

AMENDED RATE ORDER

(Effective July 20, 2022)

WHEREAS, Varner Creek Utility District (the “District”) owns a water and sewer system designed to serve present and future inhabitants within the District; and

WHEREAS, the Board of Directors of the District deems it necessary to, at this time, amend its Order establishing rates and charges for persons receiving water, sewer and drainage service from the District; Now, Therefore,

BE IT ORDERED BY THE BOARD OF DIRECTORS OF VARNER CREEK UTILITY DISTRICT THAT:

Section 1: Tap Fees.

A. All Users Other Than Non-Taxable Users. Prior to connection to the District’s water system, a tap fee shall be paid to the District equal to three (3) times the District’s actual cost of installing the tap, meter, and necessary service lines, and repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation, except that the tap fee for a 3/4 inch water meter where no boring is required shall be \$1,200.00, and where boring is required shall be \$2,000.00, which is hereby found to be equal to or less than three times the District’s actual costs, as described above. The tap fee for a one-inch meter where no boring is required shall be \$1,300.00, and where boring is required shall be \$2,100.00. There shall be a sewer tap fee of \$700.00 in addition to the water tap fee described above. Multi-lot houses will be allowed one one-inch meter per lot. Payment of all fees under this Section must be in the form of cash, cashier’s check or money order.

Connections to the District’s water system shall not be allowed prior to an approved sewer inspection, and all such connections shall be inspected by the District’s operator or its designated representative. All water taps shall be made by the District’s operator or its designated representative.

B. Non-Taxable Users.

(1) Non-taxable users (including schools and churches) shall pay a tap fee equal to the District’s actual cost of installing the tap, meter and any necessary service lines and the cost of repairing or restoring any yards, sidewalks, streets or other improvements affected by the installation (as determined by the District’s operator or its designated representative) plus the user’s pro rata share of the District’s actual cost of the facilities necessary to provide District services to the non-taxable user that have been or will be fully or partially financed by the District’s tax bonds (as determined by the Board of Directors) (the “Installation Costs”).

(2) The District’s operator or its designated representative will produce an estimate of the Installation Costs, which will then be approved by the Board of Directors. The user shall pay the estimated Installation Costs, prior to installation of the tap. If the

actual Installation Costs are greater than the estimated Installation Costs paid by the user, the difference must be paid by the user before the District will provide service to the user. If the actual Installation Costs are less than the estimated Installation Costs paid by the user, a refund for the difference shall be issued to the user.

Section 2: Sewer Inspection Fee. All connections to the District's sewer system shall be made in accordance with the District's Rules and Regulations Governing Sewer House Lines and Sewer Connections, a copy of which is attached as Exhibit "C" to this Rate Order. No sewer connection or house lead shall be covered in the ground before a representative of the District has inspected the connection. A fee of \$50.00 shall be charged by the District for the expense of making such inspection.

Section 3: Maintenance and Repair. It shall be the responsibility of each user to maintain the water and sewer lines from the point of connection to the District's water and sewer system to the building served.

All sewer lines owned by a user must be maintained and kept in sufficient repair to preclude infiltration of storm waters into the sewer lines or sewer systems. Upon the District's determination that a user's sewer line is in need of repair, and upon written notification by the District to the user, the user of the sewer line shall, within forty-five days after receipt of said notification, either: (a) repair the individually-owned sewer line to the satisfaction of the District's operator or its designated representative; or (b) allow the District's operator or its designated representative to make the needed repairs and make payment payable to District to cover the District's cost for District's repair of the lines within thirty days of the receipt of billing which will be added to the utility billing for the next cycle. All repairs done by a user must be inspected by the District's operator or its designated representative and comply with the District's Rate Order. Failure to comply with provisions of this Rate Order shall entitle the District to either terminate water and sewer service and/or entitle the District to impose a fine not to exceed \$5,000 per offense with each day that such failure continues to constitute a separate offense.

Section 4: Water and Sewer Rates. Charges for water and sewer service, except stand by charges, shall be billed monthly. Stand by charges shall be billed quarterly in the months of March, June, September and December and shall become delinquent sixty (60) days from the first day of each quarter. All other bills shall be due and payable on the 15th day after the date of the statement for such charge. Unless payment is received on or before the 16th day after the date of such statement, such account shall be considered delinquent and a penalty of ten percent (10%) of the unpaid balance shall be assessed against the account. The rates for water and sewer service shall depend upon the type of user. Monthly rates for water and sewer service are hereby established as follows:

WATER

Single Family Homes:

A. During construction and prior to initial occupancy, a fee of \$10.00 per month shall be charged for each Single Family Home.

B. After the initial occupancy, Single Family Homes shall be billed on a monthly basis in accordance with the following schedule:

0 – 2,000 gallons	\$13.50
2,000 gallons +	\$ 3.63 per 1,000 gallons

Commercial:

Each business unit occupied by a separate business, including separate establishments within a single building shall each be deemed to be a Single Family Home for purpose of water service.

Clubs:

Each club shall be deemed to be a Single Family Home for purpose of water service.

Varner Hogg State Park:

Each separate unit or separate establishment within Varner Hogg State Park shall be billed at the rate of a single-family home for the purpose of water service.

Multi Family Buildings:

A. Single Meter. Each multi family building or complex of buildings which is served by a single meter shall be billed for water at the same rate as a Single Family Home, with a bill of \$13.50 times the number of units in the building or complex.

B. Multiple Meters. If a multi family building or complex or buildings is served by more than one meter, then water delivered through each meter shall be billed at the same rate as a Single Family Home, with a minimum bill for each building of \$10.00 times the number of units served by the meter.

SEWER

0 – 2,000 gallons	\$13.50
2,000 – 10,000 gallons	\$ 3.63 per 1,000 gallons
> 10,000 gallons	\$.31 per 1,000 gallons

A Single Family Home is a house or other building located on one lot, designed and used primarily by the owner thereof for personal use, even though occasionally rented to others.

Commercial Buildings, Clubs and Rental Units mean any facility or dwelling unit which is designed and used primarily for business purposes and makes charges for the use thereof, by

whatever name such charges are described. Each urinal and commode shall be considered one unit.

Varner Hogg State Park will be billed as each urinal and commode that is in active use shall be considered one unit.

Townhouses and multi family structures are cluster type or multi unit dwellings designed and used primarily for personal use, although occasionally rented to others. Each dwelling unit, regardless of the number of units contained in a single building, shall be considered one unit.

Section 5: Delinquent Charges. Charges for water and sewer service shall be billed monthly. All bills shall be payable on the 15th day after the date of the statement for said charges, except that all bills to any state agency shall be payable on the 30th day after the date of the statement for such charges. Unless payment is received on or before the day the bill is payable, in accordance with the preceding sentence, such account shall be considered delinquent and a penalty of 10% of the unpaid balance shall be assessed against the account. The District may, in its discretion, disconnect service for failure to pay all charges by the 30th day after the due date; provided, however, that prior to disconnecting services, the District shall send written notice by United States first class mail to the user at the address of the connection and provide the user with the opportunity to contest, explain or correct the charges, services, or disconnection, at a meeting of the Board of Directors of the District. The written notice shall inform the user of the amount of the delinquent payment, the date service will be disconnected if payment is not made, the date, time and place of the next scheduled meeting of the Board of Directors, and of the opportunity to contest, explain or correct the charges, services or disconnection, by presenting in person or in writing such matter to the Board of Directors at the next scheduled meeting as shown in the notice. The date specified for disconnection shall be twelve (12) days after the date of the next scheduled meeting of the Board of Directors as shown in the notice. The notice shall be deposited, postpaid, in a post office or official depository under the care and custody of the United States Postal Service at least ten (10) days prior to the date of the scheduled meeting of the Board of Directors. A written statement by the District's operator or its designated representative that notice was so mailed shall be prima facie evidence of delivery of same. If the user appears before the Board in person or in writing, the Board shall hear and consider the matter and inform the user of the Board's determination by sending written notice by United States first class mail to the user at the address of the connection. Any payment made within 10 days of the date specified for disconnection shall be in the form of cash, cashier's check or money order. If service to a user is disconnected for any cause, a \$25.00 fee shall be charged, and there shall be charged a reconnection fee of \$25.00 before service is commenced to such user, and payment of the reconnection fee shall also be in the form of cash, cashier's check, or money order. If at the time of disconnection the user has a deposit on file of less than the current deposit rate specified in the District's rate order then prior to reconnection an additional deposit to meet the current rate will be required.

Section 6: Return Check Charge. The District will charge a \$25.00 fee to any customer for each check given to the District for payment that must be returned for any reason. Payments attempted to be made by a check which is returned shall be considered delinquent unless cash or certified funds are presented to the District for payment within the time period required by this Rate Order. Customers who have three NSF checks in a twelve-month period

will be required to make payments in the form of cash, certified check or money order for a twelve-month period. After a twelve-month period of payments in the form of cash, certified check or money order, the restriction may be lifted and the account will be placed on probation for a twelve-month period. During the probation period, any NSF payment will cause the account to go back to cash only status for another twelve-month period.

Section 7: Deposit. A deposit of \$75.00 shall be required of each Single Family Home connected to the District's system. When a Single Family Home connected to the District's system is leased or rented, a deposit of \$100 shall be required of the lessee or tenant. A builder will be required to pay \$75.00 per new connection. A deposit equal to two months estimated average monthly water and sewer bill shall be required of all other users. Such sum shall be held by the District to assure prompt payment of all charges for water and sewer service. No interest will be paid on such deposit.

Section 8: Easements. Before service is begun to any user or, once begun before reconnection is made, the person requesting such service shall grant an easement of ingress and egress to and from the meter for such maintenance and repair as the District, in its judgment, may deem necessary.

Section 9: No Free Service. No free service shall be granted to any user for services furnished by the District's water and sewer system whether such user is a charitable or eleemosynary institution, a political subdivision or municipal corporation, and all charges for water and sewer service shall be made as required herein.

Section 10: Required Service. No service shall be given from the District's water and sewer system unless such users agree to take both water and sewer service.

Section 11: Plumbing Regulations; Prohibition Against Cross-Connections and Unacceptable Plumbing Practices; Penalty for Violation. Pursuant to Chapter 290 of the Texas Administrative Code, the District adopts the following plumbing regulations, which apply to all users of the District's potable water distribution system.

A. Plumbing Fixtures. A User is not permitted to install any plumbing fixture which is not in compliance with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located.

B. Prohibition Against Water Contamination. No direct connection between the District's potable water distribution system and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the District's potable water distribution system by the installation of an air-gap or an appropriate backflow prevention assembly in accordance with state plumbing regulations. In addition, all pressure relief valves and thermal expansion devices must be in accordance with state plumbing codes and the plumbing code, if any, required by the city in whose jurisdiction the District is located.

C. Backflow Prevention Assemblies. All sprinkler systems, spas and pools must have backflow prevention devices installed by the User at the User's sole cost and expense. In addition, the District, in its sole discretion, may require a Multi-Family or Commercial User to install a backflow prevention assembly at any meter(s) servicing such User's property. The

District, in its sole discretion, also may require any User to install other backflow prevention assemblies at any fixture in order to prevent contamination of the District's potable water distribution system or if the User's plumbing system poses a high health hazard. A high health hazard is defined by the Texas Commission on Environmental Quality as a "cross-connection, potential cross-connection, or other situation involving any substance that could cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply." If the District determines that a User must install a backflow prevention assembly as a protection against a high health hazard, the backflow prevention assembly used must comply with a state approved plumbing code and the plumbing code, if any, required by the city in whose jurisdiction the District is located, and must be tested and certified at least annually by a recognized backflow prevention assembly tester. A list of certified backflow prevention assembly inspectors can be obtained from the local office of the Texas Commission on Environmental Quality.

The User is responsible for insuring that all backflow prevention assemblies are tested upon installation by a recognized backflow prevention assembly tester. A list of certified backflow prevention assembly inspectors can be obtained from the local office of the Texas Commission on Environmental Quality. The User is solely responsible for the cost of this test.

If the District requires the installation of a backflow prevention assembly in order to prevent a serious threat to the District's public water supply, then the District, in its sole discretion, may immediately terminate service to the User. In the event, service will be restored when the backflow prevention assembly has been installed and tested and a signed and dated original of a Backflow Prevention Assembly Test and Maintenance Report in the form attached to this Rate Order as Exhibit "A" has been provided to the District's operator or its designated representative.

If the District determines that a backflow prevention assembly must be installed pursuant to this Rate Order for reasons other than to eliminate a serious threat to the District's public water system, the User must install the backflow prevention assembly within five (5) working days after receipt of notice from the District that such installation is required. In addition, the User must provide the District's operator or its designated representative with a signed and dated original of a Backflow Prevention Assembly Test and Maintenance Report in the form attached to this Rate Order as Exhibit "A" within three (3) working days of the installation of the backflow prevention assembly and within three (3) working days of any subsequent repair, maintenance or testing of such assembly. If the User fails to provide the testing certificate within this time, the District, in its discretion, may terminate service to the User pursuant to the terms of this Rate Order. Such reports will be retained for a minimum of three (3) years.

D. Customer Service Inspections. A customer service inspection is required prior to the time the District (i) provides continuous water service to new construction, (ii) provides water service to private plumbing facilities that have been added to existing construction or materially improved or corrected, or (iii) continues service to a User when the District has reason to believe that cross-connections or other unacceptable plumbing practices exist. The cost of such customer service inspection will be the sole responsibility of the User. For single family residential service, a licensed plumber, a water supply protection specialist licensed by the Texas State Board of Plumbing, or a certified waterworks operator holding an endorsement from the

Texas Commission on Environmental Quality may perform this customer service inspection. For all other types of service, a water supply protection specialist licensed by the Texas State Board of Plumbing or a certified waterworks operator holding an endorsement from the Texas Commission on Environmental Quality may perform the inspection. All fees relating to the customer service inspection shall be paid by the User.

Prior to initiating service to new construction or buildings containing new plumbing fixtures, the User must provide the District's operator or its designated representative with a signed and dated Customer Service Inspection Certification in the form attached to this Rate Order as Exhibit "B." The District's operator or its designated representative will retain such inspection certifications for a minimum of ten (10) years. If the District's operator or its designated representative does not perform the initial customer service inspection, the User will need to obtain a final inspection certificate from the District's operator or its designated representative prior to receiving service. In connection with this final plumbing inspection, the User shall allow its property to be inspected by the District's operator or its designated representative during normal business hours for possible cross-connections and other unacceptable plumbing practices which violate this Rate Order. The cost of this final plumbing inspection shall be \$50.00 for Single Family Residential Users and will be determined on an individual basis for other Users. The cost of this final inspection shall be paid by the User prior to the final plumbing inspection. Thereafter, the District's operator or its designated representative may, at the discretion of the District and/or the District's operator or its designated representative, periodically inspect a User's plumbing system during normal business hours for the purpose of identifying possible cross-connections and other unacceptable plumbing practices which violate this Rate Order.

E. Prohibition Against Cross-Connections. No cross-connection between the District's potable water distribution system and a private water system is permitted. Where an actual air gap is not maintained between the public water supply and a private water supply, an approved reduced pressure-zone backflow prevention assembly must be properly installed and such assembly must be annually inspected and tested by a certified backflow prevention device tester. A list of certified backflow prevention device testers may be obtained from the local office of the Texas Commission on Environmental Quality. By accepting service from the District, all Users agree to allow such annual inspection and testing of backflow prevention assemblies to take place during normal business hours. If any User refuses to allow such annual inspection and testing, service to such User will be discontinued until such inspection and testing is completed.

No connection which allows water to be returned to the District's potable water distribution system is permitted. This includes, but is not limited to, any device pursuant to which water is removed from the District's potable water distribution system, circulated through a User's system for condensing, cooling and heating of fluids or industrial processes, including but not limited to a heat exchange system, and routed back to the District's potable water distribution system.

F. Notice of Unacceptable Plumbing Practices. The District shall notify the User in writing of any cross-connection or other unacceptable plumbing practice which has been identified during the customer service inspection, the final plumbing inspection, any periodic

reinspection, or any other inspection. At its sole cost and expense, the User shall immediately correct any unacceptable plumbing practice on its premises and properly install, test and maintain any backflow prevention device required by the District within two (2) working days of receipt of notice of the improper cross-connection. The User shall provide copies of all testing and maintenance records on such devices to the District within three (3) working days of the testing or maintenance. If the User fails to correct the noted unacceptable plumbing practice, the District may immediately terminate water service or, at the User's sole cost and expense, eliminate the cross-connection or correct the unacceptable plumbing practice.

G. Penalty for Violation. The failure of a User to comply with the terms of this Section will be considered a violation of this Rate Order. If such a violation occurs, or if the District determines the existence of a serious threat to the integrity of the District's water supply, the District, in its sole option, may, in addition to all other legal remedies available to it, including those remedies set out in this Rate Order, immediately terminate service or, at the User's sole cost and expense, install the plumbing fixtures or assemblies necessary to correct the unacceptable plumbing practice. If the District terminates service in order to preserve the integrity of the District's water supply, service will be restored only when the source of the potential contamination no longer exists or until additional safeguards have been taken. Any and all expenses associated with the enforcement of this Section shall be billed to the User.

Section 12: Plumbing Material Restrictions.

A. Prohibition on Use of Specified Materials. The use of the following plumbing materials are prohibited in any and all improvements connected to the District's water system after September 18, 1996:

- (1) Any pipe or pipe fitting which contains more than 8.0% lead; and
- (2) Any solder or flux which contains more than 0.2% lead.

Section 13: Levee System. For the purpose of providing flood protection to the land located within its boundaries, the District owns and operates a levee system (the "Levees") and has adopted rules and regulations regarding the use of the Levees pursuant to a Resolution Establishing Rules and Regulations Regarding the Use of the District's Levees. Such Resolution contemplates obtaining a permit prior to penetrating the Levees or crossing over, through or under the Levees for any purpose whatsoever. A form of such levee permit is attached to this Rate Order as Exhibit "D." The cost of processing the levee permit, regardless of whether such permit is ultimately accepted or rejected, is \$150.00 payable to the District in the form of cash, cashier's check or money order, at the time of application.

Section 14: Irrigation Systems. In accordance with Section 49.238, Texas Water Code, an installer of an irrigation system must have a license issued under Section 1903.251, Texas Occupations Code and must obtain a permit from the District before installing a system within the boundaries of the District. Such irrigation systems shall meet the minimum requirements of Section 1903.053, Texas Occupations Code, and any rules adopted by the Texas Commission on Environmental Quality pursuant to that section. A form of such irrigation permit is attached to this Rate Order as Exhibit "E." The cost of processing the irrigation permit is

\$50.00 payable to the District in the form of cash, cashier's check or money order, at the time of application.

Section 15: Quality of Sewage.

A. Quality of Sewage.

(1) Domestic Waste. Only ordinary liquid and water-carried waste from domestic activities that is amenable to biological treatment and that is discharged from sanitary conveniences of buildings connected to a public sanitary sewer system shall be discharged into the District's sanitary sewer lines. Waste resulting from any process of commerce or industry may not be discharged into the District's sanitary sewer lines except as authorized pursuant to subsection (2) below.

(2) Commercial and Industrial Waste. All discharges other than waste described in subsection (1) are prohibited unless the user has applied to and received written authorization from the District for such discharge. The applicant must file a statement with the District containing the following information:

- a. Name and address of applicant;
- b. Type of industry, business, activity, or other waste-creative process;
- c. Quantity of waste to be discharged;
- d. Typical analysis of the waste;
- e. Type of pretreatment proposed; and
- f. Such other information as the District may request in writing.

The District shall have the right to reject any application for discharge of non-domestic waste into the District's sanitary sewer lines if the District determines in its sole discretion that the proposed discharge may be harmful to the District's sanitary sewer system or the environment. The District also shall have the right in approving any application for the discharge of non-domestic waste to impose any limitations on such discharge that the District determines in its sole discretion to be necessary to protect the District's sanitary sewer system or the environment.

(3) National Categorical Pretreatment Standard. If a user is subject to a national categorical pretreatment standard pursuant to regulations promulgated by the Environmental Protection Agency under Section 307 of the federal Clean Water Act, the user is prohibited from discharging pollutants into the District's sanitary sewer system in violation of applicable categorical pretreatment standards.

(4) District Testing; Pretreatment. The District shall have the right to sample and test any user's discharge at the discretion of the District's operator or its designated representative, with no limit as to the frequency of the tests, and to charge the user for the District's cost of such sampling and testing. The District also shall have the right to require pretreatment, at the user's expense, of any discharge of non-domestic waste if the District determines in its sole discretion that pretreatment of such waste is necessary to

protect the District's sanitary sewer system or the environment, even if pretreatment is not otherwise required pursuant to the preceding subsection.

Section 16: Grease Traps.

A. Grease Trap Restrictions. All businesses operating facilities that generate fats, oils, or greases as a result of food processing, preparation, or food service shall install, use, and maintain appropriate grease traps or interceptors as required. No user may allow the discharge of any fats or greases of animal or vegetable origin into the District sanitary sewer collection or treatment system.

B. Cleaning and Maintenance.

(1) Grease traps shall be cleaned, at owner expense, as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the grease trap and to ensure the discharge is in compliance with local discharge limit with no visible grease observed in the discharge.

(2) Grease traps shall be completely evacuated, at owner expense, a minimum of every 90 days, or more frequently when twenty-five percent or more of the wetted height of the grease trap, as measured from the bottom of the device to the invert of the outlet pipe contains floating materials, sediment, oils, or greases or if there is a history of non-compliance.

(3) Grease trap waste shall be properly disposed of at a facility in accordance with federal, state, or local regulations.

C. Documentation. Each pump-out of a grease trap must be accompanied by a five-part manifest that includes the generator and transportation information and is to be used for record keeping purposes:

(1) One part of the manifest shall be given to the generator at the time of waste pickup.

(2) The remaining four parts of the manifest, with all required information completed, is to be distributed as follows:

- a. One part shall go to the receiving facility
- b. One part shall go to the transporter, who will also retain a copy of all manifests showing the collection and disposition of the waste.
- c. One part shall be returned by the transporter to the business/person who generated the waste within 15 days after the waste is received at the disposal or processing facility.

d. One part of the manifest shall go to the District.

(3) Offenses. It is an offense, subject to the Penalties listed below, if a person introduces, or causes, permits, or suffers the introduction of any surfactant, solvent, or emulsifier into a grease trap. Surfactants, solvents, and emulsifiers are materials which allow the grease to pass from the trap into the collection system and include but are not limited to enzymes, soap, or other solvents. The use of soap or surfactants incidental or normal to kitchen hygiene is allowed.

Section 17: Violations.

A. Penalties for Violation.

(1) If the district determines that a generator is responsible for a blockage of a sanitary sewer line the generator will reimburse the District for all costs associated with the removal of the blockage and owe a civil penalty of \$1,000 for the first violation, \$1,500 for the second violation and \$2,000 for the third violation within a two year period. Continuous violations shall result in an increase in the penalty by \$500 and may also result in termination of services.

(2) In addition to the penalties for a generator blocking a sanitary sewer line (A. 1. above), any person who violates any of the provisions of this Rate Order or makes unauthorized use of or damage to District facilities or services shall be subject to a written warning for the first violation; a \$1,000 civil penalty for the second violation; a \$1,500 penalty for the third violation, and a \$2,000 civil penalty for the fourth violation within a two-year period. In addition, consistent violations will result in a \$500 increase in civil penalty and may result in termination of service.

(3) These penalties shall be in addition to the other penalties provided by the laws of the State and to any other legal rights and remedies of the District as may be allowed by law.

(4) In addition,

- (a) Anyone who uses or permits the use of any septic tank or holding tank within the District;
- (b) Anyone who violates the District's Rules and Regulations Governing Sewer House Line and Sewer Connections attached as Exhibit "C"; or

- (c) Anyone who violates the District's Order Adopting Drought Contingency Plan.

shall be subject to a fine \$5,000 for each breach of the forgoing provisions. Each day that a breach of any provision hereof continues shall be considered a separate breach. This penalty shall be in addition to other penalties provided by the laws of the State and to any other legal rights and remedies of the District as may be allowed by law.

PASSED AND APPROVED this _____ day of _____, 2022.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

(SEAL)

EXHIBIT "A"

BACKFLOW PREVENTION ASSEMBLY TEST AND
MAINTENANCE REPORT

EXHIBIT "B"

CUSTOMER SERVICE INSPECTION CERTIFICATE

EXHIBIT "C"

RULES AND REGULATIONS GOVERNING
SEWER HOUSE LINES AND SEWER CONNECTIONS

EXHIBIT "D"

FORM OF LEVEE PERMIT

LEVEE PERMIT

Varner Creek Utility District
c/o Baker & Lawson, Inc.
300 E. Cedar
Angleton, Texas 77515

Job Address: _____

Contractor: _____

Address: _____ Phone: _____

Owner: _____

Address: _____ Phone: _____

Detailed description of proposed work on, over, through or under the Varner Creek Utility District Levees: _____

OWNER HEREBY AGREES THAT IF THE INTEGRITY OF THE VARNER CREEK UTILITY DISTRICT LEVEES IS DIMINISHED THROUGH THE WORK DESCRIBED ABOVE, IN THE SOLE REASONABLE JUDGMENT OF THE VARNER CREEK UTILITY DISTRICT, OWNER WILL REPAIR OR CAUSE TO BE REPAIRED THE LEVEES AT OWNER'S SOLE EXPENSE.

Please include \$150.00 payable to Varner Creek Utility District in the form of cash, check or money order.

I have read the foregoing and agree to the terms listed.

Contractor

Date

OFFICE USE ONLY			
APPROVE	<input type="checkbox"/>	DENY	<input type="checkbox"/>
		DATE	_____
		PAID	<input type="checkbox"/>
		DATE	_____

EXHIBIT "E"

FORM OF IRRIGATION PERMIT

Varner Creek Utility District
c/o Ryder & Company
PO Box 53
West Columbia, Texas 77486

Job Address: _____
Subdivision: _____ Block: _____ Lot: _____
Contractor: _____
Address: _____ Phone: _____
Owner: _____
Address: _____ Phone: _____
License No. _____ (attach copy of license)

An irrigation permit is given to allow the Contractor designated above to install an irrigation system at the Job Address listed above and owned by the Owner designated above.
CONTRACTOR HEREBY AGREES THAT IF DISTRICT FACILITIES ARE DAMAGED IN INSTALLATION OF SUCH IRRIGATION SYSTEM, REPLACEMENT WILL BE BY AND AT THE SOLE EXPENSE OF THE CONTRACTOR.

Please include \$50.00 payable to Varner Creek Utility District in the form of cash, check or money order.

I have read the foregoing and agree to the terms listed.

Contractor Date

OFFICE USE ONLY			
APPROVE	<input type="checkbox"/>	DENY	<input type="checkbox"/>
		DATE	_____
		PAID	<input type="checkbox"/>
		DATE	_____

CERTIFICATE FOR ORDER

THE STATE OF TEXAS §
 §
COUNTY OF BRAZORIA §

I, the undersigned officer of the Board of Directors of Varner Creek Utility District, hereby certify as follows:

1. The Board of Directors of Varner Creek Utility District convened in regular session on the 13th day of July, 2022 at a special meeting held outside the boundaries of the District, and the roll was called of the duly constituted officers and members of the Board, to wit:

Allan Sassin	President
Keith Barker	Vice President
Becky Carroll	Secretary/Treasurer/ Investment Officer
Wayne Pollard	Assistant Secretary/Treasurer
Ray Sauer	Director

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

AMENDED RATE ORDER

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. That 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; that the order has been duly recorded in the Board’s minutes of the meeting; that 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; that 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; that the meeting was open to the public as required by law; and that 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 the 20th day of July, 2022.

Secretary, Board of Directors

(SEAL)