



Lavaca-Navidad River Authority

P.O. Box 429 Edna, Texas 77957

August 21, 2026

Texana Groundwater Conservation District
Tim Andruss, TGCD General Manager
P.O. Box 69
Victoria, Texas 77902

Re: Potential Revision to Texana Groundwater Conservation District Rules
Suggested Revision to Definition of High-Capacity Non-Historic Use

Dear Mr. Andruss,

I appreciate your time these past weeks, visiting with me on this issue, helping me understand how the Texana Groundwater Conservation District (TGCD) rules might affect (positive and negative) the long-term management, use and development of Lavaca-Navidad River Authority (LNRA) property surrounding Lake Texana.

LNRA respectfully offers the following suggestion as a revision to the current TGCD rules, specifically, to request alteration of the definition of "High-Capacity Non-Historic Use". In offering this suggestion, we (LNRA) recognize the inherent responsibility of our land stewardship to conserve and protect the resources in, on, and under the land. It is LNRA's goal in submitting this suggested change to gain flexibility in managing the use and long-term development of large properties such as that singular 17,012-net-acre tract owned and managed by LNRA.

Every property owner in Jackson County, regardless of having large acreage or small, desiring to develop a new groundwater supply on their property must comply with the requirements of Section 6, Policies Related to Non-Historic Use of Groundwater. Section 6.1.1, 6.1.2 and 6.1.3 of the rules sets the production limitation for a new non-grandfathered non-exempt-use well, well field and/or well system, irrespective of the acreage from which the groundwater is being produced. Under the definition for "High-Capacity Non-Historic Use", groundwater usage, irrespective of the size of the property on which the "usage" is derived and being found to exceed the defined cumulative production rate and cumulative volume thresholds over all contiguously owned property tracts, evokes the provisions of Section 6.3, Special Policies Related to High-Capacity Non-Historic Use Permitting.

As a conservation and reclamation district, LNRA has no issue with the monitoring provisions provided under Section 6.3, Special Policies Related to High-Capacity Non-Historic Use. That said, every well located on a property, irrespective of acreage, is accounted for in a cumulative manner, but does not account for the inherent buffering capacity offered by the larger acreage. Regardless of the number of wells or well

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spacing, given the cumulative production thresholds (rate and volume) contained in the current definition for "High-Capacity Non-Historic Use" and the cumulative production limitations (rate and volume) provided under Sections 6.1.1, 6.1.2, and 6.1.3, it is our suggestion that TGCD consider adding a "**Production Ratio**" term to the definition of "High-Capacity Non-Historic Use", giving consideration to the buffering capacity larger tracts of contiguously owned property present.

The following is LNRA's suggested modification to the Definition of High-Capacity Non-Historic Use:

HIGH-CAPACITY NON-HISTORIC USE means the production of groundwater for non-exempt use that is:

1. produced from one or more wells located on one or more tracts of contiguous groundwater ownership associated with a permit request for a production permit for non-historic use with:

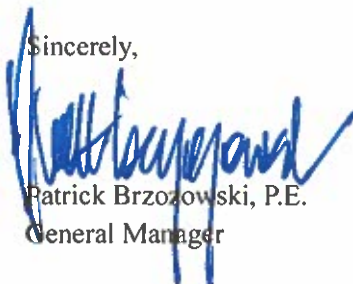
1.1. the cumulative authorized groundwater production ratio exceeding 5 gallons per minute per acre, excluding the authorized groundwater production amounts associated with historic use or deep-saline non-exempt use, and the cumulative authorized groundwater production rate being greater than or equal to five hundred gallons per minute (500 GPM), excluding the authorized groundwater production rates associated with historic use or deep-saline non-exempt use;

or

1.2. the cumulative authorized groundwater production ratio exceeding 1/4 acre-foot per year per acre, excluding the authorized groundwater production amounts associated with historic use or deep-saline non-exempt use, and the cumulative authorized groundwater production amount being greater than or equal to two hundred and fifty acre-feet per year (250 acre-feet per year), excluding the authorized groundwater production amounts associated with historic use or deep-saline non-exempt use.

Once again, thank you for your help. If there are any questions about the suggested rule change offered herein, or my explanation thereof, please call me. I understand this issue will be an agenda item at a future TGCD meeting and will make plans to attend and speak to LNRA's suggestion that is presented here.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Brzozowski".

Patrick Brzozowski, P.E.
General Manager

CC: Emily Rogers, Bickerstaff Heath Delgado Acosta LLP
Jerry Adelman, LNRA Board President