



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](mailto:lpgcd@lostpineswater.org)

Web Site: [www.lostpineswater.org](http://www.lostpineswater.org)

**James Totten, General Manager**

June 27, 2023

Via U.S. Mail and Email to Emory Thomas

Thomas Turfgrass  
Attention: Emory Thomas, Owner  
799 Old Potato Rd  
Paige, Texas 78659

Re: Thomas Turfgrass Application for Four Operating Permits in Bastrop County, Texas; Wells #1, #2, #3 and the Pomykal Well (Well Nos. 58-47-9-0018, 58-47-9-0021, 58-47-9-0022, and 58-47-9-0020)

Dear Mr. Thomas:

The District staff has reviewed the Thomas Turfgrass Applications for Operating Permits for and Aggregation of four (4) wells located in Bastrop County, Texas (Well Nos. 58-47-9-0018, 58-47-9-0021, 58-47-9-0022, and 58-47-9-0020) to be located at approximately .36 miles south of County Road 169 (30.2809, -97.1255 for Well #1, 30.2843, -97.13614 for Well #2, 30.2783, -97.1336 for Well #3, and 30.2862, -97.1307 for the Pomykal Well). I hereby give notice under District Rule 15.1.B(2) that the Applications have been declared Administratively Complete for purposes of further processing.

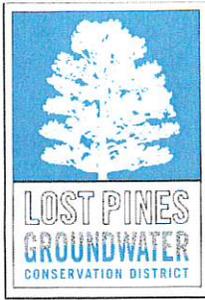
The District Board of Directors will consider the Applications at a board meeting at 6:00 p.m. on July 19, 2023. The public hearing for these Applications will also be held on the same date and the District has issued notice of the hearing in accordance with the applicable rules and law.

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.

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



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**James Totten, General Manager**

Sincerely,

Jim Totten, General Manager

Encl.

cc: Natasha J. Martin and April Griffin, Attorneys for the District

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  
OPERATING PERMIT**

**District Well Number:** 58-47-9-0018 (Well #1)

**Permit Approved:** July 19, 2023

**Permittee:**

Thomas Turfgrass  
Attention: Emory Thomas, Owner  
799 Old Potato Rd  
Paige, Texas 78659

**Location of Well:** Approximately located at 30.28091, -97.1255 in Bastrop County, Texas

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

**Authorized annual withdrawal:** 3,950 acre-feet per year; See special conditions for Aggregated authorized annual withdrawal

**Maximum rate of withdrawal:** 2,200 gallons per minute

**Aquifer unit:** Carrizo

**Type of water use:** Irrigation

**Place of water use:** Thomas Turfgrass Six Sprigs Farm, Bastrop County, Texas

**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:

## DRAFT PERMIT FOR CONSIDERATION

(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 original application submitted by Permittee, dated October 26, 2022, its attachments, and all subsequently submitted supplemented information, consisting of an updated location map, 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) The authorized annual withdrawal amount under this permit for Well #1 is hereby aggregated with the authorized annual withdrawal amount for the Thomas Turfgrass Six Sprigs Farm which includes the following Designated Wells: Well #2, Well #3, and the Pomykal Well; and Well #1 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 3,950 acre-feet per year from the Aggregated Wells with a total maximum rate of withdrawal of 5,580 gallons per minute for the Aggregated Wells.

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

(4) 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.

(5) 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.

(6) Permittee must reduce the amount of water withdrawn under this Permit during average to wet conditions to not allow irrigation water to discharge onto any land not owned by Permittee, or escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch.

**Term:**

DRAFT PERMIT FOR CONSIDERATION

(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  
Groundwater  
Board of

Pines  
Conservation District  
Directors

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Michael Simmang, Secretary-Treasurer  
Board of Directors

**LOST PINES GROUNDWATER CONSERVATION  
DISTRICT  
OPERATING PERMIT**

**District Well Number:** 58-47-9-0021 (Well #2)

**Permit Approved:** July 19, 2023

**Permittee:**

Thomas Turfgrass  
Attention: Emory Thomas, Owner  
799 Old Potato Rd  
Paige, Texas 78659

**Location of Well:** Approximately located at 30.2843, -97.13614 in Bastrop County, Texas

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

**Authorized annual withdrawal:** 3,950 acre-feet per year; See special conditions for Aggregated authorized annual withdrawal

**Maximum rate of withdrawal:** 2,000 gallons per minute

**Aquifer unit:** Carrizo

**Type of water use:** Irrigation

**Place of water use:** Thomas Turfgrass Six Sprigs Farm, Bastrop County, Texas

**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:

## DRAFT PERMIT FOR CONSIDERATION

(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 original application submitted by Permittee, dated October 26, 2022, its attachments, and all subsequently submitted supplemented information, consisting of an updated location map, 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) The authorized annual withdrawal amount under this permit for Well #2 is hereby aggregated with the authorized annual withdrawal amount for the Thomas Turfgrass Six Sprigs Farm which includes the following Designated Wells: Well #1, Well #3, and the Pomykal Well; and Well #2 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 3,950 acre-feet per year from the Aggregated Wells with a total maximum rate of withdrawal of 5,580 gallons per minute for the Aggregated Wells.

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

(4) 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.

(5) 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.

(6) Permittee must reduce the amount of water withdrawn under this Permit during average to wet conditions to not allow irrigation water to discharge onto any land not owned by Permittee, or escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch.

**Term:**

DRAFT PERMIT FOR CONSIDERATION

(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  
Groundwater Board of

Pines  
Conservation District  
Directors

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Michael Simmang, Secretary-Treasurer  
Board of Directors

**LOST PINES GROUNDWATER CONSERVATION  
DISTRICT  
OPERATING PERMIT**

**District Well Number:** 58-47-9-0022 (Well #3)

**Permit Approved:** July 19, 2023

**Permittee:**

Thomas Turfgrass  
Attention: Emory Thomas, Owner  
799 Old Potato Rd  
Paige, Texas 78659

**Location of Well:** Approximately located at 30.2783, -97.1336 in Bastrop County, Texas

**Permittee is authorized to operate the Well #3 within the Lost Pines Groundwater Conservation District under the following conditions:**

**Authorized annual withdrawal:** 3,950 acre-feet per year; See special conditions for Aggregated authorized annual withdrawal

**Maximum rate of withdrawal:** 1,200 gallons per minute

**Aquifer unit:** Carrizo

**Type of water use:** Irrigation

**Place of water use:** Thomas Turfgrass Six Sprigs Farm, Bastrop County, Texas

**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:

## DRAFT PERMIT FOR CONSIDERATION

(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 original application submitted by Permittee, dated October 26, 2022, its attachments, and all subsequently submitted supplemented information, consisting of an updated location map, 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) The authorized annual withdrawal amount under this permit for Well #3 is hereby aggregated with the authorized annual withdrawal amount for the Thomas Turfgrass Six Sprigs Farm which includes the following Designated Wells: Well #1, Well #2, and the Pomykal Well; and Well #3 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 3,950 acre-feet per year from the Aggregated Wells with a total maximum rate of withdrawal of 5,580 gallons per minute for the Aggregated Wells.

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

(4) 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.

(5) 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.

(6) Permittee must reduce the amount of water withdrawn under this Permit during average to wet conditions to not allow irrigation water to discharge onto any land not owned by Permittee, or escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch.

**Term:**

DRAFT PERMIT FOR CONSIDERATION

(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  
Groundwater Board of

Pines  
Conservation District  
Directors

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Michael Simmang, Secretary-Treasurer  
Board of Directors

**LOST PINES GROUNDWATER CONSERVATION  
DISTRICT  
OPERATING PERMIT**

**District Well Number:** 58-47-9-0020 (Pomykal Well)

**Permit Approved:** July 19, 2023

**Permittee:**

Thomas Turfgrass  
Attention: Emory Thomas, Owner  
799 Old Potato Rd  
Paige, Texas 78659

**Location of Well:** Approximately located at 30.2862, -97.1307 in Bastrop County, Texas

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

**Authorized annual withdrawal:** 3,950 acre-feet per year; See special conditions for Aggregated authorized annual withdrawal

**Maximum rate of withdrawal:** 180 gallons per minute

**Aquifer unit:** Carrizo

**Type of water use:** Irrigation

**Place of water use:** Thomas Turfgrass Six Sprigs Farm, Bastrop County, Texas

**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:

## DRAFT PERMIT FOR CONSIDERATION

(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 original application submitted by Permittee, dated October 26, 2022, its attachments, and all subsequently submitted supplemented information, consisting of an updated location map, 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) The authorized annual withdrawal amount under this permit for the Pomykal Well is hereby aggregated with the authorized annual withdrawal amount for the Thomas Turfgrass Six Sprigs Farm which includes the following Designated Wells: Well #1, Well #2, and Well #3; and the Pomykal Well 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 3,950 acre-feet per year from the Aggregated Wells with a total maximum rate of withdrawal of 5,580 gallons per minute for the Aggregated Wells. However, for the Pomykal Well, Permittee is limited to a maximum rate of withdrawal of 180 gpm.

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

(4) 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.

(5) 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.

(6) Permittee must reduce the amount of water withdrawn under this Permit during average to wet conditions to not allow irrigation water to discharge onto any land not owned by Permittee, or escape into any river, creek, natural watercourse, depression, lake, reservoir, drain, sewer, street, highway, road, or road ditch.

**Term:**

DRAFT PERMIT FOR CONSIDERATION

(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  
Groundwater  
Board of

Pines  
Conservation District  
Directors

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Michael Simmang, Secretary-Treasurer  
Board of Directors