

# LOST PINES GROUNDWATER CONSERVATION DISTRICT OPERATING PERMIT

**District Well Number:** 58-55-5-0032

**Permit Approved:** October 12, 2021

**Permittee:**

Lower Colorado River Authority (LCRA)  
P.O. Box 220  
Austin, Texas 78767-0220

**Location of Well:** Approximately eight (8) miles northeast of the City of Bastrop in Bastrop County (30.202285/-97.207107), Well No. 1

**Permittee is authorized to operate Well No. 58-55-5-0032 within the Lost Pines Groundwater Conservation District under the following conditions:**

**Authorized annual withdrawal:** 8,000 acre-feet per year in aggregate.

**Maximum rate of withdrawal:** 6,000 gallons per minute in aggregate.

**Aquifer unit:** Simsboro

**Type of water use:** All beneficial uses authorized by Texas Water Code § 36.001(9)(A)-(B).

**Place of water use:** LCRA Water Service Area in Bastrop, Lee, and Travis Counties

**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(2) Water withdrawn under the permit must be put to beneficial use at all times, and operation of the permitted well in a wasteful manner is prohibited.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 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. 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) Prior to construction of a well authorized by this permit, Permittee shall enter into a monitoring well agreement approved by the District Board and Permittee (the "Monitoring Well Agreement"). Permittee shall construct and maintain the New Monitoring Wells, in accordance with the terms and provisions of a Monitoring Well Agreement. The Monitoring Well System shall consist of any New Monitoring Wells, as defined in the Monitoring Well Agreement. Monitoring Well System may also include existing District monitoring wells or third-party wells used for Desired Future Condition compliance district-wide, county-wide or for any applicable existing or future District management zone that the General Manager and the Permittee agree meet the criteria set forth in this subsection (a). The Monitoring Well Agreement entered into between LCRA and the District shall include wells, gages, or any scientifically supported tool to monitor surface water. A well to be included in the "Monitoring Well System" shall meet the following criteria:

(a) The well is screened in the Simsboro formation;

(b) The well improves the spatial coverage of the Monitoring Well System;

- (c) The well is easily accessible for regular measurements;
- (d) For an existing well, records regarding the amount and schedule of pumping are available; and
- (e) Any other criteria agreed upon by the General Manager and the Permittee.

(2) The authorized annual withdrawal amount and the authorized maximum rate of withdrawal under this permit for this Well No. 58-55-5-0032 (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. 58-55-5-0033 (Well No. 2); Well No. 58-55-4-0016 (Well No. 3); Well No. 58-55-4-0017 (Well No. 4); Well No. 58-55-4-0018 (Well No. 5); Well No. 58-55-4-0019 (Well No. 6); Well No. 58-55-4-0020 (Well No. 7); and Well No. 58-55-4-0021 (Well No. 8). Well No. 58-55-5-0032 and the designated wells are collectively referred to as the "Aggregated Wells."

(3) If the Permittee files an application to renew the Permit, then the General Manager and Permittee shall evaluate the data collected from the Monitoring Well System prior to the date of the application to renew to determine whether LCRA's pumping has resulted in substantially different impacts to groundwater resources than those predicted by the modeling relied upon by the District when the Permit was issued and jointly propose revisions to the Permit based on that data. If the General Manager and the Permittee are unable to agree to joint proposed revisions within sixty (60) days of the date that the application to renew is filed, then the General Manager and Permittee will mutually agree upon a registered professional engineer or a certified groundwater professional with expertise in hydrology, hydraulics and hydrogeology to mediate the dispute. If the General Manager and Permittee are unable to resolve the dispute through mediation, then the General Manager may propose revisions to the Permit as provided in District Rules.

(4) Before providing water withdrawn from the Aggregated Wells to any End User, Permittee shall submit to the District: (a) each End User's water conservation plan and drought contingency plan, if the Texas Water Code or Texas Commission on Environmental Quality rules require the End User to prepare a water conservation plan and drought contingency plan; or (b) if the Texas Water Code or Texas Commission on Environmental Quality rules do not require the End User to prepare a water conservation plan and drought contingency plan, a certification from the End User that the End User agrees to avoid waste and achieve water conservation. Any End User water conservation plans and drought contingency plans that are submitted must comply with the relevant provisions of the Texas Water Code and rules of the Texas Commission on Environmental Quality or successor agency.

(5) This Permit is not subject to the District's rules on time limits for the completion of a permitted well or the operation of a permitted well.

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

(7) 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.

(8) 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.

(9) Prior to operation of any new well authorized by this permit, Permittee shall, for each new well, complete a 36-hour pump test that complies with District Rule 5.1.B(5) and report the results of the test to the District.

(a) During the 36-hour pump test for each well, Permittee shall produce groundwater from the well at an instantaneous rate of withdrawal of at least 2,250 gallons per minute and not to exceed the aggregated maximum rate of withdrawal authorized by this permit.

(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 by phone or email with the General Manager at least 3 days' prior to the test.

(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 General Manager with the data gathered at all of the Aggregated Wells tested during the pump test.

(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  $\text{ft}^2/\text{day}$ ) at the well is lower than the values included in the model grid cell in which the well is located, then the General Manager may reduce the authorized maximum rate of withdrawal under this permit. The General Manager will mail notice to Permittee no later than the 90th day after receipt of the information described in subsection (d) of his decision whether to reduce the maximum rate of withdrawal.

(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.B. through 15.6.E.

(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, the pump size, and any other well information required by the District's then-current well registration form.

**Term:**

(1) This Operating Permit shall be effective for a period of five (5) years from the date the permit is approved, 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: 11/15/21

# LOST PINES GROUNDWATER CONSERVATION DISTRICT TRANSPORT PERMIT

**District Well Number:** 58-55-5-0032

**Permit Approved:** October 12, 2021

**Permittee:**

Lower Colorado River Authority  
P.O. Box 220  
Austin, Texas 78767-0220

**Location of Well:** Approximately eight (8) miles northeast of the City of Bastrop in Bastrop County (30.202285/-97.207107), Well No. 1

**Permittee is authorized to transfer water produced from Well No. 58-55-5-0032 outside the boundaries of the Lost Pines Groundwater Conservation District under the following conditions:**

**Maximum annual transfer amount:** An aggregated annual amount of not more than 25,000 acre-feet per year in aggregate from Well No. 58-55-5-0032 (Well No. 1); Well No. 58-55-5-0033 (Well No. 2); Well No. 58-55-4-0016 (Well No. 3); Well No. 58-55-4-0017 (Well No. 4); Well No. 58-55-4-0018 (Well No. 5); Well No. 58-55-4-0019 (Well No. 6); Well No. 58-55-4-0020 (Well No. 7); and Well No. 58-55-4-0021 (Well No. 8), subject to the terms and conditions of the Operating Permits for those wells.

**Type of water use:** All beneficial uses authorized by Texas Water Code § 36.001(9)(A)-(B).

**Place of water use:** LCRA Water Service Area in Travis County.

**Standard Permit provisions:**

This Transport 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 Transport Permit, this Transport Permit includes the following provision:

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

**Term:**

- (1) The term of this Transport Permit shall be three (3) years if construction of a conveyance system has not been initiated prior to the issuance of the permit.
- (2) The term of this Transport Permit shall be thirty (30) years if construction of a conveyance system has been initiated prior to the issuance of the permit.
- (3) A three-year term under subsection (1) shall automatically be extended to a 30-year term under subsection (2) if construction of a conveyance system is begun before the expiration of the initial three-year term.

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 District  
Board of Directors

Date: 11/15/21