

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §  
  §  
COUNTY OF BASTROP §

I, the undersigned officer of the Board of Directors of Bastrop County Municipal Utility District No. 1, hereby certify as follows:

1. The Board of Directors of Bastrop County Municipal Utility District No. 1 convened in regular session on April 5, 2024, outside the boundaries of the District, and the roll was called of the members of the Board:

William Tullis	President
Jerry B. Patterson	Vice President
Jane T. Sevier	Secretary
Krystal Mealy	Assistant Secretary
Steve Adamcik	Director

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

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

was introduced for the consideration of the Board. It was then duly moved and seconded that the order be adopted, and, after due discussion, the motion, carrying with it the adoption of the order, prevailed and carried unanimously.

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

SIGNED AND SEALED on April 5, 2024.

(SEAL)

1189462



*Jane Sevier*  
Secretary, Board of Directors

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

WHEREAS, the Board of Directors (the "Board") of Bastrop County Municipal Utility District No. 1 (the "District"), has carefully considered the current water conditions in the District and area-wide and has determined that the adoption of this Amended and Restated Drought Contingency Plan (the "Plan") by the District is necessary to ensure that an adequate supply of water is maintained; and

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

WHEREAS, the Board of the District has previously adopted a Drought Contingency Plan (the "Prior Plan"), and wishes to rescind the Prior Plan; and

WHEREAS, the Board of the District wishes to evidence its approval of this Plan and to adopt this Plan as the official policy of the District; NOW, THEREFORE,

BE IT ORDERED BY THE BOARD OF THE DISTRICT THAT:

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

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

A. Publishing articles in a newspaper or newsletter of general circulation in the District's service area, posting articles on the District's website, and emailing articles to District users (as defined below) to provide information regarding the Plan; and

B. Direct distributions to all District residents and other users of water within the District, and all wholesale water customers of the District, if any, ("Users") by U.S. mail, by electronic mail and/or by posting on the District's website, explaining the Plan; and

C. Direct distributions to Users by U.S. mail, by electronic mail and/or by posting on the District's website, of educational and informational material regarding the Plan; and

D. Additional educational activities consisting of (i) publishing an article or articles in a local newspaper or newsletter of general circulation in the District's service area, providing tips or information on water saving techniques, or (ii) conducting an informational school program in a school attended by students within the District's service area, or (iii) conducting an educational program for Users at a public place within or accessible to residents of the District, or (iv) conducting or engaging in such other informational or educational activity designed to further the Plan as, in the discretion of the Board of Directors, may be consistent with the purposes and policies of this Plan, or (v) any combination of the foregoing.

Section 3: Coordination with Regional Water Planning Groups. The water service area of the District is located within the Region K - Lower Colorado River Authority and the District has provided a copy of the Plan to the Region K - Lower Colorado River Authority.

Section 4: The Drought Contingency Plan.

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

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

1. Mild Drought. This condition (herein, "Mild Drought Conditions") exists when demand on the District's water supply facilities reaches or exceeds **seventy-five percent** of the production capacity of such facilities for 3 consecutive days, as determined by the District's operator.

2. Moderate Drought. This condition (herein, "Moderate Drought Conditions") exists when demand on the District's water supply facilities

reaches or exceeds **eighty-five percent** of the production capacity of such facilities for 3 consecutive days, as determined by the District's operator.

3. Severe Drought. This condition (herein, "Severe Drought Conditions") exists when demand on the District's water supply facilities reaches or exceeds **ninety percent** of the production capacity of such facilities for 24 hours, as determined by the District's operator.

4. Emergency Conditions. This condition (herein, "Emergency Conditions") exists when demand on the District's water supply facilities reaches or exceeds **one hundred percent** of the production capacity of such facilities for 24 hours, as determined by the District's operator.

**The above trigger conditions shall be superseded by any implementation of Drought Contingency Plan provisions by Aqua Water Supply Corporation ("Aqua"), the District's water service provider. If any provisions of the District's Plan are more stringent than the provisions of the Aqua Plan, then the stricter provisions shall apply and be in full force.**

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

1. Mailing, at least 48 hours prior to the commencement of the required Drought Response Measures, a written notice to each User;
2. Posting notices on the District's website;
3. Emailing notices to Users;
4. Posting of signs at the entrances to the District;
5. Posting of notices at public places in the District;
6. Dissemination of press releases to the local news media; and
7. For wholesale water customers, if any, the District operator shall contact wholesale water customers by written notice, and/or by other means, including those means described above, prior to commencement of the required Drought Response Measure.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2024.

  
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President, Board of Directors

ATTEST:

  
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Secretary, Board of Directors

(SEAL)

