



FOR IMMEDIATE RELEASE

**LPGCD SUCCESSFULLY DEFENDS AGAINST LCRA SUIT:
COURT OF APPEALS DISMISSES CASE**

[GIDDINGS, TX | July 30, 2024] – The Lost Pines Groundwater Conservation District (LPGCD) is pleased to announce that the Third Court of Appeals has dismissed the lawsuit filed by the Lower Colorado River Authority (LCRA) in Bastrop County District Court. This decision marks a significant victory for LPGCD in its ongoing efforts to manage and protect local groundwater resources.

In 2018, LCRA submitted operating and transport permit applications to LPGCD. LPGCD approved the permit request with modifications in a final decision on November 15, 2021, including reducing the requested permitted annual production, leading LCRA to file a motion for rehearing on November 22, 2021. LPGCD granted the rehearing on February 16, 2022, and adopted a second final decision on May 18, 2022. On June 7, 2022, LCRA filed a motion for a second rehearing, and on July 8, 2022, they submitted a petition for judicial review. However, the legal deadline for LCRA to file a petition for judicial review is 55 days after the November 15, 2021 decision, making the deadline January 9, 2022, in this case. Therefore, because LCRA untimely filed for judicial review outside the legal 55-day timeline, the Court of Appeals ruling reversed the trial court's order and dismissed LCRA's suit for lack of jurisdiction.

LCRA has filed a motion for rehearing with the full court of six justices at the Third Court of Appeals seeking to overrule the legal precedent which led to the Court's decision.¹ The parties are currently briefing the motion and argument is expected before the Court on this motion.

“We are pleased with the Court's decision to dismiss LCRA's suit. This outcome underscores the importance of adhering to legal deadlines and validates the thorough and fair process undertaken by LPGCD in managing and protecting our groundwater resources,” said Jim Totten, LPGCD's General Manager, “The court's ruling reaffirms our commitment to responsible groundwater management and the integrity of our decision-making process. We look forward to continuing our work in safeguarding the water resources for Bastrop and Lee Counties.”

LPGCD remains dedicated to its mission of conserving, preserving, and protecting the groundwater resources within its jurisdiction. This court ruling not only validates the District's actions but also reinforces the integrity of the processes and decisions made to ensure sustainable groundwater management.

ABOUT THE LOST PINES GROUNDWATER CONSERVATION DISTRICT

The Lost Pines Groundwater Conservation District is dedicated to the protection and conservation of groundwater resources in Bastrop and Lee Counties. Through educational programs, community outreach, and strategic resource management, the District strives to ensure sustainable groundwater supply for current and future generations.

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For more information on this topic, please contact [Claire Marks](mailto:cmarks@lostpineswater.org) at [\(512\) 360-5088](tel:5123605088) or cmarks@lostpineswater.org.

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¹ *End Op, L.P. v. Meyer*; No. 03-18-00049-CV, 2018 Tex. App. LEXIS 6934, *3 (Tex. App.—Austin Aug. 29, 2018, no pet.) (mem. op.).