

## **APPENDIX B**

### **WATER CONSERVATION, DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN FOR CHIMNEY HILL MUNICIPAL UTILITY DISTRICT**

#### **A. 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 to minimize the adverse impacts of water supply shortage or other water supply emergency conditions, Chimney Hill Municipal Utility District (the "District") hereby adopts the following regulations and restrictions on the delivery and consumption of water.

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

Voluntary reduction of water use by customers will be the first step but mandatory curtailment such as water rationing and restrictions on certain types of water use will be required when emergency conditions become eminent.

It is important to distinguish emergency demand management from water conservation planning. Water conservation implements water use efficiency on a permanent basis while emergency demand management establishes temporary methods to be used only as long as an emergency exists.

#### **B. PUBLIC INVOLVEMENT**

Opportunity for the public to provide input into the preparation of the Plan was provided by the District by holding public hearings during regular meetings of the Board of Directors of the District during preparation of the Plan.

#### **C. PUBLIC EDUCATION**

The District 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 letters to the residents, notices on the utility bills, placing of signs in the District, or other similar measures, as appropriate.

**D. COORDINATION WITH REGIONAL WATER PLANNING GROUPS**

The service area of the District is located within Regional Water Planning Area H (“Region H”) under the Texas Water Plan, and the District will provide a copy of this Plan to Region H and the TWDB.

**E. AUTHORIZATION**

The Board of Directors of the District, with Water District Management Co., Inc. (the District's "Operator"), 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 Operator shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

**F. APPLICATION**

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

**G. ABBREVIATIONS FOR APPENDIX B**

cfs	cubic feet per second
EPA	United States Environmental Protection Agency
fps	feet per second
Ft	foot or feet
gal	gallon
gpd	gallons per day
gpm or GPM	gallons per minute
mgd or MGD	million gallons per day
TAC	Texas Administrative Code
TWDB	Texas Water Development Board
TCEQ	Texas Commission on Environmental Quality
VTCA	Vernon's Texas Codes Annotated

## H. DEFINITIONS

For the purposes of this Plan, the following definitions shall apply in addition to the definitions from Article I of the Order Adopting Consolidated Rate Order and Rules and Regulations; Establishing Water Conservation, Drought Contingency and Emergency Water Management Plan; Establishing a Wastewater Service Order; Establishing Certain Other Policies; and Providing Penalties for Violation Thereof:

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: shall mean any person, partnership, corporation, non-profit corporation, trust or other legal entity served by the District's Water Supply System to a residence or business establishment owned or occupied by such person, partnership, corporation, non-profit corporation, trust or legal entity.

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

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

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

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

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

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

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

"Operator" shall mean the person, company or corporation which is employed by or under contract with the District to operate the District's water and sewer system, collect amounts owed to the District for such services, report monthly to the District on the operations of the District's systems and perform any additional services set out in its contract with the District.

"Water Supply System" shall mean the water supply and distribution facilities of the District and all extensions and additions thereto, whether now in place or hereafter constructed.

## **I. DESCRIPTION OF CHIMNEY HILL MUNICIPAL UTILITY DISTRICT**

### **1. Location:**

Chimney Hill Municipal Utility District (the "District"), a political subdivision of the State of Texas, was created by the Texas Water Rights Commission (now the "TCEQ") on September 16, 1976. The District is bounded on the west by Jackrabbit Road; part of the southern boundary of the District is F.M. 529 (Spencer Road). Eldridge Road traverses the eastern portion of the District. The District is located approximately 1 mile south of the intersection of Eldridge Road and U.S. Highway 290. (See Exhibits 1A and 1B). The District is located entirely within the extraterritorial jurisdiction of the City of

Houston, Texas, approximately 16 miles northwest of the central business district of Houston. The District is located entirely within Harris County.

2. Governing Authority:

Chimney Hill Municipal Utility District (the "District") was created for the purposes of providing, operating and maintaining adequate water supply and distribution systems, wastewater treatment and sanitary sewerage collection systems, storm drainage collection and storage facilities, and related services pursuant to Chapters 49 and 54 of the Texas Water Code, as amended. The rights, powers, privileges, authority and functions of the District are established by the general laws of the State of Texas pertaining to special districts and the District is subject to the continuing supervision of the Texas Commission on Environmental Quality.

The District establishes and collects fees from water and sewer customers based on an official Rate Order and levies a maintenance tax for the purpose of paying operational and maintenance costs of all facilities.

The District has entered into contracts with various consultants to facilitate design, construction, operation and maintenance of the district facilities and to furnish legal, fiscal, accounting and audit services.

3. Jurisdiction Considerations:

Chimney Hill Municipal Utility District owns, operates and maintains a water supply and distribution system supplying water to the area within the boundaries. The District has authority to regulate and control the use of water by customers and can extend that authority to regulate water use by out-of-district customers.

The 75th Texas Legislature enacted Senate Bill 1 in 1997. The provisions of Senate Bill 1 resulted in Section 11.272 of the Texas Water Code and the TCEQ promulgated rules requiring water suppliers to adopt drought contingency plans and submit plans to the TCEQ for approval.

**J. UTILITY EVALUATION DATA**

1. The Service Area:

The District provides water service to all developed areas within the District boundary, as shown on Exhibit 1.

2. Population of Service Area:

The District currently has approximately 1433 active water connections serving a population of approximately 5015 persons. The estimated population equivalent is based on 3.5 persons per connection.

3. Inventory of Water Supply Facilities:

a. Water Plant

The District owns and operates two water plants. Water Plant No. 1 receives and stores water purchased from the City of Houston and pumps water to the distribution system. Water Plant No. 2 includes a water well for potable water production and an elevated storage tank for storage.

The two water plants were originally designed with capacity to provide potable water to all connections within the District. Rated Capacity was based on Texas Department of Health design criteria in effect at the time the system was designed.

Recent problems at Water Well No. 2 have caused the District to begin purchasing water from the City of Houston.

The two existing water plants remain in service to produce, store, and maintain pressure for distribution.

The District has an existing interconnect with Spencer Road Public Utility District. At the time of this writing no data are available to the District which allows analysis of the maximum flow or duration of flow available via the interconnect; however, the District is in the process of installing a bidirectional flow meter. The interconnect is normally kept closed and opened when either district's water production is interrupted for any reason.

b. Other Water Capacity Needed to Serve Projected Development:

As development of the District continues, the existing water plant components may be expanded to accommodate additional water connections. The capacity of the service pumps is the limiting factor.

c. Permitted Capacity of Groundwater Source:

The amount of groundwater withdrawal is controlled by the Harris-Galveston Coastal Subsidence District (HGCSA). HGCSA has permitted the District to withdraw 180.0 million gallons of groundwater per year which equates to approximately 493,000 gallons per day. The existing permitted withdrawal of groundwater is sufficient to serve the existing and projected development within the District.

d. Requirements to Convert from Groundwater to Surface Water:

The Harris-Galveston Coastal Subsidence District has located the District in Area 3 which will require the conversion of its water usage from groundwater to surface water. The District has met the mandate of the HGCSA by constructing a water transmission line from the District's Water Plant No. 1 to the City of Houston water distribution system. The District began purchasing water from the City of Houston in July 2000.

4. Number and type of connections in service area:

a. Residential:

There are 1,433 active connections serving single-family residences. The number of vacant units varies from month to month.

b. Commercial:

There are presently 15 active commercial connections and eleven connections for public use including swimming pool, recreation center and sprinkler systems.

c. Industrial:

No industrial users are served by the District, none are anticipated.

5. Water Use Information:

a. Average Water Production:

For the twelve-month period from July 1999 through June 2000, the District used 165,754,000 gallons of water, and average of 13,813,600 gallons per month or 454,100 gallons per day (GPD).

- b. For the same period, the District sold (billed) 144,791,000 gallons of water, an average of 16,487,000 gallons per month or 396,700 gallons per day.

Approximately 87.4% of all water produced was billed to customers; therefore, water accountability was 87.4%.

- c. Peak Daily Use:

The maximum daily water use for the referenced twelve-month period was 901,000 gallons which occurred during the month of August 1999.

- d. Peak to Average Use Ratio (average maximum daily use divided by average annual daily use):

$$\text{Ratio} = 901,000/454,100 = 1.98$$

6. Safe Annual Yield of Water Supply:

The volume of potable water available to meet the needs of the District depends on the amount of water that can be purchased from the City of Houston. Currently, the City has agreed to supply 11,400,000 gallons per month which equates to 380,000 gallons per day. The City will furnish water in excess of the agreed amount but the District must pay a surcharge on amounts used in excess. The agreed amount can be revised once each calendar year. The District will evaluate the actual amount of water used each year and determine if the agreed amount must be increased to ensure the availability of water or decreased to reduce costs of purchased water.

7. Peak daily capacity of system:

The peak daily capacity of the system has not been determined but demand has not exceeded the capacity of the water system. Peak daily capacity will depend on the availability of water from the City of Houston and the ability of the distribution system to keep up with the demand. Transmission of treated potable water from the City of Houston coupled with production from the existing water well, service pumps, ground storage tank and elevated storage tank should be able to keep up with demand under normal operating conditions. Water production will be limited by capacity of the booster pumps to maintain pressure during periods of high demand. That is, the booster pumps pressurize the system but excessive demand may reduce pressure below the acceptable level of 30 PSI; the decrease in pressure may be noticeable to consumers.

8. Water Use and Population:

a. Water use per connection:

For a typical month, residential water use per connection averaged 327 gallons per day or 8705 gallons per month. The recorded usage does not indicate excessive water use by customers.

b. Water use per person:

Assuming 3.5 persons per connection, the average water use per person is approximately 93 gallons per day.

9. Water Accountability:

The percent of water billed to water pumped is averaging 87.4%. The HGCSO requires that 85% of water must be accounted for but this is considered as the minimum.

The unaccounted amount is usually the result of water used for flushing the system, water lost from line leaks, and use by the fire department. Non-potable water is used at the wastewater treatment facilities for process water.

Inaccuracy of the water meter at the well head may also contribute to the water accountability problem. Therefore, the meter is calibrated at least every twelve months (this is required by the HGCSO Permit.) The current program for replacing meters will also improve accuracy of the accountability reporting.

10. Water/Sewer Rate Structure:

The current water and sewer rate structure is revised periodically as needed to generate revenue to pay operation and maintenance costs. The rate structure is currently based on a minimum monthly charge for 6,000 gallons and less; with increasing incremental rates. The rate structure encourages water conservation.

11. Average Annual Revenues:

Average annual revenues from water or wastewater must generate enough revenue to pay all costs of operating and maintaining the water system. The economic impact of any change in rate structure must be evaluated.

The cost of supplying water is not separated from the total operation and maintenance cost of the water and wastewater systems.

The operator, bookkeeper, and engineer for the District are consulted each year and rates are evaluated by the Board. Average annual fixed and variable costs for the previous year are used to determine if rate adjustments are necessary for the following year.

12. Regulation:

As a public supplier of water, Chimney Hill Municipal Utility District must abide by the rules of the following agencies:

Texas Commission on Environmental Quality

Environmental Protection Agency

Harris-Galveston Coastal Subsidence District

**K. NEED FOR AND GOALS OF THE PROGRAM**

1. Need for Goals:

Although ground water has been relatively plentiful within the area, pumpage capacity of Water Well No. 2 has considerably declined in recent months due to well problems, and the quality and quantity of water supply is decreasing due to decline of the aquifers and intrusion of undesirable substances. Also, the cost of supplying water has increased due to the purchase of water from the City and will continue to constantly increase due to environmental protection and resulting local, federal and state regulations. Water supply problems will continue to increase in the future; therefore, the District must plan to maintain an abundant and safe potable water supply.

2. Program Goals:

Realistic goals that can be accomplished are as follows:

- a. Account for ninety-two percent (92%) of water pumped by end of the year 2003.
- b. Reduce per household water consumption to 280 gallons per day by the end of the year 2003.

- c. Increase frequency of distribution of water conservation materials to residents of the District.
- d. Introduce water conservation in schools by sponsoring the "Learning to be Water Wise and Energy Efficient" program at Hairgrove Elementary School.
- e. Distribute water conservation materials on District's Web site.

## **L. WATER CONSERVATION PLAN ELEMENTS**

### **1. Education and Information Programs for Water Customers:**

The District will plan and implement an education program for water and sewer customers to be in full affect by end of the year 2000. Educational material will be mailed with water bills and articles will be published in the neighborhood newsletter.

Pamphlets and brochures that are available from the Texas Water Development Board, Texas Water Conservation Commission and the Harris-Galveston Coastal Subsidence District will be distributed to customers. Information regarding water conservation and slogans will be included on the water bills that are mailed each month.

The District's Operator will distribute water conservation information to each new customer when an account is opened.

### **2. Conservation Oriented Rate Structure:**

To encourage water conservation, the current Rate Order is based on increasing block rates and includes increasing rates for over 15,000 gallons and over 20,000 gallons used per month.

With the purchase of water from the City of Houston, the water rate structure must be evaluated regularly and the amount of water purchased must be adjusted as necessary to reduce water costs. Evaluation of water rates should be included in the annual report submitted to the Texas Water Development Board.

3. Universal Metering and Meter Repair Programs:

a. Meter Installation:

The District requires that all connections must be metered and all new meters must be installed by the District's Operator.

The District's policy is the Operator shall inspect service connections and water taps for all new connections before service is initiated.

b. Meter Repair:

Meters that are repairable shall be repaired by the District's Operator or sent to a meter repair shop. When a faulty meter is discovered, a new meter shall be immediately installed and the old meter will be repaired if practicable and reused.

c. Meter Replacement:

The District currently has an ongoing program for replacement of existing meters. The District's Operator has been instructed by the Board of Directors to replace those meters that appear to be inaccurate.

4. Leak Detection and Repair:

The District's Operator will perform monthly inspections of all water lines in the District to check for leaks while routinely touring the District.

The District's Operator will review the water billings each month to determine if any unusually high water usage has occurred. Those customers using excessive water will be contacted and made aware of the high water use.

Repair of water leaks on personal property will be the responsibility of the customer and at his expense.

Leaks in all water lines located in easements or rights-of-way will be repaired by the District's Operator.

5. Means of Implementation and Enforcement:

The current Order Establishing Policies and Rates for Water and Sewer provides authority to disconnect and/or terminate water and sewer service in the event a customer violates District policy.

In addition to this Plan, the District has adopted a standard plumbing code as a means for implementation and enforcement of its Plan.

6. Annual Evaluation and Report:

After satisfactory completion of the projects to be funded by a loan from the TWDB, the District shall be held responsible for continued compliance with all representations and assurances made to the TWDB. To protect the State's monetary investment and the public interest, the following provisions will be observed.

- (1) The executive administrator is authorized to inspect the projects and review operational and financial records. Certified copies of all documents relating to the operation of the projects and compliance with agreements relating to TWDB financial assistance will be provided as requested.
- (2) The District must maintain an approved water conservation program in effect until all financial obligations to the State have been discharged and shall report annually to the executive administrator on the implementation and status of required water conservation programs for three years after the date of loan closing. If the executive administrator determines that the water conservation program is not in compliance with the approved water conservation plan, the District shall continue to supply annual reports beyond the three years until the executive administrator determines that the deficiencies in the plan have been resolved.
- (3) Should any information obtained by the executive administrator indicate noncompliance with any agreements, the executive administrator shall require the political subdivision to take timely corrective action. Failure to correct problems may be cause for referral to the Attorney General.

The Board of Directors has authorized the District's Operator to prepare a monthly report and annual water audit which compares the amount of water pumped versus the amount of water billed. The Board of Directors will consider ways and means to improve water accountability and reduce water use in general.

## M. DROUGHT CONTINGENCY AND EMERGENCY WATER MANAGEMENT PLAN

### 1. Criteria for Initiation and Termination of Drought Response Stages:

The Operator shall monitor water supply and/or demand conditions on a daily 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 known system capacity limits. The triggering criteria shall be based on actual water used as metered and recorded by the Operator. The District has adopted measures for each stage of the Plan as warranted by the triggers. The stages will not necessarily be adopted in consecutive order.

In May of each year, the District will distribute water conservation materials to the residents of the District in an effort to encourage residents to conserve water during the summer months.

### 2. Drought Response Stages:

The Operator shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in this Plan, shall determine when a mild, moderate to severe, critical, or emergency water shortage condition exists and shall implement the following notification procedures:

**Notification: Before any notification of the public occurs, the Operator shall notify the Board of Directors of the need to evoke mandatory water conservation procedures as specified herein; notwithstanding, the Board of Directors reserves the right to call a special meeting to review the specific situation and to take additional or other actions deemed necessary to correct the problem.**

### 3. Notification of the Public:

The Operator shall notify the public by means of:

direct mail to each customer,  
signs posted in public places, or  
other measures that might be appropriate.

Additional Notification:

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

Texas Commission on Environmental Quality (required when mandatory restrictions are imposed)  
Major water users  
Critical water users, i.e. hospitals

**Stage 1 Triggers -- MILD Water Shortage Conditions**

Requirements for initiation

Unless otherwise directed by the Board of Directors, customers shall be asked to voluntarily conserve water and adhere to the prescribed restrictions on certain non-essential water uses for Stage 1 of this Plan when any of the following conditions occur:

When total daily water demand equals or exceeds 650,000 gpd for 3 consecutive days.

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 3 consecutive days.

**Stage 1 Response -- MILD Water Shortage Conditions**

Goal: Achieve a voluntary 10 percent reduction in daily water demand.

Best Management Practices for Supply Management:

Discontinue flushing of water mains.

Notify customers of the implementation of the water use restrictions by sending the letter as attached as Exhibit 1.

Voluntary Water Use Restrictions: All persons shall be asked to voluntarily conserve water and adhere to the following water use restrictions, unless otherwise directed by the Board of Directors:

- (a) Watering of lawns and irrigation of landscaped areas shall be voluntarily limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water

customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of landscaped areas shall be voluntarily limited to designated watering days between the hours of 10:00 p.m. and 8:00 a.m. and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is discouraged at all times.

- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is discouraged except on Saturdays between the hours of 10:00 p.m. and 8:00 a.m. Such washing 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 discouraged except on designated watering days between the hours of 10:00 p.m. and 8:00 a.m.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is discouraged except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation 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.
- (f) All restaurants are discouraged from serving water to patrons except upon request of the patron.
- (g) The following uses of water are defined as non-essential and are discouraged:
  - (1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - (2) use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - (3) use of water for dust control;
  - (4) flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - (5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

## **Stage 2 Triggers -- MODERATE to SEVERE Water Shortage Conditions**

### Requirements for initiation:

Unless otherwise directed by the Board of Directors, customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 2 of this Plan when any of the following conditions occur:

When total daily water demand equals or exceeds 750,000 gpd for 5 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 5 consecutive days.

## **Stage 2 Response -- MODERATE to SEVERE Water Shortage Conditions**

Goal: Achieve a 20 percent reduction in daily water demand.

### Best Management Practices for Supply Management:

Discontinue flushing of water mains.

Notify customers of the implementation of the water use restrictions by sending the letter as attached as Exhibit 2.

Water Use Restrictions: Under threat of penalty for violation, the following water use restrictions shall apply to all persons, unless otherwise directed by the Board of Directors:

- (a) Watering of lawns and irrigation of landscaped areas shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of landscaped areas shall be limited to designated watering days between the hours of 10:00 p.m. and 8:00 a.m. and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on Saturdays between the hours of 10:00 p.m. and 8:00 a.m. 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 10:00 p.m. and 8:00 a.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 re-circulation 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.
- (f) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (g) The following uses of water are defined as non-essential and are prohibited:
  - (1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - (2) use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - (3) use of water for dust control;
  - (4) flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - (5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

### **Stage 3 Triggers -- CRITICAL Water Shortage Conditions**

#### Requirements for initiation:

Unless otherwise directed by the Board of Directors, customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when any of the following conditions occur:

When total daily water demand equals or exceeds 850,000 gpd for 5 consecutive days.

Requirements for termination:

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

**Stage 3 Response -- CRITICAL Water Shortage Conditions**

Goal: Achieve a 30 percent reduction in daily water demand.

Best Management Practices for Supply Management:

Discontinue flushing of water mains; discontinue irrigation of public landscaped areas.

Notify customers of the implementation of the water use restrictions by sending the letter attached as Exhibit 3.

Water Use Restrictions: Under threat of penalty for violation, the following water use restrictions shall apply to all persons, unless otherwise directed by the Board of Directors:

All requirements of Stages 1 and 2 shall remain in effect during Stage 3 except:

- (a) Watering of lawns and irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 8:00 a.m. and between 10:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is prohibited at all times while water use is restricted.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 8:00 a.m. and between 10:00 p.m. and 12:00 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 4 Triggers -- EMERGENCY Water Shortage Conditions**

##### Requirements for initiation:

Unless otherwise directed by the Board of Directors, customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when the Operator determines that a water supply emergency exists based on:

Disruption of water transmission from the City of Houston, major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service;

**or**

Natural or man-made contamination of the water supply source(s).

##### 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 5 consecutive days.

#### **Stage 4 Response -- EMERGENCY Water Shortage Conditions**

Goal: Restore normal water supply as soon as possible.

##### Best Management Practices for Supply Management:

Discontinue flushing of water mains; discontinue irrigation of public landscaped areas.

Notify customers of the implementation of the water use restrictions by sending the letter attached as Exhibit 4.

Water Use Restrictions: Under threat of penalty for violation, the following water use restrictions shall apply to all persons, unless otherwise directed by the Board of Directors:

All requirements of Stages 1, 2, and 3 shall remain in effect during Stage 4 except:

- (a) Watering of lawns and 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.

**4. Enforcement:**

- (a) No person shall knowingly or intentionally allow the use of water from the District for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Operator in accordance with provisions of this Plan.
- (b) 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 Stage 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. The letter attached as Exhibit 5 may be used for the written notification of a first violation of the provisions of the Plan.
- (c) 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 Consolidated Rate Order are satisfied. Water services will not be restored until noncompliance is discontinued, a reconnect fee of \$50 is received by the District, and all penalties are paid as defined below. The letter attached as Exhibit 6 may be used to notify the person or entity of the termination of services.
  - (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,

in addition to disconnection as provided in this Section, the Board of the District, after providing required notice, shall impose a penalty as follows:

2nd violation	– \$ 50
3rd violation	– \$200
4th violation	– \$300
subsequent violations	-- \$500 each

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. The letter attached as Exhibit 6 hereto should be used to provide the required notice.

- (d) Remedies Cumulative. All rights, remedies, sanctions, penalties, and enforcement procedures provided for in this Plan 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.

**5. Variances:**

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

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

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the District within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Board of Directors of the District 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.

Variations granted by the District shall include the following provisions, unless waived or modified by the Board of Directors of the District:

- (a) Variations granted shall include a timetable for compliance.
- (b) Variations 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 unless proven that it was necessary due to serious health reasons.

**6. End of Drought Contingency Water Use Restrictions:**

When the District is able to return to normal water use, the District shall send out the letter attached as Exhibit 7, or otherwise notify the customers of the District of the end of all water use restrictions.

EXHIBIT 1  
TO APPENDIX B

**CHIMNEY HILL MUNICIPAL UTILITY DISTRICT  
OF  
HARRIS COUNTY, TEXAS  
(Drought/Emergency Stage 1)**

\_\_\_\_\_  
(Date)

Dear Customer:

As a result of \_\_\_\_\_, Chimney Hill Municipal Utility District is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 1 of the Water Conservation, Drought Contingency and Emergency Water Management Plan (the "Plan") is now in effect. The Board of Directors is aware of the inconvenience of these restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. These restrictions are in accordance with the Stage 1 of the Drought Contingency Plan:

- (a) Watering of lawns and irrigation of landscaped areas shall be voluntarily limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of landscaped areas shall be voluntarily limited to designated watering days between the hours of 10:00 p.m. and 8:00 a.m. and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is discouraged at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is discouraged except on Saturdays between the hours of 10:00 p.m. and 8:00 a.m. 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 discouraged except on designated watering days between the hours of 10:00 p.m. and 8:00 a.m.
- (d) Operation of any ornamental fountain or pond for aesthetic or scenic purposes is discouraged except where necessary to support aquatic life or where such fountains or ponds are equipped with a re-circulation 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.
- (f) All restaurants are discouraged from serving water to patrons except upon request of the patron.
- (g) The following uses of water are defined as non-essential and are discouraged:
  - (1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - (2) use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - (3) use of water for dust control;
  - (4) flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - (5) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

All persons are asked to voluntarily conserve water and adhere to the Water Use Restrictions set forth above.

The Board of Directors appreciates your cooperation and perseverance during this Drought Stage. Once the Drought Stage ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Very truly yours,

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Board of Directors

EXHIBIT 2  
TO APPENDIX B

**CHIMNEY HILL MUNICIPAL UTILITY DISTRICT  
OF  
HARRIS COUNTY, TEXAS**  
(Drought/Emergency Stage 2)

\_\_\_\_\_  
(Date)

Dear Customer:

As a result of \_\_\_\_\_, Chimney Hill Municipal Utility District is unable to provide water at the customary levels or pressure.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 2 of the Water Conservation, Drought Contingency and Emergency Water Management Plan (the "Plan") is now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. These restrictions are in accordance with the Stage 2 of the Drought Contingency Plan:

- (a) Watering of lawns and irrigation of landscaped areas shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of landscaped areas shall be limited to designated watering days between the hours of 10:00 p.m. and 8:00 a.m. and shall be by means of hand-held hoses, hand-held buckets, drip irrigation, or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on Saturdays between the hours of 10:00 p.m. and 8:00 a.m. 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 10:00 p.m. and 8:00 a.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 re-circulation 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.
- (f) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (g) The following uses of water are defined as non-essential and are prohibited:
  - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - 3. use of water for dust control;
  - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Failure to comply with the Water Use Restrictions is deemed a violation of the Drought Contingency Plan and may result in the termination of water and sewer service to your property. Water and sewer service will not be restored until noncompliance is discontinued, a reconnect fee of \$50 is paid, and payment of a \$50 penalty is received by the District.

The Board of Directors appreciates your cooperation and perseverance during this Drought Stage. Once the Drought Stage ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Very truly yours,

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Board of Directors

EXHIBIT 3  
TO APPENDIX B  
**CHIMNEY HILL MUNICIPAL UTILITY DISTRICT**  
**OF**  
**HARRIS COUNTY, TEXAS**  
(Drought/Emergency Stage 3)

\_\_\_\_\_  
(Date)

Dear Customer:

As a result of \_\_\_\_\_, Chimney Hill Municipal Utility District is suffering extreme inability to provide water at the customary levels or pressure.

This condition should be resolved within the next \_\_\_\_\_, and/or a Board of Directors meeting will be held \_\_\_\_\_ at \_\_\_\_\_ .m. at \_\_\_\_\_ to explain the situation and possible solutions.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 3 of the Water Conservation, Drought Contingency and Emergency Water Management Plan (the "Plan") is now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. The following restrictions are now in effect:

- (a) Watering of lawns and irrigation of landscaped areas shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8), and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 8:00 a.m. and between 10:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets, or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is prohibited at all times.
- (b) Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety, and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 8:00 a.m. and between 10:00 p.m. and 12:00 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 re-circulation 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.
- (f) All restaurants are prohibited from serving water to patrons except upon request of the patron.
- (g) The following uses of water are defined as non-essential and are prohibited:
  - 1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  - 2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  - 3. use of water for dust control;
  - 4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
  - 5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- (h) 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.

Failure to comply with the Water Use Restrictions is deemed a violation of the Policy Regulating Water Use During an Emergency Water Period and may result in the termination of water and sewer service to your property. Water and sewer service will not be restored until noncompliance is discontinued, a reconnect fee of \$50 is paid, and payment of a \$50 penalty is received by the District.

The Board of Directors appreciates your cooperation and perseverance during this Drought Stage. Once the Drought Stage ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Very truly yours,

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Board of Directors

EXHIBIT 4  
TO APPENDIX B

**CHIMNEY HILL MUNICIPAL UTILITY DISTRICT  
OF  
HARRIS COUNTY, TEXAS**  
(Drought/Emergency Stage 4)

\_\_\_\_\_  
(Date)

Dear Customer:

As a result of \_\_\_\_\_, Chimney Hill Municipal Utility District is suffering extreme inability to provide water at the customary levels or pressure.

This condition should be resolved within the next \_\_\_\_\_, and/or a Board of Directors meeting will be held \_\_\_\_\_ at \_\_\_\_\_ .m. at \_\_\_\_\_ to explain the situation and possible solutions.

To ensure that an adequate supply of water is available for drinking and bathing, you are hereby notified that Stage 4 of the Water Conservation, Drought Contingency and Emergency Water Management Plan (the "Plan") is now in effect. The Board of Directors is aware of the inconvenience of these severe restrictions, but it is imperative that the water supply not only be available for drinking and bathing but also for fire fighters in the event of a house fire. The following restrictions are now in effect:

- (a) Watering of lawns and 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.
- (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 re-circulation 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.
- (f) All restaurants are prohibited from serving water to patrons except upon request of the patron.

- (g) The following uses of water are defined as non-essential and are prohibited:
1. wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
  2. use of water to wash down buildings or structures for purposes other than immediate fire protection;
  3. use of water for dust control;
  4. flushing gutters or permitting water to run or accumulate in any gutter or street; and
  5. failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).
- (h) 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.

Failure to comply with the Water Use Restrictions is deemed a violation of the Policy Regulating Water Use During an Emergency Water Period and may result in the termination of water and sewer service to your property. Water and sewer service will not be restored until noncompliance is discontinued, a reconnect fee of \$50 is paid, and payment of a \$50 penalty is received by the District.

The Board of Directors appreciates your cooperation and perseverance during this Drought Stage. Once the Drought Stage ends, we will notify you and you may then return to normal usage. If conditions should worsen, you will be notified of more stringent restrictions, to ensure the availability of water in your community.

Very truly yours,

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Board of Directors

EXHIBIT 5  
TO APPENDIX B

**CHIMNEY HILL MUNICIPAL UTILITY DISTRICT  
OF  
HARRIS COUNTY, TEXAS**

**CITATION**

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(Date)

Dear Customer:

You are hereby notified that you are violating the Water Use Restrictions of Chimney Hill Municipal Utility District.

You have been observed:

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Attached is a copy of the letter we sent you regarding the Drought/Emergency Stage \_\_\_\_\_ and the restrictions imposed.

Unless the use of water in a prohibited manner is ceased immediately, water and sewer service to your property will be terminated, and service will be only restored upon receipt by the District of payment of a \$50 reconnect fee and a \$50 penalty.

Sincerely,

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Board of Directors

EXHIBIT 6  
TO APPENDIX B

**CHIMNEY HILL MUNICIPAL UTILITY DISTRICT  
OF  
HARRIS COUNTY, TEXAS**

**CITATION**

\_\_\_\_\_  
(Date)

Dear Customer:

On \_\_\_\_\_, you were notified that you were violating the Water Use Restrictions of Chimney Hill Municipal Utility District. This second violation has resulted in the termination of water and sewer service to your property. Service will be restored upon discontinuation of the prohibited use and upon payment to the District of a \$50 reconnect fee and a \$50 penalty. In addition, you will have to sign a copy of the water use restrictions now in effect. To have service restored you should contact the operator of Chimney Hill Municipal Utility District at \_\_\_\_\_.

In addition, if you fail to take the steps listed above, the District will consider the imposition of further Monetary Penalties for Noncompliance. In addition to disconnection, the District shall impose monetary penalties as follows: (1) the penalty for a second violation will be \$50; (2) the penalty for a third violation will be \$200; (3) the penalty for a fourth violation will be \$300; and (4) the penalty for each subsequent violation will be \$500. 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, including termination of service which will result in a \$50 reconnect fee. We urge you to comply with the provisions of the District's Water Conservation, Drought Contingency, and Emergency Water Management Plan.

Sincerely,

\_\_\_\_\_  
Board of Directors

EXHIBIT 7  
TO APPENDIX B

**CHIMNEY HILL MUNICIPAL UTILITY DISTRICT  
OF  
HARRIS COUNTY, TEXAS**

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(Date)

Dear Customer:

The Drought/Emergency Condition has ended. You may return to normal water usage. The Board of Directors of Chimney Hill Municipal Utility District appreciates your cooperation and perseverance during this period and would appreciate your continued attention to water use. Continued water conservation practices will help ensure water availability in the future. Thank you for your efforts.

Very truly yours,

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Board of Directors