

(2) persons unless the customer notifies FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. of a greater number of persons per household on a form prescribed by the Utility. The Utility shall give its best effort to see that such forms are mailed, otherwise provided or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to FOUNDER'S RESERVE COMMUNITY ASSOCIATION, Inc. offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the Utility. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the Utility in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Utility shall adopt methods to insure the accuracy of the claim.

Master-Metered Multi-Family Residential Customers

The allocation to a customer billed from a master meter that jointly measures water to multiple permanent residential dwelling units (e.g., apartments, mobile homes) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer's meter serves two dwelling units unless the customer FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. of a greater number on a form prescribed by FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. The Utility shall give its best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the Utility. If the number of dwelling units served by a master meter is reduced, the customer shall NOTIFY FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the Utility shall adopt methods to insure the accuracy of the claim.

Commercial Customers

A monthly water usage allocation shall be established by the Utility in consultation with the Utility for each non-residential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 75% of the customer's usage for corresponding month's billing period for the previous 12 months. IF the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no history exists. Provided, however, a customer, 70% of whose monthly usage is less than 1,000 gallons, shall be allocated 1,000 gallons. The Utility shall give its best effort to see that notice to each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC to determine the allocation. Upon request of the customer or at the initiative of the Utility, the allocation may be reduced or increased if: (1) the designated period does not accurately reflect the customer's normal water usage, (2) one non-residential customer agrees to transfer part of its allocation to another non-residential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Utility.

Industrial Customers

A monthly water usage allocation shall be established by the Utility for each industrial customer who uses water for processing purposes. The industrial customer's allocation shall be approximately 90% of the customer's water usage baseline. Ninety (90) days after the initial imposition of the allocation for

industrial customers, the industrial customer's allocation shall be further reduced to 85% of the customer's water usage baseline. The industrial customer's water usage baseline will be computed on the average water usage for the previous month period ending before the date of implementation of Stage 2 of the Plan. If the industrial water customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists. The Utility shall give his best effort to see that notice of each industrial customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the Utility, the allocation may be reduced or increased if: (1) the designated period does not accurately reflect the customer's normal water usage because the customer had shut down a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shut down or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce usage is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer or (6) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Utility.

Section XI. Enforcement

- (a) No person shall knowingly or intentionally allow the use of water from FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. 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 Utility in accordance with provisions of this Plan.
- (b) Any person, including a person classified as a water customer of FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. 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 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 proves that he 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.
- (c) Enforcement for violations will be as follows:
 - 1. First violation - The customer will be notified by written notice of their specific violation.
 - 2. Subsequent violations:
 - a. After written notice, the utility may install a flow restriction device in the line to limit the amount of water that will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow-restricting device, not to exceed \$50.00.

- b. After written notice, the utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the utility will apply for restoration of service.

Section XII. Variances

The Utility, or his designee, 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 Plan shall file a petition for variance with FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. Within five (5) days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Utility of FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. 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.

Variances granted by FOUNDER'S RESERVE COMMUNITY ASSOCIATION, INC. shall be subject to the following conditions, unless waived or modified by the Utility:

- (a) Variances granted shall include a timetable for compliance.
- (b) Variances 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 before the issuance of the variance.

Section XIII. Severability

It is hereby declared to be the intention of the Directors that the sections, paragraphs, sentences, clauses and phrases of this Plan are severable and if any phrase, clause, sentence, paragraph or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Plan, since the same would not have been enacted by the Directors without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph or section.

PLUMBING CODE

Only those materials listed below under "BUILDING SERVICE LINES" or materials as required by the Texas Commission on Environmental Quality ("TCEQ") are approved for use. The Southern Building Code shall govern on method of installation, pipe sizing, fixture count and all general requirements, insofar as they apply to water supply and sewage collection systems, and to the extent that they are not contradictory to TCEQ Customer Service Inspection Requirements.

BUILDING SERVICE LINES

- A. Waste pipe material shall be of the following material only:
 - 1. Schedule 40 ABS or PVC Plastic
 - 2. Schedule 35 PVC Plastic
 - 3. For temperatures in excess of one hundred degrees (100^o) Fahrenheit, schedule 40 CPVC Plastic, ASTM Designation D-3034 MUST BE USED
 - 4. Cast iron hub type soil pipe extra heavy service weight, ASTM A-74, with rubber ring and gasket. "No-Hub" pipe is not permitted below grade
 - 5. SIX INCH ONLY shall be not less than ABS-SDR 35.0
 - 6. ABS composite truss pipe may be used for eight-inch (8") diameter and above
 - 7. Ductile iron pipe (push-on joint) conforming to ANSI A21.51
- B. Water pipe material shall be:
 - 1. Schedule 40 galvanized steel pipe, ASTM A-53
 - 2. Seamless copper tubing Type K, L or M, ASTM B-88
 - 3. Type 1 PVC 1120 and PVC 1220, 160 psi minimum pressure rating, ASTM D-1784
 - 4. Ductile iron pipe (push-on joint) conforming to ANSI A 21.51
 - 5. Polyethylene for one inch (1") and smaller ASTM Designation D-2239
- C. Diameter of Service Lines:
 - 1. Residential service lines shall be sized according to the Southern Building Code and in no case shall be smaller than three-fourths inch (3/4") for water or four inch (4") waste
 - 2. commercial service lines shall be sized according to the Southern Building Code and in no case shall be smaller than one

inch (1") for water and four inch (4") for waste unless special approval is obtained

- D. Solvent for ABS shall be ASTM Designation D-2235. Solvent for PVC shall be STM Designation D-2564. Industrial polychemical solvent 795 shall be used for joining PVC to ABS

GRADE (WASTE LINES)

- A. Minimum grade for four-inch (4") sewer pipe shall be 1% (one-foot drop/hundred feet), with a maximum grade of 2% (two-foot drop/hundred feet).
- B. Minimum grade for six-inch (6") sewer pipe shall be 0.7% (8.5 inch-drop/hundred feet), with a maximum grade of 1.5% (18 inch-drop/hundred feet)

CONNECTION OF BUILDING STUB-OUTS TO SERVICE LINES

- A. Building tie-on connections shall be made directly to the stub at the foundation on all waste outlets. Septic tanks and all grease traps must be bypassed. Septic tanks and grease traps should be pumped out, sides broken down, and then filled with dirt or sand. (This applies to existing residences being connected.)
- B. Type of Waste Connections: Watertight adapter shall be used at house connections. All other connections shall be solvent weld.
- C. No drain rim shall be installed less than one (1) foot above the top of the nearest manhole.

FITTINGS AND CLEANOUTS

- A. No bends or turns at any point shall be greater than 45°.
- B. Each horizontal drainage pipe shall be provided with cleanout at its upper terminal, and each such run of piping which is more than 90 feet shall be provided with cleanout for each 90 feet or fraction thereof in the length of such piping.
- C. Each cleanout shall be installed so that it opens in a direction opposite to the flow of the waste and, except in the case of "wye" branch and ending-of-line cleanouts, cleanouts shall be installed vertically above the flow of the pipe
- D. Cleanout should be made with airtight mechanical plug

UNDER SLAB PLUMBING

Under-slab pipe and fittings shall be cast iron, Schedule 40 PVC

COMPLIANCE WITH TCEQ AND/OR COUNTY HEALTH DEPARTMENT INSPECTOR (" APPROVING AUTHORITY")

- A. Unless exception is granted by the Approving Authority, the public sanitary sewer system shall be used by all persons discharging wastewater.
- B. Unless authorized by the Texas Commission on Environmental Quality, no person may

deposit or discharge any waste included in Subsection A of this Section on public or private property or into or adjacent to any: (1) natural outlet, (2) water course, (3) storm sewer or (4) other area within the jurisdiction of the District.

- C. The Approving Authority shall verify before discharge that wastes authorized to be discharged will receive suitable treatment within the provisions of the laws, regulations, ordinances, rules and orders of federal, state and local governments.

APPROVING AUTHORITY REQUIREMENTS

- A. If discharges or proposed discharges to sewer may: (i) deleteriously affect wastewater facilities, processes, equipment or receiving waters, (ii) create a hazard to life or health or (iii) create a public nuisance, the Approving Authority shall require:
 - 1. Pre-treatment to an acceptable condition for discharge to the public sewers;
 - 2. Control over the quantities and rates of discharge; and
 - 3. Payment to cover the cost of hauling and treating the wastes.
- B. The Approving Authority is entitled to determine whether a discharge of proposed discharge is included under Subsection A of this Section.
- C. The Approving Authority shall reject wastes when it determines that a discharge or proposed discharge does not meet the requirements of Subsection A of this Section.

APPROVING AUTHORITY REVIEW AND APPROVAL

- A. If pre-treatment or control is required, the Approving Authority shall review and approve design and installation of equipment and processes. A fee will be charged to cover the cost of said review.
- B. The design and installation of equipment and processes must conform to all applicable statutes, codes, ordinances and other laws.
- C. Any person responsible for discharges requiring pre-treatment, flow equalizing or other facilities shall provide and maintain the facilities in effective operating condition at his own expense.

REQUIREMENTS FOR TRAPS

- A. Discharges requiring a trap include: (i) grease or waste containing grease in amounts that will impede or stop the flow in the public sewers, (ii) oil, (iii) sand, (iv) flammable wastes and (v) other harmful ingredients. Any person responsible for discharges requiring a trap shall at his own expense and as required by the Approving Authority:
 - 1. Provide equipment and facilities of a type and capacity approved by the Approving Authority;
 - 2. Locate the trap in a manner that provides ready and easy accessibility for cleaning and inspection; and
 - 3. Maintain the trap in effective operating condition acceptable to the Approving Authority to protect the overall operation of the

wastewater treatment plant.

REQUIREMENTS FOR BUILDING SEWERS

- A. Any person responsible for discharges through a building sewer carrying industrial wastes shall, at his own expense and as required by the Approving Authority:
 - 1. Install an accessible control manhole;
 - 2. Install meters and other appurtenances to facilitate observation sampling and measurement of the waste;
 - 3. Install safety equipment and facilities (ventilation, steps, etc.) where needed; and
 - 4. Maintain the equipment and facilities.
- B. No industrial waste will be discharged into the District's system without formal approval by the Approving Authority.

SAMPLING AND TESTING

- A. Sampling shall be conducted according to customarily accepted methods, reflecting the effect of constituents upon the sewage works and determining the existence of hazards to health, life, limb and property.
- B. Examination and analyses of the characteristics of waters and wastes required shall be: (i) conducted in accordance with the latest edition of "Standard Methods" and (ii) determined from suitable samples taken at the control manhole provided or other control point authorized by the Approving Authority.
- C. BOD and suspended solids shall be determined from composition sampling, except to detect unauthorized discharges.
- D. The Approving Authority shall determine which users or classes of users may contribute wastewater that is greater strength than normal domestic wastewater. All users or classes of users so identified shall be samples for flow BOD, TSS and pH at least annually.
- E. The Approving Authority may select an independent firm or laboratory to determine flow, BOD and suspended solids, if necessary. Flow may alternately be determined by water meter measurements if no other flow device is available and no other source of raw water is used.
- F. Any and all charges required for the above shall be paid by the user.

PROHIBITED DISCHARGES

- A. No person may discharge to public sewers any waste which by itself or by interaction with other wastes may: (i) injure or interfere with wastewater treatment processes or facilities; (ii) constitute a hazard to humans or animals; or (iii) create a hazard in receiving waters of the wastewater treatment plant effluent.
- B. All discharges shall conform to requirements of this ordinance.

CHEMICAL DISCHARGES

- A. No discharge to public sewers may contain:
 - 1. Cyanide greater than .01 mg/l;
 - 2. Fluoride other than those contained in the public water supply;
 - 3. Chlorides in concentrations greater than 250 mg/l;
 - 4. Gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas; or
 - 5. Substances causing an excessive chemical oxygen demand (COD).

- B. No waste or wastewater discharged or public waters may contain:
 - 1. Strong acid, iron-pickling wastes or concentrated plating solutions whether neutralized or not;
 - 2. Fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between 32° and 150° Fahrenheit (0° and 65° Centigrade).
 - 3. Objectionable or toxic substances, exerting an excessive chlorine requirement to such degrees that any such material received in the composite wastewater treatment works exceeds the limits established by the Approving Authority for such materials; or
 - 4. Obnoxious, toxic or poisonous solids, liquids or gases in quantities sufficient to violate the provisions of Section (12)A.

- C. No waste, wastewater or other substance may be discharged into public sewers which has a pH lower than 6.0 or higher than 9.0 or any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel at the wastewater facilities.

- D. All waste, wastewater or other substance containing phenols, hydrogen sulfide or other taste and odor producing substances, shall conform to concentration limits established by the Approving Authority. After treatment of the composite wastewater, concentration limits may not exceed the requirements established by state, federal or other agencies with jurisdiction over discharges to receiving waters.

HAZARDOUS METALS AND TOXIC MATERIALS

- A. No discharges may contain concentration of hazardous metals other than amounts specified by the State Water Code.

- B. The materials, their concentration parameters and rules governing same are as promulgated under authority of Sections 5.131 and 5.132, Texas Water Code - HAZARDOUS METALS, and in accordance with Texas Water Commission Rules 156.19.

- C. No other hazardous metals or toxic materials may be discharged into public sewers without a permit from the Approving Authority specifying conditions of pre-treatment, concentration, volumes and other applicable provisions.

PARTICULATE SIZE

- A. No person may discharge garbage or other solids into public sewers unless it is shredded to a degree that all particles can be carried freely under the flow conditions normally prevailing in public sewers. Particles greater than one-half inch (1/2") in any dimensions are prohibited.
- B. The Approving Authority is entitled to review and approve the installation and operation of any garbage grinder equipped with a motor of 3/4 HP (0.76 HP metric) or greater.

STORM WATER AND OTHER UNPOLLUTED DRAINAGE

- A. No person may discharge to public sanitary sewers: (i) unpolluted storm water, surface water, ground water, swimming pools, roof run-off or subsurface drainage, (ii) unpolluted cooling water, (iii) unpolluted industrial process water or (iv) other unpolluted drainage, or make new connections from inflow sources.
- B. In compliance with the Texas Water Quality Act and other statutes, the Approving Authority may designate storm sewers and other water courses into which unpolluted drainage described in Subsection A of this Section may be discharged.

TEMPERATURE

No person may discharge liquid or vapor having a temperature higher than 150° Fahrenheit (65° Centigrade) or any substance that causes the temperature of the total wastewater treatment plant influent to increase at a rate of 10° Fahrenheit or more per hour, or combined total increase of plant influent to 110° Fahrenheit.

RADIOACTIVE WASTES

- A. No person may discharge radioactive wastes or isotopes into public sewers without the permission of the Approving Authority.
- B. The Approving Authority may establish, in compliance with applicable state and federal regulation, regulations for discharge of radioactive wastes into public sewers.

IMPAIRMENT OF FACILITIES

- A. No person may discharge into public sewers any substance capable of causing: (i) obstruction to the flow in sewers, (ii) interference with the operation of treatment processes of facilities, or (iii) excessive loading of treatment facilities.
- B. No person may discharge into public sewers any substance that may: (i) deposit grease or oil in the sewer lines in such a manner as to clog the sewers, (ii) overload skimming and grease handling equipment, (iii) pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the non-amenability of the substance to bacterial action or (iv) deleteriously affect the treatment process due to excessive quantities.
- C. No person may discharge any substance into public sewers which: (i) is not amenable to

treatment or reduction by the processes and facilities employed, or (ii) is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of the agencies having jurisdiction over discharge to the receiving waters.

- D. The Approving Authority shall regulate the flow and concentration of slugs when they may: (i) impair the treatment process, (ii) cause damage to collection facilities, (iii) incur treatment costs exceeding those for normal wastewater, or (iv) render the effluent unfit for stream disposal or industrial use.

WATER CONSERVATION SECTION

- A. GENERAL - Automatic-flushing devices of the siphonic design shall not be used to operate urinals.
- B. HOT WATER PIPES - All aboveground hot water piping shall be insulated.
- C. WATER CLOSETS - Water closets, either wall-mounted or flushometer operated shall be designed, manufactured and installed to be operable and adequately flushed with no more than 2.0 gallons per flushing cycle when tested in accordance with applicable standards. All other water closets and toilets shall have no more than 1.6 gallons per flushing cycle when tested in accordance with applicable standards.
- D. URINALS - Urinals shall be designed, manufactured and installed to be operable and adequately flushed with no more than 1.0 gallon of water per flush.
- E. LAVATORY FACILITIES
1. Public Facilities:
- Faucets for public lavatories shall be equipped with outlet devices which limit the flow of water to a maximum of 0.5 gpm at 60 psi pressure or be equipped with self-closing valves that limit the delivery to a maximum of 0.25 gallon of hot water for recirculating systems and to a maximum of 0.5 gallon for non-recirculating systems.
- EXCEPTION:* Separate lavatories for physically handicapped persons shall not be equipped with self-closing valves.
2. Private Facilities:
- Faucets for private lavatories shall be designed, manufactured and installed to deliver water at a flow rate not to exceed 2.2 gpm at 6-psi pressure when tested in accordance with applicable standards.
- F. SHOWER HEADS - Showerheads shall be designed, manufactured and installed to deliver water at a rate not to exceed 2.75 gpm at 80 psi pressure when tested in accordance with applicable standards.
- G. SINK FAUCETS - Sink faucets shall be designed, manufactured and installed to deliver water at a rate not to exceed 2.2 gpm at 60 psi pressure when tested in accordance with applicable standards.
- H. SWIMMING POOLS - All swimming pools installed in areas covered by the Certificates of

Convenience and Necessity issued to , Founder's Reserve Association, Inc. shall be equipped with recirculating filtration equipment.

- I. DRINKING WATER FOUNTAINS - All drinking water fountains must be equipped with self-closing valves.
- J. ORNAMENTAL FOUNTAINS - All ornamental fountains installed in areas covered by the Certificates of Convenience and Necessity issued to , Founder's Reserve Association, Inc. be equipped with recirculating water equipment.

Founder's Reserve Community Association, Inc.
7170 Cherry Park
Houston, Texas 77095

CONTRACT/APPLICATION FOR UTILITY SERVICE

All utility services to be provided hereunder shall be subject to all terms and conditions of Utility's state-approved tariff(s) and the rules of the Texas Commission on Environmental Quality ("TCEQ")

This Contract/Application for Utility Service ("Contract/Application") is by and between , Founder's Reserve Association, Inc. ("Utility") and the applicant ("Customer" or "Applicant") whose name and signature is shown below at the end of this document.

CUSTOMER LIABILITY: Customer shall be liable for any damage or injury to Utility-owned property or personnel by the customer or others under his control. Customer agrees to take no action to create a health or safety hazard or otherwise endanger, injure, damage or threaten Utility's plant, its personnel, or its customers.

LIMITATION ON UTILITY'S PRODUCT/SERVICE LIABILITY: Public water utilities are required to deliver water to the customer's side of the meter or service connection which meets the potability and pressure standards of the TCEQ. Utility will not accept liability for any injury or damage occurring on the customer's side of the meter. Utility will not accept liability for injuries or damages to persons or property due to disruption of water service caused by: (1) acts of God, (2) acts of third parties not subject to the control of Utility, (3) electrical power failures, or (4) termination of water service pursuant to Utility's tariff and the TCEQ rules.

FIRE PROTECTION: Utility is not required by law and does not provide fire prevention or fire fighting services. Utility therefore does not accept liability for fire-related injuries or damages to persons or property caused or aggravated by the availability (or lack thereof) of water or water pressure (or lack thereof) during fire emergencies.

PLUMBING CODE: Utility has adopted the Southern Plumbing Code. Utility has further adopted its own specific plumbing rules contained in its tariff. Any extensions and/or new facilities shall comply with that code and all standards established by the TCEQ. Where conflicts arise, the more stringent standard must be followed. The piping and other equipment on the premises furnished by the Customer will be maintained by the Customer at all times in conformity with the requirements of the applicable regulatory authorities and all tariffed service rules of Utility. No other water service will be used by the Customer on the same property in conjunction with Utility's service, either by means of a cross-over valve or any other connection. Customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises.

The following undesirable plumbing practices are prohibited by state regulations. Other prohibitions are found in the Southern Plumbing Code and/or Utility's tariff.

- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public drinking water system by an air-gap only.
- B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap only.

- C. No connection that allows water to return to the public drinking water supply is permitted.
- D. No pipe or pipe fitting which contains more than 8.0% lead may be used for the installation or repair of plumbing at any connection that provides water for human use.
- E. No solder or flux that contains more than 0.2% lead can be used for the installation or repair of plumbing of any connection that provides water for human use.

RIGHT OF ACCESS AND EASEMENTS: Utility will have the right of access and use of the Customer's premises at all reasonable times for the purpose of installing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of Utility's system. If the property to be served does not have dedicated, recorded public utility easements available for Utility's use in providing water utility service to the property, the Applicant (or the Applicant's landlord in the case of a tenant applicant) shall be required to provide Utility with a recorded permanent easement as a condition of service. Such easement shall be in a location acceptable to Utility and shall be for a corridor no less than fifteen (15) feet in width.

LANDLORD GUARANTEE: Applications by tenants must be countersigned by the fee owner of the property. By signing the application, the landlord grants all required rights of access and easements.

PLUMBING INSPECTION: State law requires applicants for service at new consuming facilities or facilities which have undergone extensive plumbing modifications to deliver to Utility a certificate that their facilities have been inspected by a state-licensed inspector and that they are free of cross-connections and potential hazards to public health and safety. When potential sources of contamination are identified that require the installation of a backflow prevention device, such backflow flow prevention device shall be installed, tested and maintained at the customer's expense.

SEWER REGULATIONS: *(only if sewer service provided)* The utility only provides "sewage" collection and disposal service to the public. This service is limited to the collection, treatment and disposal of waterborne human waste and waste from domestic activities such as washing, bathing, and food preparation. This service does not include the collection, treatment or disposal of waste of such high BOD or TSS characteristics that it cannot reasonably be processed by the utility's state-approved wastewater treatment plant within the parameters of the utility's wastewater discharge permit. **THIS SERVICE DOES NOT INCLUDE THE COLLECTION AND DISPOSAL OF STORM WATERS OR RUN OFF WATERS, WHICH MAY NOT BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM. NO GREASE, OIL, SOLVENT, PAINT, OR OTHER TOXIC CHEMICAL COMPOUND MAY BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM.** It shall be the customer's responsibility to maintain the service line and appurtenances in good operating condition, i.e., clear of obstruction, defects, or blockage. If there is excessive, infiltration or inflow or failure to provide proper pretreatment, the utility may require the customer to repair the line or eliminate the infiltration or inflow or take such actions necessary to correct the problem.

CUSTOMER AGREEMENT: By signing this application for public utility service, I agree to comply with utility's rules and tariff and all rules and regulations of applicable regulatory agencies. I guarantee prompt payment of all utility bills for the service address printed above. I will remain responsible for utility bills until the day service is terminated at my request. I agree to take no action to create a health hazard or otherwise endanger, injure, damage or threaten utility's plant, its personnel, or its customers. I agree to put no unsafe, non-domestic service demands on utility's system without notice to and permission from utility.

1. Name of applicant*: _____
Applicant is: Landowner _____ Tenant _____
Driver Lic. # _____ SS# _____

* This is the person or other entity in whose name service will be rendered and who will be responsible for all service and other bills unless otherwise indicated in No. 10 and signature blocks below.

2. Address or location of requested service. (Attach plat or drawing if new development):

Subdivision: _____ Block: _____ Lot: _____

3. Type of service: Water _____ Sewer** _____ Both** _____
residential _____ permanent _____
commercial _____ temporary _____
industrial _____ temporary service termination
developer _____ date: _____

4. Purpose for which water is to be used: Residential _____ Other _____
(Explain) _____

List all toxic or hazardous chemicals to be used at service location excluding normal domestic cleaning agents typically used in a home or office:**

6. Will any waste generated at this service location require special treatment? **

yes _____ no _____ What type _____
Why is special treatment needed _____

7. Will service location have food grinder, grease trap or grinder pump for force main service? **

yes _____ no _____ type _____

8. Water volume and pressure requirements (to be completed by other than residential applicant):

Gallons: Annual _____ highest day _____

Pressure required: Low _____ Average _____ High _____

Special service requirements: _____

9. Will a deposit be paid? yes _____ no _____

If no deposit, reason for exemption. _____

10. Person responsible for utility service bills (if not the applicant named above):

Name: _____

Relationship to Applicant: _____

Drivers Lic. # _____ SS # _____

Telephone (____) _____ - _____ Home _____ Business _____

Billing address if different from service location address. _____

11. Date of application: _____ Date to begin service: _____

12. Is public utility easement required? yes _____ no _____ Recording date: _____

Recording information: Vol. _____ Page _____, Plat/Real Property Records of _____ County, TX

** only if sewer service is provided

APPLICANT

BY: _____, Title _____
(To be signed by the person applying for service)

LANDLORD

BY: _____, Title _____
(By signing, the landlord grants all required rights of access to the Utility. Landlord must sign if the applicant is a tenant.)

GUARANTOR or ALTERNATE BILL PAYER in No. 10 above

BY: _____, Title _____
(By signing, guarantor guarantees payment for all water utility charges, related fees and damage caused by applicant.)

UTILITY

BY: _____ _____
Utility Representative Acceptance Date

Founder's Reserve Community Association, Inc.
7170 Cherry Park
Houston, Texas 77095

AGREEMENT FOR TEMPORARY WATER SERVICE

The water utility service applicant indicated below ("Customer") has applied for water utility service from **Founder's Reserve Community Association, Inc.**, a Texas corporation ("Utility"), at the service location indicated below. Under state public health and water utility service regulations [30 TAC 290.46(j)], Utility may not provide continuous potable water utility service to any new construction, to any existing service location where significant plumbing modifications have been made, or to any location where Utility has reason to believe that a cross-connection or other undesirable or unsafe condition exists until the service applicant or customer presents Utility with an executed Customer Service Inspection Certificate (30 TAC 290.47-Appendix D). It is Customer's sole obligation and responsibility, at his/her expense, to have the necessary inspection performed by a properly licensed inspector. Neither Utility nor its operators perform customer service inspections on behalf of Utility.

Notwithstanding this inspection requirement before permanent water service can be provided, Utility is allowed to provide Customer with temporary water service for construction purposes only. Utility agrees to provide such temporary construction water service at its standard rates and conditions of service upon Customer's agreement that:

1. The water service provided will be used for construction, testing or landscaping purposes only.
2. The water provided will not be consumed by humans or absorbed into the human body. This water is not to be used for washing or bathing of humans. It will not be used for cleaning utensils used in cooking or eating. It will not be used for cooking or preparing food. This water will not be used for any purpose described or suggested in 30 TAC §290.38(23) as constituting "human consumption."
3. Customer will notify Utility in writing when to initiate the temporary construction service.
4. Customer will notify Utility in writing when construction at the indicated service location has ended,
5. Customer agrees not to occupy or reside in the indicated service location until Customer has delivered a fully executed Customer Service Inspection Certificate to Utility.

If Customer fails to abide by any provision of this agreement, water service to the indicated service location will be terminated and will not be restored under any circumstances until a fully executed Customer Service Inspection Certificate has been delivered to Utility. Termination will be made without notice if, in the opinion of Utility's licensed operator(s), Customer's service creates an immediate hazard to public health and safety. If no such hazard exists, Customer shall be notified and given a limited time to come into compliance. Utility's state-approved reconnect fee will be charged as a condition of service restoration if temporary water service is terminated for breach of this agreement.

1. Customer name: _____

2. Customer's billing address: _____

3. Customer's phone number: (____) ____ - _____

4. Service location: _____

Subdivision: _____

Entered into in _____ County, Texas on the ____ day of _____, 20__.

Customer:

BY: _____

Utility:

BY: _____