

**Southern Trinity Groundwater Conservation District**

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

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January 11, 2011

West Brazos Water Supply Corporation  
Mark Kocian  
7025 Sanger Avenue  
Waco, Texas 76710

RE: HUPP-2010-015

The Historic Use Production Permit for West Brazos Water Supply Corporation has been filed in Falls County.

Enclosed you will a copy 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**

**2507**

**THIS CERTIFIES THAT:** West Brazos Supply Corporation  
7025 Sanger Avenue  
Waco, Texas 76710  
Phone: 254-776-1999

(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: **111.803 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Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows: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 Flowrate (gpm)</u>
Downsville Well	N31D 25M 14S / W97D 03M 41S	500 gpm

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

**7 Measurement of Amount of Groundwater Withdrawn**

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

**8 Place of Use**

Permittee may beneficially use Aquifer groundwater only within the Permittee's wholesale or retail water service area identified in the Certificate of Convenience and Necessity 11283, filed with the Texas Commission on Environmental Quality. Except as provided by 5.401(b) of the District's rules, as may be amended, if the place of use is not within the District's boundaries, Permittee must obtain a groundwater exportation permit from the District prior to the withdrawal of groundwater under the permit.

**9 Well Construction, Operation, Maintenance, Closure**

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

**10 Water Conservation**

Withdrawals of groundwater are required to be efficiently withdrawn and used in compliance with the District's rules and the District's water conservation plan, as may be amended, and Permittee's plan as approved by the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

**11 Conveyance to Place of Use**

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

**12 Meters; Alternative Measuring Method**

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

**13 Reports**

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

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

**14 Fees**

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

**15 Interruption, Suspension, or Other Limitations Due to Drought**

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

**16 Groundwater Management Plan**

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

**17 Water Quality**

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

**18 Transfers and Amendments**

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

**19 Permit Review, Renewal or Extension Conditions**

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

**20 Change of Name, Address or Telephone Number**

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

**21 Inspections by District**

Any authorized officer, employee, agent or representative of the District shall have the right at all reasonable times to enter upon lands upon which a well may be located within 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.

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

**22 Additional Conditions**

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

**23 Enforcement**

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

**24 Continuing Jurisdiction of District**

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

**25 Permit Recordation**

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

**26 References to Law**

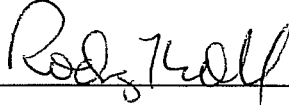
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**27 Other Matters Denied**

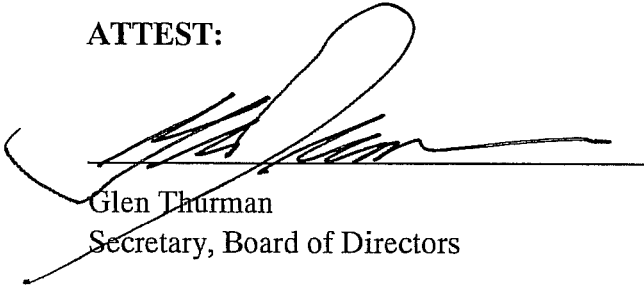
All other matters requested in Permittee's application that are not specifically granted by this permit are denied.

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

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

  
\_\_\_\_\_  
Rodney Kroll,  
President, Board of Directors

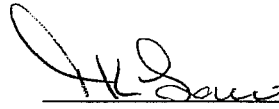
**ATTEST:**

  
\_\_\_\_\_  
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 June 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



STATE OF TEXAS      COUNTY OF FALLS  
I hereby certify that this instrument was FILED on  
this date and at the time starting on (three) 03  
was duly RECORDED in VOL. 2010 PAGE 521  
the OFFICIAL PUBLIC RECORDS of Falls County,  
Texas, on 12/28/10

Frances Braswell  
FRANCES BRASWELL, COUNTY CLERK  
FALLS COUNTY, TEXAS

By \_\_\_\_\_ Deputy

FILED 8.10a M  
DEC 28 2010  
FRANCES BRASWELL  
CO. CLK. FALLS CO.

526



Permit Number: HUPP-2010-015

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

**HISTORIC USE PRODUCTION PERMIT**

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COUNTY OF MCLENNAN, STATE OF TEXAS**

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COUNTY OF MCLENNAN, STATE OF TEXAS**

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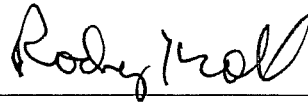
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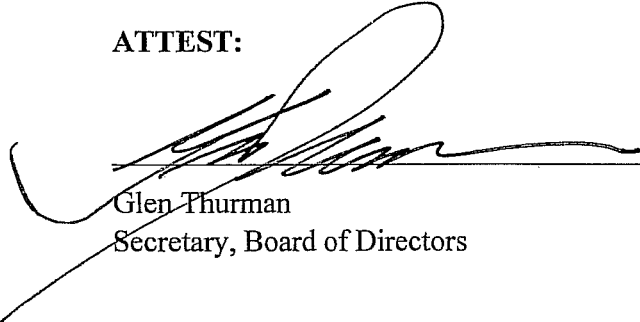
SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT  
COUNTY OF MCLENNAN, STATE OF TEXAS

THIS PERMIT IS ISSUED, EXECUTED THIS 30 day of June, 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 )

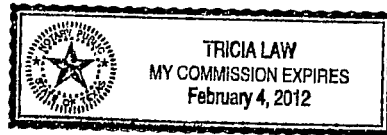
ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on June 30, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.



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*

July 06, 2010 08:24:44 AM

2010020315

FEE: \$27.00

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

MEMO

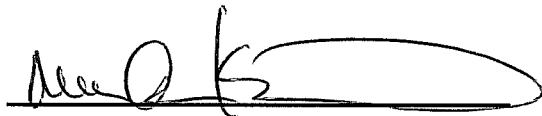
Date: June 10, 2010

To: Southern Trinity G.C.D.

From: West Brazos W.S.C.

The following is the Latitude and Longitude for the West Brazos W.S.C. well site.

Latitude	N 31 25.237
Longitude	W 097 03.68



Mark Kocian

Field Supervisor

June 14, 2010

I, MARK KECIAK have received, from the Southern Trinity Groundwater Conservation District, the Technical Review Summary, Notice of Hearing and Draft of Proposed Historic Use Production Permit.

Mark Keciak  
West Brazos Water Supply Corporation

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**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](mailto: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**

West Brazos Water Supply Corporation  
7025 Sanger Ave  
Waco, Texas, 76710

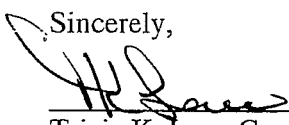
RE: HUPP Application No. HUPP-2010-015

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 111.803 Acre-Feet (36,431,000 Gallons). 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 list of all well owners that were mailed the notice.

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) Notice of Hearing  
3) Draft of Proposed Historic Use Production Permit  
4) List of Adjacent Well Owner's Names



## **Technical Review Summary**

**Well Owner:** West Brazos Water Supply Corporation,  
7025 Sanger Ave,  
Waco, Texas, 76710

### **Application Summary:**

Aquifer: Trinity

Annual production of groundwater not to exceed: 111.803 Acre-Feet (36,431,000 Gallons)

Year of Maximum Historic Use: 2009

### **Location of Each Point of Withdrawal:**

Latitude/Longitude (NAD83):

N31D 25M 14S / W97D 03M 41S

### **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 111.803 Acre-Feet (36,431,000 Gallons) 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 11283 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 June 25, 2010 at 10:30 a.m. If no timely requests for contested case hearing are filed, the applications will be presented to the District on the date of the hearing for final action.

**NOTICE OF PROPOSED HISTORIC USE PRODUCTION PERMITS  
AND PUBLIC HEARING**

The Southern Trinity Groundwater Conservation District ("District") proposes action on applications for Historic Use Production Permits ("HUPPs"), which would authorize the permittees to withdraw groundwater from the Trinity Aquifer according to the terms and conditions set forth in the permits. A copy of the general manager's proposed action, the proposed HUPPs and technical summaries are available for public inspection at the District's offices at 420 North 6<sup>th</sup> Street, Waco, Texas during regular business hours.

The District will conduct a public hearing pursuant to its authority under Chapter 8821 of the Texas Special District Local Laws Code, Chapter 36 of the Texas Water Code and the District's rules, to consider issuance of the proposed HUPPs and to provide interested members of the public the opportunity to appear and provide oral or written comments to the District regarding the proposed permits at the following date, time and place:

Date: Wednesday June 30, 2010  
Time: 10:30 a.m.  
Location: City of Woodway, City Council Chambers  
922 Estates Drive  
Woodway, Texas

HUPPs are proposed to be granted to the following entities as follows:

City of Woodway, 922 Estates Drive, Woodway, Texas, 76712 filed an application on 4/7/2010. The proposed HUPP has a maximum annual withdrawal from the Trinity Aquifer of 2,038.393 Acre-Feet (666,250,800 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 30M 11S / W97D 13M 41S, N31D 30M 11S / W97D 13M 41S, N31D 29M 30S / W97D 13M 45S, N31D 30M 34S / W97D 11M 16S, N31D 29M 36S / W97D 14M 25S, N31D 30M 18S / W97D 11M 41S.

City of Robinson, 111 W. Lyndale, Robinson, Texas, 76706 filed an application on 3/22/2010. The proposed HUPP has a maximum annual withdrawal from the Trinity Aquifer of 1417.933 Acre-Feet (462,035,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 27M 07S / W97D 06M 52S, N31D 29M 10S / W97D 08M 29S, N31D 27M 41S / W97D 08M 30S, N31D 29M 48S / W97D 06M 45S, N31D 28M 28S / W97D 06M 40S.

Bold Springs Water Supply Corporation, 4546 Cottonwood Rd., West, Texas, 76621 filed an application on 4/2/2010. The proposed HUPP has a maximum annual withdrawal from the Trinity Aquifer of 237.977 Acre-Feet (77,545,200 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 46M 18S / W97D 08M 11S, N31D 47M 19S / W97D 07M 39S, N31D 46M 15S / W97D 08M 10S, N31D 47M 49S / W97D 07M 20S.

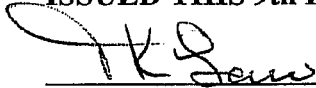
West Brazos Water Supply Corporation, 7025 Sanger Ave, Waco, Texas, 76710 filed an application on 4/19/2010. The proposed HUPP has a maximum annual withdrawal from the

Trinity Aquifer of 111.803 Acre-Feet (36,431,000 Gallons) for municipal use pumped from a well located at the following latitude/longitude (NAD83):N31D 25M 14S / W97D 03M 41S,.

Chalk Bluff Water Supply Corporation, 6511 Gholson Rd., Waco, Texas, 76705 filed an application on 4/26/2010. The proposed HUPP has a maximum annual withdrawal from the Trinity Aquifer of 400.655 Acre-Feet (130,553,900 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 38M 23S / W97D 08M 03S, N31 39M 07S / W97D 08M 41S, N31D 40M 13S / W97D 08M 45S.

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**ISSUED THIS 9th DAY OF June 2010.**



Tricia K. Law, General Manager  
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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>
Downsville Well	N31D 25M 14S / W97D 03M 41S	500 gpm

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

**7 Measurement of Amount of Groundwater Withdrawn**

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

**8 Place of Use**

Permittee may beneficially use Aquifer groundwater only within the Permittee's wholesale or retail water service area identified in the Certificate of Convenience and Necessity 11283, filed with the Texas Commission on Environmental Quality. Except as provided by 5.401(b) of the District's rules, as may be amended, if the place of use is not within the District's boundaries, Permittee must obtain a groundwater exportation permit from the District prior to the withdrawal of groundwater under the permit.

**9 Well Construction, Operation, Maintenance, Closure**

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

**10 Water Conservation**

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

**11 Conveyance to Place of Use**

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

**12 Meters; Alternative Measuring Method**

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

**13 Reports**

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

**14 Fees**

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

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

**15 Interruption, Suspension, or Other Limitations Due to Drought**

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

**16 Groundwater Management Plan**

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

**17 Water Quality**

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

**18 Transfers and Amendments**

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

**19 Permit Review, Renewal or Extension Conditions**

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

**20 Change of Name, Address or Telephone Number**

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

**21 Inspections by District**

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

**22 Additional Conditions**

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

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

**23 Enforcement**

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

**24 Continuing Jurisdiction of District**

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

**25 Permit Recordation**

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

**26 References to Law**

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

**27 Other Matters Denied**

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

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

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

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Rodney Kroll,  
President, Board of Directors

**ATTEST:**

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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 June 30, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.

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Notary Public in and for the State of Texas

**AFTER RECORDING RETURN TO:**

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



## **List of Adjacent Well Owner's Names**

Southern Trinity Ground Conservation District was not able to locate any wells in the Trinity Aquifer that were within a ½ mile radius of the well locations listed in Application HUPP-2010-015; however Rule §9.219(e) requires that you make your own determination of which well owners require notice.

**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT**

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

Phone: (254) 759-5610 [southerntrinitygcd@att.net](mailto: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: West Brazos Water Supply Corporation		
Physical Address: 7025 Sanger Ave		
City: Waco	State: Texas	Zip Code: 76710
Mailing Address, (if different): PO Box 20624		
City: Waco	State: Texas	Zip Code: 76702
Daytime Telephone Number:      Fax: 254-776-1994		
Email Address (if any): makocian@aquaaamerica.com		
2. Name of Authorized Agent (if any): Mark Kocian		
Position: Field Supervisor		
Physical Address: 7025 Sanger Ave		
City: Waco	State: Texas	Zip Code: 76710
Mailing Address (if different): Same as above		
City:	State:	Zip Code:
Daytime Telephone Numbers of Authorized Agent: 254-776-1999      Fax: 254-776-1994		
Email for Authorized Agent (if any): Same as above		
<div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>                  APR 10 2010                  [Signature]             </div> <div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>RECEIVED</b>                  For District Use Only                  APR 10 2010                  BY: [Signature]             </div> </div>		
Date Application Received:	Date Admin. Fee Received:	Amount of Fee: <u>1000.00</u>

X

**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:

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.

8. Completely describe the place of use of groundwater withdrawn from the well:  
CCN # 11283

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: 36,431,000                      Units: Gallons                      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: 36,431,000 Units: gallons

2008 Amount: 17,742,000 Units: gallons

2007 Amount: 14,430,000 Units: gallons

2006 Amount: 22,393,000 Units: gallons

2005 Amount: 0 Units: gallons

2004 Amount: 0 Units: gallons

2003 Amount: 0 Units: gallons

2002 Amount: 0 Units: gallons

2001 Amount: 0 Units: gallons

2000 Amount: 0 Units: gallons

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

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

15. Will the proposed use of water unreasonably affect existing groundwater and surface water resources or existing permit holders?  Yes  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

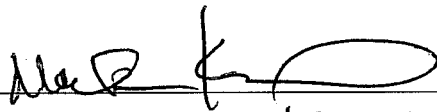
**STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER  
MANAGEMENT PLAN, DISTRICT RULES, AND COMMITMENT TO WATER  
CONSERVATION AND WATER QUALITY PROTECTION**

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: MARK KOCIAN

Date: 4-19-10  
Title: Field Supervisor

† 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: Mark Kocian  
\_\_\_\_\_ 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 19th day of April, 2010.

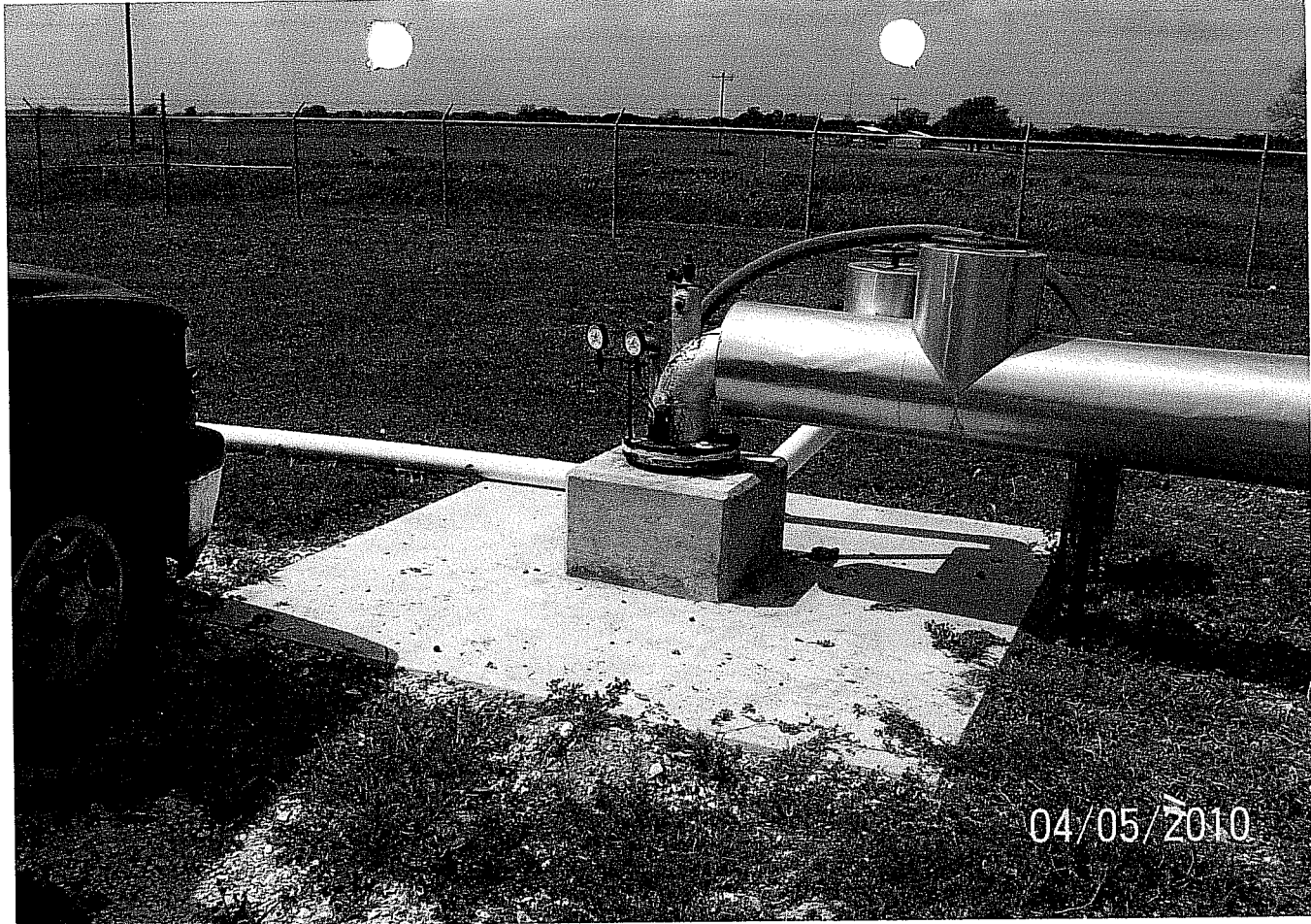
TK Law

Notary Signature



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

1. Applicant Name: West Brazos W. S. C.		
2. Well Identifier or Well Name: Downsville Well		
3. System Name: West Brazos W. S. C.- Downsville water plant		
4. TCEQ System ID Number: 0730021		
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: 150600		
7. Aquifer(s) or formations in which the well is screened: Trinity		
8. Address of the property upon which the well is located: 12124 S 3 <sup>rd</sup> St Rd..		
9. Well Location:	Latitude: $31^{\circ} 25.237$	D M S
	Longitude: $109^{\circ} 03.689$	M S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: No		
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: 2004 Year well completed and operational: 2005		
15. Pump Information: Pump Make and Model:		
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: 10 3/4 inches Inside diameter of column pipe: 6 inches		
16. The maximum rate at which water can be withdrawn from the well: 500 gpm		
17. Flow Meter Make and Model: Butler		
Serial Number:		Meter Units: gallons
Meter reading end of 2008: Amount: 54875	Units: gallons	Date: 12/31/08
Meter reading end of 2009: Amount: 91424	Units: gallons	Date: 12/31/09



04/05/2010



## STATE OF TEXAS WELL REPORT for Tracking #69313

Owner:	WEST BRAZOS W.S.C.	Owner Well #:	2
Address:	7025 SANGER AVE WACO, TX 76740	Grid #:	40-40-5
Well Location:	No Data	Latitude:	31° 25' 22" N
Well County:	McLennan	Longitude:	097° 03' 47" W
Elevation:	No Data	GPS Brand Used:	LORANCE AIRMAP 500
Type of Work:	New Well	Proposed Use:	Public Supply; Plans Approved by TCEQ

Drilling Date: Started: 9/26/2004  
Completed: 10/1/2005

Diameter of Hole: Diameter: 22 in From Surface To 35 ft  
Diameter: 14.750 in From 35 ft To 2712 ft

Drilling Method: Mud Rotary

Borehole Completion: Straight Wall

Annular Seal Data: 1st Interval: From 0 ft to 2712 ft with 1100 CEMENT (#sacks and material)  
2nd Interval: No Data  
3rd Interval: No Data  
Method Used: HALLIBURTON METHOD  
Cemented By: JET STAR CEMENTERS INC  
Distance to Septic Field or other Concentrated Contamination: N/A ft  
Distance to Property Line: 150 ft  
Method of Verification: ENGINEER, TABOR & ASSOC.  
Approved by Variance: No Data

Surface Completion: Surface Slab Installed

Water Level: Static level: 580 ft. below land surface on 12/15/2004  
Artesian flow: No Data

Packers: NONE

Plugging Info: Casing or Cement/Bentonite left in well: No Data

Type Of Pump: Submersible  
Depth to pump bowl: 853 ft

Well Tests: Pump  
Yield: 305 GPM with 74 ft drawdown after 36 hours

Water Quality: Type of Water: N/A  
Depth of Strata: No Data  
Chemical Analysis Made: Yes  
Did the driller knowingly penetrate any strata which contained undesirable constituents: No

Certification Data: The driller certified that the driller drilled this well (or the well was drilled under the driller's direct supervision) and that each and all of the statements herein are true and correct. The driller

understood that failure to complete the required items will result in the log(s) being returned for completion and resubmittal.

Company Information: **WATTS DRILLING CO.  
14310 HWY 377 S  
FT. WORTH, TX. 76126**

Driller License Number: **2457**

Licensed Well Driller Signature: **TIM WATTS**

Registered Driller Apprentice Signature: **No Data**

Apprentice Registration Number: **No Data**

Comments: **No Data**

**IMPORTANT NOTICE FOR PERSONS HAVING WELLS DRILLED CONCERNING CONFIDENTIALITY**

TEX. OCC. CODE Title 12, Chapter 1901.251, authorizes the owner (owner or the person for whom the well was drilled) to keep information in Well Reports confidential. The Department shall hold the contents of the well log confidential and not a matter of public record if it receives, by certified mail, a written request to do so from the owner.

Please include the report's Tracking number (Tracking #69313) on your written request.

**Texas Department of Licensing & Regulation  
P.O. Box 12157  
Austin, TX 78711  
(512) 463-7880**

**DESC. & COLOR OF FORMATION MATERIAL**

**CASING, BLANK PIPE & WELL SCREEN DATA**

From (ft) To (ft) Description  
 000 - 025 BROWN CLAY  
 025 - 035 SANDY BROWN CLAY  
 035 - 1185 GRAY SHALE AND LIME STREAKS  
 1185 - 1473 GRAY SHALE  
 1473 - 1800 LIME AND GRAY SHALE  
 1800 - 2030 LIME  
 2030 - 2100 SAND  
 2100 - 2150 LIME  
 2150 - 2270 LIME AND SAND STREAKS  
 2270 - 2570 SAND  
 2570 - 2650 LIME AND SAND STREAKS  
 2650 - 2680 SAND  
 2680 - 2710 YELLOW SHALE

Dia. New/Used Type Setting From/To  
 16 NEW STEEL 0/35  
 10 3/4 NEW J-55 STC 40.5 LBS 2'+/2710  
 PERFORATED 2508/2520  
 PERFORATED 2526/2568  
 PERFORATED 2618/2631  
 PERFORATED 2643/2656  
 PERFORATED 2666/2676  
 TOTAL 180 PERFORATIONS