



**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

September 21, 2016

Sent via first class mail & email

Electro Purification LLC
4605 Post Oak Place Dr.
Houston, TX 77027

RE: Staff Administrative Completeness Review of a Test Well Permit Application submitted by Electro Purification for authorization to conduct an aquifer test on three existing test wells and to produce from the Middle Trinity Aquifer for the purposes of completing an aquifer test to support a future production permit application.

Dear Permittee:

The above referenced application and the subsequent additional information submittal have been received, reviewed, and have been determined to have sufficiently addressed the information requirements in accordance with District Rule 3-1.20(D). Therefore, this Test Well Permit Application is determined to be administratively complete and approved as of September 21, 2016.

District Rule 3-1.20.D provides authority by rule to authorize temporary production of restricted amounts of groundwater from test wells in the Trinity Aquifer. The following conditions apply to the test well authorization for this well:

1. The applicant will follow the aquifer test guidelines and approved aquifer test work plan and notify District staff of any needed deviation.
2. The well is authorized for temporary production of an amount not to exceed 10,800,000 gallons (550 gpm for 15 days from the Middle Trinity Aquifer).
3. The well shall be equipped with a meter in accordance with Rule 3-2.1.
4. The Permittee shall keep accurate records of the metered pumpage during the aquifer test and shall submit such records to the District upon completion of the test.
5. If additional aquifer tests are required, there will be a requirement to submit an aquifer test application and fee.
6. The well shall be completed in accordance with the District's Well Construction Standards for test wells and, at minimum, shall not be open at the surface.
7. This authorization shall expire six (6) months after the permit approval date or upon completion of the aquifer test, whichever occurs first. Permit approval date is September 21, 2016; the six month expiration date is March 21, 2017.
8. Within six (6) months of completion of the aquifer test, the permittee shall either: a) plug the well in accordance with District Rules, b) make application for a Well Modification Application or an Individual Production Permit, or c) reapply for authorization to conduct further aquifer evaluation.

9. Notify the District two weeks prior to commencing drilling, well development, or aquifer testing.
10. All drilling fluids and cuttings produced during drilling, well development, and aquifer testing shall be contained on-site in a manner sufficient to prevent the discharge or percolation of produced water into or adjacent to waters of the state. The driller shall also prevent the spillage of fluids and cuttings onto adjacent property without the property owner's written consent.
11. It is the responsibility of the applicant and its licensed drilling contractors, licensed hydrogeologists, project managers, and landowners who designed and developed these plans to secure any other applicable permits or authorizations and take the appropriate safeguards to ensure compliance with other applicable rules and requirements of the District and State. For example, should the groundwater produced during well drilling, well development, or aquifer testing be of such quality that would 1) constitute waste as defined in District Rules 3-3 or 2) have the potential to degrade groundwater or surface water quality or be detrimental to human health and safety as determined by the Texas Commission on Environmental Quality (TCEQ), the Permittee shall document and notify both the District and TCEQ of the incident.
12. The District may accept an aquifer test conducted on test wells based on a demonstration that the well was completed and equipped to a design that is representative of permanent completion such that the alternative completion design was of adequate performance during the testing and the final target production zone was adequately isolated during the testing. If it is determined that the alternative completion of any of the three test wells was not representative of permanent completion, the test will be deemed invalid until the test is partially or entirely repeated. An invalid test will not be accepted to satisfy the requirements of a Production Permit application.
13. Should a subsequent aquifer test (i.e. TCEQ) conducted on the permanently completed wells indicate disparate or contrasting results from the original aquifer test conducted on the test wells, an additional repeated aquifer test or special provisions may be required.

If you have any further questions, please feel free to contact the Regulatory Program Staff by phone at (512)282-8441 or contact Vanessa Escobar at vescobar@bseacd.org.

Sincerely,


John Dupnik, P.G.
General Manager

CC:

Wet Rock Groundwater Services, LLC
317 Ranch Rd 620 South, Suite 203
Austin, TX 78734

Ed McCarthy
Jackson, Sjoberg, McCarthy & Townsend LLP
711 West 7th Street
Austin, Texas 78701

Bill Dugat
Bickerstaff Heath Delgado Acosta LLP
3711 S. Mo-Pac, Suite 300
Austin, TX 78746