

## NOTICE OF OPEN MEETING

Notice is given that a **Regular Meeting** of the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District will be held in the District office, 1124 Regal Row, Austin, TX, on **Thursday, January 29, 2015**, commencing at **6:00 p.m.** for the following purposes, which may be taken in any order at the discretion of the Board.

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

1. **Call to Order.**
2. **Citizen Communications (Public Comments of a General Nature).**
3. **Routine Business.**
  - a. **Consent Agenda.** *(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)*
    1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000. **NBU**
    2. Approval of minutes of the Board's January 15, 2015 Regular Meeting. **Not for public review at this time**
  - b. **General Manager's Report.** *(Note: Topics discussed in the General Manager's Report are intended for general administrative and operational information-transfer purposes. The Directors will not take any action unless the topic is specifically listed elsewhere in this agenda.)*
    1. **Standing Topics.**
      - i. Personnel matters and utilization
      - ii. Upcoming public events of possible interest
      - iii. Aquifer conditions and status of drought indicators
    2. **Special Topics.** *(Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.)*
      - i. Update on Team activities and highlights
      - ii. Update on regulatory and enforcement activities

- iii. Update on current Aquifer Science Team projects
- iv. Update on efforts to characterize the saline zone of the Edwards Aquifer
- v. Update on activities related to the HCP
- vi. Update on the status of the City of Kyle's remanded permit application

**c. Directors' Reports.** *(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Recognition of people doing good things for groundwater management in the District; and
- Issues or problems of concern.

#### **4. Presentation.**

Presentation by Robin Gary on regional well drilling activity. **Pg. 12**

#### **5. Discussion and Possible Action.**

- a.** Discussion related to a draft agreement with TxDOT in connection with proposed State Highway 45 Southwest and the Consent Decree and Partial Final Judgment in the matter of Save Barton Creek Association v. Federal Highway Administration (W.D. Tex. 1990). **Pg. 16**
- b.** Discussion and possible action related to the Electro Purification Trinity well field located just outside of the District's boundaries including options for possible annexation. **Pg. 25**
- c.** Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments. **Pg. 34**
- d.** Discussion and possible action related to a declaration of "No Drought" conditions. **NBU**
- e.** Discussion and possible action related to setting a public hearing to consider adjusting the water use fees for Conditional Production Permits. **Pg. 37**
- f.** Discussion and possible action related to pursuit of the District's legislative agenda including possible formation of a legislative subcommittee. **NBU**

- g. Discussion and possible action related to the annual election of the officers of the BSEACD Board of Directors. **NBU**

**6. Adjournment.**

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the \_\_\_\_\_ day of January, 2015, at \_\_\_\_\_ .m.

\_\_\_\_\_, Deputy Clerk

Travis County, TEXAS

**Please note:** This agenda and available related documentation have been posted on our website, [www.bseacd.org](http://www.bseacd.org). If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you.

The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

## **Item 1**

### **Call to Order**

## **Item 2**

### **Citizen Communications**

## **Item 3**

### **Routine Business**

#### **a. Consent Agenda**

Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as an item of Regular Business.

- 1. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.**
- 2. Approval of minutes of the Board's January 15, 2015 Regular Meeting.**

## **Item 3**

### **Routine Business**

- b. General Manager's Report.** Note: Topics discussed in the General Manager's Report are intended for administrative and operational information-transfer purposes. The Directors will not deliberate any issues arising from such discussions and no decisions on them will be taken in this meeting, unless the topic is specifically listed elsewhere in this as-posted agenda.

#### **1. Standing Topics.**

- i. Personnel matters and utilization**
- ii. Upcoming public events of possible interest**
- iii. Aquifer conditions and status of drought indicators**

#### **2. Special Topics.** (Note: Individual topics listed below may be discussed by the Board in this meeting, but no action will be taken unless a topic is specifically posted elsewhere in this agenda as an item for possible action. A Director may request an individual topic that is presented only under this agenda item be placed on the posted agenda of some future meeting for Board discussion and possible action.)

- i. Update on Team activities and highlights**
- ii. Update on regulatory and enforcement activities**
- iii. Update on current Aquifer Science Team projects**
- iv. Update on efforts to characterize the saline zone of the Edwards Aquifer**
- v. Update on activities related to the HCP**
- vi. Update on the status of the City of Kyle's remanded permit application**

## **Item 3**

### **Routine Business**

**c. Directors' Reports.** **Note: Board Member comments in this part of the agenda cannot address any aspect of an agenda item posted elsewhere on this agenda, and no substantive discussion among the Board Members or action by the Board on these comments will be allowed in this meeting.**

*(Note: Directors' comments under this item cannot address an agenda item posted elsewhere on this agenda and no substantive discussion among the Board Members or action will be allowed in this meeting. Communications reported under this item may be used to support Performance Standard 4-1 of the District's Management Plan related to demonstration of effective communication with District constituents.)*

**Individual Board Members may, on a voluntary basis, make a brief report to the entire Board on their personal involvement in activities and dialogue that are of likely interest to the rest of the Board, in one or more of the following topical areas:**

- **Meetings and conferences attended or that will be attended;**
- **Conversations with public officials, permittees, other stakeholders, and private citizens;**
- **Kudos and recognition of people doing good things for groundwater management in the District;**
- **Concerns about specific issues or problems for groundwater management in the District.**

**Item 4**  
**Presentation**

**Presentation by Robin Gary on regional well drilling activity.**

## Well Drilling Activity

### Intro to TWDB Submitted Well Driller's Report dataset

Robin Havens Gary  
Senior Public Information and Education Coordinator



Barton Springs  
Edwards Aquifer  
CONSERVATION  
DISTRICT

## TDLR & TWDB Collaboration

- Water Well Drillers are required to submit detailed reports for every well they drill in Texas.
- 2001 – Online Submission Form created (optional)
- 2004 – TDLR staff enter all hardcopy submissions into database. Online form still optional, but heavily used. **ALL well records accounted for in database.**



### With a few basic tricks... The Submitted Well Driller's Report dataset can help:

- Examine recent well drilling trends...
- Analyze primary water use...  
...By GMA, by GCD, by County or any other area you specify

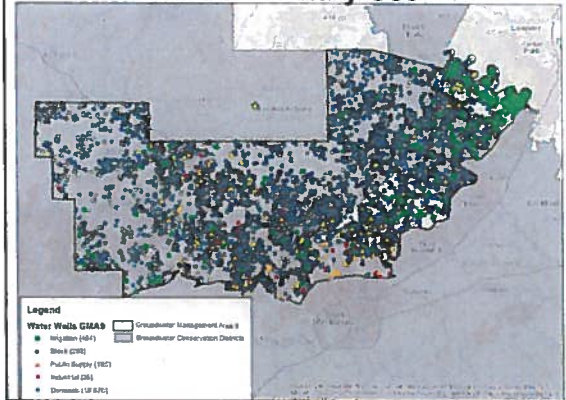
■ Note: Well data downloaded Nov. 2014



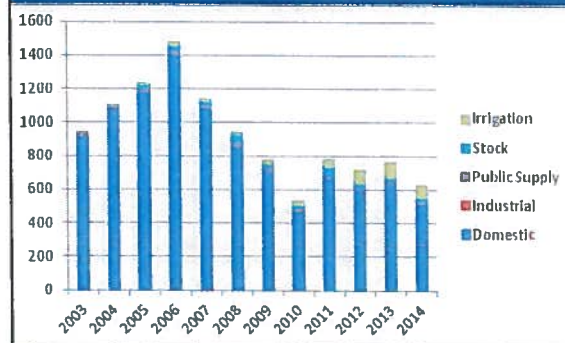
### Year Drilled

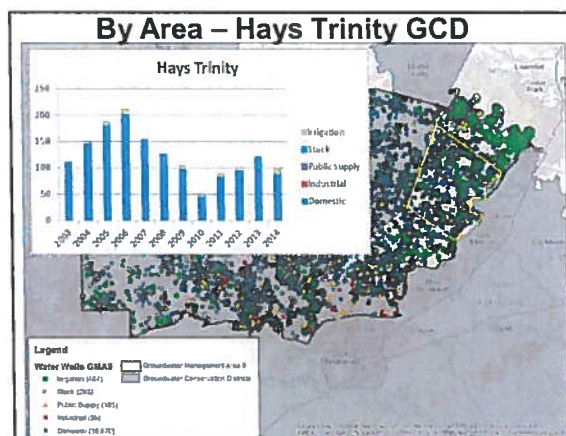
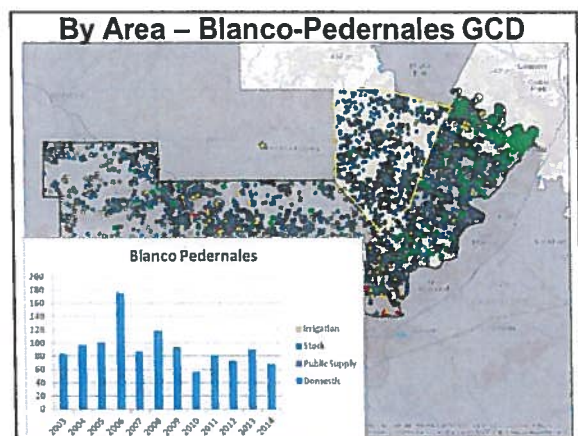
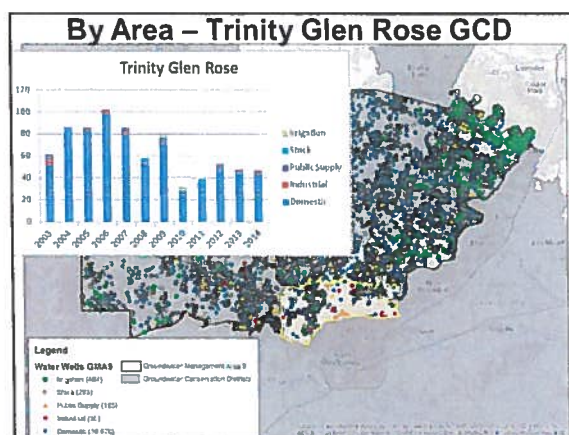
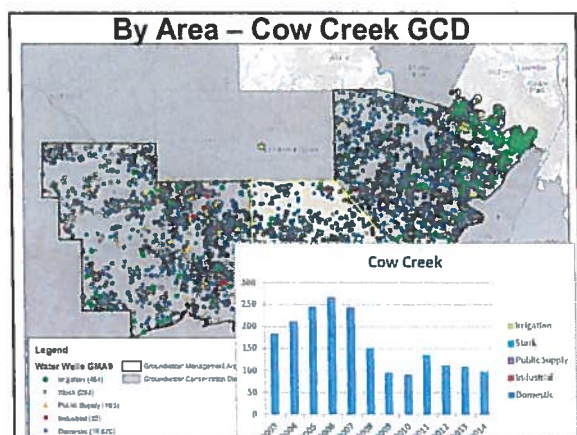
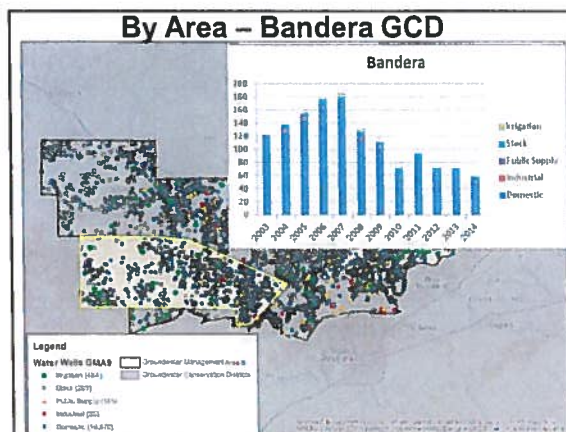
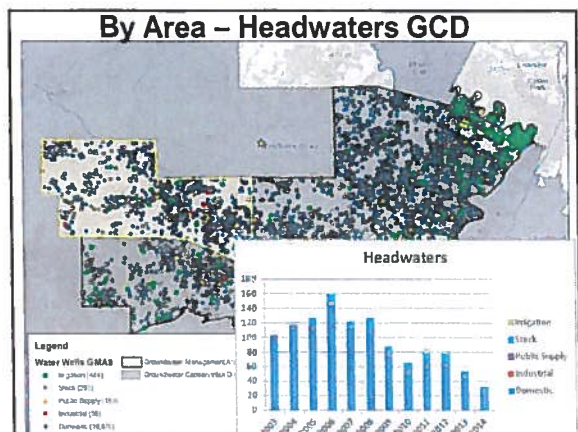


### GMA 9 - Primary Use



### GMA 9 – Primary Use



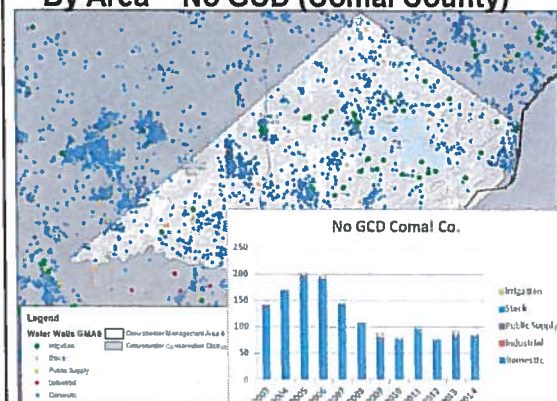


## But... are we missing something?

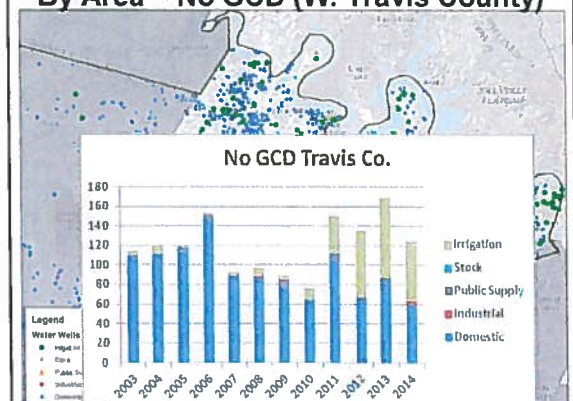
How do areas with NO GCD compare?

Barton Springs  
Edwards Aquifer  
Conservation District

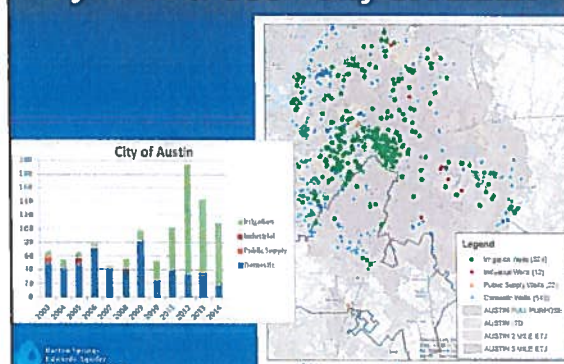
## By Area – No GCD (Comal County)



## By Area – No GCD (W. Travis County)



## By Year & Use - City of Austin



## Limitations

- TDLR staff have a time lag when entering hardcopy well records.
- Drillers don't specialize in latitude & longitude.
- First complete year of "reliable" data = 2003

Barton Springs  
Edwards Aquifer  
Conservation District

## Thank You

Many thanks to:  
Brian Hunt, BSEACD  
John Dupnik, BSEACD  
Brian Anderson, TWDB  
David Thorkildsen, TWDB  
Marcus Gary, EAA

Robin Gary: [rhgary@bseacd.org](mailto:rhgary@bseacd.org)

Barton Springs  
Edwards Aquifer  
Conservation District

## **Item 5**

### **Board discussions and possible actions**

- a. Discussion related to a draft agreement with TxDOT in connection with proposed State Highway 45 Southwest and the Consent Decree and Partial Final Judgment in the matter of Save Barton Creek Association v. Federal Highway Administration (W.D. Tex. 1990).**

**JANUARY 15, 2015 DRAFT**  
**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

**AGREEMENT BETWEEN**  
**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT (BSEACD)**  
**AND**  
**TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)**  
**REGARDING**  
**STATE HIGHWAY 45 SOUTHWEST**

This Interlocal Agreement regarding State Highway 45 Southwest (Agreement) is made effective upon execution by the last party to execute (Effective Date) by and between the Barton Springs/Edwards Aquifer Conservation District (BSEACD) and the Texas Department of Transportation (TxDOT) (collectively, the Parties).

WHEREAS, BSEACD is a political subdivision of the State of Texas created under the authority of Article XVI, Section 59, of the Texas Constitution, and operates pursuant to the provisions of Chapter 36 of the Texas Water Code and Chapter 8802 Texas Special District Local Laws Code, and is authorized by the Texas Interlocal Cooperation Act, § 791.001, et. seq. of the Texas Government Code to enter into this Agreement; and

WHEREAS, TxDOT is an agency of the State of Texas and is authorized by the Texas Interlocal Cooperation Act, § 791.001, et. seq. of the Texas Government Code, Texas Transportation Code, §201.209 and 43 T.A.C. §9.9 to enter into this Agreement; and

WHEREAS, on January 23, 1990, BSEACD and the Texas State Department of Highways and Public Transportation, predecessor agency to TxDOT, agreed and recommended approval of and the Court entered a Consent Decree and Partial Final Judgment (Consent Decree) in settlement and compromise of disputed claims in *Save Barton Creek Association v. Federal Highway Administration* (W.D. Tex. 1990); and

WHEREAS, the Consent Decree, a copy of which is attached as Exhibit "A," contains judgment terms that are binding on TxDOT and BSEACD and that assign different roles and requirements with regard to the ownership, control, and future construction of certain highways in Southwest Travis County, ~~including "Outer Loop Segment 3;"~~ and

WHEREAS, State Highway 45 Southwest (SH 45 SW) is a proposed four-lane state highway consisting of four tolled main lanes of controlled access roadway, with a possible shared-use path on one side, extending approximately 3.6 miles from MoPac to FM 1626; and

WHEREAS, SH 45 SW is subject to the Consent Decree; and

WHEREAS, under Texas Transportation Code, §373.052, Central Texas Regional Mobility Authority (CTRMA) has the first option to develop, finance, construct, and operate any new toll project located in the territory of the CTRMA, including Travis County; and

WHEREAS, CTRMA exercised its option under Texas Transportation Code, §373.052, to develop, finance, construct, and operate SH 45 SW; and

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WHEREAS, subject to the state Environmental Impact Statement (EIS) and all other required approvals and requirements, CTRMA intends to design and construct SH 45 SW; and

WHEREAS, CTRMA and TxDOT will enter into a Project Development Agreement (PDA) establishing the respective obligations of CTRMA and TxDOT for the design, construction, and operation of SH 45 SW; and

WHEREAS, during the time period since the entry of the Consent Decree, advances have been achieved in the effectiveness of structural and non-structural Best Management Practices (BMPs), which provide for equal or greater protection to groundwater resources than the BMPs required under the Consent Decree; and

WHEREAS, it is the desire of the Parties to use the most effective BMPs in SH 45 SW; and

WHEREAS, BSEACD and TxDOT do not desire to judicially modify the Consent Decree; and

WHEREAS, TxDOT agrees to include terms and conditions described in this Agreement in the PDA to ensure SH 45 SW is designed, constructed, and operated in a manner that meets or exceeds all of the requirements in the Consent Decree, recognizing that certain standards and practices not known at the time of the Consent Decree will be used to ensure that the project is designed, constructed, and operated in a more environmentally sensitive and prudent fashion; and

WHEREAS, the Parties desire to enter into this Agreement to: (i) memorialize the commitments of the Parties relative to the design, construction, operation, maintenance oversight, and review of SH 45 SW to ensure ~~consistency~~ compliance with the Consent Decree and protection of groundwater; and (ii) evidence the ultimate rights and responsibilities of the Parties; and

WHEREAS, the Parties will all benefit from the performance obligations under this Agreement; and

WHEREAS, this Agreement concerns the performance of governmental functions and services;

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises and agreements of the Parties contained in this Agreement, the Parties agree as follows:

**1. Statement of Intent**

It is the intent of the Parties to use pollution control procedures, techniques, and devices (methods) that are described in this Agreement during the construction, operation, and maintenance of SH 45 SW, which are equally or more protective of

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water quality than comparable methodologies required in the Consent Decree, and which represent best available technology. The Parties acknowledge that the use of a method to protect water quality that is superior to an outdated method in the Consent Decree is adequate consideration to support this Agreement.

**2. Analysis of Potential Impacts to the Edwards Aquifer**

TxDOT will complete the EIS and prepare the Record of Decision for SH 45 SW in a manner that fully evaluates and discloses the potential environmental impacts of the project, including potential impacts to the Edwards Aquifer and Barton Springs.

**3. Specific Project Commitments**

a. Construction of SH 45 SW as a Parkway

SH 45 SW will be constructed as a parkway with no driveways and no connections other than to MoPac South (Loop 1), Bliss Spillar Road, FM 1626, and any other phases of SH 45. BSEACD would be notified of any requests for connections to SH 45 SW.

b. Stormwater Treatment Performance Standard

TxDOT or CTRMA (as designated in a separate PDA) will ensure SH 45 SW will be designed and perform to achieve a highway runoff total suspended solids (TSS) removal rate of at least ninety percent (90%) of the incremental increase in TSS load using a combination of structural and non-structural BMPs.

c. Structural BMPs

The following structural BMPs, at a minimum, will be used and maintained, as appropriate, to avoid or minimize the amount of pollutants in the runoff from the roadway:

- i. permeable friction course (PFC) pavement (on majority of road surfaces);
- ii. water quality ponds;
- iii. vegetated controls such as grassy swales;
- iv. vegetated filter strips (in areas where curbs and other stormwater conveyance infrastructure is not used); and

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- v. multiple hazardous materials traps (located at all creeks, waterways, and culverted drainage ways, and each adequately sized to contain a 10,000 gallon spill).

d. Non-structural BMPs

The following non-structural BMPs will be used, at a minimum, as appropriate, to avoid or minimize the amount of pollutants in the runoff from the roadway:

- i. no herbicide use within the right-of-way;
- ii. vacuum truck utilization, as determined by the independent environmental compliance manager (described below);
- iii. periodic inspections of hazardous materials traps and other permanent BMPs as required by TCEQ's Edwards Aquifer Rules (30 T.A.C. Chapter 213);
- iv. any equipment fuel or hazardous material storage, even if short-term, will be performed within a containment area to prevent the possibility of accidental discharge to groundwater;
- v. any equipment fueling will be performed at least 200 feet away from the nearest sensitive karst feature and water crossing; and
- vi. phased construction practices, where feasible, to limit the area and duration of construction disturbance.

e. Protection of Karst Features and Flint Ridge Cave

- i. Prior to the commencement of construction, a geologic assessment (GA) will be performed by TxDOT in accordance with TCEQ rules and in support of the state EIS for the purpose of identifying karst features within the SH 45 SW right-of-way that may significantly contribute to recharge of the Edwards Aquifer including Flint Ridge Cave. The GA will incorporate the assessment of excavations of karst features identified during the TxDOT karst survey and investigation conducted for the state EIS. The GA will also provide detailed explanations for why each of the identified potential karst features are considered to be either sensitive or not sensitive;
- ii. All sensitive karst features identified in the GA that may significantly contribute to recharge of the Edwards Aquifer, including Flint Ridge Cave, shall be protected using methods that

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**SUBJECT TO BOARD/MANAGEMENT APPROVAL**

are consistent with the intent of paragraph 1, and will minimize the impact to catchment areas and the quantity of interrupted recharge, to the extent practicable; and

- iii. TxDOT will provide a copy of the GA with the proposed method for protecting each sensitive karst feature to BSEACD and allow a minimum of 20 business days from the date that the GA is received by BSEACD to evaluate the designation of the sensitive karst features, their spatial relationship to the highway alignment and BMPs, and the proposed method of protection. To the extent BSEACD raises any concerns with the proposed methods of protection of a sensitive karst feature, and if TxDOT disagrees with the concern raised by BSEACD, TxDOT and BSEACD will convene in an attempt to resolve within 30 calendar days of when BSEACD raises an issue.
- f. BSEACD will be added to the list of agencies to be notified by the void discovery protocols described in the state EIS for SH 45 SW.
- g. Construction and Post-Construction Monitoring and Reporting
  - i. An independent environmental compliance manager shall be retained by TxDOT or CTRMA, after consulting with BSEACD, to:
    - a. be present on-site during construction of SH 45 SW to monitor construction activities and ensure that all environmental commitments in the plans for the project (including those intended to ensure that the construction of the project meets or exceeds the requirements of both this Agreement and the Consent Decree), are fulfilled; and
    - b. ensure that, upon completion of construction, all BMPs are implemented and functioning as designed.
  - ii. Upon the approximate five-year anniversary of the completion of construction, and on approximate subsequent five-year intervals, up to the 20<sup>th</sup> anniversary of completion of construction, TxDOT and BSEACD will arrange and perform a joint inspection of the BMPs to ensure that they are implemented and functioning as designed. For each of the four five-year inspections, TxDOT will procure a qualified, independent third party to assist with the joint inspection, at a cost not to exceed a total of \$30,000. BSEACD will reimburse TxDOT 50% of the cost of the qualified, independent third party. If BSEACD determines not to divide the cost of the qualified, independent third party, it will so advise

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TxDOT prior to the inspection, and the joint inspection will proceed without the assistance of the third party.

- iii. To the extent BSEACD desires to install wells to monitor aquifer conditions in the vicinity of SH 45 SW, TxDOT will provide reasonable access to the SH 45 SW right-of-way, subject to appropriate safety requirements.
- iv. TxDOT or CTRMA shall remedy and mitigate to the extent possible should the BMPs fail to perform as designed.

h. Review and Observation by BSEACD

- i. During final design when design is still subject to change and prior to construction bidding, representatives of BSEACD will be permitted 20 business days to review and comment on any plans or subsequent, substantive changes to plans for handling of stormwater runoff, including any plans addressing phased construction practices and commitments to maintenance of the PFC material. To the extent BSEACD raises any concerns with the plans, and if TxDOT disagrees with the concern raised by BSEACD, TxDOT and BSEACD will convene in an attempt to resolve within 30 calendar days of when BSEACD raises an issue. BSEACD will also have an opportunity to review and comment on the water pollution abatement plan for SH 45 SW as provided for in TCEQ's Edwards Aquifer Rules (30 T.A.C. Chapter 213); and
- ii. Representatives of BSEACD will be permitted to observe construction of SH 45 SW and will be allowed to accompany TxDOT or CTRMA personnel on periodic inspections of BMPs. Observations are subject to reasonable notice, pre-scheduling with TxDOT/CTRMA, and safety-related requirements.

**4. Effect of Agreement on 1990 Consent Decree**

BSEACD and TxDOT do not desire to judicially modify the 1990 Consent Decree. BSEACD and TxDOT desire to enter into this separate Agreement with provisions relating to the design, construction, and operation of SH 45 SW that are equally or more protective of the Edwards Aquifer than the 1990 Consent Decree. This Agreement does not affect the enforceability of the 1990 Consent Decree.

**5. Inclusion of Terms of this Agreement in Project Development Agreement**

TxDOT agrees to include the terms of this Agreement as terms and conditions of any PDA between the CTRMA and TxDOT to ensure SH 45 SW is designed,

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constructed, and operated in a manner that meets or exceeds all of the requirements in the Consent Decree, recognizing that certain standards and practices not known at the time of the Consent Decree will be used to ensure that the project is designed, constructed, and operated in a more environmentally sensitive and prudent fashion.

**6. Responsibility for Expenses**

Each Party shall pay for its own expenses incurred under this Agreement.

**7. Term**

This Agreement will terminate on the 40th anniversary of the Effective Date.

**TEXAS DEPARTMENT OF  
TRANSPORTATION**

By: \_\_\_\_\_  
LtGen J.F. Weber, USMC (Ret)  
Executive Director

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

**BARTON SPRINGS/EDWARDS AQUIFER  
CONSERVATION DISTRICT**

By: \_\_\_\_\_  
Robert D. Larsen, Ph.D.  
Acting Board President

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

**ATTEST:**

By: \_\_\_\_\_  
Craig Smith  
Board Secretary

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

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**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
William D. Dugat III  
Attorney

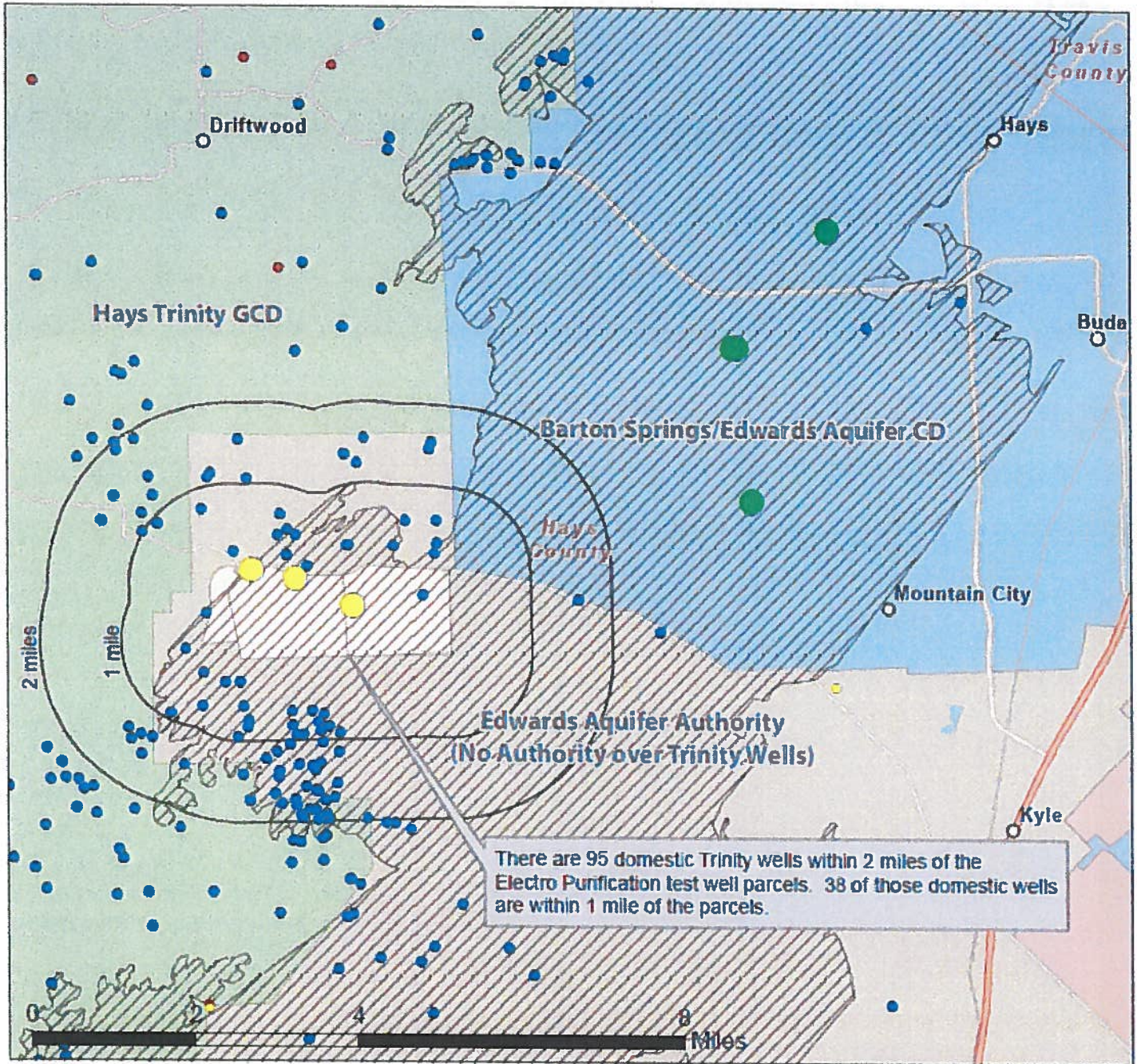
Date: \_\_\_\_\_

## **Item 5**

### **Board discussions and possible actions**

- b. Discussion and possible action related to the Electro Purification Trinity well field located just outside of the District's boundaries including options for possible annexation.**

# Trinity Wells near Proposed Electro Purification Well Field



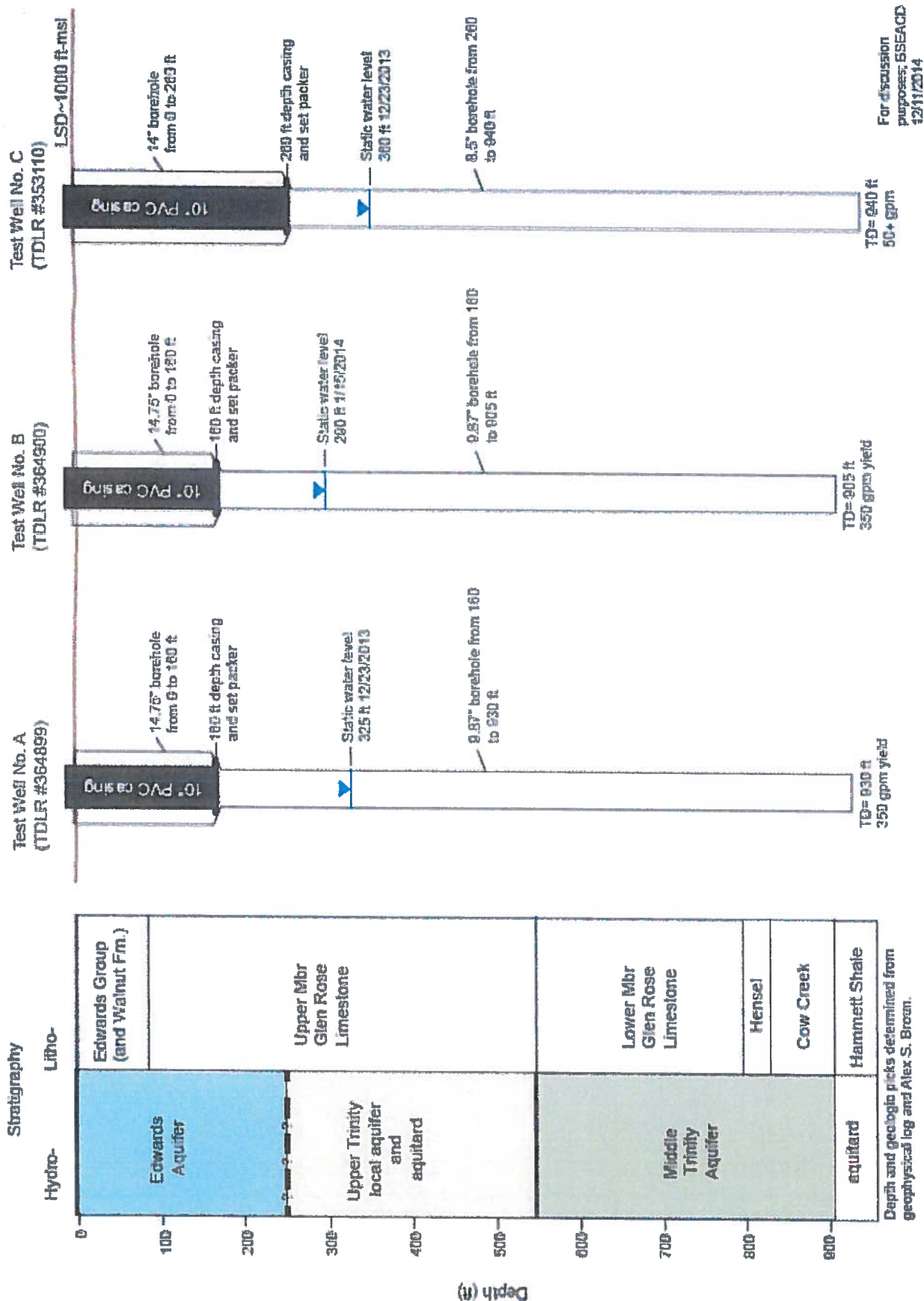
Basedata: GCD Boundaries from TCEQ, Wells locations and depths from TWDB Submitted Well Drillers Reports Dataset (accessed Nov. 2014). Parcel boundaries from Hays County Appraisal District. Parcels where Electro Purification test wells are located labeled as Electro Purification parcels (may not be owner). Wells over 600 feet deep are likely completed in the Trinity Aquifer.

This map is for graphic display purposes only. It is not intended for engineering, surveying or construction purposes. The information depicted has been digitized from various sources and only represents the relational accuracy of design elements. The Barton Springs/Edwards Aquifer Conservation District is not responsible for the use, display or interpretation of this map by any other person, agency or organization.

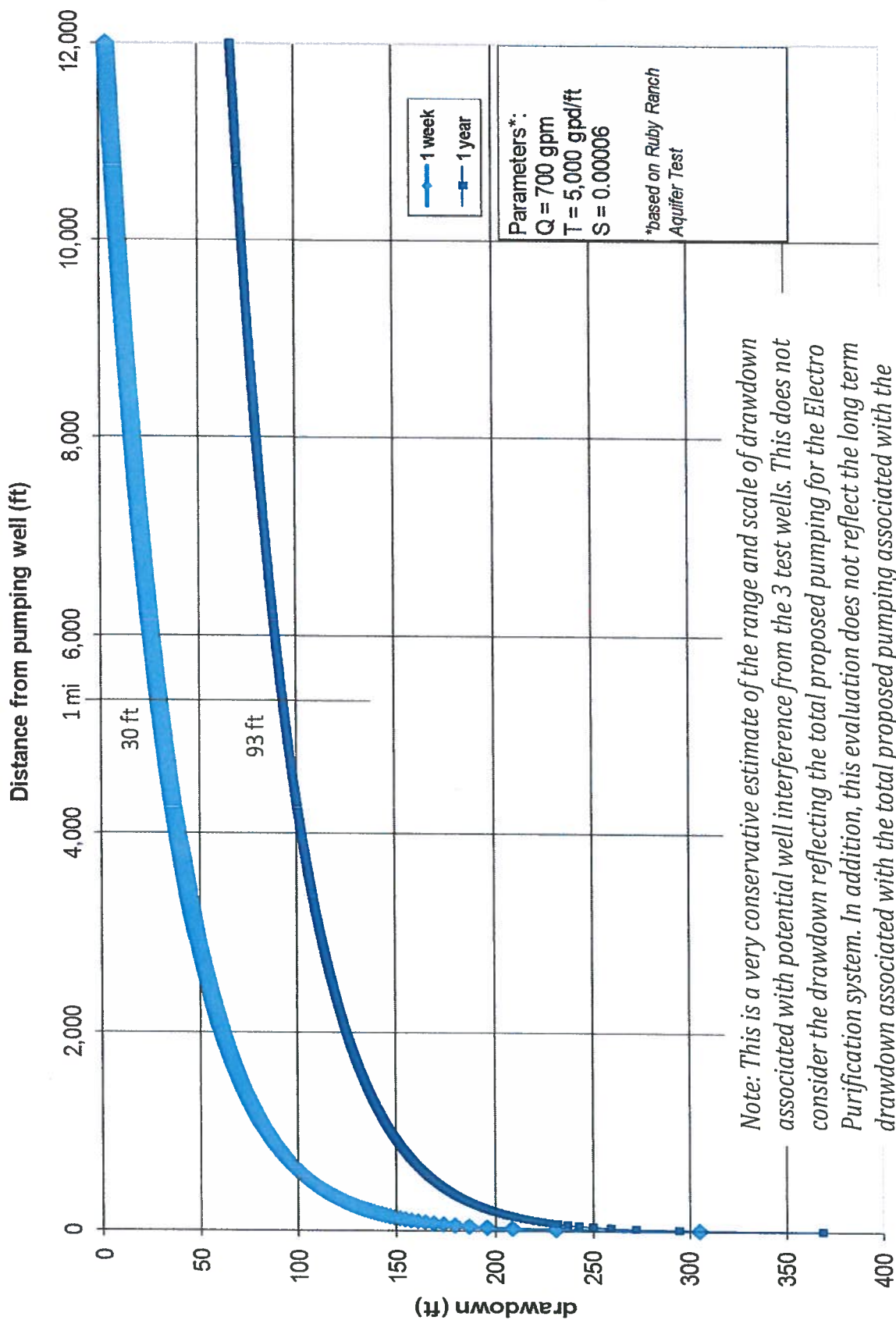
Robin H. Gary, BSEACD December, 2014



# Electro Purification Well Field Hydrostratigraphy FM 3237, Hays County, Texas



# Middle Trinity Aquifer Theoretical Distance vs Drawdown Curve (Cooper-Jacob modification of non-equilibrium equation)



*Note: This is a very conservative estimate of the range and scale of drawdown associated with potential well interference from the 3 test wells. This does not consider the drawdown reflecting the total proposed pumping for the Electro Purification system. In addition, this evaluation does not reflect the long term drawdown associated with the total proposed pumping associated with the TWDB DFC process.*

**Proposed Production from Electro Purification vs. Modeled  
Available Groundwater**

	MGD	Gallons/year	Acre-ft /year
<b>Electro-Purification</b>	5.3	1,934,500,000	5,936
<b>BSEACD-Trinity MAG (GMA 10)</b>	1.15	419,696,088	1,288
<b>BSEACD-Trinity, 2013 Unpermitted MAG</b>	0.80	290,681,088	892
<b>HTGCD-Trinity MAG (GMA 9)</b>	8.13	2,965,244,100	9,100
<b>HTGCD-Trinity, 2013 Unpermitted MAG</b>	2.39	872,954,829	2,679
<b>Hays County – White Space MAG</b>	2.83	1,032,295,968	3,168

## SUBCHAPTER J. ADDING TERRITORY TO DISTRICT

Sec. 36.321. ADDING LAND BY PETITION OF LANDOWNER. The owner of land contiguous to a district may file with the board a notarized petition requesting that the owner's land be included in the district. The petition must describe the land by legal description or by metes and bounds or by lot and block number if there is a recorded plat of the area to be included in the district.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.322. ASSUMPTION OF BONDS. If the district has bonds, notes, or other obligations outstanding or bonds payable in whole or in part from taxation that have been voted but are unissued, the petitioner shall assume its share of the outstanding bonds, notes, or other obligations and any voted but unissued tax bonds of the district, and the property shall be assessed an ad valorem tax at the same rate as that set for the existing district to pay for outstanding bonds and for the maintenance and operation of the district.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.323. HEARING AND DETERMINATION OF PETITION. (a) The board shall hear and consider the petition and may add to the district the land described in the petition if it is considered to be to the advantage of the petitioner and to the existing district.

(b) If the district has bonds payable in whole or in part from taxation that are voted but unissued at the time of the annexation, the board may issue the voted but unissued bonds even though the boundaries of the district have been altered since the authorization of the bonds.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.324. RECORDING PETITION. A petition that is granted which adds land to the district shall be recorded in the office of the county clerk of the county or counties in which the land is located and the county or counties in which the existing district's principal office is located.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.325. ADDING CERTAIN TERRITORY BY PETITION. (a) Landowners of a defined area of territory not already in a district may file with any district a petition requesting inclusion in that district.

(b) The petition must be signed by:

- (1) a majority of the landowners in the territory;
- (2) at least 50 landowners if the number of landowners is more than 50; or
- (3) the commissioners court of the county in which the area is located if the area is identified as a priority groundwater management area or includes the entire county. The petition must describe the land by legal description or by metes and bounds or by lot and block number if there is a recorded plat of the area to be included in the district.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 1010, Sec. 4.37, eff. Sept. 1, 1997.

Sec. 36.326. HEARING ON PETITION. The board by order shall set the time and place of separate hearings on the petition to include the territory in the district. At least one

hearing shall be held in the existing district and one hearing shall be held in the territory to be added.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.327. RESOLUTION TO ADD TERRITORY. If the board finds after the hearing on the petition that the addition of the land would benefit the district and the territory to be added, it may add the territory to the district by resolution. The board does not have to include all the territory described in the petition if it finds that a modification or change is necessary or desirable.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.328. ELECTION TO RATIFY ANNEXATION OF LAND. (a) Annexation of the territory is not final until ratified by a majority vote of the voters in the territory to be added. An election in the existing district accepting the addition of land is not required.

(b) The ballots for the election shall be printed to provide for voting for or against the proposition: "The inclusion of (briefly describe additional area) in the \_\_\_\_\_ District." If the district levies a property tax for payment of its maintenance and operating expenses, the proposition shall include the following language: "and the levy of a tax on property at a rate not to exceed \_\_\_\_\_ cents on each \$100 of assessed valuation for payment of maintenance and operating expenses of the district."

(c) The amount of the tax included in the proposition shall be the maximum amount that the district is authorized to levy. If the district has outstanding or authorized bonded indebtedness, the proposition shall include language providing

for the assumption by the additional area of a proportional share of the bonded indebtedness of the district.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.329. NOTICE AND PROCEDURE OF ELECTION. The notice of the election, the manner and the time of giving the notice, the manner of holding the election, and qualifications of the voters are governed by the Election Code.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.330. LIABILITY OF ADDED TERRITORY. The added territory shall bear its pro rata share of indebtedness or taxes that may be owed, contracted, or authorized by the district to which it is added.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995.

Sec. 36.331. ANNEXATION OF NONCONTIGUOUS TERRITORY. Land not contiguous to the existing boundaries of a district may not be added to or annexed to a district unless the land is located either within the same management area, priority groundwater management area, or a groundwater subdivision designated by the commission or its predecessors.

Added by Acts 1995, 74th Leg., ch. 933, Sec. 2, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 1010, Sec. 4.38, eff. Sept. 1, 1997.

## **Item 5**

### **Board discussions and possible actions**

- c. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.**

# Drought Analysis Report

Owner - System	Permitted Pumpage	Jul 2014 Pumpage	Jul 2014 Target	Jul 2014 %	Aug 2014 Pumpage	Aug 2014 Target	Aug 2014 %	Sep 2014 Pumpage	Sep 2014 Target	Sep 2014 %	Oct 2014 Pumpage	Oct 2014 Target	Oct 2014 %	Nov 2014 Pumpage	Nov 2014 Target	Nov 2014 %	Dec 2014 Pumpage	Dec 2014 Target	Dec 2014 %
er 1 (<12M gallons/year)	100,000	1,290	12,100	-89%	7,020	12,000	-34%	3,440	8,000	-57%	3,720	6,640	-44%	1,020	5,600	-82%	13,040	5,040	159%
John's Presbyterian Church	500,000	51,750	60,500	-14%	34,110	60,000	-43%	48,520	40,000	-17%	27,570	33,200	-17%	19,930	28,000	-29%	42,410	25,200	68%
John's Presbyterian Church	1,000,000	96,400	121,000	-20%	128,100	120,000	7%	97,900	80,000	22%	92,700	80,000	40%	70,300	56,000	26%	71,300	50,400	41%
John's Presbyterian Church	980,000	117,600	129,360	-9%	66,100	129,360	-49%	61,900	86,240	-28%	88,200	82,320	7%	32,700	76,832	-57%	40,110	31,360	28%
John's Presbyterian Church	2,000,000	263,700	242,000	9%	313,000	240,000	30%	127,000	160,000	-21%	128,000	132,800	-4%	82,500	112,000	-26%	121,900	100,800	21%
John's Presbyterian Church	2,000,000	123,900	242,000	-49%	128,900	240,000	-46%	126,200	160,000	-21%	141,200	132,800	6%	146,600	112,000	31%	106,300	100,800	5%
John's Presbyterian Church	1,998,200	0	239,784	-100%	0	239,784	-100%	0	0	0%	0	0	0%	0	0	0%	0	0	0%
John's Presbyterian Church	150,000	18,000	18,000	-100%	18,000	18,000	-100%	18,000	18,000	-100%	18,000	18,000	-100%	18,000	18,000	-100%	18,000	18,000	-100%
John's Presbyterian Church	843,750	80,300	84,375	-10%	67,380	84,375	-20%	52,590	52,590	0%	49,250	49,250	0%	47,200	47,200	0%	52,560	52,560	0%
John's Presbyterian Church	4,820,550	570,300	578,466	-1%	492,600	636,313	-23%	415,900	424,208	-2%	374,100	404,926	-8%	120,600	377,931	-68%	152,300	154,258	-1%
John's Presbyterian Church	480,000	52,369	58,080	-10%	51,243	57,600	-11%	36,472	37,600	-5%	31,178	31,872	-2%	26,880	26,880	0%	21,752	24,192	-10%
John's Presbyterian Church	1,649,250	60,500	199,559	-70%	75,100	197,910	-62%	67,900	131,940	-49%	71,000	109,510	-35%	82,600	92,358	-11%	65,944	83,122	-21%
John's Presbyterian Church	6,000,000	259,000	726,000	-64%	302,000	720,000	-58%	251,000	480,000	-48%	262,000	398,400	-34%	245,000	336,000	-27%	236,000	302,400	-22%
John's Presbyterian Church	100,000	8,350	10,000	-17%	7,180	11,000	-35%	4,570	7,520	-39%	5,740	6,880	-17%	4,000	6,480	-38%	4,340	6,080	-29%
John's Presbyterian Church	4,232,000	177,757	507,840	-65%	497,133	558,624	-11%	246,233	372,416	-34%	221,541	355,488	-38%	421,882	331,789	27%	95,601	135,424	-29%
John's Presbyterian Church	502,500	19,470	56,250	-65%	45,950	62,438	-27%	23,520	42,300	-44%	29,340	38,700	-24%	22,920	36,450	-37%	23,420	34,700	-32%
John's Presbyterian Church	150,000	5,990	15,000	-60%	10,570	16,650	-37%	7,750	11,280	-31%	8,360	10,320	-19%	9,600	9,720	0%	5,820	9,120	-36%
John's Presbyterian Church	1,300,000	84,340	130,000	-35%	132,840	144,300	-8%	73,360	97,760	-25%	78,910	89,440	-12%	50,290	84,240	-40%	48,450	79,040	-39%
John's Presbyterian Church	400,000	13,800	48,400	-71%	12,070	48,000	-75%	5,470	32,000	-83%	5,370	26,560	-80%	10,430	22,400	-53%	11,630	20,160	-42%
John's Presbyterian Church	600,000	25,940	45,000	-42%	31,880	43,800	-27%	22,300	40,800	-45%	38,620	42,240	-9%	21,690	36,000	-40%	18,540	32,160	-42%
John's Presbyterian Church	430,000	6,900	42,000	-84%	9,500	46,620	-80%	13,400	31,584	-58%	21,900	28,895	-24%	31,400	27,216	15%	14,500	25,536	-43%
John's Presbyterian Church	600,000	82,400	60,000	37%	42,300	66,600	-36%	32,500	45,120	-28%	17,100	41,280	-59%	27,600	38,880	-29%	18,400	36,480	-50%
John's Presbyterian Church	9,500,000	812,800	1,140,000	-29%	775,700	1,152,000	-33%	515,100	760,000	-32%	480,300	706,800	-32%	360,000	532,000	-32%	164,000	342,000	-52%
John's Presbyterian Church	7,700,000	280,400	931,700	-70%	327,500	924,000	-65%	185,000	618,000	-70%	219,600	511,280	-57%	195,500	431,200	-55%	185,100	388,080	-52%
John's Presbyterian Church	120,000	3,210	10,000	-73%	5,100	13,320	-62%	1,810	9,024	-80%	3,570	8,256	-57%	5,790	7,776	-26%	2,880	7,296	-60%
John's Presbyterian Church	1,000,000	22,320	100,000	-78%	26,750	111,000	-76%	25,950	75,200	-65%	38,030	68,000	-45%	18,340	64,800	-70%	23,470	60,800	-61%
John's Presbyterian Church	500,000	15,011	60,500	-75%	19,120	60,000	-68%	14,000	40,000	-65%	8,460	33,200	-75%	5,370	28,000	-81%	9,980	25,200	-62%
John's Presbyterian Church	1,500,000	37,474	195,000	-81%	46,864	210,000	-78%	38,080	144,000	-74%	20,262	108,000	-81%	12,388	72,000	-83%	20,486	54,000	-62%
John's Presbyterian Church	585,000	33,300	58,500	-43%	31,100	64,935	-52%	45,700	43,992	4%	43,700	40,248	9%	19,400	37,908	-49%	13,300	35,568	-63%
John's Presbyterian Church	690,000	49,910	85,000	-41%	51,300	94,350	-46%	28,940	63,920	-55%	27,130	58,480	-54%	19,150	55,080	-65%	19,310	51,680	-63%
John's Presbyterian Church	517,500	8,750	62,617	-86%	11,840	62,100	-81%	9,110	41,400	-78%	9,960	34,362	-71%	7,280	28,980	-75%	8,880	26,082	-66%
John's Presbyterian Church	600,000	15,610	66,600	-77%	21,660	72,000	-70%	12,170	52,800	-77%	11,940	50,400	-76%	9,720	47,040	-79%	5,100	19,200	-73%
John's Presbyterian Church	1,310,000	14,500	133,100	-89%	12,500	147,741	-92%	13,500	100,091	-87%	16,900	91,573	-82%	14,900	86,249	-83%	21,000	80,925	-74%
John's Presbyterian Church	825,000	23,677	70,125	-66%	23,647	70,125	-66%	21,704	54,780	-60%	22,170	54,780	-60%	15,495	54,780	-72%	13,897	54,780	-75%
John's Presbyterian Church	100,000	2,370	10,000	-76%	5,160	11,100	-54%	1,880	7,520	-78%	1,950	6,880	-72%	1,360	6,480	-79%	1,290	6,080	-78%
John's Presbyterian Church	200,119	10,080	20,012	-50%	6,000	22,213	-73%	4,050	15,049	-73%	2,320	13,768	-83%	4,820	12,968	-63%	2,580	12,167	-79%
John's Presbyterian Church	750,000	8,510	75,000	-89%	10,530	83,250	-87%	10,420	56,400	-82%	13,290	51,600	-74%	11,430	48,600	-76%	9,010	45,600	-80%
John's Presbyterian Church	500,000	3,980	50,000	-92%	4,300	55,500	-92%	4,370	37,600	-88%	6,100	34,400	-82%	3,910	32,400	-88%	4,580	30,400	-85%
John's Presbyterian Church	2,000,000	20,700	200,000	-90%	32,500	222,000	-85%	28,500	150,400	-81%	22,300	137,600	-84%	21,600	129,600	-83%	17,500	121,600	-86%
John's Presbyterian Church	100,000	400	10,000	-96%	330	11,100	-97%	660	7,520	-91%	600	6,880	-91%	570	6,480	-91%	670	6,080	-89%
John's Presbyterian Church	1,000,000	122,510	100,000	23%	54,680	111,000	-51%	52,640	73,200	-30%	24,850	68,800	-64%	19,000	64,800	-71%	6,500	60,800	-89%
John's Presbyterian Church	800,000	16,320	80,000	-80%	3,380	88,800	-96%	3,290	60,160	-95%	3,470	55,040	-94%	3,210	51,840	-94%	4,270	48,640	-91%
John's Presbyterian Church	500,000	3,320	50,000	-93%	8,080	55,500	-85%	3,730	37,600	-90%	3,410	34,400	-90%	2,500	32,400	-92%	2,800	30,400	-91%
John's Presbyterian Church	1,875,000	34,400	187,500	-82%	54,300	208,125	-74%	46,800	141,000	-67%	37,600	129,000	-71%	6,200	121,500	-95%	9,300	114,000	-92%
John's Presbyterian Church	9,000,000	14,000	1,089,000	-99%	17,800	1,080,000	-98%	19,300	720,000	-97%	15,200	597,600	-97%	18,300	504,000	-97%	11,300	453,600	-98%
John's Presbyterian Church	1,000,000	1,420	100,000	-99%	610	111,000	-99%	1,260	75,200	-98%	670	68,800	-98%	1,770	64,800	-97%	2,250	60,800	-98%
John's Presbyterian Church	6,700,000	135,238	600,000	-77%	211,750	660,000	-68%	83,334	440,000	-79%	182,213	420,000	-57%	37,479	392,000	-90%	455	160,000	-100%
John's Presbyterian Church	1,500,000	38,100	150,000	-75%	2,150	165,500	-99%	740	112,800	-99%	240	103,200	-100%	1,410	97,200	-99%	120	91,200	-100%

# Drought Analysis Report

Owner - System	Permitted Pumpage	Jul 2014 Pumpage	Jul 2014 Target	Jul 2014 %	Aug 2014 Pumpage	Aug 2014 Target	Aug 2014 %	Sep 2014 Pumpage	Sep 2014 Target	Sep 2014 %	Oct 2014 Pumpage	Oct 2014 Target	Oct 2014 %	Nov 2014 Pumpage	Nov 2014 Target	Nov 2014 %	Dec 2014 Pumpage	Dec 2014 Target	Dec 2014 %
Hays Consolidated I.s.d. - Beacon Hill	421,875	0	51,047	-100%	0	50,625	-100%	0	33,750	-100%	0	28,013	-100%	0	23,625	-100%	0	21,262	-100%
Independence Park Condominium Community, Inc. - Inde	3,700,000	0	444,000	-100%	115,900	488,400	-76%	0	203,500	-100%	0	194,250	-100%	0	181,300	-100%	0	74,000	-100%
Industrial Asphalt, Lp - Hays Quarry	2,000,000	0	212,000	-100%	0	200,000	-100%	0	124,800	-100%	28,415	116,800	-76%	0	112,000	-100%	0	124,800	-100%
Neuro Institute Of Austin, L.p.	5,625,000	105,200	562,500	-81%	98,800	624,375	-84%	0	423,000	-100%	0	387,000	-100%	0	364,500	-100%	0	342,000	-100%
Onion Creek Memorial Park, Inc.	590,625	0	70,875	-100%	0	77,962	-100%	0	51,975	-100%	0	49,613	-100%	0	46,305	-100%	0	18,900	-100%
Robert Kreschmar & Helen Culler - Fm 1625 Agricultural	100,000	0	12,000	-100%	0	13,200	-100%	0	8,800	-100%	0	8,400	-100%	0	7,840	-100%	0	3,200	-100%
Robert Kreschmar & Helen Culler - Fm 1625 Commercial	330,000	0	33,000	-100%	0	36,630	-100%	0	24,816	-100%	0	22,704	-100%	0	21,384	-100%	0	20,064	-100%
Shoal Creek Properties	500,000	0	50,000	-100%	0	55,500	-100%	0	37,600	-100%	0	34,400	-100%	0	32,400	-100%	0	30,400	-100%
Thomas Weatherford	5,000,000	0	530,000	-100%	0	500,000	-100%	0	312,000	-100%	0	292,000	-100%	0	280,000	-100%	0	312,000	-100%
<b>Tier 2 (&gt;12M and &lt;120M gallons/year)</b>																			
Aqua Texas, Inc. - Bliss Spillar (edwards)	12,875,000	1,400,000	1,557,875	-10%	1,968,000	1,545,000	-28%	742,000	1,030,000	-28%	850,000	854,900	-1%	698,000	721,000	-3%	704,000	648,000	8%
Onion Creek Country Club	54,165,500	14,267,000	11,419,980	25%	9,116,000	11,419,980	-20%	7,170,400	7,613,320	-6%	7,258,600	7,613,320	-5%	2,088,000	2,283,996	-9%	2,234,000	2,283,996	-2%
Texas-Elgin Cement Company - Plant	91,750,000	5,202,575	5,201,250	0%	4,694,800	5,475,000	-14%	2,987,025	4,161,000	-28%	3,323,600	3,942,000	-16%	3,397,775	3,723,000	-9%	3,398,000	3,504,000	-3%
St. Andrews School	16,000,000	1,498,000	1,920,000	-23%	1,408,600	2,080,000	-32%	447,200	1,536,000	-71%	870,300	1,280,000	-32%	513,200	1,024,000	-50%	726,600	768,000	-5%
Huntington Utility Company, L.L.C.	18,000,000	1,075,000	2,304,000	-53%	1,200,000	2,080,000	-47%	850,000	1,353,600	-37%	817,000	720,000	13%	887,000	1,008,000	-14%	816,000	907,200	-10%
Ruby Ranch Water Supply Corporation - (edwards)	32,000,000	1,889,100	3,872,000	-51%	2,093,500	3,840,000	-45%	3,405,400	2,560,000	33%	2,107,700	2,124,800	-1%	1,765,100	1,792,800	-2%	1,386,700	1,612,800	-13%
Aqua Texas, Inc. - Onion Creek Meadows	36,300,000	2,157,000	4,392,300	-51%	2,593,000	4,356,000	-40%	1,723,000	2,904,000	-41%	1,658,000	2,410,320	-31%	1,711,000	2,032,800	-16%	1,486,000	1,829,620	-19%
Marquette Foundation	26,730,000	1,325,200	3,234,330	-59%	1,530,200	3,207,600	-52%	1,327,650	2,136,400	-38%	1,431,010	1,774,872	-19%	924,300	1,496,880	-38%	1,071,520	1,347,192	-20%
Aqua Texas, Inc. - Bear Creek Park	12,098,000	749,000	1,463,858	-49%	955,000	1,451,760	-34%	621,000	967,840	-36%	508,000	803,307	-37%	484,000	677,488	-29%	447,000	609,739	-27%
Oak Forest Water Supply Corporation - (trinity)	16,500,000	794,164	1,996,500	-61%	1,087,712	1,980,000	-45%	1,312,172	1,320,000	-1%	713,756	1,095,600	-35%	748,732	924,000	-19%	586,600	831,600	-29%
City Of Austin - Nature Center	16,000,000	430,001	1,920,000	-78%	538,009	2,112,000	-75%	248,189	1,408,000	-82%	408,885	1,344,000	-70%	216,135	1,254,400	-83%	94,282	512,000	-32%
Hays Consolidated I.s.d. - Hays High School	30,000,000	2,231,000	3,630,000	-39%	2,617,300	3,600,000	-27%	2,126,000	2,400,000	-11%	1,691,700	1,992,000	-15%	1,208,500	1,680,000	-28%	986,000	1,512,000	-35%
Aqua Texas, Inc. - Bliss Spillar (trinity)	38,625,000	1,553,000	4,673,625	-67%	2,937,000	4,635,000	-37%	1,897,000	3,090,000	-45%	1,795,000	2,564,700	-30%	1,827,000	2,163,000	-16%	1,256,000	1,946,700	-35%
Mountain City Oaks Water System	43,164,000	2,432,800	5,222,844	-53%	2,855,200	5,179,680	-45%	2,158,100	3,453,120	-38%	1,623,800	2,866,090	-43%	1,577,900	2,417,184	-35%	1,385,000	2,175,466	-36%
Slaughter Creek Acres Water Supply	14,000,000	714,700	1,456,000	-51%	869,500	1,414,000	-39%	542,200	985,600	-45%	525,900	918,400	-43%	485,600	828,800	-41%	514,900	828,800	-38%
Twin Creek Park Water Supply Co.	12,000,000	545,700	1,452,000	-62%	628,600	1,440,000	-56%	502,800	960,000	-48%	383,100	796,800	-52%	408,500	672,000	-39%	372,100	604,800	-38%
City Of Hays Water Department - Ellobi Ranch	54,450,000	3,307,300	6,588,450	-50%	4,120,100	6,534,000	-37%	3,278,600	4,356,000	-25%	1,981,000	3,615,480	-45%	2,238,300	3,049,200	-27%	1,590,000	2,744,280	-42%
Cimarron Park Water Company, Inc.	118,000,000	7,471,600	11,800,000	-37%	8,408,400	11,800,000	-29%	5,294,600	7,552,000	-30%	5,289,700	7,835,200	-32%	4,110,500	8,024,000	-49%	4,064,100	7,552,000	-46%
Aqua Texas, Inc. - Shady Hollow Estates Water Compan	80,000,000	5,639,000	9,690,000	-42%	7,021,000	9,900,000	-27%	4,033,000	6,400,000	-37%	2,830,000	5,312,000	-47%	3,075,000	4,480,000	-31%	2,169,000	4,032,000	-46%
Aqua Texas, Inc. - Leisurewoods Water Company	88,764,000	5,449,000	10,740,444	-49%	7,015,000	10,651,680	-34%	3,978,000	7,101,120	-44%	3,579,000	5,893,930	-39%	2,466,000	4,970,784	-50%	2,349,000	4,473,706	-47%
Arroyo Double Water System	52,800,000	2,621,300	5,860,800	-57%	2,900,700	5,808,000	-50%	1,920,800	3,801,600	-49%	1,724,800	3,505,920	-51%	1,488,600	2,956,800	-49%	1,694,200	3,294,720	-49%
City Of Hays Water Department	15,400,000	726,000	1,863,400	-61%	970,000	1,848,000	-48%	850,941	1,232,000	-31%	495,058	1,022,560	-55%	517,286	862,400	-40%	388,176	776,160	-50%
Village Of San Leanna	31,651,200	1,248,700	3,829,796	-67%	1,643,300	3,798,144	-57%	867,000	2,532,096	-66%	871,300	2,101,640	-59%	755,600	1,772,468	-57%	616,300	1,595,221	-61%
Ruby Ranch Water Supply Corporation - (trinity)	20,300,000	1,053,100	2,456,300	-57%	937,400	2,436,000	-62%	37,200	1,624,000	-98%	0	1,347,920	-100%	2,100	1,136,800	-100%	238,700	1,023,120	-77%
City Of Sunset Valley	18,590,000	15,100	2,249,380	-99%	15,600	2,230,800	-99%	24,700	1,487,200	-98%	2,600	1,234,376	-100%	7,900	1,041,040	-99%	6,000	936,936	-99%
Grey Rock Golf Club - Grey Rock	35,000,000	2,745,400	4,200,000	-35%	3,967,000	4,620,000	-14%	892,500	3,080,000	-71%	988,800	2,940,000	-67%	0	2,744,000	-100%	0	1,120,000	-100%
Soccerfield Development Lc - Austin United Capital Socc	12,000,000	0	1,440,000	-100%	0	1,584,000	-100%	0	1,056,000	-100%	0	1,008,000	-100%	0	940,800	-100%	0	384,000	-100%
<b>Tier 3 (&gt;120M gallons/year)</b>																			
Creedmoor-mahs Water Supply Corporation	235,065,600	14,904,400	28,442,938	-48%	15,620,800	28,207,871	-45%	13,132,400	18,805,248	-30%	13,434,400	15,608,356	-14%	13,778,000	13,163,674	5%	13,108,800	11,847,306	11%
City Of Kyle	350,000,000	20,908,244	42,350,000	-51%	21,476,707	42,000,000	-49%	19,848,253	22,450,000	-12%	18,156,777	18,633,499	-3%	11,857,300	15,715,000	-25%	13,130,241	14,143,500	-7%
City Of Buda	250,000,000	22,359,400	33,275,000	-33%	24,162,300	32,999,999	-27%	17,388,900	22,000,000	-21%	16,548,600	18,259,999	-9%	13,786,200	15,400,000	-11%	11,782,400	13,860,000	-15%
Goloth Special Utility District	350,900,000	19,171,000	54,389,500	-65%	22,327,000	54,038,600	-59%	17,517,000	37,616,480	-53%	17,586,000	23,299,760	-25%	10,608,000	14,036,000	-24%	5,871,000	8,140,880	-28%
Centex Materials, Lp.	214,251,000	13,228,100	22,714,846	-42%	11,135,200	21,429,100	-48%	11,831,600	13,371,758	-12%	11,748,400	12,514,594	-6%	7,236,200	12,000,296	-40%	8,828,000	13,371,758	-34%
Monarch Utilities, Inc.	324,400,000	10,967,000	41,847,600	-74%	12,456,000	41,947,600	-70%	10,137,000	21,540,160	-53%	7,415,000	20,761,500	-64%	6,587,000	17,906,880	-63%	6,878,000	14,273,600	-52%
		173,775,430	351,470,118	-51%	185,663,855	350,015,817	-47%	141,513,493	221,976,257	-36%	131,508,736	185,274,017	-29%	99,720,822	151,368,231	-34%	92,151,684	130,348,326	-29%

## **Item 5**

### **Board discussions and possible actions**

**d. Discussion and possible action related to a declaration of “No Drought” conditions.**

## **Item 5**

### **Board discussions and possible actions**

**e. Discussion and possible action related to setting a public hearing to consider adjusting the water use fees for Conditional Production Permits.**



**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

## MEMORANDUM

Date: January 23, 2015

To: District Board of Directors

Re: Request to Increase Conditional Permit Fees

Currently the District charges 46 cents per thousand gallons for conditional water permit fees which was in line with the LCRA raw water rate of \$151 per acre foot (325,851 acre feet) that was in effect prior to January 2015.

LCRA approved a new increased rate to be effective January 2015. This rate went from \$151 per acre foot to \$175.46 per acre foot (or 54 cents per thousand gallons). Included in this approved new rate structure is a 3% average annual increase for the years 2016-2019 (which is approximately a 2 cent increase per year).

The District's conditional permit fee increase history is as follows:

Prior to 2011	38 cents per thousand gallons
2011	42 cents per thousand gallons
2012-current	46 cents per thousand gallons
2015-proposed	Range between 46 and 54 cents per thousand gallons is being requested

Please see attached spreadsheet for further information.

SB 747 AN ACT relating to the authority of the BSEACD to charge certain fees ....  
SECTION 8802.1045 AMOUNT OF ANNUAL PRODUCTION FEE (b)...the Board may charge...an annual production fee of not more than the greater of (1) 38 cents per thousand gallons; or (2) the raw surface water cost of other wholesale suppliers serving customers in the District.

PROPOSED RATE INCREASE TO CONDITIONAL PERMITS

CURRENT BSEACD CONDITIONAL PERMITS THAT WILL BE AFFECTED BY THE PROPOSED INCREASE	Conditional (Edwards only)			Current Conditional Gallons	Current Rate	Amount of Increase	Proposed Medium Rate	Amount of Increase	Proposed Maximum Rate
	Class A	Class B	Class C						
	46 cent rate	46 cent rate	46 cent rate						
Barton Properties	400,000								
City of Hays (Elliott Ranch)	9,450,000								
City of Kyle		185,000,000							
Creekside Villas			1,998,200						
Hays Hills Baptist Church	300,000								
Iglesia de Maranatha (Mision Cristiana Maranatha)	500,000								
Independence Park		3,700,000							
Johnson, Gilbert C.	4,000,000								
Ladybird Montessori School			150,000						
Monarch Utilities	100,000,000								
Oak Forest Water Supply Company	2,000,000								
Onion Creek Kennels	383,162								
Professional Contract Services, Inc. (PCSI)	1,331,000								
Ruby Ranch Water Supply Company	7,800,000								
Schuknecht, Glen	480,000								
Shoal Creek Properties	500,000								
Slaughter Creek Acres Water Company	3,413,275								
Travis County (aka Manchaca Firehall)	900,000								
Uplifting Properties (Carlitz Chang & Chang)	602,111								
V.F.W. Post No. 3377	320,000								
Whittington, Keith (Dr. Milton Otto)	200,000								
<b>GALLONS (TOTAL 323,427,748)</b>	132,579,548	188,700,000	2,148,200						

## **Item 5**

### **Board discussions and possible actions**

**f. Discussion and possible action related to pursuit of the District's legislative agenda including possible formation of a legislative subcommittee.**

## **Item 5**

### **Board discussions and possible actions**

- g. Discussion and possible action related to the annual election of the officers of the BSEACD Board of Directors.**

## **Item 6**

### **Adjournment**