of the District also desires to provide in the Plan for the possibility of a natural disaster or an equipment failure; and

WHEREAS, the Board of the District desires to evidence its approval of this Plan and to adopt such Plan as the official policy of the District; and

WHEREAS, the District hereby rescinds its Drought and Emergency Contingency Plan adopted by the District on January 18, 2024; NOW THEREFORE,

BE IT ORDERED BY THE BOARD OF THE DISTRICT THAT:

Section 1: Approval of the Plan. The Board of the District hereby approves and adopts this Plan as set forth in this Order, and the provisions of such Plan shall be implemented immediately and enforced as a rule of the District.

Section 2: Education and Information. The District hereby institutes an educational program, to be implemented immediately, to promote the Plan by the general public, which may include any of the following:

- A. Publications of articles in a newspaper or newsletter of general circulation in the District's service area, providing information regarding the Plan; and
- B. Direct distributions to all District residents and other users of water within the District, and all wholesale water customers of the District, if any ("Users"), explaining the Plan; and
- C. Direct distributions to Users of educational and informational material regarding the Plan; and
- D. Additional educational activities consisting of (i) publishing an article or articles in a local newspaper or newsletter, of general circulation in the District's service area, providing tips or information on water saving techniques, or (ii) conducting an informational school program in a school attended by students within the District's service area, or (iii) conducting an educational program for Users at a public place within

or accessible to residents of the District, or (iv) conducting or engaging in such other informational or educational activity designed to further the Plan, as, in the discretion of the Board, may be consistent with the purposes and policies of this Plan, or (v) posting articles on the District's web site, or (vi) any combination of the foregoing.

Section 3: Retrofit Educational Program. The District shall make information regarding water conservation available to Users to use when purchasing and installing various plumbing fixtures, lawn watering equipment, and other water-using appliances.

Section 4: Coordination with Regional Water Planning Groups. The water service area of the District is located within the Region H Regional Water Planning Group and the District has provided a copy of the Plan to the Region H Regional Water Planning Group.

Section 5: The Drought Contingency Plan.

A. Public Involvement. The District shall actively inform the public and wholesale water customers, if any, and affirmatively provide opportunity for input from the public and from wholesale customers, if any, regarding the Plan. Such provision includes, but is not limited to, notifying the public and wholesale water customers, if any, of the District's public meeting regarding the proposed Plan, notice of which will be given pursuant to the Open Meetings Act.

B. Trigger Conditions. For the purpose of this Plan, the District hereby adopts the trigger conditions (the "Trigger Conditions") set forth below, which are based on a study and/or statistical analysis of the vulnerability of water sources under drought of record conditions. These Trigger Conditions are for the purpose of responding to, but not limited to, the following situations: (a) reduction in available water supply up to a repeat of the drought of record; (b) water production or distribution system limitations; (c) supply source contamination; or (d) water system outage due to the failure or damage of major water system components (e.g., pumps).

1. Mild Drought. This condition (herein, "Mild Drought Conditions") exists when demand on the District's water supply facilities reaches or exceeds sixty percent (60%) of the production capacity, as measured in gallons per day (GPD), of such facilities for 5 consecutive days, as determined by the District's General Manager.

2. Moderate Drought. This condition (herein, "Moderate Drought Conditions") exists when demand on the District's water supply facilities reaches or exceeds sixty-five percent (65%) of the production capacity, as measured in gallons per day (GPD), of such facilities for 5 consecutive days, as determined by the District's General Manager.

3. Severe Drought. This condition (herein, "Severe Drought Conditions") exists when demand on the District's water supply facilities reaches or exceeds seventy-five percent (75%) of the production capacity, as measured in gallons per day (GPD), of such facilities for 3 consecutive days, as determined by the District's General Manager.

4. Extreme Drought. This condition (herein, "Extreme Drought Conditions") exists when demand on the District's water supply facilities reaches or exceeds eighty-five percent (85%) of the production capacity, as measured in gallons per day (GPD), of such facilities for 48 hours, as determined by the District's General Manager.

C. Notice. Once one of the above Trigger Conditions has occurred, Users will be notified that such Trigger Condition has occurred and of the Drought Response Measures (as defined below) to be taken. The process for notifying Users may include any of the following:

1. Mailing, at least 48 hours prior to the commencement of the required Drought Response Measures, a written notice to each User;

2. Posting of signs at the entrances to the District;

3. Posting of notices at public places in the District;

4. Dissemination of press releases to the local news media or posting on the District's web site; and

5. For wholesale water customers, if any, the District General Manager shall contact wholesale water customers by written notice, and/or by other means, prior to commencement of the required Drought Response Measure.

Any notice issued shall contain (i) the date the Drought Response Measures will begin, (ii) the date the Drought Response Measures will terminate, if known, (iii) a list of Drought Response Measures to be implemented, and (iv) an explanation of penalties for violations of such Drought Response Measures.

D. Emergency Management Program. The District hereby establishes and adopts the following measures ("Drought Response Measures") for the respective Trigger Conditions. The Drought Response Measures related to each Trigger Condition shall automatically become effective and shall be implemented by the District when such Trigger Condition occurs.

1. Mild Drought. In the event of Mild Drought Conditions, the following Drought Response Measures shall be taken:

a. Users will be asked to voluntarily reduce water use, and will be informed of specific steps that can be taken to reduce water use.

b. Users will be asked to voluntarily limit all outdoor water usage, including, but not limited to, lawn and garden watering, car washing, and window washing, as follows:

(1) District residents and other users of water within the District with even-numbered addresses will be asked to use water outdoors on even-numbered days and District residents and other users of water within the District with odd-numbered addresses will be asked to use water outdoors on odd-numbered days. In the event no street address exists, District residents and other users of water within the District living on the north and west side of a street will be asked to water outdoors on even-numbered days and District residents and other users of water within the District on the south and east side of a street will be asked to use water outdoors on odd-numbered days.

(2) Users will be asked to voluntarily forego outdoor water use between the hours of 6:00 a.m. and 9:00 a.m. and between the hours of 5:00 p.m. and 10:00 p.m.

2. Moderate Drought. In the event of Moderate Drought Conditions, the following Drought Response Measures shall be taken:

a. Users will be required to reduce water use, and will be informed of specific steps that can be taken to reduce water use.

b. All outdoor water usage, including, but not limited to, lawn and garden watering, car washing, and window washing, shall be limited as follows:

(1) Only District residents and other users of water within the District with even-numbered addresses may use water outdoors on Wednesday and Sunday and only District residents and other users of water within the District with odd-numbered addresses may use water outdoors on Tuesday and Saturday. In the event no street address exists, only District residents and other users of water within the District living on the north and west side of a street may use water outdoors on Wednesday and Sunday and other users of water within the District on the south and east side of a street may use water outdoors on Tuesday and Saturday.

(2) Outdoor water use shall be prohibited between the hours of 6:00 a.m. and 9:00 a.m. and between the hours of 5:00 p.m. and 10:00 p.m.

3. Severe Drought. In the event of Severe Drought Conditions, the following Drought Response Measures shall be taken:

a. The Drought Response Measures established for Mild and Moderate Drought Conditions shall be (or shall continue to be) implemented.

b. All outdoor water use, including, but not limited to, lawn and garden watering, car washing, and window washing, must be conducted with a hand-held hose with a manual shutoff.

c. Only District residents and other users of water within the District with even-numbered addresses may use water outdoors on Wednesday and Sunday and only District residents and other users of water within the District with odd-numbered addresses may use water outdoors on Tuesday and Saturday within the limitations as outlined in b. In the event no street address exists, only District residents and other users of water within the District living on the north and west side of a street may use water outdoors on Wednesday and Sunday and other users of water within the District on the south and east side of a street may use water outdoors on Tuesday and Saturday.

d. The District shall recommend that the following public water use not essential for public health and safety be curtailed:

- (1) Street washing;
- (2) Fire hydrant flushing; and
- (3) Filling of swimming pools.

e. The District's General Manager will initiate weekly contact with wholesale water customers, if any, to discuss water supply and/or demand conditions and the possibility of pro rata curtailment of water supplies if droughts conditions worsen.

4. Extreme Drought. In the event of Extreme Drought Conditions, the following Drought Response Measures shall be taken:

a. The Drought Response Measures established for Mild, Moderate, and Severe Drought Conditions shall continue to be implemented.

b. All outdoor use of water, including but not limited to lawn and garden watering, car washing, and window washing shall be prohibited.

c. A surcharge equal to 200% of the applicable rate for all water delivered in excess of 10,000 gallons/month may be imposed on all District residents and other users of water within the District, but will not be imposed on wholesale water customers, if any.

d. The Board of the District may prohibit water use by certain industrial or commercial Users which uses are not essential to the health

and safety of the community so that remaining water is available for essential health and safety related uses.

e. The Board of the District may utilize alternative water sources and/or alternative delivery mechanisms with the prior approval of the executive director of the Texas Commission of Environmental Quality as appropriate (e.g., interconnection with another water supply, temporary use of a non-municipal water supply use of reclaimed water for non-portable purposes, etc.).

f. The District is authorized to ration water to District residents and other users of water within the District on a pro rata basis, and to initiate allocation of water supplies to its wholesale water customers, if any, on a pro rata basis, in accordance with Texas Water Code, Section 11.039.

E. Termination of Trigger Conditions Notification. When a Trigger Condition occurs, the District shall enforce the Drought Response Measures applicable to such Trigger Condition for a minimum of five (5) days after the last day the demand on the District's water supply facilitates reaches or exceeds the limits of such Trigger Condition. After such five (5) day period, the Drought Response Measures prescribed may, in the discretion of the General Manager, be continued for an additional five (5) day period. After the expiration of ten (10) days, and assuming no other Trigger Conditions have occurred, the Drought Response Measures prescribed shall terminate and the District shall cease implementation and enforcement of such measures. The District will notify Users of the termination of the particular Drought Response Measures and may utilize the same manner of notification used to inform Users of the occurrence of the Trigger Condition and implementation of the Drought Response Measures.

Section 6: Emergency Contingency Plan. In the event of a fire, flood, hurricane, lightning strike, tornado, windstorm, or any other act of God; riot, terrorist act, vandalism or any other act of civil disobedience; or any other similar occurrence which results in the inability of the District to provide potable water to Users (or the likelihood thereof), the Board, in its discretion, may, without prior notice, invoke all or any of the Drought Response Measures set forth in this Plan as "Emergency Response Measures." The Board may establish any of the penalties set forth in this Plan for violations of the Emergency Response Measures.

Section 7: Implementation. Without limitation to specific actions stated in this Plan to be taken by the District's General Manager, the District's General Manager will administer and enforce this Plan, and will oversee and be responsible for the execution and implementation of all elements of this Plan (or, if the District employs its own peace officers pursuant to Texas Water Code §49.216, such peace officers will be responsible for enforcement of this Plan). The General Manager shall keep adequate records for Plan verification. The District's General Manager shall

report to the Board of the District, at meetings of the Board, regarding actions taken and which need to be taken under this Plan. Without limiting the foregoing, the District's General Manager shall advise the President of the Board (or if the President is unavailable to receive notification, another member of the Board) as soon as reasonably practicable when a particular Trigger Condition has been reached under this Plan and when a particular drought condition no longer exists.

Section 8: Penalties. The following penalties shall apply to anyone violating the terms of this Plan or the Drought Response Measures or Emergency Response Measures adopted pursuant hereto:

A. First Violation. Any person or entity who violates this Plan shall receive written notification of such violation, which notice shall set forth (i) the date of the violation, (ii) the nature of the violation, (iii) the Drought Response Measures then in effect, and (iv) the penalties applicable for any further violations of this Plan; provided, however, that if such person or entity has ever previously violated this Plan, the penalties set forth below, may, in the discretion of the Board, be imposed.

B. Subsequent Violations.

1. Disconnection for Noncompliance. If any person or entity violates any provision of this Plan more than one time (which violation shall constitute an unauthorized use of District services and/or facilities), then in addition to any other remedies, penalties, sanctions, and enforcement procedures provided for herein, the District shall have the right to terminate water service to such person or entity after notice and any other procedural requirements in the District's rate order are satisfied.

2. Monetary Penalties for Noncompliance. If any person or entity violates any provision of this Plan more than one time (which violation shall constitute an unauthorized use of District services and/or facilities), then, the Board of the District, after providing required notice, may impose a penalty of up to \$5,000.00 for each violation of this Plan. Each day that a breach of any provision of this Plan continues shall be considered a separate violation. This penalty shall be in addition to any other legal rights and remedies of the District as may be allowed by law.

Section 9: Variances. The District may, in writing, grant a temporary variance to rationing or pro rata water allocation policies adopted pursuant to this Plan, or a temporary variance to a provision in the Plan, if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the public health, welfare, or safety 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 Plan shall file a petition for variance with the District within 5 days after pro rata allocation has been invoked. All petitions for variances shall be reviewed by the district and shall include the following:

- (a) Name and address of the petitioner(s).
- (b) For District residents and other users of water within the District, a detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan or rationing of water adopted by the District pursuant to this Plan.
- (c) For wholesale water customers, if any, a detailed statement with supporting data and information as to how the pro rata allocation of water under the policies and procedures established in the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if petitioner complies with this Plan.
- (d) Description of the relief requested.
- (e) Period time for which the variance is sought.
- (f) Alternative measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date.
- (g) Other pertinent information.

Variances granted by the District shall be subject to the following conditions unless waived or modified by the District.

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

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

Section 10: Receiving Water from Wholesale Public Water Supplier. In case the District receives water from another water supplier, then the District shall consult with that water supplier in order to respond appropriately to the water supplier's drought contingency plan for reductions in water supply. Also in such case, if the other water supplier implements drought response stages pursuant to its drought contingency plan, the District will evaluate implementing its drought response stages and evaluate the need to discourage excessive use of water in an effort to reduce the use of water.

Section 11: Remedies Cumulative. All rights, remedies, sanctions, penalties and enforcement procedures provided for in this Order are cumulative. In addition, the District shall have and may exercise and enforce any and all rights and remedies provided by law or in equity.

Section 12: Notice to Texas Commission of Environmental Quality. The District's General Manager shall notify the executive director of the Texas Commission of Environmental Quality within five (5) business days of the implementation of any mandatory provisions of this Plan.

Section 13: Wholesale Customer Contracts. If the District enters into or renews any wholesale water contracts after adoption of the Plan, said contracts shall include a provision that in case of a shortage of water resulting from drought, the water to be distributed shall be divided in accordance with Texas Water Code, Section 11.039.

PASSED AND APPROVED this 18th day of January 2024.

FORT BEND COUNTY MUNICIPAL UTILITY
DISTRICT NO. 25, OF FORT BEND COUNTY,
TEXAS

ATTEST:

/s/ 
President, Board of Directors

/s/ 
Secretary, Board of Directors

(SEAL)



Appendix D
Resolution from the
District's Board of Directors

CERTIFICATE FOR RESOLUTION

I, the undersigned officer of the Board of Directors (the "Board") of Fort Bend County Municipal Utility District No. 25, of Fort Bend County, Texas (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on April 18, 2024, at a meeting place of the District, inside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to-wit:

Glenn Farley	President
Vacant	Vice President/Assistant Secretary
Brian Addicks	Assistant Vice President/Investment Officer
Dan Turner	Secretary
Jeffery Williams	Assistant Secretary

All of the members of the Board were present, except Director(s) _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting: A written

RESOLUTION ADOPTING WATER CONSERVATION PLAN

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Resolution be adopted, and, after due discussion, such motion, carrying with it the adoption of such Resolution, prevailed and carried by the following vote:

AYES: _____ NOES: _____

2. A true, full and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; the Resolution has been duly recorded in the Board's minutes of such meeting; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that the Resolution would be introduced and considered for adoption at the meeting; and the meeting was open to the public, as required by law; and public notice of the time, place and purpose of the meeting was given, all as required by V.T.C.A. Government Code, Chapter 551 and Section 49.063, Texas Water Code, as amended.

SIGNED AND SEALED this 18th day of April, 2024.

(DISTRICT SEAL)





Secretary, Board of Directors

FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25, OF FORT BEND COUNTY, TEXAS

RESOLUTION ADOPTING AMENDED WATER CONSERVATION PLAN

WHEREAS, pursuant to Section 13.146 of the Texas Water Code, the Texas Commission on Environmental Quality (the "Commission") is directed to require a retail public utility that provides potable water service to 3,300 or more connections to submit to the Texas Water Development Board (the "TWDB") a water conservation plan based on specific targets and goals developed by the retail public utility and using appropriate best management practices or other water conservation strategies; and

WHEREAS, Fort Bend County Municipal Utility District No. 25, of Fort Bend County, Texas (the "District"), currently provides potable water service to more than 3,300 connections; and

WHEREAS, the Board of Directors of the District (the "Board") adopted a Water Conservation Plan on April 25, 2019, that complies with Section 13.146 of the Texas Water Code (the "Water Conservation Plan"); and


WHEREAS, the Board desires to amend the Water Conservation Plan. Now, therefore,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 25, OF FORT BEND COUNTY, TEXAS, THAT:

Section 1. The Board hereby adopts the Amended Water Conservation Plan attached hereto as **Exhibit "1"**, as the District's water conservation plan (the "Plan") in accordance with Section 13.146 of the Texas Water Code.

Section 2. The District's engineer and other consultants are hereby directed to file the Plan with the TWDB by June 1, 2024.

PASSED AND ADOPTED on this 18th day of April, 2024.



President, Board of Directors

ATTEST:



Secretary, Board of Directors

(DISTRICT SEAL)



Appendix E
Documentation of
Notification