

LOWER COLORADO REGIONAL WATER PLANNING GROUP

John E. Burke, P.E.
Chairman

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July 30, 2010

Mr. Con Mims, Chairman
South Central Texas Regional Water Planning Group (Region L)
c/o San Antonio River Authority
P.O. Box 839980
San Antonio, TX 78283-9980

Re: Initially Prepared Plan (IPP) Interregional Conflict Involving the Carrizo-Wilcox
Aquifer in Bastrop County

Dear Chairman Mims:

The Lower Colorado Regional Planning Group (Region K) met on July 28, 2010 to discuss, among other items, a July 14, 2010, email from Region L regarding the Water Management Strategy (WMS) involved in a potential Interregional Conflict. Region L's IPP includes a WMS for a proposed 30,000 acre feet per year (a.f./yr) of water (GBRA Simsboro Project) from a well field to be located within Bastrop County based on pending well permit applications filed by End Op with the Lost Pines Groundwater Conservation District. The proposed GBRA Simsboro Project will draw water from the Carrizo-Wilcox Aquifer (Simsboro) located within Region K to serve customers within Region L. Region L has designed the GBRA Simsboro Project as a "recommended" WMS, which results in a conflict with the Region K IPP as it exceeds the allotted water availability.

In a February 10, 2010, letter to Region L, a copy of which is enclosed, Region K previously notified Region L that the total amount of groundwater available from the Simsboro in Bastrop County is 28,000 a.f./yr. This available groundwater quantity was determined by the Board of Directors of LPGCD.

Currently, LPGCD has issued permits to Water User Groups (WUGs) which total 43,486 ac-ft/yr of water to be pumped from the Simsboro. As you can see, LPGCD has permits exceeding its groundwater availability by 15,486 a.f./yr. LPGCD data from 2009 shows municipal and exempt annual pumping in Bastrop County totals 20,198 a.f. or 72% of the available groundwater. Region K has data showing that population growth in the area is expected to occur within future years which will raise the municipal and exempt pumping amount to the available groundwater amount. The Texas Water Development Board (TWDB) has accepted Region K's revised population and water demand projections. Existing permit volumes are reasonable when past use and reasonable projected growth are considered.

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As clearly annunciated in the July 14 email from Region L, the permit applications submitted by End Op to LPGCD are the basis for recommending the GBRA Simsboro Project as a "recommended" WMS. By including the GBRA Simsboro Project as a "recommended" WMS, Region L is effectively recommending that the water within the Simsboro be "mined", and the available groundwater quantities be exceeded. This "overdraft" policy has been rejected by Region K. Region K requests Region L consider revising its IPP to reflect the GBRA Simsboro Project as an "alternative" WMS.

Region K strongly believes that the WMS involved in this Interregional Conflict is a larger policy issue. By including the GBRA Simsboro Project as a "recommended" WMS in the IPP, should the Region L IPP be accepted, it will bring undue pressure on LPGCD to approve those permits which will cause the DFCs and available groundwater to be eroded beyond the approved quantities. The permit for 30,000 a.f./yr of water from the Simsboro cannot be issued by LPGCD without overturning the legal and technical basis for groundwater permitting.

Region K appreciates Region L's belief that it is inappropriate for regional water planning groups to interfere with a groundwater district's permitting authority or an applicant's ability to apply for a permit. Region K believes it is contrary to public policy for Region L to expect the communities in Bastrop County to spend time and funds to develop new sources of water so that the GBRA Simsboro Project can be permitted by LPGCD. Because existing permits already exceed the available groundwater by 15,486 a.f./yr, it is unlikely that LPGCD would have the legal authority to exceed its DFC and to issue such permits, without reducing existing permits issued to WUGs.

Based on the pending permit application status of the GBRA Simsboro Project versus the existing permits held by the Bastrop County WUGs, Region K believes it is reasonable to request Region L change the status of the GBRA Simsboro Project in the Region L IPP from a "recommended" to an "alternative" WMS. Region K is willing to hold a meeting to review and consider any new data that you may have on the subject.

Sincerely,



John E. Burke, Chairman
Lower Colorado Regional Water Planning Group (Region K)

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February 10, 2010

Mr. Con Mims
Chairman
South Central Texas Regional Water Planning Group
c/o San Antonio River Authority
P.O. Box 839980
San Antonio, TX 78283-9980

**Subject: Response to Letter Regarding Water Management Strategy Affecting
Regions K, G, and L**

Dear Chairman Mims:

On behalf of the Lower Colorado Regional Water Planning Group (Region K), I am submitting the enclosed responses to the questions posed in your letter, dated January 25, 2010, regarding a proposed water management strategy for Region L involving the Carrizo-Wilcox (Simsboro) Aquifer in Bastrop County.

- 1) *Do the potential groundwater export quantities associated with the GBRA Simsboro Project, in combination with any water management strategies that your region may be recommending, exceed the regional planning estimates of available groundwater in Bastrop County or Lee County during the planning period ending in 2060?*

Yes. The estimates of available groundwater from the Carrizo-Wilcox Aquifer in Bastrop County that Region K is using in its current draft initially prepared plan were taken from the Lost Pines Groundwater Conservation District's Management Plan (28,000 ac-ft). This round of planning has significantly increased the water demand projections for Bastrop County from the 2006 Plan. Through existing supplies and future water management strategies for current users of the aquifer, Region K maximizes the use of the availability of groundwater from the Carrizo-Wilcox in Bastrop County by the year 2060, and has had to identify additional water management strategies utilizing other sources of supply to meet the 2060 needs in that county.

- 2) *Has your region identified alternative water management strategies in the event that the LPGCD issues groundwater production permits for the GBRA Simsboro Project that might limit groundwater available for recommended water management strategies in Bastrop County or Lee County during the planning period ending in 2060?*

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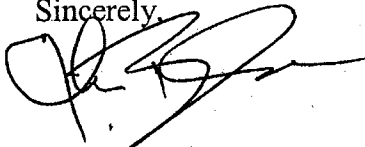
No. At this time, Region K has not identified any alternative water management strategies specifically for WUGs in Bastrop County have not been identified to replace use of the Carrizo-Wilcox Aquifer during the planning period.

3) *Is it acceptable for the Region L Technical Consultant to communicate and exchange relevant information directly with the Technical Consultant for your region?*

Yes. Please contact Jaime Burke with AECOM at 512-457-7798 or jaime.burke@aecom.com.

To summarize, as was also shown in the 2006 plan, Region K has planned to fully use the Carrizo-Wilcox to supply demands in our Region. Based on the data from the Lost Pines Groundwater Conservation District, the district has already permitted considerably more water than appears to be available. At this time, Region K believes that the Region L request creates a potential conflict.

Sincerely,



John E. Burke
Chairman

cc: Judge Dale Spurgin, Chair, Brazos G RWPG
Steve Raabe, San Antonio River Authority
Matt Nelson, Texas Water Development Board
David Meeseey, Texas Water Development Board
Sam Vaugh, HDR Engineering, Inc.
Trey Buzbee, Brazos River Authority
David Dunn, HDR Engineering, Inc.
James Kowis, Lower Colorado River Authority
Jaime Burke, AECOM Water