

NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

**ORDER ADOPTING WATER CONSERVATION PLAN; PROVIDING FOR
IMPLEMENTATION AND ENFORCEMENT THEREOF; AND CONTAINING OTHER
PROVISIONS RELATED TO THE SUBJECT**

The Board of Directors (“Board”) of Northwest Harris County Municipal Utility District No. 5 (“District”) met at the Board’s regular meeting place on September 15, 2016, with a quorum of Directors present, as follows:

Jeff P. Collins, President
James Adams, Secretary
Charles Fischer, Treasurer
H. Bruce Gallun, Director

and the following absent:

Larry L. Milberger, Vice President

when the following business was transacted:

The order set out below was introduced and considered by the Board. It was then moved, seconded and unanimously carried that the following order be adopted:

WHEREAS, the Board recognizes that the amount of water available to the District and its water utility customers is limited and subject to depletion during periods of extended drought;

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

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

WHEREAS, the District desires to comply with the Code and applicable rules of the TCEQ;

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

WHEREAS, the Board of Directors of Northwest Harris County Municipal Utility District No. 5 has carefully considered the current water conditions in the District and area-wide and has determined that the adoption of this Water Conservation Plan (the "Plan") by the District is necessary to ensure that an adequate supply of water is maintained; and

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

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5 THAT:

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

Section 2. Declaration of Policy, Purpose and Intent. The purpose of the Plan is to promote the efficient and responsible use of water by (1) implementing structural programs that result in quantifiable water conservation results, (2) developing, maintaining and enforcing water conservation policies, (3) adhering to all applicable rules of the Texas Commission on Environmental Quality and/or the Texas Water Development Board and (4) supporting public education programs that educate customers about water and wastewater facilities operations, water quantity and quality, water conservation and non-point source protection.

Section 3. Service Area. Profile data for the District water utility is provided in Appendix "A". Appendix "A" includes data on the District's service area, including population and customer data, water use data, water supply system data and wastewater data. The Appendix "A" shall hereafter be updated at least once every five years.

Section 4. Five-year and Ten-year Targets. The District shall use reasonable efforts to reduce water loss and municipal use of water. In doing so, the District has identified the following goals for water savings:

- A. **Five-year Target:** Within five (5) years of the date hereof, the District shall attempt to reduce the average daily municipal use of water in the District's service area by 10 gallons per day ("gpd") per connection and to keep the unaccounted water in the system below 10% annually.
- B. **Ten-year Target:** Within ten (10) years of the date hereof, the District shall attempt to reduce the average municipal use of water in the District's service area by 40 gpd per connection and to keep the unaccounted water in the system below 10% annually.

Notwithstanding the targets identified above, the District shall not be obligated to achieve any water savings in its service area, and the District's failure to do so shall not subject the District to any liability whatsoever.

Section 5. Metering Devices. The District will implement a plan of universal metering of all water delivered by the District, and all such metering devices will be calibrated regularly to ensure reasonable accuracy and replaced as needed.

Section 6. Unaccounted Water Usage. The District authorizes the District's operator to implement any reasonable program to determine unaccounted for uses of water and to make recommendations to the District regarding measures to control such unaccounted for uses of water. Such measures may include periodic visual inspections along distribution lines, annual or monthly audits of the water system to determine illegal connections, and investigation of

of all elements of this Plan. The operator shall report to the Board of the District, at meetings of the Board, regarding actions taken and which need to be taken under this Plan.

Section 11. Record Management. The District authorizes the District's operator to establish a record management system to record water pumped, water delivery, water sales, and water losses, and which allows for the segregation of water sales and uses into residential, commercial, public and institutional, and industrial user classes.

Section 12. Wholesale Water Customers. The District shall require that each successive wholesale customer develop and implement a water conservation plan or water conservation measures in compliance with all applicable rules of the Texas Commission on Environmental Quality. This requirement will also extend to each successive wholesale customer in the resale of water.

Section 13. Five-year Review. The District shall review and update the Plan every five years, or more frequently, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information.

Section 14. Coordination with Regional Water Planning Group. The service area of the District is located within the Region H Regional Water Planning Group of the Texas Water Development Board and the District has provided or will provide a copy of this water conservation plan to the San Jacinto River Authority.

Section 15. Drought Contingency Plan. The District has adopted a drought contingency plan.

Section 16. Effective Date. This Order shall become effective on September 15, 2016.

Passed, ordered and approved, this September 15, 2016.



President

ATTEST:



Secretary



Appendix "A"

Utility Profile

OPERATING IS UPDATING
