

Lighthouse District, LLC

PO Box 1041

Canyon, TX

806-433-8612

An Investor-Owned Utility

Mark Hughes, Owner

Drought Contingency Plan

Section I: Declaration of Policy, Purpose, and Intent

- (a) 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, Lighthouse District, LLC (District) hereby adopts the following regulations and restrictions on the delivery and consumption of water.
- (b) Water uses regulated or prohibited under this Drought Contingency 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 are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section VIII of this Plan.

Section II: Public Education

Lighthouse District, LLC will provide new customers 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 printed copy, email, or text message to current customers and all customers applying for service.

Section III: Authorization

The Owner of Lighthouse District, LLC (Owner) 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. 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 IV: Application

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

Section V: Definitions

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

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

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

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

Customer: any person, company, or organization using water supplied by Lighthouse District, LLC.

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.

Drip irrigation system. A system designed to irrigate landscapes at a much lower water flow rate than conventional sprinkler systems. Typically, these systems use emitters that flow 0.1 to 4.0 gallons/hour.

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, 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, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, 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 firefighting.

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

Production capability. The volume/amount of water available to be produced by District's current water resources and infrastructure based on current conditions.

Water waste. Allowance of water to be wasted and not have a beneficial use. Examples include but are not limited to: excessive irrigation or water runoff onto impervious surfaces, streets, gutters or drainage structures, malfunctioning or broken sprinkler heads, uncontrolled leaks, and irrigation during precipitation and freezing weather.

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

Owner shall monitor water supply and/or demand conditions 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 vulnerability of District's water supply to shortages during drought conditions, periods of high water demand, and the potential for natural disasters, equipment failure, or contamination of the water supply.

Section VII: Drought Stages

- (a) Generally. Owner shall monitor conditions and shall determine when conditions warrant initiation or termination of each stage of the plan. Initiation and termination of the sequential order of the stages is not required, if Owner determines it is in the best interest of the public and/or protection of the water supply. Public

notification of the initiation or termination of drought response stages shall be by means of print, email, or text notification to active customers.

(b) Stages.

(1) Stage 1 drought conditions—Mild water shortage conditions

- (A) *Requirements for initiation.* Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses as defined in section V (Definitions). Stage 1 may be triggered by one or more of the following events:
 - (i) When drought conditions exist.
 - (ii) Total consumption has reached 65% of the available production capability for five (5) consecutive days.
 - (iii) Any combination of mechanical failures in production, transmission, or distribution that reduces the production capability by a significant amount (as determined by Owner), or contamination of the water supply.
- (B) *Goal.* Increase customer awareness of water conservation measures. Decrease total water consumption by 10%.
- (C) *Response.* Customer notification of Stage 1 conditions, and encouragement of voluntary watering schedules and other water conservation measures.
- (D) *Requirements for termination.* Stage 1 of the plan may be rescinded when the consumption and/or other triggers have ceased to exist for a period of five (5) consecutive days, or as determined by Owner.

(2) Stage 2 drought conditions—Moderate water shortage conditions

(A) *Requirements for initiation.* Customers shall be required to comply with the requirements and restrictions on certain nonessential water uses as defined in section V (Definitions). Stage 2 may be triggered by one or more of the following events:

- (i) Total consumption has reached 75% of the available production capability for five (5) consecutive days.
- (ii) Any combination of mechanical failures in production, transmission, or distribution that reduces the production capability by a significant amount (as determined by Owner), or contamination of the water supply.

(B) *Goal.* Decrease total consumption by 20%.

(C) *Response.* During Stage 2 conditions, District may require even/odd watering days or other restrictions on nonessential water uses, as defined in section V. The watering schedule will be as shown below based on odd/even addresses. Watering will only be allowed on days marked “X.” A three-times-per-week watering schedule will be required.

Address	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Odd	None	X		X		X	
Even	None		X		X		X

- (i) Watering days will be defined from 12:00 midnight to 11:59 p.m. Automatic sprinkler system irrigation will be limited to one time per day between the hours of 7:00 p.m. and midnight, or between midnight and 8:00 a.m. on those designated watering days,

only. Use of a hose-end sprinkler will be treated the same as automatic sprinkler systems and will be subject to the schedule. Outdoor watering with sprinklers and automatic sprinkler systems will be prohibited between 8:00 a.m. and 7:00 p.m., during restrictions in stages 2 through 5. Hand watering will be allowed for a maximum of one hour per day, any day. Use of drip irrigation systems will be allowed, unrestricted, on any day of the week. Stage 2 restrictions also strongly discourage nonessential water use as defined in section V of this plan.

- (ii) All customers will be expected to reduce their water use by 20%. District may monitor consumption to determine compliance with the use reduction goal.
- (iii) Owner will have the discretion to employ any other water use restrictions and water usage reduction strategies as conditions warrant.
- (iv) Exceptions:
 - a. Building foundations may be watered up to one hour on any day by hand-held hose, or using a soaker hose or drip system placed within 24 inches of the foundation and does not produce a spray of water above the ground.
 - b. New plantings (within the first year) of shrubs and trees may be watered up to one hour on any day by hand-held hose or using a soaker hose or drip

system. Tree watering is limited to an area within the drip line of the tree.

- c. New turf hydro-mulch, seed or sod planted for new construction can be irrigated outside of the restrictions with an approved variance from the city public works department. A detailed proposed watering schedule must be submitted as part of the variance application. Variances will be allowed for a maximum of 30 days for new turf installations.
- d. In the event the service address has a large, multi-station irrigation system that cannot be properly irrigated within these restrictions, a variance may be granted by Owner, to allow irrigation on different days/times. The property should be divided into sections to be irrigated on different days.

(D) *Requirements for termination.* Stage 2 of the plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days, or as determined by Owner. Stage 1 of the plan shall go into effect immediately after Stage 2 is rescinded, or the plan may be rescinded in its entirety, as determined by Owner.

(3) Stage 3 drought conditions—Severe water shortage conditions

(A) *Requirements for initiation.* Stage 3 may be triggered by one or more of the following events:

- (i) Total consumption has reached 80% of the available production capability for five (5) consecutive days.

(ii) Any combination of mechanical failures in production, transmission, or distribution that reduces the production capability by a significant amount (as determined by Owner), or contamination of the water supply.

(B) Goal. Decrease total consumption by 30%.

(C) Response. During stage 3 conditions, District will require even/odd watering days and will prohibit nonessential water uses, as defined in section V. The watering schedule will be as shown below based on odd/even addresses. Watering will only be allowed on days marked "X". A two times per week watering schedule will be required.

Address	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Odd	None	None	X		None	X	
Even	None	None		X	None		X

(i) Watering days will be defined from 12:00 midnight to 11:59 p.m. Automatic sprinkler system irrigation will be limited to one time per day between the hours of 7:00 p.m. and midnight, or between midnight and 8:00 a.m. on those designated watering days only. Use of a hose-end sprinkler will be treated the same as automatic sprinkler systems and will be subject to the schedule. Outdoor watering with sprinklers and automatic sprinkler systems will be prohibited between 8:00 a.m. and 7:00 p.m., during restrictions in stages 2 through 5. Hand watering will be allowed for a maximum of one hour per day, any day. Use of drip irrigation systems will be allowed, unrestricted, a maximum of three (3) days per week.

- (ii) All customers will be expected to reduce their water use by 30%. District may monitor consumption to determine compliance with the use reduction goal.
- (iii) Washing of any motor vehicle, motorbike, boat, trailer, or other mobile equipment will be allowed only on the premises of a commercially operated vehicle washing facility.
- (iv) Owner will have the discretion to employ any other water use restrictions and water usage reduction strategies as conditions warrant.
- (v) Exceptions:
 - a. Building foundations may be watered up to one hour on any day by hand-held hose, or using a soaker hose or drip system placed within 24 inches of the foundation and does not produce a spray of water above the ground.
 - b. New plantings (within the first year) of shrubs and trees may be watered up to one hour on any day by hand-held hose or using a soaker hose or drip system. Tree watering is limited to an area within the drip line of the tree.
 - c. New turf hydro-mulch, seed or sod planted for new construction can be irrigated outside of the restrictions with an approved variance from the city public works department. A detailed proposed watering schedule must be submitted on the variance application, as set forth in section IX. Variances will be allowed for a maximum of 30 days for new turf installations.
 - d. In the event that the service address has a large, multi-station irrigation system that cannot be

properly irrigated within these restrictions, a variance may be granted by Owner, to allow irrigation on different days/times. The property should be divided into sections to be irrigated on different days.

(D) 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 five (5) consecutive days, or as determined by Owner. Stage 2 of the plan will remain in effect until the requirements for termination of stage 2 have been met, or until Owner has determined that stage 2 conservation efforts are no longer needed.

(4) Stage 4 drought conditions—Critical supply potential

(A) Requirements for initiation. Stage 4 may be triggered by one or more of the following events:

- (i) Total consumption has reached 90% of the available production capability for five (5) consecutive days.
- (ii) Any combination of mechanical failures in production, transmission, or distribution that reduces the production capability by a significant amount (as determined by Owner), or contamination of the water supply.

(B) Goal. Decrease total consumption by 50%.

(C) Response. During a stage 4 condition, District will require even/odd watering days and will prohibit nonessential water uses, as defined in section V. The watering schedule will be as shown below based on odd/even addresses. Watering will be allowed on days marked “X”. Landscape irrigation will be restricted to once per week.

Address	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Odd	None	None	None	None	None	X	
Even	None	None	None	None	None		X

(i) Watering days will be defined from 12:00 midnight to 11:59 p.m. Automatic sprinkler system irrigation will be limited to one time per day between the hours of 7:00 p.m. and midnight, or between midnight and 8:00 a.m. on those designated watering days only. Use of a hose-end sprinkler will be treated the same as automatic sprinkler systems and will be subject to the schedule. Outdoor watering with sprinklers and automatic sprinkler systems will be prohibited between 8:00 a.m. and 7:00 p.m., during restrictions in stages 2 through 5. Hand watering will be allowed for a maximum of one hour per day, any day. Use of drip irrigation systems will be allowed, but restricted to twice a week, one hour per day.

(ii) All customers will be expected to reduce their water use by 50%.

(iii) Other District actions:

a Review conditions causing stage 3 and stage 4 conditions.

b Implement viable alternative water supply strategies, including emergency repairs/supplies as necessary.

c Increase frequency of customer notification of water supply deficiencies and need for reduction in water use.

d Washing of any motor vehicle, motorbike, boat, trailer, or other mobile equipment will be prohibited, unless necessary for health, sanitation, or safety reasons. This washing is allowed only on the premises of a commercially operated vehicle washing facility. Further water restrictions on these facilities may be required as conditions warrant.

e Owner will have the discretion to employ any other water use restrictions and water usage reduction strategies as conditions warrant.

(iv) Exceptions:

a Building foundations may be watered up to one hour once per week by hand-held hose, or using a soaker hose or drip system placed within 24 inches of the foundation and does not produce a spray of water above the ground.

b New plantings of shrubs and trees will be prohibited, until a less restrictive stage of the plan is reached that allows irrigation.

c New turf hydro-mulch, seed or sod planted for new construction is prohibited, until a less restrictive stage of the plan is reached that allows irrigation.

d No variances will be issued for irrigation of new turf or for large, multi-station landscapes.

(D) Requirements for termination. Stage 4 of the plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days, or as determined by Owner. Stage 3 of the plan will remain in effect until the requirements for termination of stage 3 have been met, or until Owner has determined that stage 3 conservation efforts are no longer needed.

(5) Stage 5—Emergency water shortage conditions

(A) Local use of water. If conditions warrant, in the opinion of Owner, a stage 5 emergency water shortage condition may be declared..

(B) Water use allocations.

(i) If Owner determines that conditions warrant, monthly water use allocations may be established. These

allocations may apply to any and/or all customers receiving water from District. Water use allocations may be placed on the following classifications of customers/uses (in no particular order of importance or priority):

- a. Single-family residences.
- b. Multifamily residences, duplexes, etc.
- c. Group housing, apartments, hotels, motels.
- d. Educational institutions.
- e. Medical facilities.
- f. Commercial/industrial customers.
- g. Fire protection.

(ii) In case of an emergency water shortage, local water use will be prohibited in the following instances:

- a. All outdoor landscape irrigation, utilizing District-provided water;
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, or other vehicle;
- c. All swimming pools, jacuzzi-type pools, ornamental/aesthetic fountains or ponds;
- d. Commercial, institutional and industrial uses engaged in nonessential or luxury-type activities.

(C) *Priority on local use of water.* In case of a Stage 5 emergency water shortage condition, Owner will have the authority to designate which users should have preference for water service or restoration of service. No variances for landscape irrigation water use shall be issued.

(D) *Requirements for termination.* Stage 5 emergency water shortage condition status may be rescinded when, in the opinion of Owner, all determining factors have ceased to exist. Stage 4 of the plan shall remain in effect until the

requirements for termination of Stage 4 have been met or until Owner has determined that Stage 4 conservation efforts are no longer needed.

Section VIII: Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from Lighthouse District, LLC 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 Owner 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 25 dollars (\$25.00) and not more than one hundred dollars (\$100). 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 owner shall, upon due notice to the customer, be authorized to discontinue 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 \$50, and any other costs incurred by Lighthouse District, LLC discontinuing service. In addition, suitable assurance must be given to the owner 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 county court.
- (c) Any person, including a person classified as a water customer of Lighthouse District, LLC 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.

Section IX: Variances

- (a.)The owner may, in writing, grant temporary variance for existing water uses otherwise prohibited under this plan if it is determined that:
- (1) 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.
 - (2) 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.
 - (3) Alternative methods can be implemented which will achieve the same level of reduction in water use.
- (b.)Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with Lighthouse District, LLC within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the owner or his/her designee, and shall include the following:
- i. Name and address of the petitioner(s).
 - ii. Purpose of water use.
 - iii. Specific provision(s) of the Plan from which the petitioner is requesting relief.

- iv. 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.
- v. Description of the relief requested.
- vi. Period of time for which the variance is sought.
- vii. 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.
- viii. Other pertinent information.

(c.) Variances granted by the District shall be subject to the following conditions, unless waived or modified by the owner:

- i. Variances granted shall include a timetable for compliance.
- ii. Variances granted shall expire when the plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

(d.) No variance shall be retroactive or otherwise justify any violation of this plan occurring prior to the issuance of the variance.