

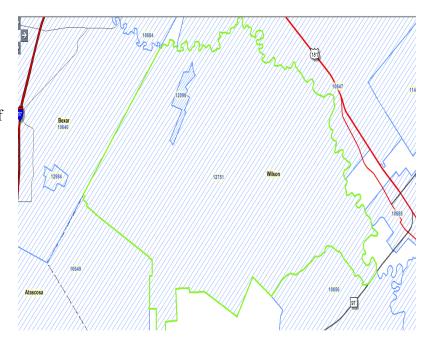
WATER CONSERVATION PLAN and DROUGHT CONTINGENCY PLAN

PWS #2470026 . CCN #12751

| Date Adopted | August 14, 2000 |
|-----------------|-----------------|
| Date(s) Amended | April 17, 2025 |

Description of Service Area

The Picosa Water Supply
Corporation, hereinafter called
the Corporation, provides retail
water service to customers
located in Wilson County. All of
the Corporation's service area is
located within the South Central
Texas Regional Planning Area
(Region L) as designated by the
Texas Water Development
Board under mandate of Senate
Bill 1. Figure 1 shows the
boundaries of the Corporation's
present service area.



Area Served

The total area served by the

Corporation is about 68.6 square miles located in Wilson County.

Population of Service Area

The following table, Figure 2, provides the population of the service area.

| 2023 Census Data | Population | |
|------------------|------------|--|
| Wilson County | 54,183 | |
| Picosa WSC CCN | 4,246* | |

^{*}based on 61.9 people/square mile, US Census Data

Population Served During 2024

Figure 3 shows the number of connections and calculated population (based on 3 people per connection) served by the Corporation.

| County | Population Served | | |
|--------|-------------------|--|--|
| Wilson | 3,216 | | |

Section I: Declaration of Policy, Purpose, and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the Picosa Water Supply Corporation hereby adopts the following regulations and restrictions on the delivery and consumption of water.

The Corporation's goals are to maintain water loss percentages at an acceptable rate and promote water conservation in each member's household, especially as the area becomes more urbanized. A comprehensive water conservation plan is essential for both practical and regulatory purposes. Such a plan is required under the rules of the Texas Commission on Environmental Quality (TCEQ) and Texas Water Development Board (TWDB). TCEQ current rules for water conservation plans are implemented pursuant to provisions of SB 1 and earlier statutory provisions (30 TAC, Chapter 288).

Water uses regulated or prohibited under this Water Conservation Plan and Drought Contingency Plan are nonessential and 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 X of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by the Picosa Water Supply Corporation by means of Picosa WSC website, customer alerts (text messaging or emailing), public notice and customer billing inserts.

Picosa Water Supply Corporation members input, and involvement is scheduled to take place at the Picosa Water Supply Board of Directors Annual Meeting:

Date: March 18, 2025 Time: 7:00 p.m. Location: 3274 FM 2579, Floresville, TX 78114

Section III: Public Education

The Picosa Water Supply 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 the Picosa Water Supply Corporation's website, billing statements and/or inserts and system alerts.

Section IV: Coordination with Regional Water Planning Groups

The service area of the Picosa Water Supply is located within the Regional L Water Planning Group (RWPG) South Central Texas Regional L Water Planning Group. Picosa Water Supply Corporation has provided a copy of this Plan to the RWPG.

Section V: Authorization

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

Section VI: Application

The provisions of this Plan shall apply to all persons, members, and property utilizing water provided by the Picosa Water Supply. The terms "person" and "member" 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:

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

<u>Commercial and institutional water use</u>: water use which is integral to the operations of commercial and non-profit establishments and governmental entities.

<u>Conservation</u>: 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.

Member: any person, company, or organization using water supplied by Picosa Water Supply.

<u>Domestic water use</u>: 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.

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

<u>Foundation watering</u>: an application of water to the soils directly abutting (within 2 feet) the foundation of a building, structure.

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

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

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

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan.
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle.
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas.
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection.
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street.
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzitype 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 firefighting.

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

Water Conservation Plan

Section VIII: Water Conservation Objectives

The Corporation's water conservation objectives are to:

- Derive the highest beneficial use from water diverted or produced.
- Achieve efficient water-use in its production, storage and distribution systems.
- Promote efficient water-use among its members.
- Provide adequate water of consistent and good quality at affordable costs.
- Reduce peak demands for water among its members.
- Prevent water losses through an aggressive, system-wide program of inspection and maintenance.

Section IX: Water Conservation Measures

Conservation measures are basic to the operation of an efficient and cost-effective water utility. The Corporation is developing various methods to ensure a successful water conservation program.

Loss Control

The Corporation had construction completed on the entire system in 1999. To aid in loss control, employees regularly monitor the system through visual field inspection, monitor SCADA system data daily, review monthly reads for unusually high usage, calculate water loss reports monthly and utilize member reports of potential leaks. The Corporation does check and replace lines as needed, to continue to keep the water loss rate as low as possible.

The Corporation is considering utilizing pressure monitoring stations throughout the system to use as an early warning of leaks. These stations will report to the Corporation office to report all information for monitoring.

Water Accounting

The Corporation is considering adding master meters throughout the system to gauge the flow of water to different areas.

Universal Metering

The Corporation has a current system of universal metering. All users of water in the system are metered with AMR radio-read meters. The Corporation removes from service any illegal hookups and charges the offender with the estimated cost of water used. The Corporation takes into consideration other methods of dealing with this potential problem.

Source Water Metering

The Corporation's current water sources are water wells completely in the Carrizo-Wilcox Aquifer. Water production from each well is presently metered by propeller meters. Propeller Meters on the booster pumps discharge also provides back-up monitoring. A meter verification and calibration program assures water production is measured with the required 5%(+/-) accuracy. The Corporation has all production and storage units monitored and controlled from a central SCADA (System Control and Data Acquisition) Center at the Corporation Office.

Costing and Pricing

The Corporation bases its monthly service charges on the cost of service for its members. Over 80% of the Corporation's members use more than 100 gallons per capita per day making escalating block rates effective as a method of pricing.

Information and Education

The Corporation implements conservation education programs by direct communication with members and literature distribution. The Corporation will provide bulletins and brochures to make all members aware of all options available for water conservation.

These items are available in the Corporation's primary office, on the website and available to be mailed upon request. The Corporation will include verbiage on monthly billing statements during periods of drought, or normal elevated usage, encouraging members to conserve water where possible. The Corporation will also utilize it's system-wide alerts to keep members informed.

Projections and Modeling

The following data is from Groundwater Management Area (GMA 13) 2021 Joint Planning for Wilson County:

| | Modeled Available Groundwater (acre-feet per year) | | | | | |
|-------------|--|--------|--------|--------|---------|---------|
| River Basin | 2030 | 2040 | 2050 | 2060 | 2070 | 2080 |
| Guadalupe | 443 | 653 | 762 | 3,870 | 3,982 | 3,982 |
| Nueces | 10,774 | 11,171 | 11,578 | 12,027 | 12,546 | 12,456 |
| San Antonio | 27,067 | 31,780 | 56,269 | 90,050 | 109,142 | 109,142 |

Projected Water Supply Needs for Wilson County

| | Projected Water Supply Needs (acre-feet per year) | | | | | |
|-------------|---|------|------|------|------|--|
| River Basin | 2030 | 2040 | 2050 | 2060 | 2070 | |
| Guadalupe | 87 | 78 | 73 | 66 | 57 | |
| Nueces | 124 | 109 | 104 | 44 | 102 | |
| San Antonio | 8513 | 6579 | 4725 | 2954 | 947 | |

Projected Water Demands for Wilson County

| | v | | | | | |
|-------------|--|-------|-------|-------|-------|--|
| | Projected Water Demands (acre-feet per year) | | | | | |
| River Basin | 2030 | 2040 | 2050 | 2060 | 2070 | |
| Guadalupe | 304 | 279 | 252 | 226 | 215 | |
| Nueces | 4700 | 4206 | 3768 | 3387 | 3112 | |
| San Antonio | 19228 | 19871 | 20430 | 20974 | 21953 | |

Drought Contingency Plan

Section VII Criteria for Initiation and Termination of Drought Response Stages

The Board President, or his/her designee shall monitor water supply and/or demand conditions monthly 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:

The vulnerability of the water source under drought of record conditions or based on known system capacity limits.

Stage 1 Triggers – MILD Water Shortage Conditions

Requirements for initiation

Members shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII. Definitions annually, April 1st through October 15th. Or if one or more of the following conditions exists:

- 1. Any regularly used well is out of service for more than 45 consecutive days.
- 2. Any 2 storage facilities are not filled for 72 consecutive hours.
- 3. The well flow from any regularly used well is less than 90% of full capacity.
- 4. Any 2 storage facilities are out of service due to repainting or other required maintenance.

Requirements for termination

Stage 1 of the Plan may be rescinded and terminated annually on October 15th. or, when all of the conditions listed as triggering events have ceased to exist for a period of seven consecutive days.

Stage 2 Triggers - MODERATE Water Shortage Conditions

Requirements for initiation

Members shall be required to comply with the requirements and restrictions on certain nonessential water uses provided in Section VII: Definitions of this Plan when:

- 1. Any 2 storage facilities are not filled for 120 consecutive hours
- 2. The well flow from any regularly used well is less than 80% of full capacity.

Requirements for termination

Stage 2 of the Plan may be rescinded when all the conditions listed as triggering events have ceased to exist for a period of seven consecutive days. Upon termination of Stage 2, Stage 1, or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for initiation

Members shall be required to comply with the requirements and restrictions on certain nonessential water uses for Stage 3 of this Plan when:

- 1. Any 2 storage facilities are not filled for 144 consecutive hours.
- 2. The well flow from any regularly used well is less than 70% of full capacity.

Requirements for termination

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

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for initiation

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

- 1. Any 2 storage facilities are not filled for 168 consecutive hours.
- 2. The well flow from any regularly used well is less than 60% of full capacity.

Requirements for termination

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

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for initiation

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

- 1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
- 2. Natural or man-made contamination of the water supply source(s).
- 3. The well flow from any regularly used well is less than 50% of full capacity.

Requirements for termination

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

Section IX: Drought Response Stages

The Board President or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section 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 Board President or his/ her designee shall notify the public by means of:

Monthly Billing Statement

Publication in a newspaper

Website: www.picosawsc.com

Alert System: Text/Email Message

Public Flyer/Sign Postings

Additional Notification:

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

Board of Directors

TCEQ

County Fire Marshalls

Local Fire Chiefs

County Judge and Commissioners

Critical water users (hospitals, day cares, retirement/nursing homes, etc.)

A list of current officials with contact information shall be at the Corporation office

Stage 1 Response - MII.D Water Shortage Conditions

<u>Target</u>: Achieve a voluntary 20% reduction in total water use.

Best Management Practices for Supply Management:

1. Check for leaks daily within the water distribution.

Voluntary Water Use Restrictions for Reducing Demand:

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

Stage 2 Response – MODERATE Water Shortage Conditions

Target: Achieve a 30% reduction in total water use.

Best Management Practices for Supply Management:

- 1. Limit flushing to customer dirty water complaints and dead-end lines.
- 2. Visually check for leaks daily within the water distribution.
- 3. Bulk water sales prohibited.

Water Use Restrictions for Demand Reduction:

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

(a) Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for members with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water members with a street address ending in an odd number (1, 3, 5, 7 or 9), and irrigation of

- landscaped areas is further limited to the hours of midnight to 10:00 am and 8:00 p.m. to midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of midnight to 10:00 am and 8:00 p.m. to midnight. 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 midnight to 10:00 am and 8:00 p.m. to midnight
- (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 firefighting, 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 Picosa Water Supply.
- (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 midnight to 10:00 am and 8:00 p.m. to 10 p.m. However, if the golf course utilizes a water source other than that provided by the Picosa Water Supply, the facility shall not be 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:
 - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - 3. use of water for dust control;
 - 4. flushing gutters or permitting water to run or accumulate in any gutter or street;
 - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 Response - SEVERE Water Shortage Conditions

<u>Target</u>: Achieve a 40% reduction in total water use.

Best Management Practices for Supply Management:

- 1. Limit flushing to customer dirty water complaints.
- 2. Visually Check for leaks daily within the water distribution.
- 3. Bulk water sales prohibited.
- 4. Notify Major Water Users

Water Use Restrictions for Demand Reduction:

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

- (a) Irrigation of landscaped areas shall be <u>limited</u> to designated watering days between the hours of midnight to 10:00 am and 8:00 p.m.to midnight and shall be by means of handheld hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is always prohibited.
- (b) The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by the Picosa Water Supply.
- (c) The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued. No bulk water sales will be permitted.
- (d) Foundation Watering (within 2 feet) and watering of trees may occur for two hours one day per week with a hand-held hose or with a dedicated zone using a Drip Irrigation system and/or Soaker Hose, provided no runoff occurs.

Stage 4 Response - CRITICAL Water Shortage Conditions

<u>Target:</u> Achieve a 50% reduction in total water use.

Best Management Practices for Supply Management:

- 1. Discontinued irrigation of public landscaped areas
- 2. Limit flushing to customer dirty water complaints.
- 3. Visually check for leaks daily within the water distribution.
- 4. Bulk water sales prohibited.
- 5. Notify Major Water Users

Water Use Restrictions for Reducing Demand:

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

- (a) Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 am to 10:00 am and 8:00 p.m.to midnight and shall be by means of hand-held hoses, handheld buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 86:00 am to 10:00 am and 8:00 p.m.to midnight.
- (c) The filling, refilling, or adding of water to swimming pools, wading pools, and Jacuzzi-type pools is prohibited.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- (e) No application for new, additional, expanded, or increased-in size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be approved, and time limits for approval of such applications are hereby suspended for such time as this drought response stage or a higher-numbered stage shall be in effect.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a 60% reduction in total water use,

Best Management Practices for Supply Management:

- 1. Discontinued irrigation of public landscaped areas
- 2. Limit flushing to customer dirty water complaints.
- 3. Visually check for leaks daily within the water distribution.
- 4. Bulk water sales prohibited.

Water Use Restrictions for Reducing Demand:

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

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

Section X: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from the Picosa Water Supply 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 Board President, or his/her designee, in accordance with provisions of this Plan.
- (b) Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than \$250 dollars and not more than \$500 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 of three or more distinct violations of this Plan, the Board President shall, upon due notice to the customer, be authorized to discontinue the water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$210.00, and any other costs incurred by Picosa Water Supply in discontinuing service. In addition, suitable assurance must be given to the Board President that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- (c) Any person, including a person classified as a water customer of the Picosa Water Supply, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.
- (d) Any law enforcement officer or employee of the Picosa Water Supply designated by the Board President, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in County Court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served

a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in County Court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in County Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in County Court before all other cases.

Section XI: Variances

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

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

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with Picosa Water Supply within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Board President), or his/her designee, and shall include the following:

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

Variances granted by the Corporation shall be subject to the following conditions, unless waived or modified by the Board President, or his/her 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.

Implementation

The Board of Directors will be responsible for making Drought Contingency Water Plan actions. The Board President or his/her designee will review the procedures in this plan at least every five years unless the conditions necessitate amendments that are more frequent. Modifications may be required to accommodate system growth, changes in water use demand, available water and/or other circumstances.