

#### **Item 4 – Discussion/Possible Action – Operating Permit Amendments**

A Public Permit Hearing was held July 13, 2017 to receive public comment on both of the following Operating Permit Amendment applications:

- Frank DeStefano – BVDO-0217 – Seeks to amend the permit by lengthening the permit term from one year to five years
- Carey D. Smith – BVDO-0215 – Seeks to amend the permit by lengthening the permit term from one year to five years

The worksheets and draft permit language for both of the permits are attached.

It is the recommendation of the General Manager to approve the requested permit amendments.

## **Worksheet for an Operating Permit Amendment**

### **Carey D. Smith Well #1 – BVDO-0215**

**Carey D. Smith seeks an Operating Permit amendment for the purpose of:**

- **Industrial Use** – Manufacturing Concrete/Washing of trucks

Existing Well #1

Date Drilled: **May 29, 2017**

Tract Size: **9.07 acres**

Located at: N 30.68288367° W 96.42431206° 0.18 miles W of the intersection of FM 2818 and FM 1687 in Brazos County

Beneficial Use: **Industrial**

Aquifer of Origin: **Sparta**

Well Column: **4”**

Rate of Production: **35 gpm**

Max. Annual Production: **25 acre feet/year**

**The permit holder requests a permit amendment to lengthen the term of the permit from one (1) year to five (5) years.**

Application is administratively complete.

**It is the recommendation of the General Manager to approve the requested permit amendment.**

**Permit No. BV-DO-0215**

**Operating Permit  
Issued By Direction of the Board of Directors of the  
Brazos Valley Groundwater Conservation District**



This **Operating Permit** is granted to **Carey D. Smith** (Permittee) authorizing the Permittee to operate a water well known as **Well #1** ("Well") at the location specified below within the Brazos Valley Groundwater Conservation District (District) for the beneficial purpose of producing water for **Industrial** use. Permittee is authorized to operate the Well located at **N 30.68288367° W 96.42431206°** to produce water from the **Sparta Aquifer** at an annual maximum capacity not to exceed **35 GPM** and a maximum annual production of **25 acre feet/year**.

**Operating Permit Term:**

- (a) An operating and drilling permit for a well or well site will automatically expire within three years from its issuance if the permitted well(s) has not been completed or is not significantly under development.
- (b) Unless specified otherwise by the Board or these Rules, operating permits are effective for five-year terms. At the end of each five-year term, the permit shall be renewed by the Board for an additional five-year term, upon submittal of a permit renewal application by the permit holder that provides adequate evidence of continued beneficial use for the permitted amount of water withdrawal. The District shall send notices to permit holders that contain the permit renewal applications, prior to permit expirations.
- (c) The District may amend or revoke an operating permit at any time if there is evidence of:
  - (1) the owner or operator of the well or well system has operated in violation of their permit, District Rules, or Chapter 36 of the Texas Water Code; or
  - (2) a change in the permit is required to prevent waste and achieve water conservation, minimize as far as practicable the drawdown of the water table or reduction of artesian pressure, lessen interference between wells, or control and prevent subsidence; or
  - (3) The permitted well(s) has not been completed, is not significantly under construction; or no significant progress is being made toward construction.

This permit is issued and effective as of April 16, 2017. This permit was amended August 10, 2017 to reflect the lengthening of the permit term from one (1) year to five (5) years.

**Special Provisions/Notes: None**

## Worksheet for an Operating Permit Amendment

### Frank DeStefano Front Well – BVDO-0217

Frank DeStefano seeks an Operating Permit amendment for the purpose of:

- **Agricultural Use – Irrigation of field crops**

Existing Well – **Front Well**

Date Drilled: **June 28, 2017**

Tract Size: **198.87 acres**

Located at: N 30.73781373° W 96.57664572° 0.73 miles WNW of the intersection of FM 50 and Mumford Road in Robertson County

Beneficial Use: **Agricultural**

Aquifer of Origin: **Brazos River Alluvium**

Well Column: **16”**

Rate of Production: **700 gpm**

Max. Annual Production: **150 acre feet/year**

**The permit holder requests a permit amendment to lengthen the term of the permit from one (1) year to five (5) years.**

Application is administratively complete.

**It is the recommendation of the General Manager to approve the requested permit amendment.**

**Permit No. BV-DO-0217**

**Operating Permit  
Issued By Direction of the Board of Directors of the  
Brazos Valley Groundwater Conservation District**



This **Operating Permit** is granted to **Frank DeStefano** (Permittee) authorizing the Permittee to operate a water well known as **Front Well** ("Well") at the location specified below within the Brazos Valley Groundwater Conservation District (District) for the beneficial purpose of producing water for **Agricultural** use. Permittee is authorized to operate the Well located at **N 30.73781373° W 96.57664572°** to produce water from the **Brazos River Alluvium Aquifer** at an annual maximum capacity not to exceed **700 GPM** and a maximum annual production of **150 acre feet/year**.

**Operating Permit Term:**

- (a) An operating and drilling permit for a well or well site will automatically expire within three years from its issuance if the permitted well(s) has not been completed or is not significantly under development.
- (b) Unless specified otherwise by the Board or these Rules, operating permits are effective for five-year terms. At the end of each five-year term, the permit shall be renewed by the Board for an additional five-year term, upon submittal of a permit renewal application by the permit holder that provides adequate evidence of continued beneficial use for the permitted amount of water withdrawal. The District shall send notices to permit holders that contain the permit renewal applications, prior to permit expirations.
- (c) The District may amend or revoke an operating permit at any time if there is evidence of:
  - (1) the owner or operator of the well or well system has operated in violation of their permit, District Rules, or Chapter 36 of the Texas Water Code; or
  - (2) a change in the permit is required to prevent waste and achieve water conservation, minimize as far as practicable the drawdown of the water table or reduction of artesian pressure, lessen interference between wells, or control and prevent subsidence; or
  - (3) The permitted well(s) has not been completed, is not significantly under construction; or no significant progress is being made toward construction.

This permit is issued and effective as of May 15, 2017. This permit was amended August 10, 2017 to reflect the lengthening of the permit term from one (1) year to five (5) years.

**Special Provisions/Notes: None**