



Lost Pines Groundwater Conservation District
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James Totten, General Manager

2/15/22

Via U.S. Mail and Email to Trey Job

City of Bastrop
Attention: Trey Job, Assistant City Manager of Community Development
1311 Chestnut Street
P.O. Box 427
Bastrop, TX 78602

Re: Applications of City of Bastrop for Three Operating Permits, Well Spacing Variance, and Well Aggregation in Bastrop County, Texas ("Applications")

Dear Mr. Job:

The District staff has reviewed the City of Bastrop (City) Applications for Three Operating Permits, Well Spacing Variance, and Well Aggregation in Bastrop County, Texas (Well Nos. 58-54-8-0043, 58-54-5-0047, and 58-54-5-0048) to be located at approximately the northwest corner of Sayers Road and Phelan Road, Bastrop, Texas in Bastrop, County. I hereby give notice that the Applications have been declared Administratively Complete for purposes of further processing.

Within 60 days of the date of this letter, the Applications will be set for a public hearing. I expect to set the Applications for a public hearing in late March. Please let me know if you have any conflicts with that time frame. If the Applications are uncontested, the District Board may consider the Applications at the same meeting. The District will issue notice of the hearing in accordance with the applicable rules and law.

As General Manager, I will recommend that the Board grant each application under the terms and conditions in the attached draft permit.

Thank you for your attention to this matter, and please do not hesitate to contact me if you have any questions.

Sincerely,

Jim Totten, General Manager

Encl.

cc: Natasha J. Martin, Attorney for the District

Board of Directors
Sheril Smith President, Kay Rogers Vice-President, Michael Simmang Secretary-Treasurer
Thomas Arsuffi, Melissa Cole, Herbert Cook, Phil Cook, Elvis Hernandez, Larry Schatte, Billy Sherrill

**LOST PINES GROUNDWATER CONSERVATION
DISTRICT
OPERATING PERMIT**

District Well Number: 58-54-8-0043 (Well 1)

Permit Approved: _____

Permittee:

City of Bastrop
Attention: Trey Job, Assistant City Manager of Community Development
1311 Chestnut Street
P.O. Box 427
Bastrop, TX 78602

Location of Well: Approximately located at the northwest corner of Sayers Road and Phelan Road, Bastrop, Texas in Bastrop, County (30°9'47.52"N, 97°19'29.54"W)

Permittee is authorized to operate Well No. 1 within the Lost Pines Groundwater Conservation District under the following conditions:

Authorized annual withdrawal: 1,333 acre-feet per year; See special conditions for Aggregated authorized annual withdrawal

Maximum rate of withdrawal: 1500 gallons per minute; See special conditions for Aggregated Maximum rate of withdrawal

Aquifer unit: Simsboro

Type of water use: Municipal

Place of water use: City of Bastrop Water CCN No. 11198 in Bastrop County

Standard Permit Provisions:

This Operating Permit is granted subject to the District Rules, the orders of the Board, the District Management Plan, and Chapter 36 of the Texas Water Code. In addition to any well-specific permit

provisions and special conditions included in this Operating Permit, this Operating Permit includes the following provisions:

(1) This permit is granted in accordance with District Rules, and acceptance of this permit constitutes an acknowledgement and agreement that Permittee will comply with the terms, conditions, and limitations set forth in this permit, the District rules, the orders of the Board, and the District Management Plan.

(2) Water withdrawn under the permit must be put to beneficial use at all times, and operation of the permitted well in a wasteful manner is prohibited.

(3) Water produced from the well must be measured using a water measuring device or method approved by the District that is within plus or minus 10% of accuracy.

(4) The well site must be accessible to District representatives for inspection, and permittee agrees to cooperate fully in any reasonable inspection of the well and well site by District representatives.

(5) Permittee will use reasonable diligence to protect groundwater quality.

(6) Permittee will follow well plugging guidelines at the time of well closure.

(7) The application by Permittee, dated July 6, 2021 and supplemented on October 8, 2021, pursuant to which this permit has been issued is incorporated in this permit by reference, and this permit is granted on the basis of and contingent upon the accuracy of the information provided in that application ("Application"). A finding that false or inaccurate information has been provided is grounds for revocation of the permit.

(8) Violation of the permit's terms, conditions, requirements, or special provisions, including pumping amounts in excess of authorized withdrawals, may subject the permittee to enforcement action under District Rules.

(9) Whenever the special conditions in the permit are inconsistent with other provisions of the permit or the District Rules, the special condition will prevail.

Special Conditions:

This Operating Permit is granted subject to the following special conditions:

(1) The authorized annual withdrawal amount and the authorized maximum rate of withdrawal under this permit for this Well No. _____ (Well No. 1) are hereby aggregated with the authorized annual withdrawal amount and the authorized maximum rate of withdrawal for the following designated wells: Well No. _____ (Well No. 2); Well No. _____ (Well No. 3); and Well No. _____ (Well No. J); and the designated wells are collectively referred to as the "Aggregated Wells."

(2) Subject to the other terms of this Permit, Permittee is authorized to withdraw an aggregated annual withdrawal amount of up to 6,000 acre-feet per year from the Aggregated Wells with an aggregated maximum rate of withdrawal of 1,500 gallons per minute for the Aggregated Wells.

(3) This permit is issued subject to any future production limits adopted by the District under the District Rules.

(4) Permittee must keep on file with the District a copy of its current water certificate of convenience and necessity no. 11198 showing its bounded service area issued by the State of Texas.

(5) Permittee is subject to the District Rules that require that all wells be completed within 100 feet of the location identified on the Application pursuant to which this permit has been issued; provided that the well location complies with the applicable well spacing requirements under the District Rule 8.2.B or any variance granted under Rule 8.3.

(6) Prior to operation of Wells Nos. 1, 2, and 3, Permittee shall complete a 36-hour pump test for each new well that complies with District Rule 5.1.B(5) and report the results of the test to the District.

(a) Permittee shall produce groundwater from the well at a maximum instantaneous rate of withdrawal of at least 1,500 gallons per minute.

(b) Permittee shall provide the District with not less than 30 days' prior notice of the earliest date the 36-hour pump test will begin and confirm the scheduled date with the General Manager at least 3 business days' prior to the test by phone or email.

(c) Permittee shall pay all costs of the 36-hour pump test.

(d) Within ninety (90) days of the completion of the 36-hour pump test, Permittee shall provide the data gathered at any of Wells Nos. 1, 2, and 3 tested during the pump test to the General Manager.

(e) The General Manager will review the results of the 36-hour pump test. If the General Manager determines that the transmissivity of the aquifer (measured in ft²/day) at the well is lower than the values included in the Groundwater Availability Model grid cell in which the well is located in, then the General Manager may reduce the authorized maximum rate of withdrawal under this permit. The General Manager will mail notice of his decision to reduce the maximum rate of withdrawal or not to reduce the maximum rate of withdrawal to Permittee no later than the 90th day after receipt of the information described in subsection (d).

(f) Permittee may appeal the General Manager's decision under subsection (e) to the Board pursuant to the procedures set out District Rule 15.6.

(7) Permittee requested a variance to the well spacing requirements under District Rule 8.2.B. Following the applicable notice requirements under District Rule 8.3.C, the District grants the requested variance to Rule 8.2.B to allow Permittee to place Well Nos.

1, 2, or 3 within 5,000 feet of the Impacted Well User as demonstrated in the Application only and as agreed by the City of Bastrop and the Impacted Well User on February 10, 2021.

(8) This permit is issued subject to any future production limits adopted by the District under the District Rules.

(9) Production Fees charged to Permittee under this Permit shall be based upon amounts authorized to be produced under this Permit at the time that Production Fees are due.

(10) At least thirty (30) days prior to drilling the well, Permittee shall provide the General Manager with the design specifications for the well that are required for registration of a well under the District rules, including the total depth of the well, the depth of the screened interval, and the pump size, and any other well information required by the District's then-current well registration form.

Term:

(1) This Operating Permit shall automatically terminate if, within 24 months of the date that the permitted well is completed, the Permittee has not used water from the permitted well for a purpose authorized in the Operating Permit, unless the Permittee requests an extension of time to operate the well as provided in the District Rules.

(2) This Operating Permit shall be effective for a period of five years from the date the permit is issued, unless terminated, amended, renewed, or revoked as provided in the District Rules.

Acceptance of this permit by the Permittee constitutes acknowledgment and agreement to comply with all of the terms, provisions, conditions, and restrictions stated in the permit and the rules of the Lost Pines Groundwater Conservation District.

ISSUED:

President, Lost Pines
Groundwater Conservation
District Board of Directors

Date: _____