

**REGULAR BOARD MEETING
CANYON REGIONAL WATER AUTHORITY
Monday March 11, 2024, at 6:00 PM
850 Lakeside Pass, New Braunfels, TX 78130**

**This meeting is to be conducted in person only at the Canyon Regional Offices located at
850 Lakeside Pass, New Braunfels, Texas**

This Notice is posted pursuant to the Texas Open Meeting Act (Chapter 551, Texas Government Code). The Board of Trustees of Canyon Regional Water Authority (CRWA) will hold a meeting in person at 6:00 P.M., Monday, March 11, 2024, in the Board Room. The public may observe this meeting in person. As authorized by Texas Gov. Code sections 551.127 and 551.131(e) and Section 3.04(b) of the CRWA Bylaws, Members of the Board of Trustees may attend the meeting remotely via video conference. Additional information can be obtained by calling: (830) 609-0543. The CRWA Board of Trustees may consider, discuss, and act on any of the matters identified below.

Item 1 CALL TO ORDER

Item 2 BOARD ROLL CALL

Item 3 INVOCATION AND PLEDGE OF ALLEGIANCE

Item 4 OATH AND STATEMENT OF OFFICE OF NEW TRUSTEE

Item 5 PUBLIC COMMENTS

- A. Comments on non-agenda items - no discussion from the Board, 3-minute time limit.
- B. Comments on specific items on this agenda – discussion from/with the Board may be allowed; 3-minute time limit per citizen. Time may not be "shared or ceded" to another citizen.

Members of the public wishing to make a public comment during the meeting must register by emailing hdiaz@crwa.com prior to the meeting. Written comments may also be submitted. If you wish to speak, please state your name.

Item 6 CONSENT ITEMS

All items listed below are considered to be routine and non-controversial by the Board and will be considered by one motion. There will be no separate discussion of these items unless a Board member requests, in which case the item will be removed from the consent agenda and will be considered as part of the order of business.

- A. CRWA 24-03-001 Concerning Approval of Minutes (CRWA Staff)
Adopt Resolution 24-03-001 approval of minutes for February 12, 2024, Board of Trustees meeting.
- B. CRWA 24-03-002 Concerning Approval of Financial and Check Registers Reports (CRWA Staff)
Adopt Resolution 24-03-002 approval of January 2024 Financial Report and Check Register Report until audited.

Item 7 PRESENTATIONS/DISCUSSIONS

- A. (Draft) Drought Mitigation Plan for review (Due May 1, 2024) TCEQ Five-Year Update ~ *Staff*
- B. (Draft) Conservation Plan Report for review (Due May 1, 2024) TCEQ Five-Year Update ~ *Staff*
- C. The President of the Board of Trustees will appoint a Mediation Committee to participate in mediation of the dispute concerning the 2021 Restated Water Supply Contract for Hays Caldwell ~ Tim Fousse

- D. The President of the Board of Trustees will appoint an Audit Committee of the Board in accordance with Section 49.199(a)(6)(B) Texas Water Code~ Tim Fousse

Item 8 **CRWA STAFF REPORTS**

(Updates from written reports by staff, legal counsel, and others)

- A. Drought Report ~ *Staff*
- B. Water Treatment, Storage, and Transmission Operations ~ *Staff*
 - o Lake Dunlap WTP:
 - Production
 - o Hays Caldwell WTP:
 - Production
 - Pall mobile membrane filtration
 - o Wells Ranch WTP:
 - Production
- C. Wells Ranch III Project ~ *Staff*
 - o Draft Water Supply and Treatment Contract
 - o Groundwater leasing and permitting
- D. South Texas Regional Water Planning Group – Region L ~ *Staff*
- E. GMA 13 ~ *Staff*
- F. Groundwater Districts of Guadalupe and Gonzales Counties ~ *Staff*
- G. Legal and legislative matters ~ *Legal Counsel and Staff*
 - i. Status of CRWA’s Pending Application for Permits from the Gonzales County Underground Water Conservation District (“GCUWCD”).
 - ii. Status of litigation pending in the District Court of Guadalupe County, Texas under Cause No. 24-0377-CV-E; and styled *Canyon Regional Water Authority vs. Trihydro Corporation, et al.*
 - iii. Other legal matters.

Item 9 **CRWA COMMITTEE AND BOARD OF MANAGERS REPORTS**

- A. Budget Committee: ~ *Committee Chairperson*
- B. Policy and Legislative Committee: ~ *Committee Chairperson*
- C. Construction Committee: ~ *Committee Chairperson*
- D. Board of Managers ~ *Chairperson*
- E. Update on General Manager Search Committee
- F. Update on CRWA General Counsel Selection Committee

Item 10**GENERAL BUSINESS**

- A. CRWA 24-03-003 Concerning Appointment of a Voting Delegate to the Texas Rural Water Association's Annual Business Meeting. The Board will discuss, consider, and act on Resolution 24-03-003 appointing Randy Schwenn as CRWA's true and lawful voting delegate to represent CRWA at the Annual Business Meeting of the Texas Rural Water Association on March 28, 2024, and authorizing him to vote on any director or alternate director election, Bylaws amendment or resolution, or any other matter for and on CRWA's behalf, which may come before the meeting or any adjournment thereof upon which CRWA would be entitled to vote.
- B. CRWA 24-02-016 Concerning an award to DN Tanks for a contract to provide construction services for the Hays / Caldwell Water Treatment Plant Project (Ardurra). The Board will discuss, consider, and act on Resolution 24-02-016 declaring DN Tanks as the successful bidder to provide tank construction services for the Hays Caldwell Water Treatment Plant Project and directing the Interim General Manager to negotiate terms of a Contract and/or Service Order providing the terms, scope and cost for such work.
- C. CRWA 24-03-005 Concerning the Recommendation of the General Counsel Selection Committee. The Board will discuss, consider, and act on Resolution 24-03-005, accepting the report and recommendation of the General Counsel Selection Committee, and authorizing the Board President and Special Counsel for CRWA to enter into negotiations with Langley & Banack, Inc. concerning a Contract providing for terms and conditions of retention of Langley & Banack, Inc. as CRWA's General Counsel.
- D. CRWA 24-03-006 Concerning Revisions to the CRWA Procurement Policy. The Board will discuss, consider, and act on Resolution 24-03-006, amending and updating Section 7 of the CRWA Procurement Policy to modify the financial thresholds for Tier II and Tier III purchases, and to add language indicating that the Procurement Policy shall automatically conform to changes in applicable law.
- E. CRWA 24-03-007 Concerning Mediation of the Dispute arising under the 2021 Restated Water Supply Contract for Hays Caldwell. The Board will discuss, consider, and act on Resolution 24-03-007, authorizing CRWA's Mediation Committee and Special Counsel to participate in mediation concerning the existing disputes related to and arising under the 2021 Restated Water Supply Contract for Hays Caldwell, and delegating authority to the Board President to execute a Mediated Settlement Agreement subject to final ratification of the Board of Trustees at its next regular meeting.

Item 11 EXECUTIVE SESSION

The Board of Trustees may meet in a closed session to discuss the following items and any item listed above pursuant to Chapter 551 of the Texas Government Code, including, where appropriate, sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089, and 418.183(f) of the Texas Government Code. All deliberations and formal action will occur in open session.

- A. General Manager Selection Committee's recommendation for candidate(s) for General Manager position and potential terms and conditions of Employment Contract and related matters.
- B. Demand letters received from Maxwell SUD, County Line SUD and Martindale WSC related to the 2021 Restated Water Supply Contract for Hays Caldwell, proposed mediation and potential litigation of related claims and disputes.
- C. Conditions for issuance of permits requested by GCUWCD in connection with CRWA's pending permit applications.

Item 12 RETURN TO OPEN MEETING

The Board may consider, deliberate, and act on the items discussed in Executive Session, including discussion and potential adoption of the following Resolutions:

- A. CRWA 24-03-004 Concerning the Recommendation of the General Manager Selection Committee. The Board will discuss, consider, and act on Resolution 24-03-004, accepting the report and recommendation of the General Manager Selection Committee, and authorizing the Board President and Special Counsel for CRWA to enter into negotiations concerning an Employment Contract providing for terms and conditions of employment of the General Manager for CRWA, and further authorizing the Board President to execute such Employment Contract, strictly subject to final ratification of the Board of Trustees at its next regular meeting.

- B. CRWA 24-03-008 Regarding the Commencement of Litigation Concerning the Dispute related to the 2021 Restated Water Supply Contract for Hays Caldwell. The Board will discuss, consider, and act on Resolution 24-03-008, authorizing CRWA's Special Counsel to commence a lawsuit in the Texas State District Court of Guadalupe County, Texas seeking judicial declaration of CRWA's and all Contracting Parties' rights, and responsibilities under the 2021 Restated Water Supply Contract for Hays Caldwell, together with any and all other remedies available to CRWA. The litigation shall be commenced only in the event that mediation of the disputes related to the Hays Caldwell disputes is unsuccessful and the mediator declares an impasse.

Item 13 FUTURE BOARD MEMBER AGENDA ITEMS

Item 14 Adjourn the meeting

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	CONSENT AGENDA ITEM BOARD OF TRUSTEES MEETING MINUTES OF FEBRUARY 12, 2024	CRWA 24-03-001

INITIATED BY

RANDY SCHWENN / HANNA DIAZ

STAFF RECOMMENDATION

Approve the Minutes of the Regular Board Meeting of the Board of Trustees held on February 12, 2024, as amended, or not amended.

BACKGROUND INFORMATION

The minutes of the meeting are attached.

FINANCIAL IMPACT

None

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-001

BE IT RESOLVED that the Minutes of the Regular Meeting of the Board of Trustees held on February 12, 2024, as amended, or not amended, are approved.

Adopted this 11th day of March 2024

Ayes _____ Nays _____ Abstained _____ Absent _____

Approved by: _____
Timothy D. Fousse, CPM
President

Certified and attested by: _____
Doris Steubing
Secretary

**MINUTES
REGULAR BOARD MEETING
CANYON REGIONAL WATER AUTHORITY
BOARD OF TRUSTEES**

Regular meeting:

The Canyon Regional Water Authority (CRWA) Board of Trustees met for a regular meeting in person on Wednesday, February 12, 2024, at 6:00 p.m.

The following individuals attended the meeting:

Board of Trustees:		CRWA Staff:		Board of Managers and Others:	
Timothy Fousse	Brandon Rohan	Randy Schwenn	Hanna Diaz	Justin Ivicic	David Kneuper
Ted Gibbs	Marc Gilbert	Adam Telfer	Joan Wilkinson	Trey Wilson	Daniel Smith
Martin Poore	Nicholas Sherman	David McMullen		Chris Ekrut	Graham Moore
Humberto Ramos	Steven Fonville			Paul Terrell	Greg Swoboda
Teresa Scheel	Mabel Vaughn			Zach Evans	Brud Brown
Regina Franke	Doris Steubing			Daniel Smith-	Byron Sanderfer
Donald Bosworth	Clint Ellis			Salgado	
Paul Bricker					

Item 1 CALL TO ORDER

» President Timothy Fousse opened the meeting at approximately 6:01 p.m.

Item 2 BOARD ROLL CALL

» Fifteen (15) Board members were present.

Item 3 INVOCATION AND PLEDGE OF ALLEGIANCE

Item 4 OATH AND STATEMENT OF OFFICE OF NEW TRUSTEE

» Paul Bricker took the Oath of Office and is serving as a representative for East Central SUD

Item 5 PUBLIC COMMENTS

- A. Comments on non-agenda items - no discussion from the Board, 3-minute time limit.
- B. Comments on specific items on this agenda – discussion from/with the Board may be allowed; 3-minute time limit per citizen. Time may not be "shared or ceded" to another citizen.

Members of the public wishing to make public comment during the meeting must register by emailing hdiaz@crwa.com prior to the meeting. Written comments may also be submitted. If you wish to speak, please state your name.

» Ryan Harvey, the CEO of Preload, spoke to the Board of Trustees.

Item 6 CONSENT ITEMS

All items listed below are considered to be routine and non-controversial by the Board and will be considered by one motion. There will be no separate discussion of these items unless a Board member requests, in which case the item will be removed from the consent agenda and will be considered as part of the order of business.

- A. CRWA 24-02-009
Adopt Resolution 24-02-009 approval of Board of Trustees meeting minutes of January 8, 2024.
- B. CRWA 24-02-010

- Adopt Resolution 24-02-020 approval of December 2023 Financial Report and Check Register Report until audited.
- » Vice President Rohan motioned to pull the Minutes for an edit. This was seconded by Humberto Ramos.
 - » Martin Poore made a motion to approve Item 24-02-010.
 - » Vice President Rohan seconded the motion.
 - » President Timothy Fousse called for a vote. The motion passed with 16 ayes.
 - » Vice President Rohan requested Randy Schwenn be moved from being listed as a Trustee member, since he was no longer a Trustee during that meeting.
 - » Ted Gibbs made a motion to approve the Minutes as amended.
 - » Regina Franke seconded the motion.
 - » President Timothy Fousse called or a vote. The motion passed with 16 ayes.

Item 7 PRESENTATIONS/DISCUSSIONS

- A. The President of the Board of Trustees will appoint members to the Evaluation and Selection Committee for the RFQ's for General Construction/Design Engineer (Tim Fousse)
 - B. The President of the Board of Trustees will appoint members the Evaluation and Selection Committee for the RFQ's for Construction Administration for the Hays / Caldwell Water Treatment Plant (Tim Fousse)
 - C. Status of discussions concerning Amended and Restated Regional (Hays/Caldwell Counties Area) Water Supply and Treatment Contract, dated February 9, 2021. (Doris Steubing)
 - D. Litigation Pending Against Crystal Clear SUD (HK Baugh Ranch, LLC vs. Crystal Clear Special Utility District) as it relates to the Hays-Caldwell and Amended and Restated Regional (Hays/Caldwell Counties Area) Water Supply and Treatment Contract, dated, February 9, 2021. (Doris Steubing)
 - E. Notice and demand letter received from CLSUD on August 31, 2023, related to the Hays Caldwell project. (Humberto Ramos)
- » President Fousse appointed Nick Sherman as the chairman of the Selection Committee for General Construction / Design Engineer. Marc Gilbert, Steven Fonville, and Paul Bricker will also serve on this Committee.
 - » President Fousse appointed Tracy Scheel as the chairwoman of the Selection Committee for Construction Administration for the Hays / Caldwell Water Treatment Plant. Doris Steubing, Regina Franke, and Steven Fonville will also serve on this Committee.
 - » Item 7D is moved to item 10H for discussion. It will not be converted to an action item.
 - » Doris Steubing stated her concerns about the pending Litigation against Crystal Clear SUD as it relates to the Hays-Caldwell Contract. Humberto Ramos asked Legal Counsel if this item of discussion should be taken up in an Executive Session to discuss the liability that Canyon Regional Water Authority has, if any, regarding this litigation. He would like the subpoena explained as well as any adverse effects this could have on Canyon Regional Water Authority.
 - » Trey Wilson, Legal Counsel, stated that President Fousse received a subpoena for certain documents as a non-party to the federal litigation between Crystal Clear SUD and a developer. The subpoena was turned over to Mr. Wilson, and he worked with CRWA Staff to collect the requested items. The subpoena is almost entirely documents related to the 2015 contract between CRWA and SUD's with respect to the Alliance water. Mr. Wilson's understanding of the lawsuit is it is a dispute between a developer and Crystal-Clear SUD regarding a contract. There is no reason at this time to believe Canyon Regional Water Authority would become a party in the lawsuit. The response to the subpoena is due on February 23rd. Mr. Ramos does not feel a need to discuss this item further in an Executive Session at this time.
 - » Mr. Wilson stated it is his understanding that communications were being handled on a Staff level. Mr. McMullen and Mr. Rohan have both met with representatives of County Line SUD regarding the issue. Mr. Wilson recommends bringing Interim General Manager, Randy Schwenn, into the conversation to continue moving the process along.

Item 8**CRWA STAFF REPORTS***(Updates from written reports by staff, legal counsel, and others)*

- A. Drought Report ~ *Staff*
- B. Water Treatment, Storage, and Transmission Operations ~ *Staff*
 - o Lake Dunlap WTP:
 - Production
 - o Hays Caldwell WTP:
 - Production
 - Pall mobile membrane filtration
 - o Wells Ranch WTP:
 - Production
 - Well rehabilitation and pump repairs
- C. Wells Ranch III Project ~ *Staff*
 - o Draft Water Supply and Treatment Contract
 - o Groundwater leasing and permitting
- D. South Texas Regional Water Planning Group – Region L ~ *Staff*
- E. GMA 13 ~ *Staff*
- F. Groundwater Districts of Guadalupe and Gonzales Counties ~ *Staff*
- G. Legal and legislative matters ~ *Legal Counsel and Staff*

- » **Drought Reports:** Mr. Schwenn stated the report had been changed slightly. The focus will be on the water levels of Canyon Lake, the Canyon Lake in-flow and out-flow, as well as the precipitation above and below Canyon Lake.
- » **Water Treatment, Storage, and Transmission Operations:** Mr. Schwenn stated there is a summary of the amount of Lake Dunlap, Wells Ranch, and Hays Caldwell Water Usage.
- » **Wells Ranch III Project:** This item will be discussed further under Item 10D.
- » **Region L:** There will be a meeting on February 13th that Mr. Schwenn will be attending.
- » **GMA 13:** The meeting on February 9th was canceled, but there will be one held in March. Mr. Schwenn will be attending this meeting.
- » **Groundwater Districts of Guadalupe and Gonzales Counties:** This item will be discussed further in Item 10D
- » **Legal and Legislative Matters:** The Trihydro lawsuit has been filed. The lawsuit will include one of the Engineer's that was involved in the design. It will list Trihydro and the individual Engineer. It was filed through Guadalupe County Court.

Item 9**CRWA COMMITTEE REPORTS****Budget Committee:** ~ *Committee Chairwoman***Policy and Legislative Committee:** ~ *Committee Chairman***Construction Committee:** ~ *Committee Chairman***Update on General Manager Search Committee****Update on General Counsel Search Committee****Board of Managers:** ~ *Chairman*

- » **Budget Committee:** Regina Franke reported on behalf of the Budget Committee. The Committee met on February 8th to discuss staffing in relation to the organization chart, creating a schedule for the budgeting process, and the Wells Ranch and Lake Dunlap blending of the rates. The Committee will work on a meeting quarterly, if not sooner. Humberto Ramos voiced his concerns over the altering of the Organizational Chart before a General Manager is hired.
- » **Policy and Legislative Committee:** Ted Gibbs reported on behalf of the Policy and Legislative Committee. The Administrative Policy is in the final edits phase. The Tuition Reimbursement Policy is completed. The Committee is going to present the policy with the Employee Handbook. The Employee Handbook is back from Legal Review. The Committee intends to present the Employee Handbook at the April Trustee Meeting.
- » **Construction Committee:** Vice President Rohan reported on behalf of the Construction Committee.

The Committee met on January 30th. They discussed the timing of shutdowns on the relocation projects on IH-10 and FM 1518. The Committee asked Utility Engineering Group to coordinate with CRWA Staff on avoiding summer shutdowns. There will be a relocation project coming up on Loop 1604 by IH-10. This project should be reimbursable, but it will be difficult to find additional easements, and CRWA may end up having to go around a long way. CRWA Staff have the Engineering Standards and Specifications from Utility Engineering Group. Staff intends to have comments back to UEG by February 16th. Regarding the Hays Caldwell Transmission Line, Staff is working with Ardurra on the necessary Plant improvements. The relocation itself has not started at Flora Meadows, but Vice President Rohan expects it to start in a few weeks. CRWA Staff will be meeting with Alliance to see how they will operate the water coming into the Lake Dunlap WTP. The challenge is, if Alliance water is coming in, the Lake Dunlap water cannot come in at the same time. This will have to be solved. Garver is expected to take about 39 days to evaluate the Nanostone Filters at Lake Dunlap and see what will be needed to get the Lake Dunlap WTP working at full capacity. The Construction Committee scored Ardurra as the top choice for the Electrical Designs for the Wells Ranch 2 Generators. Ardurra provided recommendation to Staff to award DN Tanks as the successful bidder for Tank Construction at the Hays Caldwell WTP. The Committee recommends this bid be awarded to DN Tanks.

- » **Board of Managers:** Justin Ivicic reported on behalf of the Board of Manager's. The Board of Manager's met on February 7th. Two new members were appointed, Nicholas Sherman and Reina Franke. There are 2 items up for recommendation from the group The first, is to proceed with Ardurra to do the electrical engineering work. The Board of Managers will also follow up with Ardurra's recommendation for DN Tanks.
- » **General Manager Search Committee Update:** President Fousse reported they are working with Todd Votteler. They were provided with a list of potential interviewees. There will be a Committee Meeting after the current Trustee meeting to review the potential candidates.
- » **General Counsel Selection Committee Update:** There is no update from this Committee. The Committee will be meeting next week and will have a recommendation for the March Trustee meeting.

Item 10 GENERAL BUSINESS

- A. CRWA 24-02-011 Concerning Appointing CRWA Representatives to the Alliance Regional Water Authority Board of Directors
The Board will discuss, consider, and act on Resolution 24-02-011 accepting nominations for a CRWA Representative to be appointed to the Alliance Regional Water Authority Board of Directors, and appointing a Representative selected by vote of the Board of Trustees.
- » Vice President Brandon Rohan nominated Nicholas Sherman to serve on the Board as a representative.
 - » This recommendation was seconded by multiple people.
 - » Martin Poore made a motion to close nominations.
 - » Vice President Rohan seconded the motion.
 - » Vice President Rohan made a motion to appoint Nicholas Sherman to the Alliance Regional Water Authority Board of Directors.
 - » Humberto Ramos seconded the motion.
 - » President Fousse called for a vote. The motion passed with 15 ayes.
- B. CRWA 24-02-012 Concerning approving the entry of a Master Engineering Services Agreement with Garver
The Board will discuss, consider, and act on Resolution 24-02-012 approving entry of a Master Engineering Services Agreement with Garver.
- » Humberto Ramos made a motion to approve Resolution 24-02-012.
 - » Martin Poore seconded the motion.
 - » There was discussion about why this process has taken longer than it should have, and what issues were resolved.
 - » President Fousse called for a vote. The motion passed with 15 ayes.

- C. CRWA 24-02-013 Concerning approval of Service Order No. 1 with Garver Engineering
 The Board will discuss, consider, and act on Resolution 24-02-013 approving Service Order No. 1 with Garver pertaining to evaluation of the performance of the ceramic membrane filtration system at Lake Dunlap Water Treatment Plant at a cost not to exceed \$20,000.
- » Clint Ellis made a motion to approve Resolution 24-02-013.
 - » Steven Fonville seconded the motion.
 - » President Fousse called for a vote. The motion passed with 15 ayes.
- D. CRWA 24-02-014 Concerning entering into a certain agreement with the Gonzales County Underground Water Conservation District.
 The Board will discuss, consider, and act on Resolution 24-02-014 directing CRWA's Interim General Manager and Water Counsel to enter into certain agreements relating to mitigation, monitoring, and production phasing with the Gonzales County Underground Water Conservation District as reasonably necessary to secure approval of CRWA's pending application for permits from the district. Any such agreements shall be strictly subject to ratification by the CRWA Board of Trustees at its next meeting thereafter.
- » Mr. Randy Schwenn stated there was a misunderstanding about how much water Canyon Regional Water Authority was asking for. Canyon Regional Water authority is only wanting to Amend the Permit for 920 AF. Mr. Schwenn stated after he explained to two of the directors, he was informed there should be no problem getting the permit amended if the rest of the directors approve. The next meeting is February 13th and Mr. Schwenn will be attending.
 - » Humberto Ramos made a motion to approve Resolution 24-02-014.
 - » Martin Poore seconded the motion.
 - » President Fousse called for a vote. The motion passed with 15 ayes.
- E. CRWA 24-02-015 Concerning an award to Ardurra Engineering for a contract to provide Electrical Engineering Services for Wells Ranch II Generator Project.
 The Board will discuss, consider, and act on Resolution 24-02-015 declaring Ardurra Engineering as the successful candidate to provide electrical engineering services for the Wells Ranch Phase II generator Project and directing the Interim General Manager to negotiate terms of a Contract and/or Service Order providing the terms, scope and cost for such work.
- » The Construction Committee and Board of Manager's are making the recommendation to move forward with Ardurra.
 - » Vice President Rohan made a motion to approve Resolution 24-02-015.
 - » Marc Gilbert seconded the motion.
 - » Tracy Sheel requested that copies of the scoring matrix be provided in the future when topics like this arise.
 - » President Fousse called for a vote. The motion passed with 15 ayes.
- F. CRWA 24-02-016 Concerning an award to DN Tanks for a contract to provide construction services for the Hays / Caldwell Water Treatment Plant Project (Ardurra).
 The Board will discuss, consider, and act on Resolution 24-02-016 declaring DN Tanks as the successful bidder to provide tank construction services for the Hays Caldwell Water Treatment Plant Project and directing the Interim General Manager to negotiate terms of a Contract and/or Service Order providing the terms, scope and cost for such work.
- » Humberto Ramos requested to take this item into Executive Session.
 - » Vice President Rohan seconded this motion.
 - » Resolution 24-02-016 will be discussed further in the Executive Session.
 - » There was no action taken. The Resolution dies for lack of a motion.
- G. CRWA 24-02-017 Concerning Recusal of the CRWA Treasurer (Doris Steubing).
 The Board will consider, discuss, and act concerning Resolution 24-02-017 concerning temporary recusal of sitting Treasurer and voting Board of Trustees until such time as issues are resolved.
- » Humberto Ramos made a motion to approve Resolution 24-02-017 to recuse the current Treasurer until such time as the Baugh litigation is completed and the dispute concerning rates on the Hays Caldwell Contract is complete, and the issues of the February 9th demand letter concerning the overage issues is resolved.
 - » Tracy Scheel seconded the motion.

- » President Fousse called for a roll call vote. The motion did not pass. There were 6 ayes and 9 nay votes.
- H. CRWA 23-11-078 Concerning an Annual Overage Charge Procedure (Doris Steubing)
The Board will consider, discuss, and act concerning Resolution 23-11-078 adopting an annual overage charge procedure developed by NewGen Strategies & Solutions, LLC to be applied when the contractual annual allocation of treated water is exceeded by a participating member of the Amended and Restated Regional (Hays/Caldwell Counties Area) Water Supply and Treatment Contract, dated February 9, 2021.
 - » Humberto Ramos made a motion to suspend Robert's Rules of Order in reference to item 10H.
 - » Doris Steubing seconded the motion.
 - » President Fousse called for a roll call vote. The motion passed with 9 ayes and 6 nays.
 - » Martin Poore made a motion to move this item into Executive Session
 - » The motion was seconded.
 - » President Fousse called for a roll call vote. The motion passed with 8 ayes and 7 nays.
 - » Resolution 23-11-078 will be taken into Executive Session.
 - » Humberto Ramos made a motion to approve Resolution 23-11-078.
 - » Doris Steubing seconded the motion.
 - » President Fousse called for a roll call vote. The motion passed with 8 ayes and 6 nay votes.

Item 11 EXECUTIVE SESSION

The Board of Trustees will meet in a closed session to discuss the following items pursuant to Chapter 551 of the Texas Government Code, including, where appropriate, Sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089, and 418.183(f) of the Texas Government Code.

- » The Board of Trustee's entered Executive Session at approximately 7:59 p.m. to discuss Resolution 24-02-016.
- » The Board of Trustee's Returned from Executive Session at approximately 9:37 p.m.

Item 12 RETURN TO OPEN MEETING

The Board may consider, deliberate, and take action on any item discussed in Executive Session.

Item 13 FUTURE BOARD MEMBER AGENDA ITEMS

- » Tracy Scheel would like all back-up materials to be presented in the digital copy of the Board Packet.
- » The Draft Agenda will be prepared on Tuesday prior to the Board of Trustee's meeting. The Final draft will be completed on Thursday morning. The finalized copy will be printed at noon on Thursday before the meeting.

Item 14 Adjourn the meeting

- » Martin Poore made a motion to adjourn the meeting.
- » President Fousse adjourned the meeting at approximately 9:42 p.m.

Respectfully submitted

Doris Steubing, Secretary

NOTICE: The Board of Trustees may meet in a closed session to discuss any item listed above pursuant to Chapter 551 of the Texas Government Code, including, where appropriate, sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089, and 418.183(f) of the Texas Government Code. All deliberations and formal action will occur in open session.

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	FINANCIAL REPORT AND CHECK REGISTER REPORT	CRWA 24-03-002

INITIATED BY

JOAN WILKINSON

STAFF RECOMMENDATION

Approve the January 2024 Financial Report and Check Register Report until audited.

BACKGROUND INFORMATION

The January 2024 Financial Report and Check Register Report are attached.

FINANCIAL IMPACT

None

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-002

BE IT RESOLVED that the January 2024 Financial Report and Check Register Report of Canyon Regional Water authority are approved until audited.

Adopted this 11th day of March 2024

Ayes ____ Nays ____ Abstained ____ Absent ____

Approved by: _____

Timothy D. Fousse, CPM
President

Certified and attested by: _____

Doris Steubing
Secretary

CANYON REGIONAL WATER AUTHORITY

Balance Sheet

As of January 31, 2024

Jan 31, 24

ASSETS

Current Assets

Checking/Savings

1001 · First United Bank	
1006 · First United Checking #5207	2,222,399.92
1010 · First United Special #7162	2,131.11
1015 · Money Market #2160	1,268,168.86
1017 · HC SM Capacity Buy-In #6744	1,153,235.60

Total 1001 · First United Bank 4,645,935.49

1100 · First United Bank (Res)	
1105 · LD/MC Series 2016, #3017	2,613,890.98
1107 · HC 2005 #3603	3,988.09
1111 · HC Series 2017 #6074	202,280.93
1109 · HC Series 2021 #6663	342,743.75
1113 · HC Counties 2021 Ref #0636	96,557.28
1132 · Wells Ranch Series 2015, #6031	2,270,383.31
1133 · Wells Ranch Series 2016, #3009	1,835,495.93
1134 · Wells Ranch Series 2021 #0911	678,896.89
1140 · L/D Membrane Fund #5701	1,096,652.85
1140-01 · LD Membr-Nanostone Escrow #2545	289,790.57
1142 · H/C Membrane Fund #5693	460,416.36
1145 · Repair & Replacement Fund	4,772,770.59

Total 1100 · First United Bank (Res) 14,663,867.53

1120 · Logic	
1121 · Logic, General Funds	1,222,682.57
1127 · Wells Ranch, Construction #027	791.23
1158 · HC Construction	17,266,580.05

Total 1120 · Logic 18,490,053.85

1160 · BOKF, NA, Austin,WR Series 2015	127,350.45
1161 · BOKF, NA,Austin, HC Series 2017	4,208,861.52

Total Checking/Savings 42,136,068.84

Accounts Receivable

1200 · Accounts Receivable	3,408,427.70
1205 · A/R, Alliance Water	
1205-01 · A/R, Alliance, Crystal Clear SUD	1,821,238.07
1205-02 · A/R, Alliance, Martindale WSC	26,338.05
1205-03 · A/R, Alliance, Green Valley SUD	1,134,207.53
1205-04 · A/R, Alliance, County Line SUD	189,827.00

Total 1205 · A/R, Alliance Water 3,171,610.65

Total Accounts Receivable 6,580,038.35

Total Current Assets

48,716,107.19

Fixed Assets

1491 · Right of Use Asset 612,153.36

1400 · Capital Assets

1404 · Administration Building	586,288.00
1406 · Capitalized Construction Intere	11,273,728.00
1410 · Equipment & Vehicles	489,024.50
1411 · Nanostone - Lake Dunlap	1,156,411.20
1416 · Hays Caldwell	6,437,579.37
1420 · Lake Dunlap Phase I	4,764,833.00
1422 · Mid-Cities Phase I	8,475,370.50
1424 · Office Equipment	77,863.66
1434 · Property Improvements	60,021.00
1436 · River Crossing	577,934.36
1441 · LD Ozone Project	3,677,549.16
1442 · Dunlap Water Treatment Plant	5,155,886.29
1443 · Dunlap Chemical Tanks	30,326.57

CANYON REGIONAL WATER AUTHORITY

Balance Sheet

As of January 31, 2024

	<u>Jan 31, 24</u>
1444 · Hays Caldwell Phase 2	2,053,300.19
1445 · HC Chemical Tanks	5,293.13
1446 · Mid-Cities Phase 2	32,322,395.02
1447 · Hays Caldwell Expansion-2017	
1447-01 · HC Expansion, Capitalized Int	122,276.51
1447 · Hays Caldwell Expansion-2017 - Other	1,921,130.78
Total 1447 · Hays Caldwell Expansion-2017	2,043,407.29
1450 · Wells Ranch Project	
1450-01 · WellsRanch, Cap Interest	5,041,728.49
1450 · Wells Ranch Project - Other	40,885,863.75
Total 1450 · Wells Ranch Project	45,927,592.24
1451 · Wells Ranch Phase II-2011	
1451-01 · Capitalized Interest	1,872,118.97
1451 · Wells Ranch Phase II-2011 - Other	14,113,408.01
Total 1451 · Wells Ranch Phase II-2011	15,985,526.98
1452 · Wells Ranch Phase II-2015	
1452-01 · Capitalized Interest	1,930,053.69
1452 · Wells Ranch Phase II-2015 - Other	40,448,273.09
Total 1452 · Wells Ranch Phase II-2015	42,378,326.78
1453 · Wells Ranch Phase III	416,713.69
1490 · Accumulated Depreciation	-51,905,737.19
Total 1400 · Capital Assets	131,989,633.74
Total Fixed Assets	132,601,787.10
Other Assets	
1805 · Deferred Outflow-Pension	276,952.66
1670 · Land	
1672 · Johnson Abstract #47	163,243.95
1673 · Hays Caldwell Project	
1673-01 · Carlisle - 2.009 Acres	549,930.44
1673-02 · Land Acquisition Consultant HC	5,698.00
Total 1673 · Hays Caldwell Project	555,628.44
1674 · Randolph Foster 10 Acres	290,837.56
1675 · Wells Ranch Project	62,061.82
1676 · Land & Land Rights	1,276,634.70
Total 1670 · Land	2,348,406.47
1703 · Water Rights	3,439,604.49
1800 · Deferred Loss on Debt Refunding	111,397.00
Total Other Assets	6,176,360.62
TOTAL ASSETS	187,494,254.91
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	867,759.71
Total Accounts Payable	867,759.71

CANYON REGIONAL WATER AUTHORITY

Balance Sheet

As of January 31, 2024

	Jan 31, 24
Other Current Liabilities	
2300 · Net Pension Liability	242,430.00
2451 · Current Portion of Capital Leas	462,805.24
2002 · A/P, Misc.	-240.00
2140 · Texas Workforce	112.83
2165 · TCDRS Retirement Payable	37,775.10
	<hr/>
Total Other Current Liabilities	742,883.17
	<hr/>
Total Current Liabilities	1,610,642.88
Long Term Liabilities	
2200 · Deferred Revenue - San Marcos	4,811,128.00
2450 · Long Term Capital Lease	159,471.36
2400 · Bonds Payable	
2408 · LD/MC Tax-Exempt Series 2016	16,720,000.00
2426 · Hays Caldwell Series 2005	535,000.00
2430 · Hays Caldwell Series 2017	4,055,000.00
2431 · Hays Caldwell TE Series 2021	11,650,000.00
2432 · Hays Caldwell Series 2021 Ref	1,940,000.00
2443 · Wells Ranch Series 2015	33,195,000.00
2446 · Wells Ranch Series 2016	21,385,000.00
2447 · Wells Ranch Series 2021	12,600,000.00
	<hr/>
Total 2400 · Bonds Payable	102,080,000.00
	<hr/>
2490 · Unamortized Premiums	5,073,612.00
	<hr/>
Total Long Term Liabilities	112,124,211.36
	<hr/>
Total Liabilities	113,734,854.24
Equity	
3810 · Restricted for Membranes	1,765,717.00
3820 · Restricted for Debt Service	4,966,441.00
3950 · Retained Earnings	12,162,281.73
3975 · Inv in Cap Asset, net of debt	50,192,310.93
Net Income	4,672,650.01
	<hr/>
Total Equity	73,759,400.67
	<hr/>
TOTAL LIABILITIES & EQUITY	187,494,254.91
	<hr/> <hr/>

**Canyon Regional Water Authority
Profit Loss Budget vs. Actual
October 2023 - January 2024**

	January 2024	October 2023 January 2024	Annual Budget	\$ Over/(Under) Annual Budget	% of Annual Budget
Income					
4000 · Revenues					
4002 · Debt Payments	991,247.36	4,082,311.75	11,992,805.46	-7,910,493.71	34.04%
4003 · Raw Water	551,172.93	2,233,988.67	6,643,637.11	-4,409,648.44	33.63%
4004 · Water-New Berlin	0.00	15,309.00	57,023.93	-41,714.93	26.85%
4009 · Membrane Replacement Fund	45,153.81	180,615.24	541,867.57	-361,252.33	33.33%
4010 · Line Use & Delivery Contracts	11,902.44	47,609.76	142,835.08	-95,225.32	33.33%
4011 · Line Use New Berlin	1,429.94	5,719.76	17,160.00	-11,440.24	33.33%
4012 · Raw Water Delivery Fees	33,177.80	128,411.12	496,318.63	-367,907.51	25.87%
4017 · Water Sales	553,296.27	2,183,712.60	6,229,853.33	-4,046,140.73	35.05%
4018 · Plant Operations	336,096.75	1,362,453.42	4,051,389.03	-2,688,935.61	33.63%
4020 · Repair & Replacement Funds	146,474.73	595,132.08	1,767,000.00	-1,171,867.92	33.68%
4022 · CRWA Administrative	196,810.82	798,780.83	2,373,362.17	-1,574,581.34	33.66%
4023 · Alliance Water	522,903.66	2,091,614.64	6,275,109.42	-4,183,494.78	33.33%
4024 · Interest Income General	37,409.51	143,959.85	143,959.85		100.0%
4026 · Interest Income Bond Accounts	30,998.15	101,976.77	101,976.77		100.0%
4028 · Interest Construction Accounts	98,251.99	388,494.88	388,494.88		100.0%
4030 · Other Income	1,299.71	5,347.29		5,347.29	100.0%
Total 4000 · Revenues	3,557,625.87	14,365,437.66	40,588,361.73	-26,222,924.07	35.39%
Expense					
5000 · Bond Repayments					
5005 · Bond Payments	1,055,989.51	4,223,958.58	11,992,805.46	-7,768,846.88	35.22%
Total 5000 · Bond Repayments	1,055,989.51	4,223,958.58	11,992,805.46	-7,768,846.88	35.22%
5500 · Water Purchases					
5501 · Raw Water Purchases	1,988,791.32	2,612,749.06	6,643,637.11	-4,030,888.05	39.33%
5502 · Water Purchases, New Berlin	0.00	15,309.00	57,023.93	-41,714.93	26.85%
Total 5500 · Water Purchases	1,988,791.32	2,628,058.06	6,700,661.04	-4,072,602.98	39.22%
5600 · Membrane Funds	40,284.00	161,136.00	541,867.57	-380,731.57	29.74%
5700 · Repair & Replacement Funds	6,825.60	142,311.98	1,767,000.00	-1,624,688.02	8.05%
6000 · Line Use & Delivery Costs					
6005 · Line Use Contract Maxwell	0.00	0.00	3,988.00	-3,988.00	0.0%
6008 · Line Use Contract New Berlin	0.00	0.00	17,160.00	-17,160.00	0.0%
6010 · Line Contract GBRA	11,570.59	46,282.36	138,847.08	-92,564.72	33.33%
6011 · GBRA Raw Water Delivery Fees	31,199.42	129,263.76	496,318.63	-367,054.87	26.05%
Total 6000 · Line Use & Delivery Costs	42,770.01	175,546.12	656,313.71	-480,767.59	26.75%

Canyon Regional Water Authority
Profit Loss Budget vs. Actual
October 2023 - January 2024

	January 2024	October 2023 January 2024	Annual Budget	\$ Over/(Under) Annual Budget	% of Annual Budget
7000 - Plant Expenses-Variable Costs					
7005 - Plant Utilities	276,396.42	982,680.42	3,151,733.24	-2,169,052.82	31.18%
7010 - Chemicals	265,146.74	1,020,030.19	3,084,120.09	-2,064,089.90	33.07%
Total 7000 - Plant Expenses-Variable Costs	541,543.16	2,002,710.61	6,235,853.33	-4,233,142.72	32.12%
7100 - Operating Expenses					
7115 - Plant Maintenance & Supplies	66,834.56	470,214.05	1,220,200.00	-749,985.95	38.54%
7116 - Generator Maintenance	2,631.60	17,791.59	109,800.00	-92,008.41	16.2%
7117 - Equipment rental	3,893.59	16,872.34	40,360.00	-23,487.66	41.81%
7120 - SCADA	0.00	930.00	205,000.00	-204,070.00	0.45%
7122 - Vehicle Operations	3,031.10	8,902.01	158,000.00	-149,097.99	5.63%
7125 - Grounds Maintenance	10,369.12	42,502.60	134,350.00	-91,847.40	31.64%
7131 - Permits and Fees	429.00	9,607.79	28,650.00	-19,042.21	33.54%
7135 - Lab Supplies & Testing Fees	7,332.91	51,365.11	126,600.00	-75,234.89	40.57%
7140 - Insurance	3,782.00	123,048.98	133,998.88	-10,949.90	91.83%
7150 - Meals & Functions	3,173.46	5,852.48	36,500.00	-30,647.52	16.03%
7155 - Memberships & Dues	0.00	2,525.00	10,550.00	-8,025.00	23.93%
7160 - Mileage	2,369.74	9,083.98	38,800.00	-29,716.02	23.41%
7162 - Office Supplies and Expense	2,854.34	10,517.07	30,000.00	-19,482.93	35.06%
7165 - Training	0.00	365.00	9,500.00	-9,135.00	3.84%
7170 - Clothing	0.00	5,000.00	7,000.00	-2,000.00	71.43%
7175 - Telephones	414.84	1,732.45	4,500.00	-2,767.55	38.5%
7180 - Mobile Telephones	1,084.11	4,439.11	18,500.00	-14,060.89	24.0%
7190 - Network Expenses	0.00	0.00	10,000.00	-10,000.00	0.0%
7191 - Internet Domain	405.46	1,616.81	5,000.00	-3,383.19	32.34%
7195 - Contract Labor	0.00	0.00	4,000.00	-4,000.00	0.0%
7196 - GW Transport/Pumping Fees	50,347.07	153,510.05	400,000.00	-246,489.95	38.38%
Total 7100 - Operating Expenses	158,942.90	935,876.42	2,731,308.88	-1,795,432.46	34.27%
7500 - Payroll Expenses					
7505 - Annual Pay	179,422.68	487,177.80	1,862,317.62	-1,375,139.82	26.16%
7510 - Overtime	7,446.89	31,364.33	129,769.45	-98,405.12	24.17%
7530 - On Call	600.00	1,700.00	15,600.00	-13,900.00	10.9%
Total 7500 - Payroll Expenses	187,469.57	520,242.13	2,007,687.07	-1,487,444.94	25.91%
7600 - Employee Benefits					
7605 - Payroll Taxes	14,091.70	37,146.41	155,244.08	-118,097.67	23.93%
7610 - Insurance	23,939.43	94,193.70	439,220.28	-345,026.58	21.45%
7615 - Retirement	24,333.54	68,592.29	261,140.89	-192,548.60	26.27%
Total 7600 - Employee Benefits	62,364.67	199,932.40	855,605.25	-655,672.85	23.37%

**Canyon Regional Water Authority
Profit Loss Budget vs. Actual
October 2023 - January 2024**

	January 2024	October 2023 January 2024	Annual Budget	\$ Over/(Under) Annual Budget	% of Annual Budget
7800 · Professional Fees					
7801 · SEC Disclosure	0.00	0.00	2,250.00	-2,250.00	0.0%
7802 · Bank Service Fees	54.00	54.00	200.00	-146.00	27.0%
7803 · 401(k) Plan Fees	0.00	442.50	2,500.00	-2,057.50	17.7%
7806 · Bond Fees	800.00	800.00	3,000.00	-2,200.00	26.67%
7805 · Legal Fees	29,847.10	102,038.54	400,000.00	-297,961.46	25.51%
7810 · Engineering	27,967.42	196,251.85	400,000.00	-203,748.15	49.06%
7815 · Director Bonds	0.00	0.00	1,200.00	-1,200.00	0.0%
7820 · Accounting & Audit	0.00	14,825.00	15,000.00	-175.00	98.83%
Total 7800 · Professional Fees	58,668.52	314,411.89	824,150.00	-509,738.11	38.15%
7823 · Alliance Water	0.00	1,495,270.02	6,275,109.42	-4,779,839.40	23.83%
Total Expense	4,143,449.26	12,799,454.21	40,588,361.73	-27,788,907.52	31.54%
Net Ordinary Income	-585,823.39	1,565,983.45	0.00	1,565,983.45	100.0%
Other Income/Expense					
Other Income					
8000 · Bond Payment Principal	776,666.64	3,106,666.56	0.00	0.00	100.0%
Net Other Income/Expense	776,666.64	3,106,666.56	0.00	3,106,666.56	100.0%
Net Income	190,843.25	4,672,650.01	0.00	4,672,650.01	100.0%

CANYON REGIONAL WATER AUTHORITY
Profit & Loss Prev Year Comparison
October 2023 through January 2024

	Oct '23 - Jan 24	Oct '22 - Jan 23	\$ Change	% Change
Ordinary Income/Expense				
Income				
4000 · Revenues				
4002 · Debt Payments	4,082,311.75	4,295,084.54	-212,772.79	-5.0%
4003 · Raw Water	2,233,988.67	2,168,172.76	65,815.91	3.0%
4004 · Water-New Berlin	15,309.00	0.00	15,309.00	100.0%
4009 · Membrane Replacement Fund	180,615.24	180,615.24	0.00	0.0%
4010 · Line Use & Delivery Contracts	47,609.76	47,609.76	0.00	0.0%
4011 · Line Use New Berlin	5,719.76	5,719.76	0.00	0.0%
4012 · Raw Water Delivery Fees	128,411.12	108,711.26	19,699.86	18.1%
4017 · Water Sales	2,183,712.60	1,665,191.88	518,520.72	31.1%
4018 · Plant Operations	1,362,453.42	1,181,190.72	181,262.70	15.4%
4020 · Repair & Replacement Funds	595,132.08	580,643.40	14,488.68	2.5%
4022 · CRWA Administrative	798,780.83	616,433.04	182,347.79	29.6%
4023 · Alliance Water	2,091,614.64	1,662,704.68	428,909.96	25.8%
4024 · Interest Income General	143,959.85	100,119.70	43,840.15	43.8%
4026 · Interest Income Bond Accounts	101,976.77	65,434.97	36,541.80	55.8%
4028 · Interest Construction Accounts	388,494.88	266,961.14	121,533.74	45.5%
4030 · Other Income	5,347.29	4,922.93	424.36	8.6%
Total 4000 · Revenues	14,365,437.66	12,949,515.78	1,415,921.88	10.9%
Total Income	14,365,437.66	12,949,515.78	1,415,921.88	10.9%
Gross Profit	14,365,437.66	12,949,515.78	1,415,921.88	10.9%
Expense				
5000 · Bond Repayments				
5005 · Bond Payments	4,223,958.58	4,213,276.38	10,682.20	0.3%
Total 5000 · Bond Repayments	4,223,958.58	4,213,276.38	10,682.20	0.3%
5500 · Water Purchases				
5501 · Raw Water Purchases	2,612,749.06	2,417,238.96	195,510.10	8.1%
5502 · Water Purchases, New Berlin	15,309.00	0.00	15,309.00	100.0%
Total 5500 · Water Purchases	2,628,058.06	2,417,238.96	210,819.10	8.7%
5600 · Membrane Funds	161,136.00	0.00	161,136.00	100.0%
5700 · Repair & Replacement Funds	142,311.98	113,432.75	28,879.23	25.5%
6000 · Line Use & Delivery Costs				
6010 · Line Contract GBRA	46,282.36	46,282.36	0.00	0.0%
6011 · GBRA Raw Water Delivery Fees	129,263.76	116,088.67	13,175.09	11.4%
Total 6000 · Line Use & Delivery Costs	175,546.12	162,371.03	13,175.09	8.1%
7000 · Plant Expenses-Variable Costs				
7005 · Plant Utilities	982,680.42	986,641.57	-3,961.15	-0.4%
7010 · Chemicals	1,020,030.19	884,220.34	135,809.85	15.4%
Total 7000 · Plant Expenses-Variable Costs	2,002,710.61	1,870,861.91	131,848.70	7.1%
7100 · Operating Expenses				
7115 · Plant Maintenance & Supplies	470,214.05	238,896.32	231,317.73	96.8%
7116 · Generator & Compressor Maint.	17,791.59	21,563.95	-3,772.36	-17.5%
7117 · Equipment rental	16,872.34	11,632.88	5,239.46	45.0%
7120 · SCADA	930.00	20,052.00	-19,122.00	-95.4%
7122 · Vehicle Operations	8,902.01	16,555.89	-7,653.88	-46.2%
7125 · Grounds Maintenance	42,502.60	43,239.60	-737.00	-1.7%
7131 · Permits and Fees	9,607.79	4,628.22	4,979.57	107.6%
7135 · Lab Supplies & Testing Fees	51,365.11	37,209.21	14,155.90	38.0%
7140 · Insurance	123,048.98	93,795.80	29,253.18	31.2%
7150 · Meals & Functions	5,852.48	2,561.76	3,290.72	128.5%
7155 · Memberships & Dues	2,525.00	5,675.00	-3,150.00	-55.5%
7160 · Mileage	9,083.98	11,709.76	-2,625.78	-22.4%
7162 · Office Supplies and Expense	10,517.07	10,543.21	-26.14	-0.3%
7165 · Training	365.00	88.19	276.81	313.9%
7170 · Clothing	5,000.00	3,300.00	1,700.00	51.5%
7175 · Telephones	1,732.45	1,462.18	270.27	18.5%
7180 · Mobile Telephones	4,439.11	4,777.56	-338.45	-7.1%
7190 · Network Expenses	0.00	5,595.00	-5,595.00	-100.0%
7191 · Internet Domain	1,616.81	1,601.72	15.09	0.9%
7196 · GW Transport/Pumping Fees	153,510.05	155,620.81	-2,110.76	-1.4%
Total 7100 · Operating Expenses	935,876.42	690,509.06	245,367.36	35.5%
7500 · Payroll Expenses				
7505 · Annual Pay	487,177.80	445,196.84	41,980.96	9.4%
7510 · Overtime	31,364.33	18,166.34	13,197.99	72.7%
7530 · On Call	1,700.00	1,380.00	320.00	23.2%
Total 7500 · Payroll Expenses	520,242.13	464,743.18	55,498.95	11.9%
7600 · Employee Benefits				
7605 · Payroll Taxes	37,146.41	33,778.59	3,367.82	10.0%
7610 · Insurance	94,193.70	53,295.36	40,898.34	76.7%
7615 · Retirement	68,592.29	55,484.13	13,108.16	23.6%
Total 7600 · Employee Benefits	199,932.40	142,558.08	57,374.32	40.3%

CANYON REGIONAL WATER AUTHORITY
Profit & Loss Prev Year Comparison
October 2023 through January 2024

	Oct '23 - Jan 24	Oct '22 - Jan 23	\$ Change	% Change
7800 · Professional Fees				
7802 · Bank Service Fees	54.00	54.00	0.00	0.0%
7803 · 401(k) Plan Fees	442.50	407.50	35.00	8.6%
7806 · Bond Fees	800.00	800.00	0.00	0.0%
7805 · Legal Fees	102,038.54	111,216.57	-9,178.03	-8.3%
7810 · Engineering	196,251.85	20,843.95	175,407.90	841.5%
7820 · Accounting & Audit	14,825.00	14,825.00	0.00	0.0%
Total 7800 · Professional Fees	314,411.89	148,147.02	166,264.87	112.2%
7823 · Alliance Water	1,495,270.02	2,281,793.25	-786,523.23	-34.5%
Total Expense	12,799,454.21	12,504,931.62	294,522.59	2.4%
Net Ordinary Income	1,565,983.45	444,584.16	1,121,399.29	252.2%
Other Income/Expense				
Other Income				
8000 · Bond Payment Principal	3,106,666.56	2,984,999.96	121,666.60	4.1%
Total Other Income	3,106,666.56	2,984,999.96	121,666.60	4.1%
Net Other Income	3,106,666.56	2,984,999.96	121,666.60	4.1%
Net Income	4,672,650.01	3,429,584.12	1,243,065.89	36.3%

CANYON REGIONAL WATER AUTHORITY
Monthly General Account Check Register
As of January 31, 2024

Type	Date	Num	Name	Memo	Amount	Balance
1001 - First United Bank						4,128,351.87
1006 - First United Checking #5207						4,128,351.87
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Big Oaks	11/06/2023 - 12/07/2...	-28.00	4,128,323.87
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Bond East Well	11/06/2023 - 12/07/2...	-6,998.20	4,121,325.67
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Bond West Well	11/06/2023 - 12/07/2...	-3,884.08	4,117,441.59
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Bull Trap Well	11/06/2023 - 12/07/2...	-2,607.00	4,114,834.59
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Camphouse Well	11/06/2023 - 12/07/2...	-3,197.00	4,111,637.59
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Chicken House Well	11/06/2023 - 12/07/2...	-2,848.68	4,108,788.91
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Christian East Well	11/06/2023 - 12/07/2...	-3,299.90	4,105,489.01
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Christian West Well	11/06/2023 - 12/07/2...	-3,551.45	4,101,937.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Cibolo	11/06/2023 - 12/07/2...	-51.00	4,101,886.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Coastal Field Well	11/06/2023 - 12/07/2...	-2,948.00	4,098,938.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Damerau	11/06/2023 - 12/07/2...	-64.00	4,098,874.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Deadman Tank Well	11/06/2023 - 12/07/2...	-10,763.00	4,088,111.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Deer Stand Well	11/06/2023 - 12/07/2...	-12,282.00	4,075,829.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - FM 467	11/06/2023 - 12/07/2...	-30.00	4,075,799.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Green Valley	11/06/2023 - 12/07/2...	-52.00	4,075,747.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - GV 7293 IH 10	11/06/2023 - 12/07/2...	-31.00	4,075,716.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Hardy Road	11/06/2023 - 12/07/2...	-49.00	4,075,667.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Hickory Forest	11/06/2023 - 12/07/2...	-41.00	4,075,626.56
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Littlefield Well	11/06/2023 - 12/07/2...	-3,601.39	4,072,025.17
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Marion	11/06/2023 - 12/07/2...	-38.00	4,071,987.17
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Pig Trap Well	11/06/2023 - 12/07/2...	-2,399.00	4,069,588.17
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Pivot Irrigation	11/06/2023 - 12/07/2...	-62.00	4,069,526.17
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Tommys Well	11/06/2023 - 12/07/2...	-280.00	4,069,246.17
Bill Pmt -Che...	01/02/2024	ACH	GVEC - Wagner Booster St...	11/06/2023 - 12/07/2...	-9,541.32	4,059,704.85
Bill Pmt -Che...	01/02/2024	ACH	GVEC - WR Generators	11/06/2023 - 12/07/2...	-1,728.61	4,057,976.24
Transfer	01/03/2024			Monthly Membrane T...	-5,155.41	4,052,820.83
Transfer	01/03/2024			Monthly Membrane T...	-39,998.40	4,012,822.43
Transfer	01/03/2024			Funds Transfer	-45,603.64	3,967,218.79
Transfer	01/03/2024			Funds Transfer	-28,969.53	3,938,249.26
Transfer	01/03/2024			Funds Transfer	-58,730.47	3,879,518.79
Transfer	01/03/2024			Funds Transfer	-18,557.12	3,860,961.67
Transfer	01/03/2024			LD-Monthly Bond Pa...	-138,517.18	3,722,444.49
Transfer	01/03/2024			Bond Payment Trans...	-22,760.70	3,699,683.79
Transfer	01/03/2024			MC-Bond Payment T...	-145,347.66	3,554,336.13
Transfer	01/03/2024			Bond Payment Trans...	0.00	3,554,336.13
Transfer	01/03/2024			Bond Payment Trans...	-33,595.19	3,520,740.94
Transfer	01/03/2024			Bond Payment Trans...	-54,926.41	3,465,814.53
Transfer	01/03/2024			Bond Payment Trans...	-13,416.02	3,452,398.51
Transfer	01/03/2024			Bond Payment Trans...	-266,535.24	3,185,863.27
Transfer	01/03/2024			Bond Payment Trans...	-255,436.06	2,930,427.21
Transfer	01/03/2024			Bond Payment Trans...	-95,026.79	2,835,400.42
Transfer	01/03/2024			Bond Payment Trans...	-22,479.93	2,812,920.49
Transfer	01/03/2024			Bond Payment Trans...	-9,982.18	2,802,938.31
Transfer	01/03/2024			November Overages	-146.81	2,802,791.50
Bill Pmt -Che...	01/05/2024	ACH	Texas Fleet Fuel	Vehicle Fuel	-746.38	2,802,045.12
Bill Pmt -Che...	01/05/2024	37544	Analytical Environmental La...	Lab Testing Fees	-405.00	2,801,640.12
Bill Pmt -Che...	01/05/2024	37545	Armadillo Lawn Care & Irrig...	Lawn Maintenance	-7,651.67	2,793,988.45
Bill Pmt -Che...	01/05/2024	37546	Attorney R. L. Wilson	Legal Fees	-29,716.56	2,764,271.89
Bill Pmt -Che...	01/05/2024	37547	Austin Armature Works, LP	Install new VFD @ HC	-4,990.05	2,759,281.84
Bill Pmt -Che...	01/05/2024	37548	Avesis	Employee Vision Ins...	-246.02	2,759,035.82
Bill Pmt -Che...	01/05/2024	37549	Callis Professional Service...	Office Cleaning	-370.70	2,758,665.12
Bill Pmt -Che...	01/05/2024	37550	Council Automotive Supply	Vehicle Supplies	-51.08	2,758,614.04
Bill Pmt -Che...	01/05/2024	37551	PVS DX, INC	Chlorine	-15,003.60	2,743,610.44
Bill Pmt -Che...	01/05/2024	37552	Evoqua Water Technologie...	Chemicals	-59,576.40	2,684,034.04
Bill Pmt -Che...	01/05/2024	37553	Gallegos Engineering, Inc.	HC Transmission Mai...	-6,250.00	2,677,784.04
Bill Pmt -Che...	01/05/2024	37554	GCUWCD	2023 Mitigation Fund	-35,058.52	2,642,725.52
Bill Pmt -Che...	01/05/2024	37555	Gold Star Exterminators	Pest Control	-260.00	2,642,465.52
Bill Pmt -Che...	01/05/2024	37556	Grainger	Parts	-37.64	2,642,427.88
Bill Pmt -Che...	01/05/2024	37557	Guadalupe County Ground...	GW Transport/Pumpi...	-15,288.55	2,627,139.33
Bill Pmt -Che...	01/05/2024	37558	Guadalupe County Tax A/C	2016 F-350	-7.50	2,627,131.83
Bill Pmt -Che...	01/05/2024	37559	Hach Company	Lab Supplies	-9,605.59	2,617,526.24
Bill Pmt -Che...	01/05/2024	37560	Hawkins	Chemcials	-28,085.40	2,589,440.84
Bill Pmt -Che...	01/05/2024	37561	Holt Cat	Generator PM & Loa...	-3,619.79	2,585,821.05
Bill Pmt -Che...	01/05/2024	37562	Ingersoll Rand Company	Diagnostic Service	-597.00	2,585,224.05
Bill Pmt -Che...	01/05/2024	37563	Law Offices of Patricia Erlin...	Groundwater Permitti...	-4,679.50	2,580,544.55
Bill Pmt -Che...	01/05/2024	37564	Massengale Armature Wor...	Motor Repairs and In...	-27,515.98	2,553,028.57

CANYON REGIONAL WATER AUTHORITY
Monthly General Account Check Register
As of January 31, 2024

Type	Date	Num	Name	Memo	Amount	Balance
Bill Pmt -Che...	01/05/2024	37565	Matheson Tri-Gas, Inc.	Cylinder Rental & Ox...	-11,685.90	2,541,342.67
Bill Pmt -Che...	01/05/2024	37566	Standard Insurance Compa...	Employee Life, STD, ...	-1,223.38	2,540,119.29
Bill Pmt -Che...	01/05/2024	37567	Standard Insurance Compa...	Dental Insurance	-1,400.16	2,538,719.13
Bill Pmt -Che...	01/05/2024	37568	State Comptroller	TX Co-op Purchasing...	-100.00	2,538,619.13
Bill Pmt -Che...	01/05/2024	37569	Texas Commission on Envi...	Stormwater Permit	-200.00	2,538,419.13
Bill Pmt -Che...	01/05/2024	37570	Texas Excavation Safety S...	Texas 811	-147.25	2,538,271.88
Bill Pmt -Che...	01/05/2024	37571	Texas Rural Water Associa...	Annual Dues	-1,325.00	2,536,946.88
Bill Pmt -Che...	01/05/2024	37572	U.S. Signs	NO THRU TRAFFIC ...	-320.00	2,536,626.88
Bill Pmt -Che...	01/05/2024	37573	Waste Connections	Garbage Disposal	-414.89	2,536,211.99
Bill Pmt -Che...	01/05/2024	37574	Waste Management	Garbage Disposal	-1,516.86	2,534,695.13
Bill Pmt -Che...	01/05/2024	37575	Williams Supply Company	Parts	-425.53	2,534,269.60
Deposit	01/09/2024			Deposit	469,039.85	3,003,309.45
Liability Check	01/10/2024	ACH	Texas Workforce Commissi...	99-882188-6	-14.87	3,003,294.58
Paycheck	01/12/2024	Direc...	Flores, Jimmy		-1,069.37	3,002,225.21
Paycheck	01/12/2024	Direc...	McMullen, David W.		-971.96	3,001,253.25
Paycheck	01/12/2024	Direc...	Saldana, Michael A		-2,286.10	2,998,967.15
Paycheck	01/12/2024	Direc...	Wilkinson, Joan A.		-1,256.18	2,997,710.97
Paycheck	01/12/2024	Direc...	Allman, Michael		-2,686.59	2,995,024.38
Paycheck	01/12/2024	Direc...	Arreaga, Ivan R		-1,366.85	2,993,657.53
Paycheck	01/12/2024	Direc...	Cruz, Edward D		-1,654.88	2,992,002.65
Paycheck	01/12/2024	Direc...	Diaz, Hanna S		-1,048.97	2,990,953.68
Paycheck	01/12/2024	Direc...	Kirkland, Debra M		-1,524.01	2,989,429.67
Paycheck	01/12/2024	Direc...	McKnight III, John R.		-1,737.20	2,987,692.47
Paycheck	01/12/2024	Direc...	Moreno, Joe		-3,161.49	2,984,530.98
Paycheck	01/12/2024	Direc...	Powers, Frantiska A		-1,621.05	2,982,909.93
Paycheck	01/12/2024	Direc...	Schnautz, Kelby D.		-1,069.36	2,981,840.57
Paycheck	01/12/2024	Direc...	Shirk, Austin		-1,507.91	2,980,332.66
Paycheck	01/12/2024	Direc...	Sims, Clarissa R		-1,813.10	2,978,519.56
Paycheck	01/12/2024	Direc...	Wallace, Russell L		-2,123.88	2,976,395.68
Paycheck	01/12/2024	Direc...	Kaufman, John M		-4,961.83	2,971,433.85
Paycheck	01/12/2024	Direc...	Telfer, Adam C		-3,601.76	2,967,832.09
Paycheck	01/12/2024	Direc...	Wilkinson, Joan A.		-3,319.16	2,964,512.93
Paycheck	01/12/2024	Direc...	Flores, Jimmy		-2,087.83	2,962,425.10
Paycheck	01/12/2024	Direc...	Saldana, Michael A		-1,627.41	2,960,797.69
Paycheck	01/12/2024	Direc...	McMullen, David W.		-3,783.25	2,957,014.44
Paycheck	01/12/2024	37576	Kaufman, John M		-35,052.44	2,921,962.00
Liability Check	01/12/2024	37660	California State Disbursem...	200000001098628	-449.07	2,921,512.93
Liability Check	01/12/2024	37661	Office of the Attorney Gene...	AG# 0012809999	-489.69	2,921,023.24
Liability Check	01/12/2024	ACH	John Hancock	401(k) Retirement Plan	-926.95	2,920,096.29
Liability Check	01/12/2024	EFTPS	US Treasury	74-2586063	-46,931.16	2,873,165.13
Bill Pmt -Che...	01/12/2024	37662	Aflac	Employee Voluntary I...	-1,209.84	2,871,955.29
Bill Pmt -Che...	01/12/2024	37663	Brenntag Southwest, Inc.	Chemicals	-28,742.62	2,843,212.67
Bill Pmt -Che...	01/12/2024	37664	Bryant Law PC	RE: Louis Rosenberg	-7,567.20	2,835,645.47
Bill Pmt -Che...	01/12/2024	37665	Charter Communications	HC Internet	-120.61	2,835,524.86
Bill Pmt -Che...	01/12/2024	37666	Citibank, N.A.	Mastercard	-11,789.62	2,823,735.24
Bill Pmt -Che...	01/12/2024	37667	Collaborative Water Resolu...	General Manager Re...	-23,750.00	2,799,985.24
Bill Pmt -Che...	01/12/2024	37668	Daniels-Head Insurance Ag...	VOID: Randolph Sch...	0.00	2,799,985.24
Bill Pmt -Che...	01/12/2024	37669	PVS DX, INC	Chlorine	-3,336.80	2,796,648.44
Bill Pmt -Che...	01/12/2024	37670	DSHS Central Lab MC2004	Lab Testing Fees	-207.00	2,796,441.44
Bill Pmt -Che...	01/12/2024	37671	GBRA-Raw Water & TM	12613 A/F @ \$175 &...	-231,212.59	2,565,228.85
Bill Pmt -Che...	01/12/2024	37672	Grainger	Parts	-2,062.98	2,563,165.87
Bill Pmt -Che...	01/12/2024	37673	Hach Company	Lab Supplies	-1,922.07	2,561,243.80
Bill Pmt -Che...	01/12/2024	37674	Hawkins	Chemicals	-21,546.00	2,539,697.80
Bill Pmt -Che...	01/12/2024	37675	Helping Hand Hardware	Maintenance Suuplies	-32.08	2,539,665.72
Bill Pmt -Che...	01/12/2024	37676	Hild Brothers, Inc.	Weed Killer & Feeder	-131.95	2,539,533.77
Bill Pmt -Che...	01/12/2024	37677	Ingersoll Rand Company	Parts	-5,314.22	2,534,219.55
Bill Pmt -Che...	01/12/2024	37678	James Radtke Construction	Replace air release v...	-300.00	2,533,919.55
Bill Pmt -Che...	01/12/2024	37679	John Kaufman	Milage Reimbursement	-64.32	2,533,855.23
Bill Pmt -Che...	01/12/2024	37680	New Braunfels Welders Su...	Cylinder Rental	-30.00	2,533,825.23
Bill Pmt -Che...	01/12/2024	37681	Sam's Club MC/SYNCB	Supplies	-806.13	2,533,019.10
Bill Pmt -Che...	01/12/2024	37682	Texas Land and Right of W...	Wells Ranch Water L...	-38,369.11	2,494,649.99
Bill Pmt -Che...	01/12/2024	37683	TML Intergovernmental Ris...	Worker's Comp Audit	-3,782.00	2,490,867.99
Bill Pmt -Che...	01/12/2024	37684	Utility Engineering Group, P...	Engineering Fees	-2,275.00	2,488,592.99
Bill Pmt -Che...	01/12/2024	37685	Wastewater Transport Serv...	Sludge Removal	-16,376.89	2,472,216.10
Bill Pmt -Che...	01/12/2024	37686	Williams Supply Company	Parts	-356.75	2,471,859.35
Deposit	01/12/2024			Deposit	64,638.19	2,536,497.54
Liability Check	01/15/2024	ACH	TCDRS		-12,764.26	2,523,733.28
Liability Check	01/15/2024	ACH	TCDRS		-13,059.37	2,510,673.91
Liability Check	01/15/2024	ACH	TCDRS		-12,596.72	2,498,077.19

CANYON REGIONAL WATER AUTHORITY
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Type	Date	Num	Name	Memo	Amount	Balance
Check	01/16/2024	ACH	Brown Trust	Semi-Annual Water L...	-119,500.97	2,378,576.22
Check	01/16/2024	ACH	Bruce J. & Marcille D. Patte...	Semi-Annual Water L...	-85,571.28	2,293,004.94
Check	01/16/2024	ACH	Carol L. Dodgen	Semi-Annual Water L...	-5,873.35	2,287,131.59
Check	01/16/2024	ACH	Carrie Neal Haner Howington	Semi-Annual Water L...	-583.07	2,286,548.52
Check	01/16/2024	ACH	Clayton L. Hines	Semi-Annual Water L...	-142.42	2,286,406.10
Check	01/16/2024	ACH	Craig L. Hines - Water Lease	Semi-Annual Water L...	-7,505.96	2,278,900.14
Check	01/16/2024	ACH	Dennis L. Harris	Semi-Annual Water L...	-240.00	2,278,660.14
Check	01/16/2024	ACH	Diane Ritchie	Semi-Annual Water L...	-16,737.73	2,261,922.41
Check	01/16/2024	ACH	Donald G. Tenberg	Semi-Annual Water L...	-25,905.22	2,236,017.19
Check	01/16/2024	ACH	Dwayne A. Cusick	Semi-Annual Water L...	-239.06	2,235,778.13
Check	01/16/2024	ACH	Gary D. Howell	Semi-Annual Water L...	-1,158.21	2,234,619.92
Check	01/16/2024	ACH	Georganna P. Sherbert	Semi-Annual Water L...	-583.07	2,234,036.85
Check	01/16/2024	ACH	Gordon N. Houston	Semi-Annual Water L...	-602.40	2,233,434.45
Check	01/16/2024	ACH	Helene B. Murphy	Semi-Annual Water L...	-423.22	2,233,011.23
Check	01/16/2024	ACH	Hines Family Liquids Trust	Semi-Annual Water L...	-86,389.40	2,146,621.83
Check	01/16/2024	ACH	Teresa or Jack Anderson	Semi-Annual Water L...	-2,552.79	2,144,069.04
Check	01/16/2024	ACH	James D Bailey	Semi-Annual Water L...	-904.85	2,143,164.19
Check	01/16/2024	ACH	James B. Harris	Semi Annual Water L...	-29,714.91	2,113,449.28
Check	01/16/2024	ACH	Jesse R. Trevino, Jr.	Semi-Annual Water L...	-258.50	2,113,190.78
Check	01/16/2024	ACH	Jesse Trevino III	Semi-Annual Water L...	-239.69	2,112,951.09
Check	01/16/2024	ACH	KP Ranch, LLC	Semi-Annual Water L...	-11,696.22	2,101,254.87
Check	01/16/2024	ACH	Larry G. & Brenda K. Miles	Semi-Annual Water L...	-7,446.81	2,093,808.06
Check	01/16/2024	ACH	Lewis Patteson	Semi-Annual Water L...	-1,749.21	2,092,058.85
Check	01/16/2024	ACH	Lyman S. Davis, Trustee	Semi-Annual Water L...	-1,041.41	2,091,017.44
Check	01/16/2024	ACH	Mark M. Howell	Semi-Annual Water L...	-382.02	2,090,635.42
Check	01/16/2024	ACH	Michael D & Mitzi Whorton	Semi-Annual Water L...	-670.36	2,089,965.06
Check	01/16/2024	ACH	Michael L. & Patti R. Ewing	Semi-Annual Water L...	-3,219.15	2,086,745.91
Check	01/16/2024	ACH	Michelle Lemoine	Semi Annual Water L...	-3,031.30	2,083,714.61
Check	01/16/2024	ACH	MRJR, Ltd.	Semi-Annual Water L...	-61,859.80	2,021,854.81
Check	01/16/2024	ACH	Rebecca Harris	Semi Annual Water L...	-3,031.30	2,018,823.51
Check	01/16/2024	ACH	Richard L. Lott	Semi-Annual Water L...	-10,317.58	2,008,505.93
Check	01/16/2024	ACH	Robert Yuras	Semi-Annual Water L...	-296.61	2,008,209.32
Check	01/16/2024	ACH	Robert and Nichole Roberts	Semi-Annual Water L...	-908.50	2,007,300.82
Check	01/16/2024	ACH	Ronald B. Arama	Semi-Annual Water L...	-352.55	2,006,948.27
Check	01/16/2024	ACH	Rosemary Mauermann	Semi-Annual Water L...	-33,296.45	1,973,651.82
Check	01/16/2024	ACH	Sandra Dingler	Semi-Annual Water L...	-7,697.62	1,965,954.20
Check	01/16/2024	ACH	Terry Mauermann	Semi-Annual Water L...	-19,439.84	1,946,514.36
Check	01/16/2024	ACH	William & Vernelle Jones	Semi-Annual Water L...	-1,112.57	1,945,401.79
Check	01/16/2024	37577	Spillers Farm & Ranch, LLC	Semi-Annual Water L...	-11,787.34	1,933,614.45
Check	01/16/2024	37578	Chandra S. Katragadda	Semi-Annual Water L...	-6,774.03	1,926,840.42
Check	01/16/2024	37579	H. Paul Dingler, Sr.	Semi-Annual Water L...	-8,841.49	1,917,998.93
Check	01/16/2024	37580	Ecleto Creek Properties LLC	Semi-Annual Water L...	-9,946.86	1,908,052.07
Check	01/16/2024	37581	Edward K Morton Exempt T...	Semi-Annual Water L...	-22,482.85	1,885,569.22
Check	01/16/2024	37582	Douglas L Morton Exempt ...	Semi-Annual Water L...	-22,482.85	1,863,086.37
Check	01/16/2024	37583	Carol Ann Lakey	Semi-Annual Water L...	-2,446.41	1,860,639.96
Check	01/16/2024	37584	Ray M. Brite	Semi-Annual Water L...	-11,211.29	1,849,428.67
Check	01/16/2024	37585	John H. Brite	Semi-Annual Water L...	-10,306.43	1,839,122.24
Check	01/16/2024	37586	Mary Lorna Dezell	Semi-Annual Water L...	-8,200.93	1,830,921.31
Check	01/16/2024	37587	Brauntex Materials Inc.-Wa...	Semi-Annual Water L...	-10,245.94	1,820,675.37
Check	01/16/2024	37588	D. Lee Edwards	Semi-Annual Water L...	-32,232.84	1,788,442.53
Check	01/16/2024	37589	James and Janie Streety	Semi-Annual Water L...	-4,101.81	1,784,340.72
Check	01/16/2024	37590	Bobby W. Bibbs II	Semi Annual Water L...	-1,077.54	1,783,263.18
Check	01/16/2024	37591	Javier Jimenez	Semi-Annual Water L...	-1,088.54	1,782,174.64
Check	01/16/2024	37592	Lawrence O. & Camille T. ...	Semi Annual Water L...	-7,798.36	1,774,376.28
Check	01/16/2024	37593	Howard Williamson III	Semi Annual Water L...	-152,560.23	1,621,816.05
Check	01/16/2024	37594	Kelli Jo Volek	Semi Annual Water L...	-152,560.23	1,469,255.82
Check	01/16/2024	37595	Arlynn H & Nancy A Hartfiel	Semi-Annual Water L...	-5,131.09	1,464,124.73
Check	01/16/2024	37596	Barbara A. Howard	Semi-Annual Water L...	-2,581.32	1,461,543.41
Check	01/16/2024	37597	Beth's Boys, LLC	Semi-Annual Water L...	-1,749.21	1,459,794.20
Check	01/16/2024	37598	Brenda S. Robinson	Semi-Annual Water L...	-25,836.09	1,433,958.11
Check	01/16/2024	37599	Charles W. Cowey, Jr.	Semi-Annual Water L...	-10,244.68	1,423,713.43
Check	01/16/2024	37600	Cheryl J. Moore	Semi-Annual Water L...	-9,419.21	1,414,294.22
Check	01/16/2024	37601	Craig A. McClain	Semi-Annual Water L...	-1,345.08	1,412,949.14
Check	01/16/2024	37602	Darren & Laurie Yates	Semi-Annual Water L...	-1,464.36	1,411,484.78
Check	01/16/2024	37603	Juan C. Rios & Debbie T. R...	Semi-Annual Water L...	-4,698.61	1,406,786.17
Check	01/16/2024	37604	Deborah A. Mc Cabe	Semi-Annual Water L...	-115.68	1,406,670.49
Check	01/16/2024	37605	Debra P. Springs	Semi-Annual Water L...	-6,982.92	1,399,687.57
Check	01/16/2024	37606	Donald D. Dashiell	Semi-Annual Water L...	-8,338.62	1,391,348.95
Check	01/16/2024	37607	Donna G. Kothmann	Semi-Annual Water L...	-1,041.54	1,390,307.41

CANYON REGIONAL WATER AUTHORITY
Monthly General Account Check Register
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Type	Date	Num	Name	Memo	Amount	Balance
Check	01/16/2024	37608	Edward & Adeline Zunker F...	Semi-Annual Water L...	-1,042.93	1,389,264.48
Check	01/16/2024	37609	Frost Bank Successor Trus...	Semi-Annual Water L...	-9,104.75	1,380,159.73
Check	01/16/2024	37610	GRTR Ranch Properties	Semi-Annual Water L...	-4,894.01	1,375,265.72
Check	01/16/2024	37611	Harold E. Alves, Jr.	Semi-Annual Water L...	-6,053.42	1,369,212.30
Check	01/16/2024	37612	Hilmar D. Blumberg	Semi-Annual Water L...	-123,575.96	1,245,636.34
Check	01/16/2024	37613	Isom L. Cowey	Semi-Annual Water L...	-7,507.67	1,238,128.67
Check	01/16/2024	37614	James D. Lakey	Semi-Annual Water L...	-644.36	1,237,484.31
Check	01/16/2024	37615	James D. Weidner	Semi-Annual Water L...	-2,690.15	1,234,794.16
Check	01/16/2024	37659	James M. McClain	Semi-Annual Water L...	-1,345.08	1,233,449.08
Check	01/16/2024	37616	Bobby B. Allen	Semi-Annual Water L...	-9,553.81	1,223,895.27
Check	01/16/2024	37617	Janelle Trammell	Semi-Annual Water L...	-17,771.60	1,206,123.67
Check	01/16/2024	37618	Javier Ramirez & Velma M...	Semi-Annual Water L...	-2,860.21	1,203,263.46
Check	01/16/2024	37619	Jay Patton White	Semi-Annual Water L...	-6,144.63	1,197,118.83
Check	01/16/2024	37620	Jennifer S. McGee	Semi-Annual Water L...	-1,539.88	1,195,578.95
Check	01/16/2024	37621	Jessie D. Perez, Jr.	Semi-Annual Water L...	-2,909.40	1,192,669.55
Check	01/16/2024	37622	Jesus G. Tristan	Semi-Annual Water L...	-727.35	1,191,942.20
Check	01/16/2024	37623	Joan Torstrick	Semi-Annual Water L...	-240.00	1,191,702.20
Check	01/16/2024	37624	John B. & Georgia A. Hern...	Semi-Annual Water L...	-14,053.12	1,177,649.08
Check	01/16/2024	37625	John M. Cowey	Semi-Annual Water L...	-7,958.08	1,169,691.00
Check	01/16/2024	37626	John C. Pannell	Semi-Annual Water L...	-10,912.88	1,158,778.12
Check	01/16/2024	37627	Jordan T. Blumberg 1994 I...	Semi-Annual Water L...	-24,541.60	1,134,236.52
Check	01/16/2024	37628	Joseph Anthony Burris	Semi-Annual Water L...	-4,480.19	1,129,756.33
Check	01/16/2024	37629	Joyce Soefje	Semi-Annual Water L...	-10,184.94	1,119,571.39
Check	01/16/2024	37630	Larry & Alice Moltz	Semi-Annual Water L...	-22,813.11	1,096,758.28
Check	01/16/2024	37631	Leroy John Skloss	Semi-Annual Water L...	-727.35	1,096,030.93
Check	01/16/2024	37632	Linda Lou Odum	Semi-Annual Water L...	-2,008.94	1,094,021.99
Check	01/16/2024	37633	Louie E. Soefje	Semi-Annual Water L...	-2,008.94	1,092,013.05
Check	01/16/2024	37634	Luis or Carmen Rivera	Semi-Annual Water L...	-251.22	1,091,761.83
Check	01/16/2024	37635	Luke W. Griffith	Semi-Annual Water L...	-10,912.88	1,080,848.95
Check	01/16/2024	37636	Marvin L. Miles	Semi-Annual Water L...	-7,446.88	1,073,402.07
Check	01/16/2024	37637	Matthew L. Tenberg	Semi-Annual Water L...	-1,617.36	1,071,784.71
Check	01/16/2024	37638	Matthew J. Breidenbaugh	Semi-Annual Water L...	-1,908.55	1,069,876.16
Check	01/16/2024	37639	Michael L. Cowey	Semi-Annual Water L...	-12,267.39	1,057,608.77
Check	01/16/2024	37640	Mike W. Bond or Connie L. ...	Semi-Annual Water L...	-21,483.89	1,036,124.88
Check	01/16/2024	37641	Molly Neal Patteson	Semi-Annual Water L...	-583.07	1,035,541.81
Check	01/16/2024	37642	Mund Grandchildren's Trust...	Semi-Annual Water L...	-11,435.41	1,024,106.40
Check	01/16/2024	37643	Nelda J. Patteson	Semi-Annual Water L...	-1,749.21	1,022,357.19
Check	01/16/2024	37644	Otto E. Soefje	Semi-Annual Water L...	-2,008.94	1,020,348.25
Check	01/16/2024	37645	Quest Trust FBO Sean M H...	Semi-Annual Water L...	-840.05	1,019,508.20
Check	01/16/2024	37646	Roger A. & Susan J. Edwar...	Semi-Annual Water L...	-6,931.33	1,012,576.87
Check	01/16/2024	37647	Roland B. Blumberg 1994 I...	Semi-Annual Water L...	-24,541.60	988,035.27
Check	01/16/2024	37648	Rolling Butler, LLC	Semi-Annual Water L...	-5,244.66	982,790.61
Check	01/16/2024	37649	Ronald T. Lakey	Semi-Annual Water L...	-538.31	982,252.30
Check	01/16/2024	37650	Shannon Harris	Semi Annual Water L...	-3,031.30	979,221.00
Check	01/16/2024	37651	Sidney Allen Littlefield	Semi-Annual Water L...	-102,261.91	876,959.09
Check	01/16/2024	37652	Thomas P. Taggart	Semi-Annual Water L...	-1,631.45	875,327.64
Check	01/16/2024	37653	Truit Land Holdings, LLC	Semi-Annual Water L...	-7,492.89	867,834.75
Check	01/16/2024	37654	Wilbon P. Davis	Semi-Annual Water L...	-11,480.18	856,354.57
Check	01/16/2024	37655	Willard James Stewart	Semi-Annual Water L...	-33,162.04	823,192.53
Check	01/16/2024	37656	William Brent Christian	Semi-Annual Water L...	-17,771.60	805,420.93
Check	01/16/2024	37657	William E. Pape	Semi-Annual Water L...	-7,190.06	798,230.87
Check	01/16/2024	37658	William Ray Engvall	Semi-Annual Water L...	-22,483.69	775,747.18
Deposit	01/17/2024			Deposit	441,790.91	1,217,538.09
Bill Pmt -Che...	01/17/2024	ACH	CPS - I 10	I-10 Utilities	-11.81	1,217,526.28
Deposit	01/19/2024			Deposit	699,393.31	1,916,919.59
Bill Pmt -Che...	01/19/2024	ACH	Texas Fleet Fuel	Vehicle/Equipment F...	-876.48	1,916,043.11
Bill Pmt -Che...	01/19/2024	37687	AT&T Mobility	Mobile Telephones	-949.11	1,915,094.00
Bill Pmt -Che...	01/19/2024	37688	DPC Industries-Cylinder Re...	Cylinder Rental	-990.00	1,914,104.00
Bill Pmt -Che...	01/19/2024	37689	DSHS Central Lab MC2004	Lab Testing Fees	-207.00	1,913,897.00
Bill Pmt -Che...	01/19/2024	37690	Fluid Meter Service, Corp.	Meters @ LD	-2,510.00	1,911,387.00
Bill Pmt -Che...	01/19/2024	37691	Grainger	Parts & Supplies	-2,480.83	1,908,906.17
Bill Pmt -Che...	01/19/2024	37692	Guadalupe-Blanco River A...	Lab Testing	-1,307.00	1,907,599.17
Bill Pmt -Che...	01/19/2024	37693	GVEC - Internet	Internet @ WBS, LB...	-284.85	1,907,314.32
Bill Pmt -Che...	01/19/2024	37694	Hanson Equipment Co.	Generator Batteries f...	-2,631.60	1,904,682.72
Bill Pmt -Che...	01/19/2024	37695	Hawkins	Chemicals	-25,137.00	1,879,545.72
Bill Pmt -Che...	01/19/2024	37696	Lhoist North America of Te...	Lime	-55,540.97	1,824,004.75
Bill Pmt -Che...	01/19/2024	37697	Massengale Armature Wor...	Replace Conduit on ...	-767.80	1,823,236.95
Bill Pmt -Che...	01/19/2024	37698	New Braunfels Utilities	46 Standpipe Utilities	-36.26	1,823,200.69
Bill Pmt -Che...	01/19/2024	37699	PVS DX, INC	Chlorine	-7,317.36	1,815,883.33

CANYON REGIONAL WATER AUTHORITY
Monthly General Account Check Register
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Type	Date	Num	Name	Memo	Amount	Balance
Bill Pmt -Che...	01/19/2024	37700	Trojan Technologies Corp.	Pall Trailer Installme...	-40,284.00	1,775,599.33
Bill Pmt -Che...	01/19/2024	37701	U.S. Signs	NO TRESPASSING ...	-1,125.00	1,774,474.33
Bill Pmt -Che...	01/19/2024	37702	Verve Cloud, Inc.	Telephone	-414.84	1,774,059.49
Bill Pmt -Che...	01/19/2024	37703	Williams Supply Company	Parts	-65.92	1,773,993.57
Transfer	01/19/2024			Trojan Technologies ...	40,284.00	1,814,277.57
Bill Pmt -Che...	01/22/2024	ACH	Bluebonnet Electric	HC Utilities - 500005...	-16,550.97	1,797,726.60
Bill Pmt -Che...	01/22/2024	ACH	CPS - 1518	Utilities	-130.92	1,797,595.68
Bill Pmt -Che...	01/22/2024	ACH	GVEC - Lake Dunlap	11/25/2023 - 12/25/2...	-49,642.88	1,747,952.80
Bill Pmt -Che...	01/22/2024	ACH	GVEC - Leissner Booster S...	11/25/2023 - 12/25/2...	-19,130.26	1,728,822.54
Bill Pmt -Che...	01/22/2024	ACH	GVEC - Leissner Rd Boost...	11/25/2023 - 12/25/2...	-12,327.29	1,716,495.25
Bill Pmt -Che...	01/22/2024	ACH	GVEC - Wagner Booster	11/25/2023 - 12/25/2...	-8,631.75	1,707,863.50
Bill Pmt -Che...	01/22/2024	ACH	GVEC - WR Plant	11/25/2023 - 12/25/2...	-19,950.99	1,687,912.51
Bill Pmt -Che...	01/22/2024	ACH	GVEC - WR Plant #2	11/25/2023 - 12/25/2...	-18,406.63	1,669,505.88
Deposit	01/24/2024			Deposit	454,889.21	2,124,395.09
Paycheck	01/26/2024	Direc...	Allman, Michael		-3,722.42	2,120,672.67
Paycheck	01/26/2024	Direc...	Arreaga, Ivan R		-1,644.64	2,119,028.03
Paycheck	01/26/2024	Direc...	Cruz, Edward D		-1,394.07	2,117,633.96
Paycheck	01/26/2024	Direc...	Diaz, Hanna S		-1,233.10	2,116,400.86
Paycheck	01/26/2024	Direc...	Flores, Jimmy		-2,461.36	2,113,939.50
Paycheck	01/26/2024	Direc...	Kirkland, Debra M		-1,825.61	2,112,113.89
Paycheck	01/26/2024	Direc...	Moreno, Joe		-3,616.44	2,108,497.45
Paycheck	01/26/2024	Direc...	Powers, Frantiska A		-1,823.49	2,106,673.96
Paycheck	01/26/2024	Direc...	Saldana, Michael A		-1,904.27	2,104,769.69
Paycheck	01/26/2024	Direc...	Schnautz, Kelby D.		-1,169.14	2,103,600.55
Paycheck	01/26/2024	Direc...	Shirk, Austin		-2,117.66	2,101,482.89
Paycheck	01/26/2024	Direc...	Sims, Clarissa R		-1,472.54	2,100,010.35
Paycheck	01/26/2024	Direc...	Wallace, Russell L		-2,492.57	2,097,517.78
Paycheck	01/26/2024	Direc...	McMullen, David W.		-3,783.27	2,093,734.51
Paycheck	01/26/2024	Direc...	Telfer, Adam C		-3,601.77	2,090,132.74
Paycheck	01/26/2024	Direc...	Wilkinson, Joan A.		-3,319.16	2,086,813.58
Liability Check	01/26/2024	EFTPS	US Treasury	74-2586063	-13,368.58	2,073,445.00
Liability Check	01/26/2024	ACH	John Hancock	401(k) Retirement Plan	-944.21	2,072,500.79
Liability Check	01/26/2024	37704	California State Disburse...	200000001098628	-449.07	2,072,051.72
Liability Check	01/26/2024	37705	Office of the Attorney Gene...	AG# 0012809999	-489.69	2,071,562.03
Bill Pmt -Che...	01/26/2024	ACH	CPS - 1604	Utilities	-23,815.32	2,047,746.71
Check	01/26/2024	ACH	Tuna Rosa LP	Initial Prorated & Se...	-38,788.52	2,008,958.19
Check	01/26/2024	ACH	Gretchen Hilt	Initial Prorated & Se...	-1,413.44	2,007,544.75
Check	01/26/2024	ACH	Dwight L. Muelker	Initial Prorated & Se...	-17,220.42	1,990,324.33
Check	01/26/2024	ACH	James R. Elliott III	Initial Prorated & Se...	-16,519.33	1,973,805.00
Check	01/26/2024	ACH	Garrett L. Muelker	Initial Prorated & Se...	-6,289.57	1,967,515.43
Check	01/26/2024	ACH	Garrett L. Muelker.	Initial Prorated & Se...	-290.45	1,967,224.98
Check	01/26/2024	37706	Charles C. Bailey	Monthly Government...	-2,000.00	1,965,224.98
Bill Pmt -Che...	01/26/2024	37707	5S Service Company LLC	Rpairs	-31,691.55	1,933,533.43
Bill Pmt -Che...	01/26/2024	37708	Aflac	Employee Voluntary I...	-1,209.84	1,932,323.59
Bill Pmt -Che...	01/26/2024	37709	Analytical Environmental La...	Lab Testing Fees	-405.00	1,931,918.59
Bill Pmt -Che...	01/26/2024	37710	Avesis	Employee Vision Ins...	-219.43	1,931,699.16
Bill Pmt -Che...	01/26/2024	37711	B&B Family Partnership	Baugh Water Lease ...	-2,000.00	1,929,699.16
Bill Pmt -Che...	01/26/2024	37712	Core & Main LP	Parts	-2,146.14	1,927,553.02
Bill Pmt -Che...	01/26/2024	37713	Dex Imaging	Admin Copier	-854.89	1,926,698.13
Bill Pmt -Che...	01/26/2024	37714	Fluid Meter Service, Corp.	Parts	-3,745.00	1,922,953.13
Bill Pmt -Che...	01/26/2024	37715	Frantiska Powers	Mileage Reimburse...	-123.28	1,922,829.85
Bill Pmt -Che...	01/26/2024	37716	Gold Star Exterminators	Pest Control	-115.00	1,922,714.85
Bill Pmt -Che...	01/26/2024	37717	Loffin Equipment Company	Generator Maintenance	-816.00	1,921,898.85
Bill Pmt -Che...	01/26/2024	37718	Matheson Tri-Gas, Inc.	Oxygen	-8,005.07	1,913,893.78
Bill Pmt -Che...	01/26/2024	37719	New Braunfels Welders Su...	Nitrogen	-46.84	1,913,846.94
Bill Pmt -Che...	01/26/2024	37720	NewGen Strategies and Sol...	HC Overage Fees	-2,312.11	1,911,534.83
Bill Pmt -Che...	01/26/2024	37721	Pollution Control Services	Lab Testing	-2,472.00	1,909,062.83
Bill Pmt -Che...	01/26/2024	37722	TX Health Benefits Pool	Employee Health Ins...	-25,703.10	1,883,359.73
Bill Pmt -Che...	01/26/2024	37723	Waste Connections	Garbage Disposal	-414.89	1,882,944.84
Bill Pmt -Che...	01/26/2024	37724	Williams Supply Company	Supplies	-203.08	1,882,741.76
Deposit	01/26/2024			Deposit	313,263.61	2,196,005.37
Transfer	01/29/2024			Funds Transfer	-45,603.64	2,150,401.73
Transfer	01/29/2024			Funds Transfer	-28,969.53	2,121,432.20
Transfer	01/29/2024			Funds Transfer	-56,422.16	2,065,010.04
Transfer	01/29/2024			Funds Transfer	-18,557.12	2,046,452.92
Transfer	01/29/2024			Monthly Membrane T...	-5,155.41	2,041,297.51
Transfer	01/29/2024			Monthly Membrane T...	-39,998.40	2,001,299.11
Transfer	01/29/2024			Bond Payment Trans...	-245,263.45	1,756,035.66
Transfer	01/29/2024			Bond Payment Trans...	-256,151.90	1,499,883.76

CANYON REGIONAL WATER AUTHORITY
Monthly General Account Check Register
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Type	Date	Num	Name	Memo	Amount	Balance
Transfer	01/29/2024			Bond Payment Trans...	-91,242.39	1,408,641.37
Transfer	01/29/2024			Bond Payment Trans...	-54,926.41	1,353,714.96
Transfer	01/29/2024			Bond Payment Trans...	-13,416.02	1,340,298.94
Transfer	01/29/2024			Bond Payment Trans...	-22,479.93	1,317,819.01
Transfer	01/29/2024			LD-Monthly Bond Pa...	-138,517.18	1,179,301.83
Transfer	01/29/2024			Bond Payment Trans...	-22,760.70	1,156,541.13
Transfer	01/29/2024			Bond Payment Trans...	-33,595.19	1,122,945.94
Transfer	01/29/2024			MC-Bond Payment T...	-145,347.66	977,598.28
Transfer	01/29/2024			December Overages	-55.74	977,542.54
Deposit	01/30/2024			Deposit	818,371.11	1,795,913.65
Deposit	01/31/2024			Deposit	359,210.63	2,155,124.28
Transfer	01/31/2024			5S Service Company...	27,810.70	2,182,934.98
Transfer	01/31/2024			5S Service Company...	6,625.60	2,189,560.58
Transfer	01/31/2024			Ingersoll Rand Dryer ...	8,298.43	2,197,859.01
Transfer	01/31/2024			Loftin-50% of ATS for...	23,750.00	2,221,609.01
Deposit	01/31/2024			Interest	790.91	2,222,399.92
Total 1006 · First United Checking #5207					-1,905,951.95	2,222,399.92
Total 1001 · First United Bank					-1,905,951.95	2,222,399.92
TOTAL					-1,905,951.95	2,222,399.92

CANYON REGIONAL WATER AUTHORITY

Legal Fees by Payee

October 2023 through January 2024

Type	Date	Num	Name	Memo	Amount	Balance
Attorney R. L. Wilson						
Bill	10/31/2023	3756	Attorney R. L. Wilson	General Matters 10/01/2023 - 10/31/2023	5,685.00	5,685.00
Bill	10/31/2023	3759	Attorney R. L. Wilson	Wells Ranch 10/01/2023 - 10/31/2023	645.00	6,330.00
Bill	10/31/2023	3757	Attorney R. L. Wilson	Hays Caldwell 10/01/2023 - 10/31/2023	4,995.00	11,325.00
Bill	11/30/2023	3760	Attorney R. L. Wilson	General Matters 11/01/2023 - 11/30/2023	6,837.00	18,162.00
Bill	11/30/2023	3763	Attorney R. L. Wilson	Wells Ranch 11/01/2023 - 11/30/2023	840.00	19,002.00
Bill	11/30/2023	3761	Attorney R. L. Wilson	Hays Caldwell 11/01/2023 - 11/30/2023	1,545.00	20,547.00
Ge...	12/31/2023	1099-...	Attorney R. L. Wilson	Form 1099 Adj from WR II	16,754.60	37,301.60
Ge...	12/31/2023	1099-...	Attorney R. L. Wilson	Reverse of GJE 1099-Adj 2 -- Form 1099 Adj fr...	-16,754.60	20,547.00
Total Attorney R. L. Wilson					20,547.00	20,547.00
Bryant Law PC						
Bill	10/31/2023	2091	Bryant Law PC	RE: Louis Rosenberg	5,058.10	5,058.10
Bill	10/31/2023	2092	Bryant Law PC	RE: Louis Rosenberg-Hays Caldwell Contract ...	3,181.50	8,239.60
Bill	10/31/2023	2093	Bryant Law PC	RE: Louis Rosenberg	2,259.60	10,499.20
Bill	11/30/2023	2212	Bryant Law PC	RE: Louis Rosenberg	5,551.10	16,050.30
Bill	11/30/2023	2212	Bryant Law PC	Hays-Caldwell Contract Water Rights Issues	824.00	16,874.30
Bill	11/30/2023	2212	Bryant Law PC	RE: Louis Rosenberg	2,561.60	19,435.90
Bill	12/31/2023	2303	Bryant Law PC	RE: Louis Rosenberg	4,480.10	23,916.00
Bill	12/31/2023	2303	Bryant Law PC	Hays Caldwell Contract Water Rights Issues	660.00	24,576.00
Bill	12/31/2023	2303	Bryant Law PC	RE: Louis Rosenberg	2,427.10	27,003.10
Bill	01/24/2024	2389	Bryant Law PC	RE: Louis Rosenberg	3,769.60	30,772.70
Bill	01/24/2024	2389	Bryant Law PC	Policy and Legislative	190.00	30,962.70
Bill	01/31/2024	2454	Bryant Law PC	RE: Louis Rosenberg	137.50	31,100.20
Total Bryant Law PC					31,100.20	31,100.20
Charles C. Bailey						
Che...	11/03/2023	37342	Charles C. Bailey	Monthly Governmental Consulting Services	2,000.00	2,000.00
Che...	12/08/2023	37468	Charles C. Bailey	Monthly Governmental Consulting Services	2,000.00	4,000.00
Che...	12/15/2023	37501	Charles C. Bailey	Monthly Governmental Consulting Services	2,000.00	6,000.00
Che...	01/26/2024	37706	Charles C. Bailey	Monthly Governmental Consulting Services	2,000.00	8,000.00
Total Charles C. Bailey					8,000.00	8,000.00
Collaborative Water Resolution, LLC						
Bill	01/08/2024		Collaborative Wate...	General Manager Recruiter	23,750.00	23,750.00
Total Collaborative Water Resolution, LLC					23,750.00	23,750.00
Morales, Fletcher Law, P.C.						
Bill	12/31/2023	16	Morales, Fletcher L...	Employee Handbook Review	3,060.00	3,060.00
Total Morales, Fletcher Law, P.C.					3,060.00	3,060.00
Strategic Government Resources, Inc.						
Bill	11/29/2023	2023-...	Strategic Governm...	Assistant General Manager Recruiter	8,165.67	8,165.67
Bill	11/29/2023	2023-...	Strategic Governm...	Project Engineer Recruiter	7,415.67	15,581.34
Total Strategic Government Resources, Inc.					15,581.34	15,581.34
TOTAL					102,038.54	102,038.54

CANYON REGIONAL WATER AUTHORITY
Legal Fees by Category
October 2023 through January 2024

Type	Date	Num	Name	Memo	Amount
Other Charges					
Legal & professional fees					
Contracts					
Bill	10/31/2023	2092	Bryant Law PC	RE: Louis Rosenberg-Hays Caldwell C...	3,181.50
Bill	10/31/2023	3757	Attorney R. L. Wilson	Hays Caldwell 10/01/2023 - 10/31/2023	4,995.00
Bill	11/30/2023	2212	Bryant Law PC	Hays-Caldwell Contract Water Rights I...	824.00
Bill	11/30/2023	3761	Attorney R. L. Wilson	Hays Caldwell 11/01/2023 - 11/30/2023	1,545.00
Bill	12/31/2023	2303	Bryant Law PC	Hays Caldwell Contract Water Rights Is...	660.00
Total Contracts					11,205.50
Committee Matters					
Bill	10/31/2023	2093	Bryant Law PC	RE: Louis Rosenberg	2,259.60
Bill	11/30/2023	2212	Bryant Law PC	RE: Louis Rosenberg	2,561.60
Bill	12/31/2023	2303	Bryant Law PC	RE: Louis Rosenberg	2,427.10
Bill	12/31/2023	16	Morales, Fletcher L...	Employee Handbook Review	3,060.00
Bill	01/24/2024	2389	Bryant Law PC	Policy and Legislative	190.00
Total Committee Matters					10,498.30
Wells Ranch					
Bill	10/31/2023	3759	Attorney R. L. Wilson	Wells Ranch 10/01/2023 - 10/31/2023	645.00
Bill	11/30/2023	3763	Attorney R. L. Wilson	Wells Ranch 11/01/2023 - 11/30/2023	840.00
Total Wells Ranch					1,485.00
General					
Bill	10/31/2023	2091	Bryant Law PC	RE: Louis Rosenberg	5,058.10
Bill	10/31/2023	3756	Attorney R. L. Wilson	General Matters 10/01/2023 - 10/31/2023	5,685.00
Bill	11/29/2023	2023-...	Strategic Governme...	Assistant General Manager Recruiter	8,165.67
Bill	11/29/2023	2023-...	Strategic Governme...	Project Engineer Recruiter	7,415.67
Bill	11/30/2023	2212	Bryant Law PC	RE: Louis Rosenberg	5,551.10
Bill	11/30/2023	3760	Attorney R. L. Wilson	General Matters 11/01/2023 - 11/30/2023	6,837.00
Bill	12/31/2023	2303	Bryant Law PC	RE: Louis Rosenberg	4,480.10
Bill	01/08/2024		Collaborative Water...	General Manager Recruiter	23,750.00
Bill	01/24/2024	2389	Bryant Law PC	RE: Louis Rosenberg	3,769.60
Bill	01/31/2024	2454	Bryant Law PC	RE: Louis Rosenberg	137.50
Total General					70,849.74
Legislation					
Check	11/03/2023	37342	Charles C. Bailey	Monthly Governmental Consulting Serv...	2,000.00
Check	12/08/2023	37468	Charles C. Bailey	Monthly Governmental Consulting Serv...	2,000.00
Check	12/15/2023	37501	Charles C. Bailey	Monthly Governmental Consulting Serv...	2,000.00
Check	01/26/2024	37706	Charles C. Bailey	Monthly Governmental Consulting Serv...	2,000.00
Total Legislation					8,000.00
Total Legal & professional fees					102,038.54
Total Other Charges					102,038.54
TOTAL					102,038.54

Wells Ranch Project - Phase II
Bond Series 2015
Budget vs. Actual
January 31, 2024

	TOTAL BUDGET	TOTAL DISBURSEMENTS	% Complete
Wells Ranch Series 2015 Bond Proceeds	42,000,000.00	42,000,000.00	100.00%
Bond Issue Costs	420,840.00	420,840.00	100.00%
Capitalized Interest	1,664,000.00	1,664,000.00	100.00%
Beginning Cash Available for Project	39,915,160.00	39,915,160.00	100.00%
Preliminary Engineering Report	25,000.00	25,000.00	100.00%
Environmental Services	54,080.82	54,080.82	100.00%
Engineering Add'l Services (RCE Inspections)	317,067.50	317,067.50	100.00%
Inspection Services (HOT)	37,510.00	37,510.00	100.00%
SCADA Engineering Services	50,000.00	50,000.00	100.00%
Legal Notices	22,940.45	22,940.45	100.00%
Prof Services-TWDB Assistance	15,887.86	15,887.86	100.00%
Santa Clara Road TM	4,545,112.65	4,545,112.65	100.00%
Crystal Clear TM	3,102,090.36	3,102,090.36	100.00%
Wagner Booster Station Expansion	4,472,598.27	4,472,598.25	100.00%
Wells Ranch Plant Improvements	7,678,408.73	7,678,407.73	100.00%
Leissner Booster Station Imp.			
Legal Fees	110,925.31	110,925.31	100.00%
Basic Engineering Services	227,160.00	227,160.00	100.00%
Engineering Add'l Services	50,078.25	48,272.75	96.39%
Construction Costs - 2 MG Tank (Preload)	1,533,365.90	1,533,365.90	100.00%
Construction Costs - Facility (Payton)	1,185,478.00	1,185,478.00	100.00%
SCADA	16,000.00	16,000.00	100.00%
Total Leissner Booster Stn Expansion	3,123,007.46	3,121,201.96	99.94%
Oak Tree Elevated Storage Tank	2,778,256.00	2,778,256.02	100.00%
Well Field (7 wells)	10,812,545.17	10,812,544.67	100.00%
Generator Installation Project			
Legal, Consultant Fees	68,540.39	68,540.39	100.00%
Legal Notices	5,864.16	5,864.16	100.00%
Basic Engineering Services	203,320.00	172,822.00	85.00%
Engineering Add'l Services	9,000.00	9,000.00	100.00%
Generator Project Rework	15,783.27	15,783.27	100.00%
Deadman Well Site			
Generator Cost	71,265.00	71,265.00	100.00%
Generator Installation	202,500.00	202,500.00	100.00%
Total Deadman Well Site	273,765.00	273,765.00	100.00%
Deer Stand Well Site			
Generator Cost	71,265.00	71,265.00	100.00%
Generator Installation	202,500.00	202,500.00	100.00%
Total Deer Stand Well Site	273,765.00	273,765.00	100.00%
Wells Ranch WTP Site			
Generator Cost-WTP	317,295.00	317,295.00	100.00%
Generator Cost-MCC-2	279,140.00	279,140.00	100.00%
Generator Installation-WTP	412,350.00	412,350.00	100.00%
Generator Installation-MCC-2	376,140.00	376,140.00	100.00%
Total Wells Ranch WTP Site	1,384,925.00	1,384,925.00	100.00%
Leissner BPS Site			
Generator Cost	212,200.00	212,200.00	100.00%
Generator Installation	337,000.00	337,000.00	100.00%
Total Leissner BPS Site	549,200.00	549,200.00	100.00%
Wagner Booster Station			
Generator Cost	212,200.00	212,200.00	100.00%
Generator Installation	259,000.00	259,000.00	100.00%
Total Wagner Booster Station	471,200.00	471,200.00	100.00%
Well #5 & Well #13 Generator Cost	71,710.00	71,710.00	100.00%
Mobilization, Bonds & Insurance	119,000.00	119,000.00	100.00%
Total Generator Installation Project	3,446,072.82	3,415,574.82	99.11%
Total Phase II - 2015	40,480,578.09	40,448,273.09	99.92%
Unallocated Contingency	-565,418.09		
Total Expenditures		40,448,273.09	
Interest Income	442,995.59	443,504.35	
Cash from General Funds	84,498.74	217,750.42	
Cash from General Funds	37,923.76	0.00	
Ending Cash	0.00	128,141.68	

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02/26/24
Accrual Basis

Wells Ranch Phase II - 2015
Account QuickReport
As of January 31, 2024

Type	Date	Num	Name	Memo	Amount	Balance
BOKF, NA, Austin - Escrow						126,845.40
Deposit	01/02/2024			Interest	505.05	127,350.45
Total BOKF, NA, Austin - Escrow					505.05	127,350.45
Logic-Construction Acct						787.52
Deposit	01/31/2024			Interest	3.71	791.23
Total Logic-Construction Acct					3.71	791.23
TOTAL					508.76	128,141.68

**Hays Caldwell WTP Improvements
Budget vs. Actual
January 31, 2024**

	<u>TOTAL</u>	<u>TOTAL</u>	
	<u>BUDGET</u>	<u>DISBURSEMENTS</u>	<u>%</u>
Hays Caldwell Series 2017 Bond Net Proceeds	4,801,596.00	4,801,596.00	100.00%
Hays Caldwell Series 2021 Bond Net Proceeds	12,355,000.00	12,355,000.00	100.00%
City of San Marcos Cash Contribution	511,593.00	511,593.00	100.00%
City of San Marcos Cash Contribution	4,634,982.00	4,634,982.00	100.00%
Beginning Cash Available for Project	22,303,171.00	22,303,171.00	100.00%
Land Purchase - 2.009 Acres	555,628.44	555,628.44	100.00%
Advertisement for Bids	2,824.40	2,824.40	100.00%
TWDB D-Fund Application Services	35,700.00	35,700.00	100.00%
HMGP Application	12,000.00	12,000.00	100.00%
Basic Engineering Services:			
Preliminary Phase	403,700.00	403,700.00	100.00%
Design Phase	728,400.00	728,400.00	100.00%
Bid Phase	73,900.00		0.00%
Construction Phase	458,800.00		0.00%
Total Basic Engineering Services	1,664,800.00	1,132,100.00	68.00%
Additional Engineering Services:			
Grant Application Services	6,927.90	6,927.90	100.00%
Environmental Review & Permitting	121,200.00	107,838.80	88.98%
Topographic Survey	36,900.00	32,950.00	89.30%
Warranty Phase	30,900.00		0.00%
Start-Up Services	59,000.00		0.00%
O&M Manual Update	16,900.00		0.00%
Water Treatment Plant Audit	0.00		0.00%
Flood Protection	0.00		0.00%
CT Study & TCEQ Update	17,000.00	16,954.00	99.73%
Constr Observation & Resident	174,000.00		0.00%
Geotechnical Investigation	76,200.00	76,186.25	99.98%
TWDB & TCEQ Coordination	102,500.00	102,617.49	100.11%
Power System Study	55,000.00	55,000.00	100.00%
City of San Marcos Permitting	104,200.00	104,270.89	100.07%
City of San Marcos Platting	28,900.00	30,032.00	103.92%
Ozone Bldg Upgrade to CMU	49,800.00	46,813.60	94.00%
TCEQ Pilot Study	4,000.00		0.00%
Preconstruction T&E Surveys-Terrestrial	2,600.00		0.00%
Preconstruction T&E Surveys-Mussels	8,500.00		0.00%
Dewatering Aquatic Resources	27,600.00		0.00%
Geotechnical Baseline for River Intake	4,800.00	4,782.50	99.64%
Cultural Resources Constr Monitoring	42,500.00		0.00%
OSSF Irrigation Reconfig & Permitting	9,000.00		0.00%
Total Additional Engineering Services	978,427.90	584,373.43	59.73%
HCWTP Ozone Deman & Decay Testing	9,992.00	9,992.00	100.00%
Caldwell County Permits	51,950.00	51,950.00	100.00%
City of San Marcos-Permits	19,323.14	19,323.14	100.00%
SCADA			
Design Fees	20,000.00	3,963.75	19.82%
Construction Costs	150,000.00		0.00%
Total SCADA Costs	170,000.00	3,963.75	2.33%
Bluebonnet Electric Coop - Service Entrances & Easeme	61,512.02	61,512.02	100.00%
Miscellaneous Fees	3,077.04	3,077.04	100.00%

Hays Caldwell WTP Improvements Budget vs. Actual January 31, 2024

				TOTAL	TOTAL	
				<u>BUDGET</u>	<u>DISBURSEMENTS</u>	<u>%</u>
Probable Construction Costs						
	Raw Water Pump Station & Intake			3,210,643.00		0.00%
	Raw Water Electrical Building			346,491.00		0.00%
	Yard Piping			1,160,146.00		0.00%
	Clarifier Upgrades			2,656,275.00		0.00%
	Splitter Box			760,340.00		0.00%
	Chemical Feed & Storage			372,721.00		0.00%
	Ozone Improvements			4,209,987.00		0.00%
	New 1 MG GST			2,104,317.00		0.00%
	Existing GST Rehab			311,740.00		0.00%
	HSPS Improvements			698,145.00		0.00%
	Recycle Pump Station			113,687.00		0.00%
	Decant Pump Station			179,174.00		0.00%
	Decant Ponds			611,499.00		0.00%
	Site Civil Paving, etc.			1,961,807.00		0.00%
	Electrical Improvement			4,842,702.00		0.00%
	Instrumentations & Controls			1,372,320.00		0.00%
	Subtotal			24,911,994.00	0.00	0.00%
	Additive Alternate: 200kW Generator			813,704.00		0.00%
	Additive Alternate: 350kW Generator			1,260,262.00		0.00%
	Additive Alternate: Motorized Gates			60,480.00		0.00%
	Additive Alternate: Security System Integ.			36,000.00		0.00%
	Total Probable Construction Costs			27,082,440.00	0.00	0.00%
	Total Hays Caldwell WTP Improvements			30,647,674.94	2,472,444.22	8.07%
	Unallocated Contingency			-8,344,503.94		0.00%
	Total Expenditures				2,472,444.22	
	Interest Income				1,643,714.79	
	Paid from General Funds-Electrical Easement				1,000.00	
	Ending Cash				21,475,441.57	

10:54 AM

02/26/24

Accrual Basis

Hays Caldwell WTP Improvements

Banking Activity

As of January 31, 2024

Type	Date	Num	Name	Memo	Amount	Balance
Logic, Construction Acct						17,186,163.23
Deposit	01/31/2024			Interest	80,416.82	17,266,580.05
Total Logic, Construction Acct					80,416.82	17,266,580.05
BOKF, NA						4,191,535.11
Deposit	01/02/2024			Interest	17,326.41	4,208,861.52
Total BOKF, NA					17,326.41	4,208,861.52
TOTAL					97,743.23	21,475,441.57



CANYON REGIONAL WATER AUTHORITY DROUGHT CONTINGENCY PLAN

APPROVED BY BOARD OF MANAGERS

APRIL 3, 2024

ADOPTED BY BOARD OF TRUSTEES

APRIL 8, 2024

Submitted to TCEQ

May 1, 2024

(DRAFT)

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1.1 Introduction

The goal of Canyon Regional Water Authority (CRWA) Drought Contingency Plan is to maximize available water supplies and reduce water use during times of water shortage caused by drought. To conserve the available water supply and/or to protect the integrity of water supply facilities, with regard for domestic water use, sanitation, and fire protection, and to protect and preserve public health, welfare, safety and minimize the adverse impact of water supply shortage or other water supply emergency conditions, the Authority adopts the following revised version of its Drought Contingency Plan (DCP).

1.2 Defining Drought

A general definition of drought is a deficiency of precipitation over an extended period, resulting in a water shortage for some beneficial activity or environmental purpose. A water shortage from drought occurs when available water supply from anticipated runoff and storage is reduced to a level that supporting customer demands is at risk. Not knowing exactly when a drought begins, when it will end, and its severity makes uncertainty one of the defining characteristics of drought.

1.3 Texas Water Rights

Texas Water Law of Rights stems from a combination of Hispanic elements with traditional English common law, as well as from its legal fragmentation of the hydrologic cycle.

In respect to surface-water rights, Texas is one of several dual-doctrine states that recognize both riparian and prior-appropriation doctrines, which are dissimilar in almost every respect. The riparian doctrine accords water rights to those who own riparian land and has been in affect over the last 200 years with various revisions. The appropriation doctrine was adopted by the state near the turn of the 20th century. Since 1895 land acquired from the state has no longer carried riparian water rights as a matter of course. Instead, individuals must appropriate water rights from the state through established statutory procedures. The State of Texas began certifying surface water diversions in 1913, thus the issuance of surface rights. The Prior-Appropriation doctrine applies, "*the first in time is the first in right*", Texas Water Code, Chapter 11, Subchapter A, General Provisions, Section 11.027.

Concerning groundwater, ownership of subsurface resources, such as oil and water, is governed by the "rule of capture." If an individual or business can "capture" the resource and bring it to the surface, it becomes his/her property. The state of Texas has appointed Counties to manage groundwater through the formation of Groundwater Districts. Rules on groundwater and the rule of capture can be found in Texas Water Code Chapter 36, Subchapter A, General Provisions.

Canyon Regional has both surface and groundwater sources divided amongst its three water treatment facilities, Lake Dunlap Water Treatment Plant (WTP), Hays Caldwell WTP, and Wells Ranch WTP.

1.3 CRWA Supply

Lake Dunlap WTP supply is surface water comprised of Senior Water Rights on the Guadalupe River, a water lease agreement with Guadalupe-Blanco River Authority (GBRA), and a lease agreement between Crystal Clear Special Utility District (SUD) and GBRA (Table 1).

Table 1

Water Right #	Water Right Name	Priority Date	(AF/YR)
18-3829-A	Mill	June 29, 1914	400.00
18-3832-A	Ray Dittmar	April 19, 1912	44.00
18-3833-B	Gary Dittmar	April 19, 1912	30.5
18-3834	Daniels	April 19, 1912	71.48
18-3834-A	Daniels	April 19, 1912	18.52
18-2074-C	Crystal Clear	March 19, 1956	500.00
18-2074-D	GBRA	March 19, 1956	10,575.00
	Lake Dunlap WTP	Total Supply	11,639.50

Wells Ranch WTP supply is groundwater from the Carrizo and Wilcox aquifers located in Guadalupe and Gonzales Counties. Canyon Regional holds three groundwater permits, two in Guadalupe County with the Guadalupe County Groundwater Conservation District (GCGCD) and the third in Gonzales County with the Gonzales County Underground Water Conservation District (GCUWCD) (Table 2).

Table 2

County	District	Permit Number	Aquifer	(AF/YR)
Guadalupe	GCGCD	PWS-2017-WX-01	Wilcox	3,026.000
Guadalupe	GCGCD	PWS-2017-CZ-01	Carrizo	2,603.415
Gonzales	GCUWCD	11-16-01	Carrizo	7,400.000
		Walls Ranch WTP	Total Supply	13,029.415

Hays Caldwell WTP supply is surface water comprised of Junior and Senior Water Rights on the San Marcos River, and a lease agreement with GBRA (Table 3).

Table 3

Water Right #	Water Right Name	Priority Date	(AF/YR)
18-3887	Cummings	June 22, 1905	516.16
18-3889-A	Foster	June 23, 1914	24.00
18-3888-A	Baugh	December 31, 1955	320.00
18-2074-C	GBRA	March 19, 1956	2,038.00
	Hays Caldwell WTP	Total Supply (AF/YR)	2,898.16

2.1 Public Involvement

Opportunity for the public to view CRWA's DCP can be found on Canyon Regional's website, www.crwa.com. Canyon Regional Water Authority is a wholesale water provider to retail public utilities. Each public entity is required by the Texas Commission on Environmental Quality (TCEQ) to implement and maintain their own DCP. CRWA has presented a draft copy of the DCP to wholesale customers for review and comments. A copy of the DCP was submitted to each CRWA customer.

CRWA has lease agreements with GBRA at the Lake Dunlap WTP and the Hays Caldwell WTP. These agreements are subject to GBRA's Drought Contingency Plan for wholesale water supply customers, therefore, portions of GBRA's plan are applicable and referenced in CRWA's DCP.

2.2 Wholesale Water Customer Education

CRWA will provide wholesale water customers with information about the Plan, including trigger levels within each stage of the Plan that is to be initiated or terminated and response measures to be implemented in each stage of drought. This information will be provided by means of:

1. A copy of the plan will be distributed to all CRWA water supply customers for their comment, review, and guidance. If any changes are made to the current plan, a copy of those changes will be emailed, mailed, or communicated using Microsoft applications such as OneNote or OneDrive.
2. If any drought stage is initiated, CRWA will notify all customers through email or phone indicating the stage and the actions to be taken.
3. CRWA will continue to make available copies of educational materials, as they become available to the customers.

3.1 Authorization

The CRWA General Manager, or his/her designee, 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. The General Manager, or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

3.2 Application

The provisions of this Plan shall apply to all customers utilizing water provided by CRWA from storage in Canyon Reservoir (see Section 1.3, CRWA Supply, Table 1 & 3). The terms "person" and "customer" as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

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4.1 Definitions

Conservation	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.
Conservation Pool	Water level in Canyon Reservoir between 800 feet mean sea level and normal operating elevation of 909 feet mean sea level in which GBRA has management responsibility and release.
Customer	Water Supply Corporations, Special Utility Districts, Municipalities, and other public entities utilizing water provided by CRWA from GBRA storage in Canyon Reservoir.
Drought of Record	The worst recorded drought since compilation of meteorologic and hydrologic data began. In terms of severity and duration, the drought of the 1950s is considered the drought of record in the Guadalupe River Basin.
Firm Yield	Amount of water that should be considered available throughout a drought as severe as the Drought of Record.
Stored Water	Water that is contained within the conservation pool of Canyon Reservoir and that GBRA has responsibility and release of under a water right granted by the Texas Commission on Environmental Quality.
TCEQ South Texas Water Master	State program that oversees the surface water system of rivers and tributaries in a 50-county area in South Central Texas; allow diversions as water is available as it passes individual diversion points.

5.1 GBRA Canyon Dam & Reservoir Operations

Canyon Dam and Reservoir was completed in 1964 as a cooperative project that is jointly managed by GBRA and the U.S. Army Corps of Engineers. GBRA is responsible for reservoir water management and release within the “conservation pool”, between 800 mean sea level (msl) and the normal operating elevation of 909 msl.

Canyon Reservoir delivers water to customers on a firm yield basis. GBRA has determined, base upon hydrologic and other studies performed by or for GBRA, the amount of stored water from Canyon Reservoir that can be committed and reserved by GBRA on a “firm” basis, meaning the amount that should be considered to be available through a drought as severe as the drought that occurred in the 1950’s (also referred to as the “Drought of Record”). GBRA will review such studies and perform additional studies from time to time, and it will not commit to supply to its customers at any time a total amount of stored water on a firm basis more than the total amount determined by GBRA at that time that should be considered to be firm. However, reasonable conservation requirements under this Plan and other plans may be imposed at any time, including during periods of normal or wet climatic conditions, and curtailments of stored water may be triggered under this Plan during any severe drought, even if that drought is determined to be less severe than the Drought of Record. Curtailments of stored water may also be triggered under this Plan because of some other condition that significantly reduces the available firm water supply.

GBRA has developed a procedure for identifying a drought worse than the Drought of Record for Canyon Lake watershed. The GBRA Board of Directors will declare a drought worse than the Drought of Record when the following three conditions are simultaneously met: (a) drought at least 24 months (24 months since Canyon Reservoir was last full – 909’ msl); and (b) the cumulative inflow deficit since the beginning of the drought exceeds the envelope curve for cumulative inflow deficits by at least 5% for six consecutive months and (c) the storage of Canyon Reservoir is less than elevation 885’ msl (213,386 acre-feet or approximately 56% full). Historical inflow data for the contributing watershed of Canyon Lake was used in the development of this procedure.

Commented [AT1]: This section may change in the GBRA 2024 Drought Mitigation Plan.

Canyon Reservoir supplies stored water to cities, industries, and agricultural users under a permit issued by the TCEQ. To many users Canyon storage is their sole source of water. These customers rely on daily releases of stored water to meet their demands. For others, Canyon Reservoir provides a dependable source of water during drought conditions and low river flows. These customers “call” for the release of stored water on an as needed basis to meet periodic or drastic low-flow conditions.

With TCEQ’s approval, GBRA can contract for stored water that will provide for an average annual use of stored water from Canyon Lake, with a special condition that a greater maximum quantity of stored water can be used during any one critical year. This way the use of stored water is minimized, and an adequate water supply is available during short-term droughts. This is an example of the benefits of reservoir averaging.

6.1 Scope

The scope of CRWA's Drought Contingency Plan is to comply with the curtailment of GBRA firm water supplies to ensure that there is sufficient firm, uninterruptible water to meet projected demands for such water to protect the environmental flows through a repetition of the Drought of Record. GBRA Firm, stored water is subject to curtailment only if it is determined that the drought in effect is worse than the Drought of Record. Additionally, in times of shortage of supply caused by drought or emergency, the TCEQ's South Texas water master will determine when water rights holders must reduce or stop diversions of run-of-river water. CRWA will comply with the Water Master on its water rights at the Lake Dunlap WTP and the Hays Caldwell WTP.

GBRA in accordance with Section 11.039 of the Texas Water Code, will curtail and distribute the available supply or run-of-river water among its water supply customers on a pro rate basis, so that preference is given to no one, and all interruptible water supply customers suffer alike.

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7.1 GBRA Triggering Criteria for Initiation and Termination of Drought Response Stages for Canyon Reservoir

The triggering criteria for GBRA Canyon Reservoir described below is applied to Canyon Regional's water supply agreements at the Lake Dunlap WTP and the Hays Caldwell WTP.

GBRA's General Manager, or his/her designee, shall monitor water supply and/or demand conditions on a weekly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Customer notification of the initiation or termination of drought response stages will be made by mail, email, fax, social media platforms, or telephone. The news media will also be informed.

The triggering criteria for Canyon Reservoir described below are based on a statistical analysis, performed by GBRA, of the vulnerability of the water source under drought of record conditions.

Stage 1 – Mild Water Shortage Conditions

Requirements for initiation – GBRA will recognize that a mild water shortage condition exists when:

Water in storage in Canyon Reservoir is equal to or less than elevation 895 feet msl (274,800 acre-feet or approximately 72.5% full).

Requirements for termination – Stage 1 of the Plan may be rescinded when Canyon Reservoir returns to elevation 895 feet msl or greater for a period of 30 consecutive days. GBRA will notify its wholesale customers and the media of the termination of Stage 1 in the same manner as the notification of initiation of Stage 1 of the Plan.

Stage 2 – Moderate Water Shortage Conditions

Requirements for initiation – GBRA will recognize that a moderate water shortage condition exists when:

Water in storage in Canyon Reservoir is equal to or less than 890 feet msl (242,872 acre-feet or approximately 64% full).

Requirements for termination – Stage 2 of the Plan may be rescinded when Canyon Reservoir returns to elevation 890 feet msl or greater for a period of 30 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative. GBRA will notify its wholesale customers and the media of the termination of Stage 2 in the same manner as the notification of initiation of Stage 2 of the Plan.

Stage 3 – Moderate Water Shortage Conditions

Requirements for initiation – GBRA will recognize that a moderate water shortage condition exists when:

Water in storage in Canyon Reservoir is equal to or less than 885 feet msl (213,386 acre-feet or approximately 56% full).

Requirements for termination – Stage 3 of the Plan may be rescinded when Canyon Reservoir returns to elevation 885 feet msl or greater for a period of 30 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative. GBRA will notify its wholesale

customers and the media of the termination of Stage 3 in the same manner as the notification of initiation of Stage 3 of the Plan.

Commented [AT2]: GBRA is in the process of changing the current plan. They may be adding a stage 5 which will be the Emergency Water Shortage condition, and stage 4 will be the Severe water shortage condition at 50%.

Stage 4 – Severe Water Shortage Conditions

Requirements for initiation – GBRA will recognize that a severe water shortage condition exists when:

Water in storage in Canyon Reservoir is equal to or less than 880 feet msl().

Requirements for termination – Stage 4 of the Plan may be rescinded when Canyon Reservoir returns to elevation 880 feet msl or greater for a period of 30 consecutive days. Upon termination of Stage 4, Stage 3 becomes operative. GBRA will notify its wholesale customers and the media of the termination of Stage 4 in the same manner as the notification of initiation of Stage 4 of the Plan.

Stage 5 – Emergency Water Shortage Conditions

Requirements for initiation – GBRA will recognize that an emergency water shortage condition exists when:

1. Mechanical or system failures occur, which cause unprecedented loss of capability to provide water service.
2. Natural or man-made contamination of the water supply source(s) occurs.
3. A drought of greater severity than the Drought of Record occurs. The GBRA Board of Directors will declare a drought worse than the Drought of Record when the following three conditions are simultaneously met: (a) drought at least 24 months (24 months since Canyon Reservoir was last full – 909' msl); and (b) the cumulative inflow deficit since the beginning of the drought exceeds the envelope curve for cumulative inflow deficits by at least 5% for six consecutive months and (c) the storage of Canyon Reservoir is less than elevation 880' msl ().

Requirements for termination – Except for a drought of greater severity than the Drought of Record, Stage 5 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. The GBRA Board of Directors will cancel a declaration of a drought worse than the Drought of Record if any of the following conditions are met: (a) the cumulative inflow deficit since the beginning of the drought is less than the envelope curve for cumulative inflow deficits by at least 5% for six consecutive months; or (b) the storage of Canyon Reservoir is greater than elevation 890' msl (242,872 acre-feet or approximately 64% full). GBRA will notify its wholesale customers and the media of the termination of Stage 5 of the Plan.

7.2 GBRA Drought Response Stages for Canyon Reservoir

GBRA General Manager, or his/her designee, shall monitor water supply and/or demand conditions and, in accordance with the triggering criteria for Canyon Reservoir set forth in Section 7.1 shall determine that mild, moderate, or severe water shortage conditions exist or that an emergency condition exists and shall implement the following actions:

Stage 1 – Mild Water Shortage Conditions

Goal – Achieve a voluntary 5 percent reduction in comparison to the average monthly usage of contracted water from storage for that time period of the calendar year.

Supply Management Measures: In order to manage limited water supplies and/or reduce water demand during a mild water shortage condition, the General Manager, or his/her designee(s), will implement one or a combination of the following:

- 1) Contact USGS to confirm calibration and operation of all applicable stream gages.
- 2) Coordinate review of water use with the TCEQ's South Texas Watermaster (STWM). In times of shortage of supply caused by drought or emergency, the STWM will determine when water rights holders must reduce or stop diversions.
- 3) Implement water delivery procedures to improve efficiency of the delivery of water from storage.

Demand Management Measures:

- 1) The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use.
- 2) The General Manager, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 2 – Moderate Water Shortage Conditions

Goal: Achieve a voluntary 10 percent reduction in comparison to the average monthly usage of contracted water from storage for that time period of the calendar year.

Supply Management Measures: In order to manage limited water supplies and/or reduce water demand during a moderate water shortage condition, the General Manager, or his/her designee(s), will implement one or a combination of the following:

- 1) Contact USGS to confirm calibration and operation of all applicable stream gages.
- 2) Coordinate review of water use with the TCEQ's STWM. In times of shortage of supply caused by drought or emergency, the STWM will determine when water rights holders must reduce or stop diversions.
- 3) Implement water delivery procedures to improve efficiency of the delivery of water from storage.

Demand Management Measures:

- 1) The General Manager, or his/her designee(s), will initiate weekly contact with wholesale water customers to discuss water supply and/or demand conditions and the possibility of pro rate curtailment of water diversions and/or deliveries as specified in Section 7.1.
- 2) The General Manager or his/her designee(s) will request wholesale water customers to initiate mandatory measures to reduce non-essential water use.
- 3) The General Manager, or his/her designee(s), will initiate preparations for the implementation of pro rate curtailment of water diversions and/or deliveries by

preparing a monthly water usage allocation baseline for each wholesale customer according to the procedures specified in Section 7.1 of the Plan.

- 4) The General Manager, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 3 – Moderate Water Shortage Conditions

Commented [AT3]: This stage will be updated when information is received from GBRA.

Stage 4 – Severe Water Shortage Conditions

Goal: Achieve a voluntary 15 percent reduction in comparison to the average monthly usage of contracted water from storage for that time period of the calendar year.

Supply Management Measures: In order to manage limited water supplies and/or reduce water demand during a severe water shortage condition, the General Manager, or his/her designee(s), will implement one or a combination of the following:

1. Contact USGS to confirm calibration and operation of all applicable stream gages.
2. Coordinate review of water use with the TCEQ's STWM. In times of shortage of supply caused by drought or emergency, the STWM will determine when water rights holders must reduce or stop diversions.
3. Implement water delivery procedures to improve efficiency of the delivery of water from storage.

Demand Management Measures:

1. The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate additional mandatory measures to reduce nonessential water use.
2. The General Manager, or his/her designee(s), will initiate pro rate curtailment of water diversion and/or deliveries for each wholesale customer according to the procedures specified in Section 7.1 of the Plan.
3. The General Manager, or his/her designee(s), will provide a weekly report to news media with information regarding current water supply and/or demand conditions, projected water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

Stage 5 – Emergency Water Shortage Conditions

Whenever emergency water shortage conditions exist as defined in Section 7.1 of the Plan, the General Manager shall:

1. Assess the severity of the problem and identify the actions needed and time required to resolve the problem.
2. Inform the utility director or other responsible official of each wholesale water customer by telephone or in person and suggest actions, as appropriate to alleviate problems.
3. If appropriate, notify city, county, and/or state emergency response officials for assistance.
4. Undertake necessary actions, including repairs and/or clean-up as needed.

5. Prepare a post-event assessment report on the incident and critique of emergency response procedures and actions.

7.3 GBRA Pro Rata Water Allocation for Canyon Reservoir

In the event that the triggering criteria for Canyon Reservoir specified in Section 7.1 of the Plan for stage 5 – Emergency Water Shortage Conditions have been met, the General Manager is hereby authorized to initiate allocation of water supplies on a pro rata basis in accordance with Texas Water Code Section 11.039 and according to the following water allocation policies and procedures:

1. A wholesale customer's allocation for water from storage shall be based on the customer's average monthly use of contracted water from storage for that time period of the calendar year. The percentage will be set by resolution of the Board of Director's of GBRA based on the General Manager's assessment of the severity of the water shortage condition and the needs to curtail water diversions and/or deliveries and may be adjusted periodically by resolution of the Board of Director's of GBRA as conditions warrant. Once pro rata allocation is in effect, water diversion by or deliveries to each wholesale customer shall be limited to the allocation established for each month.
2. The General Manager shall provide notice, by certified mail, to each wholesale customer informing them of their water usage allocations and shall notify the news media and the executive director of the Texas Commission on Environmental Quality upon initiation of pro rata water allocations.
3. Upon request of the customer or at the initiative the General Manager, the allocation may be reduced or increase if, (1) the designated period does not accurately reflect the wholesale customer's average monthly use of contracted water from storage for that time period of the calendar year; (2) the customer with approval from GBRA agrees to transfer part of its allocation to another wholesale 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 Board of Directors of GBRA.

8.1 CRWA Response

CRWA leases 10,575 acre-feet per annum at the Lake Dunlap WTP from GBRA (Certificate of Adjudication No. 18-2074) (section 5.0). The Lake Dunlap WTP withdraws raw water from Lake Dunlap, treats, and delivers the water to its customers. The Hays Caldwell WTP, located in San Marcos, purchases raw water at the facility and is delivered by GBRA through a pipeline from Lake Dunlap to the Hays Caldwell Plant. This water also falls under GBRA's Certificate of Adjudication No. 18-2074 (section 5.0). CRWA purchases, from GBRA, 2,038 acre-feet of Lake Dunlap Water per annum at the Hays Cadwell WTP.

GBRA's right No. 18-2074 comes from storage at Canyon Reservoir (section 5.0), therefore it is subject to the conditions listed in section 7.0 of this Plan. Lake Dunlap's lease of 10,575 acre-feet and Hays Caldwell purchase of 2,038 are subject to the conditions listed in 7.0 of this Plan.

8.2 CRWA Drought Stage Response

GBRA Drought Stage Response can be found in section 7.2 of this Plan. CRWA's response to each stage, and strategy is listed below:

- Stage 1 – A 5% voluntary reduction in average monthly flow is voluntary. Average monthly flow is calculated from each month of CRWA's peak year of use.
 - In order to manage limited water supplies and/or reduce water demand during a mild water shortage condition, the General Manager, or his/her designee(s), will implement one or a combination of the following:
 - Calibrate and review the operation of all water supply meters in the system.
 - Cease line flushing maintenance except to maintain water quality or line repair operations.
 - Implement water delivery procedures to improve efficiency of the delivery of water from storage.
 - Due to raw water coming from right 18-2074, CRWA will combine Lake Dunlap and Hays Caldwell GBRA purchased water in its calculation to lessen the impact on both plants. Lake Dunlap WTP shares a service area and pipeline with the Wells Ranch WTP. CRWA can utilize the Wells Ranch Water Treatment Plant to reduce the demand on the Lake Dunlap WTP and the Hays Caldwell WTP.
 - Implementation of CRWA's Conservation Plan. The Conservation Plan includes methodologies to reduce excessive and wasteful water usage to minimize the impact particularly in times of drought.

Commented [AT4]: This entire section is new to CRWA's DCP. The intent is to incorporate strategies to satisfy GBRA's DCP. CRWA is waiting on information from GBRA to complete this section.

- Management Measures:
 - The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use.
 - The General Manager, or his/her designee(s), will provide a weekly report to the customer with information regarding current water supply and/or demand conditions, project water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

- Stage 2 – A 10% reduction in average monthly flow is voluntary. Average monthly flow is calculated from each month of CRWA’s peak year of use.
 - In order to manage limited water supplies and/or reduce water demand during a mild water shortage condition, the General Manager, or his/her designee(s), will implement one or a combination of the following:
 - Calibrate and review the operation of all water supply meters in the system.
 - Cease line flushing maintenance except to maintain water quality or line repair operations.
 - Implement water delivery procedures to improve efficiency of the delivery of water from storage.
 - Due to raw water coming from right 18-2074, CRWA will combine Lake Dunlap and Hays Caldwell GBRA purchased water in its calculation to lessen the impact on both plants. Lake Dunlap WTP shares a service area and pipeline with the Wells Ranch WTP. CRWA can utilize the Wells Ranch Water Treatment Plant to reduce the demand on the Lake Dunlap WTP and the Hays Caldwell WTP.
 - Implementation of CRWA’s Conservation Plan. The Conservation Plan includes methodologies to reduce excessive and wasteful water usage to minimize the impact particularly in times of drought.
 - Management Measures:
 - The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use.

- The General Manager, or his/her designee(s), will provide a weekly report to the customer with information regarding current water supply and/or demand conditions, project water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.
- Stage 3 - A 15% reduction in average monthly flow is voluntary. Average monthly flow is calculated from each month of CRWA's peak year of use.
 - In order to manage limited water supplies and/or reduce water demand during a moderate water shortage condition, the General Manager, or his/her designee(s), will implement one or a combination of the following:
 - Calibrate and review the operation of all water supply meters in the system.
 - Cease line flushing maintenance except to maintain water quality or line repair operations.
 - Implement water delivery procedures to improve efficiency of the delivery of water from storage.
 - Due to raw water coming from right 18-2074, CRWA will combine Lake Dunlap and Hays Caldwell GBRA purchased water in its calculation to lessen the impact on both plants. Lake Dunlap WTP shares a service area and pipeline with the Wells Ranch WTP. CRWA can utilize the Wells Ranch Water Treatment Plant to reduce the demand on the Lake Dunlap WTP and the Hays Caldwell WTP.
 - Implementation of CRWA's Conservation Plan. The Conservation Plan includes methodologies to reduce excessive and wasteful water usage to minimize the impact particularly in times of drought.
 - Management Measures:
 - The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use.
 - The General Manager, or his/her designee(s), will provide a weekly report to the customer with information regarding current water supply and/or demand conditions, project water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

- Stage 4 - A 20% reduction in average monthly flow is voluntary. Average monthly flow is calculated from each month of CRWA's peak year of use.
 - In order to manage limited water supplies and/or reduce water demand during a Severe water shortage condition, the General Manager, or his/her designee(s), will implement one or a combination of the following:
 - Calibrate and review the operation of all water supply meters in the system.
 - Cease line flushing maintenance except to maintain water quality or line repair operations.
 - Implement water delivery procedures to improve efficiency of the delivery of water from storage.
 - Due to raw water coming from right 18-2074, CRWA will combine Lake Dunlap and Hays Caldwell GBRA purchased water in its calculation to lessen the impact on both plants. Lake Dunlap WTP shares a service area and pipeline with the Wells Ranch WTP. CRWA can utilize the Wells Ranch Water Treatment Plant to reduce the demand on the Lake Dunlap WTP and the Hays Caldwell WTP.
 - Implementation of CRWA's Conservation Plan. The Conservation Plan includes methodologies to reduce excessive and wasteful water usage to minimize the impact particularly in times of drought.
 - Management Measures:
 - The General Manager, or his/her designee(s), will contact wholesale water customers to discuss water supply and/or demand conditions and will request that wholesale water customers initiate voluntary measures to reduce water use.
 - The General Manager, or his/her designee(s), will provide a weekly report to the customer with information regarding current water supply and/or demand conditions, project water supply and demand conditions if drought conditions persist, and consumer information on water conservation measures and practices.

- Stage 5 – In the event that stage 5 is triggered, GBRA will implement its Pro Rata Water Allocation as defined in section 7.3 of this Plan. Once pro rata allocation is in effect, water diversion by or delivers to each wholesale customer shall be limited to the allocation established for each month.
 - Strategy A - CRWA will limit its production to the GBRA's wholesale pro rata allocation.
 - Strategy B – CRWA member entities and customers will have to implement drought mitigation measures to achieve this goal.

8.3 Enforcement

The provisions of this Plan shall apply to all CRWA Member Entities and Customers and shall be enforceable by the General Manager, or his/her designee.



CANYON REGIONAL WATER AUTHORITY WATER CONSERVATION PLAN

APPROVED BY BOARD OF MANAGERS

APRIL 3, 2024

ADOPTED BY BOARD OF TRUSTEES

APRIL 8, 2024

Submitted to TCEQ

May 1, 2024

Submitted to TWDB

May 1, 2024

(DRAFT)

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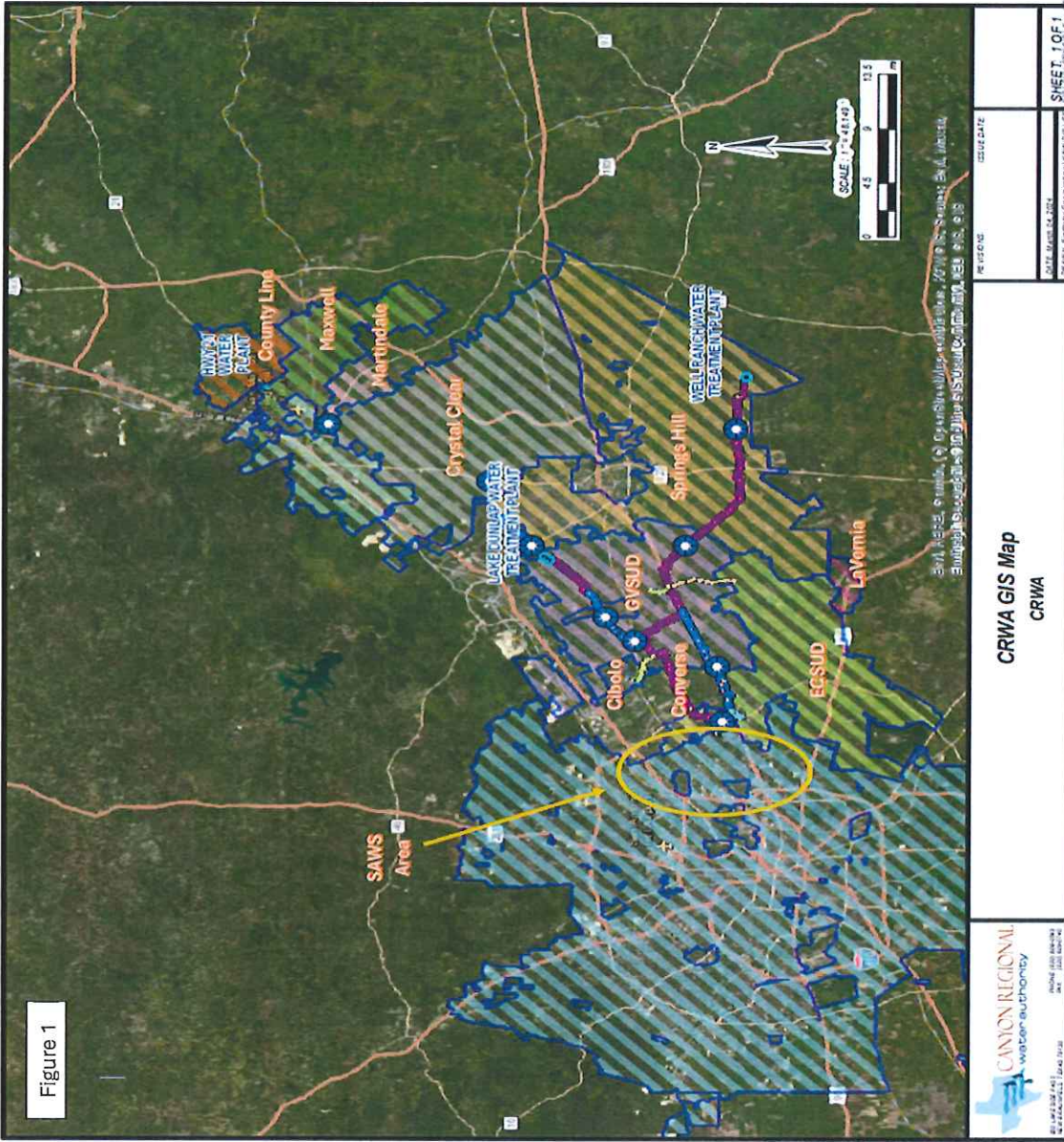
INTRODUCTION

The Canyon Regional Water Authority (CRWA) was created in 1989 under the Texas Constitution, Article XVI, Section 59, and enacted through Senate Bill 1735 of the 71st Legislature. The purpose of CRWA is to acquire, treat and economically deliver potable water from acquired water rights and available ground water resources to the various member water systems. Canyon Regional is to protect, preserve and restore the purity and sanitary condition of water; and to enhance the quality of water for the residents of the region by assuring adequate and economical water for domestic, business and commercial use.

Green Valley Special Utility District (GVSUD), Springs Hill Water Supply Corporation (SHWSC), Crystal Clear Special Utility District (CCSUD), and East Central Special Utility District (ECSUD) are the original districts that formed CRWA. Over the last three decades, Canyon Regional expanded its original membership to include the Cities of Marion, Converse, Cibolo, and LaVernia. Additionally, CRWA constructed the Hays Caldwell Treatment Plant in 2001 and began to serve County Line Special Utility District (CLSUD), CCSUD, Martindale Water Supply Corporation (Martindale WSC), and Maxwell Special Utility District (Maxwell SUD). CRWA delivers treated water to these 11 entities and to San Antonio Water System (SAWS). Bexar Metropolitan Water District (BexarMet) was a customer of CRWA until 2011 when the district dissolved and was assumed by SAWS. Therefore, SAWS became a customer of CRWA, and not a member entity.

Regional wholesale water districts in Texas are not issued Certificates of Convenience and Necessity (CCNs), therefore Canyon Regionals service area is comprised of the CCNs of its utilities (*Figure 1*). *Figure 1* presents each customer's CCN boundaries, and/or a segment of SAWS CCN on the Northeast side of San Antonio.

Figure 1



As indicated in Figure 1, CRWA's area of responsibility includes much of Guadalupe County and portions of Bexar, Caldwell, Comal, Hays, and Wilson Counties. The service area extends from west of Lockhart and Luling, south of San Marcos to east and south of San Antonio, abuts the Cities of New Braunfels and Seguin, and includes the cities of Converse, Marion, Cibolo, LaVernia, and San Marcos. CRWA's greater service area lies east of Interstate 35 and west of Interstate 10.

Total service area based on the member entities is 1,162 square miles. Currently CRWA member entities provide water service to a population over 150,000 people per the 2021 South Central Texas Regional Water Plan.

PURPOSE FOR WATER CONSERVATION

Canyon Regional Water Authority is committed to providing adequate supplies of high-quality water to municipal users. Water conservation is an integral element of that effort. There are a variety of benefits to be gained by implementing water conservation practices. Using water conservation to reduce demand in water-poor areas and areas of rapid population growth is one way to increase available water supplies without having to develop additional water resources. This provides economic benefits to the end users of the water as well as the utility responsible for supplying water.

The water conservation plan presented below is consistent with the guidelines and requirements included in Chapter 288 of Title 30 Texas Administrative Code. According to the rule, conservation means "practices, techniques, and technologies that will 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 water supply is made available for future or alternative uses." The Texas Commission on Environmental Quality (TCEQ) is responsible for oversight of these plans. Plan requirements for water conservation plans for wholesale water suppliers include, as a minimum:

- A. *An evaluation of the Applicant's water and wastewater system and customer use characteristics to identify water conservation opportunities and potential targets and goals. Completion of the Water Conservation Utility Profile, TWDB-1965 as part of the evaluation is required and should be submitted with the Plan.*
- B. *Inclusion of five-year and ten-year targets that are specific and quantified for water savings and included goals for water loss programs in gallons per capita per day, and goals for municipal use and residential use, in gallons per capita per day.*
- C. *A schedule for implementing the plan to achieve the applicant's targets and goals.*
- D. *A method for tracking the implementation and effectiveness of the plan. The method should track annual water use and provide information sufficient to evaluate the implementation of conservation measures.*
- E. *A master meter to measure and account for the amount of water diverted from the source of supply.*
- F. *A program of universal metering of both customer and public uses of water, for meter testing, repair and for periodic replacement.*
- G. *Measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections, abandoned services, etc.).*
- H. *A continuous program of leak detection, repair, and water loss accounting for the transmission, delivery, and distribution system in order to control water loss.*

- I. *A program of continuing education and information regarding water conservation. This should include providing water conservation information directly to each residential, industrial and commercial customer at least annually, and providing water conservation literature to new customers when they apply for service.*
- J. *A water rate structure which is not "promotional," i.e., a rate structure which is cost based and which does not encourage the excessive use of water.*
- K. *A means of implementation and enforcement, evidenced by adoption of the plan:*
 - a. *A copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the applicant and*
 - b. *A description of the authority by which the applicant will implement and enforce the conservation plan.*
- L. *If the Applicant will utilize the project financed by the TWDB to furnish water or wastewater services to another supplying entity that in turn will furnish the water or wastewater services to the ultimate consumer, the requirements for the water conservation plan also pertain to these supplier entities. To comply with this requirement the applicant shall:*
 - a. *Submit its own water conservation plan;*
 - b. *Submit the other entity's (or entities) water conservation plan;*
 - c. *Require, by contract, that the other entity (or entities), adopt a water conservation plan that conforms to the board's requirement and submit it to the board. If the requirement is to be included in an existing water or wastewater service contract, it may be included, at the earliest of the renewal or substantial amendment of that contract, or by other appropriate.*
- M. *Documentation that the regional water planning group for the service area of the applicant has been notified of the applicant's water conservation plan.*

Utility Profile

CRWA provides treated surface water to CCSUD, SHWSC, GVSUD, ECSUD and the cities of Cibolo, and Marion through a 14.4 Million Gallon per Day (MGD) treatment plant located on Lake Dunlap.

The Lake Dunlap Water Treatment Plant (LDWTP) treats raw water purchased from GBRA under a take-or-pay contract utilizing GBRA impoundment rights in Canyon Reservoir. Additionally, LDWTP treats raw water purchased by CCSUD from GBRA under a take-or-pay contract utilizing GBRA impoundment rights in Canyon Reservoir.

CRWA provides treated groundwater from the Carrizo-Wilcox aquifers to CCSUD, SHWSC, GVSUD, SAWS, ECSUD and the cities of Cibolo, Converse and Marion through Wells Ranch 9.9 (MGD) treatment plant located outside of the City of Seguin. Wells Ranch WTP operates under permitted water from the Gonzales County Underground Water Conservation District (GCUWCD) and the Guadalupe County Groundwater Conservation District (GCGCD).

CRWA provides treated surface water to CLSUD, CCSUD, Martindale WSC, and Maxwell SUD through Hays Caldwell 3.4 MGD treatment plant located on the San Marcos River, east of the City of San Marcos.

CRWA treatment contracts and capacity are as follows.

Table 1

Raw Water Contract Capacities			
Entity	Lake Dunlap WTP (AF/YR)	Wells Ranch WTP (AF/YR)	Total Capacity (AF/YR)
SAWS	4,000	2,300	6,300
City of Marion	100	200	300
Green Valley SUD	1,800	5,656	7,456
City of Cibolo	1,230	1,981	3,211
City of Converse	0	500	500
East Central SUD	1,400	1,000	2,400
Springs Hill	1,950	600	2,550
Crystal Clear SUD	500	792	1,292

Regional L 2021 Water User Group (WUG) Demand

Table 2

Region L Water User Group (WUG) Demand (Acre-feet Per Year)						
Year	2020	2030	2040	2050	2060	2070
Bexar County – San Antonio River Basin						
Converse	2,554	2,764	2,951	2,925	2,919	2,917
East Central	1,826	1,973	2,150	2,337	2,547	2,731
Green Valley	364	393	423	456	490	522
SAWS	238,114	261,305	284,407	307,453	330,693	352,390
Caldwell County - Guadalupe River Basin						
County Line	226	318	384	436	468	480
Martindale	361	453	529	626	747	894
Maxwell	428	503	579	659	745	829
Comal County – Guadalupe River Basin						
Crystal Clear	279	313	348	386	426	465
Green Valley	51	61	73	84	97	109
Guadalupe County – Guadalupe River Basin						
Crystal Clear	1,500	1,752	2,017	2,287	2,574	2,858
Green Valley	1,619	1,862	2,122	2,395	2,694	2,991
Martindale	19	27	38	52	71	86
Springs Hill	2,050	2,265	2,622	2,996	3,415	3,819

Region L Water User Group (WUG) Demand (Acre-feet Per Year)						
Year	2020	2030	2040	2050	2060	2070
Guadalupe County – San Antonio River Basin						
Cibolo	2,374	3,251	3,695	3,915	4,024	4,077
East Central	70	78	74	97	95	119
Green Valley	2,343	3,232	3,790	4,594	5,570	6,591
City of Marion	234	271	309	350	394	437
Springs Hill	276	305	353	403	460	514
Hays County – Guadalupe River Basin						
County Line	508	714	971	1,241	1,532	1,842
Crystal Clear	632	716	827	973	1,143	1,338
Maxwell	120	126	135	149	165	184

Conservation Target

CRWA’s Conservation Plan outlines the means the Authority will use to satisfy each of these requirements. Canyon Regional developed its water conservation plan goals after reviewing specific information on the water usage characteristics of its member entities and is consistent with the 2021 South Central Texas Regional Water Plan. The following conservation goals are the basis of this plan.

- For those CRWA members and customers with water use of 140 gpcd and greater, the goal is to reduce per capita water use by one percent per year until the level of 140 gpcd is reached, after which, the goal is to reduce per capita water use by one-fourth percent per year (0.25% per year) for the remainder of the planning period. Therefore the 5-year goal is to reduce annual per capita water use to 135 gpcd, while the ten-year goal is to reduce annual per capita water use to 127 gpcd.
- For those CRWA members having water use of less than 140 gpcd, the goal is to reduce per capita water use by one-forth percent per year (0.25% per year). Therefore, the 5-year goal is to reduce annual per capita water use to 133 gpcd, while the ten-year goal is to reduce annual per capita water use to 131 gpcd.
- Develop and implement an Annual Water Use Report for all systems which purchase treated water from CRWA. Under this item, each member entity and customer shall report annual water usage and number of meters CRWA based on an annual period of January to December. The annual report shall be submitted to CRWA by each member entity no later than February 15 of the next year. CRWA will compile the water usage and meter data and report the results to the member entities. Every 5 years, CRWA will submit the water usage and meter data to the TWDB and update the Water Conservation Plan as required.

Best Management Practices (BMPs) for CRWA member entities and customers to achieve this will include:

- Continue to require conservation and drought contingency planning in all new and renewed water sales contracts.

- Reductions in distribution system water losses to 10% or less.
- Utilize the “average concept” in the commitment of treated water in order to stretch the supply of treated water.
- Encourage the use of low flow plumbing fixtures (e.g. toilets, shower heads, and faucets that are designed for low quantities of flow per unit of use).
- Encourage the selection and use of more efficient water-using appliances (e.g. clothes washers and dishwashers).
- Encourage Modifying and/or installing lawn and landscaping systems to use grass and plants that required less water.
- Encourage the repair of plumbing and water-using appliances to reduce leaks.
- Encourage the modification of personal behavior that controls the use of plumbing fixtures, appliances and lawn watering methods.

Commented [AT1]: Define “Average Concept”

Schedule for implementing the plan to achieve the applicant’s targets and goals

CRWA member entities and customers will be required to adhere to the plan. The plan will stay in effect for the subsequent five years. Any new water contracts will require member entities to comply with the plan. Upon the termination of five years (2029) and in accordance with TWDB, the plan will be reviewed every 5 years and revised if necessary.

Method for tracking the implementation and effectiveness of the plan

In an effort to track the effectiveness of the Plan, CRWA will develop and implement an Annual Water Use Report for All systems which purchase treated water from CRWA. Under this item, each member entity shall report annual water usage, an annual estimated gpcd, an annual water loss, number of meters and conservation BMP’s implemented to CRWA based on an annual period of January to December. The annual report shall be submitted to CRWA by each member entity no later than February 15 of the next year. CRWA will compile the water usage and meter data and report the results to the member entities. Every 5 years, CRWA will submit the water usage and meter data to the TWDB and update the Water Conservation Plan as required.

Master meter to measure and account for the amount of water diverted from the source of supply

CRWA has intake master meters at the Lake Dunlap WTP, Hays Caldwell WTP, and master meters located at each of the 15 wells located at the Wells Ranch well field. Master meters at these facilities are installed and maintained in accordance with the meter and reporting requirements of TCEQ rules. All meters are tested annually, read on a daily basis, and regularly calibrated.

Universal Metering of both customer and public uses of water

Practice(s) and/or devices to be utilized to measure and account for the amount of water diverted from the source(s) of supply include the requirement that all CRWA member entities and customers submit annual use reports. All sales of water by CRWA are metered. Meters are calibrated periodically to ensure the accuracy of the instruments. New water contracts also require the customer’s compliance with water conservation rules adopted by the TCEQ and this plan. Additionally, CRWA operations require for regular calibration and reading of its water supply meters.

Measure to determine and control water loss

CRWA maintains records of all water transactions, as well as daily readings of treated water produced at its Lake Dunlap WTP, Hays Caldwell WTP, and its Wells Ranch Facility. Additionally, CRWA maintains records of all water sales to customers and will require annual reports of all water use in accordance with its "Annual Reports." CRWA incorporates periodic visual inspection of its 60 miles of pipeline and regular inspections of its WTP facilities to ensure a minimal loss of water.

Continuous program of leak detection, repair, and water loss accounting

As a contract requirement, each member or customer purchasing treated water from CRWA will be required to submit, at least on an annual basis, a water system audit indicating the amount of water lost from the system as a result of various conditions including theft, leaks, inaccurate meters, or bookkeeping errors. If the water system audit reveals that any entity's average system loss is in excess of twenty (20) percent, the CRWA member or customer will be expected to:

- Test all system master meters and a random sampling of at least five (5) percent of the member or customer's meters to determine their accuracy.
- After testing is performed in accordance with this section, the member entity is required to submit in writing to CRWA a system efficiency plan outlining the corrective actions to be taken by the member or customer and a specific time schedule by which all of the deficiencies identified will be remedied.

In addition, member entities and customers will be required to:

- Meter all water pumped at the contractual delivery points and calibrate all master meters at least once year.
- Implement an ongoing education program promoting water conservation through distribution of educational material and by conducting workshops.
- Discontinue the use of declining block rates for retail customers of all CRWA members and customers. Adopt water conservation and drought management plans that include appropriate water use goals such as percentage reduction in per capita use and reduced peak water demands.
- Report every five years to CRWA on the status of their respective water conservation programs.

Continuing education and information regarding water conservation

Through its website, CRWA provides its member entities, customers and the public with access to conservation information linked to the TWDB and TCEQ. Future CRWA efforts may focus on newsletters of current activities distributed to the members and customers.

Water Rate Structure

Due to CRWA being solely a wholesale water provider, its contracts are based on a “take-or-pay” methodology.

Implementation and enforcement

Effective the date of adoption of this plan, all new contracts for treated water or any extension of such contracts are required to contain appropriate conditions requiring conservation measures that are consistent with the provisions of this water conservation plan as adopted or as may be amended by the CRWA Board of Trustees.

In addition, each member entity or customer further agrees that, in the event that it furnishes water or water services to a third party that in turn will furnish the water or services the ultimate consumer, the requirements of this contract relative to water conservation shall be met through contractual agreements between it and the third party.

If applicant utilizes the project financed by the TWDB

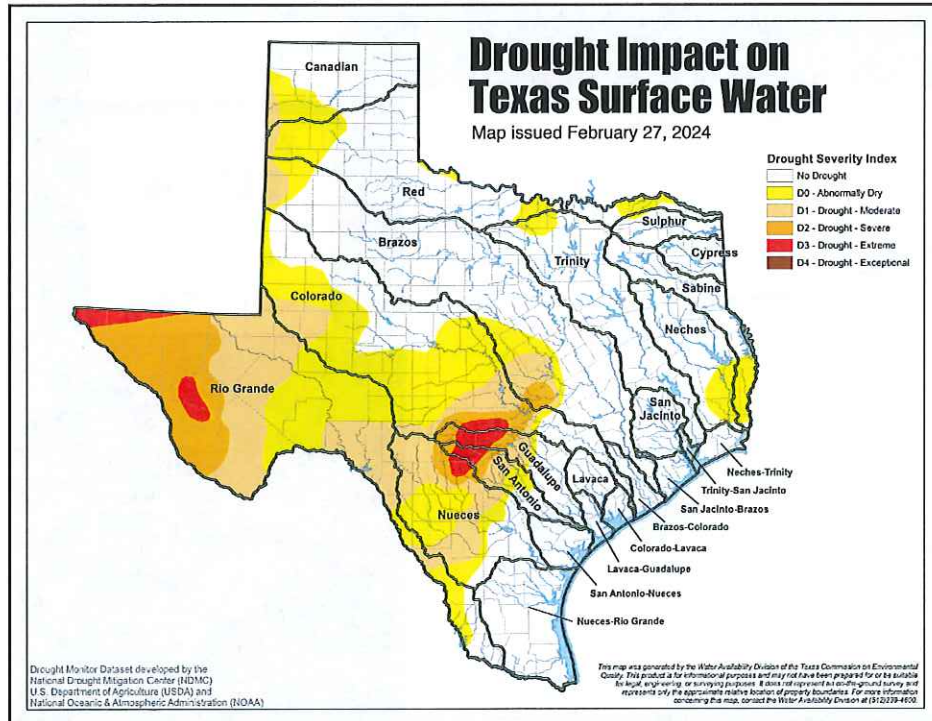
CRWA has two primary focuses for conservation activities; those that improve the Authority's efficiency in producing treated water from raw water and those that encourage or support the conservation of supplies by its member entities and customers. Canyon Regional has several measures which promote water conservation: metered sales, systems operations, water conservation planning requirements for all contract sales, and conservation education. All sales of water by CRWA are metered. Meters are calibrated periodically to ensure the accuracy of the instruments. New contracts also require the customer's compliance with water conservation rules adopted by the TCEQ.

Documentation Submittals

CRWA will submit this plan to TCEQ, TWDB and the South Central Texas Regional Water Planning Group (Region L).



1

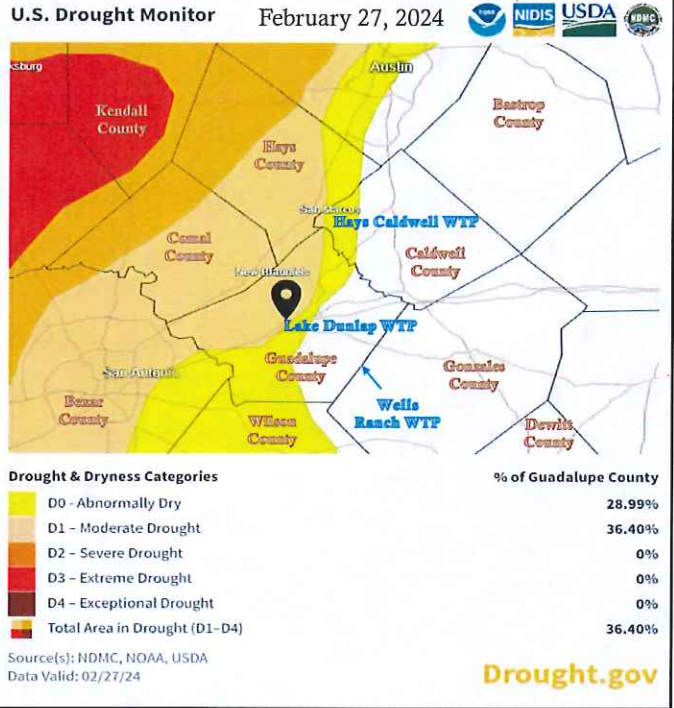


Extreme Drought
Conditions continue
in San Antonio and
Guadalupe Basins.



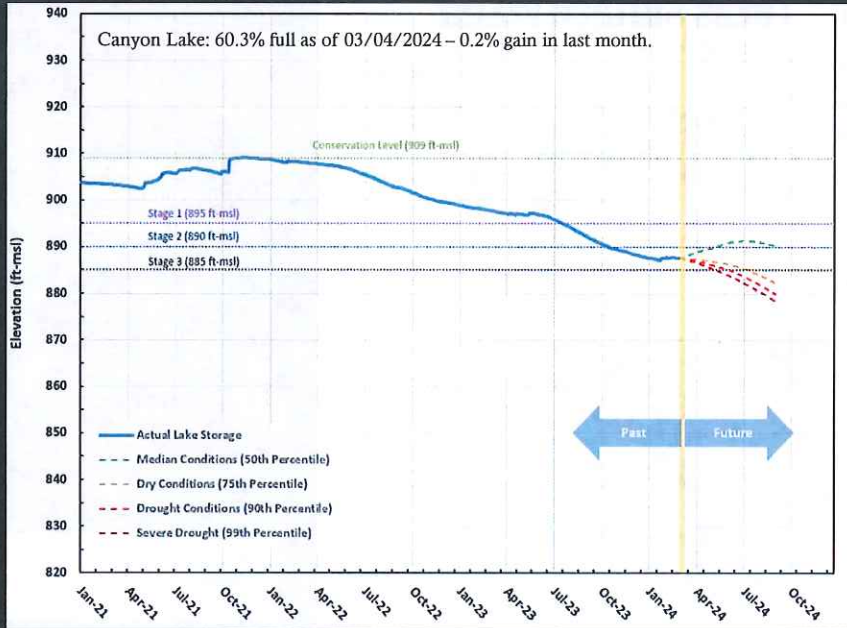
2

Drought Intensity by County



3

Canyon Lake Water Level Trends



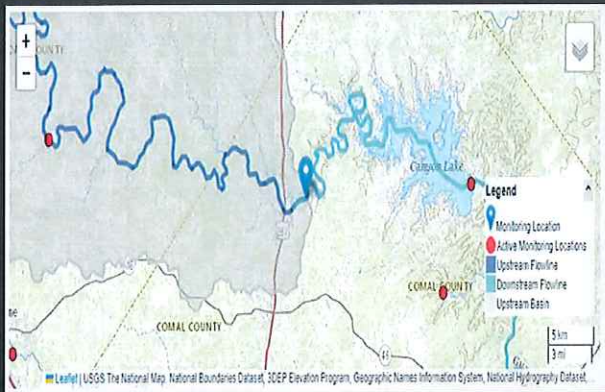
WATER LEVEL
887.56
Feet MSL

Monday, March 4, 2024
1:15:00 PM
Level is 21.44 feet below full pool of 909.00

- Drought Trigger Levels**
- Stage 1 (Mild Conditions)**
- 895 feet (msl)*
- Action – 5% reduction
 - Stage 2 (Moderate Conditions)**
- 890 feet (msl)
- Action – 10% reduction
 - Stage 3 (Severe Conditions)**
- 885 feet (msl)
- Action – 15% reduction
- *Mean Sea Level

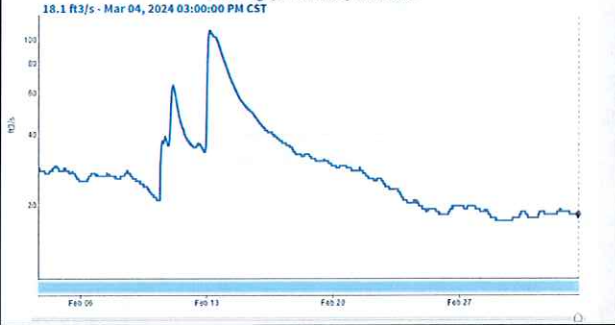
4

Canyon Lake In-Flow (ft³/s)



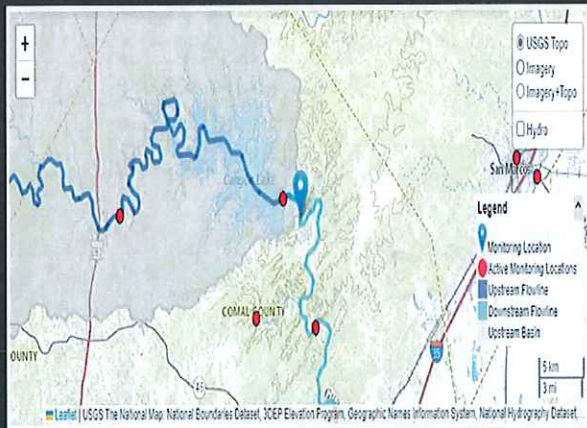
Guadalupe Rv nr Spring Branch, TX - 08167500

February 3, 2024 - March 4, 2024
Discharge, cubic feet per second



5

Canyon Lake Out-Flow (ft³/s)



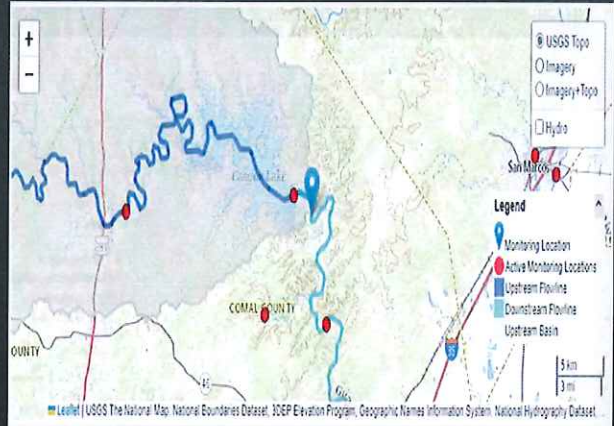
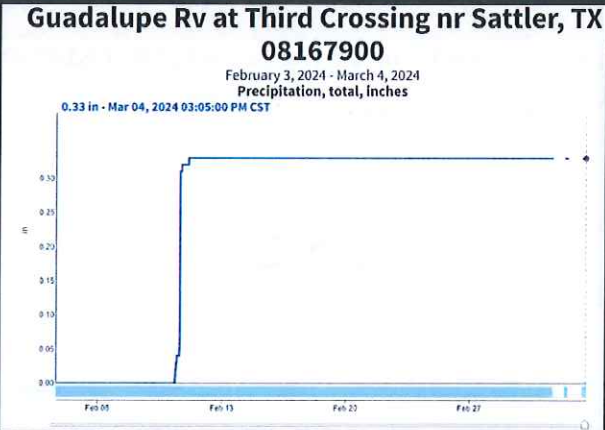
Guadalupe Rv at Sattler, TX - 08167800

February 3, 2024 - March 4, 2024
Discharge, cubic feet per second



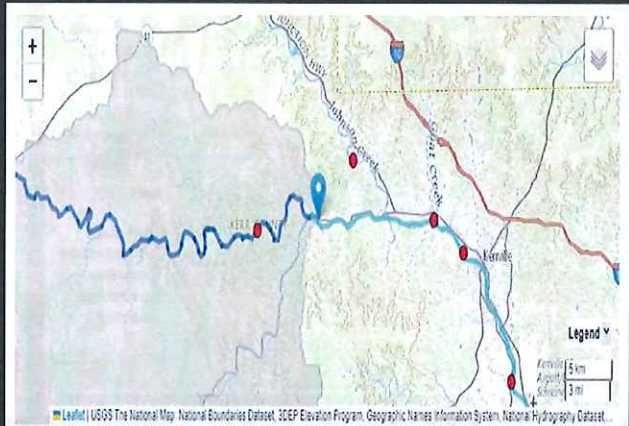
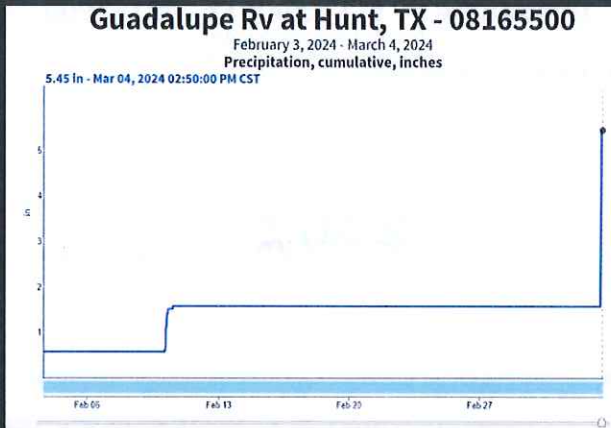
6

Precipitation below Canyon Lake

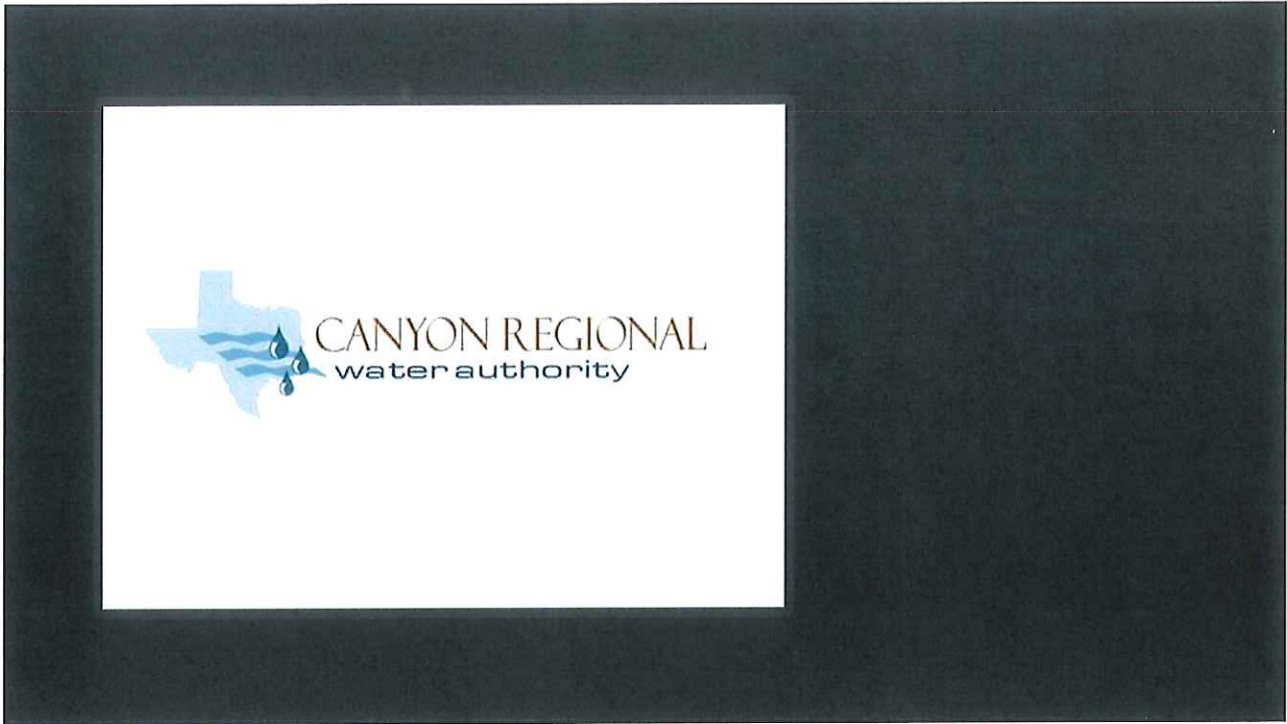


7

Precipitation above Canyon Lake – Kerr County



8



Cause No. _____

CANYON REGIONAL WATER
AUTHORITY

§
§
§
§
§
§
§

IN THE DISTRICT COURT

v.

____ JUDICIAL DISTRICT

TRIHYDRO CORPORATION and
DAVID B. MAXWELL, P.E

GUADALUPE COUNTY, TEXAS

**PLAINTIFF’S ORIGINAL PETITION
with ATTACHED CERTIFICATE OF MERIT**

COMES NOW, CANYON REGIONAL WATER AUTHORITY (“Plaintiff” or “CRWA”) complaining of TRIHYDRO CORPORATION (“Trihydro”) and DAVID B. MAXWELL, P.E. (“Maxwell”)¹ and for cause of action respectfully shows:

RULE 47 STATEMENT

In accordance with Tex.R.Civ.P. 47(c)(4), Plaintiff states that by way of this suit it seeks monetary relief over \$1,000,000.00.

I. DISCOVERY CONTROL PLAN

1.1 Pursuant to Texas Rule of Civil Procedure 190.1, Plaintiff intends that discovery in this case be conducted under a Level 3 Discovery Control Plan/Docket Control Order. Plaintiff prays that such Docket Control Order be entered on the future motion of a party and be tailored to the circumstances of this specific suit.

II. PARTIES

2.1 Plaintiff, **CANYON REGIONAL WATER AUTHORITY**, is a regional water authority created under and essential to accomplish the purposes of Article XVI, Section 59 of the Constitution of the State of Texas. CRWA was created by Special Act of the Texas

¹ Maxwell and Trihydro are referred to collectively herein as “Defendants.”

Legislature and more particularly, Chapter 670, Acts of the 71st Legislature, Regular Session, 1989, as amended ("CRWA Act"). CRWA maintains its principal office in Guadalupe County, Texas.

2.2 Defendant, **TRIHYDRO CORPORATION**, is a foreign for-profit corporation that can be served by and through their registered agent, National Registered Agents, Inc., 1999 Bryan St., Ste. 900, Dallas, Texas 75201. ***Issuance of citation and service by Private Process Server is requested for this Defendant.***

2.3 Defendant, **DAVID BLAIR MAXWELL, P.E.**, is an individual resident of Bexar County, Texas, and a professional engineer, holding license # 74146 issued by the Texas Board of Professional Engineers and Land Surveyors. Defendant may be served with citation at 24 Harbison, San Antonio, Texas 78261 or wherever he may be found. ***Issuance of citation and service by Private Process Server is requested for this Defendant.***

III. JURISDICTION & VENUE

3.1 The district court has jurisdiction over the lawsuit because the amount in controversy is within the jurisdictional limits of the court.

3.2 Venue is proper in Guadalupe County, Texas pursuant to Texas Civil Practices & Remedies Code §15.002(a)(1), insofar as all or a substantial part of the events or omissions giving rise to Plaintiff's claim occurred in such county.

IV. CERTIFICATE OF MERIT

4.1 In accordance with the requirements of Texas Civil Practices & Remedies Code § 150.002, CRWA has attached hereto a Certificate of Merit executed by Steve L. Kanetzky, P.E. ("Kanetzky"). Kanetzky is a third-party licensed professional engineer who is

competent to testify; holds the same professional license or registration as Defendant, Maxwell; and practices in the area of practice of the Defendants.

4.2 As set-forth in the attached Certificate of Merit, Kanetzky offers sworn testimony based on his knowledge, skill, experience, education, training and practice. The Certificate of Merit further demonstrates that Kanetzky is licensed or registered in this state, is actively engaged in the practice of electrical engineering, and has furnished such testimony and opinions as are required by Section 150, Texas Civil Practices and Remedies Code.

V. FACTUAL ALLEGATIONS

A. **CRWA's STATUTORY PURPOSE AND OPERATIONS**

5.1 The Texas Legislature created CRWA in 1989 as an essential instrumentality to accomplish the purposes of Article XVI, Section 59 of the Texas Constitution,² which provides in part as follows:

“The conservation and development of all of the natural resources of this State ...including the control, storing, preservation and distribution of its storm and flood waters, the waters of its rivers and streams, for irrigation, power and all other useful purposes, the reclamation and irrigation of its arid, semiarid and other lands needing irrigation, the reclamation and drainage of its overflowed lands, and other lands needing drainage, the conservation and development of its ...water and hydro-electric power... and the preservation and conservation of all such natural resources of the State are each and all hereby declared public rights and duties;”³

In furtherance of its statutory purposes set forth in the CRWA Act, CRWA has developed various surface and groundwater supply projects whereby it produces, treats, and

² See CRWA Act at Section 2.01(b).

³ See TEX. CONST. at Art.XVI, Section 59(a).

transports a wholesale supply of water to its Member Entities⁴ and contracting wholesale customers.

5.2 CRWA's Member Entities and customers are municipal, governmental and quasi-governmental entities located across a broad swath of central Texas that utilize water supplied by CRWA to serve retail water customers located within their respective certificated service areas. They are dependent on water supplied by CRWA to meet the needs of their rapidly expanding customer bases, many of which are located in the fastest growing parts of Texas and the entire United States.

5.3 Due, *inter alia*, to the significant geographic dispersion of CRWA's members and customers, not all of them participate in all CRWA projects. Rather, the composition of participants varies among CRWA's projects (and the individual phases of the projects), with the financial burden of each project borne by those who participate.

B. THE WELLS RANCH PROJECT

5.4 One of the water supply projects developed by CRWA is known as the Wells Ranch groundwater project (the "Project"). Project development commenced in the 1990's when the Bexar Metropolitan Water District ("BexarMet") - then a CRWA member entity - entered into a groundwater lease and other agreements with the owners of the Wells Ranch located partially in each Guadalupe and Gonzales Counties. CRWA acquired the Project from BexarMet and assumed all development responsibility.

5.5 Since that time, CRWA has obtained permits issued by applicable groundwater conservation districts in Guadalupe and Gonzales Counties, acquired groundwater leases

⁴ CRWA's Member Entities are the Cities of Cibolo, Converse, La Vernia, and Marion, County Line Special Utility District ("SUD"), Crystal Clear SUD, East Central SUD, Green Valley SUD, Maxwell SUD, Martindale Water Supply Corporation ("WSC") and Springs Hill WSC.

with numerous landowners, and entered into various agreements related to the management of locally regulated groundwater.⁵ CRWA has also invested tens of millions of dollars to develop the Project by constructing wells, plants, transmission lines, pumps, boosters, tanks and other facilities necessary for the production, treatment and transportation of treated/potable groundwater to the Project participants' various delivery points.

5.6 The Project currently consists of two phases (Phase I⁶ and Phase II⁷) with planning underway for a third phase (Phase III). In order to finance (or refinance) the costs of the Project, CRWA approved and issued the following bonds:

- (i) "Tax Exempt Contract Revenue Bonds (Wells Ranch I Project), Series 2016" in an initial amount of \$31,550,000;
- (ii) "Tax Exempt Contract Revenue Bonds (Wells Ranch I Project), Series 2021" in an initial amount of \$13,860,000; and
- (iii) "Tax-Exempt Contract Revenue Bonds (Wells Ranch II Project), Series 2015" in an initial amount of \$42,000,000.

As of the date of filing this action, the aforementioned bonds are outstanding in the aggregate principal amount of approximately \$72,000,000.00. CRWA contemplates issuance of further bonded indebtedness to finance Phase III of the Project.

C. TRIHYDRO'S INVOLVEMENT WITH THE WELLS RANCH PROJECT.

5.7 Since it acquired the Project, CRWA has expended substantial sums on engineering, including design services and completion of State mandated Preliminary Engineering

⁵ See generally, Chapter 36 of the TEXAS WATER CODE.

⁶ The Wells Ranch Project Phase I participating members are Crystal Clear SUD, East Central SUD, Green Valley SUD, Springs Hill WSC and the Cities of San Antonio (acting by and through the San Antonio Water System as successor in interest to the Bexar Metropolitan Water District), Cibolo, and Marion, Texas.

⁷ The Wells Ranch Project Phase II participating members are Crystal Clear SUD, East Central SUD, Green Valley SUD, and the Cities of Cibolo, Converse, and Marion, Texas.

Reports for Phases I, II and III (each a “PER”). For decades, much of the engineering work on the Project, including preparation of the PERs and guidance in obtaining Project funding through the Texas Water Development Board (“TWDB”), was entrusted to River City Engineering (“RCE”), a New Braunfels based engineering firm.

5.8 RCE also provided CRWA with engineering and consulting services related to other projects, and was highly involved in CRWA’s planning, design and construction initiatives. These services were performed under various written agreements or service orders.

5.9 In May 2015, RCE prepared the PER for Phase II (sometimes referred to as “Phase 2”) of the Project and outlined various infrastructure improvements to Project facilities therein. Also during 2015, RCE assisted CRWA in securing SWIFT funding⁸ from the Texas Water Development Board (“TWDB”) to finance the costs of engineering design and construction of various component projects identified in the Phase 2 PER.

5.10 On October 19, 2015, CRWA and RCE entered into a written Professional Services Agreement (the “RCE PSA”) concerning engineering services to be performed by RCE in connection with the Project’s Phase 2 improvements.⁹ The RCE PSA contains a scope of services and identifies discrete engineering tasks involving numerous Project facilities located both at the Wells Ranch plant and along CRWA’s water distribution network.

5.11 In approximately 2017, CRWA learned that RCE was to be acquired by or otherwise merged with Trihydro. Unlike its decades-long relationship with New Braunfels-based

⁸ The State Water Implementation Fund for Texas (“SWIFT”) was established by the Texas Legislature and voters in 2013 to fund projects in the state water plan. It was created through the transfer of a one-time, \$2 billion appropriation from the state’s Rainy Day Fund. This initial investment has been leveraged with revenue bonds to finance tens of billions of dollars in water supply projects

⁹ The RCE PSA was produced prior to commencement of this action and bears the following Bates Labels: CRWA 000001 – CRWA 000024.

RCE, CRWA was unfamiliar with Trihydro or its principals which, at that time, had no presence in south central Texas. In connection with the forthcoming acquisition/merger, representatives of RCE and Trihydro requested that CRWA permit Trihydro to perform engineering tasks then underway by RCE. Among these functions was RCE's Phase 2 work described in the RCE PSA.

D. INCEPTION OF THE PHASE 2 GENERATOR PROJECT

5.12 On September 16, 2019, Trihydro sent a letter to CRWA advising that the Phase 2 component projects identified in the RCE PSA were nearly complete, but that there remained unallocated SWIFT funding "available to design and construct additional Wells Ranch Phase 2 projects." This same letter contained Trihydro's proposal "to provide professional engineering services for the engineering design of the Wells Ranch Phase II Generator Installation Project." CRWA had long desired to weather-proof its operations and was interested in the prospect of performing emergency operations upgrades with existing funds.

5.13 Trihydro's proposal identified engineering services that it propositioned to perform at a base price of \$203,320.00 and also contained an offer to perform additional, optional services. CRWA accepted Trihydro's proposal on January 16, 2020, making it a binding contract (the "Trihydro Contract").¹⁰ Thereafter, Trihydro commenced performing various engineering services related to the Wells Ranch Phase 2 generator project.¹¹ This

¹⁰ The TH Contract was produced prior to commencement of this action and bears the following Bates Labels: CRWA 000025 – CRWA 000028.

¹¹ Although the Project title refers only to "Wells Ranch Phase 2," the scope of the Project (and all related documents) pertains to the following CRWA facilities, all of which are public buildings or public works: Deadman Well Site, Deer Stand Well Site, Wells Ranch Water Treatment Plant Site, Leissner Booster Pump Station Site and Wagner Booster Pump Station Site. Accordingly, the Project is one for civil works, as defined by Section 2269.351 of the Texas Government Code.

work included design of specifications for packaged engine generators for five (5) CRWA Project facilities, and improvement necessary to implement the generators.

5.14 On October 1, 2020, Trihydro delivered to CRWA the “Bidding Documents” for CRWA’s procurement of the generators. As Project Engineer, Trihydro largely handled the generator procurement process, including by receiving and evaluating bid proposals, conducting the pre-bid conference and responding to proposal questions from prospective bidders.

5.15 Trihydro also began preparing plans and project specifications for required generators and the scope of work that would be required to install them. In late 2020 Trihydro submitted its generator project plans and specifications, together with proposed Contract Documents, to the TWDB for review and comment.

E. WINTER STORM URI AND THE TEXAS POWER GRID FAILURE – SENATE BILL 3.

5.16 In February 2021, much of Texas endured a catastrophic winter storm (“Winter Storm Uri” also known as “Snowpocalypse” or “Snowmageddon”) that effectively collapsed the electrical grid, warped the natural gas market, and exposed shocking vulnerabilities in wind energy and water delivery infrastructure. The Texas Parks and Wildlife Department described this weather event as “an arctic wrecking ball,” while Governor Abbott declared a disaster for all 254 Texas counties in anticipation of its arrival.

5.17 In the days that followed Uri, more than four million Texans lost power as temperatures plunged to and remained in the single digits for days. Millions also lost water service due to busted pipes and production delivery infrastructure that was disabled by power loss and freezing temperatures.

5.18 By the time Texas thawed, ERCOT was under fire, electrical and gas utilities began filing a bonanza of lawsuits alleging price gouging, and elected officials were bombarded with demands for corrective and preventative action. In response to immense public and media pressure, the Texas Legislature set to work rectifying the major failures exposed by Uri. The product of their intense efforts to strengthen the State's prevention of and preparedness for winter storm energy emergencies was Senate Bill 3 ("SB 3").

5.19 First introduced on March 12, 2021, SB3 was passed unanimously by both the Texas House of Representatives and the Texas Senate. It was signed into law by Governor Abbott on June 8, 2021, and became effective immediately.

5.20 In addition to its numerous provisions requiring weatherization of electrical and gas generation, transmission and compression facilities, SB 3 amended Subchapter E, Chapter 13 of the Texas Water Code by adding new section 13.1394 relating to Standards of Emergency Operations. Under new Section 13.1394, each "affected utility"¹² is required to, *inter alia*, "ensure the emergency operation of its water system during an extended power outage at a minimum water pressure of 20 pounds per square inch, or at a water pressure level approved by [TCEQ] as soon as safe and practicable following the occurrence of a natural disaster."¹³ Additionally, each "affected utility" was required to submit to the Texas Commission in Environmental Quality (by March 2022) an emergency preparedness plan that includes "provisions for demonstrating the capability of each raw water intake pump station, pump station, and pressure facility to provide raw water service to its wholesale customers during emergencies."¹⁴

¹² CRWA falls within this statutory definition. See TEXAS WATER CODE § 13.1394(a)(1).

¹³ See TEXAS WATER CODE § 13.1394(b)(1).

¹⁴ See TEXAS WATER CODE § 13.1394(d). CRWA complied with this mandate by submitting its Emergency Preparedness Plan to TCEQ on February 28, 2022

F. THE GENERATOR PROJECT

5.21 As described above, CRWA's winter preparedness initiative pre-dated Uri and SB 3. However, Uri's impact on CRWA's operations greatly emphasized the need for infrastructure capable of generating electricity to power the Project's water treatment plant in blackout events. SB 3, in turn, mandated that CRWA expedite completion of the emergency operations upgrades already being designed by Trihydro.

5.22 In May 2021, Trihydro delivered to CRWA and the TWDB its long-awaited Project Manual for the Wells Ranch Phase 2 generator project (the "May 2021 Manual"). The May 2021 Manual is sealed by Trihydro-employed engineers Jason Vreeland, P.E. and David B. Maxwell, P.E. and contains technical specifications (both general and special) for installation of the generators.¹⁵ This Manual also contains the following description of the generator installation project:

The Project includes the following Work:

Installation of packaged engine generators at five (5) Wells Ranch Phase 2 facility sites. This includes modifications and improvements to existing electrical and SCADA control systems, other associated material and/or equipment installations, and other associated site improvements including site grading and construction of a concrete pad for the generators.

¹⁵ According to Trihydro's transmittal letter sent to the TWDB with the May 2021 Manual, the Manual's contents contain an update in response to prior TWDB inquiries about the generator installation project.

5.23 On July 14, 2021, Trihydro issued a set of plans including electrical plans, for the generator installation project. These plans are stamped “ISSUE FOR BID.” Upon information and belief, Trihydro distributed these plans to contractors for the purpose of soliciting bids to perform installation of the generators. As with generator procurement, Trihydro administered the competitive bidding process by which CRWA selected a contractor to install the generators and construct the attendant Project improvements.

5.24 On July 14, 2021, Trihydro issued another iteration of the Project Manual for generator installation (the “July 2021 Manual”). Like the May 2021 Manual, this version is sealed by Trihydro-employed engineers Jason Vreeland, P.E. and David B. Maxwell, P.E.

5.25 The July 2021 Manual includes “*Addendum No. 1*” from Jason Vreeland P.E. addressed to “Plan Holders for Wells Ranch Phase 2 Generator Installation” together with revised Plan Sheets and Contract Documents sections. Each of the revised plan sheets (Sheet Nos. 4, 6, 8, 10, 17, and 18) are dated July 14, 2021, bear the engineering seal of David B. Maxwell, P.E., and are stamped “ISSUE FOR BID.” The notes on these plan sheets – all of which relate to the design and layout of electrical components of the project -- indicate that the design was performed by “DBM” and checked by “JV.”

5.26 On July 19, 2021, CRWA entered into a Generator Procurement Contract (the “Procurement Contract”) with Loftin Equipment Co. The Procurement Contract provided for delivery of eight (8) industrial diesel-powered generators as specified by Trihydro.

5.27 On September 16, 2021, CRWA entered into a stipulated price construction contract with the successful bidder, Shannon-Monk, Inc. (the “Contractor”). As part of its contract to perform construction services related to generator installation, the Contractor also agreed to accept an assignment of the Procurement Contract.

5.28 Notably, CRWA's contract with the Contractor (which was supplied and largely negotiated by Trihydro) identifies Trihydro as the "Project Engineer" and provides a detailed scheme for Trihydro's review and oversight of the work on the Project and function as CRWA's representative.

5.29 On March 3, 2022, CRWA issued its Notice to Proceed to the Contractor, with contract periods commencing to run on March 7, 2022 and requiring Substantial Completion of the Contractor's work 200 days thereafter.

5.30 On March 8, 2022, Trihydro issued a set of plans, including electrical plans, for the generator installation project. These plans are stamped "ISSUE FOR CONSTRUCTION" and bear the engineering seal of Trihydro employee Jason Vreeland, P.E. on the Title Sheet and Sheets 1 -3, 5, 7 and 9. They bear the engineering seal of Trihydro employee David B. Maxwell, P.E. on Sheets 4, 6, 8 and 10 - 20. Trihydro disseminated the March 2022 plan set to the Contractor and its electrical subcontractor for use in constructing Projects improvements.

5.31 Between March 2022 and December 2022 the Contractor performed a significant portion of the work on the Project under the supervision of Trihydro as the Project Engineer. This work was directed and governed by the plans and designs prepared by David B. Maxwell, P.E. as described above.

5.32 In accordance with the construction contract, the Contractor submitted to CRWA numerous pay estimates. Each such pay estimate was first submitted by the Contractor to Trihydro, and then forwarded by Trihydro to CRWA with recommendation for payment. Relying upon Trihydro's recommendation, CRWA made payment to the Contractor.

G. GENERATOR PROJECT ELECTRICAL WOES

5.33 In December 2022, it was discovered that the electrical system was, at some Project facilities, insufficient to power block heaters designed to keep the generators from freezing. As undeniably demonstrated by Uri, the optimal and most critical time for generators to start and operate is during cold periods.

5.34 Trihydro's Design and Specification Documents and the specifications for the generators that Trihydro sourced through the Procurement Contract expressly call for block heaters. Yet, the electrical design was insufficient to power the heaters purchased by CRWA.

5.35 Close analysis of the block heater design deficiencies led to additional concerns about the overall electrical design, including whether the newly installed components are capable of managing power loads at multiple project facilities. By the time potential design defects came to light, a significant portion of the Contractor's work had been performed and preparations were underway for final installation and testing of the generators.

5.36 CRWA made Trihydro immediately aware of its concerns and requested a meeting to discuss them. A meeting was initially scheduled for December 2022, but in the days leading up to such meeting, Trihydro informed CRWA that Mr. Vreeland (the Project Engineer) would not attend. However, on December 15, 2022, Mr. Vreeland delivered a Memorandum to CRWA which specifies Trihydro's methodology for calculating the power requirements for the generator project and states that block heaters for use to prevent the generators from freezing "were not anticipated in the design."

5.37 Representatives of CRWA and Trihydro met in January 2023, and on February 22, 2023, Trihydro provided CRWA with an "Engineering Response" and "Generator Sizing Review." These documents were transmitted under cover of correspondence from Mr.

Vreeland in which Trihydro acknowledged that “the load from the block heaters was higher than anticipated, therefore the wires from the generators to the panels inside the building are undersized.” This same correspondence suggested a “Change Order” to increase wire and breaker sizes.

5.38 Based upon Trihydro’s December 15, 2022 Memorandum, together with inconsistencies and inaccuracies in Trihydro’s statements made during the January 2023 personal meeting, the undersigned counsel for CRWA engaged S. Kanetzky Engineering, LLC (“SKE”) to review the Design and Specification Documents prepared by Trihydro and the work performed by the Contractor.

5.39 On April 7, 2023, SKE issued a report of its evaluation,¹⁶ which included the following conclusions:

- all automatic transfer switches (“ATS”) but one installed at the project facilities (and specified in Trihydro’s design) are undersized and must be replaced;
- All feeders to and from the Main Breaker/Generator/Automatic Transfer Switch must be replaced.

5.40 SKE subsequently prepared an Opinion of Probable Construction Costs which estimated demolition, repair and replacement costs well into the seven-figure range. CRWA formally presented its claim to Trihydro on April 19, 2023 and has, since that time, attempted unsuccessfully to resolve this matter without resort to litigation.

5.41 As a result of the deficient design, project supervision and general negligence and incompetence of Trihydro as described herein, CRWA has expended more than \$1,000,000.00 of public funds on improvements that are: (a) incapable of operating the Project at fully capacity without risk of failure or damage; (b) ineffectual in achieving

¹⁶ The Report was produced prior to commencement of this action and bears the following Bates Labels: CRWA 000029 – CRWA 00090.

compliance with the SB 3 emergency preparedness mandate; (iii) in need of repair and replacement at a cost approximating \$4,000,000.00.

5.42 CRWA brings this action seeking to recover damages resulting from Defendants' acts and omissions as described herein.

VI. CAUSES OF ACTION

A. PROFESSIONAL NEGLIGENCE (BOTH DEFENDANTS)

6.01 Defendants' services to CRWA in connection with the Wells Ranch Phase 2 generator project arise out of the performance of professional engineering services, within the meaning of Section 1001.003 of the Texas Occupations Code. More specifically, Defendants undertook to design plans and specifications for the Project, including design of electrical plans.

6.02 Applicable standards of care for engineering services in central Texas dictate that performance of this work required Defendants to properly calculate electrical loads, coordinate breakers, specify appropriately sized and rated components for the supply of electricity to the Project facilities, and otherwise reasonably apply specialized knowledge and judgment in the design of CRWA's civil works project. The RULES CONCERNING THE PRACTICE OF ENGINEERING adopted by the Texas Board of Professional Engineers also contain applicable standards of care and competency which governed Defendants' services in connection with the Project.

6.03 Defendants breached certain of the Rules and, more generally, the applicable standard of care of licensed professional engineers by preparing and delivering defective electrical design plans and specifications, delivering such defective documents to CRWA

and the Contractor, failing properly size wires, ATS, conductors and other components of the electrical project.

6.04 Defendant, Maxwell, also breached the applicable standard of care by performing electrical engineering design services for which he was not competent or qualified to perform adequately. Maxwell is not an electrical engineer, and neither is Jason Vreeland, P.E.

6.05 Trihydro was negligent in directing or allowing Maxwell to prepare electrical engineering designs for the project, and in placing Vreeland in the role of reviewing and approving the engineering plans prepared by Maxwell. Vreeland is equally unqualified by education or experience to prepare or review electrical designs, as is evidenced by his failure to identify and rectify the design deficiencies that Maxwell incorporated into such plans.

6.06 To the extent that Defendants contend that the Contractor's work is non-compliant with the Plans and specifications, Defendants were negligent in approving such work, and recommending that CRWA make payment upon work that was either defective or deviated from the specifications. CRWA believed and relied upon such recommendations in issuing eleven (11) progress payments to the Contractor.

6.07 CRWA has suffered significant damages as the result of Defendants' negligence in the performance of engineering services.

B. NEGLIGENT SUPERVISION (TRIHYDRO ONLY)

6.08 At all times material to the project, both Maxwell and Vreeland were acting as employees, agents and servants of Trihydro. Accordingly, Trihydro maintained an independent duty to supervise their professional activities, but breached this duty.

6.09 Rule 137.59(a) of the Texas RULES CONCERNING THE PRACTICE OF ENGINEERING mandates that Engineers practice only in their areas of competence. CRWA alleges that David B. Maxwell, P.E. was and is incompetent to perform the electrical engineering design for the Project, and that he was, therefore prohibited from performing all phases of the project's engineering assignment pertaining to design of electrical components.

6.10 As Maxwell's employer, Trihydro maintained the duty to adequately supervise and manage Maxwell's engineering activities, and to forbear from directing him to perform engineering assignments for which he is not qualified by education or experience to perform adequately and competently. This includes all electrical design functions that Maxwell performed in connection with the generator project. Trihydro failed to properly supervise Maxwell's activities, including by permitting an equally unqualified engineer to review his deficient plans and designs.

6.11 Trihydro either ignored or failed to recognize Maxwell's lack of qualifications to perform the services he undertook on the project. In either event, Trihydro failed to disclose this incompetency to CRWA, and further failed to adequately staff the project to ensure that qualified licensed professionals, consultants, associates, or employees performed all phases of the assignment outside of Maxwell's area of competence.

6.12 Trihydro's failure to adequately supervise Maxwell's activities on the project has caused CRWA significant harm and damages.

C. BREACH OF CONTRACT (TRIHYDRO ONLY)

6.13 The TH Contract facially purports to be an amendment to the RCE PSA. Assuming without agreeing that this contention is accurate, CRWA shows that there exists an enforceable contract obligating Trihydro to perform engineering services on the Project and in particular in connection with the generator installation assignment.

6.14 CRWA has wholly performed under the parties' agreement, including by making payment in full upon all of Trihydro's invoices. Despite CRWA's performance, Trihydro has breached the contract, to include the applicable duty of care set-forth in Section 6.1 of the RCE PSA.

6.15 CRWA has suffered damages and harm as the result of Trihydro's breach.

6.16 CRWA has also incurred and paid significant attorney's fees and costs for which it seeks recovery under Section 38.001 of the Texas Civil Practices and Remedies Code.

VII. CONDITIONS PRECEDENT

7.1 CRWA has performed all conditions precedent to its right to recover and/or their right to commence this suit, including by making presentment and demand prior to commencing this action.

VIII. COSTS & ATTORNEYS' FEES

8.1 Based on the foregoing acts and omissions of Defendants, CRWA was required to hire legal counsel to protect and vindicate its rights and has incurred substantial legal fees related to the prosecution of this action.

8.2 CRWA seeks and is entitled to an award of all costs and reasonable and necessary attorney's fees incurred by or on its behalf, including all fees necessary in the event of an appeal of this cause to the Court of Appeals and the Supreme Court of Texas.

IX. RULE 193.7 NOTICE

9.1 Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, CRWA hereby furnishes notice to all parties that any party's production of documents in response to written discovery authenticates the document produced and such document may be used against the producing party at any pretrial proceeding and/or at the trial of this matter without the necessity of authenticating the document(s).

DEMAND FOR REQUIRED DISCLOSURES

Pursuant to TEX. R. CIV. P. 194, Defendants must, without awaiting a discovery request, provide to the other parties the information or material described in Rule 194.2, 194.3, and 194.4. at or within 30 days after the filing of the first answer. Copies of documents and other tangible items must be served with the response at the offices of the undersigned attorney for CRWA.

PRAYER

WHEREFORE, Premises Considered, CANYON REGIONAL WATER AUTHORITY prays that Defendants, TRIHYDRO CORPORATION and DAVID B. MAXWELL, P.E., be cited according to law to appear and answer herein; and that upon notice and a hearing the Court adjudge against Defendants, jointly and severally, and in favor of CRWA, damages in an amount within the jurisdictional limits of this Court and adjudge against the Defendants reasonable attorney's fees, expert fees and court costs, together with prejudgment and post-judgment interest at the highest lawful rate. CRWA further prays for all relief to which it may be entitled either at law or in equity.

Respectfully Submitted,

RL WILSON LAW FIRM

16607 Blanco Road, Ste. 501

San Antonio, TX 78232

Telephone (210) 223-4100

Facsimile (210) 223-4200



By: Trey Wilson

SBN: 50511773

Email: trey@sa-law.com

Christopher L. Sabala

SBN: 24090366

Email: csabala@sa-law.com

Attorneys for Plaintiff,

Canyon Regional Water Authority

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

CERTIFICATE OF MERIT
[Texas Civil Practice & Remedies Code § 150.002]

Before me, the undersigned authority, did personally appear Steve L. Kanetzky, P.E., who, after being sworn upon his oath did state and depose as follows:

“My name is Steve L. Kanetzky. I am over the age of twenty-one, have never been convicted of a felony, and am fully competent to make this Affidavit and Certificate of Merit. All statements contained in this Affidavit is true and correct and based on my personal and actual knowledge.

I am a licensed professional engineer in the State of Texas, holding license number 84696, which was issued to me by the Texas Board of Professional Engineers and Land Surveyors on February 5, 1999. My principal engineering discipline is electrical engineering.

I am the principal of S. Kanetzky Engineering, L.L.C. and am actively engaged in the practice of electrical engineering in the State of Texas. A regular part of my engineering practice involves design of large-scale electrical projects. My current resume is attached hereto as “*Exhibit A.*”

I have been engaged by the attorney for Canyon Regional Water Authority (“CRWA”) to review the engineering plans and specifications, as well as the Project Manual, and Submittals pertaining to the CRWA Wells Ranch Phase 2 Generator Installation Project (the “Project”). Each of these documents were drafted, created and/or sealed by David B. Maxwell, P.E. and/or Jason Vreeland, P.E. of Trihydro Corporation.

I have also reviewed the following documents in connection with my investigation and analysis of the Project:

- Original design/bid/issue for construction drawings by Trihydro dated March 8, 2022
- Automatic Transfer Switch (ATS) submittals
- Generator submittals
- Lofton proposal dated April 30, 2021
- Lofton Packaged Engine Generator compliance.
- Letter from Trihydro to John Kaufman with CRWA dated December 15, 2022
- Meeting Minutes on Generator Block Heaters and ATS
- 2020 National Electric Code (NEC)

I have also reviewed reports prepared by Trihydro's consultants, Grubb Engineering, Inc. and Dennis L. Rasco, P.E. of Rimkus.

In addition, I have conducted two (2) personal inspections of the following facilities comprising the Project: Wells Ranch Water Treatment Plant, Wagner Booster Station, Leissner Booster Station, Dead Man Well, and Deer Stand Well.

My review, analysis and inspection as described above, together with my knowledge, skill, experience, education, training and practice as an electrical engineer, form the basis for my testimony and opinions as set-forth in this Certificate of Merit. Further detail of my opinions set-forth below are contained in my Generator Report dated April 7, 2023, a copy of which is attached as "*Exhibit B.*"

CRWA has asserted claims against Trihydro and David B. Maxwell, P.E. relating to their provision of engineering services related to the Project. The claims are for Negligence, Negligent Supervision and Breach of Contract. It is my opinion that each such claim is meritorious and none of them are frivolous. My specific opinions related to each of those claims is as follows:

1. NEGLIGENCE.

Trihydro and David B. Maxwell, P.E. engaged in professional negligence in connection with the engineering services provided to CRWA associated with the Project. Trihydro assigned or permitted Maxwell to perform the electrical design and specifications. Maxwell is not an electrical engineer, and the State's roster of public engineers indicates that he is a mechanical engineer. Maxwell was and is not qualified by his education or experience to competently or adequately prepare electrical design specifications for the Project, but did so.

Maxwell's electrical designs and specifications are defective in many respects, and these defects render Maxwell's engineering services outside the standard of care for professional engineers in Texas. Maxwell's deficiencies include (but are not limited to) undersizing Automatic Transfer Switches in most Project facilities, improperly sizing all feeders to and from the Main Breaker/Generator/Automatic Transfer Switch, improperly designing the location of automatic transfer switches relative to main breakers ("line" vs. "load" side), undersizing feeder conductors, failing to properly calculate and implement loads, and failing to specify proper grounding.

Maxwell's deficient design resulted in excessive Project costs through purchase of improperly sized materials and resulted in a threat to the safe operation of the Project facilities at full capacity.

Trihydro was also negligent in failing to disclose to CRWA that Maxwell was unqualified to perform the electrical engineering design that he performed, and in failing to staff the project with engineers that were competent and qualified to adequately prepare these services.

2. NEGLIGENT SUPERVISION

The documents I reviewed and my investigation reveal that Jason Vreeland, P.E. was the "Project Engineer." Many of the plan sheets for electrical design indicate that the electrical design for major Project components was performed by Maxwell and reviewed by Vreeland.

The State's roster of public engineers indicates that Vreeland is a civil engineer. Vreeland is not competent or qualified to review or approve electrical designs. Vreeland is not qualified to supervise Maxwell in his design work or to supervise a project whose primary assignment consists of electrical engineering design and installation of electrical improvements.

Trihydro was negligent in permitting Vreeland to supervise Maxwell, and in failing to ensure that Maxwell was supervised by an individual qualified and competent to review and supervise electrical design.

3. BREACH OF CONTRACT

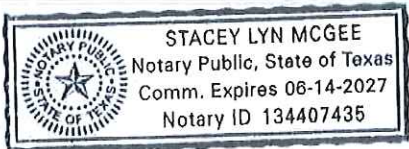
Section 6.1 of CRWA's contract with Trihydro required Trihydro "exercise the same degree of care, skill and diligence in the performance of the Services as is ordinarily possessed and exercised by a professional engineer under similar circumstances." Trihydro breached this obligation because other professional engineers under the same circumstances would have ensured that the person who performed the design services called for by the contract would have been competent and qualified.

Signed on February 12, 2024

Steve L. Kanetzky
Steve L. Kanetzky

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

Before me, the undersigned notary, on this day personally appeared Steve L. Kenetzky, P.E., known to me to be the person whose name is subscribed to the above instrument, and signed under oath before me, on the 12th day of February, 2024.



Stacey Lyn McGee
NOTARY PUBLIC, STATE OF TEXAS



PROJECT STATUS REPORTS

PROJECT STATUS REPORT SUMMARY

REPORT DATE

March 7, 2024

PREPARED BY

David Kneuper, P.E. – Utility Engineering Group

CRWA GIS SYSTEM STATUS SUMMARY

Since the last project status report to Canyon Regional Water Authority (CRWA), the Global Positioning System (GPS) field verification data collection continues. As of the date of the preparation of this report, field verification data collection for portions of the Mid-Cities Transmission Main Phase IIb from IH-10 and Loop 1604 to FM 725 and Lakeside Pass have been completed. Currently, 30-35% of the field verification work has been completed. The anticipated completion date of the field verification work is 4/26, which is approximately 15 weeks from the field verification kick-off meeting that was held on 1/9. Below is a location map showing the assets to be field verified (cyan) and the current progress (green):



The project base scope of services is complete pending the additional Hays Caldwell transmission main system final as-built uploads. Currently, \$68,111.25 (59%) of the Phase 4 overall total budget (\$114,807.50) has been invoiced. Presently, there are no current issues or associated risks with the project.

TXDOT/CRWA IH-10 (SANTA CLARA & ZUEHL) TRANSMISSION LINE ENCASEMENT STATUS SUMMARY

The project includes the addition of approximately 150 LF of steel split casing on the existing CRWA transmission main at Santa Clara Road and the relocation and encasement of approximately 200 LF of the transmission main at Zuehl Road. The project is required due to the reconstruction of the two intersections by the Texas Department of Transportation (TxDOT) with their IH-10 expansion project.

Since the last project status report, the project pre-construction meeting was held on 2/27. The project Notice-to-Proceed has been issued for 2/29, giving the Contractor 120 calendar days to reach Substantial Completion and 150 calendar days (total) to reach Final Project Completion. The Contractor expects material deliveries to begin 3/5. The Contractor will start work at the Santa Clara intersection, installing the project split casing. Work at the Zuehl intersection will be dependent on the pipeline material delivery schedule and coordination with CRWA on timing of the tie-ins.

The contract amount is currently \$541,424.21, which includes the original bid and approved Change Order's No. 1 and No. 2, all of which are fully reimbursable. Presently, there are no current issues or associated risks with the project.

TXDOT/CRWA FM 1518 TRANSMISSION LINE RELOCATION STATUS SUMMARY

The project includes the offset and bore of a new section of 30-Inch CRWA transmission main, approximately 250 LF, across FM 1518 at the intersection with Lower Seguin Road. The project is required due to the TxDOT widening of FM 1518 and associated drainage improvements. The TxDOT standard utility agreement was approved by the Board of Trustees on 5/8/23 and executed by TxDOT on 5/16/23.

Since the last project status report, a second TxDOT field pre-construction meeting was held on 2/6. The project Notice-to-Proceed was issued for 2/13, giving the Contractor 120 calendar days to reach Substantial Completion and 150 calendar days (total) to reach Final Project Completion. Material deliveries started the week of 2/18 with construction starting at the end of February.

With the Notice-to-Proceed issued for 2/13, the Contract Documents give the Contractor 120 calendar days to reach Substantial Completion (6/12). The current construction contract amount is \$731,420.79. Proposed Change Order No. 1 has been provided to CRWA staff for review and includes the removal of the 30-inch gate valve from the project. The lead time for delivery of the valve is currently 36-38 weeks, which conflicts with TxDOT's relocation project schedule. Change Order No. 1 is a deduct change order in the amount of (\$106,537.24), lowering the contract value to \$624,883.55. The project is not fully reimbursable, based on the approved Standard Utility Agreement with TxDOT and proposed Change Order No. 1, approximately \$125,101.69 (20.02%) would be reimbursable. Presently, there are no current issues or associated risks with the project.

WATER SYSTEM STANDARDS & TECHNICAL SPECIFICATIONS DEVELOPMENT STATUS SUMMARY

The project includes the preparation, review, and finalization of a new set of water system standards, technical specifications, and forms. The proposed water system standards are limited to CRWA's facilities related to the water transmission main system.

Since the last project status report to CRWA, UEG has revised the draft water system details based on CRWA comments. Additionally, UEG finalized work on the draft water system technical specifications, submitting the updated details and draft specifications to CRWA on 2/16.

Currently \$19,057.50 (77%) of the total project budget (\$24,760) has been invoiced. Presently, there are no current issues or associated risks with the project.



13750 San Pedro Ave.
Suite 350
San Antonio, TX 78232
TEL 210.447.6250

www.GarverUSA.com

Canyon Regional Water Authority Lake Dunlap WTP Membrane Evaluation

To: Randy Schwenn, General Manager
Canyon Regional Water Authority

From: Greg Swoboda, PE

Date: March 7, 2024

RE: Lake Dunlap WTP Membrane Evaluation
Project Status Report

Below is a status update for the Lake Dunlap WTP Membrane Evaluation.

Garver has performed the following critical activities:

1. Coordination with CRWA Staff.
2. Data Request to CRWA Staff.
3. Receipt of Data thru 3/1/24.
 - a. Nanostone pilot study
 - b. Nanostone Agreement-2018
 - c. LD Monthly Operating Reports
 - d. LD 2023-2024 plant data
 - e. LD Process Control data
4. Review and begin evaluation of the Lake Dunlap WTP data.
5. Coordinated with Mr. Schwenn and held meeting with Nanostone (Aaron Chockla) regarding the previous work that Nanostone conducted with CRWA.
 - a. Nanostone provided 40 module MF Unit design, the report that Black and Veatch prepared about membrane performance at CRWA and an approach to self-perform control system modifications that may be required.
6. Planned Draft Technical Memo delivery is 3/25/24.

Xc: Buddy Boysen, Garver
Jeff Meadows, Garver

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	APPOINTMENT OF A VOTING DELEGATE TO THE TEXAS RURAL WATER ASSOCIATION'S ANNUAL BUSINESS MEETING	CRWA 24-03-003

INITIATED BY

STAFF RECOMMENDATION

Appoint and Approve Randy Schwenn to serve as a Voting Delegate of the Texas Rural Water Association's Annual Business Meeting.

BACKGROUND INFORMATION

FINANCIAL IMPACT

There is no financial impact of this resolution.

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-003

BE IT RESOLVED that Canyon Regional Water Authority Board of Trustees has appointed and approved Randy Schwenn to be the Voting Delegate for the Texas Rural Water Association's Annual Business Meeting.

Adopted this 11th day of March 2024

Ayes 11 Nays 0 Abstained 0 Absent 0

Approved by: _____
Timothy D. Fousse, CPM
President

Certified and attested by: _____
Doris Steubing
Secretary



1616 Rio Grande Street, Austin, Texas 78701-1122
(512) 472-8591 www.trwa.org Canyon Regional
Water Authority

FEB 24 2024

February 5, 2024

Dear TRWA Member Systems,

This year at TRWA's annual RuralWaterCon convention, the Board of Directors is asking members to vote for a bylaws change that would move the deadline for paying membership dues from May 15 to March 31.

The Board recommends members vote "Yes" on the amendment, which will simplify accounting practices and allow the association to better serve members throughout the year by providing an accurate count of member systems earlier. As it stands now, the TRWA systems that pay their dues early in the renewal process, which includes the vast majority of members, effectively subsidize those that delay their payment through May, or even those that decide not to renew and take advantage of nearly half-a-year of free benefits. These late systems are able to take advantage of discounts not just on RuralWaterCon registration in March, but also the Training & Technical Conference in July, which opens for registration in late April, as well as on TRWA trainings and our growing list of member services. Adjusting the date to March 31 still allows systems more than 90 days to renew their membership from when renewal information is mailed out in late December.

Voting will take place during the District Caucuses on the morning of Thursday, March 28. If your system is unable to send a representative to Convention, you can still participate in the TRWA election process by absentee ballot. You can find your 2024 Ballot enclosed with the Proposed Bylaws Amendment, along with your Delegate Certification Form. (Please note that one TRWA district, District 9, will also be voting to select a new director from a slate of candidates.)

We hope to see you at RuralWaterCon this year. Please do not hesitate to contact the TRWA office with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Bruce A. Alexander".

Bruce Alexander
President
Texas Rural Water Association

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	AWARDING DN TANKS FOR A CONTRACT TO PROVIDE CONSTRUCTION SERVICES FOR THE HAYS / CALDWELL WATER TREATMENT PLANT PROJECT	CRWA 24-02-016

INITIATED BY

ARDURRA ENGINEERING

STAFF RECOMMENDATION

Accept and approve Ardurra Engineering's recommendation of DN Tanks as the successful bidder for Construction Services for the Hays / Caldwell Water Treatment Plant Project.

BACKGROUND INFORMATION

The scoring matrix is provided in the packet from Ardurra Engineering.

FINANCIAL IMPACT

This is for the Hays / Caldwell Water Treatment Plant Phase I Improvements. The cost for construction by DN Tanks is \$4,590,000.

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-02-016

BE IT RESOLVED that Canyon Regional Water Authority Board of Trustee's has approved entering into a contract with DN Tanks to provide Construction Services for the Hays / Caldwell Water Treatment Plant Project.

Adopted this 11th day of March 2024

Ayes _____ Nays _____ Abstained _____ Absent _____

Approved by: _____

Timothy D. Fousse, CPM
President

Certified and attested by: _____

Doris Steubing
Secretary

A/E
TIA/K



January 3, 2024

Mr. John Kaufman
General Manager
Canyon Regional Water Authority
850 Lakeside Pass
New Braunfels, TX 78130

**RE: Recommendation of Bid Award for:
Hays/Caldwell Improvements Project
Phase 1 (ID: HC Phase 1)**

Dear Mr. Kaufman:

On December 22, 2023, bid proposals were received for the construction of the above referenced project. The work consists of furnishing all labor, materials, equipment, and incidentals required to construct a 1 Million Gallon Prestressed Concrete Ground Storage Tank and all other necessary appurtenances for a fully functioning facility as described in the Contract Drawings and Specifications.

Two (2) construction firms submitted proposals for this work: DN Tanks and Preload. The proposals were checked for completeness and for mathematical errors and bid irregularities. The proposals ranged from \$4,244,000.00 to \$4,590,000.00. The competitive sealed proposal (CSP) process documented in the bid documents presented the following criteria for determination of best value for the City.

Competitive Sealed Proposal Selection Criteria		
1)	Proposal Price	40%
2)	Offeror-Specified Contract Time	10%
3)	Quality, Reputation, and Ability to Complete Similar Projects on Schedule and Within Budget	25%
4)	Key Personnel	5%
5)	Detailed Schedule and Written Plan to Achieve the Contractor-Specified Contract Time	10%
6)	Safety Record	5%
7)	HUB Record	5%
	Total	100%



Ardurra met CRWA staff met on January 3, 2024, to review proposals and determine scoring of each proposal based on the selection criteria defined above. Based on the selection criteria, the respondent construction firms were ranked as follows.

General Contractor	Best Value Evaluation Total Score
DN Tanks	4.10 equivalent to 82 on a 100-point scale
Preload	3.78 equivalent to 75.5 on a 100-point scale

Based on the evaluation of the proposals, it is recommended that the Canyon Regional Water Authority award the project to DN Tanks to perform the construction of the Phase 1 Improvements Project at the Hays/Caldwell Water Treatment Plant based on the Best Value Criteria, for a total amount of \$4,590,000.00.

We appreciate the opportunity to continue to work with CRWA on this project. If you have any questions, please do not hesitate to contact us at 713-208-9463.

Sincerely,

Yue Sun, P.E., BCEE
Project Director

Evaluation Criteria	Weight	Criteria Definition	Score Determination	DII Tanks			Preload		
				Review of Proposal	Raw Score	Weighted Score	Review of Proposal	Raw Score	Weighted Score
1) Proposal Price	40%	Points for Proposal Price shall be based on prices submitted by Offerors. The lowest responsible Offeror's Proposal Price determines the baseline.	5 = Lowest Base Bid 1 = >5% - <10% above the Lowest Base Bid 3 = >10% - <15% above the Lowest Base Bid 2 = >15% - <20% above the Lowest Base Bid 1 = >20% above the Lowest Base Bid 0 = Non-responsive or does not meet minimum Expectations	\$4,59 M, 7.5% above the Lowest Base Bid Item	4.5	1.80	\$1,241M, Lowest Base Bid	5	2.00
2) Offeror-Specified Contract Time	10%	Evaluation of Offeror-Specified Contract Time shall be based on the difference in days between the Offer-Specified Contract Time and the Offeror-Specified Contract Time.	5 = Exceeds Expectations 4 = Above Expectations 3 = Meets Expectations 2 = Does not quite Meet Expectations 1 = Does not meet Expectations 0 = Non-responsive or does not meet minimum Expectations	Contract time of 364 days.	3	0.30	Contract time of 365 days.	3	0.30
3) Quality, Reputation, and Ability to Complete Similar Projects on Schedule and Within Budget	25%	Points will be awarded to general contractor with specific experience in facilities construction projects of the same or similar type, size, nature and class as the project being proposed. Consideration will be given to the number of years of experience, which an offeror has. The Owner will evaluate the projects submitted per 12.1.1.1 to determine relevancy to the specified scope of this Project and review the Offeror's performance on the submitted projects. The Owner may contact the references provided by the Offeror, as well as any other additional references, as may be necessary to verify the qualifications, experience, and reputation of the Offeror. a. The qualifications and experience of the Offeror and Subcontractors, when applicable, will be evaluated to determine if the Offeror's Proposal is responsive. b. If an Offeror or Subcontractor fails to meet the minimum qualifications, the Offeror's Proposal will be deemed non-responsive and will be disqualified.	5 = Exceeds Expectations 4 = Above Expectations 3 = Meets Expectations 2 = Does not quite Meet Expectations 1 = Does not meet Expectations 0 = Non-responsive or does not meet minimum Expectations	Provided more in depth information about each of the 5 projects. All 5 project costs did not vary significantly from Original Contract Cost vs. Final Contract Cost (not 3% on average). All 5 projects were either 1 or 1.2 MG GSTs. The proposal shows an overall better tracking record of project experience.	4	1.00	Provide significant detail for 3 projects and standard details for the last 2. Two of the projects did not vary significantly in price, one of them varied about 3% (0.99% on average). The 5 projects provided were for an 8.0, 3.0, 8.0, 2.0 and 1.2 MG GSTs.	3	0.75
4) Key Personnel	5%	Key Personnel will be awarded points for the listed role and responsibility that the resume demonstrates with a maximum score of five (5) points for a single team member that demonstrates all desirable characteristics. The scores of the individual team members will then be averaged to determine the score for the Offeror's Key Personnel.	5 = Exceeds Expectations 4 = Above Expectations 3 = Meets Expectations 2 = Does not quite Meet Expectations 1 = Does not meet Expectations 0 = Non-responsive or does not meet minimum Expectations	Project Manager, Scheduler, Manager in Charge of Submittals & RFI Ryan Zanini - All DII Tanks for 7.5 years - Total Work Experience: 7.5 years - Project Manager for 2.5 years - Worked on 14 Projects with Similar Scope as Project Manager - Certifications: OSHA 10 & CPR First Aid Superintendent & Safety Manager: Jesus Meza - All DII Tanks for 18.5 years - Total work experience: 18.5 years - Superintendent for 7.5 years - Worked on 34 Projects with Similar Scope as Superintendent - Certifications: - Crane Signal Person - CPR First Aid - Aerial Scissor Lift - Fall Prevention - Hot Gun - Rigging - Rough Terrain Forklift - ACI Hoistman	5	0.25	Project Manager: Tim Harloran (50% Availability) - 9 years of Type III tank construction experience - 12 years of general construction management experience - At Preload for 10.5 years - 5 listed projects with relevant experience - Certifications: - 30 hour OSHA - 10 hour OSHA - State of IA Construction Supervisor License Superintendent: Cole McCann (100% Available) - 36 years of construction experience - At Preload for 10.5 years - 3 listed projects with relevant experience. - Worked on 5 projects with relevant experience - Certifications: - Forklift Operator - OSHA 10 - OSHA 30 - Aerial Platform Operator - First Aid & CPR	3	0.15
5) Detailed Schedule and Written Plan to Achieve the Contractor-Specified Contract Time	10%	The schedule and plan will be scored according to the criteria listed below. The schedule and plan should clearly show the Critical Path and the means and methods the Offeror will use to achieve Substantial Completion and the Offeror-Specified Contract Time. Scoring will be based on the Offeror's ability to communicate the plan and schedule.	5 = Exceeds Expectations 4 = Above Expectations 3 = Meets Expectations 2 = Does not quite Meet Expectations 1 = Does not meet Expectations 0 = Non-responsive or does not meet minimum Expectations	Detailed schedule and work plan were provided in the submittal. The schedule includes breakdown of major construction phases, critical path items and duration. The work plan outlined anticipated start dates for individual key milestone construction activities that include misc. other scope of work components in addition to the GST construction.	4	0.40	Detailed schedule was provided in the submittal. The schedule includes breakdown of major construction phases, critical path items and duration.	3	0.30
6) Safety Record	5%	The Offeror will award points based on evaluation of the safety documentation provided by the Offeror as required in Specification 00 21 14 - 1.12 A.1-4. Safety documentation for the Offeror and Subcontractors will be evaluated and considered in awarding points for this item.	5 = Exceeds Expectations 4 = Above Expectations 3 = Meets Expectations 2 = Does not quite Meet Expectations 1 = Does not meet Expectations 0 = Non-responsive or does not meet minimum Expectations	Experience modification factor (2023-2020): 0.7011, 160.94. EMF greater than 1. Preload did have a fatal incident in 2020 which was cited by OSHA.	4	0.20	Experience modification factor (2023-2020): 0.7011, 160.94. EMF greater than 1. Preload did have a fatal incident in 2020 which was cited by OSHA.	2	0.10
7) HUB Record	5%	The Offeror will be evaluated based on the Offeror's proposed Historically Underutilized Business (HUB) commitment. The Offeror's response does not relieve the Offeror from turning in required HUB forms within the required time frame. Failure to provide the required forms by the required time will render the Offeror's Proposal non-responsive and the Proposal will not be considered.	5 = Exceeds Expectations 4 = Above Expectations 3 = Meets Expectations 2 = Does not quite Meet Expectations 1 = Does not meet Expectations 0 = Non-responsive or does not meet minimum Expectations	DII Tanks provided a letter outlining how they achieve HUB Plan revisions in the past and their plan moving forward in this project.	3	0.15	Preload sent email regarding subcontracting to meet the 11.2% participation of HUBs requirement. Also provided all HUB vendors that reached out looking to work on the project.	3.5	0.18
Total - Base Bid Item	100%					4.10			3.78
Total Score on a 100-Point Scale						82.00			75.50

Note: 1. Experience modification factor (EMF) is a numerical representation of claims history. It is the ratio of the costs of company's actual workers' compensation claims compared to the expected costs for companies of similar size in the same industry. It can be either above or below the industry average of 1.0. Above 1.0 means the claim history is worse than the industry's average for workers' compensation insurance while below 1.0 means it is better.

Canyon Regional Water Authority

Hays/Caldwell WTP
Phase 1 Improvements

Bid Tabulation



BID ITEM NO.	ITEM DESCRIPTION	UNIT	UNIT QTY.	DN Tanks		Preload	
				UNIT PRICE PER ITEM	TOTAL COST PER ITEM	UNIT PRICE PER ITEM	TOTAL COST PER ITEM
1	Mobilization, Bonds and Insurance (not to exceed 5% of Total Bid Amount)	LS	1	\$ 225,000.00	\$ 225,000.00	\$ 210,000.00	\$ 210,000.00
2	Installation of Stormwater Pollution Prevention Plan (SWPPP) control measures to comply with requirement of the SWPPP including furnish all materials and incidents.	LS	1	\$ 61,500.00	\$ 61,500.00	\$ 30,000.00	\$ 30,000.00
3	Construction of New 1-Million Gallon Prestressed Concrete Ground Storage Tank, tank foundation and site preparation, tank isolation valves and appurtenances, yard piping and valves, associated electrical, instrumentation control and SCADA integration, and start-up and testing planning and execution including all coordination of testing, startup planning and coordination, and successful startup, testing and acceptance of new and modified systems as shown on the Drawings and specified herein.	LS	1	\$ 4,112,300.00	\$ 4,112,300.00	\$ 3,849,500.00	\$ 3,849,500.00
4	Miscellaneous site civil improvements including demolition, erosion control, site restoration, paving, grading, drainage, fencing, hydromulching and seeding as shown on the Drawings and specified herein..	LS	1	\$ 186,700.00	\$ 186,700.00	\$ 150,000.00	\$ 150,000.00
5	Furnish all labor, equipment, materials, tools and professional engineer's services to provide trench safety (all depths and pipe sizes) in accordance with all applicable City, State and Federal laws, ordinances, rules and guidelines, complete in place.	LF	450	\$ 10.00	\$ 4,500.00	\$ 10.00	\$ 4,500.00
Total Lump Sum Base Bid Prices					\$4,590,000.00		\$4,244,000.00

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	RECOMMENDATION OF THE GENERAL COUNSEL SELECTION COMMITTEE	CRWA 24-03-005

INITIATED BY

GENERAL COUNSEL SELECTION COMMITTEE

STAFF RECOMMENDATION

Accept and approve the authorization of the board President and Special Counsel for CRWA to enter into negotiations with Langley & Banack, Inc. concerning a contract to provide terms and conditions of retention of Langley & Banack, Inc. as CRWA's General Counsel.

BACKGROUND INFORMATION

Louis Rosenberg is retiring, and Canyon Regional Water Authority is seeking a legal counsel to replace Mr. Rosenberg.

FINANCIAL IMPACT

There is no financial impact at this time.

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATIONS

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-005

BE IT RESOLVED that the Board President and Special Counsel have been accepted and approved to enter into negotiations with Langley & Bannack, Inc.

Adopted this 11th day of March 2024

Ayes _____ Nays _____ Abstained _____ Absent _____

Approved by: _____
Timothy D. Fousse, CPM
President

Certified and attested by: _____
Doris Steubing
Secretary

To: Tim Fousse, President, Board of Trustees, Canyon Regional Water Authority

From: Clint Ellis, Chair, Legal RFQ Evaluation Committee

CC: Executive Committee Members, Legal RFQ Evaluation Committee Members, Interim General Manager, CRWA Special Counsel

Date: February 29, 2024

Re: RFQ Evaluation Results and Recommendation Concerning General Counsel

Mr. Fousse,

You tasked me and other members of the Legal RFQ Evaluation Committee with evaluating the firms responding to CRWA's RFQ concerning legal representation. The Authority received five responses to the RFQ. These respondents were the Law Offices of David Ross, Kemp Smith Law, Langley and Banack Inc., Bickerstaff Heath Delgado Acosta LLP, and Denton Navarro Rocha Bernal & Zech, P.C.

All responding firms are qualified to serve as general counsel to CRWA. Based upon listed firm resources, and what the committee perceived as existing conflicts with CRWA member entities, three firms were selected to be interviewed by the committee, Kemp Smith Law, Langley and Banack Inc., and Bickerstaff Heath Delgado Acosta LLP.

After conducting the interviews, the attending committee members agreed unanimously that Langley and Banack Inc. is the preferred choice to be selected as the next general counsel. Of the three interviewed firms, Langley and Banack has the best combination of experience providing general counsel services to entities like CRWA, local firm resources, and limited possible conflicts. The proposed lead attorney for CRWA from Langley and Banack, Ruben Barrera, possesses a wide range of experience in municipal, water, and other areas of the law that will prove instrumental in helping guide CRWA through the complex set of challenges it faces.

If you or any other members of the Executive Committee, or the Board of Trustees as whole, has questions or would like further information regarding this committee's recommendation of Langley and Banack, I would be happy to meet with you and address them.

Sincerely,

Clint Ellis, Springs Hill WSC/CRWA Trustee

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	REVISION TO THE CRWA PROCUREMENT POLICY	CRWA 24-03-006

INITIATED BY

TED GIBBS

STAFF RECOMMENDATION

Accept and approve the amendment to section 7 of the Procurement Policy modifying the financial thresholds for Tier II and Tier III purchases, and to add language that indicates the Procurement Policy will change automatically to conform to changes in applicable law.

BACKGROUND INFORMATION

FINANCIAL IMPACT

None

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-006

BE IT RESOLVED that the amendment to Section 7 of the Procurement Policy was accepted and approved by the Canyon Regional Water Authority Board of Trustees.

Adopted this 11th day of March 2024

Ayes ____ Nays ____ Abstained ____ Absent ____

Approved by: _____
Timothy D. Fousse, CPM
President

Certified and attested by: _____
Doris Steubing
Secretary

All purchases are typically paid via the regular accounts payable process, which includes receipt of an authorized, properly coded invoice.

Purchases made through an approved cooperative purchasing program are compliant with the competitive bidding requirement. For additional information on cooperative purchasing programs, please contact the Authority's Finance Manager.

Documentation of purchases of goods or services (except for professional services) must be provided to the Finance Manager through a PO submitted by a Department Manager. The PO should specify project name, unit price, item description, quantity of an item, and all other obligations and conditions related to the purchase. The PO encumbers the funds from the budgeted line item. Documentation is based on a purchase threshold, which ranges from \$500.00 up to \$25,000.00; \$25,000.00 up to \$75,000.00; and \$75,000.00 or more.

7.1 TIER I Purchases

Tier I purchases from \$500.00 up to \$25,000.00 require a PO to ensure that funds are adequately encumbered.

7.2 TIER II Purchases

Tier II purchases between \$25,000.00 and \$75,000.00 require the following:

- A PO before the purchase is made. This is to ensure the availability of funds. The PO must be approved and signed by the Authority's Finance Manager, or designee.
- A best effort to get three (3) formal, written quotes to document competitive selection. Written quotes must be supplied directly by the vendor, clearly identifying the vendor's contact information, the item, and the quoted price. A verbal quote does not meet this criterion.
- Purchases made through an approved cooperative purchasing program and approved by the Authority's Board of Trustees through Resolution are considered exempt from the bidding requirement.

7.3 TIER III Purchases

Tier III purchases of \$75,000.00 and higher require the following:

- A PO before the purchase is made or final contract is executed.
- The Authority must advertise the letting of the contract in at least one newspaper of general circulation within the territory of the Authority.
- The advertisement must include general conditions, time, and the place where the sealed bids will be opened. The advertisement must be published once a week for two consecutive

weeks before the date the bids are opened. The first advertisement publication must be published at least fourteen (14) days before the date of the opening of the sealed bids.

- Proposals may not be subdivided to avoid advertising requirements.

7.4 Payments That Do Not Require a PO

Payments for which a PO shall not be required, include but are not limited to the following:

- Recurring utility and chemical costs;
- Recurring fuel costs;
- Recurring insurance costs;
- Travel costs;
- Emergency purchases;
- Time-sensitive equipment repairs or project requirements for which the amount may be unknown;
- Payments under inter-local or inter-agency agreements;
- Payments to other government or quasi-government entities;
- Debt service payments;
- Transfers for investment;
- Payroll liabilities; and
- Other liabilities for which the General Manager may determine appropriate as a general and administrative operating expense pursuant to Government GAAP classifications.

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	MEDIATION OF THE DISPUTE ARISING UNDER THE 2021 RESTATED SUPPLY CONTRACT FOR HAYS CALDWELL	CRWA 24-03-007

INITIATED BY

TREY WILSON

STAFF RECOMMENDATION

The Board will authorize CRWA's Mediation Committee and Special Counsel to participate in mediation concerning the existing disputes related to and arising under the 2021 Restated Water Supply Contract for Hays Caldwell, and delegating authority to the Board President to execute a Mediated Settlement Agreement subject to final ratification of the board of Trustees at its next regular meeting.

BACKGROUND INFORMATION

FINANCIAL IMPACT

None

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-007

BE IT RESOLVED that the CRWA Board of Trustees has accepted and approved the participation of mediation between the Hays Caldwell member entities regarding disputes related to the 2021 Restated Water Supply Contract for Hays Caldwell

Adopted this 11th day of March 2024

Ayes ____ Nays ____ Abstained ____ Absent ____

Approved by: _____
Timothy D. Fousse, CPM
President

Certified and attested by: _____
Doris Steubing
Secretary

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	RECOMMENDATION OF THE GENERAL MANAGER SELECTION COMMITTEE	CRWA 24-03-004

INITIATED BY

GENERAL MANAGER SELECTION COMMITTEE

STAFF RECOMMENDATION

Accept and approve the recommendation of the General Manager Selection Committee and authorize the Board President and Special Counsel for CRWA to enter negotiations concerning an Employment Contract of the General Manager. The Employment Contract will be strictly subject to final ratification by the Board of Trustees at its next regular meeting.

BACKGROUND INFORMATION

The prior General Manager for Canyon Regional Water Authority left employment from Canyon Regional Water Authority. Upon his retirement an Interim General Manager was appointed, Randy Schwenn, while Canyon Regional Water Authority searched and interviewed candidates for the General Manager position. A Committee was formed to review applications and conduct interviews. A candidate was selected and recommended by said committee.

FINANCIAL IMPACT

None at this time

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-004

BE IT RESOLVED that CRWA Board of Trustees as accepted and approved the recommendation from the General Manager Selection Committee to enter into negotiations concerning an Employment Contract.

Adopted this 11th day of March 2024

Ayes ____ Nays ____ Abstained ____ Absent ____

Approved by: _____
Timothy D. Fousse, CPM
President

Certified and attested by: _____
Doris Steubing
Secretary

**CANYON REGIONAL WATER AUTHORITY
BOARD COMMUNICATION**

DATE	SUBJECT	AGENDA NUMBER
03/11/2024	COMMENCEMENT OF LITIGATION CONCERNING THE DISPUTE RELATED TO THE 2021 RESTATED WATER SUPPLY CONTRACT FOR HAYS CALDWELL	CRWA 24-03-008

INITIATED BY THE BOARD DURING EXECUTIVE SESSION AT THE LAST MEETING

STAFF RECOMMENDATION

Accept and approve CRWA's Special Counsel to commence a lawsuit in the Texas State District Court of Guadalupe County, Texas seeking judicial declaration of CRWA's and all contracting parties rights and responsibilities under the 2021 Restated Water Supply Contract for Hays Caldwell. The litigation shall commence only if the mediation of the disputes related to the Hays Caldwell disputes is unsuccessful and the mediator declares an impasse.

BACKGROUND INFORMATION

There have been multiple and competing demands made upon CRWA by the Contracting Parties. Some of these demands request action of CRWA that is not expressly authorized by the Contract language or any existing law. In order to resolve the disputes about the rights, obligations and remedies of CRWA and the other Contracting Parties, CRWA will petition the court for interpretation of the Contract together with recovery of CRWA's costs and attorney's fees.

FINANCIAL IMPACT

MOTION

Motion to approve the following resolution.

CANYON REGIONAL WATER AUTHORITY

RESOLUTION No. 24-03-008

BE IT RESOLVED that the

Adopted this 11th day of March 2024

Ayes ____ Nays ____ Abstained ____ Absent ____

Approved by: _____
Timothy D. Fousse, CPM
President

Certified and attested by: _____
Doris Steubing
Secretary