



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

**HISTORIC USE PRODUCTION PERMIT**

**THIS CERTIFIES THAT:** Aqua Texas, Inc  
7025 Sanger Ave  
Waco, Texas 76710  
Phone: 254-776-1994

(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: **769.4719 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Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows: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 (gpm)</u>
Rivercrest	N31D 39M 14S / W97D 27D 16S	150
Behringer	N31D 39M 13S / W97D 22M 11S	35
North Bosque	N31D 36M 14S / W97D 21M 03S	200
North Country	N31D 39M 57S / W97D 21M 9S	200
Smith	N31D 37M 17S / W97D 11M 02S	45
Goodall	N31D 40M 32S / W97D 24M 12S	80

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<u>Name</u>	<u>Location (latitude/longitude)</u>	<u>Maximum Flow Rate (gpm)</u>
Tubbs	N31D 34M 51S / W97D 28M 46S	35
China Springs 1	N31D 39M 01S / W97D 18M 04S	200
China Springs Ranch	N31D 38M 24S / W97D 19M 48S	25
China Springs 3	N31D 39M 00S / W97D 17M 58S	550
Western Hills 1	N31D 33M 51S / W97D 17M 45S	200
Western Hills 2	N31D 33M 34S / W97D 17M 01S	550
Western Hills 3	N31D 32M 57S / W97D 17M 47S	175
Western Hills 4	N31D 33M 36S / W97D 19M 02S	550
VLS	N31D 38M 44S / W97D 15M 45S	35
T&A	N31D 00M 50S / W97D 15M 26S	25

**7 Measurement of Amount of Groundwater Withdrawn**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 11157, 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.

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**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.

**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

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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.

**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**

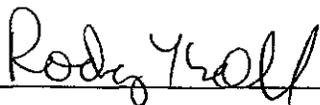
Any reference in this permit to a statute, rule, or other law of any kind, that exists on the date of issuance of the permit includes all subsequent amendments and additions thereto.

**27 Other Matters Denied**

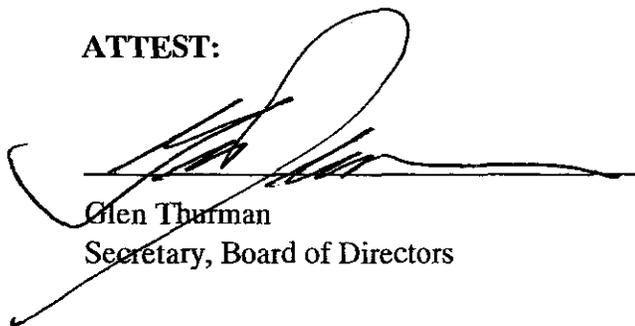
All other matters requested in Permittee's application that are not specifically granted by this permit are denied.

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**THIS PERMIT IS ISSUED, EXECUTED THIS** 30th day of November, 2010, by the Board of Directors of the Southern Trinity Groundwater Conservation District.

  
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Rodney Kroll,  
President, Board of Directors

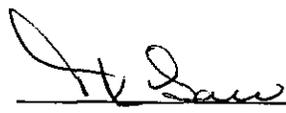
**ATTEST:**

  
\_\_\_\_\_  
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 November 30, 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.

  
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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

