

**Wintergarden Groundwater  
Conservation District**

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July 28, 2000

TWDB  
RECEIVED

JUL 28 2000

ROUTE TO:

CC TO: CP, TK, KM, JA

Mr. Craig Pederson  
Executive Administrator  
Texas Water Development Board  
1700 N. Congress  
Austin, TX 78711-3231

Re: Transmittal of District Management Plan

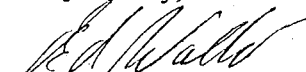
Dear Mr. Pederson:

The Wintergarden Groundwater Conservation District (WGCD) is submitting our amended Management Plan that was approved and adopted by our Board of Directors via Resolution #2000-01 on July 19, 2000. Please retract the previous submitted Management Plan dated June 15, 1999, and substitute the current enclosed Management Plan. It will remain in effect until a revised Management Plan is certified or June 2009, whichever is earlier. This Plan is fulfillment of requirements of SB1 and TWDB rules, specifically Texas Administration Code Chapter 356 (31TAC 356). The District Rules previously forwarded are to be attached as an addendum to support the Management Goals, Objectives and Performance Standards detailed in the Plan.

The local surface water entity has been notified of this Plan. Nueces River Authority has been sent the document and a letter confirming their approval will be forwarded to you if needed.

Enclosed is a copy of Resolution #2000-01 adopting this amended Plan along with a copy of the posted Agenda of the Board of Directors of the Wintergarden Groundwater Conservation District, July 19, 2000, monthly meeting. Please let me know if you need any additional information in the review of our Plan.

Respectfully,



Ed Walker,  
General Manager  
Enclosures (3)

**Wintergarden Groundwater  
Conservation District**

P. O. Box 1433  
Carrizo Springs, TX 78834

**RESOLUTION**

**WHEREAS**, the Wintergarden Groundwater Conservation District (District) was created in 1997 by HB 3602 of the 75<sup>th</sup> Legislature in accordance with Section 59, Article 16 of the Constitution of the State of Texas; and

**WHEREAS**, the District is required by SB1 through Chapter 36.1071 of the Texas Water Code to develop and adopt a new Management Plan; and

**WHEREAS**, the District is required by SB1 to submit the adopted Management Plan to the Executive Director of the Texas Water Development Board for review and certification; and

**WHEREAS**, the District's new Management Plan shall be certified by the Executive Administrator, if the plan is administratively complete; and

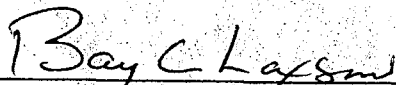
**WHEREAS**, the District Board of Directors, after reviewing the existing Management Plan, has determined that this plan should be amended; and


**WHEREAS**, the District Board of Directors has determined that the amended Management Plan addresses the requirements of Chapter 36.1071,

**NOW, THEREFORE**, be it resolved that the Board of Directors of the Wintergarden Groundwater Conservation District, following notice and hearing, hereby approves and adopts this amended Management Plan to replace the existing Management Plan; and

**FURTHER**, be it resolved, that this amended Management Plan shall become effective immediately upon adoption.

Adopted this 19<sup>th</sup> day of July, 2000, by the Board of Directors of the Wintergarden Groundwater Conservation District.

  
Bay Laxson, Board Secretary

  
John Petry, Board Vice-President

# Wintergarden Groundwater Conservation District Management Plan

(Adopted 7/19/00)

The Wintergarden Groundwater Conservation District Office is located at:

2881 Hwy. 277 West

P. O. Box 1433

Carrizo Springs, TX 78834

a.m.-12:00 p.m., 1:00 p.m.- 5:00 p.m.

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Office Hours: 8:00

Amended 7/19/00

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## **Purpose And Intent**

It is the purpose and intent of this plan to establish policy in the area of, water conservation, public information, regulations, permits and enforcement, equity and discretion, and cooperation and coordination, and will be in effect from adoption by notice and hearing for ten years until equal month of adoption in the year 2009. The goal of this plan is to establish a Regulatory Action Plan that will conserve, preserve, protect and prevent the waste of the underground water within the District. Due to the present potential mining of groundwater in the Carrizo aquifer in some areas of the District, the Regulatory Action Plan will also address reducing the mining of groundwater. The regulations and policies in this plan have been established so that the goals, needs and obligations of the District may be accomplished as set forth by the 75<sup>th</sup> Legislature, Regular Session 1997, House Bill 3602, and Chapter 36 of the Texas Water Code.

## **Background**

The Wintergarden Groundwater Conservation District was created in 1997 by HB 3602 75<sup>th</sup> Leg. in accordance with Section 59, Article 16 of the Constitution of the State of Texas, and in accordance with the Texas Water Code Title 2 Water Administration Subtitle E Groundwater Management (ch. 35 & 36). The Wintergarden Groundwater Conservation District was confirmed by election in January 1998. The election was successful and a tax rate of \$0.04 per \$100.00 valuation was set.

The District encompasses all of Dimmitt, LaSalle, & Zavala Counties. This includes approximately 2,685,148 acres, or 4,195 square miles. The District economy is heavily dependent on agriculture and agriculture related business. Rainfall of 20.0 annually usually peaks in the late spring, with a secondary peak in the early fall. Due to this trend and high summer temperatures, irrigation is required for consistent crop production and yield. Approximately 90.7% of the total groundwater pumpage in the District is used in Agriculture.

Last 5 years average per county of acre-foot used for agriculture as follows;

Dimmitt	5616 AF	8.4%
LaSalle	6418 AF	9.6%
Zavala	55,148 AF	82.1%

## **Policy**

It is the Policy of the District to promote water conservation, provide public information, maintain and sustain regulation, permits, enforcement, equity and discretion, cooperation and coordination. These policies are designed to support the regulation of groundwater withdrawals to reduce the mining of groundwater resources within the District. The implementation of this plan can only be achieved through a concerted effort by all parties that use groundwater within the District and the Carrizo Aquifer. The Wintergarden Groundwater Conservation District Policy will also provide that any groundwater conservation district overlying the Carrizo Aquifer shall not approve the mining or export of groundwater from the aquifer boundaries that would result in the degradation of groundwater (levels or quality) within the Wintergarden Groundwater Conservation District boundaries. That in the event groundwater is mined or exported for use outside the aquifer boundaries and such use would result in the degradation of groundwater (levels or quality) within the Wintergarden Groundwater Conservation District boundaries, the mining/or exporting District shall, at no cost to the Wintergarden Groundwater Conservation District, implement a recharge plan to the satisfaction of the Wintergarden Groundwater Conservation District and within the Wintergarden Groundwater Conservation District that will

maintain the safe yield and current level of the aquifer at the level currently in existence prior to the mining/or exporting action. The District shall maintain an office with regular office hours.

### **Management of Groundwater Supplies**

The District will manage the supply of groundwater within the District in order to conserve the resource while seeking to maintain the economic viability of all resource user groups, public and private. In consideration of the economic and cultural activities occurring within the District, the District will identify and engage in such activities and practices, that if implemented would result in a reduction of groundwater use. An observation network shall be established and maintained in order to monitor changing storage conditions of groundwater supplies within the District. The District will make a regular assessment of water supply and groundwater storage conditions and will report those conditions to the Board and to the public. The District will undertake, as necessary and co-operate with investigations of the groundwater resources within the District and will make the results of the investigations available to the public upon adoption by the Board.

The District will adopt rules to regulate groundwater withdrawals by means of spacing and production limits. In making a determination, the District may deny a well construction permit or limit groundwater withdrawals in accordance with the guidelines stated in the rules of the District.

### **Technical Research and Studies**

The District in cooperation with other entities including the Texas Water Development Board and the Texas Natural Resources Conservation Commission will work to determine methods to conserve and protect groundwater through more efficient irrigation practices, education, and well head protection. The District will be collecting well data from five (5) full time monitors placed in Carrizo Aquifer wells in order to determine the current level in the aquifer and the effects of the current usage by the year 2001.

### **Water Conservation**

Water conservation has become a strong initiative throughout the State of Texas. New buildings are required to use certain water conserving plumbing fixtures as a result of legislation passed by the Texas Legislature in 1991. It has been recognized that fresh water is a vital commodity that can only last through preservation. The District may require a conservation plan for permitted wells in order to be sure that the groundwater produced is put to a beneficial use, not wasted. The District will work with water utilities, industry, and agriculture users to promote the most efficient use of water so that we may preserve one of our most valuable natural resources. The District will explore other conservation methods and options and will adopt new requirements, as they become necessary.

### **Groundwater Recharge**

This groundwater budget summarizes how the GAM model estimates water entering and leaving the aquifer. The groundwater budget for the steady-state model is shown in Table 1. Lateral flow in and out represents groundwater flowing into and out of the aquifer(s) across county boundaries. Upward leakage to younger layers in Table 1 represents the exchange of groundwater between aquifer formations. Total recharge represents contributions to the aquifer from precipitation entering the system where the geologic unit containing the aquifer is exposed at the land surface. Evapotranspiration in Table 1 represents the process by which plants pull and use water directly from the aquifer. Net stream leakage reflects the interaction of the aquifer with surface water bodies.

The total recharge (rainfall) for Dimmit, La Salle, and Zavala counties from the GAM is 48,452 acre-feet per year. The net recharge, recharge minus evapotranspiration, is 45,050 acre-feet per year.

**Table 1. Groundwater flow budget for Dimmit, La Salle, and Zavala counties in the steady-state GAM of the southern part of the Queen City, Sparta, and Carrizo Wilcox aquifers. (TWDB GAM Run 05-34)**

<i>Flow Term</i>	<i>Flow (acre-feet/year)</i>
Lateral flow in	28,213 In
Lateral flow out	(-)20,682 Out
Upward leakage to younger layers	(-)14,568 Out
Total recharge	48,452 In – Rainfall
Evapotranspiration	(-) 3,402 Out
Net stream leakage	(-)37,834 Out

In Table 1, a negative sign refers to flow out of the aquifer in Dimmit, La Salle, and Zavala counties and a positive sign refers to flow into the aquifer in Dimmit, La Salle, and Zavala counties. All numbers are rounded to the nearest 1 acre-foot. Values are probably only accurate to two significant figures. Based on this table, the total volume leaving the counties under steady-state predevelopment conditions with no pumping is approximately 76,486 acre-feet per year. The 76,486 is also considered annual groundwater availability.

In addition to the above values, WGCD continues to support that recharge can be enhanced by a respectable amount with the implementation of a sound program to artificially recharge the aquifer as well as reduce pumpage. Since the Spring of 1999 and continuing to date, WGCD along with Webb and Uvalde Counties has been actively engaged in an 8-month rain enhancement and hail suppression program which is planned to be reoccurring in future years. The rain enhancement and hail suppression will not only increase the agriculture economic base, but will also increase recharge. It has been established in various publications TNRCC, TWDB, and TDLR that cloud seeding will effectively increase rainfall by 12 – 20% thereby increasing recharge by a similar amount and reduce damage from hail-fall.

**Groundwater Availability**

Estimated annual groundwater availability in the District is 76,486 acre-feet.

All values aforementioned are a produce of the Texas Water Development Board (TWDB) GAM run 05-34.

**Current and Projected Groundwater Needs/Demands**

The WGCD is a three county District consisting of;

**Dimmit:** Asherton, Big Wells, Brundage, Catarina, and Carrizo Springs.

**LaSalle:** Artesia Wells, Cotulla, Encinal, Fowlerton, Los Angeles, Millett, and Woodward.

**Zavala:** Batesville, Crystal City, LaPryor,

Based on available data from the 2001 Regional Water Plan, annual water uses in the WGCD District have been projected to be

Year	Total acre Ft.
2000	133,160
2010	128,572
2020	124,401
2030	120,938
2040	117,484
2050	114,293

Estimated Groundwater pumpage percentages per county of the total usage in the District are as follows:

Dimmitt	11.5
LaSalle	7.0
Zavala	81.5

Projected groundwater supply data:

Aquifer	Year 2000	2010	2020	2030	2040	2050
Cz-Wx	76,000	76,000	76,000	68,400	61,560	55,404
Sparta	1,400	1,400	1,400	1,400	1,400	1,400
Queen City	425	425	425	425	425	425

**Projected Water Demands (Dimmitt, La Salle and Zavala Counties) – Table A**

**Dimmitt**

RWPG	WUG	River Basin	Category	2000	2010	2020	2030	2040	2050
L	Asherton	Nueces	Municipal	211	205	206	224	243	267
L	Big Wells	Nueces	Municipal	165	153	143	146	147	149
L	Carrizo Springs	Nueces	Municipal	2,316	2,583	2,827	3,232	3,657	4,137
L	County-Other	Nueces	Municipal	238	221	211	231	260	280
L	County-Other	Rio Grande	Municipal	6	6	6	6	6	7
L	Irrigation	Nueces	Irrigation	10,551	10,199	9,932	9,828	9,432	9,026
L	Manufacturing	Nueces	Manufacturing	11	11	12	13	14	15
L	Mining	Nueces	Mining	1,003	817	906	916	926	950
L	Livestock	Nueces	Livestock	621	621	621	621	621	621
L	Livestock	Rio Grande	Livestock	150	150	150	150	150	150
<b>Total Projected Water Demands (acre-feet per year) =</b>				<b>15,272</b>	<b>14,966</b>	<b>15,014</b>	<b>15,367</b>	<b>15,456</b>	<b>15,602</b>

**La Salle**

RWPG	WUG	River Basin	Category	2000	2010	2020	2030	2040	2050
L	Cotulla	Nueces	Municipal	908	934	942	970	1,005	1,040
L	Encinal	Nueces	Municipal	93	75	61	55	51	48
L	County-Other	Nueces	Municipal	371	382	389	397	403	398
L	Irrigation	Nueces	Irrigation	7,067	6,849	6,638	6,433	6,234	6,042
L	Livestock	Nueces	Livestock	1,077	1,077	1,077	1,077	1,077	1,077
<b>Total Projected Water Demands (acre-feet per year) -</b>				<b>9,516</b>	<b>9,317</b>	<b>9,107</b>	<b>8,932</b>	<b>8,770</b>	<b>8,605</b>

**Zavala**

RWPG	WUG	River Basin	Category	2000	2010	2020	2030	2040	2050
L	Batesville	Nueces	Municipal	212	200	196	204	212	209
L	Crystal City	Nueces	Municipal	2,034	1,948	1,850	1,908	1,902	1,908
L	La Pryor	Nueces	Municipal	238	203	171	157	150	145
L	County-Other	Nueces	Municipal	290	343	357	383	489	658
L	Irrigation	Nueces	Irrigation	103,213	99,135	95,218	91,456	87,842	84,371
L	Livestock	Nueces	Livestock	881	881	881	881	881	881
L	Manufacturing	Nueces	Manufacturing	1,407	1,507	1,582	1,642	1,780	1,914
L	Mining	Nueces	Mining	97	42	25	8	2	0
<b>Total Projected Water Demands (acre-feet per year) =</b>				<b>108,372</b>	<b>104,259</b>	<b>100,280</b>	<b>96,639</b>	<b>93,258</b>	<b>90,086</b>



## Surface Water Supplies

The following table shows the projected surface water supplies and groundwater supplies. Currently, Dimmit County has 772 AFY of surface water as opposed to 14,516 AFY of groundwater. La Salle County has 4,369 AFY of surface water as opposed to 5,534 AFY of groundwater. Zavala County has 881 AFY of surface water as opposed to 30,475 AFY of groundwater.

**Projected Water Supplies (Dimmit, La Salle, and Zavala Counties) – Table B**

<b>Dimmit</b>										
<b>RWPG</b>	<b>WUG</b>	<b>River Basin</b>	<b>Source Type</b>	<b>Source Name</b>	<b>2000</b>	<b>2010</b>	<b>2020</b>	<b>2030</b>	<b>2040</b>	<b>2050</b>
L	Asherton	Nueces	Groundwater	Carrizo-Wilcox Aquifer	294	294	294	294	294	294
L	Big Wells	Nueces	Groundwater	Carrizo-Wilcox Aquifer	189	189	189	189	189	189
L	Carrizo Springs	Nueces	Groundwater	Carrizo-Wilcox Aquifer	2,178	2,178	2,178	2,178	2,178	2,178
L	County-Other	Nueces	Groundwater	Carrizo-Wilcox Aquifer	280	280	280	280	280	280
L	County-Other	Rio Grande	Groundwater	Carrizo-Wilcox Aquifer	7	7	7	7	7	7
L	Irrigation	Nueces	Surface Water	Irrigation Local Supply	4,101	4,101	4,101	4,101	4,101	4,101
L	Irrigation	Nueces	Groundwater	Carrizo-Wilcox Aquifer	6,450	6,098	5,831	5,727	5,331	4,925
L	Livestock	Nueces	Surface Water	Livestock Local Supply	621	621	621	621	621	621
L	Livestock	Rio Grande	Surface Water	Livestock Local Supply	150	150	150	150	150	150
L	Manufacturing	Nueces	Groundwater	Carrizo-Wilcox Aquifer	15	15	15	15	15	15
L	Mining	Nueces	Surface Water	Other Local Supply	1	1	1	1	1	1
L	Mining	Nueces	Groundwater	Carrizo-Wilcox Aquifer	1,002	816	905	915	925	949
<b>Total Projected Water Supplies (acre-feet per year) =</b>					<b>15,288</b>	<b>14,750</b>	<b>14,572</b>	<b>14,478</b>	<b>14,092</b>	<b>13,710</b>
<b>La Salle</b>										
<b>RWPG</b>	<b>WUG</b>	<b>River Basin</b>	<b>Source Type</b>	<b>Source Name</b>	<b>2000</b>	<b>2010</b>	<b>2020</b>	<b>2030</b>	<b>2040</b>	<b>2050</b>
L	Cotulla	Nueces	Groundwater	Carrizo-Wilcox Aquifer	1,248	1,248	1,248	1,248	1,248	1,248
L	Encinal	Nueces	Groundwater	Carrizo-Wilcox Aquifer	108	108	108	108	108	108
L	County-Other	Nueces	Groundwater	Carrizo-Wilcox Aquifer	383	383	383	352	352	352
L	County-Other	Nueces	Groundwater	Queen City Aquifer	5	5	5	12	12	12
L	County-Other	Nueces	Groundwater	Sparta Aquifer	15	15	15	39	39	39
L	Irrigation	Nueces	Surface Water	Irrigation Local Supply	3,292	3,292	3,292	3,292	3,292	3,292
L	Irrigation	Nueces	Groundwater	Carrizo-Wilcox Aquifer	3,587	3,380	3,179	2,744	2,571	2,403
L	Irrigation	Nueces	Groundwater	Queen City Aquifer	44	41	39	92	86	81
L	Irrigation	Nueces	Groundwater	Sparta Aquifer	144	136	128	305	285	266
L	Livestock	Nueces	Surface Water	Livestock Local Supply	1,077	1,077	1,077	1,077	1,077	1,077
<b>Total Projected Water Supplies (acre-feet per year) =</b>					<b>9,903</b>	<b>9,685</b>	<b>9,474</b>	<b>9,269</b>	<b>9,070</b>	<b>8,878</b>
<b>Zavala</b>										
<b>RWPG</b>	<b>WUG</b>	<b>River Basin</b>	<b>Source Type</b>	<b>Source Name</b>	<b>2000</b>	<b>2010</b>	<b>2020</b>	<b>2030</b>	<b>2040</b>	<b>2050</b>
L	Batesville	Nueces	Groundwater	Carrizo-Wilcox Aquifer	589	589	589	589	589	589
L	Crystal City	Nueces	Groundwater	Carrizo-Wilcox Aquifer	3,887	3,887	3,887	3,887	3,887	3,887
L	La Pryor	Nueces	Groundwater	Carrizo-Wilcox Aquifer	839	839	839	839	839	839
L	County-Other	Nueces	Groundwater	Carrizo-Wilcox Aquifer	658	658	658	658	658	658
L	Irrigation	Nueces	Groundwater	Carrizo-Wilcox Aquifer	22,491	22,546	22,563	3,163	3,169	3,171
L	Livestock	Nueces	Surface Water	Livestock Local Supply	881	881	881	881	881	881
L	Manufacturing	Nueces	Groundwater	Carrizo-Wilcox Aquifer	1,914	1,914	1,914	1,914	1,914	1,914
L	Mining	Nueces	Groundwater	Carrizo-Wilcox Aquifer	97	42	25	8	2	0
<b>Total Projected Water Supplies (acre-feet per year) =</b>					<b>31,357</b>	<b>31,356</b>	<b>31,356</b>	<b>11,939</b>	<b>11,939</b>	<b>11,939</b>

## Actions, Procedures, Performance and Avoidance for Plan Implementation

The District will implement the provisions of this plan and will utilize the provisions of this plan as a guidepost for determining the direction or priority for all District activities. All operations of the District, all agreements entered into by the District and any additional planning efforts in which the District may participate will be consistent with the provisions of this plan.

The District will adopt rules relating to the permitting of wells and the production of groundwater. The rules adopted by the District shall be pursuant to TWC Chapter 36 and the provisions of this plan. All rules will be adhered to and enforced. The promulgation and enforcement of the rules will be based on the best technical evidence available.

The District shall treat all citizens with equality. Citizens may apply to the District for discretion in enforcement of the rules on grounds of adverse economic effect or unique local conditions. In granting of discretion to any rule, the Board shall consider the potential for adverse effect on adjacent landowners. The exercise of said discretion by the Board shall not be construed as limiting the power of the Board.

The District will seek the cooperation in the implementation of this plan and the management of groundwater supplies within the District. All activities of the District will be undertaken in cooperation and coordinated with the appropriate state, regional, or local water management entity.

### Water Supply Needs and Management Strategies

The following table identifies from 2001 State Water Plan various strategies for Dimmit, La Salle, and Zavala Counties. The WGCD has considered the following management strategies and will periodically review them as the State Water Plan is updated.

**Recommended Groundwater Management Strategies (Dimmit, La Salle, and Zavala Counties) – Table C**  
Dimmit

WPG	WUG	River Basin	Water Management Strategy	Source Name	Source Type	2000	2010	2020	2030	2040	2050
L	Big Wells	Nueces	Conservation – Municipal	Carrizo-Wilcox Aquifer	Groundwater	3	5	4	3	3	1
L	Carrizo Springs	Nueces	No Details	Carrizo-Wilcox Aquifer	Groundwater	500	1,000	1,000	2,500	3,000	3,500
L	Carrizo Springs	Nueces	Conservation – Municipal	Carrizo-Wilcox Aquifer	Groundwater	8	29	34	26	30	34
<b>Total Recommended Water Management Strategies (acre-feet per year) -</b>						<b>511</b>	<b>1,034</b>	<b>1,038</b>	<b>2,529</b>	<b>3,033</b>	<b>3,535</b>
<b>La Salle</b>											
RWPG	WUG	River Basin	Water Management Strategy	Source Name	Source Type	2000	2010	2020	2030	2040	2050
L	Cotulla	Nueces	Conservation – Municipal	Carrizo-Wilcox Aquifer	Groundwater	5	21	17	18	12	6
<b>Total Recommended Water Management Strategies (acre-feet per year) =</b>						<b>5</b>	<b>21</b>	<b>17</b>	<b>18</b>	<b>12</b>	<b>6</b>
<b>Zavala</b>											
RWPG	WUG	River Basin	Water Management Strategy	Source Name	Source Type	2000	2010	2020	2030	2040	2050
L	Crystal City	Nueces	Conservation – Municipal	Carrizo-Wilcox Aquifer	Groundwater	20	52	43	33	23	11
L	Irrigation	Nueces	Conservation - Irrigation	Carrizo-Wilcox Aquifer	Groundwater	6,401	6,401	6,401	6,401	6,401	6,401
L	La Pryor	Nueces	Conservation – Municipal	Carrizo-Wilcox Aquifer	Groundwater	3	7	5	4	3	2
<b>Total Recommended Water Management Strategies (acre-feet per year) =</b>						<b>6,424</b>	<b>6,460</b>	<b>6,449</b>	<b>6,438</b>	<b>6,427</b>	<b>6,414</b>

### Public Information

The District will take necessary steps to ensure the public is informed and will cooperate with the media and all interested parties. The dissemination of information to public is vital to create awareness, and the public support that is needed to control and reduce the mining of the underground aquifer.

The District will also continue to pursue water conservation through a public information and education program. If used properly, voluntary conservation measures can significantly extend the life of the groundwater, thereby preventing the need for mandatory programs by this District or the State. Voluntary programs are entirely the function of providing the necessary education on conservation methods and habits along with the means to implement those methods. The District will continue to provide information to school districts and the public in an effort to create voluntary conservation.

## **Methodology the District Will Use To Track Progress on an Annual Basis in Achieving All Management Goals**

The District Manager will prepare an annual report on District performances in achieving the management goals. The annual report will be presented to the Board of Directors during the first quarter of the calendar year, beginning January 2001. The report will include the number of instances each objective activity was engaged in during the year, referenced to the expenditure of staff time and budget so that the effectiveness and efficiency of each activity may be evaluated. The annual report will be maintained on file at the District Office and made available to the public upon adoption by the Board.

### **Goals and Objectives**

#### **Goal 1.0 Efficient Use of Ground Water.**

**Management Objectives:** District will continue monitoring and recording data from the five (5) Carrizo Aquifer well/monitors.

**Performance Standards:** The District will assimilate data from the aquifer water level monitoring network data.

#### **Goal 2.0 Controlling and Preventing Waste of Groundwater.**

**Management Objectives:** The District will at least on two occasions each year provide public information on water conservation and waste prevention through public speaking appearances at public schools, and civic organizations or newspaper articles.

**Performance Standards:**

- A. The number of speaking appearances made by the District each year.
- B. The number of newspaper articles published by the District each year.

#### **Goal 3.0 Control and Prevent Subsidence.** Does not apply to WGCD.

#### **Goal 4.0 Address Conjunctive Surface Water Management Issues.**

**Management Objectives:** Each year the District will confer at least on one occasion with the Nueces River Authority on cooperative opportunities for conjunctive resource management.

**Performance Standard:** The number of conferences on conjunctive resource management opportunities held with Nueces River Authority each year.

#### **Goal 5.0 Address Natural Resource Issues that Impact the Use and Availability of Groundwater.**

**Management Objectives:** Each year the District will insure that all new wells permitted for construction within the District, comply with the District construction standards through monitoring of the State of Texas water well report required to be provided to the District by water well drillers.

**Performance Standard:** The number of newly constructed water wells within the District monitored for compliance with District construction standards each year.

#### **Goal 6.0 Engineer, Implement, and Evaluate Recharge**

**Management Objectives:** The District will monitor existing recharge structure and evaluate how natural or artificial recharge may be increased for the groundwater resources within the District via the existing structure and/or new sites.

**Performance Standard:** The number of recharge sites monitored/developed will be.

### **Goal 7.0 Drought Contingency Plan**

*Management Objectives:* Each month the District will download the Palmer Drought Severity Index (PDSI) map and check the updates to the Drought Preparedness Council Situation Report posted on the Texas Water Information Network website [www.txwin.net](http://www.txwin.net)

*Performance Standard:* As required, the District will assess the status of drought in the District and if needed, prepare a briefing with maps and situation reports for the Board of Directors.

### **Goal 8.0 Desired Future Condition**

*Management Objectives:* The District in conjunction with neighboring districts within our Groundwater Management Area will utilize the planning committee to develop the Desired Future Conditions of the aquifer.

*Performance Standard:* The Desired Future Condition of the Carrizo Aquifer will be.

### **Regulation**

The primary objective of this plan is to control groundwater withdrawals to reduce potential aquifer mining within the District. Groundwater withdrawals can be reduced through conservation of groundwater. In regulating groundwater withdrawals, the District shall take into account several factors, including:

- 1) economic impact of conservation measures;
- 2) the degree and effect of aquifer mining in the area; and
- 3) differing hydrological characteristics of the aquifer(s) within the District.

The District will utilize the data and information obtained to evaluate the effectiveness of its regulatory policies and determine what future action may be needed to achieve the mandate of the Act, the District Rules, and the objectives and requirements of this Plan

### **Permits and Enforcement**

The District may deny permits or limit groundwater withdrawals following the guidelines stated in the Act, Rules of the District, and this Plan, in determining whether to issue a permit or limit groundwater withdrawal, the District will weigh the public benefit against individual hardship after considering all appropriate testimony and all relevant factors that include:

- 1) the purpose of the District Rules;
- 2) the objectives and requirements of this Plan;
- 3) the economic impact on the applicant from grant or denial of the permit or terms prescribed by the permit; and
- 4) an equitable distribution of available groundwater.

In carrying out its purpose, the District is empowered to require the reduction of groundwater withdrawal to amounts that will reduce aquifer mining, and restore and maintain sufficient artesian pressure. To achieve this requirement, the District may, on its own initiative and based on information obtained through its monitoring procedures, amend or revoke any permits.

The District will enforce permit terms and conditions.

## **Equity and Discretion**

The District recognizes that the burden of reducing the mining of an underground aquifer should be borne by all users of groundwater. Although a single entity's groundwater withdrawal may not be capable of causing severe problems, the total action by all users can cause significant mining of groundwater. Therefore, every entity must be regulated.

To achieve the objective, the District must use discretion in permitting groundwater withdrawals. Therefore, temporary exceptions to the general rule for a specific area may be necessary if an economic hardship will be created that is significantly greater for one person than for others in the District, or if required due to hydrological, physical, or geophysical characteristics.

This Plan prescribes a production ratio of groundwater withdrawal based upon the number of acres of land owned by a property owner. Nothing in this Plan, however, should be interpreted to mean that a person is entitled to use groundwater in any amount merely because the Plan prescribes a ratio for production. The number of acres of land that are not within the Certificate of Convenience and Need (CCN) of a public or private water utility may be taken into consideration to meet the production ratio, if the well will be located within the boundaries of the water utilities CCN, and the utilities number of connections within the CCN justifies the amount of water requested.

## **Cooperation And Coordination**

The District will work with the public, the regulated community, and state and local governments to achieve the District goals. The District will work with all water suppliers, industrial, and agricultural users to help them to preserve groundwater. The Texas Natural Resource Conservation Commission is the agency charged with protecting the state's water resources, and the Texas Water Development Board is the agency responsible for water resources planning and promotion of water conservation practices. The District will continue to work with both of these agencies throughout the life of this Plan.

## **Regulatory Action Plan**

This portion of the Plan translates the legislative mandate of the District, Chapter 36 of the Texas Water Code and the policy and purpose of the District Rules into specific objectives and requirements. The Regulatory Action Plan establishes the requirements necessary to receive a water well drilling and production permit. The requirements are written as general guidelines, and each permit will be evaluated based on the best scientific data available. The current demand on the aquifer and the trend of the water levels in the area may be determining factors in the evaluation of a permit application

## **Spacing Requirements and Production Ratios**

- (1) Exemptions;  
Wells drilled to produce water to be used by an individual, a family, or a household for drinking water, cooking, washing, irrigation of a garden or orchard, if the produce from the orchard or garden is to be consumed by the individual, family or household, or watering of animals used in operating a farm or as food for the individual, family, or household, shall be exempt from spacing and production rules. Wells drilled, completed and equipped to produce less than 25,000 gallons per day or 17.5 gallons per minute shall also be exempt from these spacing and production requirements.

(2) Spacing;

- (a) No well producing more than 25,000 gallons per day shall be drilled such that said well shall be located closer than 100 feet from the property line or ½ mile of any existing well. The Board may grant exceptions to permit drilling within shorter distances than above described when the Board shall determine that such exceptions are necessary either to prevent waste or to prevent confiscation of property.
- (b) For the purpose of preventing waste and preventing confiscation of property, the Board reserves the right in particular subterranean water zones and/or reservoirs to enter special orders increasing or decreasing distances provided by this requirement.
- (c) In applying this requirement, no subdivision of property made subsequent to the adoption of the original spacing requirement will be considered in determining whether or not any property is being confiscated within the terms of such spacing requirements.

(3) Production;

A person may be permitted to produce wells on their property, or property for which a person can show possession of groundwater rights, to a maximum production of 2 ½ acre feet per year. Annual production shall be computed by District personnel according to acres of groundwater rights possessed by the applicant, at the time that the application is filed.

### **Transportation Of Water From The District**

For conserving groundwater in the District. Transportation of water from the District requires a permit as stated in the District Rules. Water wells to be used for the transportation of water out of the District shall be subject to spacing and production requirements as described herein. The Board reserves the right to approve a transportation permit application at a reduced rate, in order to reduce the economic impact upon agriculture production in the District. A minimum of 50% of the annual groundwater rights of all property owners must be retained by the property owner for agriculture production. Due to the economic impact that will result from the transportation of water out of the District, fees of one dollar (\$1.00) per acre foot for water used in agriculture, and seventeen cents (\$0.17) per thousand (1,000) gallons for all other uses, will be assessed by the District to mitigate the economic loss, as per chapter 36 of the Texas Water Code. Fees are due the first of each month, and are to be included with the monthly pumping report. A transportation permit shall be valid for a period up to 5 years. Construction of a transportation facility must commence within two years of the issuance of the permit, or the permit will be invalid.

### **Groundwater Protection**

Section 26.401 of the Texas Water Code states that: "In order to safeguard present and future groundwater supplies, usable and potential usable groundwater must be protected and maintained."

A change in more than 10 % in the average level of the wells monitored by the District and/or by TWDB will necessitate a change in pumpage in that area.

Groundwater contamination may result from many sources, including current and past oil and gas production, agriculture activities, industrial and manufacturing processes, commercial and business endeavors, domestic activities, and natural sources that may be influenced or may result from human activities.

The District shall take appropriate measures to discontinue activities that are either causing, or are a potential threat to cause groundwater contamination. Due to permeability of aquifer outcrops and recharge zones, there is a greater threat for groundwater contamination from surface pollution in recharge and outcrop regions, and the District will impose more stringent restrictions on those areas.

### **Fees**

Copies of the District Rules and Management Plan are \$5.00.

Water Well Drilling Permit Fee is \$175.00 of which \$75.00 is refundable to the applicant upon receipt of the drillers log and well registration to the District.

Water Well Production Permit Fee is \$25.00

Well Registration Fee for exempt wells is \$10.00.

Photocopies of District Documents are \$.10 per page.

Sending or receiving Facsimiles is \$2.00 for first page and \$1.00 thereafter including coversheet.

Document research by a District Employee is \$15.00 hr.

The cost of postage will be added when applicable.

### **Definitions**

"Act" means the legislative Act that created the District that governs its operations.  
(Act of H.B. 3602, 75<sup>th</sup> Legislature.)

"Area" means a geographical area designated by the Board in which regulatory policy will be applied.

"Board" means the Board of Directors of the Wintergarden Groundwater Conservation District.

"Certificate Of Convenience And Need (CNN)" means the designation of geographical boundaries of a service area of a water utility.

"Groundwater" means water located beneath the earth's surface but does not include water produced with oil in the production of oil and gas.

"Mining Of An Aquifer or Aquifer Mining" means to extract groundwater from an aquifer at an annual rate which exceeds the normal recharge to the aquifer.

"Outcrop" means an area which an underground stratum or geologic formation is found at the surface of the ground.

"Person" includes corporation, individual, organization, government or governmental subdivision or agency, business trust, estate trust, partnership, association, or any other legal entity.

"Plan" means this District Plan.

"Water Utility" means any corporation, company, entity, or governmental subdivision public or private that sells water to any person within its service area.

"Well" means any excavation, facility, device, or method that could be used to withdraw groundwater.

"Withdraw" means the act of extracting groundwater by any method.



**Wintergarden Groundwater  
Conservation District**

P O Box 1433  
Carrizo Springs, TX 78834  
(830) 876-3801  
Fax (830)-876-3782  
E-mail [wggwcd@brushco.net](mailto:wggwcd@brushco.net)



8/11/00

Randy Williams  
1700 N. Congress  
Austin, Texas 78711-3231

Re: Additional Originals and backup on Mgmt Plan

Dear Randy:

As per your request/help, enclosed are the additional items needed to certify the previously sent amended management plan.

If I can be of further assistance, please feel free to contact me at (830)-876-3801.

Sincerely,

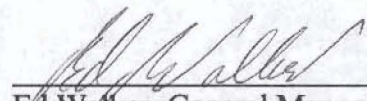
  
Ed Walker  
Manager  
WGCD

**Wintergarden Groundwater  
Conservation District**  
P. O. Box 1433  
Carrizo Springs, TX 78834  
(830) 876-3801  
Fax (830) 876-3782  
[wggwcd@brushco.net](mailto:wggwcd@brushco.net)  
[www.vsta.com/~synoptic](http://www.vsta.com/~synoptic)

**Rescheduled Board of Directors' Meeting**  
**July 19, 2000**  
**AGENDA**

The Wintergarden Groundwater Conservation District will hold its rescheduled monthly meeting at the District Office, Hwy. 277 West, Carrizo Springs, Texas, on Wednesday, July 19, 2000, at 6:00 p.m.

- 1.) Call to order.
- 2.) Introduction of visitors.
- 3.) Review and approve minutes of June 13, 2000, meeting.
- 4.) Review and approve Financial Statement and Bills for Payment.
- 5.) Approve Third/Final Assessment of Funds.
- 6.) Discussion and appropriate action of Management Plan policy additions and/or changes.
- 7.) Update on well monitoring situation.
- 8.) Discussion and appropriate action of WGCD/SWTREA Interlocal Cooperative Agreement on possible change.
- 9.) Discussion and appropriate action to amend the motion to approve the the Joint Cooperative Agreement made during the Board of Directors' meeting on June 13, 2000.
- 10.) Other business.
- 11.) Adjourn.

  
\_\_\_\_\_  
Ed Walker, General Manager

Posted at Dimmit, LaSalle, & Zavala County Court Houses this 14<sup>th</sup> day of July, 2000.

**Wintergarden Groundwater  
Conservation District**

P. O. Box 1433

Carrizo Springs, TX 78834

(830) 876-3801

Fax (830) 876-3782

[wggwcd@brushco.net](mailto:wggwcd@brushco.net)

[www.vsta.com/~synoptic](http://www.vsta.com/~synoptic)

Date: July 14, 2000

Fax: 830-876-2405

To: Mario Garcia, Dimmit Co. Clerk

Number of pages including cover page: 2

If the # of pages indicated above are not received, please contact us by phone at the # listed above. Thank you.

From: Ed Walker, General Manager

Re: Agenda of July 19<sup>th</sup> BOD Meeting

Comments: Please post our agenda for the WGCD Board of Directors' Meeting that has been rescheduled for Wednesday, July 19, 2000, at 6:00 p.m. at the District Office on Hwy. 277 West, Carrizo Springs, Texas, Dimmit County.

Sent by (df)

**Wintergarden Groundwater  
Conservation District**

P. O. Box 1433

Carrizo Springs, TX 78834

(830) 876-3801

Fax (830) 876-3782

wggwcd@brushco.net

[www.vsta.com/~synoptic](http://www.vsta.com/~synoptic)

Date: July 14, 2000

Fax: 830-879-2933

To: Peggy Murray, LaSalle County Clerk

Number of pages including cover page: 2

If the # of pages indicated above are not received, please contact us by phone at the # listed above. Thank you.

From: Ed Walker, General Manager

Re: Agenda of July 19<sup>th</sup> BOD Meeting

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Sent by (df)

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Conservation District**

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(830) 876-3801

Fax (830) 876-3782

wggwcd@brushco.net  
[www.vsta.com/~synoptic](http://www.vsta.com/~synoptic)

Date: July 14, 2000

Fax: 830-374-5955

To: Oralia Trevino, Zavala County Clerk

Number of pages including cover page: 2

If the # of pages indicated above are not received, please contact us by phone at the # listed above. Thank you.

From: Ed Walker, General Manager

Re: Agenda of July 19<sup>th</sup> BOD Meeting

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Sent by (df)

Wintergarden  
Groundwater  
Conservation District  
Management  
Plan

(Adopted 7/19/00)

The Wintergarden Groundwater Conservation District Office is located at:

Hwy. 277 W.

P. O. Box 1433

Carrizo Springs, TX 78834

Office Hours: 8:00 a.m.-12:00 p.m. 1:00 p.m.- 5:00 p.m.

Telephone: (830) 876-3801

Fax: (830) 876-3782

E-mail [wggwcd@brushco.net](mailto:wggwcd@brushco.net)

Amended 7/19/00





# NUECES RIVER AUTHORITY

GENERAL OFFICE  
First State Bank Bldg., Suite 206  
200 E. Nopal • P.O. Box 349  
Uvalde, Texas 78802-0349  
Tel: 830-278-6810 • Fax: 830-278-2025

COASTAL BEND DIVISION  
Natural Resources Center, Suite 3100  
6300 Ocean Drive  
Corpus Christi, Texas 78412  
Tel: 361-825-3193 • Fax: 361-825-3195

July 31, 2000

## BOARD OF DIRECTORS

ERNESTINE CARSON  
PRESIDENT  
BARKSDALE, TEXAS

THOMAS M. REDING, JR.  
FIRST VICE PRESIDENT  
PORTLAND, TEXAS

AUGUST LINNARTZ, JR.  
SECOND VICE PRESIDENT  
CARRIZO SPRINGS, TEXAS

WILLIAM I. DILLARD  
SECRETARY-TREASURER  
UVALDE, TEXAS

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EXECUTIVE COMMITTEE  
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ROBSTOWN, TEXAS

GEORGE A. FINLEY, III  
CORPUS CHRISTI, TEXAS

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CORPUS CHRISTI, TEXAS

HAZEL R. GRAFF  
HONDO, TEXAS

JOHN WILLIAM HOWELL  
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RIO FRIO, TEXAS

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FLORESVILLE, TEXAS

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SKIDMORE, TEXAS

PATRICIA KEANE SUTTON  
CAMP WOOD, TEXAS

KAY LYNN THEECK  
POTEET, TEXAS

LAWRENCE H. WARBURTON, JR.  
ALICE, TEXAS

## HONORARY LIFETIME MEMBER

JUDGE ALLEN WOOD  
CORPUS CHRISTI, TEXAS

## STAFF

CON MIMS  
EXECUTIVE DIRECTOR  
UVALDE, TEXAS

JAMES DODSON  
DEPUTY EXECUTIVE DIRECTOR  
CORPUS CHRISTI, TEXAS

Mr. Ed Walker, General Manager  
Wintergarden Groundwater Conservation District  
P.O. Box 1433  
Carrizo Springs, Texas 78834

Re: WGCD Amended Management Plan

Dear Ed:

At your request, please note that the Nueces River Authority has taken no position regarding the referenced amended Plan and does not intend to do so, but we appreciate receiving a copy and will file it for future reference.

I do offer the following comments for your consideration:

1. The Policy section, beginning on page 3, states that the WGCD Policy will "...provide that *any groundwater conservation district overlying the Carrizo Aquifer shall not approve the mining or export of groundwater from the aquifer boundaries...*". You may wish to consult with your legal counsel, but I do not believe WGCD has the authority to require another District to approve or not approve anything. WGCD may not, for example, require the Evergreen UWCD to not approve mining or export of waters within Evergreen's boundaries, which overly the Carrizo Aquifer, even if such mining or export affects water levels in WGCD. It may, by policy, be on record opposing such actions.

And, on page 4, the Policy section states that "...in the event groundwater is mined or exported for use outside the aquifer boundaries...*the mining/or exporting District shall...implement a recharge plan...*". If the mining or exporting District is operating within WGCD's boundaries, which is unlikely (if this refers to a groundwater District), WGCD could require a recharge plan, but if the District is operating within its own boundaries, I am not sure WGCD may require such a plan even if the other District's actions affect WGCD water levels or quality. Also, one would question why this requirement does not apply to individuals or entities other than groundwater Districts, especially those operating within WGCD boundaries.

2. Under Spacing Requirements and Production Ratios, Section 3, on page 11, it seems the maximum production should read 2 ½ acre-feet per acre per year.

Again, thank you for the copy of the District's Plan. If I can be of assistance to you in the future, please let me know.

Sincerely,

Con Mims  
Executive Director

RECEIVED AUG - 1 2000

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