



Lost Pines Groundwater Conservation District
908 NE Loop 230
Post Office Box 1027
Smithville, TX 78957
Tax ID Number 74-2955722

512-360-5088
FAX: 512-360-5448
Email: lpgcd@lostpineswater.org
Web Site: www.lostpineswater.org

James Totten, General Manager

October 17, 2023

Via U.S. Mail and Email to eposton@aquawsc.com

Aqua Water Supply Corporation
Attention: Emily Poston
415 Old Austin Hwy, Drawer P
Bastrop, TX 78602

Re: Application of Aqua Water Supply Corporation for Four Operating Permits in Bastrop County, Texas; Foster, Tiner, Waterson # 1, Waterson # 2

Dear Ms. Poston:

The District staff has reviewed the Aqua Water Supply Corporation (Aqua WSC) Applications for Operating Permits for four (4) wells located in Bastrop County, Texas (Well Nos. 67 1 45 0024, 67 06 9 0019, 58 62 7 0119 and 67 06 1 0027) to be located at approximately 29.8137 latitude, -97.3179 longitude (Foster), 29.88838 latitude, -97.26742 longitude (Tiner), 30.008022 latitude, -97.357345 longitude (Waterson # 1), and 29.994137 latitude, -97.367376 longitude (Waterson # 2). I hereby give notice under District Rule 15.1.B(2) that the Applications have been declared Administratively Complete for purposes of further processing.

The District Board of Directors will consider the Applications at a regular board meeting on November 15, 2023. Please let me know if you have any problems with that date. The public hearing for these Applications will also be held on the same date and 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.

Board of Directors

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

**LOST PINES GROUNDWATER CONSERVATION DISTRICT
NOTICE OF PUBLIC HEARING**

APPLICATION

Aqua Water Supply Corporation (“Applicant”) has applied to the Lost Pines Groundwater Conservation District (the “District”) for Operating Permits for four wells to be located in Bastrop County, Texas as follows:

Well	Foster	Tiner	Waterson 1	Waterson 2
Latitude	29.8137	29.88838	30.008022	29.994137
Longitude	-97.3179	-97.26742	-97.357345	-97.367376

The Applicant proposes to complete the wells to withdraw the following annual production volumes: 807 acre-feet of water per year (AFY) (Foster), 4,839 AFY (Tiner), 3,226 AFY (Waterson 1), and 3,226 AFY (Waterson 2). Applicant has not requested to aggregate production from the four wells. The proposed use of the groundwater is for municipal purposes in the Aqua Water Supply Corporation certificated service area.

TIME, DATE AND LOCATION

The Board of Directors of the District will conduct a public hearing on the Applications at:

6:00 p.m., November 15, 2023
Elgin Public Library Civic Center – City Council Chambers
404 N Main St.
Elgin, TX 78621

For additional information, please contact the District by calling 512-360-5088 or e-mailing lpgcd@lostpineswater.org.

Information on how to file a contested case hearing request can be found on the District’s website FAQs at <https://www.lostpineswater.org/FAQ.aspx>.

Date: October 17, 2023
Peggy Campion
District Secretary

LOST PINES GROUNDWATER CONSERVATION DISTRICT
OPERATING PERMIT

District Well Number: 67 1 45 0024 (Foster)

Date Permit Approved:

Permittee:

Aqua Water Supply Corporation
Attention: Emily Poston, Engineer
415 Old Austin Hwy, Drawer P
Bastrop, TX 78602

Location of Well: Approximately located at **29.8137 latitude, -97.3179 longitude** in Bastrop County, Texas

Permittee is authorized to operate Foster Well within the Lost Pines Groundwater Conservation District under the following conditions:

Authorized annual withdrawal: 807 acre-feet per year

Maximum rate of withdrawal: 500 gallons per minute

Aquifer unit: Carrizo

Type of water use: Municipal

Place of water use: Aqua WSC's CCN

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

DRAFT PERMIT FOR CONSIDERATION

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 original application submitted by Permittee, dated October 26, 2022, its attachments, and all subsequently submitted supplemented information submitted to the District on February 13, 2023, shall hereby be referred to as “the Application package” and is hereby incorporated in this permit by reference. This permit is hereby granted on the basis of and contingent upon the accuracy of the information provided in that Application package. 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) This permit is issued subject to any future production limits adopted by the District under the District Rules.

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(2) Permittee must keep on file with the District a copy of its current water certificate of convenience and necessity no. 11144 showing the bounded service area authorized by the State of Texas.

(3) 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.

(4) 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.

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:

By: _____
Elvis Hernandez, President, Lost Pines
Groundwater Conservation District
Board of Directors
Date: _____

ATTEST:

By: _____
Michael Simmang, Secretary-Treasurer
Board of Directors

**LOST PINES GROUNDWATER CONSERVATION DISTRICT
OPERATING PERMIT**

District Well Number: 67 06 9 0019 (Tiner)

Date Permit Approved:

Permittee:

Aqua Water Supply Corporation
Attention: Emily Poston, Engineer
415 Old Austin Hwy, Drawer P
Bastrop, TX 78602

Location of Well: Approximately located at **29.88838 latitude, -97.26742 longitude** in Bastrop County, Texas

Permittee is authorized to operate Tiner Well within the Lost Pines Groundwater Conservation District under the following conditions:

Authorized annual withdrawal: 4,839 acre-feet per year

Maximum rate of withdrawal: 3,000 gallons per minute

Aquifer unit: Carrizo

Type of water use: Municipal

Place of water use: Aqua WSC's CCN

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

DRAFT PERMIT FOR CONSIDERATION

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 original application submitted by Permittee, dated October 21, 2022, its attachments, and all subsequently submitted supplemented information submitted to the District on February 13, 2023, shall hereby be referred to as “the Application package” and is hereby incorporated in this permit by reference. This permit is hereby granted on the basis of and contingent upon the accuracy of the information provided in that Application package. 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) This permit is issued subject to any future production limits adopted by the District under the District Rules.

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(2) Permittee must keep on file with the District a copy of its current water certificate of convenience and necessity no. 11144 showing the bounded service area authorized by the State of Texas.

(3) 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.

(4) 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.

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:

By: _____
Elvis Hernandez, President, Lost Pines
Groundwater Conservation District
Board of Directors
Date: _____

ATTEST:

By: _____
Michael Simmang, Secretary-Treasurer
Board of Directors

LOST PINES GROUNDWATER CONSERVATION DISTRICT
OPERATING PERMIT

District Well Number: 58 62 7 0119 (Waterson # 1)

Date Permit Approved:

Permittee:

Aqua Water Supply Corporation
Attention: Emily Poston, Engineer
415 Old Austin Hwy, Drawer P
Bastrop, TX 78602

Location of Well: Approximately located at **30.008022 latitude, -97.357345 longitude** in Bastrop County, Texas

Permittee is authorized to operate Waterson # 1 Well within the Lost Pines Groundwater Conservation District under the following conditions:

Authorized annual withdrawal: 3,226 acre-feet per year

Maximum rate of withdrawal: 2,000 gallons per minute

Aquifer unit: Wilcox

Type of water use: Municipal

Place of water use: Aqua WSC's CCN

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

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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 original application submitted by Permittee, dated October 25, 2022, its attachments, and all subsequently submitted supplemented information submitted to the District on February 13, 2023, shall hereby be referred to as “the Application package” and is hereby incorporated in this permit by reference. This permit is hereby granted on the basis of and contingent upon the accuracy of the information provided in that Application package. 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) This permit is issued subject to any future production limits adopted by the District under the District Rules.

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(2) Permittee must keep on file with the District a copy of its current water certificate of convenience and necessity no. 11144 showing the bounded service area authorized by the State of Texas.

(3) 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.

(4) 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.

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:

By: _____

Elvis Hernandez, President, Lost Pines
Groundwater Conservation District
Board of Directors

Date: _____

ATTEST:

By: _____
Michael Simmang, Secretary-Treasurer
Board of Directors

**LOST PINES GROUNDWATER CONSERVATION DISTRICT
OPERATING PERMIT**

District Well Number: 67 06 1 0027 (Waterson # 2)

Date Permit Approved:

Permittee:

Aqua Water Supply Corporation
Attention: Emily Poston, Engineer
415 Old Austin Hwy, Drawer P
Bastrop, TX 78602

Location of Well: Approximately located at **29.994137 latitude, -97.367376 longitude** in Bastrop County, Texas

Permittee is authorized to operate Waterson # 2 Well within the Lost Pines Groundwater Conservation District under the following conditions:

Authorized annual withdrawal: 3,226 acre-feet per year

Maximum rate of withdrawal: 2,000 gallons per minute

Aquifer unit: Wilcox

Type of water use: Municipal

Place of water use: Aqua WSC's CCN

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

DRAFT PERMIT FOR CONSIDERATION

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 original application submitted by Permittee, dated October 25, 2022, its attachments, and all subsequently submitted supplemented information submitted to the District on February 13, 2023, shall hereby be referred to as “the Application package” and is hereby incorporated in this permit by reference. This permit is hereby granted on the basis of and contingent upon the accuracy of the information provided in that Application package. 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) This permit is issued subject to any future production limits adopted by the District under the District Rules.

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(2) Permittee must keep on file with the District a copy of its current water certificate of convenience and necessity no. 11144 showing the bounded service area authorized by the State of Texas.

(3) 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.

(4) 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.

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:

By: _____
Elvis Hernandez, President, Lost Pines
Groundwater Conservation District
Board of Directors
Date: _____

ATTEST:

By: _____
Michael Simmang, Secretary-Treasurer
Board of Directors