



**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

December 18, 2015

*Via certified mail and email*

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

**RE: Staff Review of a Temporary/Regular Permit Application submitted by Needmore Water LLC, for authorization to produce groundwater from the Middle Trinity Aquifer.**

Dear Mr. Kaveh Khorzad:

This letter is to inform you that as of **December 17, 2015**, the first 90-day application period for the administrative review of the above-reference application received on September 18, 2015 expired with the application remaining administratively incomplete. With this letter and in accordance with District Rule 3-1.6(B), the application is granted a 90-day extension to allow further time for processing and administrative completeness review. **With the extension, the application will not be due to expire until March 16, 2016.**

District staff is currently reviewing the Temporary Permit application submitted by Needmore Water LLC for conversion to a Regular Permit. In our review of the submitted application materials the District has determined that the following items have not been satisfied.

- 3-1.4(A)(7) (a,b,c,d) – Provide a written statement describing the nature, purpose, location, pumpage volume, demand trends, and conservation practices.**

During the application review for the temporary permit, staff issued a series of requests for information for which the applicant provided additional responses, data and information. These additional responses and information proved to be substantially different from the statements in the original application submission and ultimately, the permit was issued based on the most current data and supplemental information submitted in response to the requests. As staff has continued to further process the application for conversion to a regular permit, it has been determined that updated and accurate descriptive statements for the application file are needed in order to reconcile any inconsistencies. Therefore, the applicant should submit a descriptive statement that addresses the following application items.

**(a) Nature, Purpose, and Location.** Provide a detailed statement describing:

- i. The nature and purpose of the well uses on or before June 19, 2015 and the nature and purpose of future proposed uses including proposed uses by persons other than the well owner.
- ii. The well location and the proposed receiving area from groundwater produced from the well; note any proposed transfer.
- iii. The location and purpose of any water to be resold, leased, or transported.

**(b) Pumpage Volume.**

- i. Provide a detailed statement describing the pumping rate, pump model, pump size, pump depth at which water will be withdrawn from each well.
- ii. Provide a written statement restating the temporary permit volume. Needmore Water LLC has been issued a Temporary Permit volume of 179,965,440 gallons/year for the purpose of Agricultural Livestock (Recreation and Wildlife Management). Staff requests a written statement that confirms this volume and use type as the requested volume for the Regular Application. Alternatively, you may request a reduced volume and provide supporting documentation for the request.

**(c) Demand Trends.** Provide a detailed statement describing:

- i. A projected annual volume breakdown by type of use (e.g. PWS, commercial, irrigation, industrial, recreation, wild life management etc).
- ii. A projected quarterly timeline detailing the anticipated pumpage volumes for the first three to five years of pumping.
- iii. An explanation of future demands and long term system growth.

**(d) Conservation Practice.** Describe any conservation measures or practices that are anticipated or are currently in place.

**3-1.4(A)(7)(g) – A hydrogeological report in accordance with Rule 3-1.4(D).**

The applicant has submitted an aquifer test work plan and will be expected to submit a hydrogeological report to satisfy the application requirements.

**3-1.4(A)(7)(h) – User Conservation Plan (UCP) and User Drought Contingency Plan (UDCP)**

The following three documents need be to completed, signed by the applicant, and submitted to the District. Enclosed with this letter is only one document, the Drought Target Chart. Staff will provide the remaining documents to you in the coming weeks. Please submit the originals by mail or in person.

December 18, 2015

- User Conservation Plan (UCP)
- User Drought Contingency Plan (UDCP).
- Drought Target Chart.

Please provide the above requested information within 30 days of the date of this letter. Once all information has been received and these information requirements have been satisfied for the purposes of technical review, the application will be determined to be administratively complete and a letter indicating such will be provided with further instructions. If you have any further questions or need clarification regarding the requested information, please feel free to contact my office by phone at 512/282-8441.

Sincerely,



John T. Dupnik, P.G.  
General Manager

cc:

Needmore Water LLC  
3900 N. McColl Rd  
McAllen, TX 78501

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

# Drought Target Chart

**Historic Trinity Production Permit -** \_\_\_\_\_ **Needmore Water LLC**

Water Use: Agricultural Livestock

Permitted Pumpage (GPY): 179,965,440 UDCP Approved in Fiscal Year: FY 2016

Trinity Management Zone Pumpage Volume Targets During Drought Stages							
Fiscal Year	Monthly Volume Allocation	No Drought Baseline	Stage I Water Con. Period (Voluntary)	Stage II Alarm (Mandatory)	Stage III Critical (Mandatory)	Stage IV Exceptional (Mandatory)	Emergency Response Period (Mandatory)
		No Reduction	10% Reduction	20% Reduction	30% Reduction	30% Reduction	30% Reduction
September	11.00%	19,796,198	17,816,579	15,836,959	13,857,339	13,857,339	13,857,339
October	10.50%	18,896,371	17,006,734	15,117,097	13,227,460	13,227,460	13,227,460
November	9.80%	17,636,613	15,872,952	14,109,290	12,345,629	12,345,629	12,345,629
December	4.00%	7,198,618	6,478,756	5,758,894	5,039,032	5,039,032	5,039,032
January	1.60%	2,879,447	2,591,502	2,303,558	2,015,613	2,015,613	2,015,613
February	1.30%	2,339,551	2,105,596	1,871,641	1,637,686	1,637,686	1,637,686
March	4.80%	8,638,341	7,774,507	6,910,673	6,046,839	6,046,839	6,046,839
April	9.00%	16,196,890	14,577,201	12,957,512	11,337,823	11,337,823	11,337,823
May	12.00%	21,595,853	19,436,268	17,276,682	15,117,097	15,117,097	15,117,097
June	10.80%	19,436,268	17,492,641	15,549,014	13,605,387	13,605,387	13,605,387
July	12.00%	21,595,853	19,436,268	17,276,682	15,117,097	15,117,097	15,117,097
August	13.20%	23,755,438	21,379,894	19,004,350	16,628,807	16,628,807	16,628,807
<b>Annual Totals:</b>	100.00%	<b>179,965,440</b>	<b>161,968,896</b>	<b>143,972,352</b>	<b>125,975,808</b>	<b>125,975,808</b>	<b>125,975,808</b>

Template Updated: 081515

\_\_\_\_\_ District Representative \_\_\_\_\_ Date

\_\_\_\_\_ Permittee Signature \_\_\_\_\_ Date