

GULF COAST WATER AUTHORITY
RATE ORDER

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

RECITALS

WHEREAS, the Gulf Coast Water Authority (the "Authority"), is a conservation and reclamation district, body politic and corporate and a governmental agency of the State of Texas created and operating under the provisions of Articles 8280-339, Vernon's Texas Civil Statutes, as amended, and

WHEREAS, the Authority is the holder of permits and other rights for the storage, diversion, transport, and withdrawal of water from the Brazos River, Jones Creek, Oyster Creek, Chocolate Bayou, Mustang Bayou, and Hall's Bayou ("Raw Water"); and

WHEREAS, the Authority may establish and adjust the rates for the sale of Agriculture (Ag) water from time to time; and

WHEREAS, the General Manager is also charged by the Board of Directors with authority to make Interruptible Water sales; and

WHEREAS, the Board of Directors has determined it necessary and prudent to adjust its rate for the sale of Ag Water; and

NOW THEREFORE, be it ordered by the Board of Directors of the Gulf Coast Water Authority that:

ARTICLE I
FINDINGS; EFFECTIVE DATE; APPLICABILITY

Section 1.01: Findings. Each of the recitals stated in this Rate Order are hereby adopted as findings of fact of the Board of Directors. All statutory and contractual requirements and conditions have been met for the establishment of fees, rates, and charges under this Rate Order.

Section 1.02: Effective Date: Prior Resolutions or Orders. This Rate Order shall be effective as of March 1, 2016. Any and all previously adopted or stated water rates pertaining to the sale Raw or Treated Surface Water, is repealed and superseded hereby in all respects as of March 1, 2016.

Section 1.03: Applicability. This Rate Order shall be applicable to all sales of AG Water under Ag Water Contracts.

ARTICLE II

DEFINITIONS; INTERPRETATIONS; REFERENCES

Section 2.01: Definitions. In addition to terms defined elsewhere in this Rate Order, and unless the context requires otherwise, the following terms used in this Rate Order shall have the following meanings and, to the extent applicable, shall serve to supplement terms defined elsewhere in this Rate Order:

- (a) "Authority" is defined in the recitals hereto and means and includes the legal successors or assigns of the Gulf Coast Water Authority.
- (b) "Customer Contracts" is defined in the recitals hereto and means.
- (e) "Agriculture Water" (Ag Water) is defined in the recitals hereto and shall mean and include all untreated surface water diverted from Brazos River, Jones Creek, Oyster Creek, Chocolate Bayou, Mustang Bayou, and Hall's Bayou, to which the Authority has rights, powers, and authority under or evidenced by Certificate of Adjudication Nos. 12-5168, 12-5322, and 12-5171, and Water Permit No's 5169 and 5357, as amended, issued by the Texas Commission on Environmental Quality or its predecessors.
- (c) "Water Rate" shall mean the rates set forth in Attachment A hereof applicable to the sale of Water to Ag Water Contract customers.

Section 2.02: Interpretations. The article, section, and subsection headings of this Rate Order are included herein for convenience of reference purposes only and shall not constitute a part of this Rate Order or affect its interpretation in any respect. Except where the context otherwise requires, words imparting the singular number shall include the plural and vice versa. References to an entity refer to the legal successors of such entity, and to the board of directors, officers, or other officials of such entity where appropriate.

Section 2.03: References. Any reference in this Rate Order to a document shall mean such document and all exhibits thereto as amended or supplemented from time to time.

ARTICLE III WATER RATE;

Section 3.01: Water Rates. (a) Unless otherwise agreed in writing, the Water Rate shall be as stated in Exhibit A, attached hereto.

- (a) The various provisions of the Ag Water Contracts, the Addenda, shall govern all matters other than the prevailing rate for the sale of Water, including but not limited to quality, quantity, diversion rates, diversion points, operations, repairs, maintenance, re-sales or exchanges, metering, billing, payment, credits against the Water Rate, collections, late fees, penalties and interest, shortages or water and force majeure, in respect of the sale of Water thereunder.

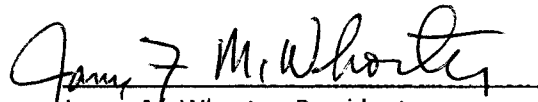
ARTICLE IV

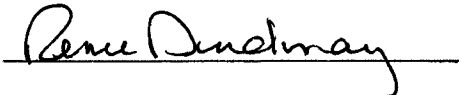
MISCELLANEOUS

Section 4.01: Water Contracts: Addenda:. In the event that any provision of this Rate Order is in conflict with any provision of the Water Contracts, the Addenda, , then the terms and provisions of this Rate Order shall control only with respect to the prevailing Water Rate or Reservation Fee, and the Water Contracts, the Addenda, shall control with respect to any other matter.

Section 4.02: Future Amendments. As determined necessary by the Authority, the Authority reserves the right to amend from time to time: (1) the rates, charges and fees contained in this Rate Order; and (2) any other terms and provisions of this Rate Order.

PASSED AND APPROVED by the Board of Directors on February 18, 2016.


James McWhorter, President

ATTEST: 

(SEAL)



Exhibit A
Ag Water Rates
Gulf Coast Water Authority
2015-2016

Water is only available if sufficient water exists

Price
Per Acre
2016

Rice - First Crop	
First Flush and All Hold Water (2.5 A/F per Acre)	135.88
Each Additional Flush - 20% of Base	27.18

Rice - Second Crop	
Permanent Hold Only - 35% of Base	47.56

Row Crop	
Corn, Milo, Soybeans and Cotton (Current Rice contract with GCWA)	47.56
Each Watering 35% of rice contract base price	

Corn, Milo, Soybeans and Cotton (No Current Rice contract with GCWA)	81.53
Each Watering 35% of rice contract base	

Commercial Water	
Aquaculture/Waterfowl	143.65