

**Bluebonnet Groundwater
Conservation District**

Groundwater Management Plan

October 16, 2013
Approved Plan

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Bluebonnet Groundwater Conservation District Groundwater Management Plan – 2013

The Bluebonnet Groundwater Conservation District (the “District”) was created by the 77th Texas Legislature under the authority of Section 59, Article XVI, of the Texas Constitution, and in accordance with Chapter 36 of the Texas Water Code (“Water Code”), by the Act of May 21, 2001, 77th Leg., R.S., ch. 1361, 2001 Tex. Gen. and Spec. Laws, codified May 29, 2009, 81st Leg., R.S., ch. 1139, sec. 8825 (“the District Act”).

The District is a governmental agency and a body politic and corporate. The District was created to serve a public use and benefit, and is essential to accomplish the objectives set forth in Section 59, Article XVI, of the Texas Constitution. The District’s boundaries are coextensive with the boundaries of Austin, Grimes, Walker, and Waller Counties, Texas, and lands and other property within these boundaries will benefit from the works and projects that will be accomplished by the District.

District Mission and Purpose of Management Plan

The 75th Texas Legislature in 1997 enacted Senate Bill 1 (“SB 1”) to establish a comprehensive statewide water planning process. In particular, SB 1 contained provisions that required groundwater conservation districts to prepare management plans to identify the water supply resources and water demands that will shape the decisions of each district. SB 1 designed the management plans to include management goals for each district to manage and conserve the groundwater resources within their boundaries. In 2001, the Texas Legislature enacted Senate Bill 2 (“SB 2”) to build on the planning requirements of SB 1 and to further clarify the actions necessary for districts to manage and conserve the groundwater resources of the state of Texas.

The Texas Legislature enacted significant changes to the management of groundwater resources in Texas with the passage of House Bill 1763 (HB 1763) in 2005. HB 1763 created a long-term planning process in which groundwater conservation districts (GCDs) in each Groundwater Management Area (GMA) are required to meet and determine the Desired Future Conditions (DFCs) for the groundwater resources within their boundaries by September 1, 2010. In addition, HB 1763 required GCDs, to share management plans with the other GCDs in the GMA for review by the other GCDs.

The Bluebonnet Groundwater Conservation District’s management plan satisfies the requirements of SB 1, SB 2, HB 1763, the statutory requirements of Chapter 36 of the Texas Water Code, and the administrative requirements of the Texas Water Development Board’s (TWDB) rules.

Technical District Information Required by Texas Administrative Code

Estimate of Modeled Available Groundwater in District Based on Desired Future Conditions

Texas Water Code § 36.001 defines modeled available groundwater as “the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a desired future condition established under Section 36.108”.

The joint planning process set forth in Texas Water Code § 36.108 must be collectively conducted by all groundwater conservation districts within the same GMA. The District is a member of GMA 14. GMA 14 adopted DFCs for the Gulf Coast, Carrizo-Wilcox, Queen City, Sparta, Yegua-Jackson, and River Alluvium (Brazos, Navasota, San Bernard, San Jacinto, and Trinity) aquifers on August 25, 2010. The adopted DFCs were then forwarded to the TWDB. The submittal package for the DFCs can be found here:

http://www.twdb.texas.gov/groundwater/docs/DFC/GMA14_DFC_Adopted_2010-0825.pdf

The desired future conditions and the modeled available groundwater for the River Alluvium aquifers were developed based on TWDB Aquifer Assessments as summarized below:

Aquifer	County	Desired Future Condition - Saturated Thickness in 2050 (% from Estimated 2010 Conditions)	Modeled Available Groundwater (MAG) AF/yr
			2010 - 2060
Brazos River Alluvium	Austin	90%	7,944
Brazos River Alluvium	Grimes	90%	5,112
Brazos River Alluvium	Waller	90%	12,027
Navasota River Alluvium	Grimes	90%	2,216
San Bernard Alluvium	Austin	90%	520
San Jacinto River Alluvium	Walker	90%	1,450
Trinity River Alluvium	Walker	90%	3,913

MAG values for the Brazos River Alluvium Aquifer were documented in TWDB GTA Aquifer Assessment 10-30 MAG (Bradley, June 22, 2011).

MAG values for the Navasota River Alluvium Aquifer were documented in TWDB GTA Aquifer Assessment 10-31 MAG (Wuerch and Backhouse, June 22, 2011).

MAG values for the San Bernard River Alluvium Aquifer were documented in TWDB GTA Aquifer Assessment 10-32 MAG (Wuerch and Backhouse, June 22, 2011).

MAG values for the San Jacinto River Alluvium Aquifer were documented in TWDB GTA Aquifer Assessment 10-33 MAG (Thorkildsen and Backhouse, June 22, 2011).

MAG values for the Trinity River Alluvium Aquifer were documented in TWDB GTA Aquifer Assessment 10-034 MAG (Thorkildsen and Backhouse, June 22, 2011).

The desired future conditions and the modeled available groundwater for the Major and Minor Aquifers were developed based on TWDB GAM Runs as summarized below:

Aquifer	County	Base Year	Desired Future Condition: Drawdown in 2060 from Base Year (ft)	Modeled Available Groundwater (MAG) AF/yr					
				2010	2020	2030	2040	2050	2060
Carrizo-Wilcox	Grimes	2010	52.8	8,274	8,274	8,274	8,274	8,274	8,274
Carrizo-Wilcox	Walker	2010	45.7	2,099	2,099	2,099	2,099	2,099	2,099
Gulf Coast - Chicot	Austin	2008	17	1,300	1,300	1,300	1,300	1,300	1,300
Gulf Coast - Chicot	Grimes	2008	0	0	0	0	0	0	0
Gulf Coast - Chicot	Waller	2008	7	300	300	300	300	300	300
Gulf Coast - Evangeline	Austin	2008	10	20,013	20,013	20,013	20,013	20,013	20,013
Gulf Coast - Evangeline	Grimes	2008	27	3,002	3,002	3,002	3,002	3,002	3,002
Gulf Coast - Evangeline	Walker	2008	10	2,001	2,001	2,001	2,001	2,001	2,001
Gulf Coast - Evangeline	Waller	2008	8	41,027	41,027	41,027	41,027	41,027	41,027
Gulf Coast - Burkeville	Austin	2008	11	0	0	0	0	0	0
Gulf Coast - Burkeville	Grimes	2008	10	0	0	0	0	0	0
Gulf Coast - Burkeville	Walker	2008	5	0	0	0	0	0	0
Gulf Coast - Burkeville	Waller	2008	9	0	0	0	0	0	0
Gulf Coast - Jasper	Austin	2008	20	1,001	1,001	1,001	1,001	1,001	1,001
Gulf Coast - Jasper	Grimes	2008	28	10,848	10,848	10,307	10,084	10,084	10,084
Gulf Coast - Jasper	Walker	2008	33	16,011	15,988	15,988	15,912	15,912	15,912
Gulf Coast - Jasper	Waller	2008	25	300	300	300	300	300	300
Jackson (Brackish Confined)	Grimes	2010	20	132	132	132	132	132	132
Jackson (Brackish Confined)	Walker	2010	20	86	86	86	86	86	86
Jackson (Confined)	Grimes	2010	15	22	22	22	22	22	22
Jackson (Confined)	Walker	2010	15	0	0	0	0	0	0
Jackson (Unconfined)	Grimes	2010	10	1,729	1,729	1,729	1,729	1,729	1,729
Jackson (Unconfined)	Walker	2010	10	3,342	3,342	3,342	3,342	3,342	3,342
Queen City	Grimes	2010	16.8	637	637	637	637	637	637
Queen City	Walker	2010	21	229	229	229	229	229	229
Sparta	Grimes	2010	14	2,571	2,571	2,571	2,571	2,571	2,571
Sparta	Walker	2010	19.5	2,350	2,350	2,350	2,350	2,350	2,350
Yegua (Brackish Confined)	Grimes	2010	20	312	312	312	312	312	312
Yegua (Brackish Confined)	Walker	2010	20	340	340	340	340	340	340
Yegua (Confined)	Grimes	2010	15	0	0	0	0	0	0
Yegua (Confined)	Walker	2010	15	40	40	40	40	40	40
Yegua (Unconfined)	Grimes	2010	10	1,083	1,083	1,083	1,083	1,083	1,083
Yegua (Unconfined)	Walker	2010	10	366	366	366	366	366	366

MAG values for the Carrizo-Wilcox Aquifer were documented in TWDB GAM Run 10-052 MAG Version 2 (Shi, November 18, 2011).

MAG values for the Gulf Coast Aquifer (Chicot, Evangeline, Burkeville, and Jasper) were documented in TWDB GAM Run 10-038 (Hassan and updated by Wade, November 18, 2011).

MAG values for the Jackson Aquifer were documented in TWDB GAM Run 10-055 MAG Version 2 (Oliver, November 18, 2011, and updated to version 2 by Boghici and Wade, July 9, 2012). Values presented are from Table 1 of the MAG report to link pumping amounts with individual DFCs.

MAG values for the Queen City Aquifer were documented in TWDB GAM Run 10-053 MAG Version 3 (Shi and updated by Boghici, July 9, 2012).

MAG values for the Sparta Aquifer were documented in TWDB GAM Run 10-054 MAG Version 2 (Shi, November 18, 2011).

MAG values for the Yegua Aquifer were documented in TWDB GAM Run 10-055 MAG Version 2 (Oliver, November 18, 2011, and updated to version 2 by Boghici and Wade, July 9, 2012). Values presented are from Table 1 of the MAG report to link pumping amounts with individual DFCs.

Amount of Groundwater Being Used within the District on an Annual Basis

Please refer to Appendix A.

Annual Amount of Recharge From Precipitation to the Groundwater Resources within the District

Please refer to Appendix B.

Annual Volume of Water that Discharges from the Aquifer to Springs and Surface Water Bodies

Please refer to Appendix B.

Estimate of the Annual Volume of Flow into the District, out of the District, and Between Aquifers in the District

Please refer to Appendix B.

Projected Surface Water Supply within the District

Please refer to Appendix A.

Projected Total Demand for Water within the District

Please refer to Appendix A.

Water Supply Needs

Please refer to Appendix A.

Water Management Strategies

Please refer to Appendix A.

Methodology to Track District Progress in Achieving Management Goals

An annual report (“Annual Report”) will be created by the general manager and staff of the District and provided to the members of the Board of the District. The Annual Report will cover the activities of the District including information on the District’s performance in regards to achieving the District’s management goals and objectives. The Annual Report will be delivered to the Board each year coordinating collection of permitted pumping data, downloaded available drought information, and water level monitoring. A copy of the Annual Report will be kept on file and available for public inspection at the District’s offices upon adoption.

Actions, Procedures, Performance, and Avoidance for District Implementation of Management Plan

The District will implement the provisions of this management plan and will utilize the objectives of the plan as a guide for District actions, operations and decision-making. The District will ensure that planning efforts, activities and operations are consistent with the provisions of this plan.

The District has adopted rules in accordance with Chapter 36 of the Texas Water Code. The development of rules is based on the scientific information and technical evidence available to the District. Current rules are available at:

<http://www.bluebonnetgroundwater.org/wp-content/uploads/2012/06/Bluebonnet-GCD-Rules-17-043.pdf>

The District will encourage cooperation and coordination in the implementation of this plan. All operations and activities will be performed in a manner that encourages the cooperation of the citizens of the District and with the appropriate water management entities at the local, regional and state level.

Management Goals

1. Providing for the Most Efficient Use of Groundwater in the District

1.1 Objective – Each year, the District will require all new exempt or non-exempt wells that are constructed within the boundaries of the District to be registered with the District in accordance with the District rules.

1.1 Performance Standard – Each year the number of exempt and non-exempt wells registered by the District for the year will be incorporated into the Annual Report submitted to the Board of Directors of the District.

2. Controlling and Preventing the Waste of Groundwater in the District

2.1 Objective – Each year, the District will make an evaluation of the District Rules to determine whether any amendments are recommended to decrease the amount of waste of groundwater within the District.

2.1 Performance Standard – The District will include a discussion of the annual evaluation of the District Rules and whether any amendments to the rules are recommended to prevent the waste of groundwater in the Annual Report of the District provided to the Board of Directors.

2.2 Objective – The District will provide information to the public on eliminating and reducing wasteful practices in the use of groundwater.

2.2 Performance Standard – The District will post and maintain an article or a link to an article relevant to the public on eliminating and reducing wasteful practices in the use of groundwater.

3. Controlling and Preventing Subsidence

3.1 Objective – Controlling and preventing subsidence will be addressed during the review and processing of new, renewed, and amended permit applications.

3.1 Performance Standard – If review results demonstrate potential subsidence, the District will implement actions ranging from reducing requested permitted pumping to including permit conditions imposing subsidence monitoring requirements and establishment of threshold limits that could result in reduced production based on monitoring results.

4. Conjunctive Surface Water Management Issues

4.1 Objective – The District will participate in the regional planning process by attending the Region G and Region H Regional Water Planning Group meetings.

4.1 Performance Standard – The attendance of a District representative to Region G

and Region H Regional Water Planning Group meetings will be noted in the Annual Report.

5. *Natural Resource Issues Affecting the Use and Availability of Groundwater or affected by the Use of Groundwater*

This Management Goal is not Applicable to the District.

6. *Addressing Drought Conditions*

6.1 Objective – Each month, the District will download available drought information, for the counties in the District, from available websites on the internet.

6.1 Performance Standard – Quarterly, the District will make an assessment of the status of drought in the District and prepare a quarterly briefing for the Board of Directors. The downloaded maps, reports and information will be included with copies of the quarterly briefings, and combined with results of groundwater monitoring data and permitted pumping data in the District Annual Report to the Board of Directors.

7. *Addressing Conservation, Recharge Enhancement, Rainwater Harvesting, Precipitation Enhancement, and Brush Control*

Conservation

7A.1 Objective – The District will provide information relevant to public education and awareness regarding water conservation of the use of groundwater.

7A.1 Performance Standard – The District will post and maintain an article or a link to an article listed under water conservation on the District website.

Recharge Enhancement

This management goal is not applicable to the District.

Rainwater Harvesting

7C.1 Objective – The District will provide information relevant to public education and awareness regarding rainwater harvesting.

7C.1 Performance Standard – The District will post and maintain an article or a link to an article listed under rainwater harvesting on the District website.

Precipitation Enhancement

This management goal is not applicable to the District.

Brush Control

This management goal is not applicable to the District

8. *Addressing in a quantitative manner the desired future conditions (DFC) of the groundwater resources in the District*

8.1 Objective – The desired future conditions established for the District were based on Scenario 3 of GAM Run 10-023. The model results include cell by cell estimates of groundwater elevations and drawdown for each year of the predictive period (2009 to 2060). In order to assess the desired future condition in the District, these model results will be compared annually to groundwater monitoring data that is available from the TWDB groundwater database.

8.1 Performance Standard – In March of each year, the District will download groundwater data from Austin, Grimes, Walker and Waller counties from the Texas Water Development Board groundwater database. The comparison of model results will be on a well-by-well basis for data that are available. As an example, a recent check showed that 21 wells met the following comparison criteria for the Gulf Coast Aquifer: 1) the well was located within the District, 2) the TWDB database included data on the well's depth, and completion interval, 3) the well completion placed the well entirely within one model layer, and 4) the most recent groundwater elevation data was after 2008 (the established starting point for drawdown calculations). These 21 wells and pertinent data are summarized below. The data downloaded from the database will be compared to model results each year and presented in the Annual Report in the form of tables and graphs as appropriate. These comparisons will be supplemented by data and information related to drought conditions and permitted pumping data.

State Well Number	TWDB Aquifer Code	Well Depth (ft)	Depth to Top of Well Screen (ft)	Depth to Bottom of Well Screen (ft)	Year with Earliest Data	Year with Most Recent Data	Model Row	Model Column	Model Layer
5940707	122CTHL	272	210	260	1948	2010	14	90	4
5948106	122CTHL	358	316	343	1970	2010	15	90	4
5948111	122CTHL	365	295	355	2009	2010	15	90	4
5948207	122CTHL	430	382	420	2009	2010	16	91	4
5948405	111ABZR	83	63	83	1997	2011	17	86	3
5948707	111ABZR	78	59	78	1997	2011	20	86	2
5956301	121EVGL	292	282	292	1970	2010	23	88	2
5964201	121EVGL	728	694	724	1956	2011	30	79	2
6025804	122CTHL	153	138	153	1970	2011	11	105	4
6029707	122JSPR	600	540	584	1985	2010	26	126	4
6057103	121EVGL	576	475	570	1930	2010	33	84	2
6057402	121EVGL	645	610	630	1977	2010	34	83	2
6057509	121EVGL	609	330	350	1985	2011	37	85	2
6604601	122JSPR	119	105	119	1965	2011	22	51	2
6606614	121EVGL	850	764	830	1986	2011	32	65	3
6614204	121EVGL	118	110	118	1982	2011	35	57	1
6615905	121EVGL	462	320	452	1971	2011	45	63	2
6616407	112CHCT	165	147	165	1966	2011	45	67	2
6623401	121EVGL	824	60	190	1956	2011	47	57	1
6624801	121EVGL	610	586	606	1957	2011	57	62	2
6624805	121EVGL	725	530	702	1973	2011	56	62	2

APPENDIX A

Estimated Historical Water Use And 2012 State Water Plan Datasets:

Bluebonnet Groundwater Conservation District

by Stephen Allen

Texas Water Development Board

Groundwater Resources Division

Groundwater Technical Assistance Section

(512) 463-7317

August 9, 2013

Estimated Historical Water Use And 2012 State Water Plan Datasets:

Bluebonnet Groundwater Conservation District

by Stephen Allen
Texas Water Development Board
Groundwater Resources Division
Groundwater Technical Assistance Section
stephen.allen@twdb.texas.gov
(512) 463-7317
August 9, 2013

GROUNDWATER MANAGEMENT PLAN DATA:

This package of water data reports (part 1 of a 2-part package of information) is being provided to groundwater conservation districts to help them meet the requirements for approval of their five-year groundwater management plan. Each report in the package addresses a specific numbered requirement in the Texas Water Development Board's groundwater management plan checklist. The checklist can be viewed and downloaded from this web address:

<http://www.twdb.state.tx.us/groundwater/doc/GCD/GMPChecklist0113.pdf>

The five reports included in part 1 are:

1. Estimated Historical Water Use (checklist Item 2)
from the TWDB Historical Water Use Survey (WUS)
2. Projected Surface Water Supplies (checklist Item 6)
3. Projected Water Demands (checklist Item 7)
4. Projected Water Supply Needs (checklist Item 8)
5. Projected Water Management Strategies (checklist Item 9)
reports 2-5 are from the 2012 State Water Plan (SWP)

Part 2 of the 2-part package is the groundwater availability model (GAM) report. The District should have received, or will receive, this report from the Groundwater Availability Modeling Section. Questions about the GAM can be directed to Dr. Shirley Wade, shirley.wade@twdb.texas.gov, (512) 936-0883.

DISCLAIMER:

The data presented in this report represents the most updated Historical Water Use and 2012 State Water Planning data available as of 8/9/2013. Although it does not happen frequently, neither of these datasets are static and are subject to change pending the availability of more accurate data (Historical Water Use data) or an amendment to the 2012 State Water Plan (2012 State Water Planning data). District personnel must review these datasets and correct any discrepancies in order to ensure approval of their groundwater management plan.

The Historical Water Use dataset can be verified at this web address:

<http://www.twdb.texas.gov/waterplanning/waterusesurvey/estimates/>

The 2012 State Water Planning dataset can be verified by contacting Wendy Barron (wendy.barron@twdb.texas.gov or 512-936-0886).

For additional questions regarding this data, please contact Stephen Allen (stephen.allen@twdb.texas.gov or 512-463-7317) or Rima Petrossian (rima.petrossian@twdb.texas.gov or 512-936-2420).

Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

Groundwater and surface water historical use estimates are currently unavailable for calendar years 2005, 2011 and 2012. TWDB staff anticipates the calculation and posting of these estimates at a later date.

AUSTIN COUNTY

All values are in acre-feet/year

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1974	GW	2,196	112	0	10,246	55	428	13,037
	SW	0	0	0	0	0	1,651	1,651
1980	GW	2,621	75	0	9,998	0	254	12,948
	SW	0	0	0	0	0	1,112	1,112
1984	GW	3,130	118	0	8,754	24	192	12,218
	SW	0	0	0	0	0	1,742	1,742
1985	GW	3,163	120	0	7,291	24	210	10,808
	SW	0	0	0	0	0	1,897	1,897
1986	GW	2,947	112	0	7,900	25	180	11,164
	SW	0	0	0	0	0	1,630	1,630
1987	GW	3,005	107	0	6,717	20	170	10,019
	SW	0	0	0	0	0	1,543	1,543
1988	GW	3,082	89	0	8,783	21	164	12,139
	SW	0	0	0	0	0	1,490	1,490
1989	GW	2,907	87	0	9,172	20	162	12,348
	SW	0	0	0	0	0	1,468	1,468
1990	GW	3,076	98	0	9,642	20	163	12,999
	SW	0	0	0	0	0	1,479	1,479
1991	GW	2,788	130	0	9,042	58	168	12,186
	SW	0	0	0	0	0	1,510	1,510
1992	GW	2,844	165	0	10,851	58	199	14,117
	SW	0	0	0	0	0	1,794	1,794
1993	GW	3,002	166	0	7,252	58	212	10,690
	SW	0	0	0	0	0	1,912	1,912
1994	GW	3,100	149	0	8,492	58	186	11,985
	SW	0	0	0	0	0	1,681	1,681
1995	GW	3,283	152	0	7,877	58	207	11,577
	SW	0	0	0	0	0	1,865	1,865
1996	GW	3,383	172	0	9,627	58	192	13,432
	SW	0	0	0	0	0	1,733	1,733
1997	GW	3,150	171	0	7,877	58	190	11,446

Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

Groundwater and surface water historical use estimates are currently unavailable for calendar years 2005, 2011 and 2012. TWDB staff anticipates the calculation and posting of these estimates at a later date.

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1997	SW	0	0	0	0	0	1,700	1,700
1998	GW	3,410	127	0	9,504	58	161	13,260
	SW	0	0	0	0	0	1,443	1,443
1999	GW	3,596	43	0	9,504	58	161	13,362
	SW	0	0	0	0	0	1,454	1,454
2000	GW	3,569	162	0	9,070	42	161	13,004
	SW	0	0	0	1,547	0	1,453	3,000
2001	GW	2,912	71	0	8,191	29	96	11,299
	SW	0	0	0	1,445	0	1,493	2,938
2002	GW	3,257	16	0	4,255	29	98	7,655
	SW	0	0	0	751	0	1,525	2,276
2003	GW	3,677	90	0	5,808	29	96	9,700
	SW	0	0	0	0	0	1,490	1,490
2004	GW	2,739	41	0	8,251	29	96	11,156
	SW	0	0	0	0	0	1,492	1,492
2006	GW	3,741	74	0	3,101	0	485	7,401
	SW	0	2	0	0	0	1,133	1,135
2007	GW	3,512	73	0	3,364	0	521	7,470
	SW	0	2	0	0	0	1,215	1,217
2008	GW	3,340	86	0	3,634	0	379	7,439
	SW	0	0	0	0	0	884	884
2009	GW	4,003	112	0	3,083	4	438	7,640
	SW	0	0	0	0	3	1,023	1,026
2010	GW	4,351	104	0	3,986	8	346	8,795
	SW	0	0	0	0	6	807	813

GRIMES COUNTY

All values are in acre-feet/year

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1974	GW	1,520	143	0	115	19	222	2,019
	SW	0	0	0	0	0	1,939	1,939
1980	GW	1,498	175	0	250	0	739	2,662
	SW	0	0	0	0	0	872	872

Estimated Historical Water Use and 2012 State Water Plan Dataset:

Bluebonnet Groundwater Conservation District

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Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

Groundwater and surface water historical use estimates are currently unavailable for calendar years 2005, 2011 and 2012. TWDB staff anticipates the calculation and posting of these estimates at a later date.

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1984	GW	1,901	170	0	479	26	800	3,376
	SW	0	0	8,297	0	1	1,202	9,500
1985	GW	3,076	194	0	200	24	680	4,174
	SW	0	0	8,057	0	1	1,020	9,078
1986	GW	2,218	189	0	200	27	686	3,320
	SW	0	0	5,740	0	1	1,030	6,771
1987	GW	2,178	285	0	200	22	704	3,389
	SW	0	0	8,353	0	1	1,057	9,411
1988	GW	2,048	245	0	150	23	690	3,156
	SW	0	0	13,400	0	1	1,036	14,437
1989	GW	1,889	226	0	40	0	610	2,765
	SW	0	0	9,598	101	0	916	10,615
1990	GW	2,774	248	0	35	0	693	3,750
	SW	0	0	11,088	90	0	1,041	12,219
1991	GW	2,350	172	0	35	31	697	3,285
	SW	0	0	7,710	90	147	1,046	8,993
1992	GW	2,658	93	0	35	31	774	3,591
	SW	0	0	4,319	90	124	1,159	5,692
1993	GW	2,916	168	0	238	31	739	4,092
	SW	0	0	3,518	140	124	1,108	4,890
1994	GW	3,286	216	0	244	31	664	4,441
	SW	0	0	4,319	187	176	998	5,680
1995	GW	2,787	182	0	271	31	809	4,080
	SW	0	0	4,556	159	164	1,213	6,092
1996	GW	3,707	361	0	261	31	734	5,094
	SW	0	0	6,454	153	164	1,101	7,872
1997	GW	3,476	243	0	261	31	654	4,665
	SW	0	0	3,683	153	127	981	4,944
1998	GW	3,598	185	0	373	31	709	4,896
	SW	0	0	4,292	41	127	1,064	5,524
1999	GW	3,579	157	0	373	31	616	4,756
	SW	0	0	2,830	41	127	923	3,921
2000	GW	3,640	197	0	185	31	622	4,675

Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

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Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
2000	SW	0	0	4,405	56	127	932	5,520
2001	GW	2,956	254	0	252	27	256	3,745
	SW	0	0	4,608	75	158	1,251	6,092
2002	GW	2,821	220	0	176	27	265	3,509
	SW	0	0	3,528	52	158	1,291	5,029
2003	GW	3,512	163	0	53	0	243	3,971
	SW	0	0	3,629	123	0	1,185	4,937
2004	GW	4,193	269	0	60	0	227	4,749
	SW	0	0	3,680	208	0	1,107	4,995
2006	GW	4,299	365	3	612	0	421	5,700
	SW	0	0	8,678	27	0	981	9,686
2007	GW	3,996	274	2	333	0	501	5,106
	SW	0	0	8,619	0	0	1,168	9,787
2008	GW	4,656	349	1	275	0	436	5,717
	SW	0	0	12,405	33	0	1,017	13,455
2009	GW	4,855	202	1	0	0	453	5,511
	SW	0	0	11,840	0	0	1,056	12,896
2010	GW	4,162	216	1	75	17	674	5,145
	SW	0	0	13,446	200	0	1,571	15,217

WALKER COUNTY

All values are in acre-feet/year

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1974	GW	4,645	138	0	0	10	200	4,993
	SW	0	0	0	273	0	1,155	1,428
1980	GW	9,354	203	0	0	0	310	9,867
	SW	626	4	0	654	8	410	1,702
1984	GW	3,826	241	0	75	6	352	4,500
	SW	3,323	7	0	132	0	529	3,991
1985	GW	3,702	252	0	54	6	313	4,327
	SW	3,668	6	0	96	0	469	4,239
1986	GW	3,798	244	0	36	6	360	4,444
	SW	3,413	4	0	64	0	539	4,020

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Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

Groundwater and surface water historical use estimates are currently unavailable for calendar years 2005, 2011 and 2012. TWDB staff anticipates the calculation and posting of these estimates at a later date.

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1987	GW	4,747	193	0	36	5	306	5,287
	SW	3,197	6	0	64	0	460	3,727
1988	GW	4,370	190	0	36	6	334	4,936
	SW	3,899	15	0	64	0	502	4,480
1989	GW	4,648	190	0	326	5	296	5,465
	SW	3,662	20	0	20	0	444	4,146
1990	GW	4,688	190	0	324	5	292	5,499
	SW	3,561	23	0	21	0	438	4,043
1991	GW	4,779	130	0	324	12	298	5,543
	SW	3,253	14	0	21	0	447	3,735
1992	GW	4,696	190	0	324	12	226	5,448
	SW	3,657	21	0	21	0	339	4,038
1993	GW	5,434	194	0	11	12	199	5,850
	SW	3,443	23	0	0	0	298	3,764
1994	GW	4,899	188	0	11	12	235	5,345
	SW	4,014	41	0	0	0	352	4,407
1995	GW	6,171	214	0	11	12	253	6,661
	SW	4,009	36	0	0	0	379	4,424
1996	GW	6,631	219	0	11	12	249	7,122
	SW	4,026	39	0	0	0	375	4,440
1997	GW	6,108	197	0	11	12	296	6,624
	SW	4,632	63	0	0	0	445	5,140
1998	GW	5,942	508	0	11	12	249	6,722
	SW	5,362	311	0	0	0	373	6,046
1999	GW	6,132	638	0	11	12	284	7,077
	SW	5,670	203	0	0	0	426	6,299
2000	GW	4,625	496	0	0	12	253	5,386
	SW	10,110	2,022	0	0	0	379	12,511
2001	GW	3,682	1,702	0	0	6	129	5,519
	SW	9,361	1,278	0	0	0	518	11,157
2002	GW	3,633	198	0	0	6	125	3,962
	SW	9,237	148	0	0	0	499	9,884
2003	GW	3,871	151	0	0	6	122	4,150

Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

Groundwater and surface water historical use estimates are currently unavailable for calendar years 2005, 2011 and 2012. TWDB staff anticipates the calculation and posting of these estimates at a later date.

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
2003	SW	9,844	113	0	105	0	489	10,551
2004	GW	3,874	154	0	1	6	122	4,157
	SW	9,850	115	0	7	0	487	10,459
2006	GW	4,963	47	0	153	0	222	5,385
	SW	7,377	16	0	247	0	518	8,158
2007	GW	4,714	47	0	34	0	199	4,994
	SW	7,138	20	0	141	0	464	7,763
2008	GW	3,026	35	0	0	0	190	3,251
	SW	7,803	20	0	241	0	445	8,509
2009	GW	4,886	34	0	377	0	181	5,478
	SW	6,717	39	0	298	0	421	7,475
2010	GW	5,462	44	0	570	7	221	6,304
	SW	6,736	202	0	0	6	514	7,458

WALLER COUNTY

All values are in acre-feet/year

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1974	GW	1,955	124	0	29,784	68	168	32,099
	SW	0	0	0	200	0	1,376	1,576
1980	GW	3,160	15	0	25,999	916	602	30,692
	SW	260	0	0	0	0	373	633
1984	GW	4,086	24	0	28,076	1,325	814	34,325
	SW	215	0	0	184	0	543	942
1985	GW	4,274	18	0	32,135	1,325	752	38,504
	SW	303	0	0	2,418	0	501	3,222
1986	GW	3,969	27	0	23,651	1,327	937	29,911
	SW	45	0	0	0	0	625	670
1987	GW	4,093	33	0	25,333	964	794	31,217
	SW	253	0	0	0	0	529	782
1988	GW	4,439	44	0	33,593	906	834	39,816
	SW	287	0	0	0	0	555	842
1989	GW	4,243	38	0	20,417	905	730	26,333
	SW	230	0	0	0	0	486	716

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Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

Groundwater and surface water historical use estimates are currently unavailable for calendar years 2005, 2011 and 2012. TWDB staff anticipates the calculation and posting of these estimates at a later date.

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
1990	GW	4,600	39	0	26,370	905	731	32,645
	SW	287	0	0	0	0	487	774
1991	GW	3,969	38	0	24,620	1,029	746	30,402
	SW	43	0	0	0	0	497	540
1992	GW	3,810	96	0	22,830	1,028	743	28,507
	SW	0	0	0	0	0	495	495
1993	GW	4,037	62	0	16,672	1,028	751	22,550
	SW	0	0	0	695	0	501	1,196
1994	GW	4,289	56	0	20,689	1,031	664	26,729
	SW	0	0	0	233	0	443	676
1995	GW	4,847	45	0	18,736	1,031	753	25,412
	SW	21	0	0	781	0	501	1,303
1996	GW	4,670	74	0	22,460	1,031	1,072	29,307
	SW	27	0	0	936	0	715	1,678
1997	GW	4,602	71	0	21,371	1,031	648	27,723
	SW	27	0	0	1,125	0	432	1,584
1998	GW	3,921	75	0	24,295	80	546	28,917
	SW	0	0	0	0	0	364	364
1999	GW	4,612	72	0	20,396	80	581	25,741
	SW	0	0	0	0	0	387	387
2000	GW	4,613	68	0	22,201	80	564	27,526
	SW	0	0	0	0	0	376	376
2001	GW	4,719	40	0	25,896	73	319	31,047
	SW	0	0	0	0	0	570	570
2002	GW	4,611	15	0	26,551	73	305	31,555
	SW	0	0	0	0	0	546	546
2003	GW	4,513	31	0	23,111	689	381	28,725
	SW	0	0	0	183	0	682	865
2004	GW	4,178	47	0	24,384	570	372	29,551
	SW	0	0	0	343	0	666	1,009
2006	GW	5,030	27	0	17,785	861	627	24,330
	SW	0	0	0	104	0	627	731
2007	GW	5,063	26	0	12,518	1,105	538	19,250

Estimated Historical Water Use

TWDB Historical Water Use Survey (WUS) Data

Groundwater and surface water historical use estimates are currently unavailable for calendar years 2005, 2011 and 2012. TWDB staff anticipates the calculation and posting of these estimates at a later date.

Year	Source	Municipal	Manufacturing	Steam Electric	Irrigation	Mining	Livestock	Total
2007	SW	0	0	0	4,419	0	538	4,957
2008	GW	4,526	34	0	19,639	0	482	24,681
	SW	0	0	0	117	0	482	599
2009	GW	4,855	40	0	20,070	2	459	25,426
	SW	0	0	0	233	2	460	695
2010	GW	5,580	29	0	21,937	4	732	28,282
	SW	0	0	0	107	4	731	842

Projected Surface Water Supplies

TWDB 2012 State Water Plan Data

AUSTIN COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	Source Name	2010	2020	2030	2040	2050	2060
H	LIVESTOCK	COLORADO	LIVESTOCK LOCAL SUPPLY	52	56	58	59	60	61
Sum of Projected Surface Water Supplies (acre-feet/year)				52	56	58	59	60	61

GRIMES COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	Source Name	2010	2020	2030	2040	2050	2060
G	IRRIGATION	BRAZOS	BRAZOS RIVER COMBINED RUN-OF-RIVER IRRIGATION	1,680	1,681	1,682	1,683	1,684	1,685
G	LIVESTOCK	BRAZOS	LIVESTOCK LOCAL SUPPLY	901	901	901	901	901	901
G	LIVESTOCK	SAN JACINTO	LIVESTOCK LOCAL SUPPLY	373	373	373	373	373	373
G	LIVESTOCK	TRINITY	LIVESTOCK LOCAL SUPPLY	280	280	280	280	280	280
G	MANUFACTURING	BRAZOS	BRAZOS RIVER COMBINED RUN-OF-RIVER MANUFACTURING	112	112	112	112	112	112
G	MINING	BRAZOS	BRAZOS RIVER COMBINED RUN-OF-RIVER MINING	79	80	81	82	84	85
G	STEAM ELECTRIC POWER	BRAZOS	GIBBONS CREEK LAKE/RESERVOIR	9,740	9,740	9,740	9,740	9,740	9,740
G	STEAM ELECTRIC POWER	BRAZOS	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	6,720	6,720	6,720	6,720	6,720	6,720
Sum of Projected Surface Water Supplies (acre-feet/year)				19,885	19,887	19,889	19,891	19,894	19,896

WALKER COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	Source Name	2010	2020	2030	2040	2050	2060
H	COUNTY-OTHER	SAN JACINTO	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	1,737	1,341	1,376	1,422	1,497	1,585

Projected Surface Water Supplies

TWDB 2012 State Water Plan Data

RWPG	WUG	WUG Basin	Source Name	2010	2020	2030	2040	2050	2060
H	COUNTY-OTHER	TRINITY	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	1,263	1,659	1,624	1,578	1,503	1,415
H	HUNTSVILLE	SAN JACINTO	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	15,869	15,870	15,868	15,869	15,870	15,869
H	HUNTSVILLE	TRINITY	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	3,534	3,533	3,535	3,534	3,533	3,534
H	LAKE LIVINGSTON WATER SUPPLY & SEWER SERVICE COMPANY	TRINITY	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	19	18	17	16	15	15
H	LIVESTOCK	SAN JACINTO	LIVESTOCK LOCAL SUPPLY	0	1	12	8	9	11
H	LIVESTOCK	TRINITY	LIVESTOCK LOCAL SUPPLY	106	127	138	143	148	154
H	RIVERSIDE WSC	TRINITY	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	20	20	15	10	10	10
H	TRINITY RURAL WSC	TRINITY	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM	89	92	92	92	96	99
Sum of Projected Surface Water Supplies (acre-feet/year)				22,637	22,661	22,677	22,672	22,681	22,692

WALLER COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	Source Name	2010	2020	2030	2040	2050	2060
H	LIVESTOCK	BRAZOS	LIVESTOCK LOCAL SUPPLY	232	232	232	232	242	277
H	LIVESTOCK	SAN JACINTO	LIVESTOCK LOCAL SUPPLY	90	90	90	90	102	107
Sum of Projected Surface Water Supplies (acre-feet/year)				322	322	322	322	344	384

Projected Water Demands

TWDB 2012 State Water Plan Data

Please note that the demand numbers presented here include the plumbing code savings found in the Regional and State Water Plans.

AUSTIN COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
H	SAN FELIPE	BRAZOS	124	145	159	167	170	176
H	SEALY	BRAZOS	1,275	1,635	1,883	2,000	2,060	2,163
H	MANUFACTURING	BRAZOS	172	191	208	223	236	257
H	MINING	BRAZOS	40	44	47	49	51	53
H	IRRIGATION	BRAZOS	743	743	743	743	743	743
H	LIVESTOCK	BRAZOS	1,211	1,211	1,211	1,211	1,211	1,211
H	COUNTY-OTHER	BRAZOS	1,047	871	762	692	659	624
H	BELLVILLE	BRAZOS	1,192	1,477	1,664	1,760	1,810	1,889
H	WALLIS	BRAZOS-COLORADO	178	194	202	207	209	214
H	COUNTY-OTHER	BRAZOS-COLORADO	281	307	326	334	338	347
H	MANUFACTURING	BRAZOS-COLORADO	38	42	45	49	52	56
H	MINING	BRAZOS-COLORADO	4	4	4	4	5	5
H	IRRIGATION	BRAZOS-COLORADO	9,874	9,874	9,874	9,874	9,874	9,874
H	LIVESTOCK	BRAZOS-COLORADO	339	339	339	339	339	339
H	COUNTY-OTHER	COLORADO	26	29	31	31	32	33
H	MINING	COLORADO	7	8	8	9	9	9
H	LIVESTOCK	COLORADO	65	65	65	65	65	65
Sum of Projected Water Demands (acre-feet/year)			16,616	17,179	17,571	17,757	17,863	18,058

GRIMES COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
G	WICKSON CREEK SUD	BRAZOS	625	878	1,044	1,175	1,286	1,396
G	NAVASOTA	BRAZOS	1,426	1,464	1,494	1,505	1,526	1,555
G	COUNTY-OTHER	BRAZOS	658	667	682	675	682	700
G	MANUFACTURING	BRAZOS	257	297	336	375	410	445
G	STEAM ELECTRIC POWER	BRAZOS	12,000	31,760	33,160	34,660	36,660	39,660
G	MINING	BRAZOS	128	130	132	134	134	135
G	IRRIGATION	BRAZOS	190	190	190	190	190	190
G	LIVESTOCK	BRAZOS	901	901	901	901	901	901
G	COUNTY-OTHER	SAN JACINTO	385	391	400	396	400	410

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Projected Water Demands

TWDB 2012 State Water Plan Data

Please note that the demand numbers presented here include the plumbing code savings found in the Regional and State Water Plans.

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
G	MINING	SAN JACINTO	37	38	38	38	39	39
G	LIVESTOCK	SAN JACINTO	373	373	373	373	373	373
G	IRRIGATION	SAN JACINTO	51	51	51	51	51	51
G	COUNTY-OTHER	TRINITY	226	229	235	232	235	241
G	MINING	TRINITY	1	1	1	1	1	1
G	LIVESTOCK	TRINITY	280	280	280	280	280	280
Sum of Projected Water Demands (acre-feet/year)			17,538	37,650	39,317	40,986	43,168	46,377

WALKER COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
H	HUNTSVILLE	SAN JACINTO	6,287	7,529	7,659	7,512	7,469	7,472
H	NEW WAVERLY	SAN JACINTO	218	235	243	236	235	235
H	COUNTY-OTHER	SAN JACINTO	4,509	2,629	2,899	2,601	2,659	2,659
H	MANUFACTURING	SAN JACINTO	577	669	753	839	914	993
H	MINING	SAN JACINTO	7	7	7	7	7	7
H	IRRIGATION	SAN JACINTO	5	5	5	5	5	5
H	LIVESTOCK	SAN JACINTO	310	310	310	310	310	310
H	MANUFACTURING	TRINITY	2,631	3,049	3,435	3,827	4,169	4,524
H	MINING	TRINITY	6	6	6	6	6	6
H	IRRIGATION	TRINITY	6	6	6	6	6	6
H	LIVESTOCK	TRINITY	322	322	322	322	322	322
H	LAKE LIVINGSTON WATER SUPPLY & SEWER SERVICE COMPANY	TRINITY	29	30	30	29	28	28
H	RIVERSIDE WSC	TRINITY	330	325	335	379	402	439
H	TRINITY RURAL WSC	TRINITY	22	24	24	23	23	23
H	WALKER COUNTY RURAL WSC	TRINITY	839	898	919	891	884	884
H	HUNTSVILLE	TRINITY	1,400	1,676	1,706	1,673	1,663	1,664
H	COUNTY-OTHER	TRINITY	3,278	3,252	3,420	2,888	2,671	2,374
H	CONSOLIDATED WSC	TRINITY	8	9	9	8	8	8
Sum of Projected Water Demands (acre-feet/year)			20,784	20,981	22,088	21,562	21,781	21,959

Projected Water Demands

TWDB 2012 State Water Plan Data

Please note that the demand numbers presented here include the plumbing code savings found in the Regional and State Water Plans.

WALLER COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
H	IRRIGATION	BRAZOS	4,825	4,825	4,825	4,825	4,825	4,825
H	MINING	BRAZOS	9	9	9	9	9	9
H	MANUFACTURING	BRAZOS	17	19	21	24	25	28
H	COUNTY-OTHER	BRAZOS	685	708	755	794	869	954
H	LIVESTOCK	BRAZOS	676	676	676	676	676	676
H	BROOKSHIRE	BRAZOS	673	847	1,039	1,254	1,517	1,832
H	HEMPSTEAD	BRAZOS	1,457	2,052	2,694	3,427	4,294	5,313
H	PINE ISLAND	BRAZOS	117	146	177	210	254	305
H	PRAIRIE VIEW	BRAZOS	1,129	1,211	1,307	1,418	1,558	1,726
H	LIVESTOCK	SAN JACINTO	263	263	263	263	263	263
H	PRAIRIE VIEW	SAN JACINTO	124	133	144	156	171	190
H	IRRIGATION	SAN JACINTO	18,153	18,153	18,153	18,153	18,153	18,153
H	MINING	SAN JACINTO	71	71	71	71	71	71
H	MANUFACTURING	SAN JACINTO	72	82	91	99	108	116
H	COUNTY-OTHER	SAN JACINTO	841	1,013	1,227	1,435	1,729	2,066
H	WALLER	SAN JACINTO	416	488	572	668	782	917
H	KATY	SAN JACINTO	271	405	554	722	919	1,151
Sum of Projected Water Demands (acre-feet/year)			29,799	31,101	32,578	34,204	36,223	38,595

Projected Water Supply Needs

TWDB 2012 State Water Plan Data

Negative values (in red) reflect a projected water supply need, positive values a surplus.

AUSTIN COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
H	BELLVILLE	BRAZOS	0	-285	-472	-568	-618	-697
H	COUNTY-OTHER	BRAZOS	0	0	0	0	0	0
H	COUNTY-OTHER	BRAZOS-COLORADO	0	-26	-45	-53	-57	-66
H	COUNTY-OTHER	COLORADO	0	-3	-5	-5	-6	-7
H	IRRIGATION	BRAZOS	0	0	0	0	0	0
H	IRRIGATION	BRAZOS-COLORADO	0	0	0	0	0	0
H	LIVESTOCK	BRAZOS	0	0	0	0	0	0
H	LIVESTOCK	BRAZOS-COLORADO	0	0	0	0	0	0
H	LIVESTOCK	COLORADO	0	0	0	0	0	0
H	MANUFACTURING	BRAZOS	0	-19	-36	-51	-64	-85
H	MANUFACTURING	BRAZOS-COLORADO	0	-4	-7	-11	-14	-18
H	MINING	BRAZOS	0	-4	-7	-9	-11	-13
H	MINING	BRAZOS-COLORADO	0	0	0	0	-1	-1
H	MINING	COLORADO	0	-1	-1	-2	-2	-2
H	SAN FELIPE	BRAZOS	0	-21	-35	-43	-46	-52
H	SEALY	BRAZOS	0	-360	-608	-725	-785	-888
H	WALLIS	BRAZOS-COLORADO	0	-16	-24	-29	-31	-36
Sum of Projected Water Supply Needs (acre-feet/year)			0	-739	-1,240	-1,496	-1,635	-1,865

GRIMES COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
G	COUNTY-OTHER	BRAZOS	143	134	119	126	119	101
G	COUNTY-OTHER	SAN JACINTO	84	78	69	73	69	59
G	COUNTY-OTHER	TRINITY	50	47	41	44	41	35
G	IRRIGATION	BRAZOS	1,739	1,740	1,741	1,742	1,743	1,744
G	IRRIGATION	SAN JACINTO	15	15	15	15	15	15
G	LIVESTOCK	BRAZOS	0	0	0	0	0	0
G	LIVESTOCK	SAN JACINTO	0	0	0	0	0	0
G	LIVESTOCK	TRINITY	0	0	0	0	0	0
G	MANUFACTURING	BRAZOS	300	260	221	182	147	112
G	MINING	BRAZOS	25	24	23	22	24	24

Estimated Historical Water Use and 2012 State Water Plan Dataset:

Bluebonnet Groundwater Conservation District

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Projected Water Supply Needs

TWDB 2012 State Water Plan Data

Negative values (in red) reflect a projected water supply need, positive values a surplus.

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
G	MINING	SAN JACINTO	2	1	1	1	0	0
G	MINING	TRINITY	0	0	0	0	0	0
G	NAVASOTA	BRAZOS	1,135	1,097	1,067	1,056	1,035	1,006
G	STEAM ELECTRIC POWER	BRAZOS	4,460	-15,300	-16,700	-18,200	-20,200	-23,200
G	WICKSON CREEK SUD	BRAZOS	272	9	-162	-297	-408	-518
Sum of Projected Water Supply Needs (acre-feet/year)			0	-15,300	-16,862	-18,497	-20,608	-23,718

WALKER COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
H	CONSOLIDATED WSC	TRINITY	0	-1	-1	0	0	0
H	COUNTY-OTHER	SAN JACINTO	959	319	376	450	571	713
H	COUNTY-OTHER	TRINITY	193	832	776	702	581	439
H	HUNTSVILLE	SAN JACINTO	14,179	12,938	12,806	12,954	12,998	12,994
H	HUNTSVILLE	TRINITY	2,820	2,524	2,469	2,469	2,456	2,437
H	IRRIGATION	SAN JACINTO	0	0	0	0	0	0
H	IRRIGATION	TRINITY	0	0	0	0	0	0
H	LAKE LIVINGSTON WATER SUPPLY & SEWER SERVICE COMPANY	TRINITY	19	17	16	16	15	15
H	LIVESTOCK	SAN JACINTO	0	0	0	0	0	0
H	LIVESTOCK	TRINITY	0	0	0	0	0	0
H	MANUFACTURING	SAN JACINTO	0	-92	-176	-262	-337	-416
H	MANUFACTURING	TRINITY	0	-627	-1,324	-1,515	-1,817	-2,155
H	MINING	SAN JACINTO	0	0	0	0	0	0
H	MINING	TRINITY	0	0	0	0	0	0
H	NEW WAVERLY	SAN JACINTO	0	-17	-25	-18	-17	-17
H	RIVERSIDE WSC	TRINITY	0	0	-10	-59	-82	-119
H	TRINITY RURAL WSC	TRINITY	67	68	68	69	73	76
H	WALKER COUNTY RURAL WSC	TRINITY	0	-78	-119	-119	-131	-146
Sum of Projected Water Supply Needs (acre-feet/year)			0	-815	-1,655	-1,973	-2,384	-2,853

Estimated Historical Water Use and 2012 State Water Plan Dataset:

Bluebonnet Groundwater Conservation District

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Projected Water Supply Needs

TWDB 2012 State Water Plan Data

Negative values (in red) reflect a projected water supply need, positive values a surplus.

WALLER COUNTY

All values are in acre-feet/year

RWPG	WUG	WUG Basin	2010	2020	2030	2040	2050	2060
H	BROOKSHIRE	BRAZOS	0	-174	-366	-581	-844	-1,159
H	COUNTY-OTHER	BRAZOS	0	-23	-70	-109	-184	-269
H	COUNTY-OTHER	SAN JACINTO	0	-172	-386	-594	-888	-1,225
H	HEMPSTEAD	BRAZOS	0	-595	-1,237	-1,970	-2,837	-3,856
H	IRRIGATION	BRAZOS	0	0	0	0	0	0
H	IRRIGATION	SAN JACINTO	0	-474	0	-13	-1,592	-3,398
H	KATY	SAN JACINTO	-82	-284	-444	-612	-809	-1,041
H	LIVESTOCK	BRAZOS	0	0	0	0	0	0
H	LIVESTOCK	SAN JACINTO	0	0	0	0	0	0
H	MANUFACTURING	BRAZOS	0	-2	-4	-7	-8	-11
H	MANUFACTURING	SAN JACINTO	0	-10	-19	-27	-36	-44
H	MINING	BRAZOS	0	0	0	0	0	0
H	MINING	SAN JACINTO	0	0	0	0	0	0
H	PINE ISLAND	BRAZOS	0	-29	-60	-93	-137	-188
H	PRAIRIE VIEW	BRAZOS	0	-82	-178	-289	-429	-597
H	PRAIRIE VIEW	SAN JACINTO	0	-9	-20	-32	-47	-66
H	WALLER	SAN JACINTO	0	-72	-156	-252	-366	-501
Sum of Projected Water Supply Needs (acre-feet/year)			-82	-1,926	-2,940	-4,579	-8,177	-12,355

Projected Water Management Strategies

TWDB 2012 State Water Plan Data

AUSTIN COUNTY

WUG, Basin (RWPG)

All values are in acre-feet/year

Water Management Strategy	Source Name [Origin]	2010	2020	2030	2040	2050	2060
BELLVILLE, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	285	472	568	618	697
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [AUSTIN]	0	88	99	105	108	113
COUNTY-OTHER, BRAZOS-COLORADO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	26	45	53	57	66
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [AUSTIN]	0	17	18	19	19	19
COUNTY-OTHER, COLORADO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	3	5	5	6	7
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [AUSTIN]	0	2	2	2	2	2
MANUFACTURING, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	19	36	51	64	85
MANUFACTURING, BRAZOS-COLORADO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	4	7	11	14	18
MINING, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	4	7	9	11	13
MINING, BRAZOS-COLORADO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	0	0	0	1	1
MINING, COLORADO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	1	1	2	2	2
SAN FELIPE, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	21	35	43	46	52

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Projected Water Management Strategies

TWDB 2012 State Water Plan Data

WUG, Basin (RWPG)		All values are in acre-feet/year					
Water Management Strategy	Source Name [Origin]	2010	2020	2030	2040	2050	2060
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [AUSTIN]	0	8	9	9	9	10
SEALY, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	360	608	725	785	888
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [AUSTIN]	0	97	112	119	123	129
SEALY GW TREATMENT EXPANSION	GULF COAST AQUIFER [AUSTIN]	0	360	360	360	360	888
WALLIS, BRAZOS-COLORADO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [AUSTIN]	0	16	24	29	31	36
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [AUSTIN]	0	11	11	11	12	12
Sum of Projected Water Management Strategies (acre-feet/year)		0	1,322	1,851	2,121	2,268	3,038

GRIMES COUNTY

WUG, Basin (RWPG)		All values are in acre-feet/year					
Water Management Strategy	Source Name [Origin]	2010	2020	2030	2040	2050	2060
STEAM ELECTRIC POWER, BRAZOS (G)							
ADDITIONAL GULF COAST AQUIFER DEVELOPMENT	GULF COAST AQUIFER [GRIMES]	0	0	0	5,600	5,600	5,600
RAISE LEVEL OF GIBBONS CREEK RESERVOIR	GIBBONS CREEK LAKE/RESERVOIR ADDITIONAL YIELD [RESERVOIR]	0	3,870	3,870	3,870	3,870	3,870
STEAM-ELECTRIC CONSERVATION	CONSERVATION [GRIMES]	360	1,588	2,321	2,426	2,566	2,776
WASTEWATER REUSE	DIRECT REUSE [BRAZOS]	0	11,000	11,000	11,000	11,000	11,000
WICKSON CREEK SUD, BRAZOS (G)							
PURCHASE WATER FROM CITY OF BRYAN	CARRIZO-WILCOX AQUIFER [BRAZOS]	600	600	600	600	600	600
Sum of Projected Water Management Strategies (acre-feet/year)		960	17,058	17,791	23,496	23,636	23,846

Projected Water Management Strategies

TWDB 2012 State Water Plan Data

WALKER COUNTY

WUG, Basin (RWPG)

All values are in acre-feet/year

Water Management Strategy	Source Name [Origin]	2010	2020	2030	2040	2050	2060
CONSOLIDATED WSC, TRINITY (H)							
EXPANDED USE OF GW	YEGUA-JACKSON AQUIFER [WALKER]	0	1	1	0	0	0
COUNTY-OTHER, TRINITY (H)							
EXPANDED USE OF GW	YEGUA-JACKSON AQUIFER [WALKER]	0	1	0	0	0	0
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [WALKER]	0	1	0	0	0	0
LAKE LIVINGSTON WATER SUPPLY & SEWER SERVICE COMPANY, TRINITY (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALKER]	0	0	1	0	0	0
LLWSSC SURFACE WATER PROJECT	LIVINGSTON- WALLISVILLE LAKE/RESERVOIR SYSTEM [RESERVOIR]	19	18	17	16	15	15
MUNICIPAL CONSERVATION - LARGE WUG	CONSERVATION [WALKER]	0	0	1	0	0	0
MANUFACTURING, SAN JACINTO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALKER]	0	92	176	262	337	416
MANUFACTURING, TRINITY (H)							
EXPANDED USE OF GW	YEGUA-JACKSON AQUIFER [WALKER]	0	627	1,324	1,515	1,817	2,155
NEW WAVERLY, SAN JACINTO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALKER]	0	17	25	18	17	17
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [WALKER]	0	13	13	13	13	13
RIVERSIDE WSC, TRINITY (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALKER]	0	0	5	49	72	109
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [WALKER]	0	0	5	23	24	26

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Projected Water Management Strategies

TWDB 2012 State Water Plan Data

WUG, Basin (RWPG) All values are in acre-feet/year

Water Management Strategy	Source Name [Origin]	2010	2020	2030	2040	2050	2060
WALKER COUNTY RURAL WSC, TRINITY (H)							
EXPANDED USE OF GW	SPARTA AQUIFER [WALKER]	0	78	119	119	131	146
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [WALKER]	0	54	55	53	53	53
Sum of Projected Water Management Strategies (acre-feet/year)		19	902	1,742	2,068	2,479	2,950

WALLER COUNTY

WUG, Basin (RWPG) All values are in acre-feet/year

Water Management Strategy	Source Name [Origin]	2010	2020	2030	2040	2050	2060
BROOKSHIRE, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	124	304	506	754	1,050
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [WALLER]	0	50	62	75	90	109
COUNTY-OTHER, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	0	28	65	136	216
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [WALLER]	0	23	42	44	48	53
COUNTY-OTHER, SAN JACINTO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	172	386	594	888	1,219
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [WALLER]	0	56	68	80	96	115
HEMPSTEAD, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	473	1,076	1,766	2,581	3,539
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [WALLER]	0	122	161	204	256	317
IRRIGATION, BRAZOS (H)							
IRRIGATION CONSERVATION	CONSERVATION [WALLER]	0	0	0	0	1,387	1,387
IRRIGATION, SAN JACINTO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	0	0	13	0	0

Projected Water Management Strategies

TWDB 2012 State Water Plan Data

WUG, Basin (RWPG)		All values are in acre-feet/year					
Water Management Strategy	Source Name [Origin]	2010	2020	2030	2040	2050	2060
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	474	0	0	0	0
IRRIGATION CONSERVATION	CONSERVATION [WALLER]	0	0	0	0	5,219	5,219
KATY, SAN JACINTO (H)							
MUNICIPAL CONSERVATION - LARGE WUG	CONSERVATION [WALLER]	17	26	35	46	58	73
WHCRWA GRP PARTICIPATION	GULF COAST AQUIFER [HARRIS]	65	258	409	566	751	968
MANUFACTURING, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	2	4	7	8	11
MANUFACTURING, SAN JACINTO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	10	19	27	36	44
PINE ISLAND, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	29	60	93	137	188
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [WALLER]	0	8	10	12	14	17
PRAIRIE VIEW, BRAZOS (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	82	178	289	429	597
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [WALLER]	0	72	78	85	93	103
PRAIRIE VIEW, SAN JACINTO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	9	20	32	47	66
MUNICIPAL CONSERVATION - MEDIUM WUG	CONSERVATION [WALLER]	0	8	9	9	10	11
WALLER, SAN JACINTO (H)							
EXPANDED USE OF GW	GULF COAST AQUIFER [WALLER]	0	72	156	252	366	501
MUNICIPAL CONSERVATION - SMALL WUG	CONSERVATION [WALLER]	0	27	32	37	43	51
REALLOCATION OF EXISTING SUPPLIES	LIVINGSTON-WALLISVILLE LAKE/RESERVOIR SYSTEM [RESERVOIR]	0	0	0	0	0	0

Projected Water Management Strategies

TWDB 2012 State Water Plan Data

Sum of Projected Water Management Strategies (acre-feet/year)	82	2,097	3,137	4,802	13,447	15,854
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APPENDIX B

GAM RUN 13-028: BLUEBONNET GROUNDWATER CONSERVATION DISTRICT MANAGEMENT PLAN

by William Kohlrenken
Texas Water Development Board
Groundwater Resources Division
Groundwater Availability Modeling Section
(512) 463-8279
August 30, 2013

GAM RUN 13-028: BLUEBONNET GROUNDWATER CONSERVATION DISTRICT MANAGEMENT PLAN

by William Kohlrenken
Texas Water Development Board
Groundwater Resources Division
Groundwater Availability Modeling Section
(512) 463-8279
August 30, 2013



Cynthia K. Ridgeway is the Manager of the Groundwater Availability Modeling Section and is responsible for oversight of work performed by William Kohlrenken under her direct supervision. The seal appearing on this document was authorized by Cynthia K. Ridgeway, P.G. 471 on August 30, 2013.

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GAM RUN 13-028: BLUEBONNET GROUNDWATER CONSERVATION DISTRICT MANAGEMENT PLAN

by William Kohlrenken
Texas Water Development Board
Groundwater Resources Division
Groundwater Availability Modeling Section
(512) 463-8279
August 30, 2013

EXECUTIVE SUMMARY:

Texas State Water Code, Section 36.1071, Subsection (h), states that, in developing its groundwater management plan, a groundwater conservation district shall use groundwater availability modeling information provided by the executive administrator of the Texas Water Development Board (TWDB) in conjunction with any available site-specific information provided by the district for review and comment to the executive administrator. Information derived from groundwater availability models that shall be included in the groundwater management plan includes:

- the annual amount of recharge from precipitation to the groundwater resources within the district, if any;
- for each aquifer within the district, the annual volume of water that discharges from the aquifer to springs and any surface water bodies, including lakes, streams, and rivers; and
- the annual volume of flow into and out of the district within each aquifer and between aquifers in the district.

This report—Part 2 of a two-part package of information from the TWDB to Bluebonnet Groundwater Conservation District—fulfills the requirements noted above. Part 1 of the two-part package is the Historical Water Use/State Water Plan data report. The District should have received, or will receive, this data report from the TWDB Groundwater Technical Assistance Section. Questions about the data report can be directed to Mr. Stephen Allen, stephen.allen@twdb.texas.gov, (512) 463-7317.

The groundwater management plan for Bluebonnet Groundwater Conservation District should be adopted by the district on or before January 7, 2015 and submitted to the executive administrator of the TWDB on or before February 6, 2015. The current management plan for Bluebonnet Groundwater Conservation District expires on April 7, 2015.

This report discusses the methods, assumptions, and results from model runs using the groundwater availability models for the Carrizo-Wilcox, Queen City, Sparta, Yegua-Jackson aquifers, and Gulf Coast Aquifer System. This model run replaces the results of GAM Run 08-87 (Aschenbach, 2008). GAM Run 13-028 includes results from the groundwater availability model for the Yegua-Jackson Aquifer. It also meets current standards set after the release of GAM Run 08-87 including use of the extent of the official aquifer boundaries within the district rather than the entire active area of the model within the district. Tables 1 through 5 summarize the groundwater availability model data required by the statute, and Figures 1 through 5 show the area of the model from which the values in the tables were extracted. If after review of the figures, Bluebonnet Groundwater Conservation District determines that the district boundaries used in the assessment do not reflect current conditions, please notify the Texas Water Development Board immediately.

Although the Brazos River Alluvium Aquifer is also within the Bluebonnet Groundwater Conservation District, a groundwater availability model for this aquifer has not been developed at this time. If the district would like information for the Brazos River Alluvium Aquifer, they may request it from the Groundwater Technical Assistance Section of the Texas Water Development Board.

METHODS:

In accordance with the provisions of the Texas State Water Code, Section 36.1071, Subsection (h), the groundwater availability models for the central portion of the Carrizo-Wilcox, Queen City, and Sparta aquifers, the Yegua-Jackson Aquifer, and the northern portion of the Gulf Coast Aquifer System were run for this analysis. Bluebonnet Groundwater Conservation District water budgets were extracted for the historical model periods (1980-2000 for the central portion of the Carrizo-Wilcox, Queen City, Sparta aquifers, 1980-1997 for the Yegua-Jackson Aquifer, and 1980-2000 for the northern portion of the Gulf Coast Aquifer System) using ZONEBUDGET Version 3.01 (Harbaugh, 2009). The average annual water budget values for recharge, surface water outflow, inflow to the district, outflow from the district, net inter-aquifer flow (upper), and net inter-aquifer flow (lower) for the portion of the aquifer located within the district is summarized in this report.

The groundwater availability model for the northern portion of the Gulf Coast Aquifer uses MODFLOW's General Head Boundary Package to simulate groundwater recharge and groundwater-surface water interaction. The general head boundary was assigned over the outcrop areas of the aquifer. To estimate groundwater recharge and groundwater-surface water interaction separately, we zoned the surface water courses separate from the remainder of the outcrop areas in ArcGIS. We then calculated the water budget of these zones using ZONEBUDGET Version 3.01 (Harbaugh, 2009). This approach is different than those used in the past in that we are using a different program to extract the data from the model. We are also using two separate analyses to perform the budget calculations. In one analysis we calculate aquifer flows. In the second analysis we calculate discharge to streams and recharge from the general head boundary flows.

PARAMETERS AND ASSUMPTIONS:

Carrizo-Wilcox, Queen City, and Sparta aquifers

- We used version 2.02 of the groundwater availability model for the central part of the Carrizo-Wilcox, Queen City, and Sparta aquifers. See Dutton and others (2003) and Kelley and others (2004) for assumptions and limitations of the groundwater availability model for the central part of the Carrizo-Wilcox, Queen City, and Sparta aquifers.
- This groundwater availability model includes eight layers which generally represent the Sparta Aquifer (Layer 1), the Weches Confining Unit (Layer 2), the Queen City Aquifer (Layer 3), the Reklaw Confining Unit (Layer 4), the Carrizo Aquifer (Layer 5), the Upper Wilcox or Calvert Bluff Formation (Layer 6), the Middle Wilcox or Simsboro Formation (Layer 7), and the Lower Wilcox or Hooper Formation (Layer 8). Individual water budgets for the District were determined for the Sparta Aquifer (Layer 1), the Queen City Aquifer (Layer 3), and the Carrizo-Wilcox Aquifer (Layer 5 through Layer 8 collectively).
- Groundwater in the Carrizo-Wilcox, Queen City, and Sparta aquifers ranges from fresh to brackish in composition (Kelley and others, 2004). Groundwater with total dissolved solids of less than 1,000 milligrams per liter are considered fresh and total dissolved solids of 1,000 to 10,000 milligrams per liter are considered brackish.
- The model was run with MODFLOW-96 (Harbaugh and McDonald, 1996).

Yegua-Jackson Aquifer

- We used version 1.01 of the groundwater availability model for the Yegua-Jackson Aquifer. See Deeds and others (2010) for assumptions and limitations of the groundwater availability model.
- This groundwater availability model includes five layers which represent the outcrop section for the Yegua-Jackson Aquifer and younger overlying units (Layer 1), the upper portion of the Jackson Group (Layer 2), the lower portion of the Jackson Group (Layer 3), the upper portion of the Yegua Group (Layer 4), and the lower portion of the Yegua Group (Layer 5).
- An overall water budget for the District was determined for the Yegua-Jackson Aquifer (Layer 1 through Layer 5 collectively for the portions of the model that represent the Yegua-Jackson Aquifer).
- The model was run with MODFLOW-2000 (Harbaugh and others, 2000).

Gulf Coast Aquifer System

- We used version 2.01 of the groundwater availability model for the northern portion of the Gulf Coast Aquifer for this analysis. See Kasmarek and Robinson (2004) for assumptions and limitations of the model.
- The model has four layers which represent the Chicot Aquifer in layer one, the Evangeline Aquifer in layer two, the Burkeville confining unit in layer 3, and the Jasper Aquifer and parts of the Catahoula Formation in direct hydrologic communication with the Jasper Aquifer in layer 4.
- Water budgets for the district were determined for the Gulf Coast Aquifer (Layers 1 through 4).
- The model was run with MODFLOW-96 (Harbaugh and MacDonald, 1996).

RESULTS:

A groundwater budget summarizes the amount of water entering and leaving the aquifer according to the groundwater availability model. Selected groundwater budget components listed below were extracted from the model results for the aquifers located within the district and averaged over the duration of the calibration and verification portion of the model run in the district, as shown in Tables 1 through 5.

- Precipitation recharge—The areally distributed recharge sourced from precipitation falling on the outcrop areas of the aquifers (where the aquifer is exposed at land surface) within the district.
- Surface water outflow—The total water discharging from the aquifer (outflow) to surface water features such as streams, reservoirs, and drains (springs).
- Flow into and out of district—The lateral flow within the aquifer between the district and adjacent counties.
- Flow between aquifers—The net vertical flow between aquifers or confining units. This flow is controlled by the relative water levels in each aquifer or confining unit and aquifer properties of each aquifer or confining unit that define the amount of leakage that occurs. “Inflow” to an aquifer from an overlying or underlying aquifer will always equal the “Outflow” from the other aquifer.

The information needed for the District’s management plan is summarized in Tables 1 through 5. It is important to note that sub-regional water budgets are not exact. This is due to the size of the model cells and the approach used to extract data from the model. To avoid double accounting, a model cell that straddles a political boundary, such as a district or county boundary, is assigned to one side of the boundary based on the location of the centroid of the model cell. For example, if a cell contains two counties, the cell is assigned to the county where the centroid of the cell is located (Figures 1 through 5).

TABLE 1: SUMMARIZED INFORMATION FOR THE CARRIZO-WILCOX AQUIFER THAT IS NEEDED FOR BLUEBONNET GROUNDWATER CONSERVATION DISTRICT'S GROUNDWATER MANAGEMENT PLAN. ALL VALUES ARE REPORTED IN ACRE-FEET PER YEAR AND ROUNDED TO THE NEAREST 1 ACRE-FOOT.

<i>Management Plan requirement</i>	<i>Aquifer or confining unit</i>	<i>Results</i>
Estimated annual amount of recharge from precipitation to the district	Carrizo-Wilcox Aquifer	0
Estimated annual volume of water that discharges from the aquifer to springs and any surface water body including lakes, streams, and rivers	Carrizo-Wilcox Aquifer	0
Estimated annual volume of flow into the district within each aquifer in the district	Carrizo-Wilcox Aquifer	2,699
Estimated annual volume of flow out of the district within each aquifer in the district	Carrizo-Wilcox Aquifer	379
Estimated net annual volume of flow between each aquifer in the district	From the Carrizo-Wilcox Aquifer into the Reklaw Confining Unit	17
	From the Carrizo-Wilcox Aquifer to the downdip portions of the Carrizo and Wilcox formations	2,322

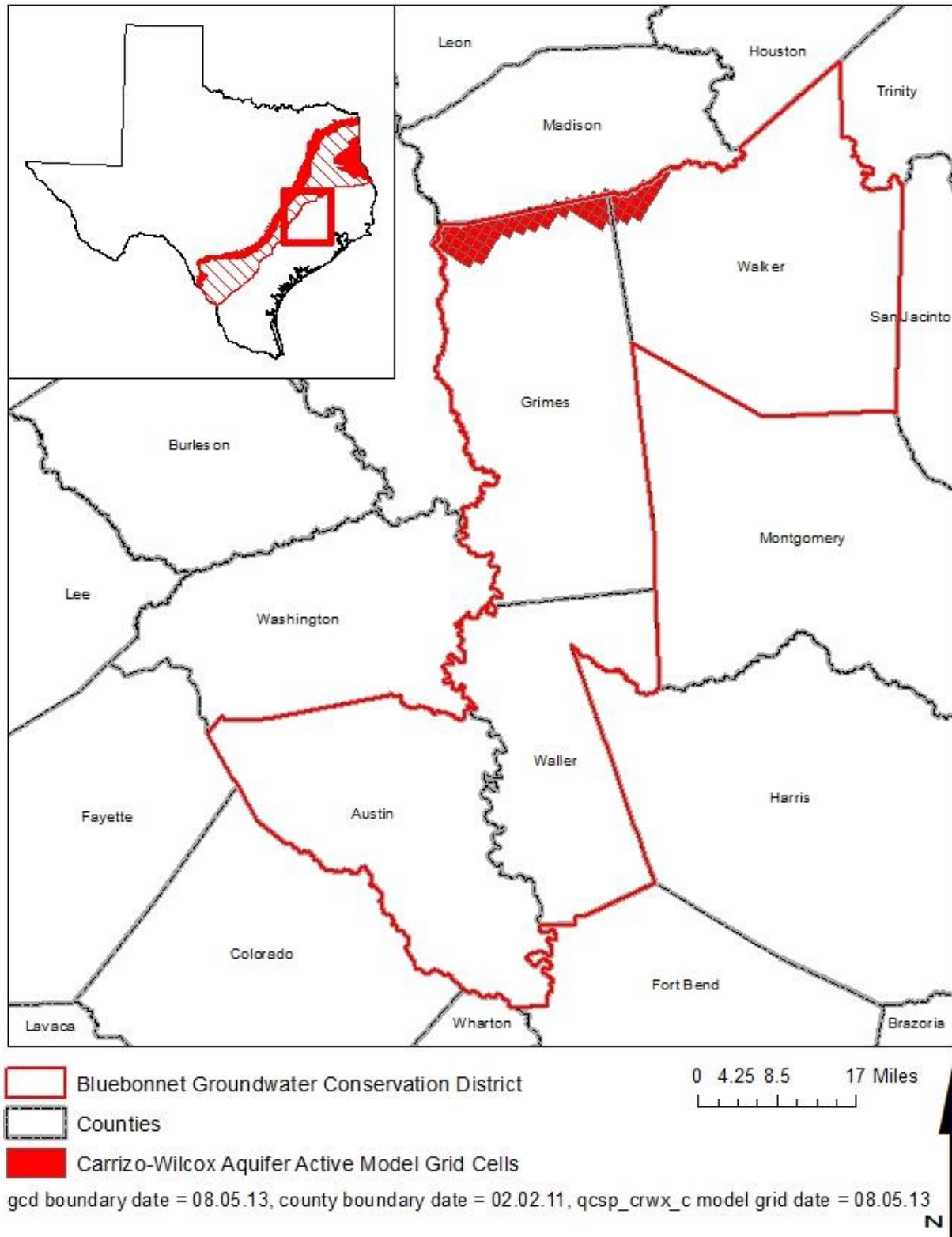


FIGURE 1: AREA OF THE GROUNDWATER AVAILABILITY MODEL FOR THE CARRIZO-WILCOX AQUIFER FROM WHICH THE INFORMATION IN TABLE 1 WAS EXTRACTED (THE CARRIZO-WILCOX AQUIFER EXTENT WITHIN THE DISTRICT BOUNDARY).

TABLE 2: SUMMARIZED INFORMATION FOR THE QUEEN CITY AQUIFER THAT IS NEEDED FOR BLUEBONNET GROUNDWATER CONSERVATION DISTRICT'S GROUNDWATER MANAGEMENT PLAN. ALL VALUES ARE REPORTED IN ACRE-FEET PER YEAR AND ROUNDED TO THE NEAREST 1 ACRE-FOOT.

<i>Management Plan requirement</i>	<i>Aquifer or confining unit</i>	<i>Results</i>
Estimated annual amount of recharge from precipitation to the district	Queen City Aquifer	0
Estimated annual volume of water that discharges from the aquifer to springs and any surface water body including lakes, streams, and rivers	Queen City Aquifer	0
Estimated annual volume of flow into the district within each aquifer in the district	Queen City Aquifer	134
Estimated annual volume of flow out of the district within each aquifer in the district	Queen City Aquifer	98
Estimated net annual volume of flow between each aquifer in the district	From the Queen City Aquifer into the Weches Confining Unit	190
	From the Reklaw Confining Unit into the Queen City Aquifer	55
	From the downdip portion of the Queen City formation to the Queen City Aquifer	49

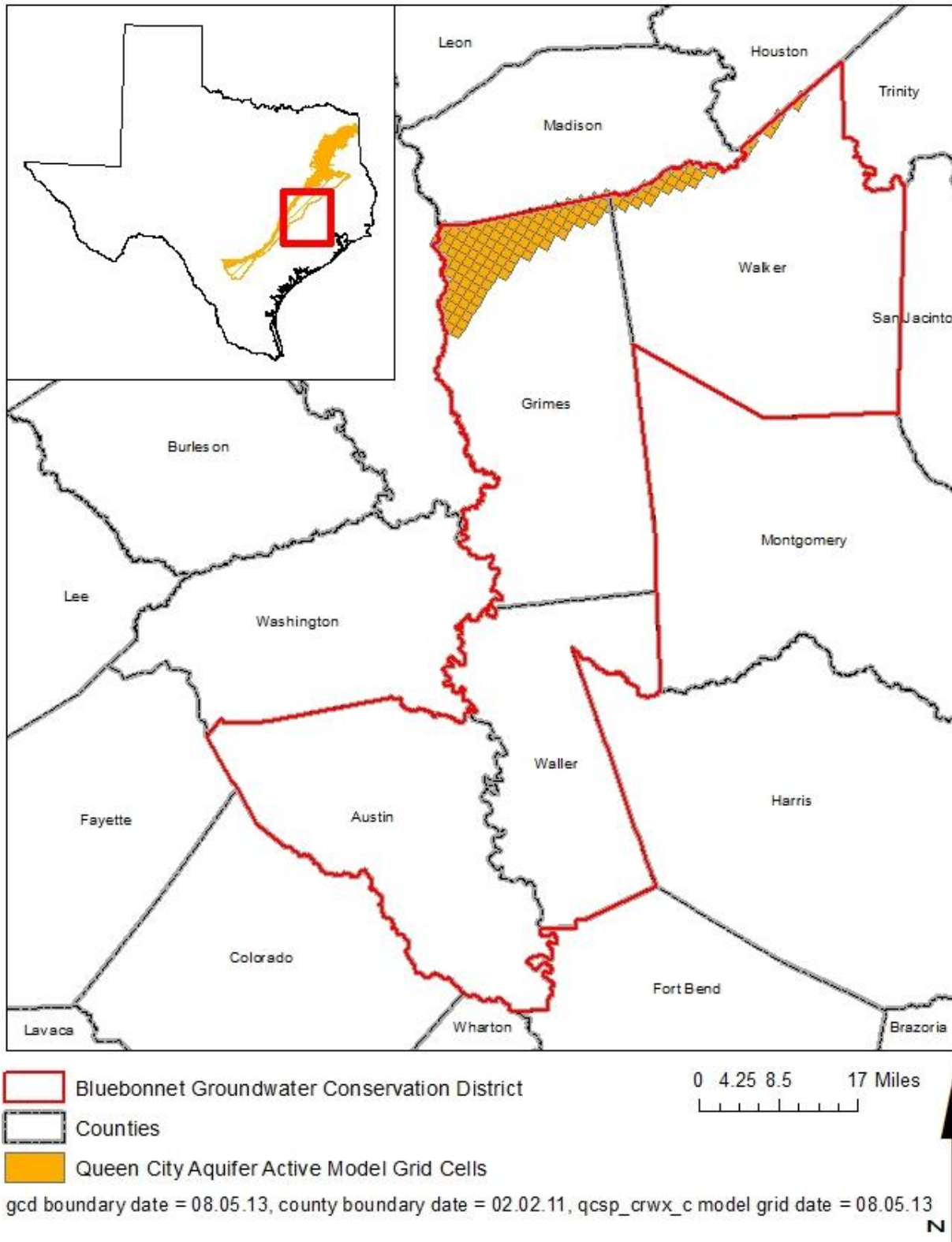


FIGURE 2: AREA OF THE GROUNDWATER AVAILABILITY MODEL FOR THE QUEEN CITY AQUIFER FROM WHICH THE INFORMATION IN TABLE 2 WAS EXTRACTED (THE QUEEN CITY AQUIFER EXTENT WITHIN THE DISTRICT BOUNDARY).

TABLE 3: SUMMARIZED INFORMATION FOR THE SPARTA AQUIFER THAT IS NEEDED FOR BLUEBONNET GROUNDWATER CONSERVATION DISTRICT'S GROUNDWATER MANAGEMENT PLAN. ALL VALUES ARE REPORTED IN ACRE-FEET PER YEAR AND ROUNDED TO THE NEAREST 1 ACRE-FOOT.

<i>Management Plan requirement</i>	<i>Aquifer or confining unit</i>	<i>Results</i>
Estimated annual amount of recharge from precipitation to the district	Sparta Aquifer	0
Estimated annual volume of water that discharges from the aquifer to springs and any surface water body including lakes, streams, and rivers	Sparta Aquifer	0
Estimated annual volume of flow into the district within each aquifer in the district	Sparta Aquifer	338
Estimated annual volume of flow out of the district within each aquifer in the district	Sparta Aquifer	482
Estimated net annual volume of flow between each aquifer in the district	From the Sparta Aquifer to overlying units	31
	From the Weches Confining Unit into the Sparta Aquifer	208
	From the Sparta Aquifer to the downdip portion of the Sparta Formation	49

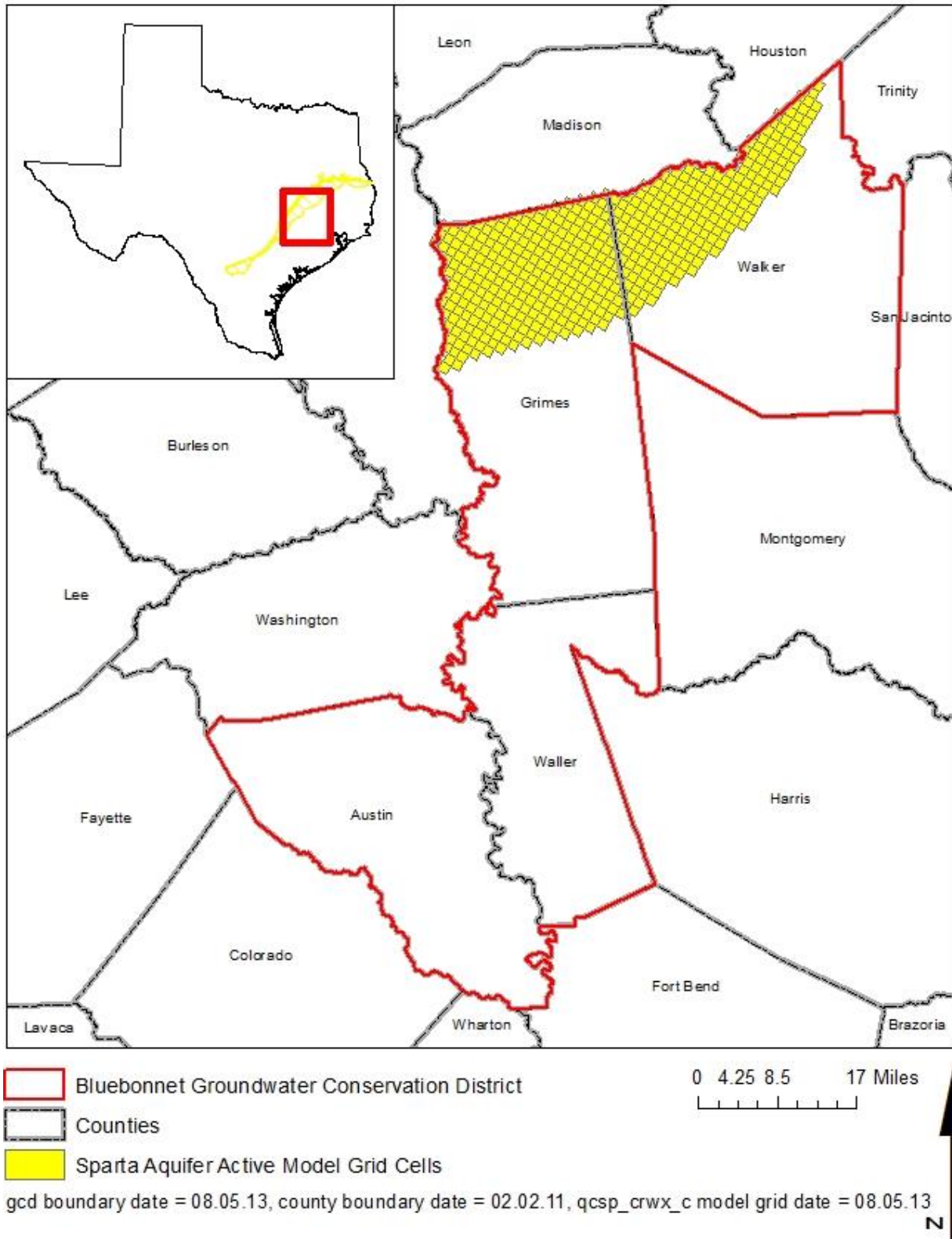


FIGURE 3: AREA OF THE GROUNDWATER AVAILABILITY MODEL FOR THE SPARTA AQUIFER FROM WHICH THE INFORMATION IN TABLE 3 WAS EXTRACTED (THE SPARTA AQUIFER EXTENT WITHIN THE DISTRICT BOUNDARY).

TABLE 4: SUMMARIZED INFORMATION FOR THE YEGUA-JACKSON AQUIFER THAT IS NEEDED FOR BLUEBONNET GROUNDWATER CONSERVATION DISTRICT'S GROUNDWATER MANAGEMENT PLAN. ALL VALUES ARE REPORTED IN ACRE-FEET PER YEAR AND ROUNDED TO THE NEAREST 1 ACRE-FOOT.

<i>Management Plan requirement</i>	<i>Aquifer or confining unit</i>	<i>Results</i>
Estimated annual amount of recharge from precipitation to the district	Yegua-Jackson Aquifer	47,258
Estimated annual volume of water that discharges from the aquifer to springs and any surface water body including lakes, streams, and rivers	Yegua-Jackson Aquifer	38,660
Estimated annual volume of flow into the district within each aquifer in the district	Yegua-Jackson Aquifer	6,829
Estimated annual volume of flow out of the district within each aquifer in the district	Yegua-Jackson Aquifer	14,759
Estimated net annual volume of flow between each aquifer in the district	From the confined portion of the Yegua-Jackson units into the official Yegua-Jackson Aquifer	691
	From the Catahoula and overlying units into the Yegua-Jackson Aquifer	598

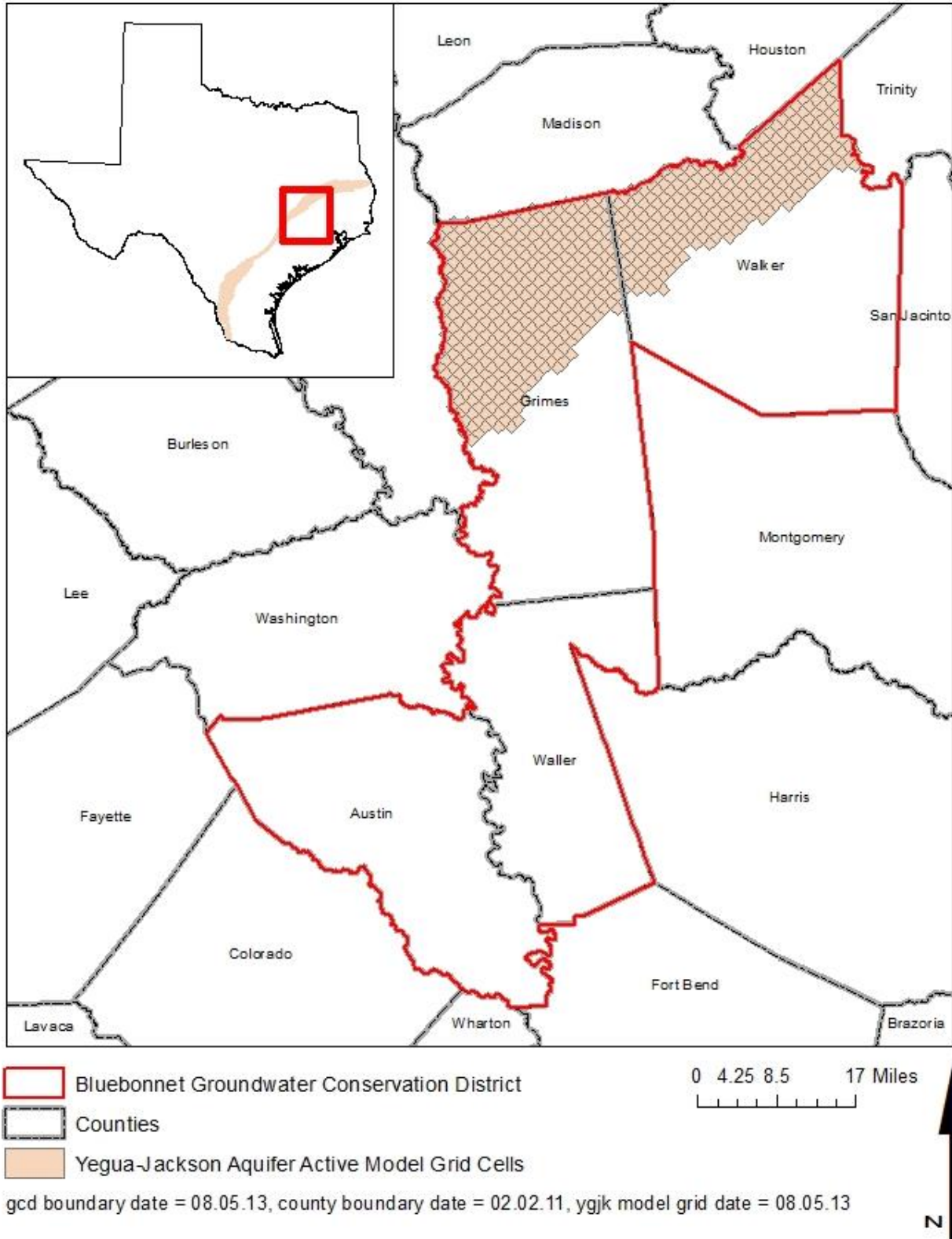


FIGURE 4: AREA OF THE GROUNDWATER AVAILABILITY MODEL FOR THE YEGUA-JACKSON AQUIFER FROM WHICH THE INFORMATION IN TABLE 4 WAS EXTRACTED (THE YEGUA-JACKSON AQUIFER EXTENT WITHIN THE DISTRICT BOUNDARY).

TABLE 5: SUMMARIZED INFORMATION FOR THE GULF COAST AQUIFER SYSTEM THAT IS NEEDED FOR BLUEBONNET GROUNDWATER CONSERVATION DISTRICT'S GROUNDWATER MANAGEMENT PLAN. ALL VALUES ARE REPORTED IN ACRE-FEET PER YEAR AND ROUNDED TO THE NEAREST 1 ACRE-FOOT.

<i>Management Plan requirement</i>	<i>Aquifer or confining unit</i>	<i>Results</i>
Estimated annual amount of recharge from precipitation to the district	Gulf Coast Aquifer System	54,201
Estimated annual volume of water that discharges from the aquifer to springs and any surface water body including lakes, streams, and rivers	Gulf Coast Aquifer System	6,997
Estimated annual volume of flow into the district within each aquifer in the district	Gulf Coast Aquifer System	12,646
Estimated annual volume of flow out of the district within each aquifer in the district	Gulf Coast Aquifer System	37,712
Estimated net annual volume of flow between each aquifer in the district	From the Gulf Coast Aquifer System into the Yegua-Jackson Aquifers ¹	598

¹ Calculated using the groundwater availability model for the Yegua-Jackson Aquifer.

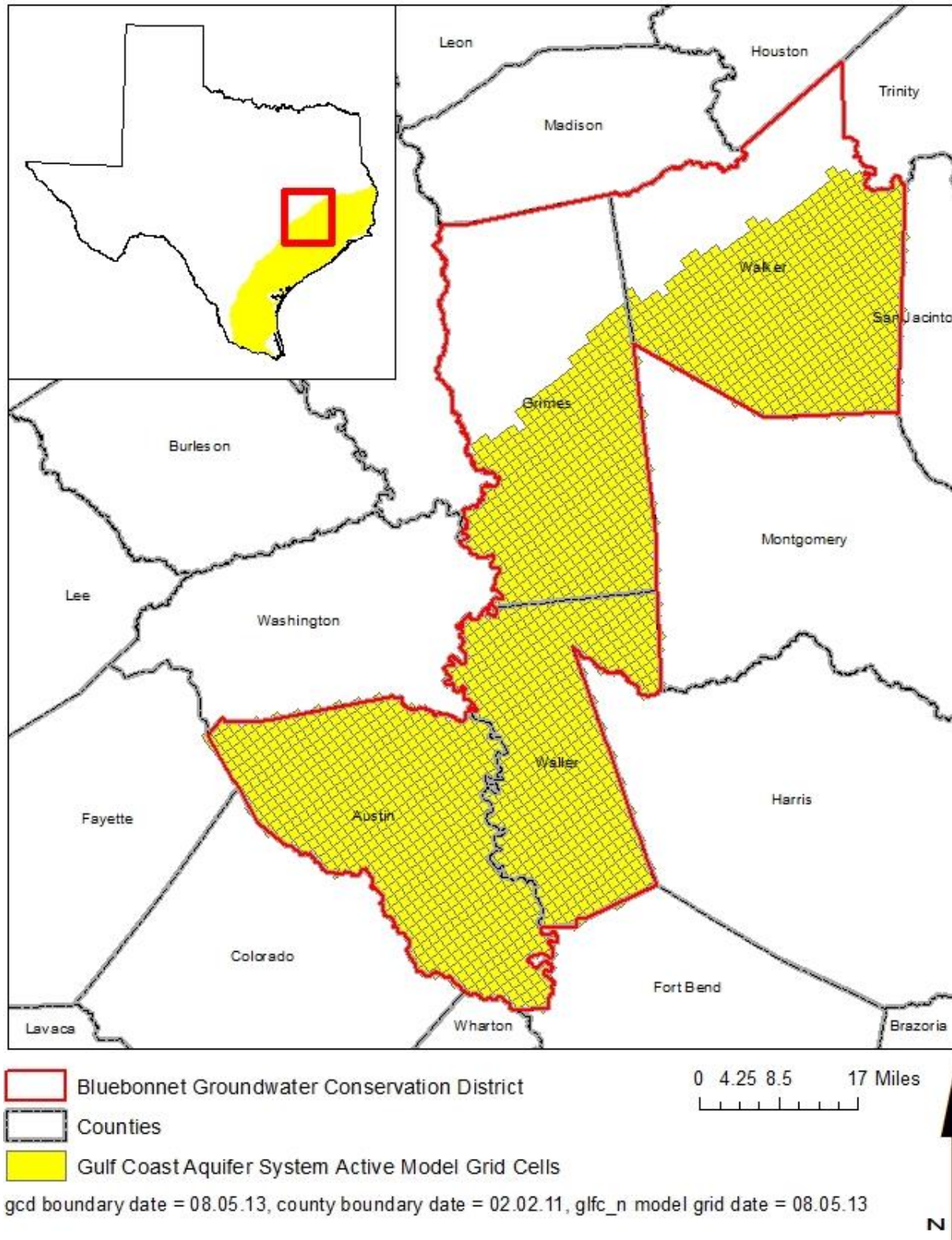


FIGURE 5: AREA OF THE GROUNDWATER AVAILABILITY MODEL FOR THE GULF COAST AQUIFER SYSTEM FROM WHICH THE INFORMATION IN TABLE 5 WAS EXTRACTED (THE GULF COAST AQUIFER SYSTEM EXTENT WITHIN THE DISTRICT BOUNDARY).

LIMITATIONS:

The groundwater model(s) used in completing this analysis is the best available scientific tool that can be used to meet the stated objective(s). To the extent that this analysis will be used for planning purposes and/or regulatory purposes related to pumping in the past and into the future, it is important to recognize the assumptions and limitations associated with the use of the results. In reviewing the use of models in environmental regulatory decision making, the National Research Council (2007) noted:

“Models will always be constrained by computational limitations, assumptions, and knowledge gaps. They can best be viewed as tools to help inform decisions rather than as machines to generate truth or make decisions. Scientific advances will never make it possible to build a perfect model that accounts for every aspect of reality or to prove that a given model is correct in all respects for a particular regulatory application. These characteristics make evaluation of a regulatory model more complex than solely a comparison of measurement data with model results.”

A key aspect of using the groundwater model to evaluate historic groundwater flow conditions includes the assumptions about the location in the aquifer where historic pumping was placed. Understanding the amount and location of historic pumping is as important as evaluating the volume of groundwater flow into and out of the district, between aquifers within the district (as applicable), interactions with surface water (as applicable), recharge to the aquifer system (as applicable), and other metrics that describe the impacts of that pumping. In addition, assumptions regarding precipitation, recharge, and interaction with streams are specific to particular historic time periods.

Because the application of the groundwater models was designed to address regional scale questions, the results are most effective on a regional scale. The TWDB makes no warranties or representations related to the actual conditions of any aquifer at a particular location or at a particular time.

It is important for groundwater conservation districts to monitor groundwater pumping and overall conditions of the aquifer. Because of the limitations of the groundwater model and the assumptions in this analysis, it is important that the groundwater conservation districts work with the TWDB to refine this analysis in the future given the reality of how the aquifer responds to the actual amount and location of pumping now and in the future. Historic precipitation patterns also need to be placed in context as future climatic conditions, such as dry and wet year precipitation patterns, may differ and affect groundwater flow conditions.

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APPENDIX C

Rules of the Bluebonnet Groundwater Conservation District

As Amended on April 17, 2013



RULES OF THE BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Amended:
June 23, 2004
August 17, 2005
September 19, 2012
April 17, 2013

Effective Date:
July 1, 2004
September 1, 2005
September 19, 2012
April 17, 2013

Notice of public hearings held on November 18, November 19, December 4, 2003 and on January 21, 2004 on the Rules of the Bluebonnet Groundwater Conservation District was published on November 6, November 7, November 13, November 14, 2003 and on January 8 and January 9, 2004. Notice of the public hearing held on June 23, 2004 was published on June 16, 17 or 18, 2004. Notice of the public hearing held on August 17, 2005 was published on August 10, 2005, August 11, 2005, and August 12, 2005. Notice of the public hearing held on September 19, 2012 was published August 24, 2012

These Rules were adopted on January 21, 2004 with an effective date of July 1, 2004. The Rules were amended and adopted with amendments on June 23, 2004 with an effective date of July 1, 2004. The Rules were amended and adopted with amendments on August 17, 2005 with an effective date of the amendments of September 1, 2005. The Rules were amended and adopted with amendments on September 19, 2012 with an effective date of the amendments of September 19, 2012.

In accordance with Section 59 of Article XVI of the Texas Constitution and Act of May 26, 2001, 77th Leg., R.S., ch. 36, September 1, 2001 Tex. Gen. Laws (HB 3655), and the non-conflicting provisions of Chapter 36, Water Code the following rules are hereby ratified and adopted as the rules of this District by its Board. Each Rule as worded herein has been in effect since the date of passage and as may be hereafter amended.

The Rules, regulations, and modes of procedure herein contained are and have been adopted to simplify procedures, avoid delays, and facilitate the administration of the water laws of the State and the Rules of this District. To the end that these objectives are attained, these Rules will be so construed.

These Rules may be used as guides in the exercise of discretion, where discretion is vested. However, under no circumstances and in no particular case may these Rules be construed as a limitation or restriction upon the exercise of powers, duties, and jurisdiction conferred by law. These Rules will not limit or restrict the amount and accuracy of data or information that may be required for the proper administration of the law.

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BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

DISTRICT RULES

The District's Rules are promulgated under the District's statutory authority (primarily House Bill 3655 and Texas Water Code Chapter 36) to achieve the following objectives: to provide for conserving, preserving, protecting, and recharging of the groundwater or of a groundwater reservoir or its subdivisions in order to control subsidence, prevent degradation of water quality, or prevent waste of groundwater. The District's Orders, Rules, regulation, requirements, resolutions, policies, guidelines, or similar measures have been implemented to fulfill these objectives.

SECTION 1. DEFINITIONS AND CONCEPTS

RULE 1.1 DEFINITIONS OF TERMS

In the administration of its duties, the District follows the definitions of terms set forth in the District Act, Chapter 36 of the Texas Water Code, and other definitions as follow:

"Abandoned Well" – a well that has not been used for a beneficial purpose for at least one year and/or a well not registered with the District. A well is considered to be in use in the following cases:

1. A non-deteriorated well which contains the casing, pump and pump column in good condition;
2. A non-deteriorated well which has been capped; or
3. An artesian flowing well with casing in good condition.

"Acre-foot" – means the amount of water necessary to cover one acre of land one foot deep, or 325,851 gallons of water.

"Act" – the District's enabling legislation, H.B. No. 3655 of the 77th Texas Legislature in conjunction with Chapter 36, Texas Water Code.

"Actual and Necessary Expenses" – expenses incurred while performing duties associated with District business or representing the District for purposes of the District.

"Aggregate Wells" – a well system comprised of two or more wells that are owned and operated by the same permittee and serve the same subdivision, facility, or area served by a Certificate of Convenience and Necessity (CNN) issued by the Texas Commission on Environmental Quality (TCEQ).

"Aggregate Withdrawal" – the amount of water withdrawn from two or more registered wells in a water system that is permitted under a single permit for a total pumpage volume of all wells in the aggregate system.

“Applicant” – means a person who is applying for a permit or permit amendment.

“Agricultural Well” – means a well used for agricultural activities listed under section 36.001 (19) of the Texas Water Code.

“Aquifer” – a geologic formation that will yield water to a well in sufficient quantities to make the production of water from this formation feasible for beneficial use.

“Beneficial Use” or “Beneficial Purpose” – means use of groundwater for:

- (1) agricultural, gardening, domestic (including lawn-watering), stock raising, municipal, mining, manufacturing, industrial, commercial, or recreational purposes;
- (2) exploring for, producing, handling, or treating oil, gas, sulfur, lignite, or other minerals; or
- (3) for any other purpose that is useful and beneficial to the users that does not constitute waste.

“Board” – means the Board of Directors of the District.

“Capping” – equipping a well with a securely affixed, removable device that will prevent the entrance of surface pollutants into the well.

“Casing” – a tubular structure installed in the excavated or drilled borehole to maintain the well opening.

“Cement Grout” – a mixture of water and cement, which may also include a bentonite clay compound.

“Certificate of Convenience and Necessity” (CCN) – a permit issued by TCEQ which authorizes and obligates a retail utility to furnish, to make available, to render or extend continuous and adequate retail water or sewer services to a specified geographic area.

“Cistern” – an in-ground storage facility for water. Abandoned or deteriorated facilities will be treated as hand dug wells for sealing, capping, or plugging purposes.

“Closed Loop Well” – a well constructed for circulating water through a continuous length of tubing, generally for earth coupled-heat exchange purposes. See also Earth Coupled Heat Exchange-Closed Loop System. (An exempt well)

“Column Pipe Diameter” – shall refer to the inside diameter of the pump (discharge) column pipe.

“Conservation” – those water saving practices, techniques, and technologies that will reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

“Contested Application” or “Contested Hearing” – means a proceeding where an application has been properly contested and for which a hearing is granted under Section 14 of these Rules.

“Desired Future Condition” – means a quantitative description, adopted in accordance with Section 36.108, of the desired condition of the groundwater resources in a management area at one or more specified future times.“

“Deteriorated Well” – means a well, the condition of which will cause or is likely to cause waste of groundwater in the District.

“De-watering Well” – means a well used to remove water from a construction site or excavation, or to relieve hydrostatic uplift on permanent structures.

“Director” – means a person appointed to the Board of Directors of the District.

“Discharge” – means the amount of water that leaves an aquifer by natural or artificial means.

“District” – means the Bluebonnet Groundwater Conservation District.

“District Act” – means the Act of May 26, 2001, 77th Leg., R.S., Ch. 1361, September 1, 2001 Tex. Gen. Laws (HB 3655) and the non-conflicting provisions of Chapter 36, Water Code.

“District Office” – means the office of the District as established by the Board.

“District April 17, 2002 Rules” – means rules adopted by the District April 17, 2002 pursuant to resolution No. 2002-01, as amended by Resolution 2003-04 adopted April 16, 2003 which establish exemptions and user fees. Nonexempt existing wells are subject to fees under the District April 17, 2002 rules as amended April 16, 2003 until fees are assessed pursuant to individual permit under these Rules.

“Domestic Purposes (Use)” – means the use of groundwater by a person or a household to support domestic activity and includes the following: water for drinking, washing or culinary purposes; for residential landscape watering, or watering of a family garden and/or orchard; for watering of domestic animals; and for residential water recreation uses (e.g., swimming pool, hot tub). Domestic use does not include water used to support activities for which consideration is given or received or for which the product of the activity is sold. Domestic use does not include use by or for a public water system.

“Drilling Authorization” – means authorization issued or to be issued by the District allowing a water well to be drilled.

“Earth Coupled Heat Exchange” or “Closed Loop System” – a well system drilled and equipped for the purpose of utilizing the subsurface as a source of energy for heat exchange in heating and cooling systems. These are sealed systems; no water is to be produced or injected. (An exempt well)

“Evidence of historic or existing use” – means the amount of water that an applicant can reasonably demonstrate to the District which was used prior to July 1, 2004.

“Existing Well” – a well completed before the effective date of these Rules.

“Federal Conservation Program” – the Conservation Reserve Program of the United States Department of Agriculture or any successor program.

“Groundwater” – means water located beneath the earth's surface within the District but does not include water produced with oil in the production of oil and gas.

“Groundwater Reservoir” – a specific subsurface water-bearing reservoir having ascertainable boundaries and containing groundwater.

“Hazardous Conditions” – any groundwater quality condition that may be detrimental to public health or affect the beneficial use of water from the aquifer.

“Hearing” – means a contested hearing when used in the context of a permit or permit amendment application or a show cause proceeding.

“Hearing Body” – means the Board, any committee of the Board, or a Hearing Examiner at any hearing held under the authority of the District Act.

“Hearing Examiner” – means a person appointed by the Board of Directors to conduct a hearing or other proceeding.

“Hydrogeological Report” – a report, by a licensed geoscientist or a licensed engineer, that identifies the availability of groundwater in a particular area and formation, and which also addresses the issues of quantity and quality of that water and the impacts of pumping that water on the surrounding environment including impacts to nearby or adjacent wells.

“Inflows” – means the amount of water that leaves an aquifer by natural or artificial means.

“Injection well” – includes:

an air conditioning return flow well used to return water used for heating or cooling in a heat pump to the aquifer that supplied the water;

a cooling water return flow well used to inject water previously used for cooling;

a drainage well used to drain surface fluid into a subsurface formation;

a recharge well used to replenish the water in an aquifer;

a saltwater intrusion barrier well used to inject water into a freshwater aquifer to prevent the intrusion of salt water into the freshwater;

a sand backfill well used to inject a mixture of water and sand, mill tailings, or other solids into subsurface mines;

a subsidence control well used to inject fluids into a non-oil or gas producing zone to reduce or eliminate subsidence associated with the overdraft of fresh water.

“Landowner” – means the person who bears ownership of the land surface.

“Landscape Irrigation at Athletic and Recreational Facilities” – means wells producing water for use in landscape and recreational facilities including, but not limited to, golf courses, water parks, campgrounds, athletic fields, and parks. Such wells are not exempt from registration, permitting, and user fees.

“Leachate Well” – means a well used to remove contamination from soil or groundwater.

“Modeled Available Groundwater” – means the amount of water that the executive administrator determines may be produced on an average annual basis to achieve a desired future condition established under Section 36.108 of the Texas Water Code.

“Monitoring Well” – means a well installed to measure some property of the groundwater or aquifer it penetrates, and does not produce more than 25,000 gallons of groundwater per year.

“New Well Application” – means an application for a permit for a water well that has not yet been drilled.

“Open Meetings Law” – means Chapter 551, Texas Government Code.

“Operating Permit” – means a permit issued by the District for a water well, allowing groundwater to be withdrawn from a water well for a designated period.

“Public Information Act” – means Chapter 552, Texas Government Code.

“Person” – includes corporation, individual, organization, government or governmental

subdivision or agency, business trust, estate, trust, partnership, association, or any other legal entity.

“Presiding Officer” – means the President, Vice-President, Secretary, or other Board member presiding at any hearing or other proceeding or a Hearing Examiner conducting any hearing or other proceeding.

“Recharge” – means the amount of water that infiltrates the water table of an aquifer.

“Recreational Water Use” – wells producing water for recreational use, including but not limited to water parks, golf courses, water hazard ponds, and recreational ponds at parks and campgrounds. Such wells are not exempt from registration, permitting and user fees.

“Rules” – means the standards and rules promulgated by the District.

“Section” – means the number section of a survey or block as shown in “Texas Country Farm Plats”, 1996 Edition, (Smith Publishing Co.).

“Subsidence” – means the lowering in elevation of the surface of land by the withdrawal of groundwater.

“Texas Commission on Environmental Quality” – TCEQ.

“Texas Rules of Civil Procedure” and “Texas Rules of Civil Evidence” – means the civil procedure and evidence rules as amended and in effect at the time of the action or proceeding. Except as modified by the Rules of the District, the rights, duties, and responsibilities of the presiding officer acting under the Texas Rules of Civil Procedure or the Texas Rules of Evidence are the same as a court, without a jury acting under those rules.

“Total Aquifer Storage” – means the total calculated volume of groundwater that an aquifer is capable of producing.

“Transport” – means pumping, transferring, exporting or moving water outside the District without regard to the manner the water is transferred or moved, including but not limited to discharges into water courses. The terms “transfer” or “export” of groundwater are used interchangeably within Chapter 36, Texas Water Code and these Rules.

“Transport Permit” – means an authorization issued by the District allowing the transfer or transport of a specific quantity of groundwater outside the District for a designated time period. All applicable permit rules apply to transport permits.

“Uncontested Application” – means an application for which a contested hearing is not held before the Board or presiding officer appointed by the Board.

“Variance” – an authorized exception to requirements or provisions of the Rules, granted

by the District's Board of Directors.

"Waste" – means Chapter 36.001 (8) Definitions and Section 13 herein.

"Water Meter" – means a water flow measuring device that can accurately record the amount of water produced during a measured time.

"Well" – means any facility, device, or method used to withdraw groundwater from the groundwater supply within the District.

"Well Abandonment" – leaving a well unused, unattended, and improperly protected from contamination and/or sources of pollution. Abandoned wells must be capped, permanently closed, or plugged in accordance with approved District standards.

"Well Owner" or "Well Operator" – means the person who owns the land where a well is located or is to be located or the person who operates a well or a water distribution system supplied by a well.

"Well System" – means a well or group of wells tied to the same distribution system.

"Withdraw" or "Withdrawal" – means extracting groundwater by pumping or by any other method other than the discharge of natural springs.

"Windmill" – means a wind-driven or hand-driven device that uses a piston pump to remove groundwater.

RULE 1.2 PURPOSE OF RULES

These Rules are adopted to achieve the provisions of the District Act and accomplish its purposes.

RULE 1.3 USE AND EFFECT OF RULES

The District uses these Rules as guides in the exercise of the powers conferred by law and in the accomplishment of the purposes of the District Act. They may not be construed as a limitation or restriction on the exercise of any discretion nor be construed to deprive the District or Board of the exercise of any powers, duties, or jurisdiction conferred by law, nor be construed to limit or restrict the amount and character of data or information that may be required to be collected for the proper administration of the District Act.

RULE 1.4 AMENDING OF RULES

The Board may, following notice and hearing, amend these Rules or adopt new Rules from time to time.

RULE 1.5 HEADINGS AND CAPTIONS

The section and other headings and captions contained in these Rules are for reference purposes only. They do not affect the meaning or interpretation of these Rules in any way.

RULE 1.6 GENDER

Use of masculine pronouns for convenience purposes in these Rules and Bylaws shall include references to persons of feminine gender where applicable. Words of any gender used in these Rules and Bylaws shall be held and construed to include any other gender, and words in singular number shall be held to include the plural and vice versa, unless context requires otherwise.

RULE 1.7 METHODS OF SERVICE UNDER THE RULES

Except as otherwise expressly provided in these Rules, any notice or documents required by these Rules to be served or delivered may be delivered to the recipient, or the recipient's authorized representative, in person, by agent, by courier receipted delivery, by certified mail sent to the recipient's last known address, or by telephonic document transfer to the recipient's current telecopier number. Service by mail is complete upon deposit in a post office or other official depository of the United States Postal Service. Service by telephonic document transfer is complete upon transfer, except that any transfer occurring after 5:00 p.m. will be deemed complete on the following business day. If service or delivery is by mail, and the recipient has the right, or is required, to do some act within a prescribed time after service, three (3) days will be added to the prescribed period. Where service by one of more methods has been attempted and failed, the service is complete upon notice publication in the designated official newspapers for the District in Austin, Grimes and Walker Counties.

RULE 1.8 SEVERABILITY

If any one or more of the provisions contained in these Rules are for any reason held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability may not affect any other rules or provisions of these Rules, and these Rules must be construed as if such invalid, illegal, or unenforceable rules or provision had never been contained in these Rules.

RULE 1.9 SAVINGS CLAUSE

If any section, sentence, paragraph, clause, or part of these Rules or Bylaws should be held or declared invalid for any reason by a final judgment of the courts of this state or of the United States, such decision or holding shall not affect the validity of the remaining portions of these Rules or Bylaws, and the Board does hereby declare that it would have adopted and promulgated such remaining portions irrespective of the fact that any other sentence, section, paragraph, clause, or part thereof may be declared invalid.

RULE 1.10 REGULATORY COMPLIANCE

All wells shall comply with all applicable Rules and regulations of other governmental entities. Where District Rules and regulations are more stringent than those of other governmental entities, the District Rules and regulations shall control.

RULE 1.11 COMPUTING TIME

In computing any period of time prescribed or allowed by these Rules and Bylaws, by order of the Board, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run, is not to be included, but the last day of the period so computed is to be included, unless it be a Sunday or legal holiday, in which event the period runs until the end of the next day which is neither a Sunday nor a legal holiday.

RULE 1.12 TIME LIMITS

Applications, requests, or other papers or documents required or permitted to be filed under these Rules, Bylaws, or by law must be received for filing at the District within the time limit, if any, for such filing. The date of receipt and not the date of posting are determinative.

RULE 1.13 WORD USAGE

The verbs may, can, might, should, or could are used when an action is optional or may not apply in every case.

The verbs will, shall, or must are used when an action is required.

The verb cannot is used when an action is not allowed or is unachievable.

Words not specifically defined herein shall be defined by their standard usage.

Rule 1.14 EFFECTIVE DATE

The Effective Date of the original adoption of these Rules is July 1, 2004. The effective date for amendments adopted August 17, 2005 is September 1, 2005.

SECTION 2. BOARD

RULE 2.1 PURPOSE OF BOARD

The Board was created to determine policy and regulate the withdrawal of groundwater within the boundaries of the District for managing, conserving, preserving, protecting, and recharging the groundwater within the District, and to exercise its rights, powers, and duties in a way that will effectively and expeditiously accomplish the purposes of the District Act. The Board's responsibilities include, but are not limited to, the adoption and enforcement of reasonable rules and other orders.

RULE 2.2 BOARD STRUCTURE, OFFICERS

The Board consists of the members appointed and qualified as required by the District Act. The Board will elect one of its members to serve as President, to preside over Board meetings and proceedings; two to serve as Vice President to preside in the absence of the President; and one to serve as Secretary to keep a true and complete account of all meetings and proceedings of the Board. The Board may elect officers annually, but must elect officers at the first meeting following the date upon which Board members assume office. Members and officers serve until their successors are elected or appointed and sworn in accordance with the District Act and these Rules.

RULE 2.3 MEETINGS

The Board will hold a regular meeting at least once each quarter as the Board may establish from time to time. At the request of the President, or by written request of at least three members, the Board may hold special meetings. All Board meetings will be held according to the applicable law.

RULE 2.4 COMMITTEES

The President may establish committees for formulation of policy recommendations to the Board, and appoint the chair and membership of the committees. Committee members serve at the pleasure of the President.

SECTION 3. DISTRICT STAFF

RULE 3.1 GENERAL MANAGER

The Board may employ a person to manage the District, and title this person General Manager. The Board delegates to the General Manager full authority to manage and operate the affairs of the District in accordance with the orders, rules, policies and directives of the Board. The Board will determine the General Manager's salary annually as a part of the budget process and review the position of General Manager each year at the end of the third or beginning of the fourth quarter of every fiscal year. The General Manager, consistent with the budget approved by the Board, may employ all persons necessary for the proper handling of business and operation of the District and their salaries will be set by the Board.

If the Board has not appointed a General Manager, the Board shall act to manage the District and may perform any function of the General Manager identified by these Rules.

SECTION 4. DISTRICT

RULE 4.1 MINUTES AND RECORDS OF THE DISTRICT

All documents, reports, records, and minutes of the District are available for public inspection and copying following the Texas Public Information Act. Upon written application of any person, the District will furnish copies of its public records. A copying charge may be required pursuant to policies established by the District. A list of the charges for copies will be furnished by the District.

RULE 4.2 CERTIFIED COPIES

Requests for certified copies must be in writing. Certified copies will be made under the direction of the General Manager. A certification charge and copying charge may be assessed, pursuant to policies established by the Board of directors.

SECTION 5. SPACING REQUIREMENTS

RULE 5.1 REQUIRED SPACING

To minimize as far as practicable the drawdown of the water table, the reduction of artesian pressure, to control subsidence, to prevent interference between wells, to prevent degradation of water quality, or to prevent waste, the District by rule may regulate the spacing of water wells.

- A. All wells drilled prior to the effective date of these Rules, shall be drilled in accordance with state law in effect, if any, on the date such drilling commenced.
- B. All new wells must comply with the spacing and location requirements set forth under the Texas Water Well Drillers and Pump Installers Administration Rules, Title 16, Part 4, Chapter 76, Texas Administrative Code, unless a written variance is granted by the Texas Department of Licensing and Regulation and a copy of the variance is forwarded to the District by the applicant or registrant.
- C. After authorization to drill a well has been granted under a registration or a permit, the well, if drilled, must be drilled within ten (10) yards (30 feet) of the location specified in the permit, and not elsewhere. If the well should be commenced or drilled at a different location, the drilling or operation of such well may be enjoined by the Board pursuant to Chapter 36, Texas Water Code, and these Rules.
- D. In addition to the requirements of 5.1(B), spacing of nonexempt wells capable of producing over 7,000,000 gallons annually may be required to

prevent interference between wells and impacts to neighboring wells and shall be determined based on a hydrogeological report submitted with the application for the well. The Board may, among other things, require wells to be spaced a certain distance from property lines or adjoining wells.

RULE 5.2 EXCEPTIONS TO SPACING REQUIREMENTS

- A. If the applicant presents waivers signed by the adjoining landowner(s) stating that they have no objection to the proposed location of the well site, the spacing requirements may be waived for the new proposed well location.
- B. Providing an applicant can show, by clear and convincing evidence, good cause why a new well should be allowed to be drilled closer than the required spacing of Rule 5.1, the issue of spacing requirements will be considered during the contested case process. If the Board chooses to grant a permit to drill a well that does not meet the spacing requirements, the Board must limit the production of the well to ensure no injury is done to adjoining landowners or the aquifer.
- C. The Board or General Manager if authorized by the Board, may, if good cause is shown by clear and convincing evidence, enter special orders or add special permit conditions increasing or decreasing spacing requirements.

SECTION 6. PRODUCTION LIMITATIONS

RULE 6.1 MAXIMUM ALLOWABLE PRODUCTION

To minimize as far as practicable the drawdown of the water table or the reduction of artesian pressure, to control subsidence, to prevent interference between wells, to prevent degradation of water quality, or to prevent waste, the District by rule may regulate the production of groundwater.

- A. Before granting or denying a permit for a new well, the District shall consider whether to regulate the production of groundwater by:
 - 1. Setting production limits on wells;
 - 2. Limiting the amount of water produced based on acreage or tract size;
 - 3. Limiting the amount of water that may be produced from a defined number of acres assigned to an authorized well site;
 - 4. Limiting the maximum amount of water that may be produced on the basis of acre-feet per acre or gallons per minute per well site per acre;

5. Managed depletion; or,
 6. Any combination of the methods listed above in paragraphs (1) through (5).
- B. The District may impose more restrictive permit conditions on new permit applications and permit amendment applications to increase use by historic or existing users, provided that:
1. such limitations apply to all subsequent new permit applications and increased use by historic or existing users, regardless of type or location of use;
 2. such limitations bear a reasonable relationship to the existing District management plan; and
 3. such limitations are reasonably necessary to protect existing use.
- C. In regulating the production of groundwater based on tract size or acreage, the District may consider the service needs of a retail water utility as defined in these Rules.
- D. To the extent possible, the District shall issue permits up to the point that the total volume of exempt and permitted groundwater production will achieve an applicable desired future condition under Section 36. In issuing permits, the District shall manage total groundwater production on a long-term basis to achieve an applicable desired future condition and consider:
1. The modeled available groundwater determined by the executive administrator;
 2. The executive administrator's estimate of the current and projected amount of groundwater produced under exemptions granted by District Rules and Section 36.117;
 3. The amount of groundwater authorized under permits previously issued by the District;
 4. A reasonable estimate of the amount of groundwater that is actually produced under permits issued by the District; and
 5. Yearly precipitation and production patterns.
- E. In issuing a permit for a production volume based upon existing or historic use, the District will not discriminate between volume associated with land or wells on land irrigated for production and land or wells on land that was irrigated for production or participating in a federal conservation program.

SECTION 7. OTHER DISTRICT ACTIONS AND DUTIES

RULE 7.1 DISTRICT MANAGEMENT PLAN

- A. Following notice and hearing, the District adopted a comprehensive management plan which was submitted and certified by the Texas Water Development Board on November 18, 2004 and April 7, 2010. The management plan was adopted and addresses:
1. providing the most efficient use of groundwater;
 2. controlling and preventing waste of groundwater;
 3. controlling and preventing subsidence;
 4. addressing conjunctive surface water management issues;
 5. addressing natural resource issues;
 6. addressing drought conditions;
 7. addressing conservation, recharge enhancement, rainwater harvesting, precipitation enhancement, or brush control, where appropriate and cost-effective; and.
 8. addressing the desired future conditions adopted by the District under Section 36.108.

The District will review the plan at least every fifth year and shall adopt amendments as necessary by November 2009, after notice and hearing, that address, among other things:

1. recharge enhancement, rainwater harvesting, precipitation enhancement, or brush control, where appropriate and cost effective; and,
 2. the desired future conditions of groundwater resources after desired future conditions of the relevant aquifers within the District are adopted during joint planning in the management area as described in Rule 7.2.
- B. The District Management Plan, and any amendments thereto, shall be developed using the District's best available data and forwarded to the regional water planning group for use in their planning process. The District Management Plan must also use the groundwater availability modeling information provided by the Texas Water Development Board together with any available site-specific information that has been provided by the District to the Executive Administrator of the Texas Water Development Board for

review and comment before being used in the plan. The District shall use the Rules of the District to implement the Management Plan.

RULE 7.2 JOINT PLANNING IN MANAGEMENT AREA

- A. Upon completion and approval of the District's comprehensive management plan, as required by §§36.1071 and 36.1072, Texas Water Code, the District shall forward a copy of the new or revised management plan to the other groundwater districts in its Texas Commission on Environmental Quality designated management area. The Board shall consider the plans of the other districts individually and shall compare them to other management plans then in force in the management area.
- B. The Board President, or in his absence, the General Manager, along with the other districts in the management area, shall meet at least annually to conduct joint planning with the other districts in the management area and to review the management plans and accomplishments for the management area.
- C. The requirements of joint planning are governed by Texas Water Code Section 36.108.

SECTION 8. REGISTRATION AND PERMITTING

RULE 8.1 REGISTRATION, AUTHORIZATION AND PERMITS

- A. All wells within the District are required to be registered with or permitted by the District on Forms approved by the General Manager.
- B. All water wells exempt, under these Rules, from the requirement to obtain a permit must be registered with the District by either the well owner or the well operator.
- C. Information on the registration form shall include the owner's name, mailing address, well location, well size, use and any other information the General Manager may determine to be of need. Registration forms for exempt wells need not be sworn.
- D. If the exempt well is in existence before July 1, 2004, the well owner or operator shall file with the District on form(s) prescribed by the General Manager an application for certificate of registration. After review and the determination by the General Manager that the well is exempt, the owner or operator shall be issued a certificate of registration. All registrations for existing exempt wells shall be filed with the District on or before July 1, 2005.

- E. For all new exempt wells (not in existence before July 1, 2004) the owner shall apply for a drilling authorization and request that the well be registered. The General Manager shall review the drilling application and make a preliminary determination on whether the well meets the exemptions provided in these Rules. If it is concluded that the applicant seeks a drilling authorization for a well that will be exempt, the General Manager shall issue the drilling authorization to the applicant. After the exempt well is drilled and upon filing of the drillers log and completion report with the District, the General Manager shall issue to the owner or operator a registration certificate.
- F. No fee will be charged for the registration of exempt wells.
- G. A District well registration identification (ID) number will be issued to each well registered with or permitted by the District.

RULE 8.2 AUTHORIZATION TO DRILL, INSTALL PUMPS AND EQUIPMENT

A. DISTRICT AUTHORIZATION REQUIRED

No person shall construct, drill, modify, complete, change type of use, perform dye-tracing operations, plug, abandon, or alter the size of a well in the District without District authorization. Maintenance or repair of a well which does not increase production capability of the well to more than its authorized or permitted production rate does not require District authorization.

B. DISTRICT APPROVAL REQUIREMENTS

A District-approved well drilling authorization, application to construct, drill, or modify a well must be obtained prior to drilling, removing casing, boring, altering the size of the bore, re-boring the existing hole, or performing other modification activities. A person who requests authorization to construct, drill, or modify a well that will be used for nonexempt purposes or to transport groundwater out of the District must also obtain a pumpage permit or a transport permit. No drilling or modification activities authorized by the District shall commence until the District has been provided with twenty-four (24) hour advance notification. Upon approval of the application, the General Manager or the General Manager's designated representative shall advise the applicant of the well use classification and whether a permit is necessary. If the well does not have an existing state well number, a temporary well number will be issued along with authorization to drill, plug or modify.

C. DRILLING AUTHORIZATION TERM

Unless the Board specifies otherwise, an approved well drilling authorization

application for an exempt well is effective for one (1) year from date of issuance provided no change in ownership or proposed use occurs prior to drilling. Authorizations may be extended by action of the General Manager upon request of the applicant but not for a period to extend beyond three (3) years total time.

Unless the Board specifies otherwise, an approved well drilling authorization application for a non-exempt well is effective for two (2) years from date of issuance provided no change in ownership or proposed use occurs prior to drilling. Authorizations may be extended by action of the General Manager upon request of the applicant but not for a period to extend beyond three (3) additional years.

D. DRILLING RECORDS

Complete records shall be kept and reports thereof made to the District concerning the drilling, equipping, and completion of all wells drilled in the District. Such records shall include an accurate driller's log, depth to water, any electric log that shall have been made, and such additional data concerning the description of the well, its discharge, and its equipment as may be required by the Board. Such records shall be filed with the District within sixty (60) days after drilling and/or completion of the well.

No person shall operate any well drilled and equipped within the District, except operations necessary to the drilling and testing of such well and equipment, unless or until the District has been furnished an accurate driller's log, any special purpose log or data which have been generated during well development, and a registration of the well correctly furnishing all available information required on the forms furnished by the District.

E. DRILLING AND COMPLETION OF WELLS

Drilling and completion of wells must satisfy applicable requirements of the TCEQ, the Texas Department of Licensing and Regulation's Water Well Drillers and Pump Installers Program, and the District Well Construction Standards. The Board of Directors shall adopt, and may periodically amend, Well Construction Standards for wells drilled within the District. Approved Well Construction Standards will be made available to the public at the District office.

F. INSTALLATION OF WELL PUMPS AND EQUIPMENT

Well pumps and equipment shall only be installed or serviced in wells registered with the District.

G. SUSPENSION

The General Manager may suspend an authorization for a well permit, a permit amendment, or a transport permit for failure to comply with the requirements of Rule 8.2

H. APPLICABILITY TO EXEMPT WELLS

The requirements of Rule 8.2 are applicable to all wells drilled in the District, including exempt wells.

I. GROUNDWATER TRACING OPERATIONS PLAN

Prior to performing any type of dye tracing or other form of groundwater tracing operations within the District's jurisdictional boundary where materials are introduced into surface water or groundwater, the person proposing such operations must submit an operations plan for the proposed tracer study to the District for approval at least 30 days before the proposed starting date of the study. This plan must describe the entire proposal including: the responsible party; type of tracer and any visual, taste, chemical, or health considerations; rationale or need for the proposed study; injection and recovery points; methods to be employed; expected flow paths; expected project term; method of notification of affected well, spring, and property owners; any contingency plans; and any other information involving the proposed study. These studies must not conflict with any part of Rule 13 concerning pollution. District approval of any tracing plan may be denied if the District determines that the proposed plan is in conflict with other ongoing tracing studies.

RULE 8.3 PERMITS AND EXEMPTIONS

A. No person shall drill, pump, or operate a well without first submitting and obtaining approval of a well development/registration application, pumpage permit, or transport permit from the District. A violation occurs on the first day the drilling, alteration, or operation begins and continues each day thereafter until the appropriate authorization or permits are approved.

B. The following wells are required to be registered and to obtain approval for drilling, but are not required to have a pumpage or transport permit from the District:

1. A well or wells used for domestic use on a single tract of land.
2. Agricultural wells.
3. A water well used solely to supply water for a rig that is actively

engaged in drilling or exploration operations for an oil or gas well permitted by the Railroad Commission of Texas, provided that the person holding the permit is responsible for drilling and operating the water well and the well is located on the same lease or field associated with the drilling rig. Note, if the sole purpose of the well is no longer to supply water for a rig that is actively engaged in drilling or exploration operations, the well is no longer exempt and must be permitted by the District.

4. The drilling of a water well authorized under a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code, or for production from any such well to the extent the withdrawals are required for mining activities regardless of any subsequent use of the water. An entity holding a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code that authorizes the drilling of a water well shall report monthly to the District:

- (a) The total amount of water withdrawn during the month;
- (b) The quantity of water necessary for mining activities; and,
- (c) The quantity of water withdrawn for other purposes.

Note, if the withdrawals from the well are no longer necessary for mining activities or are a greater amount than necessary for mining activities, then the well is no longer exempt and must be permitted by the District. Such well remains exempt from District spacing requirements.

5. Monitoring wells.

- C. The District may not restrict the production of any well that is exempt from permitting under Subsection (B).
- D. The District may not deny an application for an authorization to drill and a permit to produce water for hydrocarbon production activities if the application meets all applicable Rules as promulgated by the District.
- E. A water well exempted under Subsection B shall:
 1. Be registered in accordance with Rules promulgated by the District; and
 2. Be equipped and maintained so as to conform to the District's Rules requiring installation of casing, pipe, and fittings to prevent the escape

of groundwater from a groundwater reservoir to any reservoir not containing groundwater and to prevent the pollution or harmful alteration of the character of the water in any groundwater reservoir

- F. The driller of a well exempted under Subsection B shall file the drilling log with the District.
- G. A well to supply water for a subdivision of land for which a plat approval is required by Chapter 232, Local Government Code, is not exempted under Subsection C.
- H. Groundwater withdrawn from a well exempt from permitting or regulation under this section and subsequently transported outside the boundaries of the District is subject to any applicable District production and export fees. When groundwater is transported outside the District from an exempt well, the owner is responsible for paying production and transport fees under Rule 9 and must provide monthly water use to the District to be used in calculating fees.
- I. This Rule applies to water wells, including water wells used to supply water for activities related to the exploration or production of hydrocarbons or minerals. This Rule does not apply to production or injection wells drilled for oil, gas, sulphur, uranium, or brine, or for core tests, or for injection of gas, saltwater, or other fluids, under permits issued by the Railroad Commission of Texas.

RULE 8.4 TRANSFER OF GROUNDWATER OUT OF THE DISTRICT

- A. Transport Permit Required
 - 1. Before any person transports any water out of the District from a well that is located within the District, the person must obtain a transport permit from the District. Application for and the granting of a transport permit shall be in accordance with Section 10 of these Rules.

RULE 8.5 APPLICATION FOR REGISTRATION, PERMITS, WELL PLUGGING, WELL DRILLING, OR WELL MODIFICATION AUTHORIZATION

A. Application Requirements for Non-Exempt Wells

1. Each original application for well registration, pumpage permits, transport permits, well plugging, well drilling, or well modification authorization requires a separate application. Application forms will be provided by the District and provided to the applicant by request. An application for a pumpage permit and transport permit shall be in writing and sworn. Applications shall contain:
 - (a) the name and mailing address of the applicant and the name and address of the owner of the land, if different from the applicant, on which the well is to be located;
 - (b) if the applicant is not the owner of the property, documentation establishing the applicable authority to construct and operate a well on the owner's property for the proposed use;
 - (c) a statement of the nature and purpose of the proposed use and the amount of water to be used for each purpose.
 - (d) availability of feasible and practicable alternative supplies to the applicant.
 - (e) a statement of the projected effect of the proposed withdrawal on the aquifer or aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users in the District; in the case of non-exempt wells capable of producing over 7,000,000 gallons annually, a hydrogeological report by a licensed geoscientist or licensed engineer shall be submitted to evaluate these factors;
 - (f) the applicant's water conservation plan and, if any subsequent user of the water is a municipality or entity providing retail water services, the water conservation plan of that municipality or entity shall also be provided. In lieu of a water conservation plan, a declaration that the applicant and/or a subsequent user if any subsequent user is a municipality or entity providing retail water services will comply with the District's management plan, when one is adopted;

- (g) the location of the well(s), the estimated rate at which water will be withdrawn, the production capacity of the well(s), and where the water is proposed to be used;
- (h) a well closure plan or a declaration that the applicant will comply with well plugging guidelines and report closure to the applicable authorities, including the District;
- (i) the identity of the well driller, including the well driller's license number;
- (j) the names and addresses of the property owners, and the location of their wells within a half-mile radius of the location of the well(s) from which water is to be produced; and
- (k) to the extent required under Rule 8.5D, proof of notification of the application to all landowners within a half (1/2) mile radius of the property where the well or wells are located and to all well owners within a half (1/2) mile radius of any of the proposed production wells, along with the publisher's affidavit and tear sheet showing publication of the notice.
- (l) Any other information required by the General Manager or Board.

2. Applications for well registration, pumpage permits, transport permits, well plugging, well drilling, or well modification authorization shall be made in the name of the well owner or property owner on a form or forms provided by the District. The sworn, original application must be submitted and signed by the owner or an authorized agent of the owner, who may be required to provide the District with a notarized authorization from the owner. This agent may be the well driller, lessee or renter of the property or well, power of attorney, or other appropriate agent. District staff will determine if an application is administratively complete.

B. Completeness of Applications for Non-Exempt Wells

1. An administratively complete application will consist of the submission to the District of an original, completed, signed, and notarized application, payment of all applicable application fees, inspection fees, water use fees, and other District-imposed fees, submission of any required maps, documents, or supplementary information required by the District, the Board, the General Manager, or the General Manager's designated representative, the completion of any 20-day public response period initiated through a public notice

requirement, mailed notice to the extent required under Rule 8.5D below, and the submission of a hydrogeological report if required by Rule 8.5F, and any other documentation required by the District as part of the application. The District will not take action on an application which is not administratively complete or which has preceded in a manner not consistent with District Rules. Applicants submitting incomplete applications will be notified by the District in writing.

2. An application for a permit will not be complete until the applicant has provided the District with proof of notice by publication and mail to the extent required by Rule 8.5D below and a twenty (20) day public response period has passed since the first day of publication in a newspaper, designated by the District for the publication of legal notices, in the county where the permit is requested.

C. Fees Included with Application for Non-Exempt Wells

1. The application must be accompanied by all applicable fees. The application must be submitted and all applicable fees must be paid to the District before notice is published and mailed, to the extent required by Rule 8.5D below. Payment of all fees, including water use fees, remain the responsibility of the property owner.

D. Notice for Non-Exempt Wells

1. Applicants must publish notice of intent to transport any groundwater out of the District. Notice is also required for any application to permit new wells or modify existing wells to increase production capacity when the well will be completed with an inside casing diameter greater than six (6) inches or a pump size equal to or greater than five horse power and will be used for public water supply, municipal, commercial, industrial, or injection purposes. Such notices shall be published by the Applicant in a newspaper designated by the District for the publication of legal notices in the county where the permit is issued in a form approved by the District. All permit applications described above must provide notice by certified mail, return receipt requested, to all property owners within a half (1/2) mile radius of the well that is the subject of the application. Notification of any property owner served by a retail water utility is not required if notice is provided to the retail water utility.
2. Prior to providing public notice, an applicant must submit the permit application and any District required documents to the District and pay all appropriate fees. All public notice requirements must be completed at least 185 days prior to the applicants anticipated need

for groundwater production to allow for public response, scheduling and holding a public hearing, and Board consideration and action.

3. All public notices covered by this section must contain at least the following information:
 - (a) The name and address of the applicant,
 - (b) The date the application was filed,
 - (c) The location and a description of the well that is the subject of the application, and,
 - (d) A brief summary of the information in the application.
4. The District must be provided with:
 - (a) Proof of publication of public notice,
 - (b) Proof of public notice to property owners by certified mail; and
 - (c) A list of the names and addresses of the property owners notified by certified mail.

E. Decision to Hold Contested Hearing in Connection with Non-Exempt Wells

1. On any application for well permits, the General Manager will schedule a contested hearing if the General Manager determines that a contested hearing will be beneficial to the District's consideration of the application, if the Applicant request a hearing, or if directed by the Presiding Officer following the receipt of timely requests for a contested hearing from any affected person in accordance with Section 14 of these Rules. On any application for a transport permit, the General Manager shall schedule a public hearing. The General Manager shall make a determination whether to schedule a preliminary hearing on an application within sixty (60) days of the date the application is complete or, if required, the expiration of the twenty (20) day public response period. A preliminary hearing on an application will be held within thirty-five (35) days of the date the determination to schedule a hearing is made. Under no circumstances will any public hearing be held prior to the termination of the 20 day public response period. The District shall act on the application within sixty (60) days after the conclusion of the final hearing. Except for hearings referred to the State Office of Administrative Hearings, the final hearing may occur at the same

time and immediately following the preliminary hearing. The failure of the District to comply with these deadlines shall not affect the District's jurisdiction over or the merits of an application. Action by the District Board may be taken at a regular, special or called Board meeting.

2. The District's Board or the General Manager may consolidate any hearings or actions on an application for a transport permit with any hearings or actions on applications for other permits filed by the same applicant or property owner.

F. Hydrogeological Report Required for Non-Exempt Wells

1. Applicants seeking to transport groundwater out of the District, permit a nonexempt well with an annual pumpage volume of more than 7,000,000 gallons, or modify to increase production or production capacity of a Public Water Supply, Municipal, Commercial, or Industrial, well with an inside casing diameter greater than six (6) inches or with a pump size equal to or greater than 5 horsepower, shall submit to the District a current hydrogeological report addressing the area of influence, draw down, recovery time, and other pertinent information required by the District. The well must be equipped for its ultimate planned use and the hydrogeologic report must address the impacts of that use.
2. The report must include hydrogeologic information addressing, and specifically related to, the proposed water pumpage rate intended for the well or for the transporting of water outside the District. The District has developed guidelines for preparation of hydrogeological reports that would address District requirements. The District will provide a copy of the hydrogeologic report guidelines to applicants upon request. Applicants may not rely solely on reports previously filed with or prepared by the District. If a hydrogeological report is required by this section, the hydrogeological report is a required component of all administratively complete permit applications.

G. Applications for Exempt Wells

Applicants exempted under the Rules from obtaining a permit must still submit a District-approved application form for District well registration and well drilling and pay applicable application and inspection fees. Such exempted wells are still subject to District Well Construction Standards. The application shall be in writing, may be unsworn, and shall contain:

1. the name and mailing address of the applicant and the name and address of the owner of the land, if different from the applicant, on which the well is to be located;
2. if the applicant is not the owner of the property, documentation establishing the applicable authority to construct and operate a well on the owner's property for the proposed use;
3. a statement regarding the basis for asserting that the well will be exempt under Rule 8.3.
4. a statement of the nature and purpose of the proposed use and the amount of water to be used for each purpose.
5. the location of the well(s), the estimated rate at which water will be withdrawn, the production capacity of the well(s), and where the water is proposed to be used;
6. a well closure plan or a declaration that the applicant will comply with well plugging guidelines and report closure to the applicable authorities, including the District;
7. the identity of the well driller, including the well driller's license number; and
8. Any other information required by the General Manager or Board.

RULE 8.6 PERMITS FOR EXISTING WELLS

- A. Any well existing on or before July 1, 2004, which has not been permitted and which is not exempted from permitting under Rule 8.3 (B), is entitled to obtain a permit from the District in the manner provided by this Rule.
- B. Applications for permits for existing nonexempt wells must be filed with the District. For the administrative convenience of the District, and to aid the District in the performance of its duties, the filing and District acceptance of an application for existing nonexempt well permits should be scheduled with the General Manager in accordance with due dates set by the Board. Failure of the District to provide notice of the requirements imposed by District Rules shall not be grounds for existing wells failing to meet the requirements. Any owner of an existing nonexempt well that was not scheduled for permitting by the District and who failed to apply for a permit by one year after the effective date of these Rules, may make application for a permit pursuant to Rule 8.6; provided, however, if the well was in operation during the period from the effective date of these Rules, until the application was made, in addition to the normal requirements, past water use fees shall be paid for each year of

operation.

- C. Upon completion of a sworn application under Rule 8.5 containing the information required under Subsection 8.5A.(1), and such other information as may be required by the District, and upon payment of the applicable processing fee, and any required past water use fees, the District will issue a permit to the applicant in accordance with the applicable provisions of these Rules.
- D. Existing wells classified as nonexempt under the District's April 17, 2002 Rules as amended April 16, 2003 remain subject to the user fee of \$0.035 per thousand gallons of water until issued a permit under this Rule 8.6. Any subsequent user fee imposed by the District under these Rules becomes effective for these existing wells upon issuance of a permit under this Rule 8.6. The \$0.035 user fee imposed upon existing wells under the April 17, 2002 Rules as amended April 16, 2003 is superseded and replaced for these wells by user fee adopted under these Rules once a permit is issued to an existing well under this Rule 8.6. Any unpaid fees, however, are still due and owing to the District.

RULE 8.7 ACTION ON PERMITS

- A. Permits. Before approving, modifying, delaying, or denying a permit, the District shall, at a minimum, consider whether:
 - 1. The application conforms to the requirements of these Rules and is accompanied by the appropriate fees;
 - 2. The proposed use of water is dedicated to beneficial use at all times;
 - 3. The proposed use of water would not cause or contribute to waste and the applicant has agreed to avoid waste and achieve water conservation;
 - 4. The proposed use of water would not present the possibility of unreasonable interference with the production of water from exempt, existing, or previously permitted wells or other surface water resources;
 - 5. The proposed use of water would not be otherwise contrary to the public welfare;
 - 6. The proposed use of water is consistent with the District's approved Management Plan or an approved regional water supply plan; and

7. The applicant has agreed that reasonable diligence will be used to protect groundwater quality and that the applicant will follow well plugging guidelines at the time of well closure and report closure to the District and the TCEQ.
 8. The water is used within the term of the permit.
- B. In order to protect the public health and welfare and to conserve and manage the groundwater resources in the District during times of drought, the District may prioritize groundwater use, place special requirements on, modify, delay, or deny a pumpage permit for a new well during a District-declared drought.
- C. The District may impose more restrictive permit conditions on new permit applications and permit amendment applications to increase use by historic users if the limitations:
1. Apply to all subsequent new permit applications and permit amendment applications to increase use by historic users, regardless of type or location of use;
 2. Bear a reasonable relationship to the existing District Management Plan; and
 3. Are reasonably necessary to protect existing use.
- D. Time for Action

After the application is administratively complete the District shall promptly consider and act on each administratively complete application (see Rule 8.5B.). If a hearing is called to consider any of the foregoing applications, the District will conduct a preliminary hearing within thirty-five (35) days after the General Manager determines that a hearing is necessary, and the District's Board will act to approve, modify, delay, or deny the application within sixty (60) days after the date of the final hearing. Except for hearings referred to the State Office of Administrative Hearings, the final hearing may occur at the same time and immediately following the preliminary hearing. The failure of the District to act within this time period shall not affect the District's jurisdiction over or the merits of an application. An administratively complete application requires submission of all information set forth within these Rules. If any applications for nonexempt wells are administratively incomplete 90 days after receipt of the application by the District, the District, by certified mail, return receipt requested, will notify the applicant of the missing documentation and the need to complete the application. Applications that remain administratively incomplete will expire 90 days following the above-mentioned notice to the applicant. Well

development/registration applications for exempt wells expire one year from the date of approval (see Rule 8.2 C).

E. Action by General Manager

The Board or District's General Manager shall act for the District in approving any application for which a contested hearing is not required. The General Manager will schedule a hearing for all transport permit applications and well pumpage permit applications if the General Manager determines that a hearing will be beneficial to the District's consideration of the application or if the General Manager receives timely requests for a contested hearing from any affected person in accordance with Section 14 of these Rules.

F. Action by the District Board

For all applications for which a contested hearing is required, the Board shall act on a permit or permit amendment application no later than the 60th day after the date the final hearing on the application is concluded. For a hearing conducted by the State Office of Administrative Hearings, the final hearing on the application concludes on the date the State Office of Administrative Hearings proposal for decision, any exceptions to the proposal for decision, and any replies to exceptions to the proposal for decision are presented to the Board of Directors. Hearings will be conducted in accordance with Section 14 of these Rules.

RULE 8.8 TERM OF PERMITS

- A. All permits are effective for a period of one year (12 months) from the date of issuance, unless otherwise stated on the permit. A permit may be issued with an option to extend for a specified term contingent upon payment of water use fees in force during the extension period or for a term longer than one (1) year, but not to exceed five (5) years, except as provided for in Section C below, when to do so aids the District in the performance of its duties and accomplishing the goals of the Act. The District may stagger permit terms
- B. A transport permit shall specify the period for which water may be transferred. The period specified by the transport permit shall be:
1. At least three years if construction of a conveyance system has not been initiated prior to the issuance of the permit; or
 2. At least 30 years if construction of a conveyance system has been initiated prior to the issuance of the permit.

- C. Notwithstanding the period specified in Subsection B during which water may be transferred under a permit, the District may periodically review the amount of water that may be transferred under the permit and may limit the amount if additional factors considered in Rule 10.4E warrant the limitation, subject to Rule 10.4C. The review described by this subsection may take place not more frequently than the period provided for the review or renewal of regular permits issued by the District. In its determination of whether to renew a permit issued under this section, the District shall consider relevant and current data for the conservation of groundwater resources and shall consider the permit in the same manner it would consider any other permit in the District.

RULE 8.9 PERMIT RENEWAL

The General Manager without hearing may renew a permit for wells if the terms and conditions of the permit (including maximum authorized withdrawal) are not changed.

RULE 8.10 PERMIT AMENDMENTS

- A. Minor amendments include:
1. Transfers of ownership without any change in use;
 2. Reductions in use or changing use of a well from nonexempt to exempt;
 3. Increases in use of 10% or less of permitted pumpage for users permitted for more than 12,000,000 gallons annually;
 4. Increases of up to 2,000,000 gallons annually for users permitted for 12,000,000 gallons or less; and
 5. Converting two or more wells individually permitted by the same permittee into an aggregate system under one permit.

All other amendments, including all amendments pertaining to transport permits, are major amendments.

- B. The General Manager (or the General Manager's designated representative) may grant minor amendments without public notice and hearing. If two or more minor amendments are requested during any fiscal year for an increase in pumpage, and the combined increase in volume requested in the amendments exceeds the limits described in Section 8.10A, then the amendment which results in a pumpage increase in excess of the limits specified in Rule 8.10A will be considered a major amendment subject to Rule 8.10C.

- C. Major amendments shall be subject to all the requirements and procedures applicable to issuance of a pumpage permit for a new well or, if applicable, a transport permit.
- D. Application for a permit amendment shall be made upon forms supplied by the District and must be accompanied by an application processing fee established by the Board. No application-processing fee will be required from permittees requesting a decrease in permitted pumpage or changing use of a well from nonexempt to exempt.
- E. Permittees requesting an increase in pumpage volume must have a District approved User Conservation Plan and a District approved User Drought Contingency Plan (UDCP) on file at the District office, and must be in compliance with District Rules and policies regarding conservation-oriented rate structures. Permittees will be required to update their UDCP to reflect their new permitted pumpage amount and/or new ownership within ninety (90) days of permit approval.

RULE 8.11 PERMITS: ISSUANCE AND FORMAT

- A. Permits. The permit shall include the following information in a format approved by the General Manager: the name and address of the person to whom the permit is issued; the state well number and/or District-assigned ID number of the well(s); the date the permit is to expire; the maximum withdrawal authorized; and any other terms and conditions necessary to accomplish the purposes of the Act.
- B. Transport Permits. A transport permit may be issued as a consolidated permit, including consolidation with an aggregate permit under Rule 8.15 that authorizes drilling, production, and transporting of water from the District. The application for and the granting of a transport permit shall be considered and granted in accordance with the provisions of Section 10 of these Rules.

RULE 8.12 PERMIT CONDITIONS AND REQUIREMENTS

All permits are granted subject to the Rules, regulations, orders, special provisions, and other requirements of the Board, and the laws of the State of Texas. In addition, each permit issued shall be subject to the following conditions and requirements:

- A. The permit is granted in accordance with the provisions of the District Act in conjunction with Chapter 36, Texas Water Code, and the Rules, regulations and orders of the District as may be in effect from time to time, and acceptance of the permit constitutes an acknowledgment and agreement that the permittee will comply with all the terms, provisions, conditions,

requirements, limitations, and restrictions embodied in the permit and with the Rules, regulations, and orders of the District.

- B. The permit confers no vested rights in the holder and the permit is non-transferable. Written notice must be given to the District by the permittee prior to any sale or lease of the well covered by the permit. The permit may be revoked or suspended for failure to comply with its terms, which may be modified or amended pursuant to the requirements of the Act and any applicable Rules, regulations and orders of the District.
- C. The drilling and operation of the well for the authorized use shall be conducted in such a manner as to avoid waste, pollution, or harm to the aquifer.
- D. The permittee shall keep accurate records, on a monthly basis, of the amount of groundwater withdrawn, the purpose of the withdrawal, and, for any transporting of water outside the District, the amount of water transported and the identity and location of the recipients, and such records shall be submitted to the District office on a monthly basis, and shall also be available for inspection at the permittee's principal place of business by District representatives. Immediate written notice shall be given to the District in the event a withdrawal or transporting of water exceeds the quantity authorized by the permit or rules. Unless the permittee can present evidence that the pumpage or transport which exceeded the permitted amount is due to an isolated incident that is not likely to be repeated and/or would not result in continued higher demands, the permittee must immediately submit an application to increase the permitted pumpage or transport volume based on the amount of pumpage or transport which exceeded the permitted amount projected for the remainder of the fiscal year.
- E. The well site or transport facilities shall be accessible to District representatives for inspection during normal business hours and during emergencies. The permittee agrees to cooperate fully in any reasonable inspection of the well site or transport facilities and related monitoring or sampling by District representatives. The well owner shall provide a twenty-four (24) hour emergency contact to the District.
- F. The application pursuant to which a permit has been issued is incorporated therein, and the permit is granted on the basis of and contingent upon the accuracy of the information supplied in that application and in any amendments thereof. A finding that false information has been supplied shall be grounds for immediate revocation of a permit. In the event of conflict between the provisions of the permit and the contents of the application, the provisions of the permit shall prevail.

- G. Driller's logs must be submitted within sixty (60) days of the drilling of a well. Monitoring of groundwater pumpage is to be accomplished in the manner specified by the District.
- H. Violation of the permit's terms, conditions, requirements, or special provisions, including pumping amounts in excess of authorized withdrawal or transporting amounts outside of the District in excess of the amount authorized for transport, shall be punishable by civil penalties as provided by the Act and these Rules.
- I. If special provisions are inconsistent with other provisions or regulations of the District, the Special Provisions shall prevail.
- J. Permittees with annual permitted pumpage volumes greater than 12,000,000 gallons requesting multiple minor amendment pumpage increases that total more than 20% of the permitted pumpage volume for the three years prior to the most recent amendment may be required to submit a current hydrogeological report to the District office. (Example: Permittee A is permitted for 50,000,000 gallons in 2004. He files three minor amendments between 2004 and 2006, one for 5,000,000 gallons, another for 3,000,000 gallons, and another for 4,000,000 gallons, a total of 12,000,000 gallons increase since 2004. The District may require a hydrogeological test as a special condition of the new amendment application.) A current hydrogeological report is one that has been completed within the three years preceding the date of the applications. Reports may be required at the General Manager's discretion based on aquifer condition, type of modification, status of adjacent wells, local water use trends, and other aquifer management considerations.
- K. A transport permit may contain any term, condition, or limitation determined to be warranted by the District's Board based on the factors set forth in Rule 8.7A-C, and Section 36.122 of the Texas Water Code.
- L. Permittees will notify the District upon filing an application with the TCEQ to obtain or modify CCN to provide water or wastewater service in a service area that lies wholly or partly within the District or for which water shall be supplied from a well located inside the District.

RULE 8.13 REVOCATION, TERMINATION, CANCELLATION, OR MODIFICATION OF PERMITS

A permit is not a vested right of the holder. After notice and an opportunity for hearing, a permit may be revoked, suspended, terminated, canceled, modified, or amended in whole or in part for cause, including, but not limited to:

- A. Violation of any terms or conditions of the permit,

- B. Obtaining the permit by misrepresentation or failure to disclose relevant facts, or
- C. Failure to comply with any applicable Rules, regulations, Fee Schedule, special provisions, requirements, or orders of the District.

The permittee shall furnish to the District upon request, and within a reasonable time, any information to determine whether cause exists for revoking, suspending, terminating, canceling, modifying, or amending a permit.

RULE 8.14 AGGREGATION

Multiple wells that are part of an aggregate system that are owned and operated by the same permittee and serve the same subdivision, facility, or area served by a TCEQ issued CCN may be authorized under a single permit. Separate applications and registrations may be authorized under a single permit. Separate applications shall be submitted for each well and the District will maintain separate records of each well's location and characteristics. Geographic location of wells and integrated distribution systems will be considered in determining whether or not to allow aggregation.

For the purpose of categorizing wells by the amount of groundwater production, when wells are permitted with an aggregate withdrawal, the aggregate value shall be assigned to the group, rather than allocating to each well its prorated share or estimated production.

RULE 8.15 REPORTS

- A. Pumpage and Transport Reports. Permittees shall submit monthly records of meter readings and information on transporting groundwater outside the District, including all information recorded as required by Rule 8.12(D), to the District on forms approved by the District on or before the 15th day of the following month, even if there is zero pumpage or transport for the time period. Reports received after the 30th day of the month will be considered late.
- B. Water Quality Reports
 - 1. All permittees required by statute or regulation to conduct water quality analyses (including retail water utilities) shall, at the time of obtaining results of the analyses, submit a duplicate copy to the District.
 - 2. If a retail water utility is required by the TCEQ to notify its customers that water fails to meet TCEQ standards, the permittee shall immediately notify the District and submit a copy of the TCEQ notice to the District.

RULE 8.16 EMERGENCY APPROVALS

- A. Emergency Transfer of a Permit to another well. Upon application to the District, the General Manager shall authorize a permit, including a permit associated or consolidated with a transport permit, to be transferred to another well, or a replacement well, in the immediate vicinity of the permitted well upon a satisfactory demonstration by the applicant that:
1. The action is necessary in order to alleviate an immediate and serious threat to human life or health, or to prevent extensive or severe property damage to economic loss to the person proposing or requesting to make the transfer, and
 2. The replacement or transfer well will not endanger human life or health, and will not cause what would, under the particular circumstance, be unreasonable property damages or economic loss to others.

The General Manager may issue a temporary order authorizing the withdrawal of water without notice and hearing, or with such notice and hearing as the General Manager, in his judgment, deems practical under the circumstances.

- B. Emergency Withdrawals. Upon application to the District, the General Manager shall authorize withdrawal of water not covered by a permit upon a satisfactory demonstration by the applicant that:
1. An emergency exists due to acts of God or nature or other disaster,
 2. The withdrawal of water not covered by a permit is necessary in order to alleviate an immediate and serious threat to human life or health or to prevent extensive and severe property damage or economic loss to the person requesting the withdrawals, and
 3. The withdrawal will not endanger human life or health and will not cause what would under the particular circumstances be unreasonable property damage or economic loss to others.

The General Manager may issue a temporary order authorizing the withdrawal of water without notice and hearing, or with such notice and hearing as the General Manager, in his judgment, deems practical under the circumstances.

- C. Procedural Requirements. A copy of every order entered by the General Manager under this Rule shall be sent by certified mail to the person or persons to whom it is directed. However, when the time factor is critical, the

order may be delivered in person, transmitted by telephone or telegram, or delivered by any other satisfactory method; but it shall be promptly followed by the written order sent by certified mail. If the order authorizes a new, transfer, or replacement well, the person to whom the order is issued may not cause or undertake drilling of the well under the order except in strict compliance with its terms and conditions.

Any such emergency ruling by the General Manager shall be approved or disapproved by the Board at its next meeting. Pending the Board's action, the General Manager's order shall be given full effect.

Any applicant receiving a temporary order under this Rule shall make timely application for permit or permit amendment and pay all applicable fees. The application shall be processed in the manner provided in these Rules.

RULE 8.17 ABANDONED, OPEN, OR UNCOVERED WELLS

A. REGISTRATION

Any owner or lessee of land on which an abandoned, open, or uncovered well is located must register the well with the District. Any well not registered with the District shall be classified as abandoned.

B. ABANDONED WELL CAPPING

At a minimum, open or uncovered wells must be capped in accordance with the requirements of the TCEQ, the Texas Department of Licensing and Regulation's Water Well Drillers and Pump Installers Program, and the District Rules and Well Construction Standards. The owner or lessee shall keep the well permanently plugged or capped with a water tight covering capable of sustaining weight of at least 400 pounds, except when the well is in actual use. The covering for a capped well must be constructed with a water tight seal to prevent entrance of surface pollutants into the well itself, either through the well bore or well casing.

C. ABANDONED WELL PLUGGING

Unless granted an exception by the General Manager or Board, all abandoned wells that are not capped in accordance with Rule 8.17B must be plugged in accordance with the requirements of the TCEQ, the Texas Department of Licensing and Regulation's Water Well Drillers and Pump Installers Program, District Rule 8.17, and other applicable Rules and Well Construction Standards adopted by the Board of Directors. Prior to plugging a well, the District Well Construction Standards require as a minimum, registration of the well with the District, a site inspection by District staff, submission to the District for review and approval a Plug and Abandonment

Plan by the owner or the well driller, and payment of the Well Abandonment Fee. The General Manager may require a water sample to be taken and have a water quality analysis conducted, at the District's expense, as part of or prior to the plugging operation.

D. REPORTING

In accordance with Section 76.700, Texas Water Well Drillers Rules, within 60 days of completing the plugging of a well located within the District, the well driller shall provide the District a copy of the Plugging Report.

E. ENFORCEMENT

If the owner or lessee fails or refuses to plug or cap the well in compliance with this Rule and District standards within ten (10) days after being requested to do so in writing by an officer, agent, or employee of the District, then, upon Board approval, any person, firm, or corporation employed by the District may go on the land (pursuant to Texas Water Code Chapter 36.118) and plug or cap the well safely and securely.

F. LIEN FOR RECOVERY OF EXPENSES INCURRED BY DISTRICT

1. Reasonable expenses incurred by the District in plugging or capping a well constitute a lien on the land on which the well is located.
2. The District shall perfect the lien by filing in the deed records of the county where the well is located an affidavit, executed by any person conversant with the facts, stating the following:
 - i. The existence of the well;
 - ii. The legal description of the property on which the well is located;
 - iii. The approximate location of the well on the property;
 - iv. The failure or refusal of the owner or lessee, after notification, to close the well within ten (10) days after the notification;
 - v. The closing of the well by the District, or by an authorized agent, representative, or employee of the District; and
 - vi. The expense incurred by the District in closing the well.

G. PENALTIES

Rule 15.6 penalties shall be applicable in cases of failure or refusal to plug abandoned wells or cap wells not currently in use.

SECTION 9. FEES AND DEPOSITS

RULE 9.1 WATER USE FEES

Water use fees authorized under the District Act shall be paid to the District for water developed from non-exempt wells and exempt wells used to transport water outside the District. The water use fee rate shall be established by Board resolution annually. Following issuance of operating permits, the rate shall be applied to the total actual annual pumpage for each permit (and amendments if appropriate) issued during the fiscal year the rate is in effect. Nonexempt wells existing on July 1, 2004 are subject to fees adopted by the District on April 17, 2002 as amended April 16, 2003 as described in Rule 8.6D. The District will review the account of any permittee changing the use of a well from non-exempt to exempt to determine if additional water use fees are due or if a reimbursement of water use fees is warranted. Reimbursements exceeding \$250 must receive Board approval. Water use fees may be waived by the General Manager in instances where the administrative cost of the District to process the fee exceeds the fees received.

- A. Pursuant to the District Act, the initial water use fee may not exceed:
 - 1. \$1.00 per acre-foot for water for agricultural use; or
 - 2. \$0.17 per thousand gallon for water used for any other purpose
- B. The District may impose a reasonable fee or surcharge for an export fee using one of the following methods:
 - 1. a fee negotiated between the District and the transporter; or
 - 2. a combined production and export fee not to exceed \$0.17 per thousand gallons of water used.
- C. The District is prohibited from using revenues obtained from export fees to prohibit the transfer of groundwater outside of the District, but may use export fees for paying expenses related to enforcement of Chapter 36 of the Texas Water Code or the District Rules.

RULE 9.2 APPLICATION, REGISTRATION, AND OTHER FEES

The Board, by resolution, shall establish a schedule of fees. The Board will attempt to set fees that do not unreasonably exceed the costs incurred by the District of performing the

administrative function which the fee is charged. District Monitor Wells are exempt from application, registration, and well log deposits. The General Manager shall exempt District Monitor Wells from any other fee if he determines that the assessment of the fee would result in the District charging itself a fee.

RULE 9.3 PAYMENT OF FEES

All fees are due at the time of application, registration, or permitting. Landowners are primarily responsible for payment of fees associated with wells on their property unless it is shown that the landowner has no interest in the well. The water use fee for a permit shall be paid monthly unless the General Manager determines it is in the best interest of the District for fees to be paid quarterly or annually. Following submission of monthly reports to the District as required under Rule 8.15A, the District will invoice permittees for payment based upon actual water use. Payments of fees are due as described below.

- A. Monthly water use fee payments are based on actual water use in the previous month and are due within thirty (30) days of the invoice date.
- B. Payments received within the ten (10) days following the due date will not be subject to a late payment fee. Thereafter, the late payment fees set forth in Rule 15.8 shall be imposed.
- C. All fees other than water use fees are due at the time of assessment and are late after ten (10) days.
- D. Fee payment procedures and schedules in effect at the time of the adoption of these Rules shall remain in effect until permits are issued and become effective in accordance with the procedures and schedules contained herein.

RULE 9.4 TRANSPORT PERMIT PROCESSING

The Board, by resolution, may adopt a processing fee for transport permits to cover all reasonable and necessary costs to the District of processing the application. The permit processing fee for an application to transport groundwater out of the District may not exceed the fees that the District imposes for processing applications for the use of groundwater within the District.

RULE 9.5 MINIMUM WATER USE FEES

The Board may, by resolution, establish a minimum water use fee.

RULE 9.6 INSPECTION AND PLAN REVIEW FEES

The Board may, by resolution, establish fees for: the inspection of wells, meters, or other inspection activities; plan reviews; special inspection services requested by other entities; or other similar services that require significant involvement of District personnel or its

agents. Fees may be based on the amount of the District's time and involvement, number of wells, well production, well bore, casing size, size of transporting facilities, or amounts of water transported.

RULE 9.7 SPECIAL FEES

Wells drilled in aggregate, such as closed loop heat exchange wells, may qualify for reduced fees for review, registration, and inspection. The fee rate will be based on review and inspection time on a case by case basis.

RULE 9.8 EXCEPTIONS

If a regulated water utility is unable to pass through pumpage fees due to delay in obtaining regulatory approval, or in other unusual instances of hardship, the General Manager may grant exceptions and establish a payment schedule. Such exceptions shall be applied consistently.

RULE 9.9 EXCESS PUMPAGE FEES

To the extent permitted by the District Act, the Board may, by resolution, establish additional water use fees for any pumpage exceeding the permitted pumpage volume.

RULE 9.10 RETURNED CHECK FEE

The Board may, by resolution, establish a fee for checks returned to the District for insufficient funds, account closed, signature missing, or any other problem causing a check to be returned by the District's depository.

RULE 9.11 ACCOUNTING FEE

The Board may, by resolution, establish a fee for permittee requested accounting of pumpage reports, water use fee payments, or other accounting matters pertaining to the permittee's account which the District does not routinely maintain in its accounting of a permittee's records. Should a District error be discovered, the accounting fee, if any, will be fully refunded. Permittee's may request one review of their account per fiscal year without charge.

RULE 9.12 WELL LOG DEPOSIT

The Board may, by resolution, establish a Well Log Deposit to be held by the District for return to the depositor if well logs are submitted to the District within sixty (60) days following surface completion of the well. The depositor will receive one-half the Well Log Deposit for well logs received by the District after the sixty (60) day period. The District will not refund a Well Log Deposit for well logs submitted after 120 days following completion of the well.

RULE 9.13 STATE OFFICE OF ADMINISTRATIVE HEARINGS HEARING DEPOSIT

A party requesting a hearing before the State Office of Administrative Hearings shall pay all costs associated with the contract for a State Office of Administrative Hearings hearing and shall deposit with the District an amount determined by the District to pay the contract amount on a date determined by the District before the hearing begins. At the conclusion of the hearing, the District shall refund any excess money to the paying party.

SECTION 10. TRANSFER OF GROUNDWATER OUT OF THE DISTRICT

RULE 10.1 PERMIT REQUIRED

Groundwater produced from within the District may not be transported outside the District's boundaries unless the Board has issued the well owner an operating permit. The requirements of this Rule are applicable without regard to the manner the water is transferred out of the District and specifically includes discharges into watercourses to convey water as well as pipelines and aqueducts.

RULE 10.2 APPLICABILITY

A permit for the transport of water outside the District is not required for the transportation of groundwater that is part of a manufactured product, or if the groundwater is to be used on property that straddles the District boundary line, or if the groundwater is to be used within the service area of an existing retail public utility provided that such service area is contiguous to the boundaries of the District. Transportation of groundwater into an area created by the expansion of an existing public utility into non-contiguous counties would require a permit. Also transportation of groundwater into an area that is separated from the utility's service area and not contiguous to the District would require a permit.

RULE 10.3 APPLICATION

An application for a transportation permit must be filed in the District office and must include the information required under Rule 8.3 for a drilling or operating permit, as well as information required by the District to evaluate the proposed transport under the standards of Texas Water Code § 36.122. Except as permitted by the District Act, the application for a transportation permit is considered and processed by the District under the same procedure as a permit for in-District water and is combined with applications filed to obtain a permit for in-District water from the same applicant. The required information for an application include:

- A. A separate application shall be filed for each permit. Applications shall be filed on the form or in the format approved by the District. Each application shall be in written form, sworn to by the applicant and contain:
 1. The name and mailing address of the applicant and the name and

address of the owner of the land, if different from the applicant, on which the well is to be located.

2. If the applicant is not the owner of the property, documentation owner's property for the proposed use.
3. A statement of the nature and purpose of the proposed use and the amount of water to be used for each purpose.
4. A statement of the availability of feasible and practicable alternative water supplies to the applicant.
5. The availability of water in the District and in the proposed receiving area during the period for which the water supply is requested for the District to consider under Texas Water Code § 36.122(f)(1).
6. A statement of the projected effect of the proposed withdrawal on the aquifer or aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users in the District. For wells capable of producing 7,000,000 gallons annually, a hydrogeological report by a licensed geoscientist or licensed engineer assessing the impact of the proposed well and transport of water on the existing wells and the aquifer shall be submitted
7. The applicant's water conservation plan and, if any subsequent user of the water is a municipality or entity providing retail water services, the water conservation plan of that municipality or entity shall also be provided or a declaration shall be made that the applicant will comply with the District's management plan, when one is adopted.
8. The location of the well(s), the estimated rate at which water will be withdrawn, the production capacity of the well(s), and where the water is proposed to be used.
9. The names and addresses of the property owners, and the location of their wells, within a half mile radius of the location of the well(s) from which water is to be produced that is to be transported out of the District.
10. A well closure plan or a declaration that the applicant will comply with well plugging guidelines and report closure to the applicable authorities, including the District.
- 11, Proof of notification of the application to all landowners within one-half mile radius of the property where the well or wells are located and to all well owners, along with the publisher's affidavit showing publication

of the notice of intent to make application for a permit to transport water outside the District.

12. A description of how the proposed transport is addressed in any approved regional water plan(s) and when adopted, the District management plan for the District to consider under Texas Water Code § 36.122(f)(3).
13. A technical description of the facilities to be used for transportation of water and a time schedule for any construction thereof, so that the District may determine the permit term as authorized under Texas Water Code § 36.122(h)(2) and (i).
14. The identity of the well driller, including the well driller's license number or any other information required by the General Manager of Board.

RULE 10.4 HEARING AND PERMIT ISSUANCE

- A. Applications for transportation permits are subject to the hearing procedures provided by these Rules
- B. In determining whether to issue a permit to transfer groundwater out of the District, the Board must be fair, impartial, and nondiscriminatory and shall consider the factors considered when deciding whether to issue a drilling or operating permit under Rule 8 and the following:
 1. the availability of water in the District and in the proposed receiving area during the period for which the water supply is requested;
 2. the projected effect of the proposed transfer on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the District; and
 3. the approved regional water plan and approved District Management Plan.
- C. The District may not deny a permit based on the fact that the applicant seeks to transfer groundwater outside of the District and may not impose more restrictive permit condition on transporters than the District imposes on existing in-District users, unless:
 1. such limitations apply to all subsequent new permit applications and increased use by historic users, regardless of type or location of use;
 2. such limitations bear a reasonable relationship to the existing District

- management plan; and
 - 3. such limitations are reasonably necessary to protect existing use.
- D. In addition to conditions specified for in-District permits, the operating permit for transporting water out of the District shall specify:
- 1. the amount of water that may be transferred out of the District; and
 - 2. the period for which the water may be transferred, which shall be:
 - (a) at least three years if construction of a conveyance system has not been initiated prior to the issuance of the permit, and shall be automatically extended to the term 30 years if construction of a conveyance system is begun before the expiration of the initial term; or
 - (b) at least 30 years if construction of a conveyance system has been initiated prior to the issuance of the permit.
- E. The District may periodically review the amount of water that may be transferred under an operating permit to transport water out of the District and may limit the amount after considering factors related to:
- 1. the availability of water in the District and in the proposed receiving area during the period for which the water supply is requested;
 - 2. the projected effect of the proposed transfer on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the District; and
 - 3. the approved regional water plan and the approved District Management Plan.
- F. Such a review may not take place more frequently than once every five (5) years. After the review, more restrictive permit conditions may only be imposed if:
- 1. such limitations apply to all subsequent new permit applications and increased use by historic users, regardless of type or location of use;
 - 2. such limitations bear a reasonable relationship to the existing District management plan; and
 - 3. such limitations are reasonably necessary to protect existing use.

- G. In its determination of whether to renew a transport operating permit, the District shall consider the permit in the same manner it would consider any other permit in the District.

RULE 10.5 FEES INCLUDED WITH APPLICATION

The application must be accompanied by the application processing fee, inspection fee, or other fees as appropriate. Such fees must be paid before notice is published and mailed. Payment of all fees including water use fees remains the responsibility of the landowner.

SECTION 11. REWORKING AND REPLACING A WELL

RULE 11.1 PROCEDURES

- A. An existing well may be reworked, re-drilled, or re-equipped in a manner that will not change the existing well status. The District does not require a permit amendment for maintenance or repair of a well if the maintenance or repair does not increase the production capabilities of the well to more than its authorized or permitted production rate.
- B. A permit must be applied for and consideration given to approving the permit in accordance with Section 8 of these Rules, if a person wishes to increase the rate of production of an existing well to the point of increasing the size of the column pipe or g.p.m. rate by reworking, re-equipping, or re-drilling such well as described in this section.
- C. A permit must be applied for and granted in accordance with Section 8 of these Rules if a person wishes to replace an existing well with a replacement well.
- D. A replacement well must be completed in the same aquifer as the well it replaces, and shall not be drilled, equipped, or completed so as to increase the rate of production of water from the well it replaces. A replacement well must not be located closer to any other well or authorized well site unless the new location complies with the minimum the spacing requirements of Section 5; otherwise, the well shall be considered a new well for which an application must be made.
- E. In the event the application meets spacing and production requirements, and satisfies all requirements of these Rules, the General Manager may grant such application without further notice.

SECTION 12. WELL LOCATION AND COMPLETION

RULE 12.1 RESPONSIBILITY

After an application for a well permit has been granted, the well, if drilled, must be drilled within ten (10) yards (30 feet) of the location specified in the permit, and not elsewhere. If the well should be commenced or drilled at a different location, the drilling or operation of such well may be enjoined by the Board pursuant to Chapter 36, Texas Water Code. As described in the Texas Water Well Drillers Rules, all well drillers and persons having a well drilled, deepened, or otherwise altered shall adhere to the provisions of the District Rule prescribing the location of wells and proper completion.

RULE 12.2 LOCATION OF DOMESTIC, INDUSTRIAL, INJECTION, AND IRRIGATION WELLS

With regard to potential sources of contamination, wells shall be located in conformity with the rules and regulations promulgated by the TCEQ and the Texas Department of Licensing and Regulation, as applicable.

RULE 12.3 STANDARDS OF COMPLETION FOR DOMESTIC, INDUSTRIAL, INJECTION, AND IRRIGATION WELLS

Water well drillers must indicate the method of completion performed on the Well Report (TCEQ-0199) Section 10 Surface Completion. Unless otherwise ordered by the Board, domestic, industrial, injection, and irrigation wells must be completed in accordance with all applicable State and local standards, including but not limited to 30 Texas Administrative Code Chapter 290 (TCEQ Water Hygiene Rules for Public Water Supply Systems) and 16 Texas Administrative Code Chapter 76 (Rules for Water Well Drillers and Water Well Pump Installers).

RULE 12.4 RE-COMPLETIONS

- A. The landowner shall have the continuing responsibility of insuring that a well does not allow commingling of undesirable water and fresh water or the unwanted loss of water through the well bore to other porous strata.
- B. If a well is allowing the commingling of undesirable water and fresh water or the unwanted loss of water, and the casing in the well cannot be removed and the well re-completed within the applicable Rules, the casing in the well shall be perforated and cemented in a manner that will prevent the commingling or loss of water. If such a well has no casing, then the well shall be cased and cemented, or plugged in a manner that will prevent such commingling or loss of water.
- C. The Board may direct the landowner to take steps to prevent the commingling of undesirable water and fresh water, or the unwanted loss of

water.

SECTION 13. WASTE AND BENEFICIAL USE

RULE 13.1 WASTE MEANS ANY ONE OR MORE OF THE FOLLOWING

- A. Withdrawal of groundwater from a groundwater reservoir at a rate in an amount that causes or threatens to cause intrusion into the reservoir of water unsuitable for agricultural, gardening, domestic, or stock raising purposes.
- B. The flowing or producing of wells from a groundwater reservoir if the water produced is not used for a beneficial purpose.
- C. Escape of groundwater from a groundwater reservoir to any other reservoir or geologic strata.
- D. Pollution or harmful alteration of groundwater in a groundwater reservoir by saltwater or by other deleterious matter admitted from another stratum or from the surface of the ground.
- E. Willfully or negligently causing, suffering, or allowing groundwater to escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or ditch, or onto any land other than that of the owner of the well unless such discharge is authorized by permit, rule, or order issued by the commission under Chapter 11 or 26.
- F. Groundwater pumped for irrigation that escapes as irrigation tailwater onto land other than that of the owner of the well unless permission has been granted by the occupant of the land receiving the discharge.
- G. For water produced from an artesian well, waste has the meaning assigned by Section 11.205 Texas Water Code.
- H. Groundwater that is discharged into a watercourse for transit to another location when the losses in transit exceed 20%.
- I. Potable groundwater shall not be used for secondary recovery of hydrocarbons.

RULE 13.2 WASTE PREVENTION

- A. Groundwater shall not be produced within, or used within or outside of the District, in such a manner as to constitute waste as defined in these Rules.
- B. No person shall pollute or harmfully alter the character of the underground

water reservoir of the District by means of salt water or other deleterious matter admitted from some other stratum or strata from the surface of the ground.

- C. No person shall commit waste as that term is defined in Section 13.

RULE 13.3 USE FOR A BENEFICIAL PURPOSE

- A. Agricultural, gardening, domestic, stock raising, municipal, mining, manufacturing, industrial, commercial, recreational, or pleasure purposes;
- B. Exploring for, producing, handling, or treating oil, gas, sulphur, or other minerals; or
- C. Any other purpose that is useful and beneficial to the user.

RULE 13.4 ORDERS TO PREVENT WASTE/POLLUTION

After providing notice to affected parties and opportunity for a hearing, the Board may adopt orders to prohibit or prevent waste or pollution. If the factual basis for the order is disputed, the Board shall direct that an evidentiary hearing be conducted prior to entry of the order. If the General Manager determines that an emergency exists, requiring the immediate entry of an order to prohibit waste or pollution and protect the public health, safety, and welfare, the General Manager may enter a temporary order without notice and hearing provided, however, the temporary order shall continue in effect for the lesser of fifteen (15) days or until a hearing can be conducted.

SECTION 14. HEARINGS

RULE 14.1 APPLICABILITY

Except as provided by Rule 14.15, Section 14 of the Rules applies to the notice and hearing process used by the District for permit and permit amendment applications and show cause proceedings.

RULE 14.2 SCHEDULING OF HEARING

- A. The General Manager or Board may schedule a hearing on permit or permit amendment applications received by the District as necessary, as provided by Rule 8.5.E.
- B. The General Manager or Board may schedule more than one application for consideration at a hearing.
- C. The location of any hearing held will be at the District office unless the Board

or General Manager provides for hearings to be held at a different location. For a hearing conducted by the State Office of Administrative Hearings, the District may hold the hearing in Travis County.

- D. A hearing may be held in conjunction with a regularly scheduled Board meeting.

RULE 14.3 NOTICE

- A. If the General Manager or Board schedules a hearing on an application for a permit or permit amendment, the General Manager shall give notice of the hearing as provided by this section.
- B. The notice must include:
 - 1. the name of the applicant;
 - 2. the address or approximate location of the well or proposed well;
 - 3. a brief explanation of the proposed permit or permit amendment, including any requested amount of groundwater, the purpose of the proposed use, and any change in use;
 - 4. the time, date, and location of the hearing; and
 - 5. any other information the General Manager or Board considers relevant and appropriate.
- C. Not later than the 10th day before the date of a hearing, the General Manager shall:
 - 1. post notice in a place readily accessible to the public at the District office;
 - 2. provide notice to the county clerk of each county in the District; and
 - 3. provide notice by:
 - (a) regular mail to the applicant;
 - (b) regular mail, facsimile, or electronic mail to any person who has requested notice under Subsection (D).
- D. A person may request notice from the District of a hearing on a permit or a permit amendment application. The request must be in writing and is effective for the remainder of the calendar year in which the request is

received by the District. To receive notice of a hearing in a later year, a person must submit a new request. An affidavit of an officer or employee of the District establishing attempted service by first class mail, facsimile, or e-mail to the person in accordance with the information provided by the person is proof that notice was provided by the District.

- E. Failure to provide notice under Subsection C.3.(b) does not invalidate an action taken by the District at the hearing.

Rule 14.4 HEARING REGISTRATION

The District requires each person who participates in a hearing to submit a hearing registration form stating:

- A. the person's name;
- B. the person's address; and
- C. whom the person represents, if the person is not there in the person's individual capacity.

Rule 14.5 HEARING PROCEDURES

- A. A hearing must be conducted by:
 - 1. a quorum of the Board;
 - 2. the Presiding Officer who is the Board President or an individual to whom the Board has delegated in writing the responsibility to preside as a hearings examiner over the hearing or matters related to the hearing; or,
 - 3. the State Office of Administrative Hearings if requested and paid for by the requesting party.
- B. Except as provided by Subsection C, the Board president or the hearings examiner shall serve as the presiding officer at the hearing.
- C. If the hearing is conducted by a quorum of the Board and the Board president is not present, the directors conducting the hearing may select a director to serve as the presiding officer.
- D. The presiding officer may:
 - 1. convene the hearing at the time and place specified in the notice;

2. set any necessary additional hearing dates;
 3. designate the parties regarding a contested application;
 4. permit the receipt of and rule on the admissibility of evidence consistent with Subchapter D, Chapter 2001, Texas Government Code;
 5. establish the order for presentation of evidence;
 6. administer oaths to all persons presenting testimony;
 7. examine and allow cross examination of persons presenting testimony;
 8. ensure that information and testimony are introduced as conveniently and expeditiously as possible without prejudicing the rights of any party;
 9. prescribe reasonable time limits for testimony and the presentation of evidence;
 10. recess any hearing from time to time and place to place;
 11. issue subpoenas, require depositions, or order other discovery consistent with Subchapter D, Chapter 2001, Texas Government Code; and
 12. exercise any other appropriate powers necessary or convenient to effectively carry out the responsibilities of the Presiding Officer.
- E. Except as provided by Rule 14.14, the District may allow any person, including the General Manager or a District employee, to provide comments at a hearing on an uncontested application.
- F. The presiding officer may allow testimony to be submitted in writing and may require that written testimony be sworn to. On the motion of a party to the hearing, the presiding officer may exclude written testimony if the person who submits the testimony is not available for cross-examination by phone, a deposition before the hearing, or other reasonable means.
- G. If the Board has not acted on the application, the presiding officer may allow a person who testifies at the hearing to supplement the testimony given at the hearing by filing additional written materials with the presiding officer not later than the 10th day after the date of the hearing. A person who files additional written material with the presiding officer under this subsection must also provide the material, not later than the 10th day after the date of the hearing, to any person who provided comments on an uncontested

application or any party to a contested hearing. A person who receives additional written material under this subsection may file a response to the material with the presiding officer not later than the 10th day after the date the material was received.

- H. The presiding officer, at the presiding officer's discretion, may issue an order at any time before Board action under Rule 14.10 that:
1. refers parties to a contested hearing to an alternative dispute resolution procedure on any matter at issue in the hearing;
 2. determines how the costs of the procedure shall be apportioned among the parties; and
 3. appoints an impartial third party as provided by Section 2009.053, Government Code, to facilitate that procedure.

RULE 14.6 EVIDENCE

- A. The presiding officer shall admit evidence that is relevant to an issue at the hearing. Evidence may be admitted if it is of that quality upon which reasonable persons are accustomed to rely in the conduct of serious affairs. It is intended that needful and proper evidence shall be conveniently, inexpensively, and speedily provided while preserving the substantial rights of the parties to the proceeding.
- B. The presiding officer may exclude evidence that is irrelevant, immaterial, or unduly repetitious.

RULE 14.7 RECORDING

- A. Except as provided by Subsection B, the presiding officer shall prepare and keep a record of each hearing in the form of an audio or video recording or a court reporter transcription. On the request of a party to a contested hearing, the presiding officer shall have the hearing transcribed by a court reporter. The presiding officer may assess any court reporter transcription costs against the party that requested the transcription or among the parties to the hearing. Except as provided by this subsection, the presiding officer may exclude a party from further participation in a hearing for failure to pay in a timely manner costs assessed against that party under this subsection. The presiding officer may not exclude a party from further participation in a hearing as provided by this subsection if the parties have agreed that the costs assessed against that party will be paid by another party.
- B. If a hearing is uncontested, the presiding officer may substitute minutes or the report required under Rule 14.9 for a method of recording the hearing

provided by Subsection (a).

RULE 14.8 CONTINUANCE

The presiding officer may continue a hearing from time to time and from place to place without providing notice under Rule 14.3. If the presiding officer continues a hearing without announcing at the hearing the time, date, and location of the continued hearing, the presiding officer must provide notice of the continued hearing by regular mail to the parties.

RULE 14.9 REPORT

- A. Except as provided by Subsection E, the presiding officer shall submit a report to the Board not later than the 30th day after the date a hearing is concluded.
- B. The report must include:
 - 1. a summary of the subject matter of the hearing;
 - 2. a summary of the evidence or public comments received; and
 - 3. the presiding officer's recommendations for Board action on the subject matter of the hearing.
- C. The presiding officer or General Manager shall provide a copy of the report to:
 - 1. the applicant; and
 - 2. each person who provided comments or each designated party.
- D. A person who receives a copy of the report under Subsection (c) may submit to the Board written exceptions to the report.
- E. If the hearing was conducted by a quorum of the Board and if the presiding officer prepared a record of the hearing as provided by Subsection A above, the presiding officer shall determine whether to prepare and submit a report to the Board under this section.

RULE 14.10 BOARD ACTION

The Board shall act on a permit or permit amendment application not later than the 60th day after the date the final hearing on the application is concluded.

RULE 14.11 REQUEST FOR REHEARING OR FINDINGS AND CONCLUSIONS

- A. An applicant in a contested or uncontested hearing on an application or a party to a contested hearing may administratively appeal a decision of the Board on a permit or permit amendment application by requesting written findings and conclusions or a rehearing before the Board not later than the 20th day after the date of the Board's decision.
- B. On receipt of a timely written request, the Board shall make written findings and conclusions regarding a decision of the Board on a permit or permit amendment application. The Board shall provide certified copies of the findings and conclusions to the person who requested them, and to each person who provided comments or each designated party, not later than the 35th day after the date the Board receives the request. A person who receives a certified copy of the findings and conclusions from the Board may request a rehearing before the Board not later than the 20th day after the date the Board issues the findings and conclusions.
- C. A request for rehearing must be filed in the District office and must state the grounds for the request. If the original hearing was a contested hearing, the person requesting a rehearing must provide copies of the request to all parties to the hearing.
- D. If the Board grants a request for rehearing, the Board shall schedule the rehearing not later than the 45th day after the date the request is granted.
- E. The failure of the Board to grant or deny a request for rehearing before the 91st day after the date the request is submitted is a denial of the request.

RULE 14.12 DECISION; WHEN FINAL

- A. A decision by the Board on a permit or permit amendment application is final:
 - 1. if a request for rehearing is not filed on time, on the expiration of the period for filing a request for rehearing; or
 - 2. if a request for rehearing is filed on time, on the date:
 - (a) the Board denies the request for rehearing; or
 - (b) the Board renders a written decision after rehearing.
- B. Except as provided by Subsection C, an applicant or a party to a contested hearing may file a suit against the District under **Texas Water Code Section 36.251** to appeal a decision on a permit or permit amendment application not later than the 60th day after the date on which the decision becomes final.
- C. An applicant or a party to a contested hearing may not file suit against the

District under **Texas Water Code Section 36.251** if a request for rehearing was not filed on time.

RULE 14.13 CONSOLIDATED HEARING ON APPLICATIONS

- A. Except as provided by Subsection B, the District may process applications from a single applicant under consolidated notice and hearing procedures on written request by the applicant for:
 - 1. drilling, equipping, operating, or completing a well or substantially altering the size of a well or well pump under Section 8;
 - 2. the spacing of water wells or the production of groundwater under Section 5 and 6; or
 - 3. transferring groundwater out of the District under Section 10.
- B. The District is not required to use consolidated notice and hearing procedures to process separate permit or permit amendment applications from a single applicant if the Board or General Manager determines it cannot adequately evaluate one application until it has acted on another application.

RULE 14.14 HEARING REQUEST AND AFFECTED PERSON DETERMINATION

- A. Hearing Requests. The following may request a contested hearing under these Rules:
 - 1. the Board;
 - 2. the General Manager;
 - 3. the applicant; and
 - 4. affected persons (as determined in F. below).
- B. Form of Request. A request for a contested hearing by an affected person (as determined in F. below) must be in writing and be filed by United States mail, facsimile, e-mail, or hand delivery with the District within the time provided by subsection D. of this section.
- C. Requirements for Request. A hearing request by an affected person (as determined in F. below) must substantially comply with the following:
 - 1. give the name, address, and daytime telephone number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address,

daytime telephone number, and, where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;

2. identify the person's personal justiciable interest affected by the application, or District action including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the activity that is the subject of the application or District action and how and why the requestor believes he or she will be affected by the activity in a manner not common to members of the general public;
3. request a contested hearing;
4. if the party requesting a hearing desires for the hearing to be referred to and conducted by the State Office of Administrative Hearings, then the hearing request must include a statement "I/we request that the State Office of Administrative Hearings conduct the hearing."; and,
5. if applicable, provide any other information specified in the public notice of application.

D. Deadline for hearing requests. A hearing request by an affected person (as determined in F. below) must be filed with the District within 20 days after the last publication of the notice of application.

E. A request for a contested hearing shall be granted

1. by the General Manager if the request is made by the applicant or the General Manager; or

2. by the Presiding Officer at a preliminary hearing if the request is made by an affected person (as determined using the standards in F. below) other than the applicant or the General Manager and the request:
 - (a) is based solely on concerns within the jurisdiction and authority of the District;
 - (b) is supported by competent showing that the person requesting a hearing is likely to be impacted by the proposed regulated activity;
 - (c) complies with all of the requirements of A through D above; and,
 - (d) is timely filed with the District.

- F. Determination of Affected Person and a Party's Right to participate in a Hearing to be made by the Presiding Officer. At a preliminary hearing conducted by the District before the commencement of an evidentiary hearing, the Presiding Officer shall determine whether to grant a contested hearing and, if a contested case is granted, a party's right to participate in a hearing. The Presiding Officer may refer to the State Office of Administrative Hearings the determination of a party's right to participate in a hearing. Any "affected person", as determined under this section, may participate in a hearing.
1. For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.
 2. Governmental entities, including local governments and public agencies, with authority under state law over issues contemplated by the application may be considered affected persons.
 3. Relevant factors shall be considered, including, but not limited to, the following:
 - (a) whether the interest claimed is one protected by the Act or Texas Water Code Chapter 36;
 - (b) distance between the regulated activity and the affected interest;
 - (c) whether a reasonable relationship exists between the interest claimed and the activity regulated;
 - (d) likely impact of the regulated activity on the use of groundwater interests of the person; and
 - (e) for governmental entities, their statutory authority over or interest in the issues relevant to the application.
 4. An applicant is an affected person.

RULE 14.15 HEARINGS CONDUCTED BY STATE OFFICE OF ADMINISTRATIVE HEARINGS

If requested by an applicant or other party to a contested case, the District shall contract with the State Office of Administrative Hearings to conduct a hearing. A person opposing

an application who requests a hearing under Rule 14.14C must include in a timely hearing request the statement “I/we request that the State Office of Administrative Hearings conduct the hearing” in order for the hearing to be referred to and conducted by the State Office of Administrative Hearings.

An applicant desiring that the District refer a contested case to the State Office of Administrative Hearings must make a written request for the State Office of Administrative Hearings referral at the time the applicant requests a contested case or, for a contested case request from other than an applicant, no later than 5 business days after the determination that the District will grant a hearing under rule 14.14E.2.

A party requesting a hearing before the State Office of Administrative Hearings shall pay all costs as provided in Rule 9.13.

If the District contracts with the State Office of Administrative Hearings to conduct a hearing, the hearing shall be conducted as provided by Subchapters C, D, and F, Chapter 2001, Government Code.

RULE 14.16 DISCOVERY

The presiding officer may issue subpoenas, require deposition and order other discovery consistent with the authority granted to a state agency under Subchapters C, D, and F, Chapter 2001, Texas Government Code.

SECTION 15. INVESTIGATIONS AND ENFORCEMENT

RULE 15.1 NOTICE AND ACCESS TO PROPERTY

Pursuant to Texas Water Code Section 36.123, any authorized officer, agent, employee, or representative of the District, when carrying out technical and other investigations necessary to the implementation of the Rules or the Act, and after reasonable notice to the owner or operator, may enter upon private property for the purpose of inspecting and investigating conditions relating to the withdrawal, waste, water quality, pollution, or contamination of groundwater or other acts covered by the these Rules or Texas Water Code.

Prior to entering upon property for the purpose of conducting an investigation, the person seeking access must give notice in writing or in person or by telephone to the owner, lessee, or operator, agent, or employee of the well owner or lessee, as determined by information contained in the application or other information on file with the District. Notice is not required if prior permission is granted to enter without notice.

Inhibiting or prohibiting access to any Board Member or District agents or employees who are attempting to conduct an investigation under the District Rules constitutes a violation and subjects the person who is inhibiting or prohibiting access, as well as any other person

who authorizes or allows such action, to the penalties set forth in the Texas Water Code Chapter 36.102.

RULE 15.2 SHOW CAUSE ORDERS AND COMPLAINTS

The Board, either on its own motion or upon receipt of sufficient written protest or complaint, may at any time, after due notice to all interested parties, cite any person owning or operating a well within the District, or any person in the District violating the Act, these Rules, or an Order of the Board. Under the citation, that person is ordered to appear before the Board in a public hearing and require him to show cause why an enforcement action should not be initiated or why his operating authority or permit should not be suspended, cancelled, or otherwise restricted and limited, for failure to abide by the terms and provisions of the permit, these Rules, or the Act. The Board or General Manager may conduct a show cause hearing under the Rules applicable to a contested application.

RULE 15.3 CONDUCT OF INVESTIGATION

When investigations or inspections require entrance upon private property, such investigations and such inspections shall be conducted at reasonable times, and shall be consistent with all applicable rules and regulations concerning safety, internal security, and fire protection. The persons conducting such investigations shall identify themselves and present District identification upon request by the owner, operator, lessee, management in-residence, or person in charge.

RULE 15.4 REQUEST FOR INJUNCTIVE RELIEF AND ASSESSMENT OF PENALTIES

If it appears that a person has violated, is violating, or is threatening to violate any provision of the Act or any Rule, regulation, permit, Board order, or other order of the District, the Board may institute and conduct a suit in the name of the District for injunctive relief, for recovery of a civil penalty, or for both injunctive relief and penalty.

RULE 15.5 SEALING OF WELLS

Following due-process, the District may, upon orders from the judge of the courts, seal wells that are prohibited from withdrawing groundwater within the District by the District Rules to ensure that a well is not operated in violation of the District Rules. A well may be sealed when: (1) no application has been made for a permit to drill a new water well which is not excluded or exempted; or (2) no application has been made for an operating permit to withdraw groundwater from an existing well that is not excluded or exempted from the requirement that a permit be obtained in order to lawfully withdraw groundwater; or (3) the Board has denied, canceled, or revoked a drilling permit or an operating permit.

The well may be sealed by physical means, and tagged to indicate that the well has been sealed by the District. Other appropriate action may be taken as necessary to preclude operation of the well or to identify unauthorized operation of the well.

Tampering with, altering, damaging, or removing the seal of a sealed well, or in any other way violating the integrity of the seal, or pumping of groundwater from a well that has been sealed constitutes a violation of these Rules and subjects the person performing that action, as well as any well owner or primary operator who authorizes or allows that action, to such penalties as provided by the District Rules.

RULE 15.6 CIVIL PENALTIES

- A. If a person violates any District Rule or Order, the District may assess a civil penalty against that person as provided by this section.
- B. Any person who violates any District Rule is subject to a civil penalty of not less than \$50.00 or more than \$5,000 for each act of violation, as a court of competent jurisdiction may deem proper
- C. Nothing in this Rule shall be construed as a waiver of the District's right to seek other remedies as allowed by law, including, but not limited to the following:
 - 1. Injunctive relief to prevent specific conduct that violates these Rules or to require specific conduct that is necessary for compliance with these Rules;
 - 2. Mandatory injunctive relief; and
 - 3. Any other appropriate remedy or penalty as provided by law.
- D. All civil penalties recovered by the District shall be paid to the Bluebonnet Groundwater Conservation District.
- E. The District may enforce this section by filing a complaint in the appropriate court of jurisdiction in the county where the District Offices are located.
- F. If the District prevails in any suit to enforce its Rules, the District may seek and the court shall grant, in the same action, recovery for attorney's fees, costs for expert witnesses, and other costs incurred by the District before the court.

RULE 15.7 FAILURE TO REPORT PUMPAGE AND/OR TRANSPORTED VOLUMES

The accurate reporting and timely submission of pumpage and/or transported volumes is necessary for the proper management of water resources. Failure of the permittee to submit complete, accurate, and timely pumpage, transport and water quality reports as required by District Rule may result in late payment fees, forfeiture of the permit, or payment of increased meter reading and inspection fees as a result of District inspections to obtain current and accurate pumpage and/or transported volumes and water quality

reports.

RULE 15.8 LATE PAYMENT FEES FOR FAILURE TO PAY WATER USE FEES

Failure to make complete and timely payments of a fee within 30 days of the invoice date for the fee shall automatically result in a late payment fee of 1.5% (18% per annum) monthly service charge until paid in full. The fee payment plus the late payment fee must be made within thirty (30) days following the date the payment is due, otherwise the permit may be declared void by the Board.

RULE 15.9 EMERGENCY ORDERS

The District will develop Emergency Contingency Plans to deal with water quality or water quantity emergencies. Public hearings on Emergency Contingency Plans shall be conducted by the Board prior to adoption. To implement Emergency Contingency Plans, the Board, or the General Manager if specifically authorized by an Emergency Contingency Plan, may adopt emergency orders of either a mandatory or prohibitory nature, requiring remedial action by a permittee or other party responsible for the emergency condition.

SECTION 16. RULEMAKING

RULE 16.1 POLICY

Rulemaking hearings shall be conducted in the manner the Board deems most suitable to obtain all relevant information and testimony on proposed rules as conveniently, inexpensively, and expeditiously as possible without prejudicing the rights of any person.

RULE 16.2 NOTICE

- A. Not later than the 20th day before the date of a rulemaking hearing, the general manager or Board shall:
1. post notice in a place readily accessible to the public at the District office;
 2. provide notice to the county clerk of each county in the District;
 3. publish notice in one or more newspapers of general circulation in the county or counties in which the District is located;
 4. provide notice by mail, facsimile, or electronic mail to any person who has requested notice under Subsection G; and
 5. make available a copy of all proposed rules at a place accessible to the public during normal business hours and, if the District has a website, post an electronic copy on a generally accessible Internet

site.

- B. The notice provided must include:
 - 1. the time, date, and location of the rulemaking hearing;
 - 2. a brief explanation of the subject of the rulemaking hearing; and
 - 3. a location or Internet site at which a copy of the proposed rules may be reviewed or copied.

RULE 16.3 CONDUCT OF RULEMAKING PROCEEDING

- A. The presiding officer shall conduct a rulemaking hearing in the manner the presiding officer determines to be most appropriate to obtain information and comments relating to the proposed rule as conveniently and expeditiously as possible. Comments may be submitted orally at the hearing or in writing. The presiding officer may hold the record open for a specified period after the conclusion of the hearing to receive additional written comments.
- B. The District requires each person who participates in a rulemaking hearing to submit a hearing registration form stating:
 - 1. the person's name;
 - 2. the person's address; and
 - 3. whom the person represents, if the person is not at the hearing in the person's individual capacity.
- C. The presiding officer shall prepare and keep a record of each rulemaking hearing in the form of an audio or video recording or a court reporter transcription.
- D. A person may submit to the District a written request for notice of a rulemaking hearing. A request is effective for the remainder of the calendar year in which the request is received by the District. To receive notice of a rulemaking hearing in a later year, a person must submit a new request. An affidavit of an officer or employee of the District establishing attempted service by first class mail, facsimile, or e-mail to the person in accordance with the information provided by the person is proof that notice was provided by the District.
- E. The District may use an informal conference or consultation to obtain the opinions and advice of interested persons about contemplated rules and may appoint advisory committees of experts, interested persons, or public

representatives to advise the District about contemplated rules.

- F. Failure to provide notice under Subsection A.4 does not invalidate an action taken by the District at a rulemaking hearing.

RULE 16.4 EMERGENCY RULES

- A. The Board may adopt an emergency rule without prior notice or hearing, or with an abbreviated notice and hearing, if the Board:
 - 1. finds that a substantial likelihood of imminent peril to the public health, safety, or welfare, or a requirement of state or federal law, requires adoption of a rule on less than 20 days' notice; and
 - 2. prepares a written statement of the reasons for its finding under Subdivision (1).
- B. Except as provided by Subsection C, a rule adopted under this section may not be effective for longer than 90 days.
- C. If notice of a hearing on the final rule is given not later than the 90th day after the date the rule is adopted, the rule is effective for an additional 90 days.
- D. A rule adopted under this section must be adopted at a meeting held as provided by Chapter 551, Government Code.

APPENDIX D

Resolution adopting the management plan

**BLUEBONNET GROUNDWATER CONSERVATION DISTRICT
RESOLUTION NO. 2013-02**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE BLUEBONNET
GROUNDWATER CONSERVATION DISTRICT ADOPTING A DISTRICT
MANAGEMENT PLAN**

**THE STATE OF TEXAS §
 §
COUNTY OF GRIMES §**

WHEREAS, Bluebonnet Groundwater Conservation District (District) is a duly created and existing groundwater conservation district created and operating under Chapter 8825 of the Texas Special District Laws Code and Chapter 36 of the Texas Water Code, as amended;

WHEREAS, the Management Plan of the District attached hereto as Attachment A, has been developed for the purpose of conserving, preserving, protecting, and recharging the aquifers in the District, and this action is taken under the District's statutory authority to prevent waste and protect rights of owners of interest in groundwater;

WHEREAS, after notice and hearing the Board of Directors ("Board") of the District revised and readopted a Management Plan on October 16, 2013; and

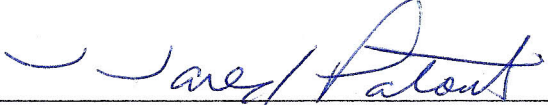
WHEREAS, the Management Plan meets the requirements of Texas Water Code § 36.1071 and § 36.1072 and 31 TAC §§ 356.5 and 356.6.

NOW THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF BLUEBONNET GROUNDWATER CONSERVATION DISTRICT THAT:

1. The facts and recitations found in the preamble of this Resolution are hereby found and declared to be true and correct, and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.
2. The Board of Directors of the District hereby adopts the attached Management Plan as the Management Plan for the District, subject to those amendments necessary based on comments received from the public at the public hearing or Board meeting, recommendations from the District Board, staff, or legal counsel, or to incorporate technical information received from the Texas Water Development Board and/or District consultants.

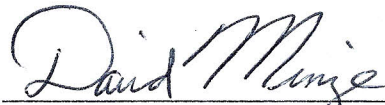
3. The General Manager and staff of the District are hereby authorized to take all steps necessary to implement this resolution and submit the Management Plan to TWDB for its approval.
4. The General Manager and staff of the District are further authorized to take any and all action necessary to coordinate with the TWDB as may be required in furtherance of TWDB's approval pursuant to the provisions of Section 36.1072 of the Texas Water Code.

PASSED AND APPROVED this the 16th day of October, 2013.



Jared Patout, President, Board of Directors

ATTEST:



David Minze, Vice President, Board of Directors

APPENDIX E

Evidence that the management plan was
adopted after notice and hearing

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Board of Directors Meeting And Public Hearing

Wednesday, October 16, 2013
6:00 PM

Bluebonnet Groundwater Conservation District
Board Room, Suite B & C
303 East Washington Avenue
Navasota, Texas

AGENDA

1. Call to order.
2. Public Comment.
(Public comment is limited to a maximum of 3 minutes per speaker and/or 30 minutes total time for all speakers).
3. Discussion and possible action to accept resignation of Director Byron Sandel representing agricultural interests from Walker County.
4. Introduction of and Administer Sworn Statement and Oath of Office to Walker County Director Appointee R.D. Hopper.
5. Discussion and possible action to approve bond for Director R.D. Hopper representing agricultural interests from Walker County for the remainder of an unexpired term ending in January 2016.
6. Discussion and possible action to approve minutes of July 17, 2013 and September 18, 2013 Board Meetings.
7. Discussion and possible action to approve quarterly Financial Report.
8. Discussion and possible action to approve quarterly Investment Report.
9. Discussion and possible action to accept quarterly Drought Status Assessment.
10. Presentation of District Annual Report for CY 2012 by General Manager Holland.
11. Discussion and possible action to approve CY 2012 Annual Report.
12. Public Hearing on proposed revisions to District Management Plan.
13. Discussion and possible action to approve Resolution 2013-02 Revising and Readopting the District Management Plan.
14. General Manager's Report
 - a. Well Registration/Permitting

- b. TAGD
 - i. 2013 Texas Groundwater Summit
- c. Region G & H RWPG
- d. GMA 14 Joint Planning
- e. BGCD Update
 - i. Presentation engagements
 - ii. Vehicle Summary

15. Date for next regular Board meeting – January 15, 2014

16. Adjourn

Agenda items may be considered, discussed and/or acted upon in a different order than the order set forth above.

Executive Session

The Board of Directors of the Bluebonnet Groundwater Conservation District reserves the right to adjourn into Executive (Closed) Session at any time during the course of this meeting to discuss any of the items listed on this agenda, as authorized by the Texas Government Code, Sections 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). No final action will be taken in Executive Session.

Posted 10/9/13 at 4:35 PM

By Zach Hill

(Title) General Manager



Open Meeting Submission

Success!
Row inserted

TRD: 2013006925
Date Posted: 10/14/2013
Status: Accepted
Agency Id: 1114
Date of Submission: 10/11/2013
Agency Name: Bluebonnet Groundwater Conservation District
Board: Board of Directors
Liaison Id: 3
Date of Meeting: 10/16/2013
Time of Meeting: 06:00 PM (###:## AM Local Time)
Street Location: 303 East Washington Ave, Suite B & C
City Location: Navasota
State Location: TX
Liaison Name: Zach Holland
Additional Information Obtained From: Zach Holland, General Manager
 936-825-7303
 zholland@bluebonnetgroundwater.org
 BLUEBONNET GROUNDWATER CONSERVATION DISTRICT
 Board of Directors Meeting
 And Public Hearing
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New

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BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Board of Directors Meeting
And Public Hearing

Wednesday, October 16, 2013
6:00 PM

Bluebonnet Groundwater Conservation District
Board Room, Suite B & C
303 East Washington Avenue
Navasota, Texas

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ORIGINAL FILED
COPIES NOT COMPARED

OCT 09 2013

10:17 AM

Carrie Gregor

County Clerk, Austin County, TX

- b. TAGD
 - i. 2013 Texas Groundwater Summit
- c. Region G & H RWPG
- d. GMA 14 Joint Planning
- e. BGCD Update
 - i. Presentation engagements
 - ii. Vehicle Summary

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#176

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Board of Directors Meeting
And Public Hearing

Wednesday, October 16, 2013
6:00 PM

Bluebonnet Groundwater Conservation District
Board Room, Suite B & C
303 East Washington Avenue
Navasota, Texas

FILED FOR RECORD

AT 2:17 O'CLOCK PM

OCT 09 2013

DAVID PASKET
COUNTY CLERK, GRIMES COUNTY, TX
By B Kimmel Deputy

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Filed for Record in:
Grimes County
On: Oct 09, 2013 at 02:17P
As a NOTICE

Amount: 8.00
Receipt Number - 66221
By: Barbara Kimich

STATE OF TEXAS COUNTY OF GRIMES
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
of the named records of:
Grimes County
as stamped hereon by me.
Oct 09, 2013

David Foskett, Grimes County Clerk
Grimes County

Filed for Record in:
Grimes County
On: Oct 09, 2013 at 02:17P
As a POSTING

Amount: 3.00
Receipt Number - 66221
By: Barbara Kimich

STATE OF TEXAS COUNTY OF GRIMES
I hereby certify that this instrument was
filed on the date and time stamped hereon by me
and was duly recorded in the volume and page
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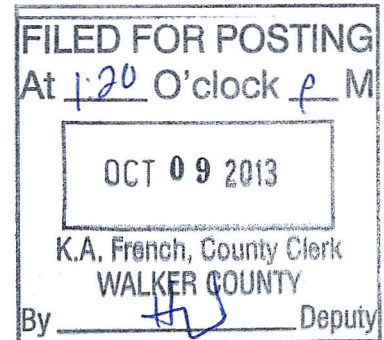
David Foskett, Grimes County Clerk
Grimes County

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

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5. Discussion and possible action to approve bond for Director R.D. Hopper representing agricultural interests from Walker County for the remainder of an unexpired term ending in January 2016.
6. Discussion and possible action to approve minutes of July 17, 2013 and September 18, 2013 Board Meetings.
7. Discussion and possible action to approve quarterly Financial Report.
8. Discussion and possible action to approve quarterly Investment Report.
9. Discussion and possible action to accept quarterly Drought Status Assessment.
10. Presentation of District Annual Report for CY 2012 by General Manager Holland.
11. Discussion and possible action to approve CY 2012 Annual Report.
12. Public Hearing on proposed revisions to District Management Plan.
13. Discussion and possible action to approve Resolution 2013-02 Revising and Readopting the District Management Plan.
14. General Manager's Report
 - a. Well Registration/Permitting

- b. TAGD
 - i. 2013 Texas Groundwater Summit
- c. Region G & H RWPG
- d. GMA 14 Joint Planning
- e. BGCD Update
 - i. Presentation engagements
 - ii. Vehicle Summary

15. Date for next regular Board meeting – January 15, 2014

16. Adjourn

Agenda items may be considered, discussed and/or acted upon in a different order than the order set forth above.

Executive Session

The Board of Directors of the Bluebonnet Groundwater Conservation District reserves the right to adjourn into Executive (Closed) Session at any time during the course of this meeting to discuss any of the items listed on this agenda, as authorized by the Texas Government Code, Sections 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). No final action will be taken in Executive Session.

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

NOT COMPARED
AN ORIGINAL WAS

Board of Directors Meeting
And Public Hearing

Wednesday, October 16, 2013
6:00 PM

POSTED 10/11/13 @ 3:45pm
DEBBIE HOLLAN, COUNTY CLERK
WALKER COUNTY, TEXAS
BY Jennifer Deutch
Deputy

Bluebonnet Groundwater Conservation District
Board Room, Suite B & C
303 East Washington Avenue
Navasota, Texas

AGENDA

1. Call to order.
2. Public Comment.
(Public comment is limited to a maximum of 3 minutes per speaker and/or 30 minutes total time for all speakers).
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APPENDIX F

Evidence that the District coordinated development of the management plan with surface water entities

Zach Holland

From: Zach Holland [ZHolland@bluebonnetgroundwater.org]
Sent: Wednesday, October 23, 2013 3:13 PM
To: 'jhouston@sjra.net'; 'wardk@trinityra.org'; 'pford@brazos.org'
Cc: 'Bill Hutchison'
Subject: BGCD Management Plan
Attachments: ApprovedPlanwithAppendices.pdf; image002.jpg

Dear Sirs,

Attached is a copy of the Bluebonnet Groundwater Conservation District's Management Plan, adopted at the District's Board Meeting held October 16, 2013. This copy is being provided for your files. The Bluebonnet Groundwater Conservation District is required to provide this document to "Political subdivisions as defined by Texas Water Code, Chapter 15, and identified from Texas Commission on Environmental Quality records which are granted authority to store, take, divert, or supply surface water either directly or by contract under Texas Water Code, Chapter 11, for use within the boundaries of a district."

Many thanks,



"You can't stop the waves, but you can learn to surf." - Unknown