

DUKE MUNICIPAL AUTHORITY
RESOLUTION NO. 2026-0917

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE DUKE MUNICIPAL AUTHORITY, A PUBLIC TRUST HAVING THE TOWN OF EAST DUKE, OKLAHOMA AS ITS SOLE BENEFICIARY, DECLARING A WATER SUPPLY EMERGENCY WITH RESPECT TO THE CENTRALVUE WATER SYSTEM, THE AUTHORITY WATER SYSTEM SERVING CUSTOMERS OUTSIDE THE CORPORATE LIMITS OF THE TOWN; ESTABLISHING USER CLASSIFICATIONS AND PROGRESSIVE WATER CONSERVATION STAGES FOR BOTH AUTHORITY WATER SYSTEMS; ORDERING AN EMERGENCY WATER RATIONING PROGRAM; DEFINING EXCESSIVE AND WASTEFUL USE; PROVIDING FOR ENFORCEMENT; DIRECTING NOTICE TO AFFECTED CUSTOMERS; AND PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

WHEREAS, the Duke Municipal Authority (the "Authority"), a public trust having the Town of East Duke, Oklahoma (the "Town") as its sole beneficiary, owns and operates two interconnected public water systems, one serving customers within the corporate limits of the Town (the "Municipal System") and one, known as the Centralvue Water System, serving customers outside the corporate limits of the Town through pasture taps and other connections (the "Centralvue System"), and the State of Oklahoma, including Jackson County and Greer County, is experiencing severe and prolonged drought; and

WHEREAS, the Board of Trustees finds that the wells serving the Centralvue System, which are rated to produce eighty (80) gallons per minute, are presently producing only fifty (50) to fifty-five (55) gallons per minute, a loss of roughly one-third of the production on which the system depends, that the wells and storage serving the Centralvue System are therefore no longer able to produce water at a rate sufficient to meet present demand, and that the Centralvue System is presently unable to sustain the supply of potable water and pressure required for household use, sanitation, and fire protection unless the use of water from the system is restricted; and

WHEREAS, the Authority is authorized by its trust indenture and the laws of the State of Oklahoma to establish and enforce rules governing the use of water furnished by its systems to customers within and without the corporate limits of the Town; and

WHEREAS, the Oklahoma Open Meeting Act defines an emergency as a situation involving injury to persons or injury and damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss, and the Board of Trustees finds that continued use of water from the Centralvue System at present levels would result in injury to persons and injury and damage to public and personal property, and that

the forty-eight (48) hour public notice required for a special meeting would be impractical and would increase the likelihood of such injury and damage, so that this meeting is properly held as an emergency meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE DUKE MUNICIPAL AUTHORITY:

SECTION 1. The Board of Trustees finds and declares that a water supply emergency exists on the Centralvue System.

SECTION 2. For purposes of this Resolution, every account served by the Municipal System or the Centralvue System is classified as follows.

Class A (Domestic Household). A residential account using water primarily for indoor sanitary purposes, domestic consumption, and limited outdoor landscaping.

Class B (Agricultural Livestock). An account, including a pasture tap, using water for the watering of livestock and herd maintenance. A Class B account is subject at every stage to every restriction that applies to a Class A account with respect to household and outdoor use, and in addition to the livestock provisions of this Resolution. At every stage, a Class B user shall check every livestock tank and trough daily and shall water livestock only by means of a hand-held hose attended by the user while the water is running; automatic, float-controlled, or unattended filling of tanks or troughs is prohibited.

Sprayer and Tank Filling. The filling of agricultural sprayers, spray rigs, nurse tanks, water haulers, or other portable tanks from any tap, hydrant, or meter of either system. Sprayer and tank filling is subject to the restrictions of Section 3.

Assignment of Class. The Secretary shall assign each account to the class that most nearly describes its use and may require a Class B account to file a livestock herd inventory with the Authority.

SECTION 3. The following progressive water conservation stages are established. Because the two systems are interconnected, a stage may be declared for both systems together or, where the condition of one system warrants, for that system alone, so that the two systems may be in different stages at the same time. Unless the Board of Trustees otherwise directs, the Chairman, upon the report of the Water Department Supervisor, shall declare that a system has entered or left a stage, shall cause notice of the declaration to be posted at Town Hall and on the website of the Town and delivered to affected customers, and shall report the declaration to the Board of Trustees at its next meeting.

Stage I (Normal). Trigger: standard operating conditions. Class A and Class B accounts shall observe a permanent odd/even outdoor watering schedule under which a property

with an address ending in an odd number may water outdoors only on odd calendar days and a property with an address ending in an even number may water outdoors only on even calendar days; where an address does not permit this schedule to be applied, the Secretary shall assign the account an odd or even designation. Sprayer and tank filling is not restricted.

Stage II (Warning). Trigger: daily production of the system is insufficient to meet daily demand, or well or storage levels fall below the baseline thresholds established by the Water Department Supervisor. Class A and Class B accounts may operate outdoor sprinkler irrigation on no more than two (2) designated days per week under a schedule issued by the Authority, and the washing of driveways, sidewalks, and unpaved areas is prohibited. Class B accounts shall in addition repair any leaking tank, trough, or line within twenty-four (24) hours of discovery. Sprayer and tank filling is not restricted.

Stage III (Critical). Trigger: storage in the system declines on consecutive days because production cannot meet demand, well or storage levels fall below the critical thresholds established by the Water Department Supervisor, or imminent mechanical or electrical failure threatens system storage. Class A and Class B accounts are prohibited from operating automatic irrigation systems or hose-end sprinklers, washing vehicles, and filling swimming pools, and household water use is limited to indoor needs. Class B accounts may in addition maintain essential livestock drinking water only, and all agricultural washing, equipment cleaning, dust control, and other secondary uses are prohibited. Sprayer and tank filling is prohibited.

Stage IV (Supply Failure). Trigger: the system is unable to maintain adequate supply and pressure for household use, or storage in the system falls below the level established by the Water Department Supervisor. In addition to the Stage III restrictions, each Class B account is limited to fifteen (15) gallons of water per day for each mother cow shown on the herd inventory on file with the Authority, for livestock drinking water only, with meters read not less than weekly; and the Chairman may order the discontinuance of all service other than Class A household service and the Class B livestock drinking water allotment upon twenty-four (24) hours' written notice to the affected accounts, and shall report any such order to the Board of Trustees at its next meeting.

SECTION 4. The Board of Trustees declares that the Centralvue System is in Stage IV effective immediately, and that the Municipal System is in Stage I effective immediately. The restrictions of the applicable stage apply to every person and entity receiving water from the respective system, within or without the corporate limits of the Town.

SECTION 5. An account commits excessive and wasteful use, in any stage, by allowing water from an irrigation system, broken pipe, or hose to run continuously into a road ditch, storm gutter, or adjacent property; by failing to repair a known, significant leak on the customer's side of the

meter within forty-eight (48) hours after written notice from the Authority; or by allowing a livestock tank or trough to overflow or a hose to run unattended.

SECTION 6. A violation of the restrictions of the applicable stage or of Section 5 is subject to any applicable penalty ordinance of the Town. In addition, the Authority may disconnect service to an account that violates this Resolution, or in the case of a Class B account may install a flow restrictor calibrated to the livestock drinking water needs shown by the herd inventory on file, after delivering to the customer or posting at the service address a written notice stating the violation, the action the Authority intends to take, and the date, not less than twenty-four (24) hours after the notice, on which the action will be taken unless the violation is corrected, and advising the customer that before that date the customer may request to be heard by the Chairman or the Chairman's designee. Service shall not be reconnected until the customer has paid the reconnection fee established by the Authority and has agreed in writing to comply with this Resolution. Nothing in this Section limits the authority of the Chairman under Stage IV of Section 3.

SECTION 7. The Secretary shall cause written notice of this Resolution, stating the customer's classification, the stage in effect for the customer's system and the restrictions that apply, the consequences of a violation, and the name and telephone number of the Authority official to contact with questions, to be mailed or delivered to every account served by the Centralvue System and every account served by the Municipal System, and shall post this Resolution at Town Hall and on the website of the Town.

SECTION 8. This Resolution shall take effect immediately upon its adoption and shall remain in effect until rescinded or superseded by action of the Board of Trustees.

Adopted and approved this 17th day of September, 2026.

DUKE MUNICIPAL AUTHORITY


Chairman

ATTEST:


Secretary
(SEAL)