

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

# HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT:

City of Bruceville-Eddy

143 Wilcox Dr. Eddy, Texas 76524 Phone: 254-859-5700

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Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows:

Name	Location (latitude/longitude)	Maximum Flow Rate
Friendly Oak # 1	N31D 22M 02S / W97D 13M 29S	92
Friendly Oaks # 2	N31D 22M 02S / W97D 13M 28S	400
Westridge Well	N31D 19M 02S / W97D 18M 22S	100
Eddy Well	N31D 17M 47S / W97D 15M 13S	94



# -SOUTHERN-TRINFTY 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# 7 Measurement of Amount of Groundwater Withdrawn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 11285, 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 6<sup>th</sup> day of October, 2010, by the Board of Directors of the Southern Trinity Groundwater Conservation District.

Rodney Kroll,

President, Board of Directors

ATTEST:

Glen Tharman

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.

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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



11 Table 1	
COUNTY OF FAI	
certify that this instrument was FILED	on C
Cole and at the time stamped hereon by me-	and
inco duly RECORDED in VOL 250 PAGE 32	4
ATE OFFICIAL PUBLIC RECORDS of Falls Country	intv.
Texas, on 10-25-2010	
France Promovie	•
FRANCES BRASWELL, COUNTY CLERK	
FALLS COUNTY, TEXAS	
Byr Deputy	

FILED 8:00/1 %.
OCT 2.0 2010
FRANCES BRASWELL
CO. CLK. FALLS CO.

13 26 K

DOL# 37832

Permit Number: HUPP-2010-021

# SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

COUNTY OF MCLENNAN, STATE OF TEXAS

### HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT:

City of Bruceville-Eddy

143 Wilcox Dr. Eddy, Texas 76524 Phone: 254-859-5700

(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: 347.487 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.

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Permittee may use Trinity Aquifer groundwater only for municipal purposes.

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# 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 11285, 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.

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## 13 Reports

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

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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.

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THIS PERMIT IS ISSUED, EXECUTED THIS 6<sup>th</sup> 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

COMMISSION EXPIRES

February 4, 2012

AFTER RECORDING RETURN TO

Tricia Law, General Manager

Southern Trinity Groundwater Conservation District

P. O. Box 2205

420 North 6th Street

Waco, Texas 76703



**Bell County Shelley Coston County Clerk** Belton, Texas 76513

Instrument Number: 2010-00037832

Recorded On: October 20, 2010

Recordings

Parties: SOUTHERN TRINITY GROUNDWATER CONSERVATION D

Billable Pages: 5

To **EX PARTE**  Number of Pages: 6

Comment:

( Parties listed above are for Clerks reference only )

\*\* Examined and Charged as Follows: \*\*

ecordings

27.00

**Total Recording:** 

27.00

# \*\*\*\*\*\*\* DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Record and Return To:

Document Number: 2010-00037832

SOUTHERN TRINITY GROUNDWATER

Receipt Number: 89960

CONSERVATION DISTRICT

Recorded Date/Time: October 20, 2010 12:03:50P

PO BOX 2205

User / Station: G Gomez - Cash Station 1

WACO TX 76703

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas



**Shelley Coston Bell County Clerk** 



6 PGS

Permit Number: HUPP-2010-021

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

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Rodney Kroll,

President, Board of Directors

ATTEST:

Clen 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.

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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



# FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

October 15, 2010 11:17:40 AM

2010032265

FEE: \$27.00

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

# **Southern Trinity Groundwater Conservation District**

P. O. Box 2205 Waco, Texas 76703 254 759-5610

October 18, 2010

Shelley Coston County Clerk Bell County, Texas P. O. Box 480 Belton, Texas 76513

Dear Ms. Coston,

Enclosed you will find a Historic Use Production Permit for City of Bruceville-Eddy.

Please file the Permit. I have also enclosed a copy of a previously filed Historic Use Production Permit for your review.

If you have any questions, please contact me at 254 759-5610.

Sincerely,

Tricia K. Law General Manager

Southern Trinity Groundwater Conservation District

# **Southern Trinity Groundwater Conservation District**

P. O. Box 2205 Waco, Texas 76703 254 759-5610

October 18, 2010

Frances Braswell County Clerk Falls County, Texas P. O. Box 458 Marlin, Texas 76661

Dear Ms. Braswell,

Enclosed you will find a Historic Use Production Permits for City of Bruceville-Eddy and Levi Water Supply Corporation.

Please file the two Permits. I have also enclosed a copy of a previously filed Historic Use Production Permit for your review.

If you have any questions, please contact me at 254 759-5610.

Sincerely,

Tricia K. Law

General Manager

Southern Trinity Groundwater Conservation District

COBru Ville-Eddy

#### **AFFIDAVIT**

THE STATE OF TEXAS 

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COUNTY OF MCLENNAN 

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"My name is <u>John</u>. Metcalf. 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-2010-021**."

John Thom Nut Affiant

Sworn to and subscribed before me on this 21 day of 9, 2010.

Notary Public in and for the State of Texas

PATSY DUTY
Notary Public, State of Texas
My Commission Expires
April 25, 2012

# **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

City of Bruceville-Eddy 143 Wilcox Dr. Eddy, Texas, 76524

RE: Application No. HUPP-2010-021

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 347.4870 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 City of Bruceville-Eddy.

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: City of Bruceville-Eddy,

143 Wilcox Dr., Eddy, Texas, 76524

## **Application Summary For HUPP-2010-021:**

Aquifer: Trinity

Annual production of groundwater not to exceed: 347.4870 acre-feet

Year of Maximum Historic Use: 2006

Hearing Group: 3

## Location of Each Point of Withdrawal:

Latitude/Longitude (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

#### 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 347.4870 acre-feet during the calendar year of 2006.

## **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 11285 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	§		
	§		
COUNTY OF MCLENNAN	§		
BEFORE ME, the undersigned	authority, on	his day personally	y appeared
, who	o being duly sv	vorn, upon oath de	eposes and says:
"My name is			
affidavit, and am familiar with the fact	is herem stated	and believe them	to be true.
I have complied with the requirements	of the Souther	n Trinity Ground	water Conservation
District's Rules to provide notification	by first class	mail to landowner	s, well owners and well
operators within one half-mile of the v	vell or wells fo	r which I or the er	atity I represent seek(s) a
Historic Use Production Permit. Such	notification w	as made not less t	han 10 days before the
public hearing scheduled to consider the	he application	for a Historic Use	Production Permit
HUPP-2010-021."			
		Affiant	
Sworn to and subscribed befor	e me on this _	day of	, 2010.
Notary Public in and for the St	ate of Texas		

### HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT: City of Bruceville-Eddy

143 Wilcox Dr. Eddy, Texas 76524 Phone: 254-859-5700

(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: **347.4870 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:

Name	Location (latitude/longitude)	Maximum Flow Rate
Friendly Oak # 1	N31D 22M 02S / W97D 13M 29S	92
Friendly Oaks # 2	N31D 22M 02S / W97D 13M 28S	400
Westridge Well	N31D 19M 02S / W97D 18M 22S	100
Eddy Well	N31D 17M 47S / W97D 15M 13S	94
Bruceville Well	N31D 19M 22S / W97D 14M 12S	plugged

#### 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 11285, 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	
ACK	NOWLEDGMENT
STATE OF TEXAS	)
	, )
COUNTY OF MCLENNAN	
AND INTEREST AND INCOME AND INTEREST AND INTEREST AND INCOME.	THE TOTAL PARTY AND A STATE AND A CONTRACT TOTAL CONTRACT OF THE CONTRACT OF T

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 6<sup>th</sup> 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 0.1S,

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 2083.2675acre-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.

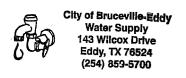
Cottonwood Water Supply Corporation, P.O. Box 569, West, Texas, 76691 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 66.1947 acre-feet (21569600 gallons) for municipal use pumped from well(s) located at the following latitude(s)/longitude(s) (NAD83): N31D 49M 54S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



CO Druceville-Eddy

# **AFFIDAVIT**

THE STATE OF TEXAS S
COUNTY OF MCLENNAN

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

"My name is John Wetcalf. 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."

Sworn to and subscribed before me on this  $\frac{27}{20}$  day of  $\frac{1}{20}$  day of

PATSY DUTY
Notary Public, State of Texas
My Commission Expires
April 25, 2012

Notary Public in and for the State of Texas

John Evan Well

# 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 6<sup>th</sup> 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:

Thursday, August 5, 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:

Spring Valley Water Supply Corporation, P.O. Box 399, Lorena, Texas, 76655 filed an application on 4/12/2010. The proposed HUPP has a maximum annual withdrawal of 62.5930 Acre-Feet (20,396,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 39M 052S / W97D 30M 79S, N31D 41M 100S / W97D 25M 89S.

M.S. Water Supply Corporation, 510 N Memorial St., Riesel, Texas, 76682 filed an application on 4/14/2010. The proposed HUPP has a maximum annual withdrawal of 23.3051 Acre-Feet (7,594,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 44.591/W097D 15.530.

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 204.0709 Acre-Feet (66,496,700 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 23M 19S / W97D 6M 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 348.2604 Acre-Feet (113,481,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 22M 2S / W97D 13M 29S, N31D 22M 2S / W97D 13M 28S, N31D 19M 2S / W97D 18M 22S, N31D 17M 47S / W97D 15M 13S.

Leroy-Tours-Gerald Water Supply Corporation, 312 W. Commerce, Leroy, Texas, 76654 filed an application on 4/29/2010. The proposed HUPP has a maximum annual withdrawal of 167.0067 Acre-Feet (54,419,300 Gallons) for municipal use pumped from

5

wells located at the following latitude/longitude (NAD83):N31D 43.851/W097 01.177, N31D 44M 13S / W97D 02M 33S, N31D 42M 27S / W97D 04M 11S.

City of Bellmead, 3015 Bellmead Dr., Bellmead, Texas, 76705 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 1476.9910 Acre-Feet (481,279,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 35M 45S / W97D 5 M 48S, N31D 36M 8S / W97D 05M 10S, N31D 37M 8S / W97D 05M 32S, N31D 35M 35S / W97D 06M 26S.

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 (27,510,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 40.058/W097D 04.981, N31D 39.689/W097D 03.536.

City of Moody, 606 Ave. E., Moody, Texas, 76557 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 61.5005 Acre-Feet (20,040,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 18M 47S / W97D 21M 454S, N31D 18M 278S / W97D 21M 518S.

Ross Water Supply Corporation, P.O. Box 202, Ross, Texas, 76640 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 256.4577 Acre-Feet (83,567,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 43M 05S / W97D 07M 09S, N31D 43M 47S / W97D 05M 59S, N31D 42M 53S / W97D 07M 04S.

McLennan County WCID No. 2, P.O. Box 116, Elm Mott, Texas, 76640 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 258.7532 Acre-Feet (84,315,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 39M 75S / W97D 06M 26S, N31D 40M 43S / W97D 05M 36S, N31D 40M 50S / W97D 06M 32S.

EOL Water Supply Corporation, 9226 Elk Road, Axtell, Texas, 76624 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 214.7877 Acre-Feet (69,988,800 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 35M 18S / W96D 59M 08S, N31D 36M 55S / W96D 56M 13S, N31D 35M 36S / W96D 58M 28S.

Elm Creek Water Supply Corporation, P.O. Box 538, Moody, Texas, 76557 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 225.3186 Acre-Feet (73,420,300 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 17M 18S / W97D 18M 44S, N31D 19M 17S / W97D 23M 17S, N31D 15M 24S / W97D 47M 17S.

Patrick Water Supply Corporation, 245 Goldman Lane, Waco, Texas, 76708 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 52.5578 Acre-Feet (17,126,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 41M 09S / W97D 14M 78S.

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 (87,991,100 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D .44.417./ W097D 15.223, N31D

43.851/W097D 14.632, N31D 44.591/W097D 15.530.

Hog Creek Water Supply Corporation, 147 Hsih Prairie Rd., Valley Mills, Texas, 76689 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 81.5047 Acre-Feet (26,558,400 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 36.880/W097D 31.806, N31D 29.799/W096D 58.105.

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 465.3691 Acre-Feet (151,641,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 48M 58S / W97D 05M 33S.

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 August 2, 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 16th DAY OF July 2010.

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

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):
4. Purpose of Future Use: Municipal and Industrial
5. Is the place of use within the District boundaries: Yes No See bottom
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:
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.
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: 1903
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: 113,229,000 Units: gallons

5. Service Bell + Falls County Customers Am end 6/11/10

Amend stillo Jum 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). Amount: 43 246,300 2009 Units: gallons 2008 Amount: 88,851,000 Units: gallons 2007 Amount: 69,647,000 Units: gallons 2006 Amount: 113,229,000 Units: gallons 2005 Amount: 101,674,000 Units: gallons 2004 Amount: 82,714,000 Units: gallons 2003 Amount: 76,666,000 Units: gallons Amount: 69,978,000 2002 Units: gallons 2001 Amount: 75,227,000 Units: gallons 2000 Amount: 75,968,000 Units: gallons 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 X No 16. Is the proposed use of water dedicated to a beneficial use? X Yes No 17. Is the proposed use of water consistent with the District's management plan? X Yes No



#### 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	Individual	Partnership Comparation				
1.11ppnount information	Government Entity	☐ Partnership ☐ Corporation ☐ Estate/Trust/Guardianship				
D '. A 1'						
Permit Applicant's Name: (	City of Bruceville-Eddy V	Water Department				
Physical Address: 143 Wilcox Drive						
City: Eddy	State: Texas	Zip Code: 76524				
Mailing Address, (if differe	nt): n/a					
City: same	State:	Zip Code:				
Daytime Telephone Numbe	r: Fax: 254-859-5700	-254-859-5997				
Email Address (if any): be-v	water@sbcglobal.net					
2. Name of Authorized Age	nt (if any): n/a					
Position:						
Physical Address:						
City:	State:	Zip Code:				
Mailing Address (if differen	nt):					
City:	State:	Zip Code:				
Daytime Telephone Numbers of Authorized Agent: Fax:						
Email for Authorize Record	EIVED	ECEIVED				
Date Application Received:	26 2010 For District Use Onl	VAPR <b>26</b> 2010				

Application No.  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):
4. Purpose of Future Use: Municipal and Industrial
5. Is the place of use within the District boundaries: Yes No See botto
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:
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.
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: 1903  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: 113,481,000  Units: gallons  Year:2009

5. Service Bell + Falls Country Customers

10.70		Application No.				
	vide your use amounts for each year gr					
Historic	cal Use Period. If no groundwater was	s withdrawn for a period listed below, place				
		its are in gallons, 100 gallons, 1000 gallons,				
or acre-	feet).					
2009	Amount: 113,481,000	Units: gallons				
2008	Amount: 88,851,000	Units: gallons				
2007	Amount: 69,647,000	Units: gallons				
2006	Amount: 113,229,000	Units: gallons				
2005	Amount: 101,674,000	Units: gallons				
2004	Amount: 82,714,000	Units: gallons				
2003	Amount: 76,666,000	Units: gallons				
2002	Amount: 69,978,000	Units: gallons				
2001	Amount: 75,227,000	Units: gallons				
2000	Amount: 75,968,000	Units: gallons				
14. Atta	ich documents to substantiate your clair	im of Maximum Historic Use.				
ľ		to: production logs showing amount of				
		Commission on Environmental Quality, the				
		is Department of Health; reports filed with				
		ion Service or Farm Services Agency or				
		ed by soil and water conservation districts;				
		ns 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?						
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?						
	∑ Yes  No					

Application No.	
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# STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER MANAGEMENT PLAN, DISTRICT RULES, AND COMMITMENT TO WATER CONSERVATION AND WATER QUALITY PROTECTION

$\mathbf{P}$	lease	check	all	that	apply:
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$\boxtimes$	Applicant will	comply with	the District's	Groundwater	Management Plan.
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- 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: John Wayne Metry

Date: 4-22-10

Title: \_\_\_\_\_\_\_

† 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.

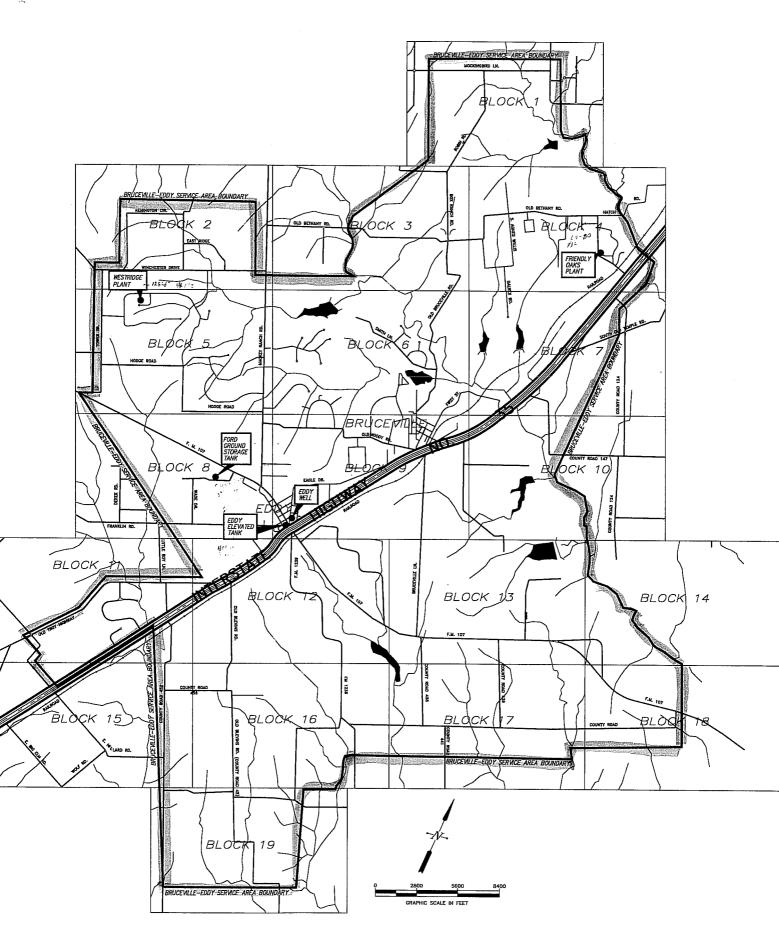
A joint application shall be signed by each applicant or each applicant's duly authorized agent with written evidence of such agency submitted with the application. If a well or proposed well is owned by both husband and wife, each person shall sign the application. Joint applicants shall select one 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	§	
foregoing application and any	on this day personally appeared:  who stated that: (1) he/she has read the supporting attachments and that the statements contained (2) that he/she is duly authorized to sign this ermit applicant.	
Subscribed and sworn to before	The me on this $\frac{2010}{100}$ day of $\frac{2010}{100}$ , 2010.	
Notary Signature	KARLEEN J. BILI MY COMMISSION EX April 28, 2010	1 C.O D



City of Bruceville-Eddy CCN

# Aublic Utility Commission of Texas

By These Presents Be It Known To All Open

EDDY WATER SUPPLY

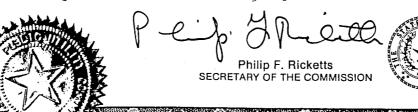
having duly applied for certification to provide water
utility service for the convenience and necessity of the public, and
it having been determined by this Commission that the public
convenience and necessity would in fact be advanced by the provision
of such service by this Applicant, is entitled to and is hereby granted
this

#### Certificate of Convenience and Necessity

numbered 11285, to provide water utility service to that service area or those service areas designated by final Order or Orders duly entered by this Commission, which Order or Orders are on file at the Commission offices in Austin, Texas; and are matters of official record available for public inspection; and be it known further that these

presents do evidence the authority and the duty of this Grantee to provide such utility service in accordance with the laws of this State and the Rules of this Commission, subject only to any power and responsibility of this Commission to revoke or amend this Certificate in whole or in part upon a subsequent showing that the public convenience and necessity would be better served thereby.

Issued at Austin, Texas, this 1st day of November, 1979.



#### CITY OF BRUCEVILLE-EDDY WATER SUPPLY

143 WILCOX DRIVE EDDY, TEXAS 76524 (254) 859-5700

THE FIRST NATIONAL BANK P.O. BOX 128 MOODY, TEXAS 76557

88-734-1119

04/21/2010

\*\*1,000.00

Security features, Details on back, **DOLLARS** 

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Southern Trinity Groundwater

One Thousand and 00/100\*\*\*\*\*

ER OF

SOUTHERN TRINITY **GROUNDWATER CONSERVATION** PO BOX 2205

WACO, TX 76703

CITY OF BRUCEVILLE-EDDY

#OO1640# #111907348# #O1184522#

OF BRUCEVILLE-EDDY/WATER SUPPLY

Southern Trinity Groundwater

Type 05/01/2010 Bill

Reference

Historical Permits

Original Amt. 1,000.00 04/21/2010 Discount

Balance Due 1,000.00

Check Amount

1640

Payment 1,000.00

1,000.00

Moody Bank Checkin CITY OF BRUCEVILLE-EDDY

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#### CITY OF BRUCEVILLE-EDDY **WATER SUPPLY**

143 WILCOX DRIVE EDDY, TEXAS 76524 (254) 859-5700

THE FIRST NATION. \_\_ BANK P.O. BOX 128 MOODY, TEXAS 76557

88-734-1119

04/21/2010

Southern Trinity Groundwater

ne Thousand and 00/100\*\*\*\*\*

\*\*1,000.00

**DOLLARS** 

SOUTHERN TRINITY **GROUNDWATER CONSERVATION** PO BOX 2205 WACO, TX 76703

CITY OF BRUCEVILLE-EDDY

"OO1640" #111907348# "O1184522"

OF BRUCEVILLE-EDDY/WATER SUPPLY

Type 5/01/2010 Bill

Southern Trinity Groundwater Reference

Historical Permits

Original Amt. 1,000.00

04/21/2010 Balance Due

1,000.00

Discount

Payment 1,000.00

1640

**Check Amount** 

1,000.00

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1,000.00

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Application 1	No.		

1. Applicant Name: City of Bruceville-Eddy						
2. Well Identifier or	2. Well Identifier or Well Name: Friendly Oaks #1					
3. System Name: Cit	y of Bruceville-Eddy					
4. TCEQ System ID	Number: 1550024					
5. If applicable, pleasedrought contingency	se attach a copy of the plan prepared for TC	e applican EQ.	t's most recent	water	conservation plan and	
6. TWDB ID Numbe	er: 40-47-402					
7. Aquifer(s) or form	nations in which the w	ell is scre	ened: Hensel		٠	
8. Address of the pro	perty upon which the	well is lo	cated:588 Old	Bethan	у	
9. Well Location:	Latitude:	31 D	22 M	2 S		
	Longitude:	97 D	13 M	29 S		
10. Identify any surfa	ace water, including la	akes or riv	ers within 1,00	00 feet	of the well: none	
11. Well or Driller's geophysical logs for	Log. Please attach a the well.	copy of th	ne State Well R	Leport a	nd, if available, any	
12. Please attach a pl	notograph of the well	taken app	roximately 100	) feet fi	om 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: 1973 Year well completed and operational: 1974						
15. Pump Information	on: Pump Make and M	Model: G	rundfos			
Pump power source: Electric Diesel Natural Gas Other						
Casing Material Steel PVC						
Size of well casing: 4 inches Inside diameter of column pipe:3 inches						
16. The maximum rate at which water can be withdrawn from the well: 92 gpm						
17. Flow Meter Make and Model: Water Specialties						
Serial Number: 20072202-03 Meter Units: Gallons						
Meter reading end of 2008: Amount: 50306 Units: Gallons Date: 12-31-08						
Meter reading end of 2009: Amount: 30232 Units: Gallons Date: 12-31-09						

# 5124p-9423 588 OLd Bethany

## Texas Water Development Board Well Schedule



·
State Well No. 40 47 16 2 Provious Well No. County McLennan 30 9
River Basin 13, a 205 12 Zone 2 Lat. 3122 02 Long. 297 13 29 Coord. 1
Owner's Well No. Co.Ks Location 1/4, 1.4, Section , Block , Survey
Owner City of Bruceville Driller  Edply Friendly Ocks
Address P.O. Bzv 548 Endy TX 76524 Tenent Oper (817) 859-5700
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6 Wall No. 40-47 102
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Application	No.	

1. Applicant Name: City of Bruceville-Eddy						
2. Well Identifier or Well Name: Friendly Oaks #2						
3. System Name: City of Bruceville-Eddy						
4. TCEQ System ID Number: 1550024						
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: 40-47-401						
7. Aquifer(s) or formations in which the well is screened: Holston						
8. Address of the property upon which the well is located:588 Old Bethany						
9. Well Location: Latitude: 31 D 22 M 2 S						
Longitude: 97 D 13 M 28 S						
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: None						
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: 2002 Year well completed and operational: 2003						
15. Pump Information: Pump Make and Model: Franklin Electric						
Pump power source: Electric Diesel Natural Gas Other						
Casing Material Steel PVC						
Size of well casing: 10 inches Inside diameter of column pipe:8 inches						
16. The maximum rate at which water can be withdrawn from the well: 400 gpm						
17. Flow Meter Make and Model: Rockwell-Sensus						
Serial Number: 1157505 Meter Units: Gallon						
Meter reading end of 2008: Amount: 87019 Units: Gallons Date: 12-31-08						
Meter reading end of 2009: Amount: 112754 Units: Gallons Date: 12-31-09						

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( Sec 40-47-403)



#### Texas Water Development Board Well Schedule

groundwater resources 0.4

State Well Number:

40-47-401

Previous Well Number:

County: McLennan

309

Latitude (dms):

311922

Longitude (dms):

971411

Coordinate Accuracy: +/- 1 Second

River Basin: Brazos River

GMA: 8

RWPA: G

GCD: McLennan County GCD

Owner: City of Bruceville-

Driller:

Aquifer ID: Trinity

Eddy

Aquifer Code:

HENSELL SAND MEMBER

Depth (ft): 1565

Elevation (ft): 600

OF TRAVIS PEAK FORMATION

218HNSL

Source of Depth:

Source of Elevation: Interpolated From

Торо Мар

Date Drilled:

Well Type: Withdrawal of Water

Type of Lift: None

Power:

Horsepower:

Casing/Blank Pipe (C) Well Screen/Slotted Zone (S) Open Hole (O)

CASING INTERVALS:

Construction: Cable-tool

Completion: Screen

Top Dla. Bottom (in.) (ft.) (ft.)

Casing Material: Steel

Screen Material:

WATER USE

Primary:

Unused

Secondary:

Tertiary:

Water Levels: Miscellaneous Measurements

Water Quality: Y

1 measurement

1965

-191.58

Other Data:

Logs:

REMARKS:

Originally drilled for E.B. Firguin

Plugged PS well.

Reporting Agency:

TWDB or Predecessor

Agency

Date Collected or Reported: 07/28/1994





Application No.	•
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Application 1	No.		

1. Applicant Name: City of Bruceville-Eddy							
2. Well Identifier or Well Name: Eddy Well							
3. System Name: City	of Bruceville-Eddy						
4. TCEQ System ID N	Number: 1550024						
5. If applicable, please drought contingency p	e attach a copy of the plan prepared for TCE	applicant's mos CQ.	t recent	water	conservation plan and		
6. TWDB ID Number	: 40-46-602						
7. Aquifer(s) or forma	tions in which the we	ll is screened:	Hensel/	Trinity	7		
8. Address of the prop	erty upon which the v	well is located:3	02 Eagl	le			
9. Well Location:	Latitude:	31 D	17 M	47 S			
	Longitude:	97 D	15 M	13 S			
10. Identify any surfac	e water, including lak	tes or rivers wit	hin 1,00	00 feet	of the well: none		
11. Well or Driller's I geophysical logs for th	og. Please attach a cone well.	opy of the State	Well R	eport a	and, if available, any		
12. Please attach a pho	otograph of the well ta	aken approxima	tely 100	) feet f	rom the well.		
<ol> <li>Please attach a cop ownership of the well.</li> <li>Interim Production Sta</li> </ol>	Disregard this require	rement if the de	ocumented was	t verify sent w	ying the applicant's ith your Application for		
14.Year well drilled: 1	963 Year well comp	leted and operat	ional:	1964			
15. Pump Information	ı: Pump Make and M	odel: Goulds 5	CLC-15	5			
Pump power source:	☑ Electric ☐ Diesel	☐ Natural Ga	s 🗌 O	ther			
Casing Material Steel PVC							
Size of well casing: 4	inches Ins	side diameter of	`columr	ı pipe:	3 inches		
16. The maximum rate at which water can be withdrawn from the well: 94 gpm							
17. Flow Meter Make	and Model: Sensus						
Serial Number: 15265	578	Meter Units: C	allons				
Meter reading end of 2	.008: Amount: 24455	Units:	Gallons	]	Date: 12-31-08		
Meter reading end of 2	.009: Amount: 46903	Units:	Gallons	]	Date: 12-31-09		

### Texas Water Development Board Well Schedule

Eddy

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Application No.	
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Bruceville WellPlu	gged May 12,19	92
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py of the applicant's d for TCEQ.	most recent wat	er conservation plan and
ch the well is screen	ed: Hensel	
hich the well is loca	ed:Bruce Street	
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luding lakes or rivers	s within 1,000 fe	et of the well: None
the well taken approx	simately 100 fee	from the well.
this requirement if th	e deed was sent	ifying the applicant's with your Application for
vell completed and o	perational: 1964	
Diesel Natura	l Gas  Other	
□PVC		
Inside diamete	er of column pip	e: inches
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	py of the applicant's d for TCEQ.  The the well is screened which the well is located by the second state of the second state of the second se	Bruceville WellPlugged May 12,19  Ile-Eddy  50024  py of the applicant's most recent wat d for TCEQ.  ch the well is screened: Hensel which the well is located: Bruce Street  D M  D M  luding lakes or rivers within 1,000 fee attach a copy of the State Well Report the well taken approximately 100 feed ded deed or other legal document ver this requirement if the deed was sent to has been no change.  Well completed and operational: 1964 ke and Model:  Diesel Natural Gas Other  PVC  Inside diameter of column pipe atter can be withdrawn from the well:  Meter Units:  "The Meter Un

Brucein Le Welle

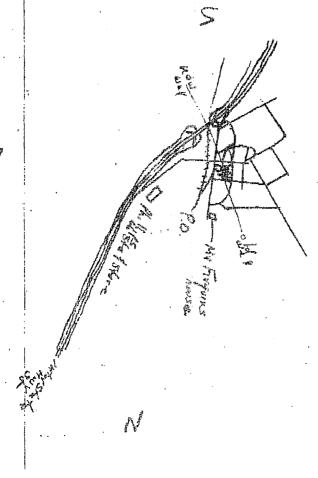
#### TRIAS WATER COMMISSION

WELL SOREPORE

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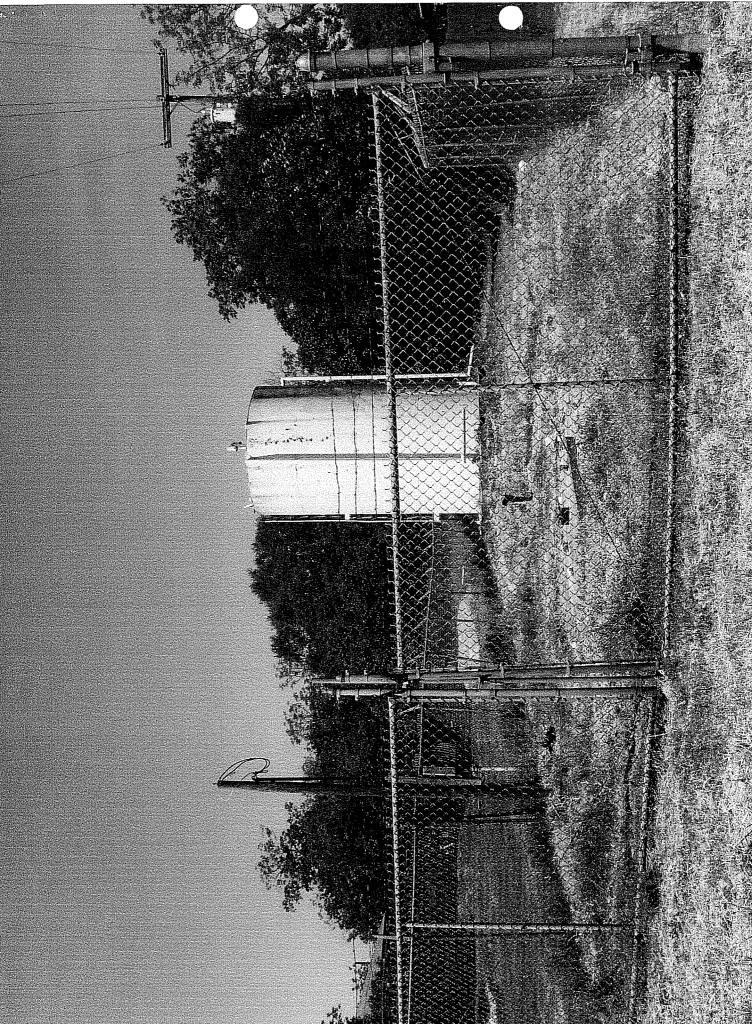
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