

Burleson County MUD #1
200 Shadow Oak Lane
Somerville, Tx 77879

WATER PURCHASE CONTRACT

This contract, for the purchase of water, by and between Burleson County Municipal Utility District No. 1, whose address is 200 Shadow Oak Ln, Somerville, Texas 77879, hereinafter referred to as "Seller", and Birch Creek Recreation Water Supply Corporation, whose address is 107 Lake Drive, Suite 200, Somerville, Texas 77879, hereinafter referred to as "Purchaser" dated January 17, 2023 for the time period of January 1, 2023 to December 31, 2024.

WHEREAS, Seller is a Municipal Utility District water system operating under the laws of Texas and is established in part for the purpose of operating water supply systems serving users in the BCR Water Supply area; and

WHEREAS, Purchaser currently owns and operates a water supply transmission and distribution System in the Birch Creek Estates area.

WHEREAS, Purchaser anticipates the extension of its water supply transmission and distribution system for the servicing of additional users necessitating access to large water sources; and

WHEREAS, Purchaser, in order to service said additional water users, will require a supply of treated water herein defined in paragraph A.

A. WATER SALES

1. Quality and quantity. Seller hereby agrees to provide to Purchaser during the term of this Contract or any renewal or extension thereof, potable treated water meeting applicable purity standards for the State of Texas and the United States of America. Seller's water system well can deliver 440 gallons per minute, comprises of three booster pumps that can deliver 500 gallons per minute each, two 80,000 gallon ground storage tanks, three 8,000 gallon each pressure tanks, a gas chlorination system, and an electronic alternating control panel system. Seller's system has well capacity to supply Purchaser a minimum 2 gallons per minute per connection to each active connection in the Purchaser's system.
2. It is mutually agreed by and between the parties that the maximum daily draft rate will not exceed 100,000 gallons per day which equates to 69.4 gpm per day and the maximum hourly rate will not exceed 24,000 gallons per hour, which equates to 400 gpm.
3. It is also mutually agreed by and between the parties that in the event of a water shortage requiring restriction of the volume of water usage by the various persons or entities served by both Seller's and Purchaser's systems, that the Seller and purchaser shall be required to reduce their water usage proportionally with the proportion of reduction resting with the Seller with the understanding that the Seller will reduce Purchaser and its other commercial users at the same rate of restriction.

B. WATER USAGE:

1. Anticipated Usage. The volumes of water Seller will provide during the term of this Agreement will not be restricted by any volumes unless a water restriction has been placed as referred to in paragraph A.
- C. This Agreement shall be binding upon the parties, their successors, heirs and assigns.

SELLER:

Burleson County Municipal Utility District No. 1
200 Shadow Oak Ln.
Somerville, Texas 77879

Robert C. Ware

Robert C. Ware, President

7-19-2022

Date

PURCHASER:

Physical Address:

Birch Creek Recreation Water Supply
107 Lake Drive – Suite 200
Somerville, Texas 77879

Mailing Address:

Birch Creek Recreation Water Supply
472 Barbara
Somerville, Texas 77879