

Texana Groundwater Conservation District

411 N. Wells St., Suite 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

March 24, 2023

Via email: mkubecka@homegrownseafood.com

Via CMRRR: 7021 0350 0000 2786 0674

Bowers and Saha Aquaculture LLC
24781 SH 35 S
Palacios, Texas 77465

RE: Notice of Intent to Contest Application

Mr. Bowers,

The district has received the application you submitted requesting amendment of permit AP-20121203-14. The application has been assigned the following identification number: AAPC-20230321-01. The application is being processed under permitting request case PRC-20230321-01.

Upon initial review of the permitting request case and related permit, the District has determined that the request is logically inconsistent and therefore contests the request.

The request, as specified in application AAPC-20230321-01, seeks to alter permit AP-20121203-14 by eliminating "weekly groundwater testing requirements" and "curtailment requirements". However, the permit does not contain 1) "weekly groundwater testing requirements", or 2) "curtailment requirements".

Based on discussions with Mr. Mark Kubecka, I suspect that your intention was to request an amendment to permit OPWF-20191219-01 and waiver WV-20191219-01 to eliminate certain monitoring and curtailment requirements within that affect the operation of the subject well field. If this is accurate, you should submit an application to amend the permit and waiver to that effect.

The district wishes, if possible, to resolve the identified issues prior to scheduling the matter for consideration by the Board of Directors of the District. The next meeting of the Board of Directors of the Texana Groundwater Conservation District is scheduled for April 20, 2023. Therefore, the district must submit the hearing notice regarding permitting request cases to be considered at the meeting no later than April 4, 2023.

If you wish to discuss or have any question regarding this matter, please contact the district at your earliest convenience..

Regards,



Tim Andruss
General Manager

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Jackson County for the Benefit of Jackson County's Landowners, Citizens, Economy, and Environment



AAPC- 20230329-01

Texana Groundwater Conservation District

Mailing Address: P.O. Box 1098, Edna, Texas 77957

(361) 781 - 0624

FAX: (361) 781 - 0453

Website: www.TexanaGCD.org

Email: admin@TexanaGCD.org

APPLICATION TO AMEND A PERMIT OR CERTIFICATE

Complete this application for the purposes of amending a permit or certificate issued by the District.

Note: In accordance with the District's rules, the District may request additional information not requested in this application in order to consider the application administratively complete.

Note: Applications to amend permits must be submitted within ninety (90) days of acquiring land or groundwater rights associated with a permit.

Instructions:

1. Complete the form to the best of your knowledge and belief.
2. Type or print all information.
3. Attach copies of any relevant documentation or information to this application.
4. If a portion of the information requested on this form cannot be provided, enter "unknown" in the related blank space.



SECTION 1: PERMIT OR CERTIFICATE HOLDER INFORMATION			
Last Name, First Name, Middle Initial			
Owner Entity (Partnership / Corporation / Trust, etc.)			
Bowers & Saha Aquaculture LLC			
Mailing Address:	24781 SH 35 S		
City:	PALACIOS	State:	TX
		Zipcode:	77465
Phone:	361-972-2414		
E-Mail:	mKubecka@homegrownseafood.com		



SECTION 2: AMENDMENT INFORMATION

Certificate Identification: Each certificate associated with subject waiver.

Permit Identification: WV-20191219-01

Description of Amendment Request

- 1) Amend the registration and permit of each well associated with each well located on the subject fish farm to reflect the change in ownership from Ekstrom Aquaculture to Bower and Saha Aquaculture LLC (BSA) as specified in Section 1 of this application;
- 2) Amend waiver WV-20191219-01 by:
 - a) revising Section 5.4 to eliminating items 9 through 12 related to monitoring activities of the Permitted Entity (BSA);
 - b) revising Section 5.6 to eliminate items 2 and 3 related to data gap limitations specific to required measurements of water levels and water quality;
 - c) revising Section 5.8 to eliminate item 1 to eliminate the performance criteria related to water levels of the lower fresh zone;
 - d) eliminating Section 5.9 related to water quality performance criteria;
 - e) revising Section 5.10 to:
 - i) eliminate item 1 related to acceptable initial conditions;
 - ii) revise item 2 related to the amount of curtailment to occur upon performance criteria not being satisfied;
 - iii) revise item 3 related to reduction of curtailments (restoration of production) upon satisfaction of performance criteria;
 - iv) revise item 5 related to discretionary reduction of required curtailment;
 - f) revising Section 5.11 related to fresh zone performance responses by eliminating items 1 through 4 and adding an item related to following district-wide curtailments; and
 - g) revising Section 5.12 related to failure to comply with required responses by adding and exception related to ensuring safety of farm stock.

See attached "red-lined" version of waiver WV-20191219-01.

BSA contends the requested amendment is justified because conductivity goes down with pumping TW-3. (See chart proof). 2022 Drought and pumping outside farm causing draw down beyond limits. District boundary and now-permitted pumping affects farm.

The attached report (i.e., "DiSorbo Report") is submitted as supporting documentation for the amendment request.



AAPC- 20230329-01

SECTION 3: AGREEMENT

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision and that the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I agree to operate the well, well field, or well system in accordance with the Texana County Groundwater Conservation District's Rules. I further state that I am the well, well field, or well system owner or I am authorized to act for the owner.

<u>Leed Bowers</u>	<u>3/27/23</u>
Signature	Date
<u>Leed Bowers</u>	
Printed Name	

Waiver and Variance

Section 1 – General Details:

This waiver and variance is granted in accordance with the provisions of the Rules of the Texana Groundwater Conservation District (the District) and acceptance of this waiver and variance constitutes an acknowledgment and agreement that the applicant, well operator, and well owner will comply with the terms and conditions of this waiver and variance and the Rules of the District not affected by this waiver and variance.

Waiver and Variance ID:	WV-20191219-01
Permitted Entity:	Ekstrom Aquaculture, LLC
Applicant Name:	James P. Ekstrom, President
Applicant Address:	1205 Frank Stubbs Dr., El Campo, Texas 77437
Waiver Application ID:	AWV-20190307-01
Associated Permit Applications:	ADW-20190306-01, ADW-20190306-02, ADW-20190306-03, ADW-20190306-04, ADW-20190306-05, ADW-20190306-06, ADW-20190306-07, AOWF-20190304-03
Associated Permits:	<p>Existing Production Permits:¹ VP-20121115-01, VP-20121203-01, VP-20121203-02, VP-20121203-03, VP-20121203-04, VP-20121203-05, VP-20121203-06, VP-20121203-07, AP-201203-14, VPW-20191219-01</p> <p>Drilling Permits: DP-20191219-01, DP-20191219-02, DP-20191219-03, DP-20191219-04, DP-20191219-05, DP-20191219-06, DP-20191219-07; and</p> <p>Production Permit: OPWF-20191219-01.</p>
Associated District Rules:	<p>Item 12 of Rule 4.2 (Required information for an application for a drilling permit);</p> <p>Items 9 and 10 of Rule 4.3 (Required information for an application for a production permit);</p> <p>Item 13 of Rule 4.3 (Production Permit Conditions);</p> <p>Item 4 of Rule 4.11 (Attempts to obtain adjacent landowner waivers).</p> <p>Item 1 of Rule 5.2 (Well Separation Requirement for Well Fields); Item 3 of Rule 6.4 (1/2 AFYA Limitation).</p>

¹ These existing production permits shall remain in effect independent of this waiver and variance, and those requiring renewal are deemed renewed without changes; but production of the wells is governed by this waiver and variance and any conflicting permit terms are suspended in favor of this waiver and variance once production begins under OPWF-20191219-01, unless Permitted Entity surrenders this waiver and variance to the District.

This waiver is conditioned upon the well operator and well owners otherwise complying with the Rules of the District and regulations of the State of Texas, as amended, applicable to operating water wells within the District. This waiver confers only the right to use the subject wells under the provisions of the Rules of the District and according to the terms of this waiver and variance. The waiver and variance term and conditions may be modified or amended pursuant to the Rules of the District. This waiver is conditioned upon the Permitted Entity and its successors maintaining ownership of the contiguous tract of land associated with the well field.

Section 2 - Finding of Good Cause by the Board of Directors of the District:

The Board of Directors finds good cause to waive item 12 of Rule 4.2, items 9 and 10 of Rule 4.3, item 13 of Rule 4.3, item 4 of Rule 4.11, item 1 of Rule 5.2, and item 3 of Rule 6.4 and to authorize production in accordance with the terms of this waiver and variance. The basis of the finding of good cause to grant this waiver is the authorization of production of groundwater of lower quality from wells drilled in close proximity to the Carancahua Bay and completed in surficial water strata generally known to produce poor-quality groundwater with total dissolved solids typically in excess of 5,000 mg/L will likely 1) reduce future demand for high-quality groundwater found in deeper water strata in vicinity of the well field site, 2) reduce the negative impacts associated with production of groundwater on higher quality groundwater in the vicinity of the well field site in deeper water bearing strata, and 3) produce valuable empirical data regarding the development of shallow, brackish groundwater resources near the coast line within the District.

Section 3 - Waiver and Variance Granted:

The Board of Directors grants the following waivers and variances subject to the condition established herein:

1. waive the requirements, established under item 12 of Rule 4.2 and items 9 and 10 of Rule 4.3, to submit technical data with drilling and production permit applications and allow the data within the reports titled *Associated Permitting Applications to the report Assessment of Proposed Groundwater Production at Ekstrom Aquaculture LLC Expansion Project* authored by Venkatesh Uddameri, Ph.D., P.E., and *Assessment of Proposed Groundwater Production at Ekstrom Aquaculture LLC Expansion Project - Additional Simulations and Water Quality Analysis* authored by Venkatesh Uddameri, Ph.D., P.E. to suffice for such purposes;
2. waive the requirement, established under item 4 under Rule 4.11 for the applicant to attempt to obtain the waivers and identifying any required waivers that were not obtained and reason the waiver was not obtained in instances in which the rules of the District allow for exceptions contingent on waiver by adjoining or adjacent landowners;
3. waive the requirement, established under item 1 of Rule 5.2, to prohibit the placement of wells of a non-grandfathered well field closer than one foot per every one gallon-per-minute to wells not owned by the Permitted Entity and authorize the drilling of the proposed wells at locations within the contiguous acreage owned or controlled by the Permitted Entity at the tract of land encompassing the well field;
4. waive the requirement, established under item 3 of Rule 6.4, to limit production of groundwater from the subject well field, comprised of existing grandfathered wells with historic-use production permits, existing non-grandfathered wells with non-historic-use

- production permits, and proposed non-grandfathered wells, to a rate that does not exceed one-half acre foot per year per contiguous surface acre owned or controlled by the Permitted Entity at the tract of land encompassing the well field;
5. waive the performance standards established under item 13 of Rule 4.3 on the condition that the performance standards established in this waiver and variance shall apply;
 6. authorize the production of groundwater from the subject well field at a rate not to exceed 5,884 acre-feet per year; and
 7. authorize the production of groundwater from the subject well field at a rate not to exceed 9,210 gallons per minute.

Section 4 - Definitions:

The Board of Directors establishes the following definitions as part of this waiver:

1. **Non-grandfathered Brackish Well (NBW)** means a non-grandfathered well operated to produce brackish groundwater.
2. **Aquifer Monitoring Site (AMS)** means an area located on the contiguous property on which the subject well field is located and is designated as an aquifer monitoring site at which monitoring wells shall be established and aquifer monitoring activities shall be conducted.
3. **Dedicated Aquifer Monitoring Well (DAMW)** means a water well located within an AMS dedicated to and used solely for aquifer monitoring purposes.
4. **Upper Brackish - Dedicated Aquifer Monitoring Well (UB-DAMW)** means a DAMW constructed with a well screen isolated by a positive displacement seal within the groundwater zone from which NBWs will produce brackish groundwater.
5. **Lower Fresh - Dedicated Aquifer Monitoring Well (LF-DAMW)** means a DAMW constructed with a well screen isolated by a positive displacement seal within the groundwater zone with fresh water located below the zone from which NBWs will produce brackish groundwater.
6. **Initial Condition Evaluation Period (ICEP)** means the 10-day period of suspended groundwater production by the Permitted Entity during which the initial aquifer conditions at the well site shall be established.
7. **Initial Water Level Condition (IWLC)** means the average water level depth, as the measurement of water level depth below the surface, observed in a DAMW during the final 3-day period of the ICEP.
8. **Annual Drawdown Adjustment Factor (ADAF)** means the amount of drawdown in feet, as calculated by the District, based on observations of water level depths below the surface in wells in (a) the "Upper Brackish" groundwater zone, as described in 4., above, and (b) in the "Lower Fresh" groundwater zone, as described in 5., above, within a 5 mile radius of the subject well field attributed to causes other than the groundwater production by Permitted Entity at the end of a particular calendar year relative to IWLC.
9. **Adjusted Water Level Condition (AWLC)** means the increased water level depth below the surface for a particular calendar year determined by increasing the depth calculated for the IWLC by the ADAF.
10. **Average Water Level (AVG-WL)** means the average value of all water level depth measurements collected, at regular intervals, from a DAMW for a period of time.

11. **Initial Water Quality Condition (IWQC)** means the initial water quality conditions, as temperature-corrected, specific conductivity measurements in $\mu\text{S}/\text{cm}$ units, observed in a DAMW during the final 3-day period of the ICEP.
12. **Average Conductivity (AVG-COND)** means the average value of all temperature-corrected, specific conductivity measurements, in $\mu\text{S}/\text{cm}$ units, collected, at regular intervals, from a DAMW for a period of time.
13. **Produced Groundwater (PGW)** means the volume, in gallons, of groundwater produced from a well or set of wells of the subject well field during a specific reporting period.
14. **Produced Groundwater in Acre-Feet (PGW-AF)** means the volume, in acre-feet, of groundwater produced from a well or set of wells of the subject well field during a specific reporting period, calculated by dividing the PGW by 325,851.
15. **Produced Groundwater Year-to-Date (PGW-YTD)** means the volume, in gallons, of groundwater produced from a well or set of wells of the subject well field from January 1 of the report year to the end of the reporting period.
16. **Produced Groundwater Year-to-Date in Acre-Feet (PGW-YTD-AF)** means the volume, in acre-feet, of groundwater produced from a well or set of wells of the subject well field from January 1 of the report year to the end of the reporting period, calculated by dividing the PGW-YTD by 325,851.
17. **Average Water Level Difference (AVG-WL-DIFF)** means the difference between the AVG-WL calculated for IWLCs and the AVG-WL calculated for a report period.
18. **Average Conductivity Difference (AVG-COND-DIFF)** means the difference between the AVG-COND calculated for the IWQCs and the AVG-COND calculated for a report period.

Section 5 – Conditions and Requirements

The Board of Directors establishes the following conditions and requirements, in addition to those requirements established by the Rules of the District not affected by this waiver and variance, in conjunction with granting this waiver.

Section 5.1 – New Brackish Well Construction Requirements

The following conditions and requirements related to drilling and construction are established for the new NBWs operated under permit OPWF-20191219-01:

1. NBWs shall not be drilled to a depth that exceeds 220 feet below the surface of the ground;
2. NBWs shall not be drilled closer than fifty feet to the nearest property line; and
3. NBWs shall be constructed in a manner to facilitate the collection of water level measurements using a steel tape and water samples directly from the well head.

Section 5.2 – Groundwater Production Limitations

The following conditions and requirements related to groundwater production are established for the water wells operated under production permit OPWF-20191219-01:

1. Groundwater produced from the wells of the subject well field shall be used solely for agricultural purposes;

2. Groundwater shall not be produced from the grandfathered wells of the subject well field at gallons per minute rates that exceed the gallons per minute production rate identified within the historic use production permits associated with a specific grandfathered well of the well field; and
3. Groundwater production from any NBW shall not exceed 350 gallons per minute.

Section 5.3 – Groundwater Production Monitoring and Reporting Requirements

The following conditions and requirements related to groundwater production monitoring and reporting are established for the water wells operated under production permit OPWF-20191219-01:

1. Groundwater production from each well of the subject well field shall be measured by calibrated flow meters.
2. Flow meters used to measure flow of groundwater shall be re-calibrated at least every 5 years.
3. Monthly groundwater production volumes from each well of the subject well field shall be recorded and reported to the District on a monthly basis.
4. Groundwater production measurements from the wells of the subject well field shall be reported to the District within 15 days following the end of each monthly monitoring period.
5. Groundwater production measurements shall be reported in a machine-readable format approved by the District.

Section 5.4 – Aquifer Monitoring and Reporting Requirements

The following conditions and requirements related to aquifer monitoring and reporting are established for the well field operated under production permit OPWF-20191219-01:

1. AMSs shall be established by the Permitted Entity on the well filed site within 300 feet for the following locations:
 - a. West-AMS: 28°41'6.266"N, 96°23'23.006"W;
 - b. Center-AMS: 28°41'08.8"N, 96°22'24.5"W; and
 - c. East-AMS: 28°41'9.856"N, 96°21'25.286"W.
2. A UB-DAMW shall be constructed at each AMS.
3. A LF-DAMW shall be constructed at each AMS.
4. Each DAMW shall be maintained by the Permitted Entity for the term of this waiver.
5. The District shall install and maintain, at the expense of the District, monitoring equipment including water level measurement probes and water conductivity probes at each DAMW.
6. Each DAMW shall be accessible to the District for the purpose of measuring aquifer conditions and installation of aquifer monitoring probes with reasonable advance notice to the Permitted Entity.
7. Water level measurements and conductivity measurements made and recorded by the District shall be used and, if determined to be appropriate by the District, substituted for corresponding, i.e. the same location, date, and time, measurements to be made and recorded by the Permitted Entity.
8. Each UB-DAMW shall have hourly water level measured and recorded by the District. These measurements can be made using a manufacturer-calibrated transducer.

- ~~9. Each UB-DAMW shall have water level, temperature, and specific conductivity measured and recorded routinely on a no-less-than weekly basis by the Permitted Entity. These measurements can be made using a manufacturer-calibrated transducer.~~
- ~~10.9. Each LF-DAMW shall have water level, temperature, and specific conductivity measured and recorded routinely on a no-less-than weekly basis by the Permitted Entity. These measurements can be made using a manufacturer-calibrated transducer.~~
- ~~11. The aquifer measurements collected during each monthly monitoring period by the Permitted Entity from the DAMWs shall be reported to the District within 15 days of the end of each monthly monitoring period.~~
- ~~12. The aquifer measurements shall be reported by the Permitted Entity in a machine-readable format approved by the District.~~
- ~~13.10. The aquifer measurements collected during each monthly monitoring period by the District from the DAMWs shall be reported to the Permitted Entity within 15 days of the end of each monthly monitoring period.~~
- ~~14.11. The aquifer measurements shall be reported by the District in a machine-readable format.~~

Section 5.5 – Aquifer Monitoring Data Evaluation Requirements

The following conditions and requirements related to aquifer monitoring data evaluation are established for the well field to be operated under production permit OPWF-20191219-01:

1. IWLCs shall be calculated by the District for each DAMW prior to operation of any of the subject wells under permit OPWF-20191219-01;
2. IWLCs for each DAMW shall be calculated as:
 - a. the AVG-WL for the measurements collected by the District from the DAMW during a 3-day duration observation period occurring before commencement of operations under OPWF-20191219-01; and
3. The water level measurements collected by the District to calculate the IWLCs shall be collected during a time period during which groundwater production from other wells owned or controlled by Permitted Entity is suspended and was suspended for the preceding 7-day period.
4. IWQCs shall be calculated by the District for each DAMW prior to operation of any of the subject wells under permit OPWF-20191219-01.
5. IWQCs for each DAMW shall be calculated as:
 - a. the AVG-COND for the measurements collected by the District from the DAMW during the same 3-day duration observation period occurring before commencement of operations under OPWF-20191219-01 as was observed for the IWLC calculation; and
6. The water quality measurements collected by the District to calculate the IWQCs shall be collected during the same time period during which groundwater production from other wells owned or controlled by Permitted Entity is suspended and was suspended for the preceding 7-day period as was observed for IWLC calculation.
7. For each monthly reporting period, the following parameters shall be calculated and reported for each well of the well field by the Permitted Entity:
 - a. PGW;
 - b. PGW-AF;

- c. PGW-YTD; and
 - d. PGW-YTD-AF.
8. For each monthly reporting period, the following parameters shall be calculated and reported for both the current and previous monthly reporting period for each DAMW of the well field by the Permitted Entity:
- a. AVG-WL;
 - b. AVG-COND;
 - c. AVG-WL-DIFF; and
 - d. AVG-COND-DIFF.

Section 5.6 – Well Field Monitoring Performance Criteria

The following conditions and requirements are established as performance criteria to demonstrate the compliance with production permit OPWF-20191219-01 regarding well field monitoring:

- 1. the monitoring data related to groundwater production collected and reported by the Permitted Entity shall not have data gaps that constitute more than 5% of the total prescribed measurements per production well during a year;
- ~~2. the monitoring data related to water level measurements collected and reported by the Permitted Entity shall not have data gaps that constitute more than 5% of the total prescribed measurements per monitoring well during a year; and~~
- ~~3. the monitoring data related to water quality measurements collected and reported by the Permitted Entity shall not have data gaps that constitute more than 5% of the total prescribed measurements per monitoring well during a year.~~

Section 5.7 – Groundwater Production Performance Criteria

The following conditions and requirements are established as performance criteria to demonstrate the compliance with production permit OPWF-20191219-01 regarding groundwater production:

- 1. the PGW-YTD-AF for the well field shall not exceed the aggregate volume of groundwater production authorized by the District under production permits associated with water wells within the well field.

Section 5.8 – Groundwater Level Performance Criteria

The following conditions and requirements are established as performance criteria to demonstrate the compliance with production permit OPWF-20191219-01 regarding groundwater water levels:

- ~~1. the AVG-WL, during a reporting period, shall not be more than 10 feet lower in depth than the AWLC for any LF-DAMW; and~~
- 2.1. the AVG-WL, during a reporting period, shall not be more than 20.5 feet lower in depth than the AWLC for any UB-DAMW.

Section 5.9 – Groundwater Quality Performance Criteria

The following conditions and requirements are established as performance criteria to demonstrate the compliance with production permit OPWF-20191219-01 regarding groundwater quality:

1. ~~Limits of Acceptable Initial Conditions:~~
 - a. ~~the AVG COND calculated for the IWQCs for any LF DAMW shall not be greater than 2,600 µS/cm;~~
 - b. ~~the AVG COND calculated for the IWQCs for any UB DAMW shall not be less than 7,000 µS/cm; and~~
 - c. ~~the AVG COND calculated for the IWQCs for any UB DAMW shall not be greater than 28,000 µS/cm.~~
2. ~~Limits of Acceptable Impact Calculated during Reporting Period:~~
 - a. ~~the AVG COND calculated for any LF DAMW during the reporting period shall not be greater than 110 percent of the corresponding AVG COND of the IWQCs; and~~
 - b. ~~a. the AVG COND for any UB DAMW during the reporting period shall not exceed 33,000 µS/cm.~~

Section 5.10 – Brackish Zone Performance Responses

The following conditions and requirements as performance responses are established for the brackish well field zone to be operated under production permit OPWF-20191219-01:

1. ~~In the event that the groundwater quality performance criteria related to limits of acceptable initial conditions of DAMWs are not achieved, groundwater production from the new NBWs under OPWF-20191219-01 is prohibited until performance is achieved.~~
2. ~~1. In the event that any performance criteria are not satisfied during two consecutive reporting periods, groundwater production from wells of the subject well field zone during the next reporting period shall be curtailed to 75 percent of the PGW of the the average of the last 12 month reporting period. ~~most recent reporting period.~~~~
3. ~~2. Should curtailment be required due to failure to meet the performance criteria as outlined in this section but be met during the reporting period following curtailment, the curtailment shall be reduced by 25 percent of the total initial curtailment amount for the next reporting period and each reporting period thereafter until production has been restored to the PGW of the reporting period previous to the curtailment at which point the curtailment shall be deemed terminated. Once performance criteria have been met for 2 consecutive reporting periods the full curtailment is terminated.~~
4. ~~3. In the event that any performance criteria are not satisfied during two consecutive reporting periods and the Permitted Entity includes with its report a statement identifying the circumstances which caused the performance criteria exceedance, the General Manager shall review the Permitted Entity's statement. The General Manager may waive or reduce the performance responses described in this section if the Permitted Entity makes a scientifically-credible showing that the exceedance was caused by conditions outside the Permitted Entity's reasonable control, including *force majeure*. *Force majeure* is (a) an act of God; (b) flood, drought, fire, earthquake, hurricane, storm surge, or explosion; (c) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot, or other civil unrest; (d) action by any governmental authority, including an order or law. The Permitted Entity shall be deemed on notice of potential curtailment for any failure to meet the reporting criteria in two consecutive reporting periods.~~
5. ~~4. In the event that any performance criteria are not satisfied for more than two consecutive reporting periods, and the General Manager determines that such exceedance was not caused by factors outside the Permitted Entity's reasonable control, groundwater~~

production from wells of the subject well field zone during the next reporting period shall be curtailed to 75 percent of the PGW of the most recent reporting period, 12 month average monthly production.

Section 5.11 – Fresh Zone Performance Responses

The following conditions and requirements as performance responses are established for the fresh water well field zone to be operated under production permit OPWF-20191219-01:

- ~~1. In the event that any performance criteria are not satisfied during two consecutive reporting periods, groundwater production from wells of the subject well field zone during the next reporting period shall be curtailed to 75 percent of the PGW of the most recent reporting period.~~
 - ~~2. In the event that any performance criteria are not satisfied during two consecutive reporting periods and the Permitted Entity includes with its report a statement identifying the circumstances which caused the performance criteria exceedance, the General Manager shall review the Permitted Entity's statement. The General Manager may waive or reduce the performance responses described in this section if the Permitted Entity makes a scientifically credible showing that the exceedance was caused by conditions outside the Permitted Entity's reasonable control, including *force majeure*. *Force majeure* is (a) an act of God; (b) flood, drought, fire, earthquake, hurricane, storm surge, or explosion; (c) war, invasion, hostilities (whether war is declared or not), terrorist threats or acts, riot, or other civil unrest; (d) action by any governmental authority, including an order or law. The Permitted Entity shall be deemed on notice of potential curtailment for any failure to meet the reporting criteria in two consecutive reporting periods.~~
 - ~~3. Should curtailment be required due to failure to meet the performance criteria as outlined in this section but be met during the reporting period following curtailment, the curtailment shall be reduced by 25 percent of the total initial curtailment amount for the next reporting period and each reporting period thereafter until production has been restored to the PGW of the reporting period previous to the curtailment at which point the curtailment shall be deemed terminated.~~
 - ~~4. In the event that any performance criteria are not satisfied for more than two consecutive reporting periods, and the General Manager determines that such exceedance was not caused by factors outside the Permitted Entity's reasonable control, groundwater production from wells of the subject well field zone during the next reporting period shall be curtailed to 75 percent of the PGW of the most recent reporting period.~~
1. Permitted Entity will follow any curtailment that is enforced on the entire district.

Section 5.12 – Failure to Comply with Required Responses

The following conditions and requirements related to failure to comply with performance responses are established for the well field to be operated under production permit OPWF-20191219-01:

1. In the event that groundwater production from the wells of the subject well field is not curtailed as required under this waiver, groundwater production from the wells of the subject well field shall be terminated until all enforcement proceedings have concluded.

unless production is required to ensure safety of the stock on site (freezing weather, drought, toxic algae, etc)-

Section 5.13 – Successful Compliance with Performance Criteria

On or after the date three years after the Permitted Entity first operates under permit OPWF-20191219-01, if the performance criteria herein have been satisfied, the Permitted Entity may request that monthly reporting and response periods be adjusted to longer periods as reasonably supported by the groundwater production data and monitoring data.

Authorization

On _____, the Board of Directors approved a motion instructing the General Manager to issue the waiver and variance request as described above.

Tim Andruss, General Manager

Date _____

Waiver and Variance Acceptance

James P. Ekstrom, President of Ekstrom Aquaculture, LLC

Date

January 10, 2022

Mr. Jim Ekstrom
Ekstrom Aquaculture, LLC
1205 Frank Stubbs Drive
El Campo, TX 77437

Re: Summary of Remediation Activities at IW-3B, 1014 Co. Rd. 477, Palacios, TX

Dear Mr. Ekstrom:

This letter report summarizes the remediation activities conducted at the referenced site. The objective of the remediation effort was to improve the water quality in the fresh aquifer. A successful remediation effort would be shown through a reduction in conductivity measurements recorded at FMW-3 and possibly the discharge water at IW-3B. Water levels were recorded at IW-3B, FMW-3 and BMW-3 throughout the remediation effort. The remediation effort consisted of pumping water from IW-3B for a sustained period of two weeks. Pumping began on December 2, 2021, at 9:15 am and continued through December 16, 2021, until approximately 7:45 am. The pump in IW-3B was operated at a rate sufficient to maintain a steady pumping rate of 1,000 gallons per minute, with some minor interruptions for mechanical repairs as follows:

- December 4, 2021; 5:50pm-6:10pm and 7:00pm-7:15pm;
- December 5, 2021; 6:15pm-6:55pm;
- December 8, 2021; 10:00am-10:10am;
- December 10, 2021; 11:15pm-11:30pm; and
- December 13, 2021; 5:30pm-5:35pm.

As the most robust historical conductivity data available for FMW-3 has been measured by the Victoria Groundwater Conservation District ("District") with a dedicated probe in the well, I used the data provided by the District to evaluate the effects of the remediation effort. The enclosed graph shows conductivity readings beginning on November 1, 2021 and continuing through December 31, 2021. As noted above, pumping at IW-3B started on December 2, 2021 and continued through December 16, 2021. As clearly shown on the graph, the conductivity readings at FMW-3 began to decrease shortly after pumping began and continued to decrease after pumping ceased. Conductivity readings were consistently above 3,000 uS/cm before the remediation effort and decreased to below 1,900 uS/cm.

During the remediation effort, conductivity readings were collected from the water discharged at IW-3B. A second graph shows the conductivity data for IW-3B, with a similar trend showing conductivity readings decreasing from a maximum of 3,368 uS/cm to a minimum of 2,380 uS/cm.

The decreasing trends in conductivity readings at FMW-3 and IW-3B indicate the remediation effort, which consisted solely of pumping water from IW-3B, was successful in improving the water quality

In the fresh aquifer. Also of significance is the fact that the water level measured in BMW-3 did not show a response to pumping from the fresh aquifer (see Figure 7 in Attachment A).

A secondary objective of the remediation effort was to measure water levels that could be used to estimate hydraulic properties of the fresh aquifer and evaluate the possible hydraulic connection between the fresh and overlying brackish aquifers. At my direction, Dr. Lee Wilson and Roger Miller of Lee Wilson and Associates, Inc. evaluated the water level data for this purpose. Their findings are included in Attachment A.

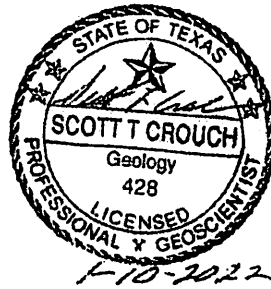
If you have any questions, please contact me at 512-297-3743.

Sincerely,

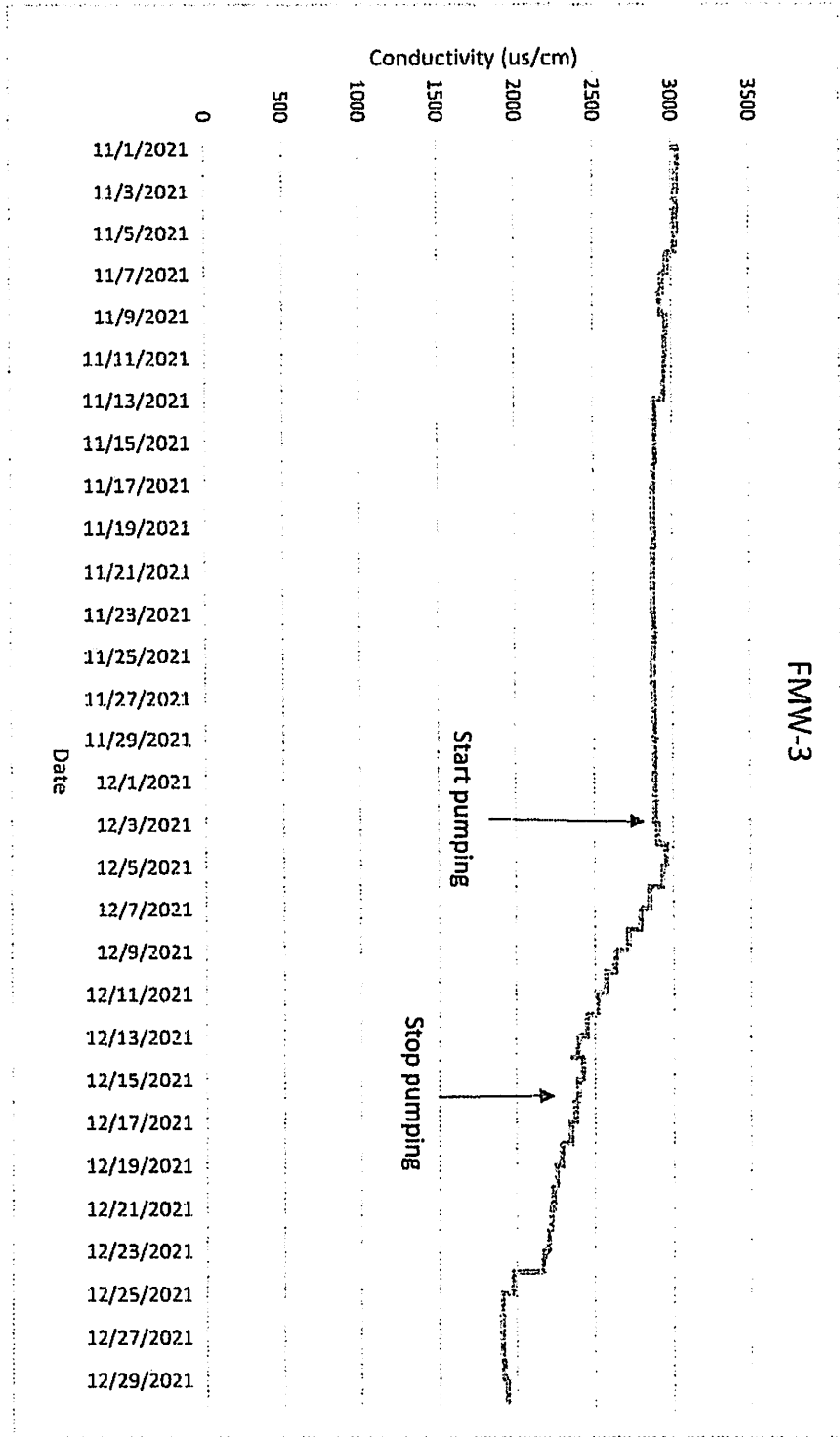


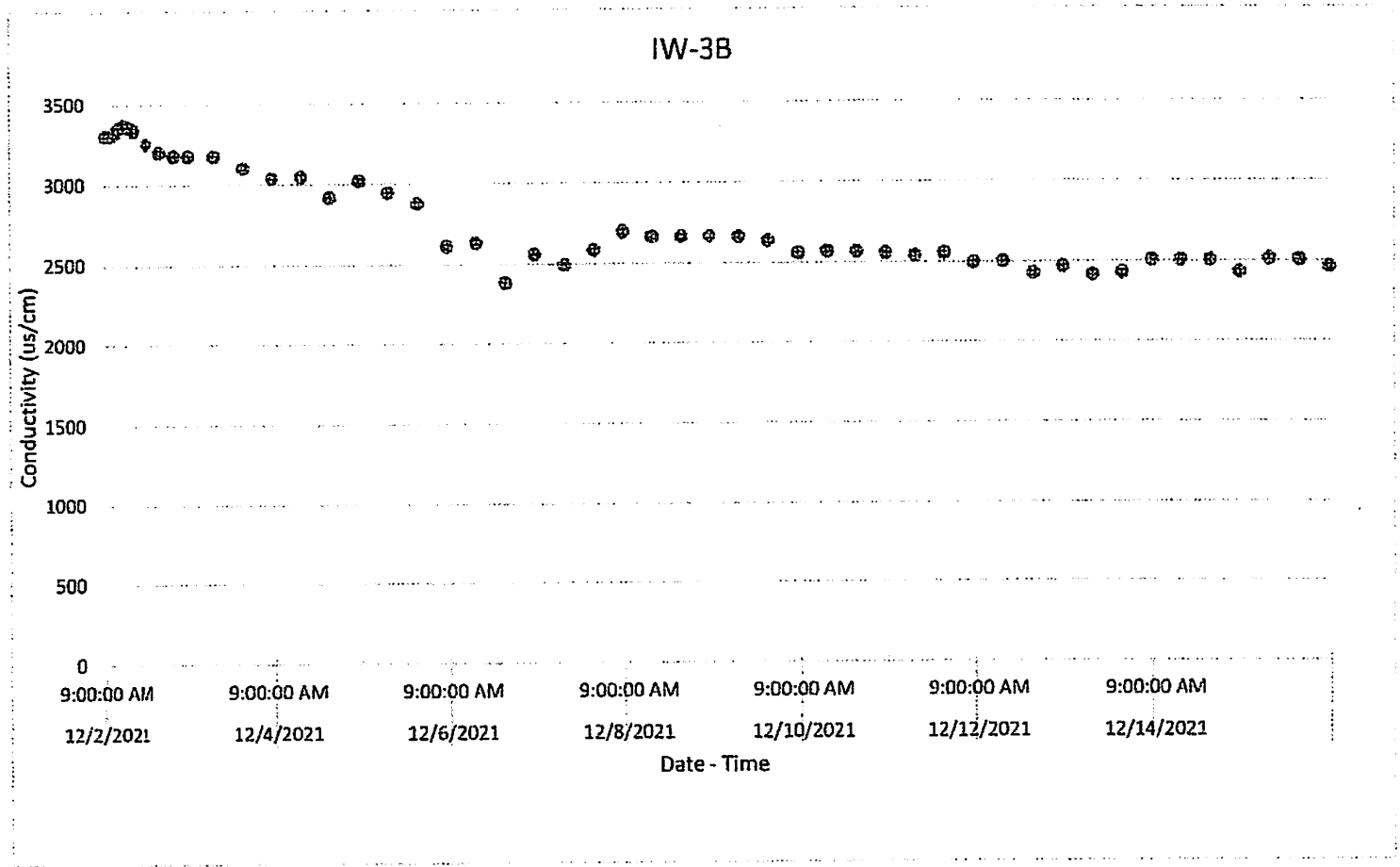
Scott T. Crouch, P.G.
Senior Geologist

Attachment



FMW-3





ATTACHMENT A

LEE WILLSON & ASSOCIATES, INC

To: Scott Crouch
 Cc: Jim Ekstrom
 From: Roger Miller and Lee Wilson
 Date: January 7, 2022
 Re: Aquifer insights from remediation pumping of well IW-3B

During the remediation pumping of Ekstrom well IW-3B some water level data were obtained at that well and at monitoring well FMW-3. While the remediation was not designed as an aquifer test, and variations in the pumping rate affect the usefulness of the data, the observed water levels can be assessed to give insights into the freshwater aquifer at the eastern edge of the Ekstrom property.

This memorandum interprets those data and provides values for aquifer parameters that can be considered until a formal aquifer test is conducted. The different test phases and observation locations resulted in four values for transmissivity and one value for artesian storativity, summarized in **Table 1**. Interpretation of the test data used the method of Cooper and Jacob as described in the book *Groundwater*, authored by R. Allan Freeze and John A. Cherry, and published by Prentice-Hall in 1979.

Table 1: Summary of test results.

Location and phase	Transmissivity (ft ² /day)	Storativity (unitless)
IW-3B pumping	7,600	
IW-3B recovery	9,800	
FMW-3 pumping	6,500	0.00061
FMW-3 recovery	6,300	

Figure 1 and **Figure 2** plot the actual observed water level during the test.

Results

Figure 3 is a log-normal plot of drawdown observed while pumping at IW-3B. The solid line is a manual match to the observed drawdown through the first day of pumping. The line does not extend to the very beginning of the test when start-up conditions were most significant. Water levels after the first day appear to be offset as a result of reduced pumping rates due to a slipping drive belt, and downtime for belt adjustment and replacement. The solid line slopes at 4.63 feet per log cycle. With a pumping rate of 1,000 gallons per minute, the method of Cooper and Jacob yields a transmissivity to two significant digits of 7,600 square feet/day.

Data near the end of the test were not analyzed, but the continued water level declines were consistent with earlier data. The dashed line in **Figure 3** is at the same slope as the solid line used to determine transmissivity. There is no evidence for a flattening of the drawdown line. Total drawdown at the end of pumping was 38.4 feet.

Figure 4 is a log-normal plot of drawdown observed during the recovery of IW-3B. The X axis in **Figure 4** is the ratio between the time elapsed since the beginning of the test and the time elapsed since the end of pumping. Time progresses from right to left.

The solid line in Figure 4 is a manual match to the observed data, excepting again the first data that reflect the initial borehole response when the water level rose quickly. The line slopes at 3.56 feet/log cycle. With a pumping rate of 1,000 gallons per minute, the method yields a transmissivity of 9,800 square feet/per day.

Figure 5 is a log-normal presentation of drawdown at FMW-3 while pumping IW-3B. The light gray symbols in Figure 5 show all the measurements at FMW-3, but only the data shown in dark gray were used for analysis. Earlier data were not considered because they didn't meet the time and distance requirements imposed by the Cooper-Jacob method, and later data were affected by temporarily reduced pumping at IW-3B.

The solid line in Figure 5 is a manual match to the data shown in dark gray. The line is extended to show the time at 0 drawdown, which was used to calculate the storativity. The slope of the solid line is 5.40 feet per log cycle. With pumping of 1,000 gallons per minute, the calculated transmissivity is 6,500 square feet per day. The projected time at zero drawdown is 0.03 days, which yields a storativity of 0.00061.

As at IW-3B (figure 3), drawdown at FMW-3 continued after a period of reduced pumping. The subsequent data fall along the dashed line in Figure 5, which has the same slope as the solid line. Data at FMW-3 provide no evidence for flattening of the drawdown curve with time.

Figure 6 is a log-normal presentation of the drawdown observed at FMW-3 after pumping ceased at IW-3B. As in figure 4, the X-axis is the ratio between the time elapsed since the beginning of the test and the time elapsed since the end of pumping. Figure 6 shows all the measured data in gray, but the data used for the analysis are shown in dark gray.

The solid line in Figure 6 is a manual match to the data. While the match is drawn entirely on the values shown in dark gray, the resulting line is representative of a larger set of data. The slope of the solid line is 5.56 feet per log cycle. With a pumping rate of 1,000 gallons per minute, the transmissivity is 6,300 square feet per day.

Figure 7 compares the water level records at BMW-3 and FMW-3, starting and ending before and after the test on IW-3B. Unlike levels at FMW-3, observations at BMW-3 could not be used to interpret the test results because they showed no response to pumping at IW-3B.

Discussion

The transmissivity values from the test span a range 3,500 square feet per day. Both values from IW-3B are higher than both values from FMW-3. The transmissivity values from FMW-3 are the preferred test result because they represent a larger volume of aquifer than the results from IW-3B. The higher transmissivity measured at IW-3B may indicate that the aquifer near IW-3B is locally more transmissive than the more averaged value from FMW-3. The test produced only one value for the storativity of the freshwater aquifer. The value of 0.00061 is reasonable for a confined aquifer.

The seventeen-day test produced no evidence for significant leakage between the brackish zone and the freshwater zone on the Ekstrom property. Leakage would be evident as drawdown in the brackish zone or as flattening of the drawdown trend at IW-3B or FMW-3 at late times during the pumping phase of the test. Neither Figure 3 nor Figure 5 illustrates any flattening in the late data.

Figure 1. Water levels measured at IW-3B.

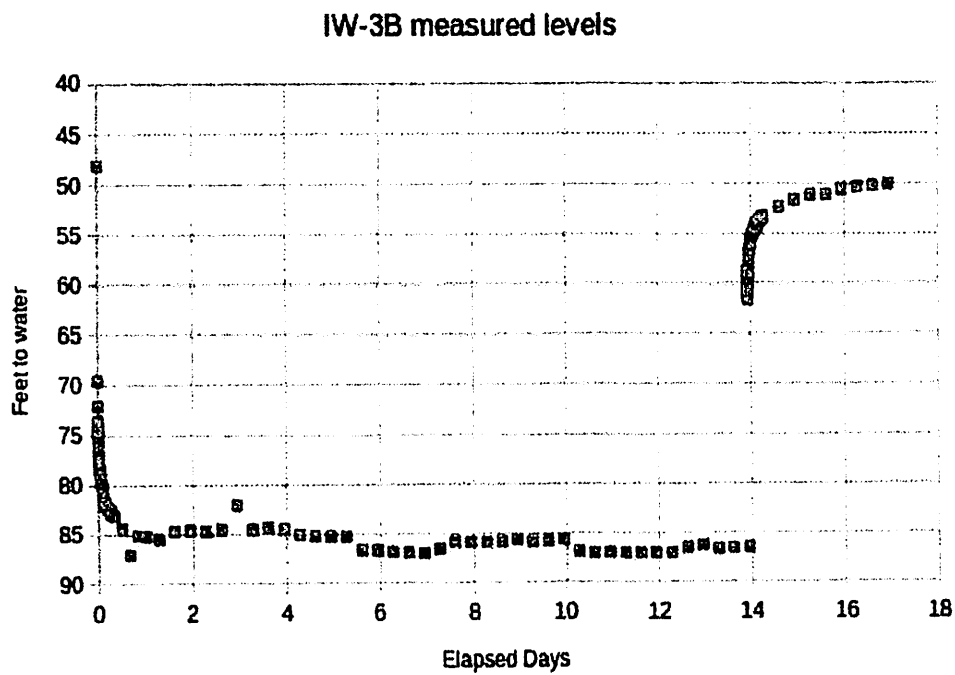


Figure 2. Water levels measured at FMW-3.

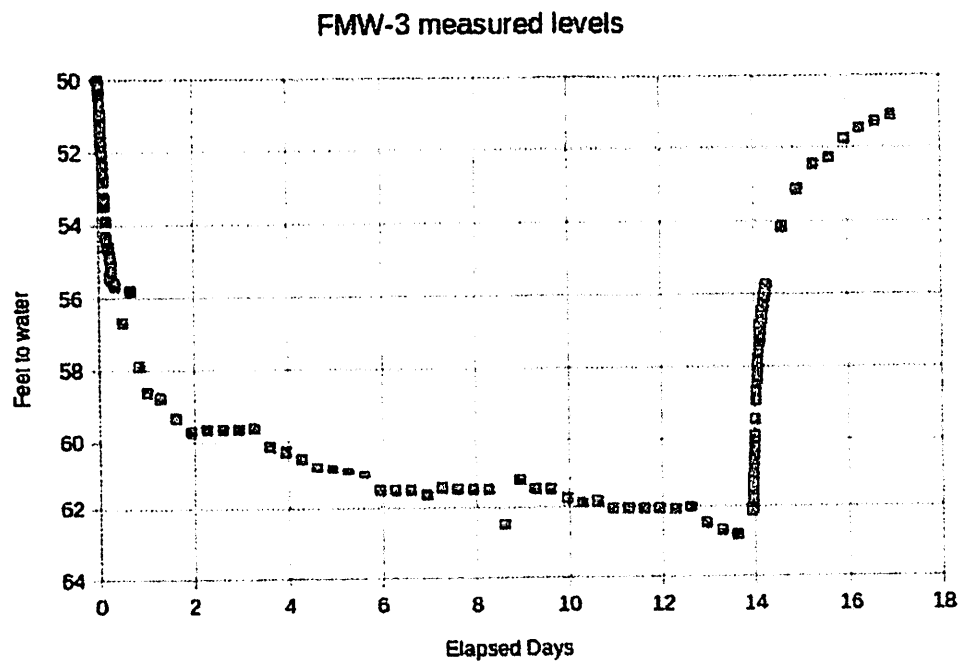


Figure 3. Log-normal plot of drawdown at IW-3B during pumping.

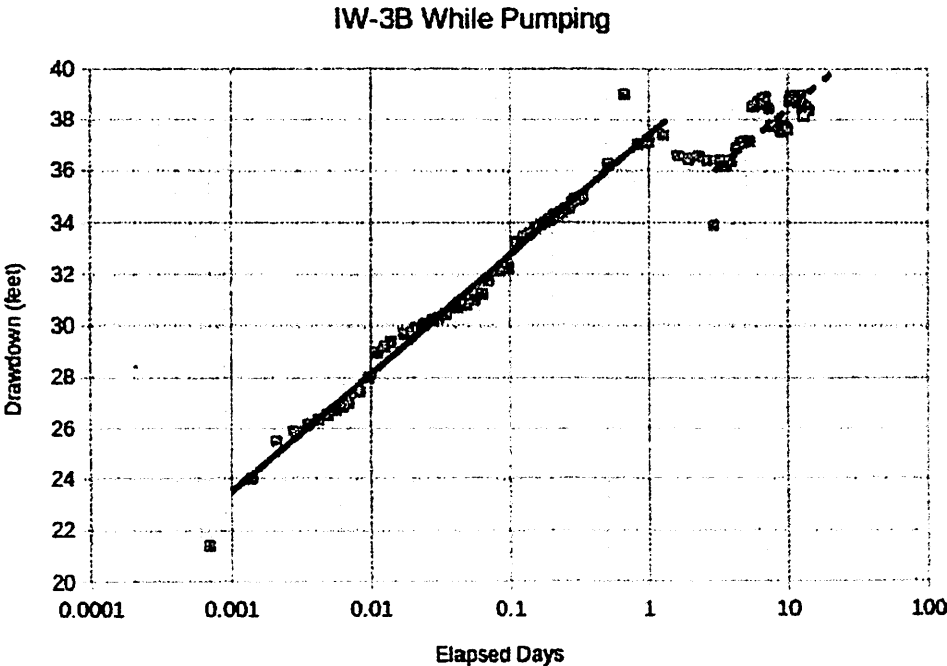


Figure 4. Log-normal plot of drawdown at IW-3B during recovery.

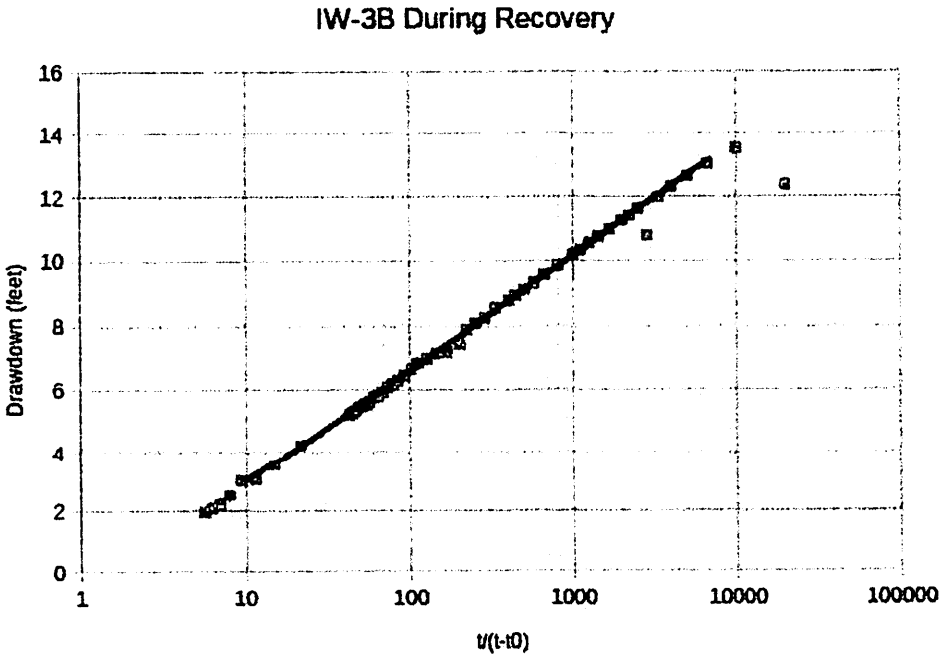


Figure 5. Log-normal plot of drawdown at FMW-3 during pumping at IW-3B.

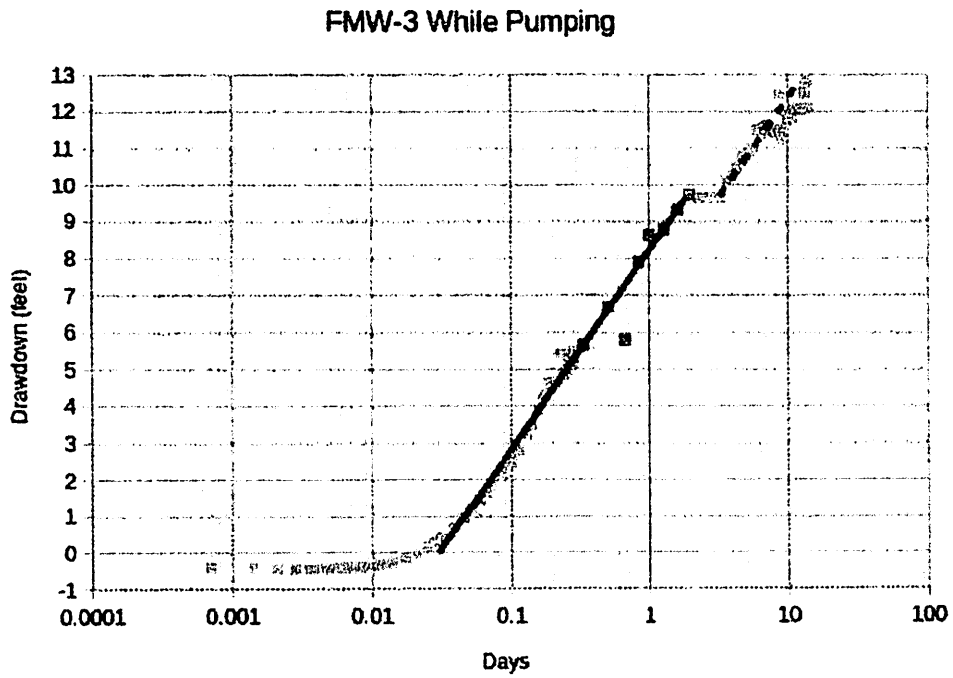


Figure 6. Log-normal plot of drawdown at FMW-3 during recovery.

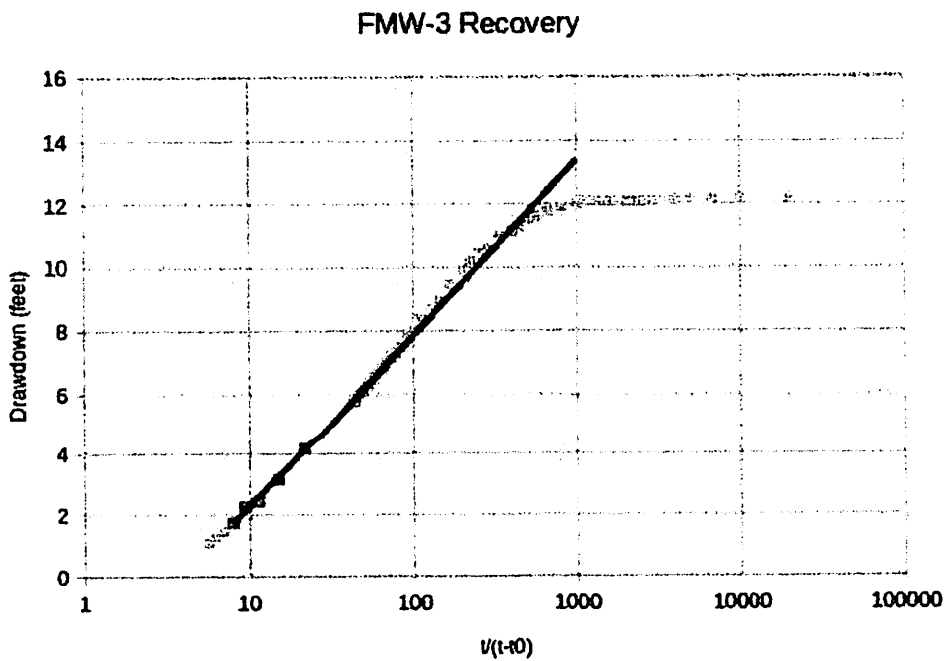
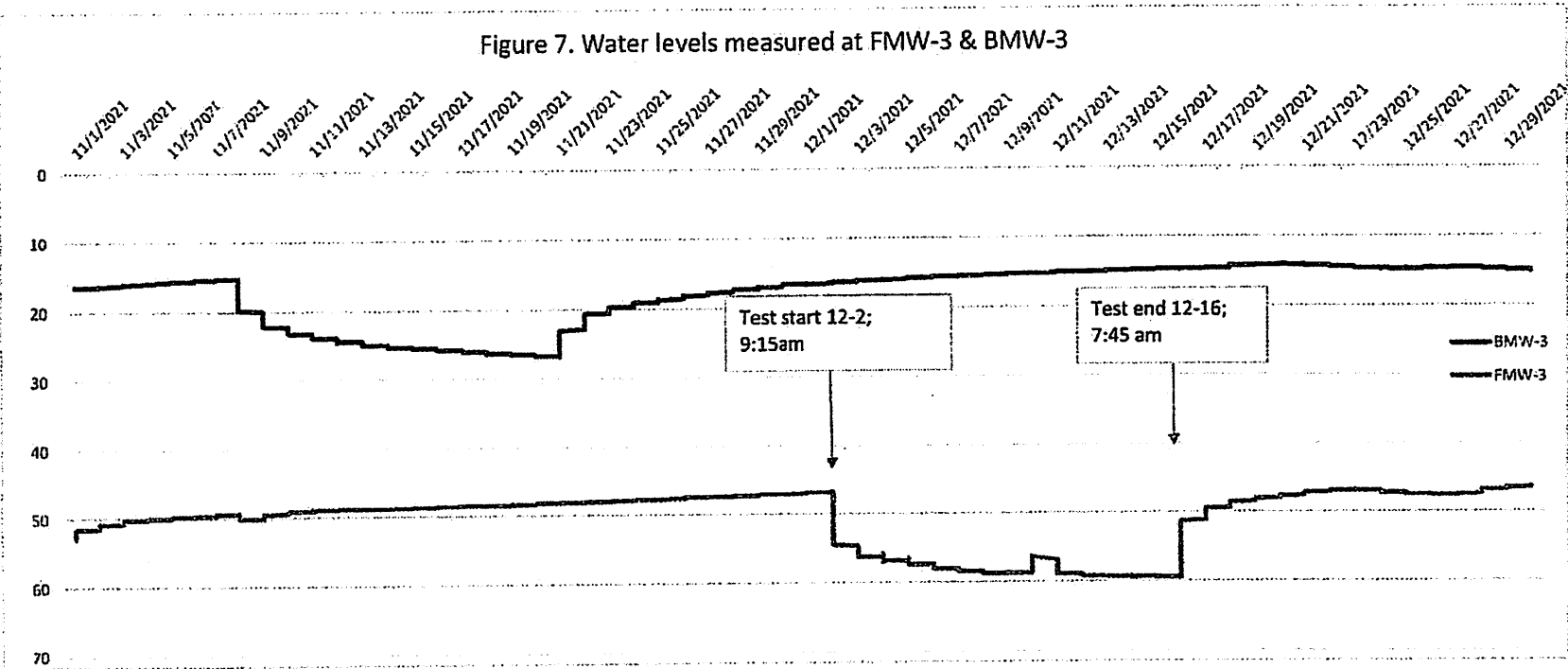
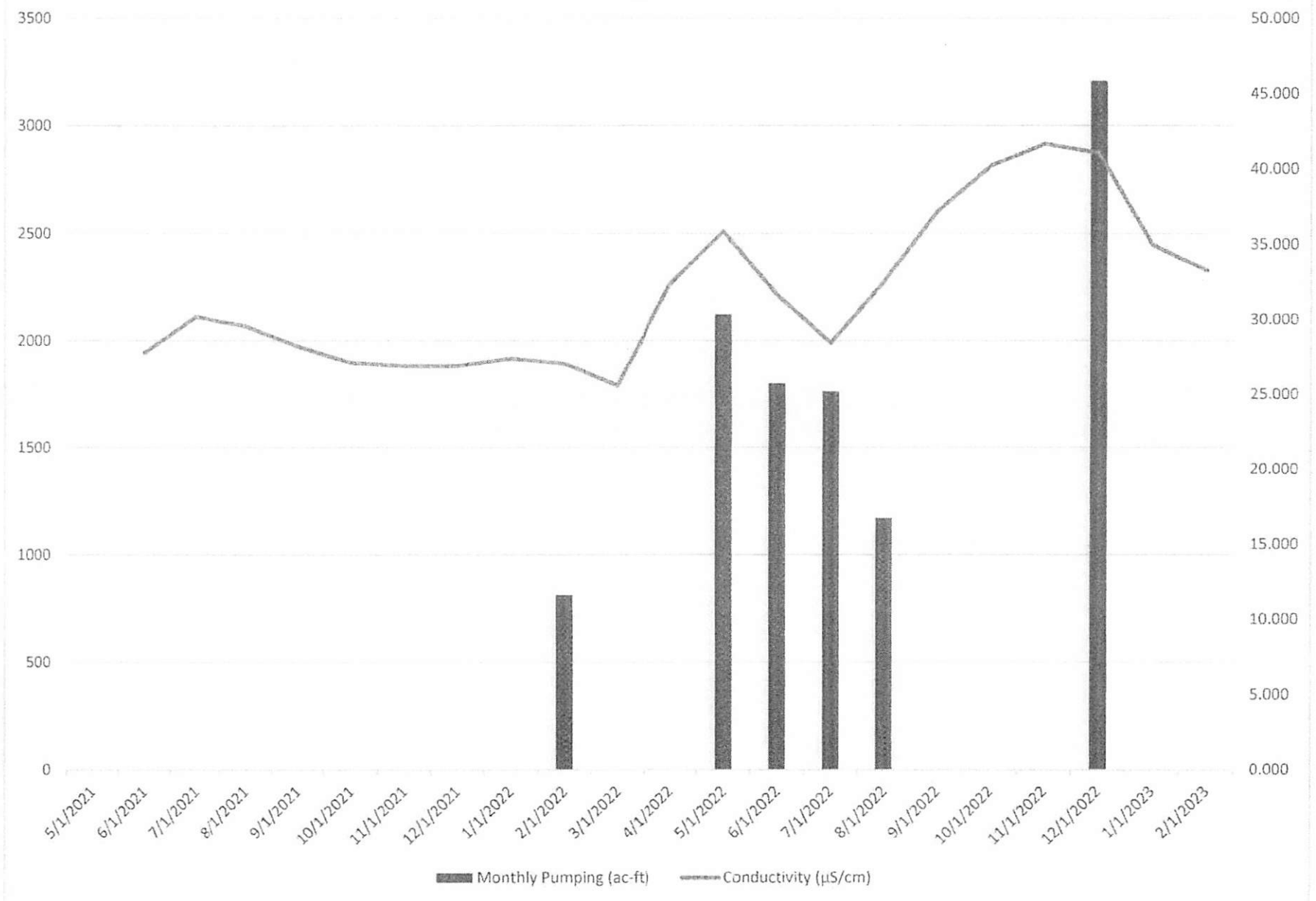


Figure 7. Water levels measured at FMW-3 & BMW-3



Conductivity Response to Pumping - IW-3 & FMW- 3



Texana Groundwater Conservation District

411 N. Wells St., Suite 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

March 30, 2023

Via email: mkubecka@homegrownseafood.com

Via CMRRR: 7021 0350 0000 2786 0681

Bowers and Saha Aquaculture LLC
24781 SH 35 S
Palacios, Texas 77465

RE: Notice of Intent to Contest Application

Mr. Bowers,

The district has received the revised application you submitted requesting amendment of waiver WV-20191219-01. The application has been assigned the following identification number: AAPC-20230329-01 and will be processed as a substitute application for AAPC-20230321-01. The application is being processed under permitting request case PRC-20230321-01.

Upon initial review of the permitting request case and related waiver, the District has determined that the request is logically inconsistent with the policies of the board as specified within the subject waiver.

The next meeting of the Board of Directors of the Texana Groundwater Conservation District is scheduled for April 20, 2023.

If you wish to discuss or have any question regarding this matter, please contact the district at your earliest convenience.

Regards,



Tim Andruss
General Manager

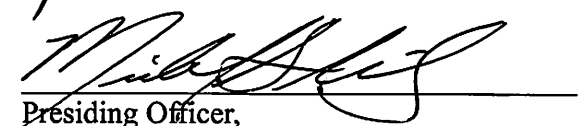
STATE OF TEXAS §
 §
COUNTY OF JACKSON §

ENFORCEMENT ORDER IN THE MATTER OF CANDIDO SAENZ, CAUSE NO. ECV-20230421-01

On this 20 day of July, 2023, the Board of Directors of the Texana Groundwater Conservation District convened an enforcement hearing in compliance with Section 36.102, Water Code, and the Texas Open Meetings Act, in the above styled and numbered cause. Based upon the evidence presented, the Board of Directors finds as follows:


1. Candido Saenz ~~appeared~~/did not appear at the hearing.
2. Candido Saenz has committed a violation of District Rule 2.6 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt well GW-00547 and that such violation is continuing. Each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
3. The penalty for this violation is assessed at \$ 2,000.00. Additional penalties are assessed at \$ 50.00 per day for each day following adoption of this order until the groundwater production for 2022 is properly reported.
4. Further, any associated permit with well No. GW-00547 is hereby cancelled and further production is prohibited from the well until said permit is reinstated by the district. District staff is ordered to place a seal upon the well to prevent further production.
5. Legal Counsel is hereby instructed to file suit if necessary to enforce this order.

READ and ADOPTED this 20 day of July, 2023 by a vote of 5 ayes and 0 nays.



Presiding Officer,
Texana Groundwater Conservation District

ATTEST:



Secretary, Texana Groundwater Conservation District

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@texanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

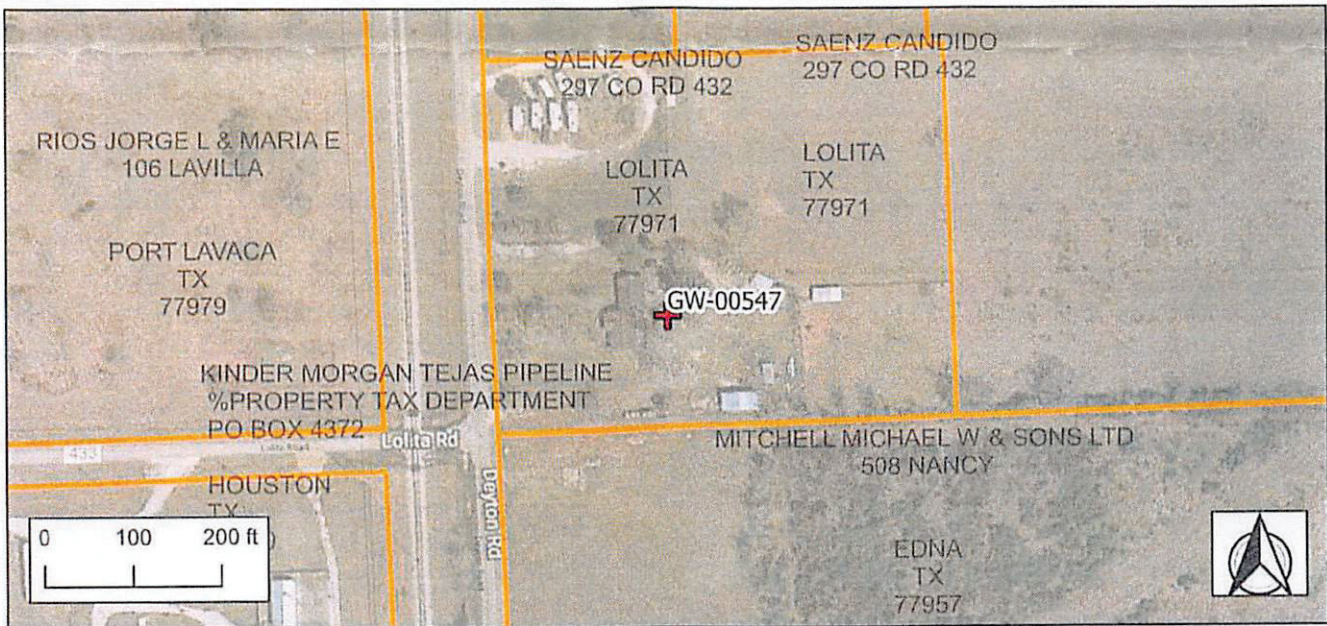
Well ID: Texana GCD - GW-00547
Well Coordinates: 28°49'7.3"N , 96°33'18.5"W
Well Site Location: 297 Cr 432, Lolita, Texas 77971
Well Owner Name: Candido Saenz
Well Owner Address: 2219 Raymond St., Pasadena, Texas 77506
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.

4:11pm CW

RECEIVED

JUL 20 2023

Texana Groundwater Conservation District



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00547

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 1 Acre

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

Candido Saenz
Signature of Well Owner or Authorized Agent

7/11/23
Date

Candido Saenz
Printed Name



GPR- 20230721-01--

Texana Groundwater Conservation District

Mailing Address: P.O. Box 1098, Edna, Texas 77957

(361) 781 - 0624

FAX: (361) 781 - 0453

Website: www.TexanaGCD.org

Email: admin@TexanaGCD.org

GROUNDWATER PRODUCTION REPORT

Complete this form for the purposes of reporting groundwater produced from a well for non-exempt use purposes.

Note: Groundwater produced for non-exempt use purposes reported to the must be accurate within 10% of the actual amount produced during the year.

Note: Groundwater produced for non-exempt use purposes shall be reported annually within 30 days of the December 31 of each year.

Instructions:

1. Complete the form to the best of your knowledge and belief.
2. Type or print all information.
3. Attach copies of any relevant documentation or information to this report.
4. If a portion of the information requested on this form cannot be provided, enter "unknown" in the related blank space.

CW

RECEIVED

JUL 21 2023

Texana Groundwater
Conservation District

8:30 AM



GPR- 20230721-01--

Texana Groundwater Conservation District

SECTION 1: WELL REGISTRATION AND PERMITTING DETAILS

TGCD Well Registration ID:	GW-00547
TGCD Production Permit ID:	

SECTION 2: GROUNDWATER PRODUCTION DETAILS

Report Year:	2023
Groundwater Production during Reporting Period in Acre-Feet: Acre-Feet = Gallons / 325,851	
Method used to determine production (Circle One):	<ol style="list-style-type: none"> 1. Estimation 2. Calculation 3. Metered 4. Other: <u>1/2 Acre-ft</u>

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

Candido Saenz
Signature of Well Owner or Authorized Agent

7/21/23
Date

Candido Saenz
Printed Name



ARW- 20230721-01--

Texana Groundwater Conservation District

Mailing Address: P.O. Box 1098, Edna, Texas 77957

(361) 781 - 0624

FAX: (361) 781 - 0453

Website: www.TexanaGCD.org

Email: admin@TexanaGCD.org

APPLICATION TO REGISTER A WELL

Complete this application for the purposes of registering an existing water well.

Note: In accordance with the District's rules, the District may request additional information not requested in this application in order to consider the application administratively complete.

Instructions:

1. Complete the form to the best of your knowledge and belief.
2. Type or print all information.
3. Attach copies of any relevant documentation or information to this application including:
 - a. a copy of the well driller's well log if the well was drilled after Year 2008; and
 - b. documentation demonstrating authority to act as an agent of the landowner if the application is submitted under the signature other than the landowner's signature.
4. If a portion of the information requested on this form cannot be provided, enter "unknown" in the related blank space.

8:30AM
CW
RECEIVED
JUL 21 2023
Texana Groundwater
Conservation District



ARW- 20230721-01

Texana Groundwater Conservation District

SECTION 1: WELL OWNER INFORMATION

Last Name, First Name, Middle Initial

Saenz, Candido

Owner Entity (Partnership / Corporation / Trust, etc.)

Mailing Address: 2219 Raymond St.

City: Pasadena

State: TX

Zipcode: 77506

Phone: 281 389 1306

E-Mail: msaez25@yahoo.com

SECTION 2: WELL LOCATION INFORMATION

Property Address: 297 county road 432

City: Lolita

State: TX

Zipcode: 77971

Nearest Intersection: CR 426

Latitude: 28°49'07.36"N

Longitude: 96°33'18.48"W

Distance to nearest property line in feet: 200+



Texana Groundwater Conservation District

SECTION 3: WELL CONSTRUCTION INFORMATION

Did the subject well exist prior to the date of the original adoption of the rules of the District, January 13, 2011? YES | NO

If the subject well was completed after the date of the original adoption of the rules of the District and the drilling of the well was not exempt from obtaining a drilling permit, specific the drilling permit number:

Well Completion Date: *unknown*

Well Depth: (Feet Below Surface) *N/A*

Casing Material: (PVC, Steel, Other) *PVC*

Casing Diameter: (Inches) *4 inch*

Depth to Top of Screen: (Feet Below Surface) *N/A*

Depth to Bottom of Screen: (Feet Below Surface) *N/A*

Purpose of use of the groundwater produced from the subject well: *Domestic*

Maximum Rate of Production in Gallons Per Minute: *20 gallons*

SECTION 4: WELL USE INFORMATION

- EXEMPT USE means the operation of a well, well field, or well system:
1. For the sole purpose of producing groundwater to be used for domestic use purposes;
 2. For the sole purpose of providing groundwater for personal recreation from a well that is completed, or equipped so that it is incapable of producing more than 35,000 gallons of groundwater per day;
 3. For the sole purpose of providing groundwater for livestock watering purposes;
 4. For the sole purpose of providing groundwater for fire fighting;
 5. For the sole purpose of providing a heat source or heat sink to a freshwater closed loop geothermal well; or
 6. For the sole purpose of providing access to monitor groundwater resources that does not consume more than 5,000 gallons of water per year.

Is the subject well used solely for EXEMPT USE purposes or a well otherwise exempt under the provisions of Section 36.117 of the Texas Water Code? YES | NO

Is the subject well capable of producing 720,000 gallons per day? YES | NO

Note: If the subject well is capable of producing 720,000 gallons per day, then submit the information as described in Rule 2.1(6).



Texana Groundwater Conservation District

SECTION 5: AGREEMENT

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete; and I agree to operate the well in accordance with the Texana Groundwater Conservation District's Rules and the State of Texas' regulations. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

Candido Saenz
Signature of Well Owner or Authorized Agent

7/21/23
Date

Candido Saenz
Printed Name of Well Owner or Authorized Agent

Texana Groundwater Conservation District

411 N. Wells St., Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

July 31, 2023

Via CMRRC: 7021 0350 0000 2790 9342

Candido Saenz

Via e-mail: msaenz25@yahoo.com

297 County Rd. 432, Lolita, Texas 77971

2219 Raymond St., Pasadena, Texas 77506

RE:

Well ID: GW-00547

Enforcement Case Violation ECV-20230421-01

Candido Saenz,

This letter is to inform you that the District has received the groundwater production reports for calendar year 2022, 2023 and the application to register the well as an exempt use well. As per the phone conversation, with the general manager on July 20, 2023, the well must cease operation for RV park uses and can only be used for domestic use such as an individual household.

The next Board Meeting is scheduled for October 19, 2023, at 8:30 AM at the County Services Building, 411 N. Wells St., Edna Texas 77957. It is highly recommended that you attend the meeting to discuss this matter with the Board.

Regards,

Mike Benavides

Mike Benavides

Compliance Specialist

Mike Benavides

From: Tim Andruss
Sent: Wednesday, July 19, 2023 6:24 PM
To: Mike Benavides
Subject: FW: Well Production report
Attachments: Texanna Groundwater letter.pdf

Mike: please place a copy of this message and the attachment in the associated ECV and process the included GPR

Tim Andruss
General Manager
Victoria County Groundwater Conservation District
Calhoun County Groundwater Conservation District
Refugio Groundwater Conservation District
Texana Groundwater Conservation District
Phone: 361-579-6863
Email: tim.andruss@vcgcd.org

From: Darryl Hammond <darryl@hammondlanddevelopment.com>
Sent: Wednesday, July 19, 2023 4:40 PM
To: Tim Andruss <tim.andruss@vcgcd.org>
Cc: Anne Marie Odefey <amo@portlavacalaw.com>; Sandra Witte <sandra.witte@portlavacalaw.com>; Angela Hammond <angela@hammondlanddevelopment.com>
Subject: Well Production report

Tim,
Please find attached the response letter to the enforcement case violation along with the production report and the signed consent to settlement offer form. I talked with Karl Reckaway and Chris Hajovski who farmed the property last year and he was very familiar with the well and the reporting so I filled out the form and submitted it as well. Please let me know if you need any additional information to successfully resolve this matter. I will circle back with you to resolve the permit for the well once I get this partnership resolved so we can move forward. Thanks for your willingness to help.
Best Regards,
Darryl

Darryl R. Hammond
General Manager
Hammond Land Development, LLC
3202 Miori Lane, Suite 100
Victoria, Texas 77901
Office- (361)576-3334
Cell- (361)676-2169
Fax- (361)576-5420
darryl@hammondlanddevelopment.com





Development – Construction – Consulting

July 19, 2023

*Texana Groundwater Conservation District
411 N. Wells St. Rm 118
P.O. Box 1098
Edna, Texas 77957*

*RE: Well ID: GW-00569
Enforcement Case Violation: ECV-20230*

Dear Mr. Tim Andruss and the Board of Directors

In response to the certified letter that you sent to us on May 5th, 2023, and again on June 1st, 2023, requiring that we provide a groundwater production report for the 2022 calendar year. I have attached the signed Consent to the Settlement Offer of the District form on behalf of the current owners of the property and associated well previously described. We purchased the property on June 29th of 2022 so we did not own the property for the entire year. I was however familiar with the property all year as we were performing due diligence work in front of the contemplated purchase of the property which began in January of 2022. During that time, I became familiar with the operations that were taking place on the property through the owner Dr. Bob Burlingame. He advised that he had a farming lease on the crop fields which total around 250 acres to Chris Hajovski who had planted a corn crop during the season. Mr. Hajovski reported to me today during our phone conversation that he used the well to flood irrigate his corn crop during that time period. Mr. Hajovski also reported that he estimated that he used 100-acre feet of water for his crop during the 2022 season. Shortly after the crop was harvested the well became inoperable and did not run at all until, I replaced the pump in March of this year. I have completed the groundwater production report and included the information that I just described. We did not use the well last year for any of our own purposes after we purchased the property, and I am not aware of any use of the well before the crop season. We are happy to comply with all regulations that exist under the authority of the Texana Groundwater Conservation District now and moving forward so please accept my apologies for not providing this report on the timeline that it was requested to be on.

Best Regards,

Darryl R. Hammond

3202 Miori Lane, Suite 100, Victoria TX 77901

Texana Groundwater Conservation District

411 N. Wells St., Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

June 1, 2023

Via CMRRC: 7021 0350 0000 2790 9014

The Ranches at Mustang Creek LLC.
3202 Miori Lane Suite 100
Victoria, Texas 77901

RE:

Well ID: GW-00569
Enforcement Case Violation ECV-20230421-02

The Ranches at Mustang Creek LLC.,

Rule 2.6: Reporting Requirement of Non-Exempt-Use Wells of the rules of the district establishes requirements related to groundwater production reporting for water wells classified as non-exempt use wells. Well GW-00569 is classified as a non-exempt use well.

The staff of the District have reviewed the groundwater production reports submitted for calendar year 2022 and cannot locate a groundwater production report for well GW-00569.

The available information regarding well ownership and land ownership indicates that you owned well GW-00569 in calendar year 2022.

On April 20, 2023, the Board of Directors of the Texana Groundwater Conservation District passed the following motion:

1. find that The Ranches at Mustang Creek LLC (The Ranches at Mustang Creek LLC) violated RULE 2.6: REPORTING REQUIREMENT RELATED TO NON-EXEMPTUSE WELLS of the Rules of the District related to well GW-00569 unless evidence to the contrary or evidence of relevant extenuating circumstances is submitted to the District;
2. authorize the General Manager to initiate an enforcement case regarding the violation;
3. set a \$100.00 penalty for the violation per RULE 9.6: Rule Enforcement of the Rules of the District; and
4. offer to settle the violation if The Ranches at Mustang Creek LLC (The Ranches at Mustang Creek LLC) consents to the following conditions:
 1. acknowledges the violation by June 30, 2023;
 2. pays a settlement fee of \$0.00 by June 30, 2023; and
 3. submits an administratively complete groundwater production report for calendar year 2022 by June 30, 2023.

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Jackson County for the Benefit of Jackson County's Landowners, Citizens, Economy, and Environment

Texana Groundwater Conservation District

411 N. Wells St., Room 118, Edna, Texas 77957

P.O. Box 1098, Edna, Texas 77957

Phone (361) 781-0624 | Fax (361) 781-0453 | www.texanagcd.org

This letter provides notice that the District 1) seeks to obtain voluntary compliance with the rules and offers to settle the violations but will initiate lawsuits as a last resort if voluntary settlement is not promptly obtained, and 2) failing to respond, comply, or settle this matter in a timely fashion will result in further consideration of the matter by the Board of Directors and assessment of civil penalties or other legal remedies.

If you consent to the terms of the above settlement, please sign, date and return a copy of this letter to the District along with the administratively complete groundwater production report for calendar year 2022 for well GW-00569 by June 30, 2023.

The District appreciates your cooperation in this matter and will gladly assist you in any way to address this matter in compliance with the District Rules.

Regards,



Mike Benavides, Compliance Specialist

Consent to the Settlement Offer of the District Enforcement Case Violation – ECV-20230421-02

Signature: _____



Date: _____

7.19.2023

President of the Ranches at Mustang Creek, LLC

Printed Name: _____

Darryl R. Hammond

Working to Conserve, Preserve, Protect, and Prevent Waste of Groundwater Resources Within Jackson County for the Benefit of Jackson County's Landowners, Citizens, Economy, and Environment

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@texanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00569
Well Coordinates: 29°3'53.8"N , 96°27'45.6"W
Well Site Location: 11629 U.S. Highway 59 N., ganado, Texas 77962
Well Owner Name: The Ranches at Mustang Creek, LLC
Well Owner Address: 3202 Miori Lane Suite 100, Victoria, Texas 77901
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00569

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 100

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

Darryl R. Hammond
Signature of Well Owner or Authorized Agent

7.19.23
Date

Darryl R. Hammond
Printed Name

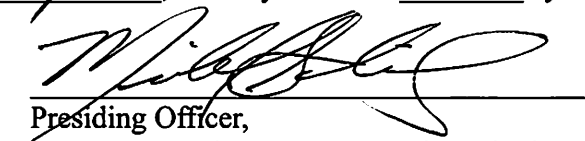
STATE OF TEXAS §
 §
COUNTY OF JACKSON §

ENFORCEMENT ORDER IN THE MATTER OF ALICE M. COMBS, CAUSE NO. ECV-20230421-07

On this 20th day of July, 2023, the Board of Directors of the Texana Groundwater Conservation District convened an enforcement hearing in compliance with Section 36.102, Water Code, and the Texas Open Meetings Act, in the above styled and numbered cause. Based upon the evidence presented, the Board of Directors finds as follows:

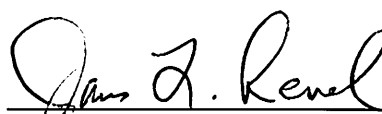
1. Alice M. Combs ~~appeared~~/did not appear at the hearing.
2. Alice M. Combs has committed a violation of District Rule 2.6 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt well GW-00363 and that such violation is continuing. Each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
3. The penalty for this violation is assessed at \$ 2000.00. Additional penalties are assessed at \$ 50.00 per day for each day following adoption of this order until the groundwater production for 2022 is properly reported.
4. Further, any associated permit with well No. GW-00363 is hereby cancelled and further production is prohibited from the well until said permit is reinstated by the district. District staff is ordered to place a seal upon the well to prevent further production.
5. Legal Counsel is hereby instructed to file suit if necessary to enforce this order.

READ and ADOPTED this 20th day of July, 2023 by a vote of 5 ayes and 0 nays.



Presiding Officer,
Texana Groundwater Conservation District

ATTEST:



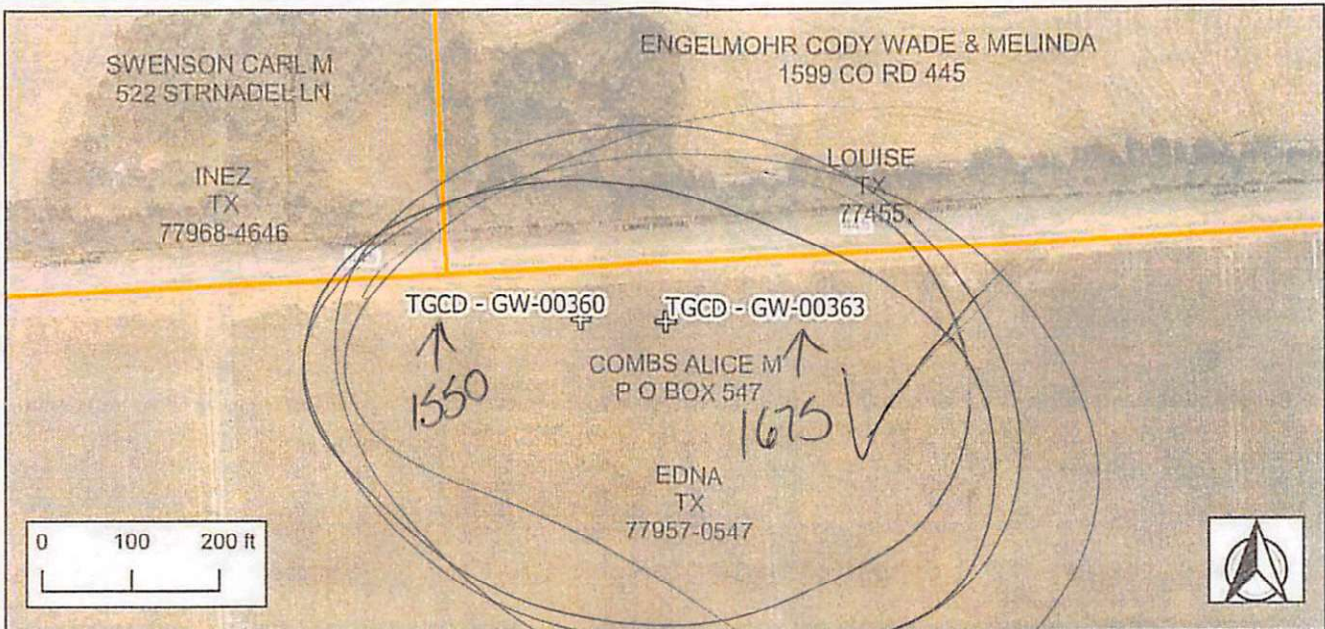
Secretary, Texana Groundwater Conservation District

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@lexanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00363
Well Coordinates: 28°55'12.5"N , 96°21'12.2"W
Well Site Location:
Well Owner Name: Alice Combs
Well Owner Address: P.O. Box 547, Edna, Texas, 77957
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00363

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: _____

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

Signature of Well Owner or Authorized Agent _____

Date _____

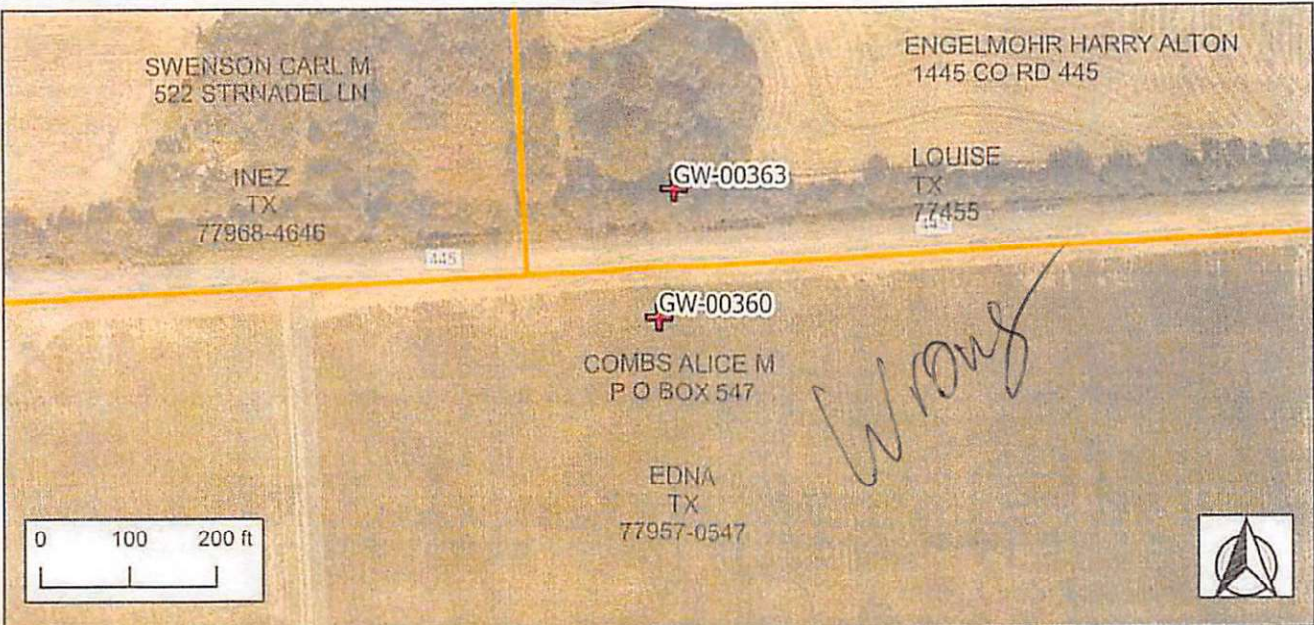
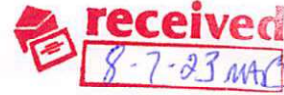
Printed Name _____

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@texanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00360
 Well Coordinates: 28°55'12.6"N , 96°21'13.3"W
 Well Site Location:
 Well Owner Name: Alice Combs
 Well Owner Address: P.O. Box 547, Edna, Texas, 77957
 Reporting Agent Name:
 Reporting Agent Address:
 Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00360

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: _____

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

 Signature of Well Owner or Authorized Agent

 Date

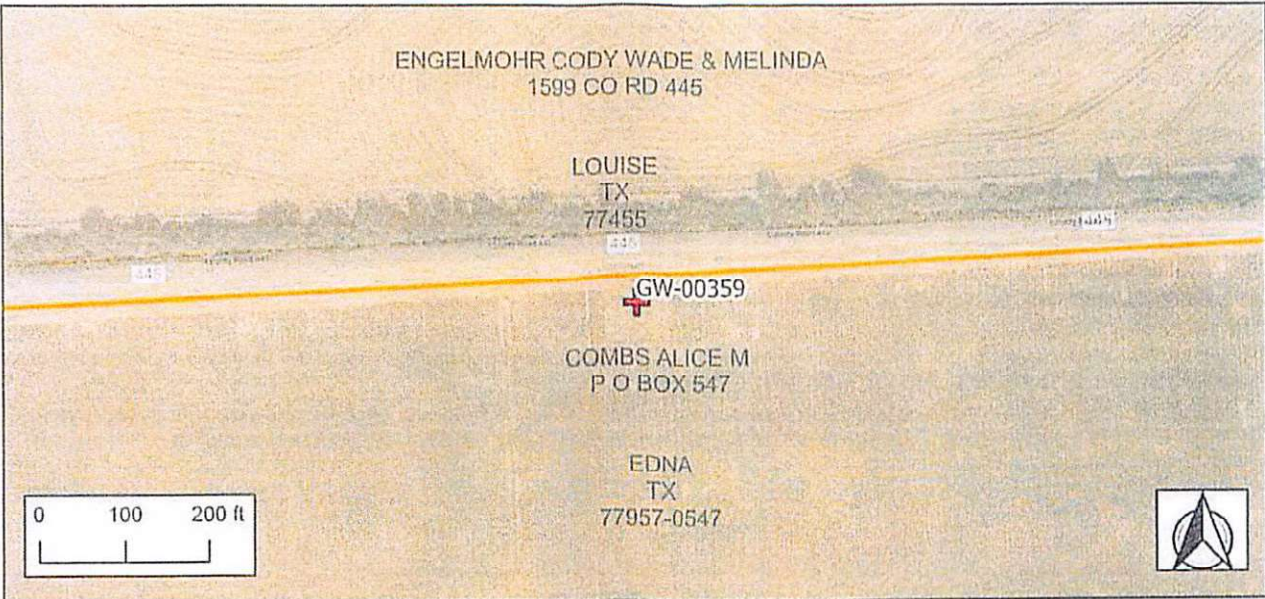
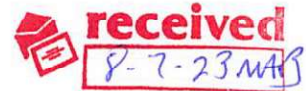
 Printed Name

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@lexanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00359
Well Coordinates: 28°55'13.1"N , 96°21'3.2"W
Well Site Location:
Well Owner Name: Alice Combs
Well Owner Address: P.O. Box 547, Edna, Texas, 77957
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00359

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 0

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

[Signature]
Signature of Well Owner or Authorized Agent

8/7/23
Date

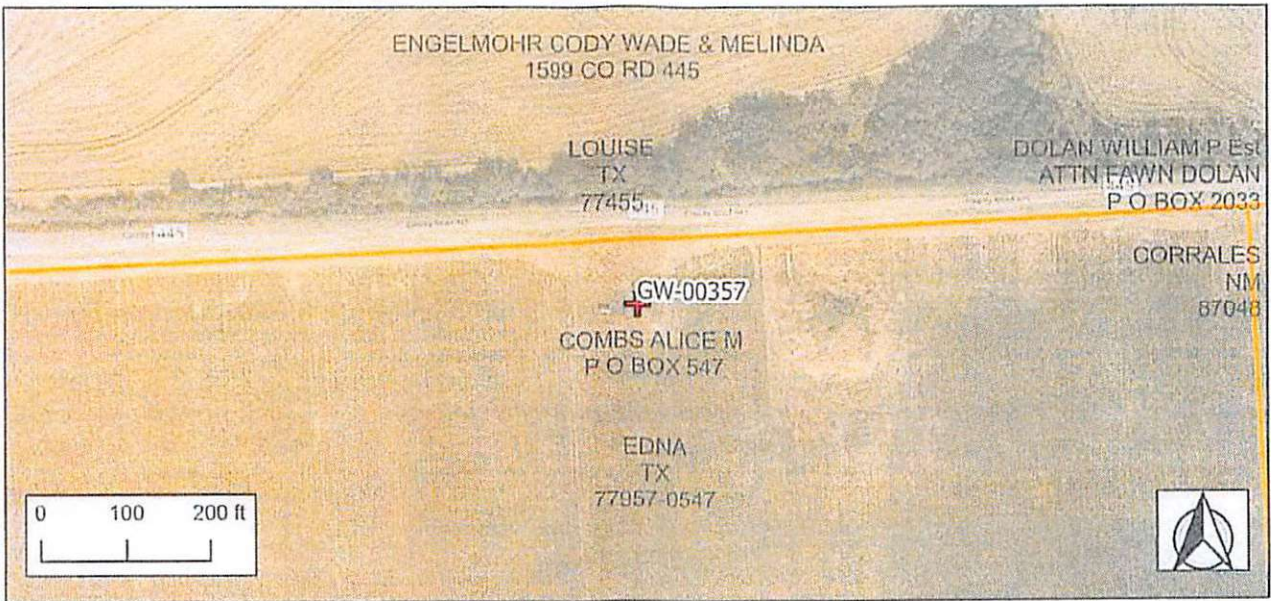
M. Stephen Rogers
Printed Name

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@texanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00357
Well Coordinates: 28°55'12.9"N , 96°20'50.8"W
Well Site Location:
Well Owner Name: Alice Combs
Well Owner Address: P.O. Box 547, Edna, Texas, 77957
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00357

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 0

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

[Signature]
Signature of Well Owner or Authorized Agent

8/7/23
Date

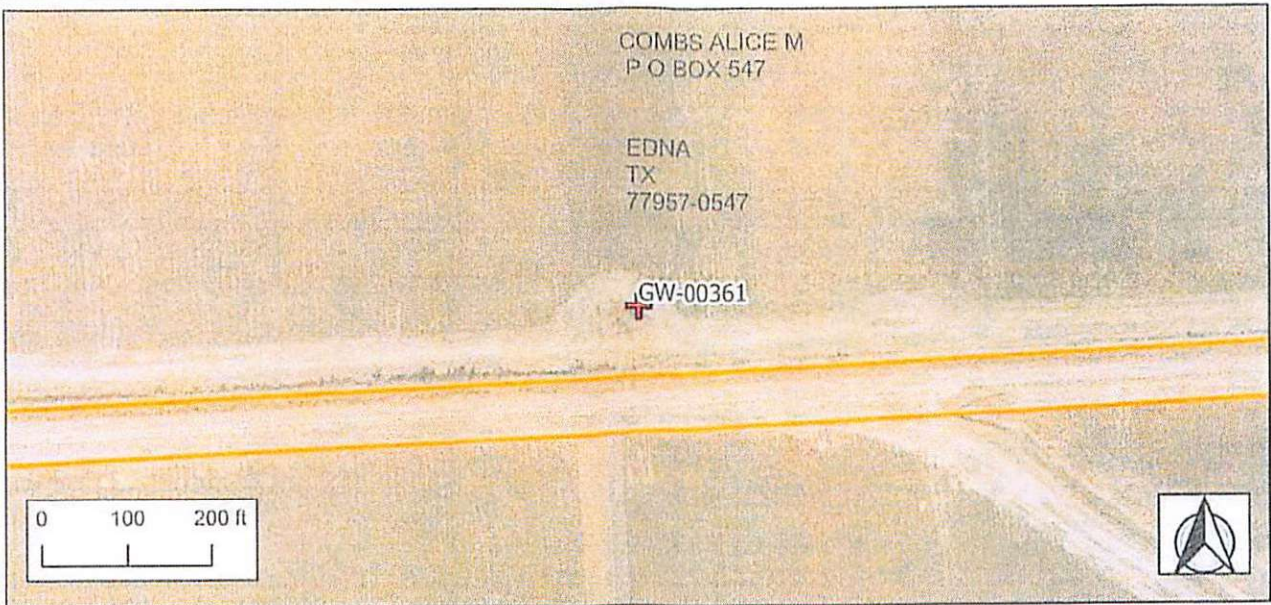
M. Stephen Rogers
Printed Name

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@texanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00361
Well Coordinates: 28°54'28.8"N , 96°20'58.1"W
Well Site Location:
Well Owner Name: Alice Combs
Well Owner Address: P.O. Box 547, Edna, Texas, 77957
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00361

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 0

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

[Signature]
Signature of Well Owner or Authorized Agent

6/7/23
Date

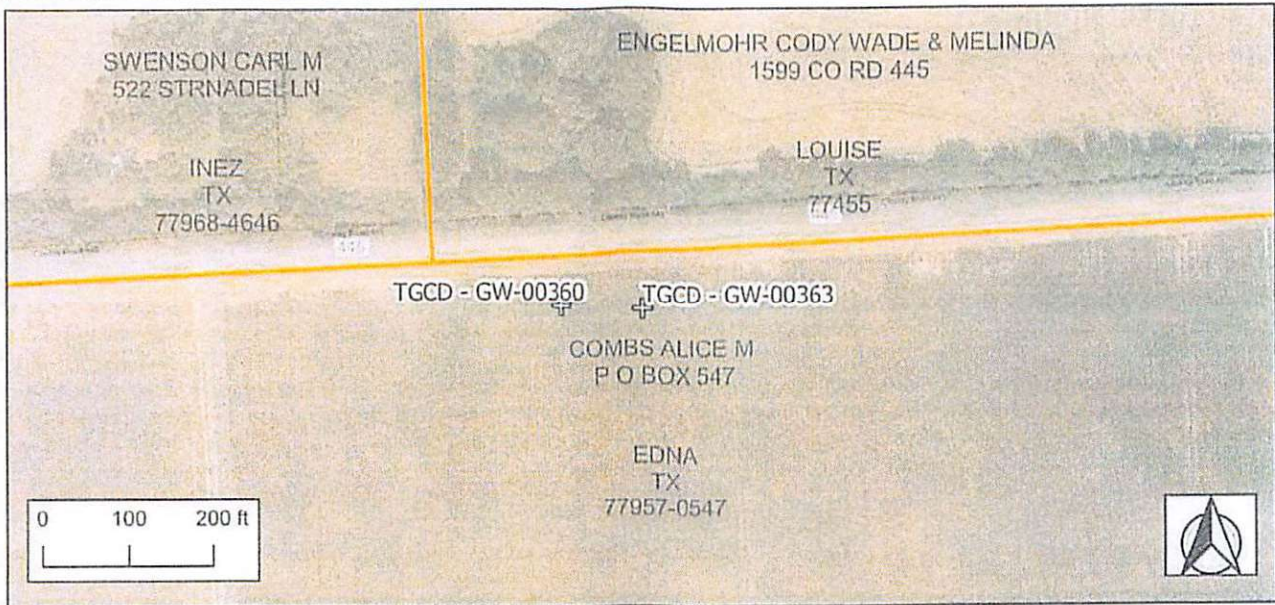
M. Stephen Rogers
Printed Name

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@texanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00363
Well Coordinates: 28°55'12.5"N , 96°21'12.2"W
Well Site Location:
Well Owner Name: Alice Combs
Well Owner Address: P.O. Box 547, Edna, Texas, 77957
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00363

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 1475

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

[Signature] Date 8/7/23
Signature of Well Owner or Authorized Agent

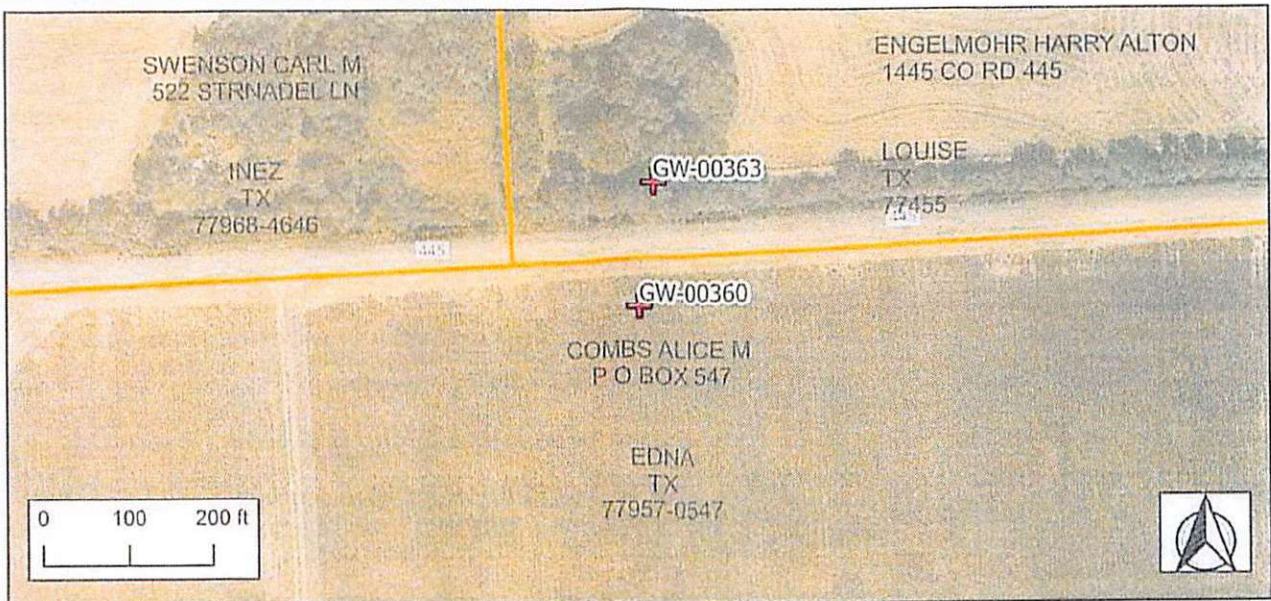
M. Stephen Rogers
Printed Name

IMPORTANT NOTICE

The Texana Groundwater Conservation District requires non-exempt use groundwater production from water wells to be reported on an annual basis. Groundwater produced for non-exempt use between January 1, 2022, and December 31, 2022, should be reported to the District by January 31, 2023.

The Groundwater Production Report (blue section) should be completed and returned to the District at one of the following addresses: Email: admin@texanagcd.org; Mail: TGCD, PO Box 1098, Edna, TX 77957.

Well ID: Texana GCD - GW-00360
Well Coordinates: 28°55'12.6"N , 96°21'13.3"W
Well Site Location:
Well Owner Name: Alice Combs
Well Owner Address: P.O. Box 547, Edna, Texas, 77957
Reporting Agent Name:
Reporting Agent Address:
Groundwater production was not reported for the previous year.



GROUNDWATER PRODUCTION REPORT

Well ID: Texana GCD - GW-00360

Reporting Period: January 1, 2022 through December 31, 2022

Groundwater Production during Reporting Period in Acre-Feet: 1550

Method used to determine production (circle one): 1. Estimation 2. Calculation 3. Metered 4. Other

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision; the information submitted is, to the best of my knowledge and belief, true, accurate and complete. Further, I certify under penalty of law that I am the well owner or I am authorized to act as the agent of the well owner.

Signature of Well Owner or Authorized Agent

6/7/23
Date

Printed Name

M. Stephen Rogers



To: Texana Groundwater Conservation District Board of Directors:

I am the registered agent for Alice Combs, whom the TGCD (Texana Groundwater Conservation District) has served notice of fine(s) regarding the failure to report water usage from water wells that she controls. As her representative, I was recently informed by TGCD that there are deficiencies in the reporting schedule.

Over the past year, Mrs. Combs has experienced complicated medical issues that have made it difficult to monitor her mail/correspondence in a timely manner. She has maintained a desire to pick up her mail in person, pay her taxes in person, tithe in person, etc... but unfortunately at 97 years old these activities are becoming more difficult for her. She has recently enrolled in Hospice Care and with that, her family has been adjusting the way her business dealings are addressed. That being said, I am confident there will be no further problems with notice/correspondence, as I (her agent) have provided TGWCD with my direct email and mailing address.

I am writing this letter to ask for leniency regarding the fines imposed over reporting water usage. It is my understanding that some of the wells in question were misidentified and assigned to our neighbor who subsequently received notice of the requirement to report usage. Once I was made aware of the situation, I immediately contacted Mrs. Combs and Mr. Andruss in order to address the issue. I have been in contact with Mr. Andruss on an almost daily basis trying to resolve any deficiencies in reporting that may have inadvertently occurred due to miscommunication.

Mrs. Combs has been a long-time resident of Jackson County and a committed member of the farming/ranching community. It is her desire to see those industries thrive not only in Jackson County, but throughout Texas. She and her family understand how important groundwater conservation is and they are committed to being a steward of the land/resources so that future generations are able to continue on with the traditions she and her husband have passed down for almost 100 years.

With that in mind, Mrs. Combs has directed me to confirm that all wells on her property have been registered and all usage reported as required by TGCD. I have provided Mr. Andruss with updated usage reports and as Mrs. Combs agent, personally commit to do so in the future as required.

Again, on behalf of Mrs. Combs, I humbly plead for leniency regarding the fines. She has corrected the issue with reporting, and I am working with TGCD to identify any other ways we can help preserve the precious resources that many in Jackson County rely upon.

Thank you,

M. Stephen Rogers

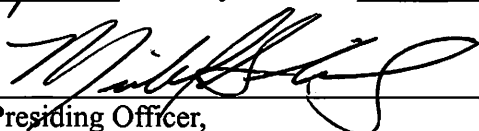
STATE OF TEXAS §
 §
COUNTY OF JACKSON §

ENFORCEMENT ORDER IN THE MATTER OF ALICE M. COMBS, CAUSE NO. ECV-20230421-08

On this 20th day of July, 2023, the Board of Directors of the Texana Groundwater Conservation District convened an enforcement hearing in compliance with Section 36.102, Water Code, and the Texas Open Meetings Act, in the above styled and numbered cause. Based upon the evidence presented, the Board of Directors finds as follows:

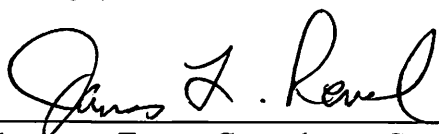
1. Alice M. Combs ~~appeared~~/did not appear at the hearing.
2. Alice M. Combs has committed a violation of District Rule 2.6 REPORTING REQUIREMENT RELATED TO NON-EXEMPT USE WELLS by failing to report groundwater production for calendar year 2022 for non-exempt wells GW-00357, GW-00359, GW-00360, and GW-00361 and that such violation is continuing. Each day of continued failure to report the groundwater production for calendar year 2022 constitutes a separate violation.
3. The penalty for this violation is assessed at \$ 2,000⁰⁰. Additional penalties are assessed at \$ 50.00 per day for each day following adoption of this order until the groundwater production for 2022 is properly reported.
4. Further, all associated permits with wells Nos. GW-00357, GW-00359, GW-00360, and GW-00361 are hereby cancelled and further production is prohibited from the wells until said permit are reinstated by the district. District staff is ordered to place a seal upon the wells to prevent further production.
5. Legal Counsel is hereby instructed to file suit if necessary to enforce this order.

READ and ADOPTED this 20th day of July, 2023 by a vote of 5 ayes and 0 nays.



Presiding Officer,
Texana Groundwater Conservation District

ATTEST:



Secretary, Texana Groundwater Conservation District

Texana Groundwater Conservation District Annual Operating Budget Fiscal Year 2023-2024

Outstanding Obligations of the District	Texas Water Code 36.154(b)(1)
as of June 1 of the Current Year - Debt:	\$0.00
Total:	\$0.00

Amount of Cash on Hand by Fund	Texas Water Code 36.154(b)(2)
as of June 1 of the Current Year - Reserve Fund:	\$593,900.00
as of June 1 of the Current Year - Operating Fund:	\$114,400.00
Total:	\$708,400.00

Amount of Money Received by the District during Previous Year	Texas Water Code 36.154(b)(3)
Property Tax Revenue:	\$267,900.00
Interest Income:	\$2,100.00
District Fees:	\$1,200.00
Miscellaneous Income:	\$0.00
Total:	\$271,100.00

Amount of Money Available to the District during the Ensuing Year	Texas Water Code 36.154(b)(4)
as of September 30 of the Previous Calendar Year - Reserve Fund:	\$692,000.00
as of September 30 of the Previous Calendar Year - Operating Fund:	\$78,300.00
Total:	\$770,300.00

Amount of the Expected Balances at the End of the Fiscal Year	Texas Water Code 36.154(b)(5)
at the End of the Current Fiscal Year - Operating Fund:	\$46,600.00
at the End of the Current Fiscal Year - Reserve Fund:	\$870,400.00
Total:	\$916,900.00

Estimated Amount of Revenues and Balances Available for Proposed Budget	Texas Water Code 36.154(b)(6)
Operating and Reserve Fund Balances:	\$916,900.00

Reserve Fund Commitment Schedule	
Groundwater Conservation	5%
Groundwater Management	10%
Groundwater Monitoring	25%
Groundwater Protection	25%
Groundwater Research	5%
Groundwater Resource Planning	5%
Legal Contingencies	25%
Total:	100%

Actual Expenditures of the Preceding Year and Proposed Budget associated with Notices Required by Law to be Published in a Newspaper	Local Government Code 140.0045(a)(1)
Actual Expenditures of the Preceding Fiscal Year:	-\$2,100.00
Budgeted Expenditures of the Current Fiscal Year:	-\$5,400.00
Proposed Expenditures of the Next Fiscal Year:	-\$6,000.00

Actual Expenditures of the Preceding Year and Proposed Budget associated with Directly or Indirectly Influencing or Attempting to Influence the Outcome of Legislation or Administrative Actions	Local Government Code 140.0045(a)(2)
Actual Revenue of the Preceding Fiscal Year:	\$0.00
Actual Expenditures of the Preceding Fiscal Years:	\$0.00
Budgeted Revenue of the Current Fiscal Year:	\$0.00
Budgeted Expenditures of the Current Fiscal Year:	-\$6,000.00
Proposed Revenue of the Next Fiscal Year:	\$0.00
Proposed Expenditures of the Next Fiscal Year:	-\$5,000.00

Texana Groundwater Conservation District Annual Operating Budget Fiscal Year 2023-2024

Estimated Required Tax Rate	Texas Water Code 36.154(b)(7)
Operating Expense Budget:	-\$247,000.00
Non-Tax Operating Revenue:	\$11,200.00
Required Tax Levy to Avoid Depletion of Reserve Funds:	-\$235,900.00
Required Tax Rate to Avoid Depletion of Reserve Funds:	0.006410

Tax Rate and Tax Levy	
Tax Rate for Next Fiscal Year:	0.007400
Tax Levy for Next Fiscal Year:	\$272,300.00

Budget Summary	
Expense Budget:	-\$247,000.00
Non-Tax Operating Revenue Budget:	\$11,200.00
Operating Tax Revenue Budget:	\$272,300.00
Reserve Fund Revenue Budget:	\$0.00
Operating Budget Balance at the End of the Fiscal Year:	\$36,400.00

FY2023 - 2024: Budget: Management Recommendation by Program

	Sum of Budget Recommendation	
Revenue	\$	283,400.00
1001 - Administration - Revenue	\$	283,400.00
Expense	\$	(247,000.00)
1003 - Administration - Technology	\$	(20,300.00)
1004 - Administration - General	\$	(164,100.00)
2000 - Groundwater Conservation	\$	(9,500.00)
3000 - Groundwater Management	\$	(5,000.00)
4000 - Groundwater Monitoring	\$	(32,600.00)
6000 - Groundwater Protection	\$	(8,000.00)
8000 - Groundwater Resource Planning	\$	(7,500.00)
Grand Total	\$	36,400.00

FY2023 - 2024: Budget: Management Recommendation by Budget Category

Row Labels	Sum of Budget Recommendation	
Revenue	\$	283,400.00
0120 - Tax Collections	\$	272,300.00
0130 - Interest Income	\$	9,300.00
0143 - District Fees - Permitting	\$	1,800.00
0145 - District Fees - Enforcement	\$	-
0150 - Grants	\$	-
0160 - Refunds	\$	-
0300 - Reserve Funds	\$	-
Expense	\$	(247,000.00)
210 - Legal Services	\$	(25,000.00)
215 - Legislative and Administrative Action Representation Services	\$	(5,000.00)
220 - Professional and Technical Services	\$	(10,000.00)
221 - Professional and Technical Services - Auditor	\$	(10,000.00)
222 - Professional and Technical Services - Tax Assessor	\$	(2,500.00)
223 - Professional and Technical Services - Appraisal District	\$	(7,500.00)
225 - Professional and Technical Services - Hydrogeologist	\$	(27,500.00)
226 - Professional and Technical Services - Laboratory	\$	(10,000.00)
227 - Professional and Technical Services - VCGCD	\$	(92,800.00)
230 - Insurance and Bonds	\$	(2,300.00)
310 - Supplies - Office	\$	(4,000.00)
315 - Certified Mail and Stamps	\$	(2,500.00)
330 - Training and Travel Expenses	\$	(1,500.00)
361 - Sponsorships and Cost-Sharing - Well Plugging	\$	(500.00)
362 - Sponsorships and Cost-Sharing - Borehole Logging	\$	(2,500.00)
363 - Sponsorships and Cost-Sharing - Conservation Promotion	\$	(9,500.00)
380 - Aquifer Monitoring Network Development	\$	(7,500.00)
410 - Equipment - Office	\$	(1,000.00)
420 - Technology Services - Office Productivity	\$	(2,700.00)
430 - Technology Services - Miscellaneous	\$	(500.00)
432 - Technology Services - Digital Record and Workflow System	\$	(7,000.00)
433 - Technology Services - Record Archival System	\$	(800.00)
434 - Technology Services - Website and Email System	\$	(3,000.00)
435 - Technology Services - Phone System	\$	800.00
436 - Technology Services - Internet	\$	(500.00)
450 - Equipment Maintenance and Repair	\$	(5,500.00)
500 - Public Notices and Publications	\$	(6,000.00)
900 - Miscellaneous	\$	(200.00)
Grand Total	\$	36,400.00

**FY2023 - 2024: Budget: Management
Recommendation by Budget Category**

Sum of Budget Recommendation									
	1001 - Administration - Revenue	1003 - Administration - Technology	1004 - Administration - General	2000 - Groundwater Conservation	3000 - Groundwater Management	4000 - Groundwater Monitoring	6000 - Groundwater Protection	8000 - Groundwater Resource Planning	Grand Total
0120 - Tax Collections	\$ 272,300.00								\$ 272,300.00
0130 - Interest Income	\$ 9,300.00								\$ 9,300.00
0143 - District Fees - Permitting	\$ 1,800.00								\$ 1,800.00
0145 - District Fees - Enforcement	\$ -								\$ -
0150 - Grants	\$ -								\$ -
0160 - Refunds	\$ -								\$ -
0300 - Reserve Funds	\$ -								\$ -
210 - Legal Services			\$ (25,000.00)						\$ (25,000.00)
215 - Legislative and Administrative Action Representation Services			\$ (5,000.00)						\$ (5,000.00)
220 - Professional and Technical Services			\$ (10,000.00)						\$ (10,000.00)
221 - Professional and Technical Services - Auditor			\$ (10,000.00)						\$ (10,000.00)
222 - Professional and Technical Services - Tax Assessor			\$ (2,500.00)						\$ (2,500.00)
223 - Professional and Technical Services - Appraisal District			\$ (7,500.00)						\$ (7,500.00)
225 - Professional and Technical Services - Hydrogeologist					\$ (5,000.00)	\$ (10,000.00)	\$ (5,000.00)	\$ (7,500.00)	\$ (27,500.00)
226 - Professional and Technical Services - Laboratory						\$ (10,000.00)			\$ (10,000.00)

**FY2023 - 2024: Budget: Management
Recommendation by Budget Category**

Sum of Budget Recommendation									
	1001 - Administration - Revenue	1003 - Administration - Technology	1004 - Administration - General	2000 - Groundwater Conservation	3000 - Groundwater Management	4000 - Groundwater Monitoring	6000 - Groundwater Protection	8000 - Groundwater Resource Planning	Grand Total
227 - Professional and Technical Services - VCGCD			\$ (92,800.00)						\$ (92,800.00)
230 - Insurance and Bonds			\$ (2,300.00)						\$ (2,300.00)
310 - Supplies - Office			\$ (4,000.00)						\$ (4,000.00)
315 - Certified Mail and Stamps			\$ (2,500.00)						\$ (2,500.00)
330 - Training and Travel Expenses			\$ (1,500.00)						\$ (1,500.00)
361 - Sponsorships and Cost-Sharing - Well Plugging							\$ (500.00)		\$ (500.00)
362 - Sponsorships and Cost-Sharing - Borehole Logging							\$ (2,500.00)		\$ (2,500.00)
363 - Sponsorships and Cost-Sharing - Conservation Promotion				\$ (9,500.00)					\$ (9,500.00)
380 - Aquifer Monitoring Network Development						\$ (7,500.00)			\$ (7,500.00)
410 - Equipment - Office			\$ (1,000.00)						\$ (1,000.00)
420 - Technology Services - Office Productivity		\$ (2,700.00)							\$ (2,700.00)
430 - Technology Services - Miscellaneous		\$ (500.00)							\$ (500.00)
432 - Technology Services - Digital Record and Workflow System		\$ (7,000.00)							\$ (7,000.00)
433 - Technology Services - Record Archival System		\$ (800.00)							\$ (800.00)
434 - Technology Services - Website and Email System		\$ (3,000.00)							\$ (3,000.00)

**FY2023 - 2024: Budget: Management
Recommendation by Budget Category**

Sum of Budget Recommendation									
	1001 - Administration - Revenue	1003 - Administration - Technology	1004 - Administration - General	2000 - Groundwater Conservation	3000 - Groundwater Management	4000 - Groundwater Monitoring	6000 - Groundwater Protection	8000 - Groundwater Resource Planning	Grand Total
435 - Technology Services - Phone System		\$ 800.00							\$ 800.00
436 - Technology Services - Internet		\$ (500.00)							\$ (500.00)
450 - Equipment Maintenance and Repair		\$ (500.00)				\$ (5,000.00)			\$ (5,500.00)
500 - Public Notices and Publications		\$ (6,000.00)							\$ (6,000.00)
900 - Miscellaneous		\$ (100.00)				\$ (100.00)			\$ (200.00)
Grand Total	\$ 283,400.00	\$ (20,300.00)	\$ (164,100.00)	\$ (9,500.00)	\$ (5,000.00)	\$ (32,600.00)	\$ (8,000.00)	\$ (7,500.00)	\$ 36,400.00

FY2023 - 2024: Budget: Management Recommendation

Total Taxable Value:	\$3,679,804,089
Previous Tax Levy:	\$271,978

	<i>Previous Year Tax Rate</i>	<i>No-New-Revenue Tax Rate</i>	<i>Voter-Approved Tax Rate</i>	<i>Board Proposed Tax Rate</i>	<i>Estimated Required Tax Rate to Avoid a Deficit Budget</i>
Total Taxable Value:	\$3,679,804,089	\$3,679,804,089	\$3,679,804,089	\$3,679,804,089	\$3,679,804,089
Tax Rate per \$100:	0.007700	0.007400	0.007900	0.007400	0.006410
Previous Year Tax Levy:	\$271,978	\$271,978	\$271,978	\$271,978	\$271,978
Computed Tax Levy:	\$283,345	\$272,306	\$290,705	\$272,306	\$235,866
Change in Total Tax Levy:	\$11,367	\$328	\$18,727	\$328	-\$36,112
Total Tax Levy Increase:	4.18%	0.12%	6.89%	0.12%	-13.28%

FY2023 - 2024: Budget: Management Recommendation by Item

Budget Item Description	Specific Budget Recommendation	Budget Recommendation	Budget Item Type	Program	Budget Category
Tax Collections	\$272,305.50	\$272,300.00	Revenue	1001 - Administration - Revenue	0120 - Tax Collections
Interest Income	\$9,309.51	\$9,300.00	Revenue	1001 - Administration - Revenue	0130 - Interest Income
Permitting Fees	\$1,824.35	\$1,800.00	Revenue	1001 - Administration - Revenue	0143 - District Fees - Permitting
Enforcement Fees	\$0.00	\$0.00	Revenue	1001 - Administration - Revenue	0145 - District Fees - Enforcement
Grants	\$0.00	\$0.00	Revenue	1001 - Administration - Revenue	0150 - Grants
Refunds	\$0.00	\$0.00	Revenue	1001 - Administration - Revenue	0160 - Refunds
Reserve Funds	\$0.00	\$0.00	Revenue	1001 - Administration - Revenue	0300 - Reserve Funds
IT Service - Cyber Security - Kapersky	-\$150.00	-\$200.00	Expense	1003 - Administration - Technology	420 - Technology Services - Office Productivity
IT Service - Office Productivity Service - Microsoft 365	-\$1,000.00	-\$1,000.00	Expense	1003 - Administration - Technology	420 - Technology Services - Office Productivity
IT Service - Printer Service	-\$1,500.00	-\$1,500.00	Expense	1003 - Administration - Technology	420 - Technology Services - Office Productivity
IT Service - Technology Services - Misc	-\$500.00	-\$500.00	Expense	1003 - Administration - Technology	430 - Technology Services - Miscellaneous
IT Service - Workflow System - Evernote	-\$1,200.00	-\$1,200.00	Expense	1003 - Administration - Technology	432 - Technology Services - Digital Record and Workflow System
IT Service - Workflow System - Laserfiche	-\$5,760.00	-\$5,800.00	Expense	1003 - Administration - Technology	432 - Technology Services - Digital Record and Workflow System
IT Service - Digital File Storage System - Dropbox	-\$750.00	-\$800.00	Expense	1003 - Administration - Technology	433 - Technology Services - Record Archival System
IT Service - Domain and Legacy Email Hosting - iPower	-\$1,500.00	-\$1,500.00	Expense	1003 - Administration - Technology	434 - Technology Services - Website and Email System
IT Service - Website Hosting - Streamline	-\$1,440.00	-\$1,500.00	Expense	1003 - Administration - Technology	434 - Technology Services - Website and Email System
IT Service - Phone - Office - ATT	\$750.00	\$800.00	Expense	1003 - Administration - Technology	435 - Technology Services - Phone System
IT Service - Internet - ATT	-\$500.00	-\$500.00	Expense	1003 - Administration - Technology	436 - Technology Services - Internet
Equipment Maintenance - Repair - Office	-\$500.00	-\$500.00	Expense	1003 - Administration - Technology	450 - Equipment Maintenance and Repair
Public Notices - Elections	-\$100.00	-\$100.00	Expense	1003 - Administration - Technology	500 - Public Notices and Publications
Public Notices - Financial	-\$100.00	-\$100.00	Expense	1003 - Administration - Technology	500 - Public Notices and Publications
Public Notices - Meetings	-\$200.00	-\$200.00	Expense	1003 - Administration - Technology	500 - Public Notices and Publications
Public Notices - Permitting	-\$5,000.00	-\$5,000.00	Expense	1003 - Administration - Technology	500 - Public Notices and Publications
Public Notices - Planning	-\$100.00	-\$100.00	Expense	1003 - Administration - Technology	500 - Public Notices and Publications
Public Notices - Rulemaking	-\$500.00	-\$500.00	Expense	1003 - Administration - Technology	500 - Public Notices and Publications
Misc Expense	-\$100.00	-\$100.00	Expense	1003 - Administration - Technology	900 - Miscellaneous
Legal Services - General Consultation	-\$25,000.00	-\$25,000.00	Expense	1004 - Administration - General	210 - Legal Services
Legal Services - Legislative Representation	-\$5,000.00	-\$5,000.00	Expense	1004 - Administration - General	215 - Legislative and Administrative Action Representation Services
Election Administration for 2024 Elections	-\$10,000.00	-\$10,000.00	Expense	1004 - Administration - General	220 - Professional and Technical Services
Financial Audit Services	-\$10,000.00	-\$10,000.00	Expense	1004 - Administration - General	221 - Professional and Technical Services - Auditor
Technical Services - Tax Collections	-\$2,500.00	-\$2,500.00	Expense	1004 - Administration - General	222 - Professional and Technical Services - Tax Assessor
Technical Services - Appraisals	-\$7,500.00	-\$7,500.00	Expense	1004 - Administration - General	223 - Professional and Technical Services - Appraisal District
Technical Services - VCGCD	-\$90,300.00	-\$90,300.00	Expense	1004 - Administration - General	227 - Professional and Technical Services - VCGCD
Technical Services - VCGCD - Mileage and Supplies Reimbursement	-\$2,500.00	-\$2,500.00	Expense	1004 - Administration - General	227 - Professional and Technical Services - VCGCD
Insurance - Liability	-\$1,500.00	-\$1,500.00	Expense	1004 - Administration - General	230 - Insurance and Bonds
Insurance - Surety Bonds	-\$750.00	-\$800.00	Expense	1004 - Administration - General	230 - Insurance and Bonds
Supplies - Office General	-\$2,500.00	-\$2,500.00	Expense	1004 - Administration - General	310 - Supplies - Office
Supplies - Paper for Records Archiving	-\$1,500.00	-\$1,500.00	Expense	1004 - Administration - General	310 - Supplies - Office
Supplies - Stamps and Certified Mail Expenses	-\$2,500.00	-\$2,500.00	Expense	1004 - Administration - General	315 - Certified Mail and Stamps
Travel Expenses - Mileage Reimbursement	-\$1,500.00	-\$1,500.00	Expense	1004 - Administration - General	330 - Training and Travel Expenses
Equipment - Office	-\$1,000.00	-\$1,000.00	Expense	1004 - Administration - General	410 - Equipment - Office
Sponsorship - Conservation and Teacher Professional Development	-\$4,500.00	-\$4,500.00	Expense	2000 - Groundwater Conservation	363 - Sponsorships and Cost-Sharing - Conservation Promotion
Sponsorship - Wetlands Field Trips	-\$5,000.00	-\$5,000.00	Expense	2000 - Groundwater Conservation	363 - Sponsorships and Cost-Sharing - Conservation Promotion
Permitting Technical Assistance	-\$5,000.00	-\$5,000.00	Expense	3000 - Groundwater Management	225 - Professional and Technical Services - Hydrogeologist
Aquifer Condition Assessment - Geostatistics re Water Levels	-\$5,000.00	-\$5,000.00	Expense	4000 - Groundwater Monitoring	225 - Professional and Technical Services - Hydrogeologist
Evaluation of Data re Investigations	-\$5,000.00	-\$5,000.00	Expense	4000 - Groundwater Monitoring	225 - Professional and Technical Services - Hydrogeologist
Lab Analysis of Groundwater Samples	-\$10,000.00	-\$10,000.00	Expense	4000 - Groundwater Monitoring	226 - Professional and Technical Services - Laboratory
Aquifer Monitoring Well Network Development - WellIntell	-\$7,500.00	-\$7,500.00	Expense	4000 - Groundwater Monitoring	380 - Aquifer Monitoring Network Development
Equipment Maintenance and Repair - Groundwater Monitoring	-\$5,000.00	-\$5,000.00	Expense	4000 - Groundwater Monitoring	450 - Equipment Maintenance and Repair
Misc Expense	-\$100.00	-\$100.00	Expense	4000 - Groundwater Monitoring	900 - Miscellaneous
Evaluation of Data re Investigations	-\$5,000.00	-\$5,000.00	Expense	6000 - Groundwater Protection	225 - Professional and Technical Services - Hydrogeologist
Sponsorship - Well Plugging	-\$500.00	-\$500.00	Expense	6000 - Groundwater Protection	361 - Sponsorships and Cost-Sharing - Well Plugging
Sponsorship - Borehole Logging	-\$2,500.00	-\$2,500.00	Expense	6000 - Groundwater Protection	362 - Sponsorships and Cost-Sharing - Borehole Logging
DFC Development Support	-\$7,500.00	-\$7,500.00	Expense	8000 - Groundwater Resource Planning	225 - Professional and Technical Services - Hydrogeologist
Total	\$36,639.36	\$36,400.00			

**ORDER ADOPTING THE BUDGET OF
THE TEXANA GROUNDWATER CONSERVATION DISTRICT**

Upon motion by _____, seconded by
_____, the attached Budget for the fiscal year October 1,
2023, through September 30, 2024, is hereby approved and adopted by a vote of _____
eyes and _____ nays on this _____ day of _____ of 2023.

Signature of Presiding Officer

Printed Name of Presiding Officer

ATTEST:

Signature of Director

Printed Name of Director

INTERLOCAL AGREEMENT FOR SERVICES RELATED TO GENERAL MANAGEMENT AND ADMINISTRATIVE ACTIVITIES

This Interlocal Cooperative Agreement (“Agreement”) is entered into between Texana Groundwater Conservation District (hereinafter “COOPERATING DISTRICT”) and Victoria County Groundwater Conservation District (hereinafter “VCGCD”).

WHEREAS, COOPERATING DISTRICT and VCGCD are separate groundwater conservation districts organized and operating under Chapter 36, Texas Water Code, and created by separate enabling acts of the Legislature of the State of Texas and confirmed by the voters of each county, and

WHEREAS, under the provisions of Chapter 791, Texas Government Code, political subdivisions are authorized to contract with one another to increase efficiency and effectiveness; and

NOW THEREFORE, in consideration of the premises and the mutual agreement herein, the parties agree as follows:

1. The respective duties and obligations of the parties to this agreement shall be in force for a period of one (1) year commencing on October 1, 2023, and expires on September 30, 2024.
2. This agreement will automatically renew for an additional one (1) year period on October 1 of each year unless either party provides written notice not less than 60 days before the automatic annual renewal of this agreement of their intent to not renew the agreement or their intent to propose revisions.
3. The office and field equipment possessed by VCGCD shall be available for use by the VCGCD representatives for the purposes of completing the duties and responsibilities related to general management and administrative activities of the COOPERATING DISTRICT.
4. The staff of the VCGCD will provide the services to the COOPERATING DISTRICT for the following activities to a reasonable degree at reasonable times and durations:
 - office administration activities related to office reception, correspondence processing, appointment scheduling, agency coordination, administrative policy development and implementation;
 - financial management activities related to budget and tax rate, development and management, purchasing and accounts payable, financial transaction processing, invoices and deposits, financial report development and processing, financial audit support, investment monitoring and reporting;
 - information technology management activities related to system administration;

- meeting management activities related to meeting planning and coordination, meeting preparation and participation, meeting minutes preparation;
 - operational performance management activities related to annual report preparation, state auditor response preparation;
 - project management activities related to program development and management, project development and management, activity development and management, agreement development and management, service provider management;
 - records management activities related to record storage, retention and destruction, public information request processing, groundwater conservation activities;
 - groundwater management activities related to permitting request processing, well log processing, production report processing, well construction observation, groundwater management investigation processing, groundwater management enforcement case processing;
 - groundwater monitoring activities related to field data collection, groundwater sample and lab analysis processing,
 - groundwater policy activities related to groundwater policy review and development, groundwater policy implementation, management plan and rules revisions;
 - groundwater protection activities related well inspection, groundwater protection investigation processing, groundwater protection enforcement case processing;
 - groundwater research activities related to technical study proposal development and support; and
 - groundwater resource planning activities related to regional water resource meeting representation and participation.
4. The staff of the VCGCD will provide the services to the COOPERATING DISTRICT for the following optional activities under a mutually agreed upon scope and fee:
- activities relate to participating in contested cases and lawsuits;
 - activities requiring out-of-district travel and lodging; and
 - activities related to procuring professional services related or similar to engineering services, hydrogeology services, technical consultant services, and laboratory services, information technology subscriptions other than those addressed within this agreement, and trade group memberships.

5. The VCGCD shall not provide the following services or nor be responsible for the governance of the COOPERATING DISTRICT, financial audit services, or legal counsel services to the COOPERATING DISTRICT.
6. The VCGCD will provide geographic information system and database management system software for the purposes of providing service to the COOPERATING DISTRICT under this agreement.
7. The COOPERATING DISTRICT shall pay VCGCD a monthly fee of \$7,525.00 for services provided under this agreement. The amount of the monthly fee will be subjected to an annual review by the parties.
8. The VCGCD shall credit the COOPERATING DISTRICT \$500.00 for each calendar week for those weeks in which the office of the COOPERATING DISTRICT is closed for more than twenty-eight (28) hours of normal business hours excluding weeks with office closures associated with observing federal, state, and county holidays.
9. The COOPERATING DISTRICT shall provide all necessary surety bonds, liability insurance, office space, office equipment, office software, office utilities, and office supplies.
10. The COOPERATING DISTRICT shall compensate VCGCD for mileage associated with providing services at the IRS mileage reimbursement rate applicable at the time when the mileage occurred.
11. The COOPERATING DISTRICT shall compensate VCGCD for increased insurance costs, if any, resulting from the provision of services to the COOPERATING DISTRICT.
12. The parties of this agreement may terminate this agreement at any time upon mutual agreement by the governing bodies of each party.
13. Nothing in this contract shall be construed as placing any legal liability for the action of one district upon the other district.
14. The Boards of Directors of COOPERATING DISTRICT and VCGCD shall approve this agreement by majority vote and shall review this interlocal cooperative agreement periodically, regarding such matters as changes in compensation and renewal of the agreement.
15. This agreement shall be constructed under and in accordance with the laws of the State of Texas.
16. It is expressly understood and agreed that nothing in this agreement is intended, nor shall it be construed, to waive any immunity or defense that would be otherwise

available to either COOPERATING DISTRICT or VCGCD arising from the exercise of these governmental powers or functions.

17. Force Majeure Clause: It is specifically agreed and understood, however, that notwithstanding this Article or any other Article hereof, each party shall have the right to immediately terminate this interlocal agreement if either party is, or may be, rendered unable to perform hereunder for any reason. The term "Force Majeure" means: acts of God, strikes, acts of the public enemy, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests, and restraints of the government, either federal or state, civil or military, civil disturbances, explosions, sabotage, malicious mischief, any of the foregoing or any action due to existing or future rules, regulations, orders, laws or proclamations of governmental authorities (both federal, state, or local), including both civil and military, and any other cause whether of the kind herein enumerated or otherwise, not reasonably within the control of the party claiming suspension.
18. This document shall be executed in duplicate originals.

IN WITNESS WHEREOF, the parties hereto cause this agreement to be duly executed on the _____ day of _____, 20____.

TEXANA GROUNDWATER
CONSERVATION DISTRICT

VICTORIA COUNTY GROUNDWATER
CONSERVATION DISTRICT

By: _____
Presiding Officer

By: _____
Presiding Officer

Date: _____

Date: _____

**ORDER ADOPTING THE TAX RATE OF
THE TEXANA GROUNDWATER CONSERVATION DISTRICT**

After notice and hearing, the following motion was offered by

_____ and seconded by _____ :

"I move the adoption of a tax rate of \$_____ per \$100 evaluation for the 2023 tax year."

Adopted by the following vote:

AYE

NAY

On this _____ day of _____ of 2023.

Signature of Presiding Officer

Printed Name of Presiding Officer

ATTEST:

Signature of Director

Printed Name of Director

JACKSON CENTRAL APPRAISAL DISTRICT
404 NORTH ALLEN ST.
EDNA, TEXAS 77957

CW

RECEIVED

JUL 25 2023

Texana Groundwater
Conservation District

CERTIFICATION OF 2023 APPRAISAL ROLL FOR
TEXANA GROUNDWATER DISTRICT

“I, Damon D. Moore, Chief Appraiser for the Jackson Central Appraisal District, solemnly swear that the attached is that portion of the approved appraisal roll of the Jackson Central Appraisal District which lists property taxable by the **Texana Groundwater District** within Jackson County and constitutes the appraisal rolls for **Texana Groundwater District**.”

2023 Certified Appraisal Roll Information (ARB Approved Totals)

Total market value	\$ 5,414,607,739
Total appraised value	\$ 3,817,642,509
Total assessed value	\$ 3,710,948,467
Total taxable value	\$ 3,678,673,829
Freeze adjusted taxable	\$
Number of accounts	26107

2023 Uncertified Appraisal Roll Information (Under ARB Review Totals)

Total market value	\$ 1,600,840
Total appraised value	\$ 1,130,260
Total assessed value	\$ 1,130,260
Total taxable value	\$ 1,130,260
Freeze adjusted taxable	\$
Number of accounts	9



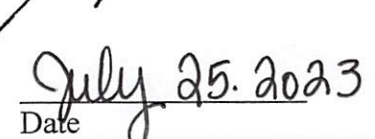
Damon D. Moore, Chief Appraiser



Date



Received by



Date

PHONE 361-782-7115
FAX 361-782-0369

Assessment Roll Grand Totals Report

JACKSONPROD

Tax Year: 2023 As of: Certification

WTG - Texana Groundwater Conservation District (ARB Approved Totals)

Number of Properties: 26107

Land Totals

Land - Homesite	(+)	\$89,085,317		
Land - Non Homesite	(+)	\$213,994,380		
Land - Ag Market	(+)	\$1,497,559,100		
Land - Timber Market	(+)	\$0		
Land - Exempt Ag/Timber Market	(+)	\$0		
Total Land Market Value	(=)	\$1,800,638,797	(+)	\$1,800,638,797

Improvement Totals

Improvements - Homesite	(+)	\$677,431,211		
Improvements - Non Homesite	(+)	\$478,220,907		
Total Improvements	(=)	\$1,155,652,118	(+)	\$1,155,652,118

Other Totals

Personal Property (1048)		\$39,443,878	(+)	\$39,443,878
Minerals (5863)		\$2,418,872,946	(+)	\$2,418,872,946
Autos (0)		\$0	(+)	\$0
Total Market Value			(=)	\$5,414,607,739
Total Homestead Cap Adjustment (2582)				(-) \$106,694,042
Total Exempt Property (349)				(-) \$196,267,210

Productivity Totals

Total Productivity Market (Non Exempt)	(+)	\$1,497,559,100		
Ag Use (5287)	(-)	\$96,861,080		
Timber Use (0)	(-)	\$0		
Total Productivity Loss	(=)	\$1,400,698,020	(-)	\$1,400,698,020
Total Assessed			(=)	\$3,710,948,467

Exemptions

(HS Assd 532,233,293)

(HS) Homestead Local (3687)	(+)	\$0		
(HS) Homestead State (3687)	(+)	\$0		
(O65) Over 65 Local (1605)	(+)	\$0		
(O65) Over 65 State (1605)	(+)	\$0		
(DP) Disabled Persons Local (66)	(+)	\$0		
(DP) Disabled Persons State (66)	(+)	\$0		
(DV) Disabled Vet (92)	(+)	\$951,720		
(DVX) Disabled Vet 100% (53)	(+)	\$9,749,250		
(DVXSS) DV 100% Surviving Spouse (4)	(+)	\$629,200		
(AUTO) HB248 Lease Vehicles Ex (18)	(+)	\$684,139		
(PC) Pollution Control (15)	(+)	\$17,195,810		
(AUTO2814) HOUSE BILL 2814 (82)	(+)	\$2,070,212		
(PCOR) Primarily Charitable Organization (4)	(+)	\$724,470		
(HB366) House Bill 366 (1581)	(+)	\$269,837		
Total Exemptions	(=)	\$32,274,638	(-)	\$32,274,638
Net Taxable (Before Freeze)			(=)	\$3,678,673,829

Assessment Roll Grand Totals Report

JACKSONPROD

Tax Year: 2023 As of: Certification

WTG - Texana Groundwater Conservation District (Under ARB Review Totals)

Number of Properties: 9

Land Totals

Land - Homesite	(+)	\$0		
Land - Non Homesite	(+)	\$257,150		
Land - Ag Market	(+)	\$483,930		
Land - Timber Market	(+)	\$0		
Land - Exempt Ag/Timber Market	(+)	\$0		
Total Land Market Value	(=)	\$741,080	(+)	\$741,080

Improvement Totals

Improvements - Homesite	(+)	\$67,290		
Improvements - Non Homesite	(+)	\$792,470		
Total Improvements	(=)	\$859,760	(+)	\$859,760

Other Totals

Personal Property (0)		\$0	(+)	\$0
Minerals (0)		\$0	(+)	\$0
Autos (0)		\$0	(+)	\$0
Total Market Value			(=)	\$1,600,840
Total Homestead Cap Adjustment (0)				(-) \$0
Total Exempt Property (0)				(-) \$0

Productivity Totals

Total Productivity Market (Non Exempt)	(+)	\$483,930		
Ag Use (1)	(-)	\$13,350		
Timber Use (0)	(-)	\$0		
Total Productivity Loss	(=)	\$470,580		(-) \$470,580
Total Assessed				(=) \$1,130,260

Exemptions

			(HS Assd	0)
Total Exemptions	(=)	\$0		(-) \$0
Net Taxable (Before Freeze)				(=) \$1,130,260

**ORDER APPROVING THE APPRAISAL ROLL OF
JACKSON COUNTY**

Upon motion by _____, seconded by
_____, the attached Certified Assessment Roll for the
2023 tax year as submitted by the Jackson County Appraisal District is hereby approved and
adopted by a vote of _____ ayes and _____ nays on this _____ day of
_____ of 2023.

Signature of Presiding Officer

Printed Name of Presiding Officer

ATTEST:

Signature of Director

Printed Name of Director