

M&H WSC

AFFIDAVIT

THE STATE OF TEXAS §

§

COUNTY OF MCLENNAN §

BEFORE ME, the undersigned authority, on this day personally appeared

Billy R. Larkins, who being duly sworn, upon oath deposes and says:

“My name is Billy R. Larkins. I am over 18 years of age, competent to make this affidavit, and am familiar with the facts herein stated and believe them to be true.

I have complied with the requirements of the Southern Trinity Groundwater Conservation District’s Rules to provide notification by first class mail to landowners, well owners and well operators within one half-mile of the well or wells for which I or the entity I represent seek(s) a Historic Use Production Permit. Such notification was made not less than 10 days before the public hearing scheduled to consider the application for a Historic Use Production Permit **HUPP-2010-013.**”

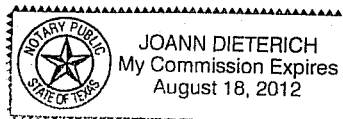
Billy R. Larkins

Affiant

Sworn to and subscribed before me on this 21st day of Sept., 2010.

Joann Dieterich

Notary Public in and for the State of Texas





SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF MCLENNAN, STATE OF TEXAS

HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT:

H & H Water Supply Corporation
192 Old Hallsburg Road
Riesel, Texas 76682
Phone: 254-875-2474

(the "Permittee"), has applied for an Historic Use Production Permit to withdraw and place to beneficial use groundwater from within the District, and that the Board of Directors of the Southern Trinity Groundwater Conservation District ("District") has APPROVED the application as follows:

1 Permit Category

This permit is a **Historic Use Production Permit**.

2 Permit Term

The term of this permit is **perpetual**.

3 Groundwater Source

The source of groundwater is the **Trinity Aquifer**.

4 Annual Groundwater Withdrawal Amounts

Permittee may withdraw groundwater from the Trinity Aquifer for beneficial, nonwasteful use in a manner not to exceed the following volume: **212.7792 acre-feet per calendar year**. This groundwater withdrawal amount has been calculated pursuant to Section 5.211 of the District's rules. It may be subject to proportional adjustment pursuant to Chapter 5, Subchapter B of the District's rules, as may be amended.

5 Purpose of Use

Permittee may use Trinity Aquifer groundwater only for **municipal purposes**.

6 Well Name(s), Location(s), and Maximum Rate of Withdrawal

Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows:

<u>Name</u>	<u>Location (latitude/longitude)</u>	<u>Maximum Flow Rate</u>
Well # 1	N31D 31M 20S / W96D 59M 22S	210
Well # 2	N31D 31M 14S / W96D 59M 04S	210

**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF MCLENNAN, STATE OF TEXAS**

7 Measurement of Amount of Groundwater Withdrawn

Permittee may only withdraw groundwater from a well that has an operating flow meter that meets the requirements of Chapter 8 of the District's rules.

8 Place of Use

Permittee may beneficially use Aquifer groundwater only within the Permittee's wholesale or retail water service area identified in the Certificate of Convenience and Necessity 10016, filed with the Texas Commission on Environmental Quality. Except as provided by 5.401(b) of the District's rules, as may be amended, if the place of use is not within the District's boundaries, Permittee must obtain a groundwater exportation permit from the District prior to the withdrawal of groundwater under the permit.

9 Well Construction, Operation, Maintenance, Closure

The well(s) identified in this permit shall be installed, equipped, operated, maintained, plugged, capped, or closed, as may be appropriate in accordance with the District's rules and all other applicable federal, state, and local laws, including by submitting a copy of a state plugging report to the District within 60 days after capping or plugging any well.

10 Water Conservation

Withdrawals of groundwater are required to be efficiently withdrawn and used in compliance with the District's rules and the District's water conservation plan, as may be amended, and Permittee's plan as approved by the District, as may be applicable.

11 Conveyance to Place of Use

Water authorized by this permit to be produced must be conveyed to the place of use in a manner to prevent evaporation, channel loss by percolation, or waste. Water conveyed greater than a distance of one-half mile from the wellhead where produced must be conveyed through a pipeline.

12 Meters; Alternative Measuring Method

Permittee shall install, operate and maintain the meter or alternative measuring method on the well(s) identified in this permit in compliance with the District's rules and the manufacturer's instructions.

13 Reports

Permittee shall timely file all applicable reports with the District on forms prescribed by the District as required by the District's rules, as may be amended, and other applicable law.

14 Fees

Permittee shall timely pay and remain current on the payment of all applicable fees to the District.

SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF MCLENNAN, STATE OF TEXAS

15 Interruption, Suspension, or Other Limitations Due to Drought

Permittee shall reduce water supply and consumption during times of drought in accordance with the District's rules and the District's management plan and Permittee's plan approved by the District, as applicable.

16 Groundwater Management Plan

Permittee shall withdraw and use groundwater only in accordance with the District's approved groundwater management plan, as may be amended.

17 Water Quality

Permittee shall use diligence to protect the water quality of groundwater in the District and shall comply with the District's water quality rules and take no action that pollutes or contributes to the pollution of groundwater in the District.

18 Transfers and Amendments

Permittee may transfer or amend this permit only in compliance with the District's rules.

19 Permit Review, Renewal or Extension Conditions

Permittee is subject to any review, renewal or extension conditions stated in the permit or the District's rules.

20 Change of Name, Address or Telephone Number

Permittee shall provide written notice to the District of any change of ownership, name of Permittee or the authorized representative, well operator, mailing address or telephone number within 30 days of such change.

21 Inspections by District

Any authorized officer, employee, agent or representative of the District shall have the right at all reasonable times to enter upon lands upon which a well may be located within the boundaries of the District, including the well(s) identified in Paragraph 6 of this permit, for the purpose of inspecting or testing such wells, meters, pumps and the power units of a well or wells, collecting water samples, and making any other reasonable and necessary inspections and tests that may be required or necessary for the formulation or the enforcement of the permits, rules or orders of the District. Permittee has a duty to ensure that the well site is accessible to District representatives for inspection and to cooperate fully in any reasonable inspection of the well(s) and well site by District representatives.

22 Additional Conditions

This permit is issued subject to the requirements of: (1) Chapter 8821, Texas Special District Local Laws Code; (2) Chapter 36, Texas Water Code, as may be amended; and (3) the District's Rules, as may be amended.

**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF MCLENNAN, STATE OF TEXAS**

23 Enforcement

The District retains the right to take any and all enforcement actions within its legal authority to enforce compliance with the terms and conditions of this permit.

24 Continuing Jurisdiction of District

This permit is issued subject to the continuing jurisdiction of and supervision by the District, and may be amended from time to time consistent with applicable law, including if the District learns that any of the information set forth in this permit is incorrect on the date issued.

25 Permit Recordation

Within 30 days of the date of issuance of this approved permit from the District, Permittee shall record this permit with the County Clerk of every county in which the well(s) or place of use are located and provide a copy of the recorded permit to the District.

26 References to Law

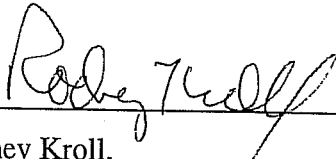
Any reference in this permit to a statute, rule, or other law of any kind, that exists on the date of issuance of the permit includes all subsequent amendments and additions thereto.

27 Other Matters Denied

All other matters requested in Permittee's application that are not specifically granted by this permit are denied. _____

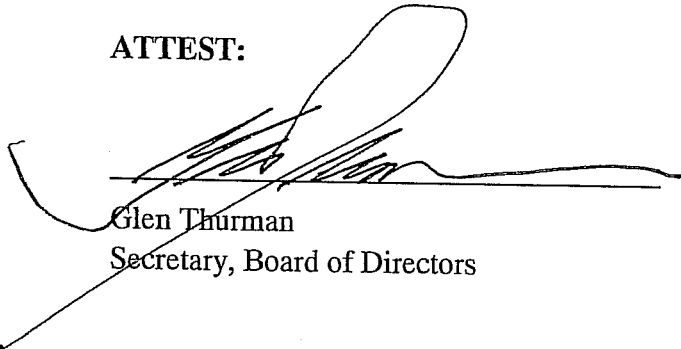
**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF MCLENNAN, STATE OF TEXAS**

THIS PERMIT IS ISSUED, EXECUTED THIS 6th day of October, 2010, by the Board of Directors of the Southern Trinity Groundwater Conservation District.



Rodney Kroll,
President, Board of Directors

ATTEST:

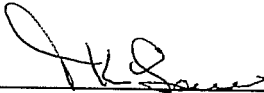


Glen Thurman
Secretary, Board of Directors

ACKNOWLEDGMENT

**STATE OF TEXAS)
COUNTY OF MCLENNAN)**

ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on October 6, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.



Notary Public in and for the State of Texas



AFTER RECORDING RETURN TO:

Tricia Law, General Manager
Southern Trinity Groundwater Conservation District
P. O. Box 2205
420 North 6th Street
Waco, Texas 76703

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

J.A. Andy Harwell

October 15, 2010 11:17:40 AM

2010032262

FEE: \$27.00

J.A. "Andy" Harwell County Clerk
McLennan County TEXAS

Southern Trinity Groundwater Conservation District

P. O. Box 2205

Waco, Texas 76703

Phone 254 759-5610 Fax 254 754-9480 e-mail southerntrinitygcd@att.net

**Notice of Administrative Completeness for
For Historic Use Production Permit (HUPP) Application, Technical Summary, and
General Manager's Proposed Action on Historic Use Production Permit Application**

September 20, 2010

H & H Water Supply Corporation
192 Old Hallsburg Rd.
Riesel, Texas, 76682

RE: Application No. HUPP-2010-013

Please be advised that the Southern Trinity Groundwater Conservation District (the "District") received your Historic Use Production Permit Application. Pursuant to §9.207 of the District's Rules, the District's General Manager has reviewed your application and has determined that the application is administratively complete. The General Manager has conducted a technical review of the application and will recommend to the District's Board of Directors that it consider issuing the Historical Use Production Permit for an annual production of groundwater not to exceed 212.7792 acre-feet. Attached to this letter is a copy of the Technical Summary, the proposed draft permit, and notice of the permit hearing date and location.

Also attached to this letter is a list of names, if any were found by the District, of well owners that may own a well or wells in the Trinity Aquifer that are located within ½ mile radius of the well or wells that you listed in your HUPP application. This list may not be complete, but Rule §9.219(e) requires that you provide by first class mail a copy of the hearing notice to any owner of a well within ½ mile radius of the well or wells that you listed in your HUPP application. The notice(s) must be mailed at least 10 days prior to your hearing date. You are also required to provide to the District, prior to your hearing date, a copy of the attached affidavit regarding your requirement to provide notification by first class mail to landowners, well owners and well operators within one half-mile of the well or wells owned by H & H Water Supply Corporation.

If you have any questions concerning this matter, please call me at (254) 759-5610. Please keep this letter as a permanent record for your file.

Sincerely,



Tricia K. Law, General Manager
Southern Trinity Groundwater Conservation District

- Attachments: 1) Technical Summary
2) Affidavit
3) Draft of Proposed Historic Use Production Permit
4) Notice of Hearing



Technical Review Summary

Well Owner: H & H Water Supply Corporation,
192 Old Hallsburg Rd.,
Riesel, Texas, 76682

Application Summary For HUPP-2010-013:

Aquifer: Trinity

Annual production of groundwater not to exceed: 212.7792 acre-feet

Year of Maximum Historic Use: 2000

Hearing Group: 3

Location of Each Point of Withdrawal:

Latitude/Longitude (NAD83):

N31D 31M 20S / W96D 59M 22S

N31D 31M 14S / W96D 59M 04S

Reasons and Technical Basis for Recommended Action

The applicant submitted documentation other information that, in the opinion of the General Manager, reasonably showed evidence of Historical Use Production from the Trinity Aquifer of 212.7792 acre-feet during the calendar year of 2000.

Proposed Purpose of Use

All groundwater produced under the proposed permit is restricted to Municipal Use within the Applicant's Water Service Area as defined by the Applicant's Certificate of Convenience and Necessity 10016 issued by the Texas Commission on Environmental Quality.

General Manager May Modify Recommendations or Request Additional Information

The General Manager of the District may at anytime modify her recommendations to the Board of Directors regarding the proposed permit or this technical summary or request additional information from the applicant.

Request for Contested Case Hearing

HUPP applicants or affected persons may file a written request for a contested case hearing on the proposed HUPPs with the District by no later than at 9:00 a.m. five days prior to the hearing date. If no timely requests for contested case hearing are filed, the applications will be presented to the District on the date of the hearing for final action.

AFFIDAVIT

THE STATE OF TEXAS

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COUNTY OF MCLENNAN

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BEFORE ME, the undersigned authority, on this day personally appeared _____, who being duly sworn, upon oath deposes and says:

“My name is _____. I am over 18 years of age, competent to make this affidavit, and am familiar with the facts herein stated and believe them to be true.

I have complied with the requirements of the Southern Trinity Groundwater Conservation District’s Rules to provide notification by first class mail to landowners, well owners and well operators within one half-mile of the well or wells for which I or the entity I represent seek(s) a Historic Use Production Permit. Such notification was made not less than 10 days before the public hearing scheduled to consider the application for a Historic Use Production Permit **HUPP-2010-013.**”

Affiant

Sworn to and subscribed before me on this _____ day of _____, 2010.

Notary Public in and for the State of Texas

HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT: H & H Water Supply Corporation
192 Old Hallsburg Rd.
Riesel, Texas 76682
Phone: 254-875-2474

(the "Permittee"), has applied for an Historic Use Production Permit to withdraw and place to beneficial use groundwater from within the District, and that the Board of Directors of the Southern Trinity Groundwater Conservation District ("District") has APPROVED the application as follows:

Permit Category

This permit is a **Historic Use Production Permit**.

Permit Term

The term of this permit is **perpetual**.

Groundwater Source

The source of groundwater is the **Trinity Aquifer**.

Annual Groundwater Withdrawal Amounts

Permittee may withdraw groundwater from the Trinity Aquifer for beneficial, nonwasteful use in a manner not to exceed the following volume: **212.7792 acre-feet per calendar year**. This groundwater withdrawal amount has been calculated pursuant to Section 5.211 of the District's rules. It may be subject to proportional adjustment pursuant to Chapter 5, Subchapter B of the District's rules, as may be amended.

Purpose of Use

Permittee may use Trinity Aquifer groundwater only for **municipal purposes**.

Well Name(s), Location(s), and Maximum Rate of Withdrawal

Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows:

<u>Name</u>	<u>Location (latitude/longitude)</u>	<u>Maximum Flow Rate</u>
Well # 1	N31D 31M 20S / W96D 59M 22S	210
Well # 2	N31D 31M 14S / W96D 59M 04S	210

Measurement of Amount of Groundwater Withdrawn

Permittee may only withdraw groundwater from a well that has an operating flow meter that meets the requirements of Chapter 8 of the District's rules.

Place of Use

Permittee may beneficially use Aquifer groundwater only within the Permittee's wholesale or retail water service area identified in the Certificate of Convenience and Necessity 10016, filed with the Texas Commission on Environmental Quality. Except as provided by 5.401(b) of the District's rules, as may be amended, if the place of use is not within the District's boundaries, Permittee must obtain a groundwater exportation permit from the District prior to the withdrawal of groundwater under the permit.

Well Construction, Operation, Maintenance, Closure

The well(s) identified in this permit shall be installed, equipped, operated, maintained, plugged, capped, or closed, as may be appropriate in accordance with the District's rules and all other applicable federal, state, and local laws, including by submitting a copy of a state plugging report to the District within 60 days after capping or plugging any well.

Water Conservation

Withdrawals of groundwater are required to be efficiently withdrawn and used in compliance with the District's rules and the District's water conservation plan, as may be amended, and Permittee's plan as approved by the District, as may be applicable.

Conveyance to Place of Use

Water authorized by this permit to be produced must be conveyed to the place of use in a manner to prevent evaporation, channel loss by percolation, or waste. Water conveyed greater than a distance of one-half mile from the wellhead where produced must be conveyed through a pipeline.

Meters; Alternative Measuring Method

Permittee shall install, operate and maintain the meter or alternative measuring method on the well(s) identified in this permit in compliance with the District's rules and the manufacturer's instructions.

Reports

Permittee shall timely file all applicable reports with the District on forms prescribed by the District as required by the District's rules, as may be amended, and other applicable law.

Fees

Permittee shall timely pay and remain current on the payment of all applicable fees to the District.

Interruption, Suspension, or Other Limitations Due to Drought

Permittee shall reduce water supply and consumption during times of drought in accordance with the District's rules and the District's management plan and Permittee's plan approved by the District, as applicable.

Groundwater Management Plan

Permittee shall withdraw and use groundwater only in accordance with the District's approved groundwater management plan, as may be amended.

Water Quality

Permittee shall use diligence to protect the water quality of groundwater in the District and shall comply with the District's water quality rules and take no action that pollutes or contributes to the pollution of groundwater in the District.

Transfers and Amendments

Permittee may transfer or amend this permit only in compliance with the District's rules.

Permit Review, Renewal or Extension Conditions

Permittee is subject to any review, renewal or extension conditions stated in the permit or the District's rules.

Change of Name, Address or Telephone Number

Permittee shall provide written notice to the District of any change of ownership, name of Permittee or the authorized representative, well operator, mailing address or telephone number within 30 days of such change.

Inspections by District

Any authorized officer, employee, agent or representative of the District shall have the right at all reasonable times to enter upon lands upon which a well may be located within the boundaries of the District, including the well(s) identified in Paragraph 6 of this permit, for the purpose of inspecting or testing such wells, meters, pumps and the power units of a well or wells, collecting water samples, and making any other reasonable and necessary inspections and tests that may be required or necessary for the formulation or the enforcement of the permits, rules or orders of the District. Permittee has a duty to ensure that the well site is accessible to District representatives for inspection and to cooperate fully in any reasonable inspection of the well(s) and well site by District representatives.

Additional Conditions

This permit is issued subject to the requirements of: (1) Chapter 8821, Texas Special District Local Laws Code; (2) Chapter 36, Texas Water Code, as may be amended; and (3) the District's Rules, as may be amended.

Enforcement

The District retains the right to take any and all enforcement actions within its legal authority to enforce compliance with the terms and conditions of this permit.

Continuing Jurisdiction of District

This permit is issued subject to the continuing jurisdiction of and supervision by the District, and may be amended from time to time consistent with applicable law, including if the District learns that any of the information set forth in this permit is incorrect on the date issued.

Permit Recordation

Within 30 days of the date of issuance of this approved permit from the District, Permittee shall record this permit with the County Clerk of every county in which the well(s) or place of use are located and provide a copy of the recorded permit to the District.

References to Law

Any reference in this permit to a statute, rule, or other law of any kind, that exists on the date of issuance of the permit includes all subsequent amendments and additions thereto.

Other Matters Denied

All other matters requested in Permittee's application that are not specifically granted by this permit are denied.

THIS PERMIT IS ISSUED, EXECUTED THIS 6th day of October, 2010, by the Board of Directors of the Southern Trinity Groundwater Conservation District.

Rodney Kroll,
President, Board of Directors

ATTEST:

Glen Thurman
Secretary, Board of Directors

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF MCLENNAN)

ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on October 6, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.

Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:
Tricia Law, General Manager
Southern Trinity Groundwater Conservation District
P. O. Box 2205
420 North 6th Street
Waco, Texas 76703

NOTICE OF PROPOSED HISTORIC USE PRODUCTION PERMITS AND PUBLIC HEARING

The Southern Trinity Groundwater Conservation District ("District") proposes action on applications for Historic Use Production Permits ("HUPPs"), which would authorize the permittees to withdraw groundwater from the Trinity Aquifer according to the terms and conditions set forth in the permits. A copy of the General Manager's proposed action, the proposed HUPPs and technical summaries are available for public inspection at the District's offices at 420 North 6th Street, Waco, Texas during regular business hours.

The District will conduct a public hearing pursuant to its authority under Chapter 8821 of the Texas Special District Local Laws Code, Chapter 36 of the Texas Water Code and the District's rules, to consider issuance of the proposed HUPPs and to provide interested members of the public the opportunity to appear and provide oral or written comments to the District regarding the proposed permits at the following date, time and place:

Date: Wednesday, October 6, 2010
Time: 9:00 a.m.
Location: City of Woodway, City Council Chambers
922 Estates Drive
Woodway, Texas

HUPPs are proposed to be granted to the following entities as follows:

City of West, 110 N Reagan St., West, Texas, 76691 filed an application on 3/10/2010. The proposed HUPP has a maximum annual withdrawal of 487.3884 acre-feet (151641000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 48M 58S / W97D 05M 33S.

Levi Water Supply Corporation, 2757 Rosenthal Pkwy, Lorena, Texas, 76655 filed an application on 4/16/2010. The proposed HUPP has a maximum annual withdrawal of 267.3430 acre-feet (87114000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 23M 19S / W97D 06M 51S, N31D 23M 33S / W97D 09M 44S, N31D 23M 21S / W97D 10M 24S.

City of Bruceville-Eddy, 143 Wilcox Dr., Eddy, Texas, 76524 filed an application on 4/26/2010. The proposed HUPP has a maximum annual withdrawal of 347.4870 acre-feet (113229000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 22M 02S / W97D 13M 29S, N31D 22M 02S / W97D 13M 28S, N31D 19M 02S / W97D 18M 22S, N31D 17M 47S / W97D 15M 13S, N31D 19M 22S / W97D 14M 12S.

Pure Water Supply Corporation, P.O. Box 154414, Waco, Texas, 76715 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 84.4251 acre-feet (27510000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 40M 03S / W97D 04M 59S, N31D 39M 41S / W97D 03M 32S.

Gholson Water Supply Corporation, 12520 Gholson Rd., Waco, Texas, 76705 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 270.0348 acre-feet (87991100 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 44M 24S / W97D 15M 13S, N31D 43M 51S / W97D 14M 38S, N31D 44M 35S / W97D 15M 32S.

City of Crawford, 6719 North Lonestar Parkway, Crawford, Texas, 76638 filed an application on 4/5/2010. The proposed HUPP has a maximum annual withdrawal of 140.1822 acre-feet (45678500 gallons) for municipal use

pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 31M 59S / W97D 27M 05S, N31D 31M 35S / W97D 27M 43S.

CS Community WSC, P.O. Box 385, China Spring, Texas, 76633 filed an application on 4/5/2010. The proposed HUPP has a maximum annual withdrawal of 55.1193 acre-feet (17960670 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 39M 13S / W97D 18M 44S.

South Bosque Water Supply Corporation, 536 River Park, McGregor, Texas, 76657 filed an application on 4/5/2010. The proposed HUPP has a maximum annual withdrawal of 18.2148 acre-feet (5935300 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 29M 34S / W97D 17M 22S.

H & H Water Supply Corporation, 192 Old Hallsburg Rd., Riesel, Texas, 76682 filed an application on 4/16/2010. The proposed HUPP has a maximum annual withdrawal of 212.7792 acre-feet (69334300 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 31M 20S / W96D 59M 22S, N31D 31M 14S / W96D 59M 04S.

Prairie Hill Water Supply Corporation, 5337 A Hwy 73, Prairie Hill, Texas, 76678 filed an application on 4/21/2010. The proposed HUPP has a maximum annual withdrawal of 210.0791 acre-feet (68454500 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 38M 00S / W96D 54M 14S, N31D 37M 38S / W96D 54M 58S.

Hilltop Water Supply Corporation, P.O. Box 127, Itasca, Texas, 76055 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 105.0262 acre-feet (34222900 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 46M 52S / W97D 05M 47S, N31D 46M 39S / W97D 04M 20S, N31D 47M 06S / W97D 04M 30S.

Windsor Water Company, 186 New Windsor Parkway, Waco, Texas, 76712 filed an application on 4/23/2010. The proposed HUPP has a maximum annual withdrawal of 131.1642 acre-feet (42740000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 38M 47S / W96D 58M 30S, N31D 31M 07S / W97D 17M 35S.

City of McGregor, 302 South Madison St., McGregor, Texas, 76657 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 225.1041 acre-feet (119000000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 26M 35S / W97D 24M 53S, N31D 26M 06S / W97D 25M 10S, N31D 26M 05S / W97D 24M 01S, N31D 25M 09S / W97D 24M 59S, N31D 24M 55S / W97D 25M 27S, N31D 24M 22S / W97D 26M 17S,

Moore Water System, 476 Beaver Ln., Waco, Texas, 76705 filed an application on 4/29/2010. The proposed HUPP has a maximum annual withdrawal of 19.6324 acre-feet (6397231 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 37M 39S / W96D 59M 42S, ,

East Crawford Waster Supply Corporation, P.O. Box 180, Crawford, Texas, 76638 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 229.8894 acre-feet (74909700 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 33M 06S / W97D 23M 18S, W31D 31M 40S / W97D 19M 04S.

North Bosque Water Supply Corporation, P.O. Box 8581, Waco, Texas, 76714 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 411.2647 acre-feet (134011000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 36M 24S / W97D 18M 32S, N31D 35M 49S / W97D 21M 37S, N31D 36M 24S / W97D 19M 01S,

Cross Country Water Supply Corporation, P.O. Box 87, China Spring, Texas, 76633 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 498.1268 acre-feet (162315100 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 40M

56S / W97D 16M 45S, N31D 40M 59S / W97D 16M 34S, N31D 41M 12S / W97D 19M 47S, N31D 40M 48S / W97D 15M 25S.

City of Hewitt, P.O. Box 610, Hewitt, Texas, 76643 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 2083.2675 acre-feet (678834800 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 27M 37S / W97D 10M 37S, N31D 26M 55S / W97D 15M 42S, N31D 27M 30S / W97D 12M 22S, N31D 25M 44S / W97D 14M 32S, N31D 27M 18S / W97D 12M 55S, N31D 26M 22S / W97D 12M 51S.

City of Mart, 112 N. Commerce, Mart, Texas, 76664 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 183.4090 acre-feet (59764000 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 34M 35S / W96D 55M 32S.

Cottonwood Water Supply Corporation, P.O. Box 569, West, Texas, 76691 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 66.1947 acre-feet (21569600 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 49M 54S / W97D 02M 46S.

HUPP applicants or affected persons may file a written request for a contested case hearing on the proposed HUPPs with the District by no later than October 1, 2010 at 9:00 a.m. If no timely requests for contested case hearing are filed, the applications will be presented to the District on the date of the hearing for final action.

ISSUED THIS 23th DAY OF SEPTEMBER 2010.



Tricia K. Law, General Manager
Southern Trinity Groundwater Conservation District

H & H WATER SUPPLY CORPORATION
192 Old Hallsburg Road
Riesel, Texas 76682-3109
254-875-2474

July 29, 2010

Southern Trinity Groundwater Conservation District
Tricia K. Law, General Manager
P. O. Box 2205
Waco, Texas 76703

**Re: Historic Use Production Permit
Application No. HUPP-2010-013**

Dear Ms. Law:

Enclosed is an Amended Copy of page 3 of Part A of our Historic Use Production Permit Application.

Sincerely,


JoAnn Dieterich
Office Manager

E

Amended

Application No. _____

means the maximum amount of groundwater that an applicant for a Historic Use Production Permit proves was produced and beneficially used without waste from the applicant's non-exempt well during any one calendar year of the Historic Use Period.

Amount: ~~69214200~~ ⁹² 69,334,300 Units: Year: 2000

13. Provide your use amounts for each year groundwater was withdrawn during the Historical Use Period. If no groundwater was withdrawn for a period listed below, place a zero (0) in the appropriate space (typical units are in gallons, 100 gallons, 1000 gallons, or acre-feet).

2009 Amount: 50052200 Units:

2008 Amount: 47922800 Units:

2007 Amount: 41019000 Units:

2006 Amount: 58836000 Units:

2005 Amount: 56757000 Units:

2004 Amount: 45419000 Units:

2003 Amount: 49490000 Units:

2002 Amount: 58095000 Units:

2001 Amount: 57368200 Units:

2000 Amount: ~~69214200~~ ⁹² 69,334,300 Units:

14. Attach documents to substantiate your claim of Maximum Historic Use. Documentation may include, but is not limited to: production logs showing amount of water pumped, copies of reports to the Texas Commission on Environmental Quality, the Texas Water Development Board, or the Texas Department of Health; reports filed with or created by the Natural Resource Conservation Service or Farm Services Agency or aerial photographs; reports filled with or created by soil and water conservation districts; fuel and electricity use records; and calculations used to estimate well discharge rates if the well discharge is not metered. The purpose of supporting documentation is to substantiate your declaration. The information you provide should be labeled, indexed and in a form that can be easily reviewed by the District.

15. Will the proposed use of water unreasonably affect existing groundwater and surface water resources or existing permit holders? Yes No

16. Is the proposed use of water dedicated to a beneficial use? Yes No

17. Is the proposed use of water consistent with the District's management plan?

H & H WATER SUPPLY CORPORATION
192 Old Hallsburg Road
Riesel, Texas 76682-3109
254-875-2474

July 1, 2010

Southern Trinity Groundwater Conservation District
Tricia K. Law, General Manager
P. O. Box 2205
Waco, Texas 76703

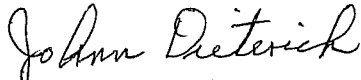
**Re: Historic Use Production Permit
Application No. HUPP-2010-013**

Dear Ms. Law:

Enclosed is a corrected production log totaling 63,334,300 gallons. I do not know why the computer calculated the incorrect amount. The computer was programmed to automatically add the columns.

If you need any other documentation, please let me know.

Sincerely,



JoAnn Dieterich
Office Manager

H & H Water Supply							
2000 Groundwater Pumped							
							Amount
January							4336000
February							3871000
March							3572000
April							3967000
May							4525000
June							5250000
July							10821000
August							10564000
September							7932000
October							7074100
November							3333000
December							4089200
						Total	69334300

Southern Trinity Groundwater Conservation District
P. O. Box 2205
Waco, Texas 76703
Phone 254 759-5610 Fax 254 754-9480
E-mail southerntrinitygcd@att.net

NOTICE OF DEFICIENCY OF HISTORIC USE PRODUCTION
PERMIT APPLICATION

June 25, 2010

H & H Water Supply Corporation
Sloan Kuehl, Secretary
192 Old Hallsburg Road
Riesel, Texas 76682-3109

Re: Historic Use Production Permit
Application No. HUPP-2010-013

Dear Mr. Kuehl,

Please be advised that the Southern Trinity Groundwater Conservation District (the "District") received your Historic Use Production Permit Application on April 16, 2010. Pursuant to § 9.209 of the District's Rules, the District's general manager has reviewed your application and has determined that the application is not administratively complete. More specifically, the application has the following deficiencies:

1. Part A Line 12 reads that the maximum production was 69,214,200 gallons in the year of 2000. The back up documentation (production log) totals 69,334,300 gallons

You must submit a corrected Part A or production log in writing to the District within 30 days of your receipt of this letter or your incomplete application will be returned to you.

The above deficiencies were discovered during the preliminary review of your application. Your application is currently under additional review. The District will inform you in writing if any additional information or clarifications are required, or that your application is administratively complete.

If you have any questions concerning this matter or the District's Historic Use Production Permit program in general, please call Tricia K. Law at (254) 759-5610.

Please keep this letter as a permanent record for your file.

Sincerely,



Tricia K. Law
General Manager

SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

P. O. Box 2205
 420 North 6th Street
 Waco, Texas 76703

Phone: (254) 759-5610 southerntrinitygcd@att.net

APPLICATION FOR HISTORIC USE PRODUCTION PERMIT

Part A – General Information

Instructions: Please type or print legibly. Incomplete applications will not be accepted. Application Fee Required: A non-refundable application fee of \$1,000 must accompany this application. Only checks or money orders made payable to “Southern Trinity Groundwater Conservation District” will be accepted. CASH IS NOT ACCEPTED.

1. Applicant Information		
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Government Entity	<input type="checkbox"/> Estate/Trust/Guardianship	
Permit Applicant's Name: H: & H Water Supply Corporation		
Physical Address: 192 Old Hallsburg Road		
City: Riesel	State: TX	Zip Code: 76682-3109
Mailing Address, (if different):		
City:	State:	Zip Code:
Daytime Telephone Number: Fax:		
Email Address (if any):		
2. Name of Authorized Agent (if any): Sloan Kuehl		
Position: Secretary		
Physical Address: 728 Old Mart Lake Road		
City: Mart	State: TX	Zip Code: 76664
Mailing Address (if different):		
City:	State:	Zip Code:
Daytime Telephone Numbers of Authorized Agent: 254-875-9200 Fax:		
Email for Authorized Agent (if any):		
Date Application Received:	Date Admin. Fee Received:	Amount of Fee: <u>1,000.00</u>

RECEIVED
 APR 15 2010
 BY: HCS

RECEIVED
 For District Use Only
 APR 15 2010
 BY: HCS

4

Historic Groundwater Use and Production Information.

3. Purpose of Historic Use: The purpose(s) for which the groundwater was used during the Historic Use Period. Irrigation Municipal Industrial
 Other (If Other, describe specifically): domestic

4. Purpose of Future Use: domestic sale of water to customers

5. Is the place of use within the District boundaries: Yes No

6. If you answered No to Item 5, has a groundwater exportation permit been applied for or obtained from the District or is there a groundwater export agreement or contract in effect prior to January 7, 2010? Yes No

7. If you answered Yes to Item 6, please describe the parties to the agreement, the location outside of the District that the water is used, the amount use, and pipeline route.

8. Completely describe the place of use of groundwater withdrawn from the well:
 domestic use

9. If groundwater was withdrawn from the well or placed to a beneficial use by a contract user or predecessor in interest, then provide the name, address, and telephone number of each contract user or predecessor in interest, and provide copies of the legal documents establishing the legal right of the contract user or predecessor in interest to withdraw and/or place groundwater from the well to beneficial use.

NA

10. If applicable, provide a copy of the map identifying the boundaries of the applicant's Certificate of Convenience and Necessity (CCN).

11. If applicable, describe the number of connections to be serviced by the well: 527

12. Maximum Historic Use. State the amount of water that you claim as your Maximum Historic Use during any one year of the Historic Use Period. Maximum Historic Use means the maximum amount of groundwater that an applicant for a Historic Use Production Permit proves was produced and beneficially used without waste from the applicant's non-exempt well during any one calendar year of the Historic Use Period.

Amount:

Units:

Year:

means the maximum amount of groundwater that an applicant for a Historic Use Production Permit proves was produced and beneficially used without waste from the applicant's non-exempt well during any one calendar year of the Historic Use Period.

Amount: 69214200

Units:

Year:2000

13. Provide your use amounts for each year groundwater was withdrawn during the Historical Use Period. If no groundwater was withdrawn for a period listed below, place a zero (0) in the appropriate space (typical units are in gallons, 100 gallons, 1000 gallons, or acre-feet).

2009 Amount: 50052200 Units:

2008 Amount: 47922800 Units:

2007 Amount: 41019000 Units:

2006 Amount: 58836000 Units:

2005 Amount: 56757000 Units:

2004 Amount: 45419000 Units:

2003 Amount: 49490000 Units:

2002 Amount: 58095000 Units:

2001 Amount: 57368200 Units:

2000 Amount: 69214200 Units:

14. Attach documents to substantiate your claim of Maximum Historic Use.

Documentation may include, but is not limited to: production logs showing amount of water pumped, copies of reports to the Texas Commission on Environmental Quality, the Texas Water Development Board, or the Texas Department of Health; reports filed with or created by the Natural Resource Conservation Service or Farm Services Agency or aerial photographs; reports filled with or created by soil and water conservation districts; fuel and electricity use records; and calculations used to estimate well discharge rates if the well discharge is not metered. The purpose of supporting documentation is to substantiate your declaration. The information you provide should be labeled, indexed and in a form that can be easily reviewed by the District.

15. Will the proposed use of water unreasonably affect existing groundwater and surface water resources or existing permit holders? Yes No

16. Is the proposed use of water dedicated to a beneficial use? Yes No

17. Is the proposed use of water consistent with the District's management plan?

Application No.

Yes

No

**STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER
MANAGEMENT PLAN, DISTRICT RULES, AND COMMITMENT TO WATER
CONSERVATION AND WATER QUALITY PROTECTION**

Please check all that apply:

- Applicant will comply with the District's Groundwater Management Plan.
- Applicant is in compliance with all applicable District rules in effect since December 7, 2007 and will comply with the District's rules.
- Applicant agrees to avoid waste and achieve water conservation.
- Applicant agrees to use reasonable diligence to protect groundwater quality and will follow the District's well plugging guidelines at the time of well closure.
- Applicant affirms that activities constituting the purpose of use for which the groundwater will be beneficially used will be managed to preserve, protect, prevent the pollution, degradation, or harmful alteration of, control and prevent the waste of, prevent the escape of groundwater from, and achieve the conservation of groundwater in and produced from, the aquifer.

CERTIFICATION†

I, the undersigned applicant, subscribe and affirm that the information provided herein is true and correct. I also understand that it shall be considered to be a fraud upon the District for any applicant to knowingly give erroneous information in this application.

Signed: 

Date: ~~4-8~~ 4-8-2010

Printed Name: SLOAN KUEHL

Title: SECRETARY

† If the applicant is an individual, the application shall be signed by the applicant or a duly appointed agent. An agent shall provide written evidence of his or her authority to represent the applicant. If the applicant is an individual doing business under an assumed name, the applicant shall attach to the application an assumed name certificate filed with the county clerk of the county in which the principal place of business is located or with the Texas Secretary of State.

A joint application shall be signed by each applicant or each applicant's duly authorized agent with written evidence of such agency submitted with the application. If a well or proposed well is owned by both husband and wife, each person shall sign the application. Joint applicants shall select one among them to act for and represent the others in pursuing the application with the District with written evidence of such representation to be submitted with the application.

If the application is by a partnership, the application shall be signed by one of the general partners. If the applicant is a partnership doing business under an assumed name, the applicant shall attach to the application an assumed name certificate filed with the county clerk of the county in which the principal place of business is located or with the Texas Secretary of State. The name of the partnership must be followed by the words "a partnership." If the applicant is an estate or guardianship, the application shall be signed by the duly appointed guardian or representative of the estate and a current copy of the letters testamentary issued by the court shall be attached to the application.

If the applicant is a corporation, public district, county, municipality or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions specifying the authority of the official to take such action shall be submitted along with the application. A corporation may file a corporate affidavit as evidence of a corporate official's authority to sign.

If the applicant is acting as trustee for another, the applicant shall sign as trustee and in the application shall disclose the nature of the trust agreement and give the name and current address of each trust beneficiary. The application must designate the trustee's name followed by the word "trustee," and the name of the trust for which the trustee is acting.

STATE OF TEXAS §

§

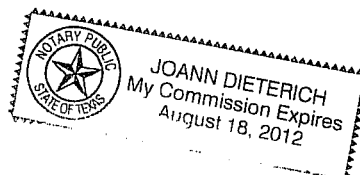
COUNTY OF McLennan §

BEFORE ME, a notary public, on this day personally appeared: Sloan Kuehl
_____ who stated that: (1) he/she has read the
foregoing application and any supporting attachments and that the statements contained
therein are true and accurate; and (2) that he/she is duly authorized to sign this
application on behalf of the permit applicant.

Subscribed and sworn to before me on this 8th day of April, 2010.

Joann Dieterich

Notary Signature



H&H WATER SUPPLY CORPORATION
MINUTES OF BOARD MEETING
MARCH 11, 2010

Meeting was called to order by Billy Tanksley, President, noting that a quorum was present and that notices had been duly posted. Present were Billy Tanksley, Doyle White, Harold Stieg, Sloan Kuehl, Chester Crum, Gary Drapela, and Don Bennett. Also present was staff member JoAnn Dieterich. Guests present were James Muhl and B.J. Anderson.

There were no Public Comments.

White made a motion, seconded by Stieg, to accept the Minutes of the previous month's meeting. All voted in favor. **Motion Passed.**

Kuehl made a motion to accept the financial statement as presented, with a second motion by Crum. All voted in favor. **Motion Passed.**

James Muhl and B.J. Anderson were there to plead their case that they should not have to pay the \$628.36 water bill for February that was caused by a leak on their side of the meter. The meter was relocated on January 14 and the leak was discovered by Russ Wilbanks during meter-reading February 20 (although there was no leak at the January meter-reading date of the 22nd). The property owners contend that the break was not caused by any action of theirs and that the plumbing work during the relocation must have been defective, thereby causing the leak. Wilbanks was not in attendance at the meeting and therefore could not be questioned about details. Board opted to defer action on this issue until the next meeting.

Wilbanks was absent, so there was no Water Manager's Report.

Board members discussed the upcoming annual meeting on April 27. Notices to members will be handled in the same manner as the past. Tanksley made motion to appoint Kuehl and Stieg to the Credentials Committee for the 2010 Annual Meeting. Crum seconded the motion. **Motion Passed.**

Board members discussed payment for the cooling tower project and agreed to fund this project out of the Expansion Account.

The Board again discussed Wilbanks' use of a non-employee "helper" that he has been using to assist him with the monthly task of reading meters. Since the January meeting, Kuehl learned that none of the attorneys at the Dunnam & Dunnam firm had endorsed the notion of having the boy's parents sign a waiver of liability, as earlier thought. Based upon the advice of several attorneys, the Board agreed that the potential liability from this situation puts the Company at risk and that H&H cannot be exposed to such risk. Because the helper is not an employee of H&H, he is not covered by our liability insurance. On a motion by Kuehl, and a second motion by White, the Board voted not to allow Wilbanks to use a non-employee "helper" for any of his job duties. All Board Members voted in favor. **Motion Passed.**

H&H owns a large, steel pressure tank that has been out of service for some 20 years. The costs to dismantle and/or remove the tank would likely exceed its value. There is a crane currently on site for the cooling tower project and member Marc Scott has offered to purchase the tank for \$200 and remove it at his own expense (which will include an independent payment arrangement with the crane operator). Mr. White made a motion, seconded by Kuehl, to sell the tank for the offered amount. All voted in favor. **Motion Passed.**

Board discussed the latest "application" that is required to be submitted to the Southern Trinity Groundwater Conservation District. Dieterich and Hobbs have already begun working on the application, but Mr. White questioned the GCD's authority to charge additional fees to H&H. The application (and the associated application fee of \$1,000) is due May 1, so the Board agreed to defer action on paying the fee until the next meeting, hoping to gather more information. Further, the Members opted to invite a member of the Southern Trinity GCD board to our April meeting to provide us with more information. Additionally, on a motion by Tanksley and a second motion by White, the Board unanimously voted to authorize Secretary Sloan Kuehl to sign the GCD application. **Motion Passed.**

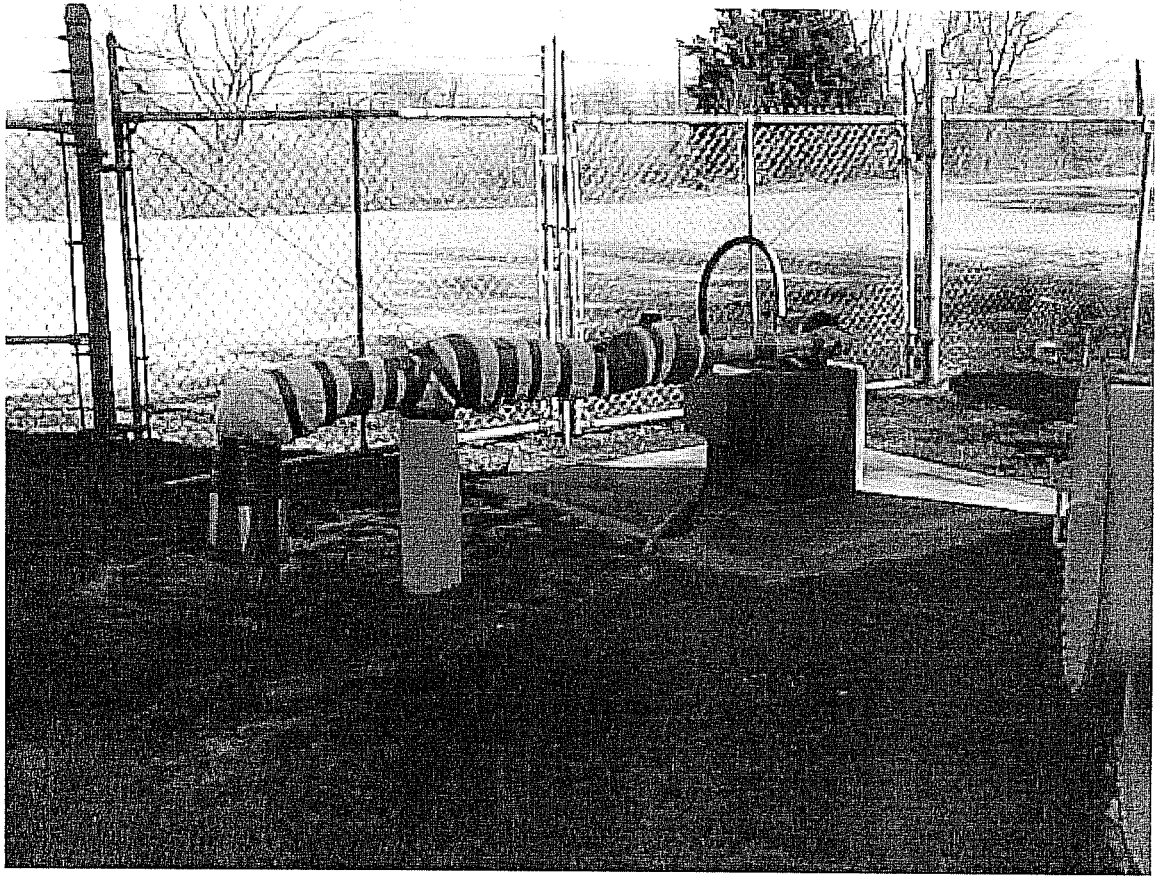
Kuehl made a motion to adjourn; Drapela seconded the motion, with all voting in favor. **Motion Passed.**



Sloan Kuehl
Secretary

H & H Water Supply

Well # 1



H & H Water Supply Well # 1

STGWCD- HUPP Application - Part B – Well Information (one form per well)

1. Applicant Name: H & H Water Supply Corporation			
2. Well Identifier or Well Name: Well # 1			
3. System Name: H & H Water Supply Corporation			
4. TCEQ System ID Number: 1550029			
5. If applicable, please attach a copy of the applicant's most recent water conservation plan and drought contingency plan prepared for TCEQ.			
6. TWDB ID Number: 39-25-701			
7. Aquifer(s) or formations in which the well is screened: 217HSTN			
8. Address of the property upon which the well is located: 192 Old Hallsburg Rd.			
9. Well Location:	Latitude:	31 D	31 M 20 S
	Longitude:	96 D	59 M 22 S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: NA			
11. Well or Driller's Log. Please attach a copy of the State Well Report and, if available, any geophysical logs for the well.			
12. Please attach a photograph of the well taken approximately 100 feet from the well.			
13. Please attach a copy of a recorded deed or other legal document verifying the applicant's ownership of the well. Disregard this requirement if the deed was sent with your Application for Interim Production Status and there has been no change.			
14. Year well drilled: 1960 Year well completed and operational: 1960			
15. Pump Information: Pump Make and Model: Crown Pump 60 HP Franklin Motor			
Pump power source: <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Diesel <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other			
Casing Material <input checked="" type="checkbox"/> Steel <input type="checkbox"/> PVC			
Size of well casing: 10 3/4" inches Inside diameter of column pipe: 3" inches			
16. The maximum rate at which water can be withdrawn from the well: 210 gpm			
17. Flow Meter Make and Model: Precision Turbine			
Serial Number: 57090216		Meter Units: gallons	
Meter reading end of 2008: Amount: 54374800		Units: <i>gallons</i>	Date: 12-31-2008
Meter reading end of 2009: Amount: 70141600		Units: <i>gallons</i>	Date: 12-31-2009

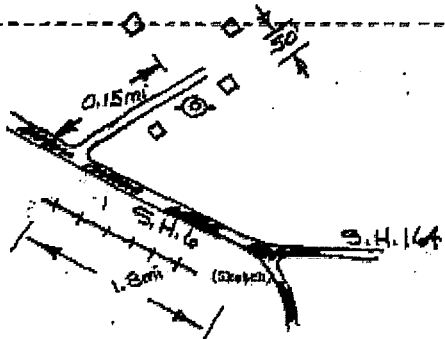
TEXAS WATER COMMISSION
WELL SCHEDULE

Aquifer: HODDSTON Field No. H-80 (E-105) State Well No. 39-25-701
Owner's Well No. H&H #1 County McLennan Co.

- Location: 1/4 Sec. 1/4 Sec. Block Survey
- Owner: H&H Water Supply Corp. (H&H) Address: Box 376 Rt. 7, Waco, Texas
 Tenant: James F. Munt Secy. Address: PL-3-0046
 Drillers: J.L. Myers Sons Address: Dallas - Denton
- Elevation of quad level is 480 ft. above sea level, determined by topo sheet
- Drilled: 12-15-1960; Log, Cable Tool, Rotary
- Depth: Rept. 2916 ft. Meas. ft.
- Completion: Open Hole, Straight Wall, Underreamed, Gravel Packed
- Pump: Mfg. Jacuzzi Type Inertia
 No. Stages 16, Bore Dia. 6" in., Setting 205 ft.
 Column Dia. 4"x1" in., Length Tailpipe ft.
- Motor: Fuel elec Make & Model U.S. HP. 10
- Fluid: Flow grv. Pump 220 gpm, Meas., gpm.
- Performance Test: Date 12-14-60 Length of Test 25 hr. Made by J.L. Myers
 Static Level ft. Pumping Level 182 ft. Drawdown 172 ft.
 Production 220 gpm Specific Capacity gpm/ft.
- Water Level: 10 ft. 12-14-1960 15d which is ft. above/below surface.
4 ft. 12-15-1960 15d which is ft. above/below surface.
 ft. which is ft. above/below surface.
 ft. which is ft. above/below surface.
- Use: Dom., Stock, Public Supply, Ind., Irr., Waterflooding, Observation, Not Used.
- Quality: (Remarks on taste, odor, color, etc.) E-5-63 TSDH - File Back; 9-8-63 TSDH - File; 5-68 TSDH
- Temp.: °F, Date sampled for analysis 4-6-65 Laboratory TSDH
 °F, Date sampled for analysis 3-28-66 Laboratory TSDH
 °F, Date sampled for analysis 5-15-63 Laboratory TSDH
- Other data available on records: Driller's Log, Radioactivity Log, Electric Log, Myers
 Formation Samples, Pumping Test H-80
- Record by: A.R. Smith Date 10-26-1964
 Source of Data J.L. Myers
- Remarks: air in 205' dirt reading in ft.
See U.S.G.S. 1960 Schedule
Base of Glen Rose 2270'
" " Hensel 2335'

Casing & Blank Pipe			
Commenced From		ft. to	
Diam. (in.)	Type	Setting, ft. from	to
10 3/4	surf casg.	0	72
7"		+1 1/2	2789

Well Casing			
Screen Openings		Setting, ft.	
Diam. (in.)	Type	from	to
7"	Geo Perfor	2789	2909



97'00 (w) 0.7 mi
31'30 (s) 1.45 mi

Q-31

56
3925701V

Form 2-B-1 (6-5-1)

ST-39-25-701

J. L. MYERS' SONS
DALLAS DENTON

DRILLER'S LOG

WELL OWNER: DALLAS WATER SUPPLY CORPORATION
 WELL LOCATION: Hillsburg, Texas (approx. 10 miles E. of Waco, Texas)
 WELL DRILLED BY: J. L. Myers' Sons, Dallas and Denton
 WELL COMPLETED: December 15, 1960
 DRILLER: Nelson, Watson, & Johnson

DEPTH OF STRATH	EACH STRATH	FORMATION
0	0	Surface Soil
4	4	Clay
68	408	Shale
81	509	Chalk Rock
88	609	Shale
140 1/2	1033	Lime
173	1407	Broken Lime
178	1527	Shale & Lime
185 1/2	1605	Broken Lime
188 1/2	1840	Lime & Shale
194	1927	Broken lime
197	2028	Lime & Shale
202 1/2	2550	Broken Lime
2560	2700	Sandy Silt
2700	2750	Lime & Shale
2780	2800	Sand & Shale
2890	2890	Sand

NOTE: All measurements based on rotary table 2 feet above ground level.

ASSEMBLY RECORDS:

72" - 1 1/4" O.D. surface casing cemented in place
 2890' - 2 1/2" O.D. casing cemented in place
 1820' - 2 1/2" O.D. T & C casing cemented with back pressure valve near bottom

NOTE: All measurements adjusted to ground level. Casing and screen run in continuous string, casing cemented in place by circulation. Production of G.O. wells equipped with float collar.

*Top of Kay - 1078
 Top of Perm - 2550
 Top of Kay - 2750*

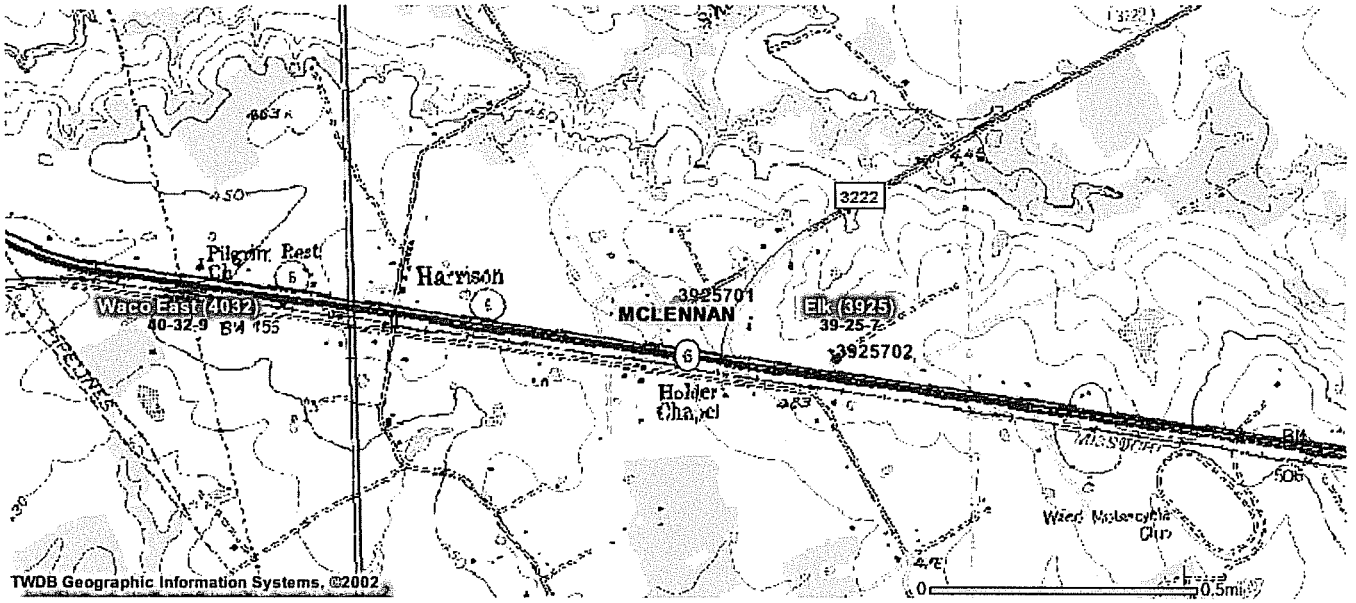
Driller's Log

Surface Soil	0 - 4
Clay	4 - 68
Shale	68 - 431
Chalk Rock	431 - 658
Shale	658 - 1003
Lime	1003 - 1333
Broken lime	1333 - 1446
Shale & lime	1446 - 1557
Broken lime	1557 - 1665
Lime & Shale	1665 - 1840
Broken lime	1840 - 1927
Lime & shale	1927 - 2023
Broken lime	2023 - 2560
Sandy shale	2560 - 2700
Lime & shale	2700 - 2750
Sand & shale	2750 - 2890
Sand	2890 - 2916

39-25-701

Chem Analysis 5-18-63
 SiO₂ - CO₂ - 0
 Ca. } - 4 HCO₃ - 461
 Mg. } SO₄ - 118
 Na - 255 Cl - 44
 Mn - 0.05 F - 1.7
 NO₃ - 1
 PH - 8.3 Hardness - 10
 TDS - 890 Sp.C. @ 25°C - 1200

KEY PUNCHED



SANITARY CONTROL EASEMENT

DATE: March 3, 2005

GRANTOR(S): H&H Water Supply Corporation

GRANTOR'S ADDRESS: 192 Old Hallsburg Road, Riesel, McLennan County, Texas 76682

GRANTEE: H&H Water Supply Corporation

GRANTEE'S ADDRESS: 192 Old Hallsburg Road, Riesel, McLennan County, Texas 76682 ✓✓

SANITARY CONTROL EASEMENT:

Purpose, Restrictions, and Uses of Easement:

1. The purpose of this easement is to protect the water supply of the well described and located below by means of sanitary control.
2. The construction and operation of underground petroleum and chemical storage tanks and liquid transmission pipelines, stock pens, feedlots, dump grounds, privies, cesspools, septic tank or sewage treatment drainfields, improperly constructed water wells of any depth, and all other construction or operation that could create an unsanitary condition within, upon, or across the property subject to this easement are prohibited within this easement. For the purpose of the easement, improperly constructed water wells are those wells which do not meet the surface and subsurface construction standards for a public water supply well.
3. The construction of tile or concrete sanitary sewers, sewer appurtenances, septic tanks, storm sewers, and cemeteries is specifically prohibited within a 50-foot radius of the water well described and located below.
4. This easement permits the construction of homes or buildings upon the Grantor's property as long as all items in Restrictions Nos. 2 and 3 are recognized and followed.
5. This easement permits normal farming and ranching operations, except that livestock shall not be allowed within 50 feet of the water well.

The Grantor's property subject to this Easement is 0.378 acres described by deed recorded in: MCC 2002023526 of the Public Records of McLennan County, Texas.

Property Subject to Easement:

0.378 acres described by deed recorded in:
MCC 2002023526 of the Public Records of McLennan County, Texas.

TERM:

This easement shall run with the land and shall be binding on all parties and persons claiming under the Grantor(s) for a period of two years from the date that this easement is recorded; after which time, this easement shall be automatically extended until the use of the subject water well as a source of water for public water systems ceases.

ENFORCEMENT:

Enforcement of this easement shall be proceedings at law or in equity against any person or persons violating or attempting to violate the restrictions in this easement, either to restrain the violation or to recover damages.

INVALIDATION:

Invalidation of any one of these restrictions or uses (covenants) by a judgement or court order shall not affect any of the other provisions of this easement, which shall remain in full force and effect.

FOR AND IN CONSIDERATION, of the sum of One Dollar (\$1.00) and for other good and valuable consideration paid by the Grantee to the Grantor(s), the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey to Grantee and to its successors and assigns the sanitary control easement described in this easement.

GRANTOR(S)

By:

Billy Tanksley
Billy Tanksley, President
H&H Water Supply Corporation

ACKNOWLEDGMENT

STATE OF TEXAS §
COUNTY OF McLENNAN§

BEFORE ME, the undersigned authority, on the 3rd day of March, 2005, personally appeared Billy Tanksley known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as president of the H&H Water Supply Corporation on behalf of said Corporation in the capacity stated.

GIVEN UNDER MY HAND and seal of office this 2nd day of March, 2005, 2005 A.D.

JoAnn Dieterich

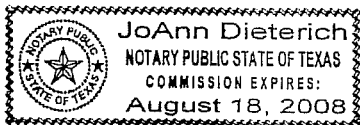
Notary Public - Signature

My Commission Expires: 8-18-08

(SEAL)

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

JoAnn Dieterich



2005 MAR 02 09:13 AM 2005008294
BRIDGES \$11.00
J.A. "ANDY" HARWELL, COUNTY CLERK
MCLENNAN COUNTY, TEXAS

This form prepared by the Waco-McLennan County Bar Association by Lawyers only.
NOTE The preparation of this legal document by anyone other than a licensed attorney constitutes the unauthorized practice of law.—Waco-McLennan County Bar Association.

WARRANTY DEED ~~WITH ENDORSEMENT~~

THE STATE OF TEXAS }
COUNTY OF McLennan } KNOW ALL MEN BY THESE PRESENTS:

That We, Eugene Kroll and wife, Nova Jean Kroll

of the County of McLennan State of Texas for and
in consideration of the sum of SIX HUNDRED AND NO/100 (\$600.00) DOLLARS DOLLARS
cash to US in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, and
~~the further sum of~~ ~~DOLLARS~~

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto the said
H & H WATER SUPPLY CORPORATION

of the County of McLennan, State of Texas

THENCE S. 28 E. 100 ft. to an iron stake for corner
 THENCE S. 62 W. 100 ft. parallel to the N W. line of the said M. Burton
 143.01 acre tract to an iron stake for corner.
 THENCE N. 28 W. 165 ft. to the place of beginning, according to the field
 notes by C.A. Lemke, County Surveyor, McLennan County, Texas, acknowledge
 28th day of June, 1956, by the said C.A. Lemke before Manton Hanna, Notar
 Public, McLennan County, Texas, and being the same land conveyed by M.
 Burton, et al to Eugene Kroll by Deed dated the 10th day of July, 1957,
 and recorded in Vol. 806, Page 555 of the Deed Records of McLennan County
 Texas

2
 1

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenanc
 thereto in anywise belonging unto the said grantee , its heirs and assigns forever; and we
 do hereby bind ourselves, our heirs, successors, and legal representatives
 WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee , hei
 and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

~~A Vendor's Lien is hereby expressly retained on the above described real property to secure the payment of the abo
 described sum(s), which sum(s) are additionally secured by a deed of trust on said real property, of even date herewith, giv
 by grantee XXXXXXXX
 XXXXXXXX for the benefit of~~

EXECUTED this the 15 th day of September , A. D. 19 60



Eugene Kroll
Nora Jean Kroll

(Joint Acknowledgment)

THE STATE OF TEXAS }
COUNTY OF McLennan

Before me, the undersigned authority, on this day personally appeared Eugene Kroll and Nova Jean Kroll his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed. And the said Nova Jean Kroll wife of said Eugene Kroll having been examined by me privily and apart from her husband, and having the same by me fully explained to her, she, the said NOVA JEAN KROLL acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office on this the 15 th day of September, A. D. 1960 .

John W. Fulbright
Notary Public in and for McLennan County, Texas
JOHN W. FULBRIGHT

(Single Acknowledgment)

THE STATE OF TEXAS }
COUNTY OF

Before me, the undersigned authority, on this day personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on this the _____ day of _____, A. D. 19 _____

Notary Public in and for _____ County, Texas

(Wife's Separate Acknowledgment)

THE STATE OF TEXAS }
COUNTY OF

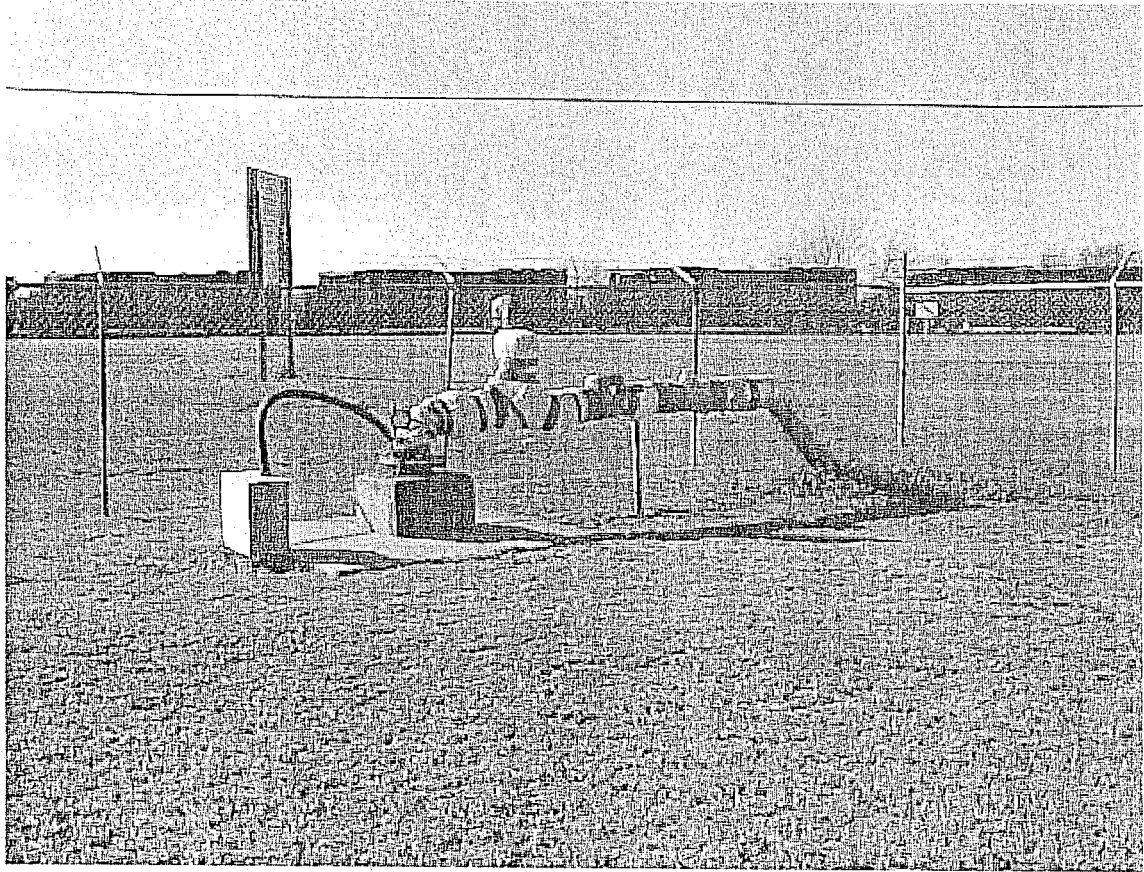
Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same by me fully explained to her, she, the said _____, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office on this the _____ day of _____, A. D. 19 _____

Notary Public in and for _____ County, Tex

H & H Water Supply

Well # 2



H & H Water Supply Well # 2

STGWCD- HUPP Application - Part B – Well Information (one form per well)

1. Applicant Name: H & H Water Supply Corporation	
2. Well Identifier or Well Name: Well # 2	
3. System Name: H & H Water Supply Corporation	
4. TCEQ System ID Number: 1550029	
5. If applicable, please attach a copy of the applicant's most recent water conservation plan and drought contingency plan prepared for TCEQ.	
6. TWDB ID Number: 39-25-702	
7. Aquifer(s) or formations in which the well is screened: 217HSTN	
8. Address of the property upon which the well is located: No mailing address Hwy. 6.	
9. Well Location:	Latitude: 31 D 31 M 14 S
	Longitude: 96 D 59 M 04 S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: NA	
11. Well or Driller's Log. Please attach a copy of the State Well Report and, if available, any geophysical logs for the well.	
12. Please attach a photograph of the well taken approximately 100 feet from the well.	
13. Please attach a copy of a recorded deed or other legal document verifying the applicant's ownership of the well. Disregard this requirement if the deed was sent with your Application for Interim Production Status and there has been no change.	
14. Year well drilled: 1992 Year well completed and operational: 1993	
15. Pump Information: Pump Make and Model: Goulds 7CL-10 100 HP Franklin Motor	
Pump power source: <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Diesel <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other	
Casing Material <input checked="" type="checkbox"/> Steel <input type="checkbox"/> PVC	
Size of well casing: 10 3/4" inches Inside diameter of column pipe: 5" inches	
16. The maximum rate at which water can be withdrawn from the well: 210 gpm	
17. Flow Meter Make and Model: Water Specialties ML-03	
Serial Number: 20052027 Meter Units: gallons	
Meter reading end of 2008: Amount: 11602700 Units: <i>gallons</i> Date: 12-31-2008	
Meter reading end of 2009: Amount: 45670500 Units: <i>gallons</i> Date: 12-31-2009	

Texas Water Development Board
Well Schedule

State Well No. 3925702 Previous Well No. County McLennan 309
River Basin Brazos 12 Zone 5 Lat. 31 31 14 Long. 096 59 04 Source of Coor. 1
Owner's Well No. 2 Location 1/4, 1A Section , Block , Survey

Owner H. and H. Winters, Supervisory Corporation #2 Well Driller Watts Drilling Co.

Address Rt. 1 Box 331 Riesel Tx. Tenant/Oper.
Date Drilled 0705 1992 Depth 3010 Source of Depth Datum D Altitude 485 Source of Alt. Datum M
Aquifer Houston 217HSTN Well Type N User 362000
TNRCC 1550029

Well Const. Construction Method Mod Rotary H Casing Material Steel S
Completion Perforated P Screen Material
Lift Data Pump Mfr. Type Subm S No. Stages
Bore Diam. in. Setting 1050 ft. Column Diam. in.

Motor Mfr. Fuel or Power Elec E Horsepower
Yield Flow GPM Pump 250 GPM Meas. Rept., Est. Date
Performance Test Date 06/28/92 Length of Test Production 250 GPM
Static Level 107 ft. Pumping Level 241 ft. Drawdown 134 ft. Sp. Cap. 0.58 GPM/ft.
Quality (Remarks)

Water Use Primary PS P Secondary Tertiary
Other Data Available Water Level M Water Quality N Logs D Other Data
Date 06 23 1992 Meas. 407 + Driller
Water Levels Date Meas. +
Date Meas. +

	Casing or Blank Pipe (C) Well Screen or Slotted Zone (S) Open Hole (O) Cemented from <u>0</u> to <u>3010</u> Diam. Setting (feet)		
	(in.)	From	To
1	E 11		02600
2	C	3000	3080
3	S	2880	2980
4	C	2980	3010
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			

Recorded By D.R. Jones Date Record Collected or Updated 07 26 1994 (20 max) Reporting Agency 01

Remarks 1 Owner's well #2. Measured yield 250
2 GPM with 134 ft drawdown in 1992.
3 Specific capacity 0.58 GPM/ft.
4 Cemented from 0 to 3010 feet.

Aquifer Houston
Well No. 3925702

82-0022
8/91

Send original copy by certified mail to: Texas Water Commission, P.O. Box 13067, Austin, Texas 78711

Please use black ink.

APPLICANT OWNER: Confidentially
 Privilege Notice on Reverse Side

**State of Texas
WELL REPORT**

Texas Water Well Drillers Board
 P.O. Box 13067
 Austin, Texas 78711

1) **OWNER** H & H WATER SUPPLY CORP. ADDRESS Rt. 1, Box 331 Riesel, Tx 76682
 (Name) (Street or RFD) (City) (State) (Zip)

2) **LOCATION OF WELL:** County McLennan 12 miles in E direction from Waco, Tx.
 (NE, SW, etc.) (Town)

Driller must complete the legal description below with distance and direction from two intersecting section or survey lines, or he must locate and identify the well on an official Quarter- or Half-Scale Texas County General Highway Map and attach the map to this form.

LEGAL DESCRIPTION:
 Section No. _____ Block No. _____ Township _____ Abstract No. _____ Survey Name _____
 Distance and direction from two intersecting section or survey lines _____

SEE ATTACHED MAP

3) **TYPE OF WORK (Check):**
 New Well Deepening
 Reconditioning Plugging

4) **PROPOSED USE (Check):**
 Domestic Industrial Monitor Public Supply
 Irrigation Test Well Injection De-Watering

5) **DRILLING METHOD (Check):** Driven Mud Rotary Air Hammer Jatted Bored
 Air Rotary Cable Tool Other _____

6) **WELL LOG:**

Date Drilling: Started _____ 1R _____ 92 Completed _____ 1R _____ 92	DIAMETER OF HOLE		
	Dia. (in.)	From (ft.)	To (ft.)
	1.5"	Surface	3010'
	2.4"	surface	2.0'

7) **BOREHOLE COMPLETION:**
 Open Hole Straight Wall Underreamed
 Gravel Packed Other _____
 If Gravel Packed give interval ... from _____ ft. to _____ ft.

From (ft.)	To (ft.)	Description and color of formation material	Dia. (in.)	New or Used	Steel, Plastic, etc. Perf., Slotted, etc. Screen Mfg., If commercial	Setting (ft.)	Gage Casing Screen
0	18	Black dirt & clutche					
18	922	Blue & gray shale					
922	1590	lime stone- blue & gray shale	103/4	N	J-55 T.C. 40/50 lb.	2600'	2' above CL N/A
1590	1612	shale streaks & lime streaks			J-55 T.C. 45/50 lb.	2600'	3010'
1612	1964	lime			Perforated 2930'-2980' 62 shots		
1964	2012	lime & gray shale			Perforated 2880-2930 60 shots		
2012	2070	Gray shale					
2070	2150	Gray shale & lime					
2150	2170	lime					
2170	2200	Gray shale					
OVER _____ (Use reverse side if necessary)							

8) **CEMENTING DATA [Rule 287.44(1)]**
 Cemented from 3010 ft. to surface ft. No. of Bags Used 1548
 Method used Pressure cemented
 Cemented by PUMCO Gainesville, Tx.
Includes 50% Excess

10) **SURFACE COMPLETION**
 Specified Surface Slab installed [Rule 287.44(2)(A)]
 Specified Steel Sleeve installed [Rule 287.44(3)(A)]
 Pileax Adapter Used [Rule 287.44(3)(B)]
 Approved Alternative Procedure Used [Rule 287.71]

11) **WATER LEVEL:**
 Static level 407 ft. below land surface Date 6/23/92
 Artesian flow _____ gpm. Date _____

12) **PACKERS:**

Type	Depth

13) **TYPE PUMP:**
 Turbine Jet Submersible
 Other _____
 Depth to pump bowls, cylinder, jet, etc. 1050 ft.

14) **WELL TESTS:**
 Type Test Pump Baker Jatted Estimated
 Yield: 250 gpm with 434 ft. drawdown after _____ hrs.

15) **WATER QUALITY:**
 Did you knowingly penetrate any strata which contained undesirable constituents?
 Yes No If yes, submit "REPORT OF UNDESIRABLE WATER"
 Type of water? _____ Depth of strata _____
 Was a chemical analysis made? Yes No

I hereby certify that this well was drilled by me (or under my supervision) and that each and all of the statements herein are true to the best of my knowledge and belief. I understand that failure to complete item 1 thru 15 will result in the log(s) being returned for completion and resubmission.

COMPANY NAME Watts Drilling Company WELL DRILLER'S LICENSE NO. 2457
 (Type or print)

ADDRESS 14310 Hwy 377 South Fort Worth, Texas 76126
 (Street or RFD) (City) (State) (Zip)

(Signed) Tom Watts (Licensed Well Driller) (Signed) _____ (Registered Driller Trainee)

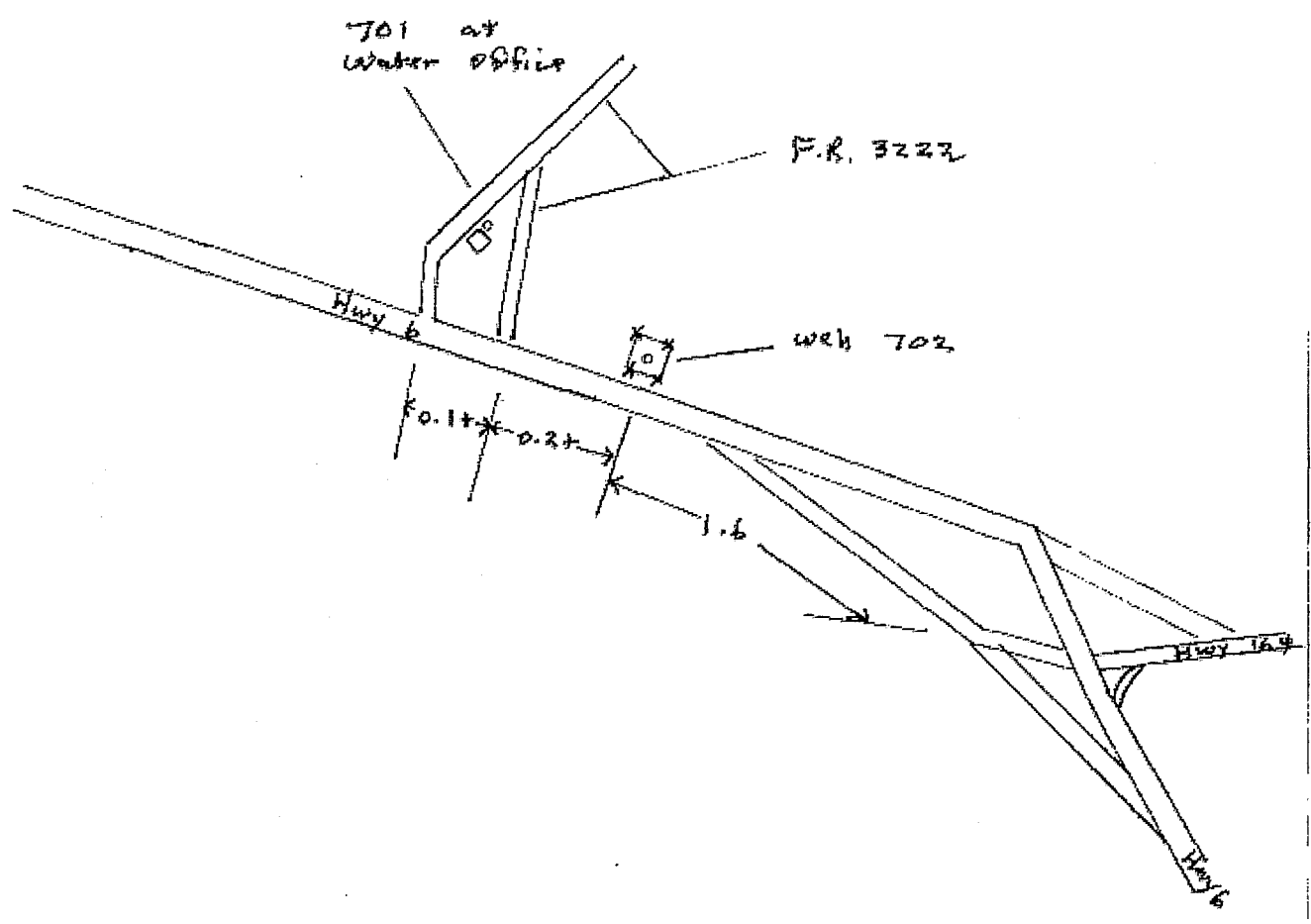
Please attach electric log, chemical analysis, and other pertinent information, if available.

For TWC use only: Well No. 39-25-7 Located on map _____

WWD-012 (Rev. 05-18-90)

TEXAS WATER COMMISSION COPY

39-25-702 X



39-25-702

~~18304~~CORRECTION WARRANTY DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF McLENNAN

THAT, I, JAMES F. GREER, whose homestead is located at 1257 Woodland West Drive, Waco, Texas of the County of McLennan, State of Texas, for and in consideration of the sum of TEN AND No/100 DOLLARS (\$10.00) and other valuable consideration to the undersigned paid by the Grantee herein named, the receipt of which is hereby acknowledged, and for which no lien is retained, either express or implied; the assumption by the Grantee of the ad valorem taxes against the hereinafter described real property for the year 1990; and the acceptance by the Grantee of this conveyance subject to all easements, rights of way, restrictions and outstanding mineral interests, if any, of record in McLennan County, Texas, affecting the hereinafter described real property; have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto H & H WATER SUPPLY CORPORATION, whose address is Route 1, Box 331, Riesel, Texas 76682, of the County of McLennan and State of Texas, all of the following described real property in McLennan County, Texas, more particularly described as follow, to-wit:

All of that certain 0.0923 acres of land out of that certain 75.17 acres of land in the J. A. Manchaca Grant Abstract No. 23 in McLennan County, Texas more fully described in a deed recorded in Volume 1378, Page 616 of the Deed Records of McLennan County, Texas and being that same 0.0923 acre tract described in Exhibit "A", attached hereto and made a part hereof for all purposes.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns forever; and I do hereby bind my heirs, executors and administrators to WARRANT and FOREVER DEFEND all and singular the said premises unto the said

The property described herein was obtained or improved through financial assistance from the Government of the United States of America. This property therefor is subject to the provisions of title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, as amended, and the regulations issued pursuant thereto for so long as the property continues to be used for the same or similar purposes for which the Federal financial assistance was extended.

WITNESS MY HAND this 16th day of August, 1990.

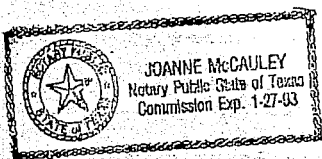
James F. Greer
 JAMES F. GREER

4008

THE STATE OF TEXAS ()
 COUNTY OF McLENNAN ()

BEFORE ME, the undersigned authority, on this day personally appeared JAMES F. GREER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity, if any, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the 16th day of August, 1990.



Joanne McCauley
 Notary Public, State of Texas

THE STATE OF TEXAS } I, Frank Denny, Clerk of the County Court and Ex-Officio Recorder:
 COUNTY OF McLENNAN } of McLennan County, Texas, do hereby certify that the foregoing attached

instrument of writing and certificate of authentication thereto, was filed in my office for record on the
 16 day of August 19 90, at 11:45 o'clock A M., and
 recorded in Volume 1698 on page 535 McLennan County Deed record on
 the 16 day of August 19 90, at 3:18 o'clock P M.

Given under my hand and seal of said Court at office in Waco, Texas, the date last above written.



FRANK DENNY

Clerk, County Court and Ex-Officio Recorder, McLennan County, Texas

By *B. Martinez* Deputy
 B. Martinez

17287

THE STATE OF TEXAS ()

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF McLENNAN ()

Sanitary Control Easement

That I, JAMES F. GREER, whose homestead is located at 1257 Woodland West, Waco, McLennan County, Texas being the owner of the remainder of that certain 75.17 acre tract of land in McLennan County, Texas, more particularly described in a deed recorded in Volume 1378, Page 616 of the Deed Records of McLennan County, Texas, do hereby declare such property bound by the hereinafter set out restrictions and covenants and agree that any purchasers or subsequent owners of said tract of land or any part thereof affected by these restrictions shall comply with same. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of two (2) years from the date these covenants are recorded, after which time said covenants shall be automatically extended until the use of the water well owned by H & H WATER SUPPLY CORPORATION as a source of water for a public water system ceases.

Enforcement of this Easement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant contained herein, such action to be either to restrain a violation or to recover damages.

Invalidation of any one of these covenants by judgment or Court Order shall not in any wise affect any of the other provisions which shall remain in full force and effect.

Such restrictions are as follows, to-wit:

1. Sanitation control upon all of the remainder area of that certain 75.17 acres of land lying in McLennan County, Texas and being out of the J. A. Manchaca Grant, Abstract No. 23 and being more particularly described in a deed recorded in Volume 1378, Page 616 of the Deed Records of McLennan County, Texas, and being all of said tract as is included within a 150 foot radius of a proposed deep water well to be drilled by H & H WATER SUPPLY CORPORATION on a 0.0923 acre portion of said land more particularly described in a deed of even date herewith from James F. Greer to H & H Water Supply Corporation, recorded in Volume _____, Page _____ of the Deed Records of McLennan County, Texas, which well is located 89.44 feet at a radial of North 78 degrees 13 minutes 56 seconds East from the NW corner of said 75.17 acre tract and specifically prohibiting the construction and/or operation of stock pens, feed lots, dump grounds, privies, cesspools, septic tank drainfields, drilling of improperly constructed water wells of any depth and all other construction or operations that could create an unsanitary condition within, upon or across the above described tract of land;
2. Tile or concrete sanitary sewers, septic tanks and storm sewers are specifically prohibited within a 50 foot radius of the deep water well described and located above.
3. This sanitation control permits the construction of homes or buildings upon the same, provided, however, that all stock pens, feed lots, privies, tile or concrete sanitation sewers, cesspools, septic tanks,

- 4. Normal farming and ranching operations are permitted except that livestock shall not be allowed within 50 feet of the proposed well.

IN WITNESS WHEREOF the owner has executed this instrument this 6th day of August, 1990.

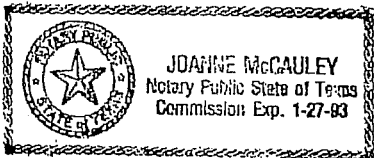
James F. Greer

 JAMES F. GREER

THE STATE OF TEXAS
 COUNTY OF McLENNAN

BEFORE ME, the undersigned authority, on this day personally JAMES F. GREER, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 6th day of August, 1990.



Joanne McCauley

 Notary Public, State of Texas

Filed for Record on the 6 day of AUGUST A.D. 1990 at 11³⁵ o'clock A M.
 Duly Recorded this the 6 day of AUGUST A.D. 1990 at 314 o'clock P M.
 FRANK DENNY, County Clerk
 McLennan County, Texas
 BY *Frank Denny* Deputy

H & H Water Supply Corp.
192 Old Hallsburg Rd.
Riesel, Texas 76682

3220

88-0324/1119

DATE 3-11-10

PAY TO THE ORDER OF

Southern Trinity G.C.D

\$ 1000⁰⁰/₁₀₀

One thousand dollars and ^{no}/₁₀₀

DOLLARS



The First National Bank
of Central Texas



Security Features
Details on Back

Waco • Mart • Hillsboro • China Spring

MEMO

application fee

Bill L. Tappel Jr
John D. Dale

⑈003220⑈ ⑆111903245⑆ ⑈40011967⑈

RECEIPT

DATE	<u>4-15-10</u>	No.	<u>248711</u>
RECEIVED FROM	<u>H & H Water Supply Corporation</u>		<u>\$1,000.00</u>
	<u>One thousand⁰⁰/₁₀₀</u>		DOLLARS
<input type="radio"/> FOR RENT	<u>HUAPP App - HUAPP-2210-013</u>		
<input checked="" type="radio"/> FOR			
ACCOUNT		<input type="radio"/> CASH	
PAYMENT		<input type="radio"/> MONEY ORDER	FROM <u>ct # 3220</u> TO
BAL. DUE		<input checked="" type="radio"/> CHECK	BY <u>H & H</u>
		<input type="radio"/> CREDIT CARD	

1182