

AFFIDAVIT

THE STATE OF TEXAS

§

§

COUNTY OF MCLENNAN

§

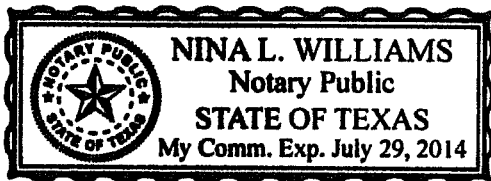
BEFORE ME, the undersigned authority, on this day personally appeared Todd Omin, who being duly sworn, upon oath deposes and says:

“My name is Todd Omin. I represent Sandersen Farms, Inc. (if applicable). I am over 18 years of age, competent to make this affidavit, and am familiar with the facts herein stated and believe them to be true.

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

Todd Omin
Affiant

Sworn to and subscribed before me on this 19th day of November, 2010.



Nina L. Williams
Notary Public in and for the State of Texas

Southern Trinity Groundwater Conservation District

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

December 8, 2010

Sanderson Farms, Inc
301 Aviation Parkway
Waco, Texas 76705

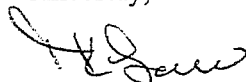
RE: HUPP-2010-004

The Historic Use Production Permit for Sanderson Farms, Inc. has been filed in McLennan County.

Enclosed you will find copies of the original filed Permit issued on June 30, 2010 and a copy of the permit with original signatures.

If you have any questions, please contact me.

Sincerely,



Tricia K. Law
General Manager



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

HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT: Sanderson Farms, Inc.
301 Aviation Parkway
Waco, Texas 76705
Phone: 254-412-3800

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

1 Permit Category

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

2 Permit Term

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

3 Groundwater Source

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

4 Annual Groundwater Withdrawal Amounts

Permittee may withdraw groundwater from the Trinity Aquifer for beneficial, nonwasteful use in a manner not to exceed the following volume: **1202.9639 acre-feet per calendar year**. This groundwater withdrawal amount has been calculated pursuant to Section 5.211 of the District's rules. It may be subject to proportional adjustment pursuant to Chapter 5, Subchapter B of the District's rules, as may be amended.

5 Purpose of Use

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

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

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

<u>Name</u>	<u>Location (latitude/longitude)</u>	<u>Maximum Flow Rate (gpm)</u>
Well # 1	N31D 37M 38S / W97D 03M 22S	850
Well # 2	N31D 37M 08S / W97D 02M 54S	850

7 Measurement of Amount of Groundwater Withdrawn

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

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

8 Place of Use

Permittee may beneficially use Aquifer groundwater only within the Permittee's 288-acre industrial facility located at 301 Aviation Parkway, Waco, Texas. Except as provided by 5.401(b) of the District's rules, as may be amended, if the place of use is not within the District's boundaries, Permittee must obtain a groundwater exportation permit from the District prior to the withdrawal of groundwater under the permit.

9 Well Construction, Operation, Maintenance, Closure

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

10 Water Conservation

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

11 Conveyance to Place of Use

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

12 Meters; Alternative Measuring Method

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

13 Reports

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

14 Fees

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

15 Interruption, Suspension, or Other Limitations Due to Drought

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

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

16 Groundwater Management Plan

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

17 Water Quality

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

18 Transfers and Amendments

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

19 Permit Review, Renewal or Extension Conditions

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

20 Change of Name, Address or Telephone Number

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

21 Inspections by District

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

22 Additional Conditions

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

23 Enforcement

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

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

24 Continuing Jurisdiction of District

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

25 Permit Recordation

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

26 References to Law

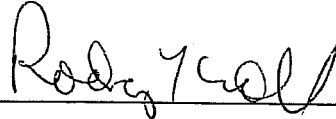
Any reference in this permit to a statute, rule, or other law of any kind, that exists on the date of issuance of the permit includes all subsequent amendments and additions thereto.

27 Other Matters Denied

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

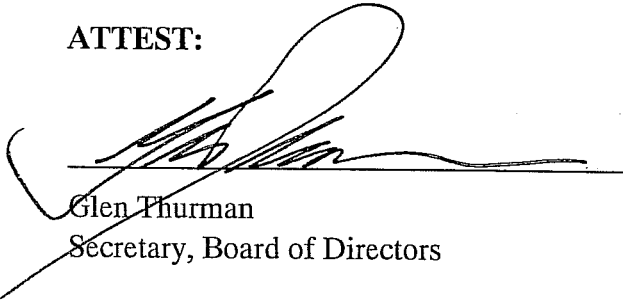
**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF MCLENNAN, STATE OF TEXAS**

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



Rodney Kroll,
President, Board of Directors

ATTEST:



Glen Thurman
Secretary, Board of Directors

ACKNOWLEDGMENT

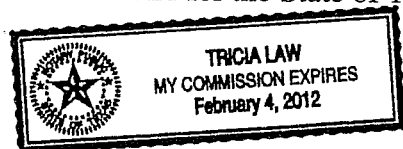
STATE OF TEXAS)

COUNTY OF MCLENNAN)

ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on November 30, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.



Notary Public in and for the State of Texas



AFTER RECORDING RETURN TO:

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

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

J.A. Andy Harwell

December 03, 2010 10:42:44 AM

2010037263

FEE: \$27.00

J.A. "Andy" Harwell County Clerk

McLennan County TEXAS

RECORDED
INDEXED
DEC 3 2010
10:42:44 AM
2010037263

Southern Trinity Groundwater Conservation District

P. O. Box 2205

Waco, Texas 76703

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

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

November 17, 2010

Sanderson Farms, Inc.
301 Aviation Parkway
Waco, Texas, 76705

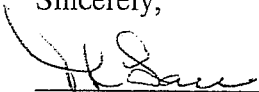
RE: Application No. HUPP-2010-004

Please be advised that the Southern Trinity Groundwater Conservation District (the "District") received your Historic Use Production Permit Application. Pursuant to §9.207 of the District's Rules, the District's general manager has reviewed your application and has determined that the application is administratively complete. The general manager has conducted a technical review of the application and will recommend to the District's Board of Directors that it consider issuing the Historical Use Production Permit for an annual production of groundwater not to exceed 1202.9639 acre-feet. Attached to this letter is a copy of the Technical Summary, the proposed draft permit, and notice of the permit hearing date and location.

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

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

Sincerely,



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

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

Technical Review Summary

Well Owner: Sanderson Farms, Inc.,
301 Aviation Parkway,
Waco, Texas, 76705

Application Summary For HUPP-2010-004:

Aquifer: Trinity
Annual production of groundwater not to exceed: 1202.9639 acre-feet
Year of Maximum Historic Use: 2009
Hearing Group: 4

Location of Each Point of Withdrawal:

Latitude/Longitude (NAD83):
N31D 37M 38S / W97D 03M 22S
N31D 37M 08S / W97D 02M 54S

Reasons and Technical Basis for Recommended Action

The applicant submitted documentation other information that, in the opinion of the General Manager, reasonably showed evidence of Historical Use Production from the Trinity Aquifer of 1202.9639 acre-feet during the calendar year of 2009.

Proposed Purpose of Use

All groundwater produced under the proposed permit is restricted to Municipal Use within the Applicant's Water Service Area as defined by the Applicant's Certificate of Convenience and Necessity 210065 issued by the Texas Commission on Environmental Quality.

General Manager May Modify Recommendations or Request Additional Information

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

Request for Contested Case Hearing

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

HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT: Sanderson Farms, Inc.
301 Aviation Parkway
Waco, Texas 76705
Phone: 254-412-3800

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

Permit Category

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

Permit Term

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

Groundwater Source

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

Annual Groundwater Withdrawal Amounts

Permittee may withdraw groundwater from the Trinity Aquifer for beneficial, nonwasteful use in a manner not to exceed the following volume: **1202.9639 acre-feet per calendar year**. This groundwater withdrawal amount has been calculated pursuant to Section 5.211 of the District's rules. It may be subject to proportional adjustment pursuant to Chapter 5, Subchapter B of the District's rules, as may be amended.

Purpose of Use

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

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

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

<u>Name</u>	<u>Location (latitude/longitude)</u>	<u>Maximum Flow Rate</u>
Well # 1	N31D 37M 38S / W97D 03M 22S	850
Well # 2	N31D 37M 08S / W97D 02M 54S	850

Measurement of Amount of Groundwater Withdrawn

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

Place of Use

Permittee may beneficially use Aquifer groundwater only within the Permittee's wholesale or retail water service area identified in the Certificate of Convenience and Necessity 210065, filed with the Texas Commission on Environmental Quality. Except as provided by 5.401(b) of the District's rules, as may be amended, if the place of use is not within the District's boundaries, Permittee must obtain a groundwater exportation permit from the District prior to the withdrawal of groundwater under the permit.

Well Construction, Operation, Maintenance, Closure

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

Water Conservation

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

Conveyance to Place of Use

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

Meters; Alternative Measuring Method

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

Reports

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

Fees

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

Interruption, Suspension, or Other Limitations Due to Drought

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

Groundwater Management Plan

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

Water Quality

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

Transfers and Amendments

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

Permit Review, Renewal or Extension Conditions

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

Change of Name, Address or Telephone Number

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

Inspections by District

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

Additional Conditions

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

Enforcement

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

Continuing Jurisdiction of District

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

Permit Recordation

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

References to Law

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

Other Matters Denied

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

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

Rodney Kroll,
President, Board of Directors

ATTEST:

Glen Thurman
Secretary, Board of Directors

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF MCLENNAN)

ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on November 30, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.

Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:

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



Sanderson Farms, Inc.

GENERAL OFFICES

Post Office Box 988 • Laurel, Mississippi 39441-0988

Telephone (601) 649-4030 • Facsimile (601) 426-1461

Certified Letter – Return Receipt Requested #7008 0500 0000 0349 4192

May 21, 2010

Ms. Tricia K. Law
District Administrator
Southern Trinity Groundwater Conservation District
P.O. Box 2205, 420 N. 6th St.
Waco, Texas 76703

Re: Sanderson Farms, Inc.
Waco Facility
Application for Historic Use Production Permit

Dear Ms. Law:

Please find attached the revised Part A application for the Historic Use Production Permit at the above referenced facility. I have also included the warranty deed for the property and our daily meter readings for the years 2008/2009.

Should you require additional information, please contact me at (601) 649-4030.

Sincerely,

Brenda B. Flick
Manager of Environmental Services

Enclosure

BBF/kdb

\\sanderson.pri\Public\Users\GO\kbland\My Documents\Brenda\2010\Letter with HUPP application May 2010.doc

SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

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

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

APPLICATION FOR HISTORIC USE PRODUCTION PERMIT

Part A – General Information

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

1. Applicant Information		
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Government Entity	<input type="checkbox"/> Estate/Trust/Guardianship	
Permit Applicant’s Name: Sanderson Farms, Inc. (Waco Facility)		
Physical Address: 301 Aviation Parkway		
City: Waco	State: TX	Zip Code: 76705
Mailing Address, (if different):		
City:	State:	Zip Code:
Daytime Telephone Number: Fax: 254-412-3800		
Email Address (if any):		
2. Name of Authorized Agent (if any): Bob Billingsley		
Position: Director of Development and Engineering		
Physical Address: 127 Flynt Road		
City: Laurel	State: MS	Zip Code: 39443
Mailing Address (if different): P.O. Box 988		
City: Laurel	State: MS	Zip Code: 39441
Daytime Telephone Numbers of Authorized Agent: 601-649-4030 Fax: 601-426-0776		
Email for Authorized Agent (if any): bflick@sandersonfarms.com		
<i>For District Use Only</i>		
Date Application Received: _____	Date Admin. Fee Received: _____	Amount of Fee: _____

Historic Groundwater Use and Production Information.

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

4. Purpose of Future Use: Industrial User

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

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

7. If you answered Yes to Item 6, please describe the parties to the agreement, the location outside of the District that the water is used, the amount use, and pipeline route. Used on site by Sanderson Farms Processing Operation

8. Completely describe the place of use of groundwater withdrawn from the well: Poultry operation that slaughters and processes live chickens to be shipped to customer.

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

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

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

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

Amount: 2.970

Units: MGD

Year:2008

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

2009 Amount: 409.789 Units: MG

2008 Amount: 373.370 Units: MG

2007 Amount: Units:

2006 Amount: Units:

2005 Amount: Units:

2004 Amount: Units:

2003 Amount: Units:

2002 Amount: Units:

2001 Amount: Units:

2000 Amount: Units:

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

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

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

17. Is the proposed use of water consistent with the District's management plan? Yes No

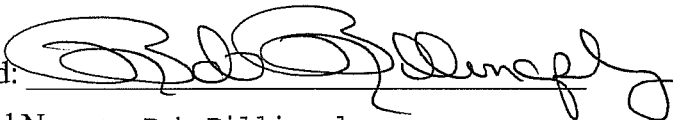
**STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER
MANAGEMENT PLAN, DISTRICT RULES, AND COMMITMENT TO WATER
CONSERVATION AND WATER QUALITY PROTECTION**

Please check all that apply:

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

CERTIFICATION†

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

Signed:  Date: 5-20-2010

Printed Name: Bob Billingsley Title: Director of Development & Engineering

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

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

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

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

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

STATE OF TEXAS §

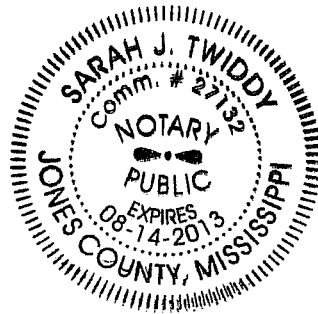
§

COUNTY OF §

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

Subscribed and sworn to before me on this 20th day of May, 2010.

Sarah J. Twiddy
Notary Signature



Southern Trinity Groundwater Conservation District

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

May 17, 2010

Bob Billingsley
Sanderson Farms, Incorporated
P. O. Box 988
Laurel, MS 39441

Dear Mr. Billingsley,

We have received your application for Historic Use Production Permit with the Southern Trinity Groundwater Conservation District. During our preliminary review we have found that you submitted a single application (Part A) per well. The District rules require that you submit a single application per aquifer.

In completing Form A, you must select the year in which you feel that Sanderson Farms had the maximum production from the Trinity Aquifer produced from both wells.

We also have not received the deeds on the well properties. This is very important to prove well ownership.

Please send by June 1, 2010 a corrected Form A, a letter instructing us to replace the previously submitted forms with the new Form A and copies of the deeds.

Sincerely,

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage	\$ 1.44
Certified Fee	2.80
Return Receipt Fee (Endorsement Required)	2.30
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.54
Sent To: Sanderson Farms	
Street, Apt. No.; or PO Box No. P.O. Box 988	
City, State, ZIP+4 Laurel, MS 39441	

PS Form 3800, August 2006 See Reverse for Instructions

MAY 17 2010
Postmark Here
USPS - 7662A

Southern Trinity GCD

From: Al Blair [awblair@awblair.com]
Sent: Friday, May 14, 2010 12:04 PM
To: 'Southern Trinity GCD'
Subject: Sanderson

I suggest a letter along the following lines:

We are in receive of your Application for a Historic Use Production Permit and during our preliminary review I found that you included two HUPP Form A, one for each well owned by Sanderson Farms. The STGCD Rules require that you submit a single application per owner per aquifer (in this case both well are in the same aquifer). Please send me a letter that attach a corrected and single Form A and instuct me in such letter to replace the older forms with the single new form.

In completing Form A, you much select the year in which you feel that Sanderson Farms had the maximum annual production from the Trinity Aquifer. Please send us the new form no latter than June 1, 2010. Thank you for your help in correcting this issue.

SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

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

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

APPLICATION FOR HISTORIC USE PRODUCTION PERMIT

Part A – General Information

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

1. Applicant Information		
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Government Entity	<input type="checkbox"/> Estate/Trust/Guardianship	
Permit Applicant's Name: Sanderson Farms, Inc. (Waco Facility Well No. 2)		
Physical Address: 301 Aviation Parkway		
City: Waco	State: TX	Zip Code: 76705
Mailing Address, (if different):		
City:	State:	Zip Code:
Daytime Telephone Number: Fax: 254-412-3800		
Email Address (if any):		
2. Name of Authorized Agent (if any): Bob Billingsley		
Position: Director of Development		
Physical Address: 127 Flynt Road		
City: Laurel	State: MS	Zip Code: 39443
Mailing Address (if different): P.O. Box 988		
City: Laurel	State: MS	Zip Code: 39441
Daytime Telephone Numbers of Authorized Agent: 601-649-4030 Fax: 601-426-0776		
Email for Authorized Agent (if any): bflick@sandersonfarms.com		
<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center; font-size: 0.8em;">For District Use Only</p> <p style="text-align: center; font-weight: bold;">MAR 24 2010</p> <p style="text-align: center; font-size: 0.8em;">Date Application Received:</p> <p style="text-align: center; font-weight: bold;">BY: <i>HL Sam</i></p> </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center; font-weight: bold; font-size: 1.2em;">RECEIVED</p> <p style="text-align: center; font-size: 0.8em;">APR 13 2010</p> <p style="text-align: center; font-size: 0.8em;">Date Admin. Fee Received: 0</p> <p style="text-align: center; font-weight: bold;">BY: <i>HL Sam</i></p> </div> </div>		
Date Application Received: <u>MAR 24 2010</u>		Amount of Fee: <u>1,000.00</u>

F

Historic Groundwater Use and Production Information.

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

4. Purpose of Future Use: Industrial use

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

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

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

8. Completely describe the place of use of groundwater withdrawn from the well: Poultry operation that slaughters and processes live chickens to beshipped to customer.

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

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

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

12. Maximum Historic Use. State the amount of water that you claim as your Maximum Historic Use during any one year of the Historic Use Period. Maximum Historic Use means the maximum amount of groundwater that an applicant for a Historic Use Production Permit proves was produced and beneficially used without waste from the applicant's non-exempt well during any one calendar year of the Historic Use Period.
 Amount: 1.801 (day) Units: MG Year:2009

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

2009	Amount: 197.731	Units: MG
2008	Amount: 215.253	Units: MG
2007	Amount: 0	Units:
2006	Amount: 0	Units:
2005	Amount: 0	Units:
2004	Amount: 0	Units:
2003	Amount: 0	Units:
2002	Amount: 0	Units:
2001	Amount: 0	Units:
2000	Amount: 0	Units:

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

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

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

17. Is the proposed use of water consistent with the District's management plan? Yes No

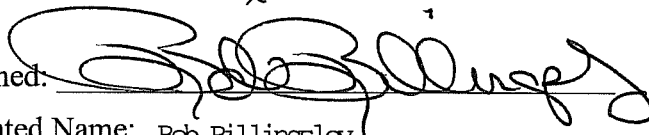
**STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER
MANAGEMENT PLAN, DISTRICT RULES, AND COMMITMENT TO WATER
CONSERVATION AND WATER QUALITY PROTECTION**

Please check all that apply:

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

CERTIFICATION†

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

Signed: 
Printed Name: Bob Billingsley

Date: 3-8-2010

Title: Director of Development & Engineering

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

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

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

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

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

STATE OF ~~TEXAS~~ ^{Mississippi} §
§
COUNTY OF Jones §

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

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

Angela G. Hite

Notary Signature



Angela G. Hite
Notary Public State of MS
My Comm. Expires Sept. 8, 2010

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

1. Applicant Name: Sanderson Farms, Inc.			
2. Well Identifier or Well Name: Well #2			
3. System Name: Sanderson Farms, Inc.			
4. TCEQ System ID Number: 1550141			
5. If applicable, please attach a copy of the applicant's most recent water conservation plan and drought contingency plan prepared for TCEQ.			
6. TWDB ID Number:			
7. Aquifer(s) or formations in which the well is screened: Trinity			
8. Address of the property upon which the well is located:301 Aviation Parkway			
9. Well Location:	Latitude:	31 D	37 M 87 S
	Longitude:	097 D	02 M 54 S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: Tchuancana Creek			
11. Well or Driller's Log. Please attach a copy of the State Well Report and, if available, any geophysical logs for the well.			
12. Please attach a photograph of the well taken approximately 100 feet from the well.			
13. Please attach a copy of a recorded deed or other legal document verifying the applicant's ownership of the well. Disregard this requirement if the deed was sent with your Application for Interim Production Status and there has been no change.			
14. Year well drilled: 2006 Year well completed and operational: 2007			
15. Pump Information: Pump Make and Model: Centrlift WI700A - 14 stage			
Pump power source: <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Diesel <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other			
Casing Material <input checked="" type="checkbox"/> Steel <input type="checkbox"/> PVC			
Size of well casing: 12-3/34 inches Inside diameter of column pipe:7 inches			
16. The maximum rate at which water can be withdrawn from the well: 850 gpm			
17. Flow Meter Make and Model: Water Specialities Model # TR16			
Serial Number: 20070582-1C		Meter Units: kgal	
Meter reading end of 2008: Amount: 269964	Units: kgal	Date: 12/31/2008	
Meter reading end of 2009: Amount: 486024	Units: kgal	Date: 12/31/2009	

SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT

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

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

APPLICATION FOR HISTORIC USE PRODUCTION PERMIT

Part A – General Information

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

1. Applicant Information	<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation
	<input type="checkbox"/> Government Entity	<input type="checkbox"/> Estate/Trust/Guardianship	
Permit Applicant's Name: Sanderson Farms, Inc. (Waco Facility Well No. 1)			
Physical Address: 301 Aviation Parkway			
City: Waco	State: TX	Zip Code: 76705	
Mailing Address, (if different):			
City:	State:	Zip Code:	
Daytime Telephone Number: Fax: 254-412-3800			
Email Address (if any):			
2. Name of Authorized Agent (if any): Bob Billingsley			
Position: Director of Development			
Physical Address: 127 Flynt Road			
City: Laurel	State: MS	Zip Code: 39443	
Mailing Address (if different): P.O. Box 988			
City: Laurel	State: MS	Zip Code: 39441	
Daytime Telephone Numbers of Authorized Agent: 601-649-4030 Fax: 601-426-0776			
Email for Authorized Agent (if any): bflick@sandersonfarms.com			
Date Application Received: MAR 24 2010		Date Admin. Fee Received: APR 13 2010	
BY: <i>[Signature]</i>		Amount of Fee: 1,000.00	

RECEIVED
 For District Use Only
MAR 24 2010
 BY: *[Signature]*

RECEIVED
APR 13 2010
[Signature]

Historic Groundwater Use and Production Information.

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

4. Purpose of Future Use: Industrial use

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

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

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

8. Completely describe the place of use of groundwater withdrawn from the well: Poultry operation that slaughters and processes live chickens to beshipped to customer.

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

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

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

12. Maximum Historic Use. State the amount of water that you claim as your Maximum Historic Use during any one year of the Historic Use Period. Maximum Historic Use means the maximum amount of groundwater that an applicant for a Historic Use Production Permit proves was produced and beneficially used without waste from the applicant's non-exempt well during any one calendar year of the Historic Use Period.
 Amount: 1.570 (day) Units: MG Year:2009

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

2009 Amount: 194.526 Units: MG

2008 Amount: 175.639 Units: MG

2007 Amount: 0 Units:

2006 Amount: 0 Units:

2005 Amount: 0 Units:

2004 Amount: 0 Units:

2003 Amount: 0 Units:

2002 Amount: 0 Units:

2001 Amount: 0 Units:

2000 Amount: 0 Units:

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

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

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

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

17. Is the proposed use of water consistent with the District's management plan? Yes No

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

Please check all that apply:

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

CERTIFICATION†

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

Signed: 

Date: 3-8-2010

Printed Name: Bob Billingsley

Title: Director of Development & Engineering

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

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

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

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

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

STATE OF ~~TEXAS~~ Mississippi §

§

COUNTY OF Jones §

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

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

Angela G. Hite

Notary Signature



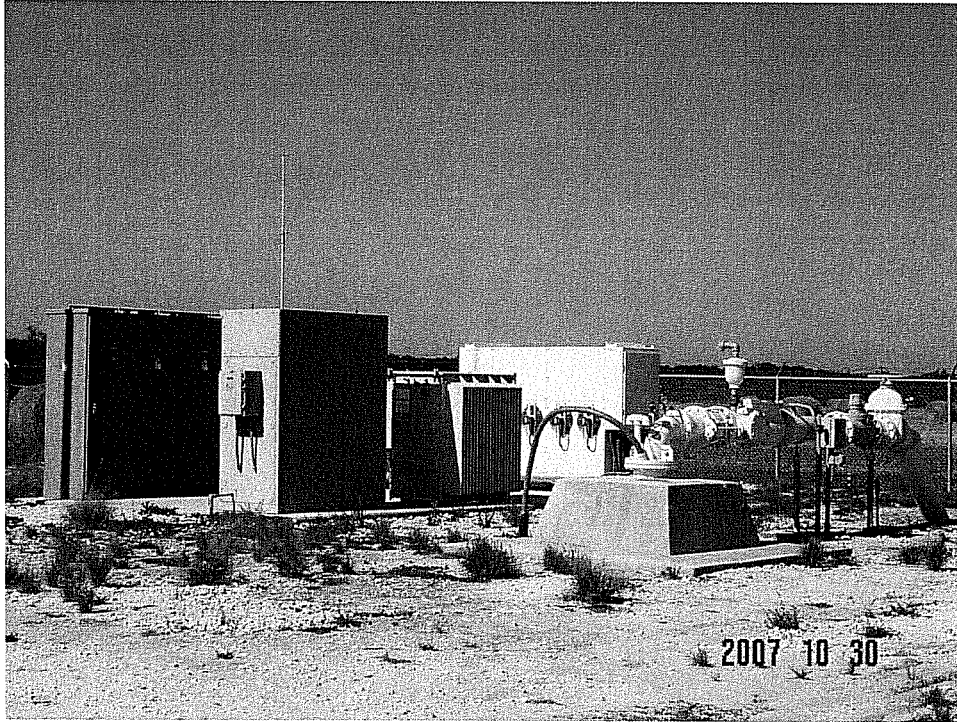
Angela G. Hite
Notary Public State of MS
My Comm. Expires Sept. 8, 2010

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

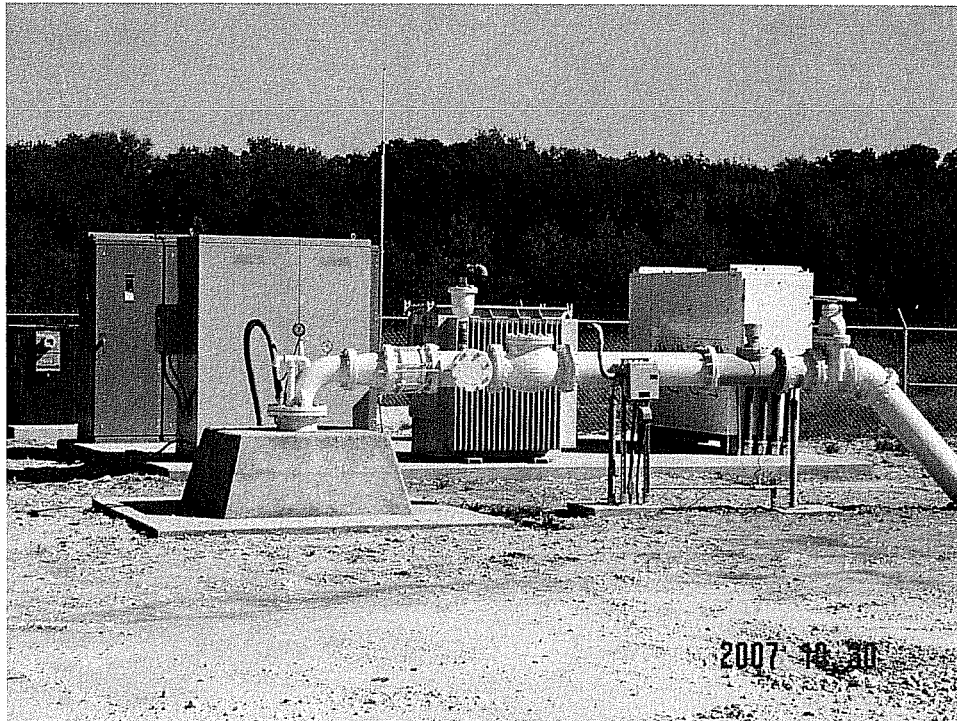
1. Applicant Name: Sanderson Farms, Inc.		
2. Well Identifier or Well Name: Well #2		
3. System Name: Sanderson Farms, Inc.		
4. TCEQ System ID Number: 1550141		
5. If applicable, please attach a copy of the applicant's most recent water conservation plan and drought contingency plan prepared for TCEQ.		
6. TWDB ID Number:		
7. Aquifer(s) or formations in which the well is screened: Trinity		
8. Address of the property upon which the well is located: 301 Aviation Parkway		
9. Well Location:	Latitude:	31 D 37 M 84 S 40 ^u <i>over</i>
	Longitude:	097 D 02 M 59 S <i>03 21 over</i>
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: Tchuancana Creek		
11. Well or Driller's Log. Please attach a copy of the State Well Report and, if available, any geophysical logs for the well.		
12. Please attach a photograph of the well taken approximately 100 feet from the well.		
13. Please attach a copy of a recorded deed or other legal document verifying the applicant's ownership of the well. Disregard this requirement if the deed was sent with your Application for Interim Production Status and there has been no change.		
14. Year well drilled: 2006 Year well completed and operational: 2007		
15. Pump Information: Pump Make and Model: Centrilift WI700A - 14 stage		
Pump power source: <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Diesel <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other		
Casing Material <input checked="" type="checkbox"/> Steel <input type="checkbox"/> PVC		
Size of well casing: 12-3/34 inches Inside diameter of column pipe: 7 inches		
16. The maximum rate at which water can be withdrawn from the well: 850 gpm		
17. Flow Meter Make and Model: Water Specialities Model #TR16		
Serial Number: 20070583-1C		Meter Units: kgal
Meter reading end of 2008: Amount: 232807	Units: kgal	Date: 12/31/2008
Meter reading end of 2009: Amount: 427977	Units: kgal	Date: 12/31/2009

Sanderson Farms, Inc.
Waco Wells

Well # 1



Well #2



31' 37' 9"
97 7' 59"

(Handwritten signature)



Sanderson Farms, Inc.

GENERAL OFFICES

Post Office Box 988 • Laurel, Mississippi 39441-0988

Telephone (601) 649-4030 • Facsimile (601) 426-1461

Certified Letter – Return Receipt Requested #7008 0500 0000 0349 3706

March 8, 2010

Ms. Tricia K. Law
District Administrator
Southern Trinity Groundwater Conservation District
P.O. Box 2205, 420 N. 6th Street
Waco, Texas 76703

Re: Sanderson Farms, Inc.
Waco Facility
Application for Historic Use Production Permit

Dear Ms. Law:

Please find attached (2) applications for the two wells at the above referenced facility. I have also included a picture of the wells and our daily meter readings for the years 2008/2009.

Should you require additional information, please contact me at (601) 649-4030.

Sincerely,

A handwritten signature in cursive script that reads "Brenda B. Flick".

Brenda B. Flick
Manager of Environmental Services

Enclosure

BBF/kdb



Sanderson Farms, Inc.

GENERAL OFFICES

Post Office Box 988 • Laurel, Mississippi 39441-0988

Telephone (601) 649-4030 • Facsimile (601) 426-1461

Certified Letter – Return Receipt Requested #7008 0500 0000 0349 3898

April 9, 2010

Southern Trinity G.C.D.
Post Office Box 2205
Waco, Texas 76703

Re: STGWD-HUPP Application – Part B
Well Information

Dear Sir / Madam:

Please find enclosed check #03466558 in the amount of \$2,741.56, as well as the STGWD-HUPP Application – Part B Well Information Forms.

Should you have any questions, please call me at (601) 649-4030.

Sincerely,

A handwritten signature in cursive script that reads "Karen D. Bland".

Karen D. Bland
Secretary of Environmental Services

Enclosure

/kdb