AFFIDAVIT

THE STATE OF TEXAS

COUNTY OF MCLENNAN §
BEFORE ME, the undersigned authority, on this day personally appeared DAVE ROSS , who being duly sworn, upon oath deposes and says:
"My name is DAVE ROSS. I represent City of Riesel (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———————————————————————————————————
Trinity Aquifer Wells Known to us Affiant Within the 1/2 mile radius are Affiant Sworn to and subscribed before me on this 14 day of Delember, 2010. Chip ATTI MAN Notary Public in and for the State of Texas water
Firmery 07:2017 Supply R. M. S. Water
e alu

6 PGS

Permit Number: HUPP-2010-018

SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICTCOUNTY OF MCLENNAN, STATE OF TEXAS

HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT:

City of Riesel, Texas

104 N. Hwy 6 (Memorial)

Riesel, Texas 76682 Phone: 254-896-6501

(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: **110.8316** acre-feet per calendar year. This groundwater withdrawal amount has been calculated pursuant to Section 5.211 of the District's rules. It may be subject to proportional adjustment pursuant to Chapter 5, Subchapter B of the District's rules, as may be amended.

5 Purpose of Use

Permittee may use Trinity Aquifer groundwater only for municipal purposes.

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

Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows:

Name	Location (latitude/longitude)	Maximum Flow Rate (gpm)
RMS WSC	N31D 30M 08S / W96D 57M 28S	371
COR WSC	N31D 29M 16S / W96D 56M 33S	250

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 10029, 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 23rd day of December, 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 December 23, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.

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Notary Public in and for the State of Texas

AFTER RECORDING RETURN TO:

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



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

December 27, 2010 09:53:36 AM

FEE: \$27.00

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

Southern Trinity GCD

From: Mike Dixon [mdixon@haleyolson.com]

Sent: Monday, May 24, 2010 1:53 PM

To: Southern Trinity GCD

Trish:

When will we know anything about making NHU applications?

Southern Trinity GCD

From:

Southern Trinity GCD [southerntrinitygcd@att.net]

Sent:

Tuesday, June 01, 2010 8:54 AM mdixon@haleyolson.com

To:

Subject:

Non Historic Use Production Permits

Mike,

Our preliminary numbers show that we have fallen below the MAG number. Our plan is to complete the permitting process by the end of August and after that begin the NHUPP

Tricia

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.

Jioungwater Conservation	District will be accepte	u. CASH IS NOT ACCEPTED.
1. Applicant Information	☐ Individual ☐ Government Entity	☐ Partnership ☐ Corporation ☐ Estate/Trust/Guardianship
Permit Applicant's Name	: City of Riesel	,
Physical Address: 104 N.	HWY 6 (Memorial)	
City: Riesel	State: Tx.	Zip Code: 76682
Mailing Address, (if diffe	rent): P.O. Box 249	
City: Riesel	State: Tx.	Zip Code: 76682
Daytime Telephone Num	ber: Fax: T/P 254-896-	.6501 Fax 254-896-2404
Email Address (if any): ri	eselwater@hotmail.com	
2. Name of Authorized A	gent (if any): Dave Ross	
Position: Mayor		
Physical Address: 104 N	. HWY 6 (Memorial)	
City: Riesel	State: Tx.	Zip Code: 76682
Mailing Address (if differ	rent): P.O. Box 249	
City: Riesel	State: Tx.	Zip Code: 76682
Daytime Telephone Num	bers of Authorized Agent	:: 254-896-6501 Fax: 254-896-2404
Email for Authorized Age	ent (if any): rieselcitysec	retary@hotmail.com
Dage	For District Use Or	
Date Application Receive		
The style of	Fee:	_ APR 2 3 2010
BY APR 23 2010		BY: The Second
BY: The San		$X \longrightarrow X$

Application :	No.
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Historic Groundwater Use and Production Information.

3. Purpose of Historic Use: The purpose(s) for which the groundwater was used during the Historic Use Period. □ Irrigation ☒ Municipal □ Industrial □ Other (If Other, describe specifically):
4. Purpose of Future Use: municipal
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: The City of Riesel's certificated service area for water service.
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.
The existing well is owned jointly by the City of Riesel and the Mier's Settlement Water Supply Corporation through each entity's interest in and control over of the R-M-S
Water Supply Corporation, which was established by the two entities to operate the well on their behalf. Both entities draw from the well, but accurate records of individual entity usage are maintained.
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: Currently 430-450; but that number will increase significantly based on the power plant and normal development, including pent-up demand. See previous correspondence from

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

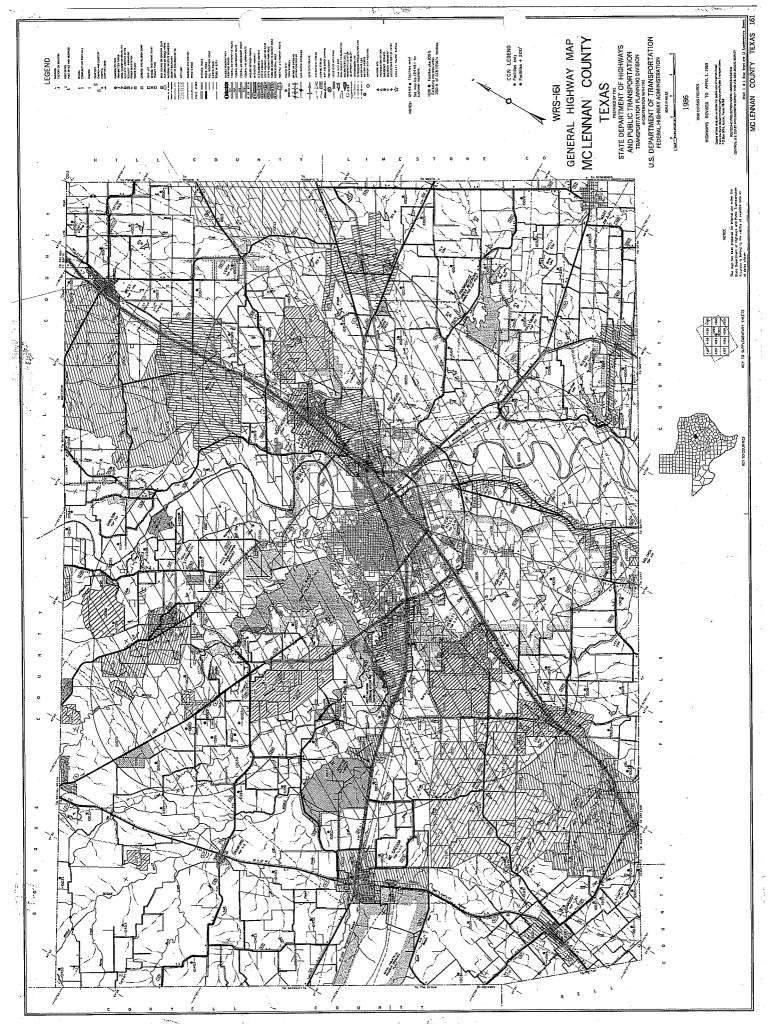
the City.

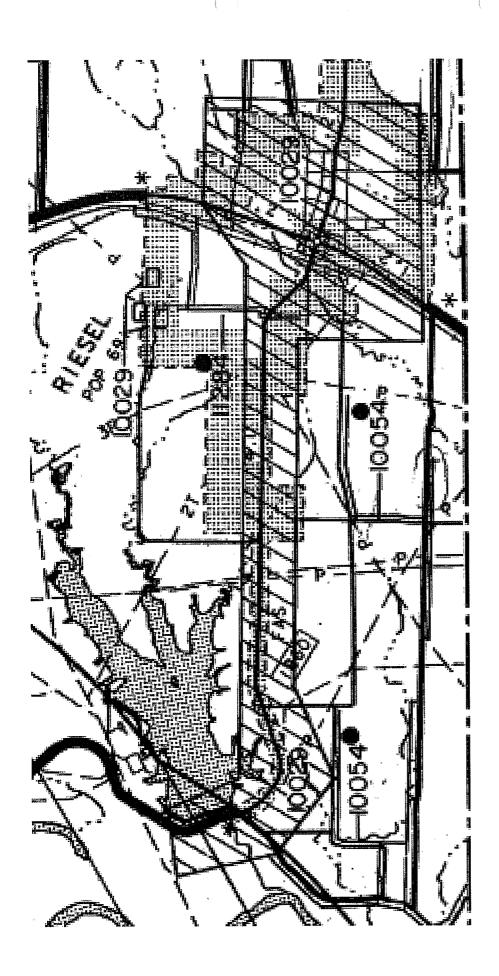
Application No.	
FF	

T state on

Product applicate	he maximum amount of gro ion Permit proves was prod nt's non-exempt well during t: 33,161,900	uced and beneficia	lly used without wa year of the Historic	iste from the
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: 32,810,600	Units: g	gallons	
2008	Amount: 30,968,900	Units: §	gallons	
2007	Amount: 26,944,200	Units: §	gallons	
2006	Amount: 30,140,900	Units: §	gallons	
2005	Amount: 31,119,800	Units: {	gallons	
2004	Amount: 28,457,300	Units: ;	gallons	
2003	Amount: 29,693,800	Units:	gallons	
2002	Amount: 30,099,000	Units:	gallons	
2001	Amount: 31,357,400	Units:	gallons	
2000	Amount: 33,161,900	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				
	the proposed use of water de			
	the proposed use of water co			

(- r





on No.	Application
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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: Cone hon	Date: _	APR 2 0 2010
Printed Name: Dave Ross	Title: _	Mayor

† 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.

Application No.	

STATE OF TEXAS	§	
	§	
COUNTY OF McLENNAN	§	
BEFORE ME, a notary public, o	on this day personally	appeared: Dave Ross
	who star	ted that: (1) he/she has read the
foregoing application and any su therein are true and accurate; an application on behalf of the perr	ad (2) that he/she is du	s and that the statements contained ally authorized to sign this
Subscribed and sworn to before	me on this 20th	day of, 2010.
Notary Signature) JON.	ALI WRIGHT NOTARY PUBLIC STATE OF TEXAS MY COMM. EXP. 9-18-2012

CITY OF RIESEL P.O. BOX 249 RIESEL, TX 76682

TEXAS FILL STATE BANK RIESEL IX 76682 88-894/1119

1309

04/09/2010

PAY TO THE ORDER OF _ © 2005 INTUIT INC. # 542 1-800-433-88

Southern Trinity GCD

**1,500.00

One Thousand Five Hundred and 00/100*******

_ DOLLARS

Southern Trinity Groundwater Conservation District 3015 Bellmead Drive Bellmead, Tx 76705

VATER SYSTEM REVENUE FUND MOYOR/TREASURER

MEMO

annual permit fee

m. Bode

500 511

CITY OF RIESEL

1309

Southern Trinity GCD

04/09/2010 annual permit fee - new well

250.00 250.00

annual permit fee - old well application fee - new well

1,000.00

Checking

annual permit fee

1,500.00

Application No	

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

1. Applicant Name: City of Riesel, Texas								
2. Well Identifier or Well Name: RMS WSC								
3. System Name: RMS Water Supply Corporation								
4. TCEQ System ID Number: 155136								
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: 731690								
7. Aquifer(s) or formations in which the well is screened: Trinity								
8. Address of the property upon which the well is located:Mt. Moriah Road								
9. Well Location:	Latitude:	31	D	30	M	08	S	
	Longitude:	96	D	57	Μ	28	S	
10. Identify any surfa	ace water, including la	kes or ri	vers within 1,0	00 feet o	f the w	vell: none	e	
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: 1992 Year well completed and operational: 1993								
15. Pump Information: Pump Make and Model: 6 Stage 8" Wolf Pump								
Pump power source: ⊠ Electric □ Diesel □ Natural Gas □ Other								
Casing Material Steel DPVC								
Size of well casing:	10 & 8 inches	Inside	diameter of co	lumn pip	e:8 &	6 i	inches	
16. The maximum rate at which water can be withdrawn from the well: 371 gpm								
17. Flow Meter Make and Model: Water Specialities								
Serial Number: 200	71106-04	Meter	Units: 100 gal	lons				
Meter reading end of 12/31/2008	f 2008: Amount: 7924	88	Units: 100 ga	ls	Date:			
Meter reading end of 12/31/2009	f 2009: Amount: 3120	60	Units: 100 ga	ls	Date:			

DRILLER'S LOG

OWNER : RMS WATER SUPPLY CORPORATION

WELL 1-A

ONE MILE WEST OF HIGHWAY 6 ON MT. MORIAH CHURCH ROAD APPROXIMATELY FOUR MILES NORTH OF RIESEL, MCLENNAN LOCATION:

COUNTY, TEXAS

DATE

: MAY-JUNE 1992

DRILLERS: WILLIAMS, WAGONER, RAULSTON

DEPTH OF	STRATA To	EACH STRATUM Fect	DESCRIPTION	
0	550	550	Shale, gravel streak in upper part	
550 760 1005 1065 1100 1160 1510	760 1005 1065 1100 1160 1510 1600 1710	210 245 60 35 60 350 90 110	Chalk (Austin) Shale Gumbo shale Lime Shale Hard lime Shale, lime streaks Shale Lime, shale streaks	
1710 2515 2540 2620 3165	2540 2620 3165 3203	25 80 545 38	Sandy lime Shale Sand, shale & lime streaks Hard shale	

J. L. MYERS COMPANY 8325 FORNEY ROAD DALLAS, TX 75227