



Revisions to Water Contracting Forms

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Reasons for Revisions

- Contract forms last revised in 2010.
- Preparing to contract for newly available water from the System Operation Permit
- Addressing other critical issues including:
 - Regulatory requirements
 - Changes in statute
 - State water conditions and
 - BRA operations.



Reasons for Revisions

- Water sold via the System Operation Permit will require specific contractual provisions not applicable to current long-term contracts.
- Texas Commission on Environmental Quality (TCEQ) regulations and changes to state water conditions since 2010 have also necessitated modification to contract terms.
- Ensuring consistency with BRA water sale policy, water sale practices and current statutory language



Revisions in General

The revisions to the water contract forms consist primarily of the following:

- Updates to definitions and provisions to reflect current statutes, BRA water sale policy, and water sale practices;
- Strengthening of remedies available to BRA in case of curtailment, drought or customer default;
- Addition of sections containing provisions either required or related to the System Operation Permit; and
- Other non-substantive edits, such as rearranging or condensing content.



Resolution

The following resolution is presented to the Board of Directors of the Brazos River Authority at its July 29, 2019 meeting:

“BE IT RESOLVED that the Board of Directors of the Brazos River Authority hereby adopts the following revised Brazos River Authority standard water contract forms as presented at its July 29, 2019 meeting, to be effective July 30, 2019: the System Water Availability Agreement form for long-term water; the Interruptible Water Availability Agreement form for interruptible water; and the System Water Availability Agreement form and Interruptible Water Availability Agreement form for agricultural water.”



Brazos River Authority



Brazos

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