



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

HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT: R-M-S Water Supply Corporation
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: **159.4508 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 produce Trinity Aquifer groundwater only for wholesale delivery for **municipal purposes** to the City of Riesel and M.S. Water Supply Corporation.

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Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows: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)
R-M-S WSC	N31D 30M 08S / W96D 57M 28S	371

7 Measurement of Amount of Groundwater Withdrawn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.

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8 Place of Use

Permittee may beneficially use Aquifer groundwater only within the water service area identified for M.S. Water Supply Corporation in its Certificate of Convenience and Necessity Number 11284 and/or the City of Riesel in its Certificate of Convenience and Necessity Number 10029, both as 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
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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

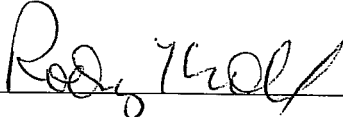
Any reference in this permit to a statute, rule, or other law of any kind, that exists on the date of issuance of the permit includes all subsequent amendments and additions thereto.

27 Other Matters Denied

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

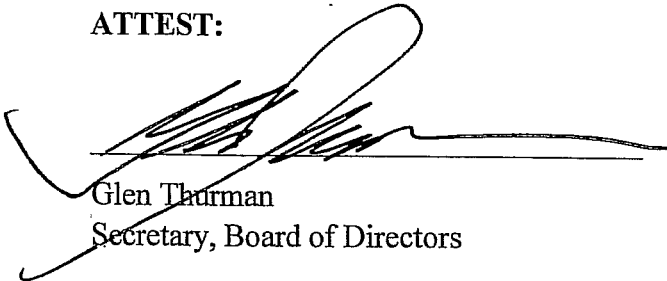
**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF MCLENNAN, STATE OF TEXAS**

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:

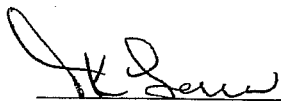


Glen Thurman
Secretary, Board of Directors

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.



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

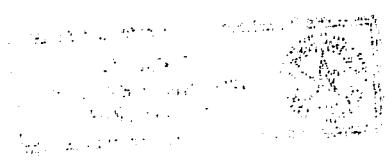
December 27, 2010 09:53:36 AM

2010039661

FEE: \$27.00

J.A. "Andy" Harwell County Clerk

McLennan County TEXAS



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 Individual Partnership Corporation
 Government Entity Estate/Trust/Guardianship

Permit Applicant's Name: Riesel Meir Settlement Water Supply Corporation

Physical Address: 104 N HWY 6 (Memorial)

City: Riesel State: Tx. Zip Code: 76682

Mailing Address, (if different): P.O. Box 249

City: Riesel State: Tx. Zip Code: 76682

Daytime Telephone Number: Fax: T/P 254-896-6501 Fax 254-896-2404

Email Address (if any): rieselwater@hotmail.com

2. Name of Authorized Agent (if any): Al Bumelis

Position: President

Physical Address: 104 N HWY 6 (Memorial)

City: Riesel State: Tx. Zip Code: 76682

Mailing Address (if different): P.O. Box 249

City: Riesel State: Tx. Zip Code: 76682

Daytime Telephone Numbers of Authorized Agent: 254-896-6501 Fax: 254-896-2404

Email for Authorized Agent (if any): rieselwater@hotmail.com

RECEIVED	<i>For District Use Only</i>	RECEIVED
Date Application Received:	Date Admin. Fee Received:	Amount of
APR 22 2010	APR 22 2010	
BY: <i>AK Sun</i>	Fee: <i>1000.00</i>	BY: <i>AK Sun</i>

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): potable water

4. Purpose of Future Use: same

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: RMS'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 Spply 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: 2

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: 15,249,000

Units: gallons

Year:2006

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: 14,477,900	Units: gallons
2008	Amount: 14,317,800	Units: gallons
2007	Amount: 10,855,000	Units: gallons
2006	Amount: 15,249,000	Units: gallons
2005	Amount: 15,239,100	Units: gallons
2004	Amount: 13,374,600	Units: gallons
2003	Amount: 10,766,575	Units: gallons
2002	Amount: 9,526,500	Units: gallons
2001	Amount: 10,760,000	Units: gallons
2000	Amount: 11,644,800	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

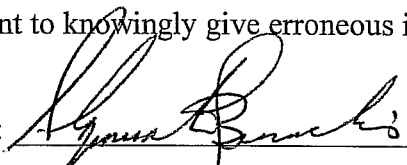
**STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER
MANAGEMENT PLAN, DISTRICT RULES, AND COMMITMENT TO WATER
CONSERVATION AND WATER QUALITY PROTECTION**

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: Al Bumelis

Date: APR 20 2010
Title: President

† 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 §

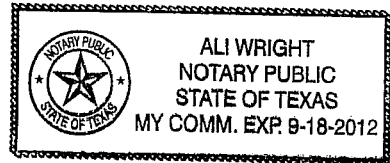
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COUNTY OF McLENNAN §

BEFORE ME, a notary public, on this day personally appeared: Al Bumelis
_____ 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 April, 2010.

Ali Wright
Notary Signature



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

1. Applicant Name: Riesel Meir Settlement							
2. Well Identifier or Well Name: RMS WSI							
3. System Name: RMS Water Supply Corporation							
4. TCEQ System ID Number: 1550136							
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	M	28 S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: none							
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: <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 & 8		inches		Inside diameter of column pipe: 8 & 6		inches	
16. The maximum rate at which water can be withdrawn from the well: 371 gpm							
17. Flow Meter Make and Model: Water Specialties							
Serial Number: 20071106-04				Meter Units: 100 gallons			
Meter reading end of 2008: Amount: 729,488		Units: 100 gals		Date:			
12/31/2008							
Meter reading end of 2009: Amount: 312,060		Units: 100 gals		Date:			
12/31/2009							