



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

BSEACD and Needmore Water, LLC Enter Settlement Agreement with (Trinity Edwards Springs Protection Association) TESPAs Over Needmore Water LLC Permit

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(June 9, 2021) - The Barton Springs/Edwards Aquifer Conservation District (BSEACD), Needmore Water, LLC, and the Trinity Edwards Springs Association (TESPA) have reached a settlement agreement over the Needmore Water LLC Permit litigation.

The lawsuit, originally filed on February 10, 2020, by TESPAs, challenged BSEACD's decision to issue a groundwater permit to Needmore Water, LLC in Hays County near Wimberley, Texas. The litigation came after HB 3405 was passed by the Texas Legislature in 2015. The bill gave jurisdiction to BSEACD over previously unregulated portions of the Trinity Aquifer in Hays County, including the land now giving rise to the Needmore Water LLC permit.

In 2019, the BSEACD board voted to grant the permit application as requested by Needmore for use of agricultural and wildlife. HB 3405 was crafted by the legislature to entitle existing well owners to maximum production of their well. While the District did not favor this requirement as it is counter to how the District issues permits outside HB 3405, the District board was required to and correctly followed the controlling law. At the time, the Board unanimously voted to grant Needmore a Regular Permit in the amount of 289,080,000 gallons per year with special conditions that will curtail pumping in the future if necessary to protect the aquifer and other wells in the area. This amount is the maximum production capacity Needmore was eligible to request under HB 3405 as passed by the legislature.

In the agreement reached with BSEACD and the permit applicant, "Needmore Water LLC, its successors, or any other person or entity seeking to use the water authorized for production by the Permit cannot seek to amend, convert, or otherwise change the use of the water authorized in the Permit before May 19, 2027. If Needmore or its successors seek to convert or amend the permitted use, TESPAs has the right to bring suit again challenging the permit on the same basis as the suit filed in 2020."

[\(BSEACD, Needmore, TESPAs Settlement Agreement\)](#)

"We are pleased that all parties were able to reach an agreement in this matter," said BSEACD General Manager Vanessa Escobar. "This allows the District to continue focusing its resources on protecting groundwater resources and developing the scientific studies and tools that serve as the foundation for our management framework and policies."

BSEACD is a groundwater conservation district charged by the Texas Legislature to preserve, conserve, and protect the aquifers and groundwater resources within its jurisdiction, which includes parts of three central Texas counties. It is governed by a Board of five elected directors and staffed with hydrogeologists, groundwater regulatory compliance specialists, environmental educators, geospatial systems specialists, and administrative support personnel.