

**DROUGHT CONTINGENCY PLAN
AND EMERGENCY WATER DEMAND AND MANAGEMENT PLAN
FOR THE
GUM SPRINGS WATER SUPPLY CORP.**

**March 14, 2024
PWS # 1020026 & 1020081
CCN # 10416**

Section I: Declaration of Policy, Purpose and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection. And to protect and preserve public health, welfare, and safety minimizing the adverse impacts of water supply shortage or other water supply emergency conditions. **The GUM SPRINGS WATER SUPPLY CORP** hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under the Drought Contingency Plan (hereafter referred to as “The Plan”) are considered to be non-essential. Continuation of such uses during times of water shortage or other emergency water supply conditions are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section IX of this plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the means of posting the Agenda for the February 22, 2024 regular monthly Board of Directors meeting at 12:00pm. The agenda was posted online at GSWSC’s website and in a public place at GSWSC office located at 714 Mount Pleasant Road Hallsville Texas 75650.

Section III: Public Education

The Gum Springs Water Supply Corp will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of notices mailed to each customer, press releases to the local radio and television media and notices posted at the Corporation office located at 714 Mount Pleasant Road, Hallsville, Texas.

Section IV: Coordination with Regional Water Planning Groups

The service area of the Gum Springs Water Supply Corp is located within the Northeast Texas Regional Water Planning Group “D” (NETRWPG) and the Gum Springs Water Supply Corp has provided a copy of this Plan to the North East Texas Regional Water Planning Group “D”. The Administrative Agency for NETRWPG is the Northeast Texas Municipal Water District, Post Office Box 95, Hughes Springs, Texas 75656.

Section V: Authorization

The General Manager, or designee, is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety, and welfare. The General Manager, or designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan. The General Manager or designee will keep the Board of Directors updated once the Plan is implemented up to termination of the Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers, and property utilizing water provided by the Gum Springs Water Supply Corp. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

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

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

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

Customer: any person, company, or organization using water supplied by Gum Springs Water Supply Corp.

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

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

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

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

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

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

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

Even numbered address: street addresses, box numbers or rural postal route numbers ending in (0, 2, 4, 6, or 8).

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

The General Manager or designee shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached.

The triggering criteria described below are based on a statistical analysis of the vulnerability of the water sources under drought of record conditions, or known system capacity limits.

Stage 1 Triggers - MILD Water Shortage Conditions

Requirements for initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII – Definitions when

- (a) When, pursuant to requirements specified in the Gum Springs Water Supply Corp wholesale water purchase contract with the City of Longview, Texas, notification is received requesting initiation of Stage 1 of the Drought Contingency Plan.
- (b) Water consumption has reached 80 percent of daily maximum supply for three (3) consecutive days.
- (c) Water supply is reduced to a level that is only 20 percent greater than the average consumption for the previous month.
- (d) There is an extended period (at least eight weeks) of low rainfall and daily use has risen 20 percent above the use for the same period during the previous year.

Requirements for termination:

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 5 consecutive days.

Stage 2 Triggers – MODERATE Water Shortage Conditions:

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section IX of this Plan when:

- (a) Pursuant to requirements specified in the Gum Springs Water Supply Corp wholesale water purchase contract with the City of Longview, Texas, notification is received requesting initiation of State 2 of the Drought Contingency Plan.
- (b) Water consumption has reached 90 percent of the amount available for three consecutive days.
- (c) The water level in any of the water storage tanks cannot be replenished for three (3) consecutive days. Example: The highest recorded water level drops fifteen (15) feet or more for three (3) consecutive days.

Requirements for termination:

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when:

- (a) Pursuant to requirements specified in the Gum Springs Water Supply Corp wholesale water purchase with the City of Longview, Texas, notification is received requesting initiation of Stage 3 of the Drought Contingency Plan.

- (b) Failure of a major component of the system or an event which reduces the minimum residual pressure in the system below 20 psi for a period of 24 hours or longer.
- (c) Water consumption of 95 percent or more of the maximum available for three (3) consecutive days.
- (d) Water consumption of 100 percent of the maximum available and the water storage levels in the system drop during one 24-hour period.
- (e) Other unforeseen events which could cause imminent health or safety risks to the public.

Requirements for termination:

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased for a period of five (5) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 4 of this Plan when:

- (a) Pursuant to requirements specified in the Gum Springs Water Supply Corp wholesale water purchase contract with the City of Longview, Texas, notification is received requesting initiation of Stage 1 of the Drought Contingency Plan.
- (b) When the water supply available to the Gum Springs Water Supply Corp is equal to or less than 25 percent of storage.
- (c) Water consumption of 95 percent or more of the maximum available for six (6) consecutive days.
- (d) Failure of a major component of the system or an event which reduces the minimum residual pressure in the system below 20 psi for a period of 72 hours or longer.

Requirements for termination:

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

Stage 5 – EMERGENCY Water Shortage Conditions

Requirements for initiation:

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

1. Major line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).
3. Electrical failure and or backup generator failure.
4. Failure of City of Longview (water wholesaler), direct pressure, water outage, pump failure.

Requirements for termination:

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

Stage 6 Triggers – WATER ALLOCATION

Requirements for initiation:

Customers shall be required to comply with the water allocation plan prescribed in Section IX of this Plan and comply with the requirements and restrictions for Stage 5 of this Plan when:

- (a) Pursuant to requirements specified in the Gum Springs Water Supply Corp wholesale water purchase contract with the City of Longview, Texas, notification is received requesting initiation of Stage 1 of the Drought Contingency Plan.
- (b) Any Stages 1 – 5 is in effect.

Requirements for termination:

Water allocation may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days.

Section IX: Drought Response Stages

The General Manager, or designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section VIII of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:

Notification

Notification of the Public:

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

- (a) Publication in a local newspaper of general publication;
- (b) Notice by direct mail to each customer;
- (c) Public service announcements by local radio and TV media.
- (d) Signs posted in public places.

Additional Notification:

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

- (a) City and/or County Emergency Management Coordinator(s)
- (b) County Judge & Commissioner(s)
- (c) State Disaster District (TDEM)
- (d) TCEQ (required when mandatory restrictions are imposed)
- (e) Major water users
 - (1) Stream Flo
 - (2) Trinity Industries
 - (3) Finish Line Truck Wash
 - (4) RCB Gardens (Nursery)
 - (5) Kyle's Kwik Stop (7 Eleven)
 - (6) Mobile Home Parks & RV Parks
 - (7) Tucker & Associates (Nursery)

Stage 1 Response – MILD Water Shortage Conditions

Goal: Achieve a voluntary 25% reduction in daily water demand.

Supply Management Measures:

- (a) Reduce flushing of water mains
- (b) A good meter repair program
- (c) A good leak detection program

Voluntary Water Use Restrictions:

- (a) Water customers are requested to voluntarily limit the irrigation of landscaped areas to Mondays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8) Wednesdays and Fridays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigate landscapes only between the hours of 11:00 p.m. and 5:00 p.m. on designated watering days.
- (b) All operations of the Gum Springs Water Supply Corp shall adhere to water use restrictions prescribed for Stage 2 of the Plan.
- (c) Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

State 2 Response – MODERATE Water Shortage Conditions

Goal: Achieve a 35% percent reduction in daily water demand.

Supply Management Measures:

Discontinue flushing of water mains.

Water Use Restrictions.

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

- (a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to the following for customers with a street address ending in an even number (0, 2, 4, 6, or 8), irrigation of landscapes is Mondays and Thursdays, for water customers with a street address ending in an odd number (1, 3, 5, 7, or 9), irrigation of landscapes is Wednesdays and Fridays, irrigation of landscaped areas is further limited to the hours of 11:00 p.m. until 5:00 a.m. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or water can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 11:00 p.m. and 5:00 a.m. Please note these times and days stated in this plan are subject to change at any time depending on the situation. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rises. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety, and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- (c) Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited except on designated watering days between the hours of 11:00a.m. and 2:00p.m.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) Use of water from hydrants shall be limited to fire fighting, related activities, or other activities necessary to maintain public health, safety, and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the Gum Spring Water Supply Corp.
- (f) Use of water for the irrigation of golf course greens, tees, and fairways is prohibited except on designated watering days between the hours of 11:00 p.m. and 5:00 a.m. However, if the golf course utilizes a water source other than that provided by the Gum Springs Water Supply Corp, the facility shall not subject to these regulations.
- (g) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (h) The following uses of water are defined as non-essential and are prohibited:
 - (I) wash down of any sidewalks, driveways, parking lots, tennis courts, or other hard-surfaced areas;

- (II) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (III) use of water for dust control;
- (IV) flushing gutters or permitting water to run or accumulate in any gutter or street; and
- (V) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response – SEVERE Water Shortage Conditions

Goal: Achieve a 45 percent reduction in daily water demand.

Supply Management Measures:

- 1. Discontinue flushing of water mains
- 2. Continue leak detection program

Water Use Restrictions: All requirements of stage 2 and 3 shall remain in effect during Stage 4 except:

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 11:00 p.m. and 5:00 a.m. Watering by means of hand-held hoses, hand-held buckets, drip irrigation or permanently installed automatic sprinkler systems only. The use of hose-end sprinklers is prohibited at all times.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by Gum Springs Water Supply.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

STAGE 4 – Critical Water Shortage Conditions

Goal: Achieve a 45 percent reduction in daily water demand.

Supply Management Measures:

- 1. Discontinue flushing of water mains.
- 2. Continue leak detection program

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

:

- a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 11:00 p.m. and 5:00 a.m. and irrigation by means of hand-held hoses, hand-held buckets, or drip irrigation only from 11:00 a.m. and 2:00 p.m. The use of hose-end sprinklers or

permanently installed automatic sprinkler systems are prohibited at all times.

- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 11:00a.m. and 2:00 p.m.
- c. The filling, refilling, or adding of water to swimming pools, wading pools, and jacuzzi – type pools is prohibited.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- e. No application for new, additional, expanded, or increase-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approvals of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response -- EMERGENCY Water Shortage Conditions

Goal: Achieve a 65 percent reduction in daily water demand.

Supply Management Measures:

- 1. Discontinue flushing of water mains
- 2. Continue leak detection program

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

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

Stage 6 Response Water Allocation.

In the event that water shortage conditions threaten public health, safety, and welfare, the Gum Springs Water Supply Corp. is hereby authorized to allocate water according to the following water allocation plan:

Single- Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

“Household” means the residential premises served by the customer’s meter.” Persons per household” includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that at a particular customer’s household is comprised of two (2) persons unless the customer notifies Gum Springs Water Supply corp. of a greater number of persons per household on a form prescribed by Gum Springs Water Supply Corp. The Gum Springs Water Supply Corp. shall give his/her best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go the Gum Springs Water Supply Corp. offices to complete and sign the form claiming more than 2 persons per household. New customers may claim more persons per household at the time applying for water service on the form prescribed by the General Manager or designee. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify Gum Springs Water on such a form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify Gum Springs Water in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Gum Springs Water Supply Corp. shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the Gum Springs Water Supply Corp. of a reduction in the number of persons in a household shall be fined not less than \$100.00.

Residential water customers shall pay the following surcharges:

- \$5.00 for the first 1,000 gallons over allocation.**
- \$10.00 for the second 1,000 gallons over allocation.**
- \$20.00 for the third 1,000 gallons over allocation.**
- \$30.00 for each additional 1,000 gallons over allocation.**

Surcharges shall be cumulative.

Master-metered multi-family residential customers

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (e.g. apts., mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer's meter serves two dwelling units unless the customer notifies Gum Spring Water Supply Corp. of a greater number on a form prescribed by the Gum Spring Water Supply Corp. GSWSC staff shall give best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to the GSWS offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by GSWSC. If the number of dwelling units served by a master meter is reduced, the customer shall notify the GSWSC in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units GSWSC shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the GSWSC of a reduction in the number of persons in a household shall be fined not less than \$100.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

\$5.00 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit.

\$10.00, thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit.

\$20.00, thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit.

\$25.00, thereafter for each additional 1,000 gallons over allocation.

Commercial Customers

A monthly allocation shall be established by GSWSC for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The nonresidential customer's allocation shall be approximately-(e.g.75%) of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly

period for which no history exists. GSWSC shall give his/her best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact GSWSC to determine the allocation. Upon request of the customer or at the initiative of GSWSC, the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one residential customer agrees to transfer part of its allocation to another nonresidential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Gum Springs Water Supply Corp.

Industrial Customers

A monthly water allocation shall be established by the Gum Springs Water Supply Corp. General Manager or designee, for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 80 percent of the customer's water usage baseline. Ninety days after initial imposition of the allocation for the industrial customers, the industrial customer's allocation shall be further reduced to seventy percent of the customer's water usage baseline. The industrial customer's water use baseline will be computed on the average water use for the three-month period ending prior to the date of implementation of Stage 2 of the plan. If the industrial water customer's billing history is shorter than three months, the monthly average period for which there is a record shall be for any monthly period for which no billing history exists. The Gum Springs Water Supply Corp. General Manager or designee shall give best effort to see that notice of each industrial customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact Gum Springs Water Supply Corp. to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the Gum Springs Water Supply Corp. 's General Manager, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water use because the customer has shut down a major processing unit for repair or overhaul during the period. (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shutdown or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such as the ability to further reduce water use is limited, (5) the customer agrees to transfer part of it's allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present

conditions. A customer may appeal an allocation established hereunder to the Gum Springs Water Supply Corp. General Manager.

Section X: Enforcement

- (a) no person shall knowingly or intentionally allow the use of water from the Gum Springs Water Supply Corp. for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Gum Springs Water Supply Corp. General Manager or designee in accordance with provisions of this plan.
- (b) Any person who violates this plan is guilty of a misdemeanor and upon conviction shall be punished by a fine no less than 100.00 dollars and not more than 500.00 dollars. Each day that one or more of the provisions in this plan is violated shall constitute a separate offense. If a person is convicted a three or more distinct violations of this Plan, the Gum Springs Water Supply Corp. General Manager shall, upon due notice to the customer, be authorized to discontinue water service to the premises where such violation occurs. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at 100.00 dollars and any other costs incurred by Gum Springs Water Supply Corp. in discontinuing service. In addition, suitable assurance must be given to the Gum Springs Water Supply Corp. General Manager that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person including a person classified as a water customer The Gum Springs Water Supply Corp. in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violation of their minor children and proof that a violation, committed by a child, occurred on the property within the parents control shall constitute a rebuttable presumption that parent committed the violation, but any such any such parent excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this plan and that the parent could not have reasonably known of the violation.
- (d) Any employee of the Gum Springs Water Supply Corp., General Manager, Sheriff's Deputy, Police Officer, or other employee designated by the Gum Springs Water Supply Corp. General Manager may issue a citation to a person he/she reasonably believes to be in

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

Section XI: Variances

The Gum Springs Water Supply Corp. General Manager or designee, may grant a temporary variance in writing for existing water use otherwise prohibited under this plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- (a) Compliance with this plan cannot be technically accomplished during duration of the water supply shortage or other condition for which the plan effect.
- (b) Alternative methods can be implemented which will achieve the same level of reduction in water use.

Person requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the Gum Springs Water Supply Corp. within five days after the plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Gum Springs Water Supply Corp. General Manager or designee and shall include the following:

- (a) Name and address of the petitioner(s)
- (b) Purpose of the water use
- (c) Specific provision of the plan from which the petitioner is requesting relief

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

Variances granted by the Gum Springs Water Supply Corp. shall be subject to the following conditions unless waived or modified by the Gum Springs Water Supply Corp.'s General Manager or designee.

- (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.

RESOLUTION FOR ADOPTION OF A DROUGHT CONTINGENCY PLAN

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
GUM SPRINGS WATER SUPPLY CORPORATION ADOPTING A DROUGHT
CONTINGENCY PLAN.

WHEREAS, the Board recognizes that the amount of water available to the Gum Springs Water Supply Corporation and its water utility customers are limited and subject to depletion during periods of extended drought;

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

WHEREAS, Section 11.1272 of the Texas Water Code and applicable rules of the Texas Commission on Environmental Quality require all public water supply systems in Texas to prepare a drought contingency plan; and

WHEREAS, as authorized under law, and in the best interests of the customers of the Gum Springs Water Supply Corporation, the Board deems it expedient and necessary to establish certain rules and policies for the orderly and efficient management of limited water supplies during drought and other water supply emergencies;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GUM SPRINGS WATER SUPPLY CORPORATION:

SECTION 1. That the Drought Contingency Plan attached hereto as Exhibit “A” and made part hereof for all purposes be, and the same is hereby, adopted as the official policy of the Gum Springs Water Supply Corporation.

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

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

DULY PASSED BY THE BOARD OF DIRECTORS OF THE GUM SPRINGS WATER SUPPLY CORPORATION, ON THIS 14 day of March, 2024.

President, Board of Directors

ATTESTED TO:

Secretary, Board of Directors