

## **RULE 9. PROHIBITION AGAINST WASTE**

- A.** Groundwater may not be produced within the District in such a manner as to constitute waste. In the event of a conflict between “Beneficial Use” or “Beneficial Purpose” and “Waste,” “Beneficial Use” or “Beneficial Purpose” shall be subordinate to “Waste.” Producing groundwater for a beneficial use or beneficial purpose but in amounts in excess of the amount reasonably needed for that beneficial use or beneficial purpose is wasteful and prohibited.
- B.** A retail water utility shall account for at least 85% of all groundwater produced. See the Water Loss Audit Manual for Texas Utilities from the Texas Water Development Board for details on **Water Losses** and Non-Revenue Water. Each retail water utility shall compare the amount of groundwater pumped to the amount of water sold, and if the ninety-day rolling average of **Water Losses** exceeds 15% of the total water pumped, that retail water utility must, within 60 days, submit to the District an Action Plan detailing the methods for bringing the system back into compliance. Action plans must include specific operational or repair activities, a commitment to fund the activities, and a timetable. The District will review, and either accept the Action Plan, or return it with comments. A returned Action Plan must be resubmitted within 60 days to the District. Action Plans must provide for a reduction, in the first year, of at least 50% of water loss exceeding 15%, and the remaining 50% excess loss the second year.

Example:

Loss of 25% **Water Losses**

15% Allowable Loss

10% Excess Water Loss to remedy within two years

Year one action plan outlines reductions of 5%

Year two action plan outlines reductions of remaining 5%

To bring Water Supply Company into compliance with Rule 9.B.

Adopted September 17, 2009

Effective November 18, 2009 by Board Order 141

**END OF RULE 9**