

Worksheet for an Amendment to a Historic Use & Operating Permit
Sanderson Farms - Franklin Feed Mill Well #1 (BVHU-0026/BVOP-0133)

Sanderson Farms seeks an amendment to a Historic Use/Operating Permit for the purpose of:

- **Industrial Use - Processing poultry feed**

Existing Sanderson Farms - Franklin Feed Mill Well #1

Located at: **N 31.09126434° W 96.39996420° 1.33 miles SW of the intersection of FM 2096 and S. Hwy 79 in Robertson County.**

Beneficial Use: **Industrial Use for processing poultry feed**

Aquifer of Origin: **Simsboro**

Well Column: **6"**

Rate of Production: **245 gpm**

Max. Annual Production: **56 ac/ft.**

Date Drilled/Depth: **October 31, 1995 1130'**

Applicant has drilled a backup well for the Sanderson Farms Franklin Feed Mill (BVDO-0260). There was no backup water supply in case of a well failure. No additional water is being requested with this permit amendment.

*This well would be permitted in aggregate with **BVDO-0260** in order for Sanderson Farms to periodically run the well and make sure it is operable or in case of emergency. **BVHU-0026 and BVOP-0133** are permitted for a maximum annual production of 56 acre feet/year. **BVDO-0260** is permitted for a maximum annual production of 0 acre feet/year. The maximum annual aggregate production from these two (2) permitted wells (three (3) permits) shall not exceed **56 acre/feet**.*

Application is administratively complete.

It is the recommendation by the General Manager to approve amendment allowing for the aggregation of production from BVDO-0260 with the production assigned BVHU-0026 and BVOP-0133.

Historic Use Permit
Issued By Direction of the Board of Directors of the
Brazos Valley Groundwater Conservation District

This **Historic Use Permit** is granted to **Sanderson Farms** (Permittee) authorizing the Permittee to operate a water well known as **Franklin Feed Mill 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. This permit is conditioned upon and subject to the Permittee complying with the Rules of the District ("Rules"), orders of the Board and the Management Plan of the District, as amended, and the laws, rules and regulations of the State of Texas, as amended, applicable to drilling, operating and maintaining water wells within the District. This permit confers only the right to use the permit under the provisions of the Rules and according to the terms of this permit. The permit terms may be modified or amended pursuant to the Rules.

The Permittee is authorized to operate the Well located at **N 31.09126434° and W 96.39996420°** to produce water from the **Simsboro Aquifer** at a maximum capacity not to exceed **245 GPM** and a maximum annual production of **23.95** acre feet. This well has been approved for production in aggregate with Sanderson Farms Operating Permit **BVOP-0133** and **BVDO-0260** (Franklin Feed Mill Well #2), and the total approved maximum annual aggregate production for these permits shall not exceed **56 acre feet**.

The Rules are incorporated herein in their entirety by reference, as if set forth herein verbatim. The Permittee shall comply with the Rules and each requirement thereof in operating, maintaining, repairing and altering the Well. The application pursuant to which this permit has been issued is incorporated into this permit, and this permit is granted on the basis of, and contingent upon, the accuracy of the information supplied in that application. A finding that false information has been supplied to the District in the permitting process for the Well is grounds for revocation of this permit.

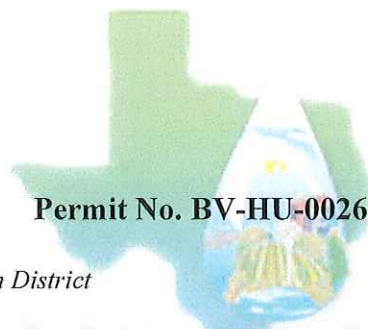
The issuance of this permit does not grant to the Permittee the right to use any private property, or any public property, for the production or conveyance of water. Neither does this permit authorize the invasion of any personal rights nor the violation of any federal, state, or local laws, rules or regulations. Further, the District makes no representations and shall have no responsibility with respect to the availability or quality of water authorized to be produced under this permit.

This Historic Use Permit will remain in effect for the life of the well as long as water is being produced for the herein specified beneficial use, subject to the District's Rules, Management Plan, and State laws.

This permit was issued and effective on June 2, 2005. This permit was amended November 14, 2019 incorporating aggregation of water production from Operating Permit BVDO-0260 (Franklin Feed Mill Well #2).

Brazos Valley
Groundwater Conservation District

By: _____
Name: Alan M. Day
Title: General Manager
Date: _____



Brazos Valley Groundwater Conservation District

**This historic permit was corrected on November 14, 2013 relating to proper aquifer of origin and GPS coordinates. The permit was amended November 14, 2019 adding aggregation of water production. The permit corrections and amendment do not affect the historic integrity of the originally issued historic permit.*

Permit No. BVOP-0133

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



This **Operating Permit** is granted to **Sanderson Farms, Inc.** (Permittee) authorizing the Permittee to operate a water well known as **Franklin Feed Mill 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 31.09126434° and W 96.39996420°** to produce water from the **Simsboro Aquifer** at an annual maximum capacity not to exceed **245 GPM** and a maximum annual production of **32.05 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 June 2, 2011. This permit was amended November 14, 2019 incorporating aggregation of water production with Operating Permit BVDO-0260 (Franklin Feed Mill Well #2).

Special Provisions/Notes:

This production amount is in addition to the 23.95 acre feet/year granted under Historic Use Permit No. BVHU-0026 and 0 acre feet/year granted under Operating Permit No. BVDO-0269 that is also in effect, totaling a maximum annual production for this well under all permits of 56 acre feet/year.

This Permit is granted subject to these Rules, orders of the Board, and the laws of the State of Texas. In addition to any special provisions or other requirements incorporated into the permit issued by the District.

- (1) This Permit is granted in accordance with provisions of the Rules of the District, including amendments, and acceptance of this Permit constitutes an acknowledgment and agreement that Permittee will comply with the Rules of the District.
- (2) This Permit confers only the right to operate the permitted well under the provisions of the District Rules and its terms may be modified or amended pursuant to the provisions of those Rules. To protect the permit holder from the illegal use of a new landowner, within ten (10) days after the date of sale of property containing a well having been issued an operating permit, the operating permit holder must notify the District in writing of the name of the new owner. Any person who becomes the owner of a currently permitted well must, within forty-five (45) calendar days from the date of the change in ownership, file an application for a permit amendment to affect a transfer of the permit.
- (3) The operation of the well for the authorized purposes must be conducted in a non-wasteful manner.
- (4) All groundwater production from non-exempt wells in the District is required to be metered, except for the groundwater produced from wells in the Brazos River Alluvium aquifer. The District maintains the discretion to require meters on wells in the Brazos River Alluvium aquifer. Permittee shall maintain records of withdrawal on the property where the well is located or at its business office, and shall make those records available to the District for inspection. The Permittee shall submit complete, accurate, and timely metered pumpage and transport reports to the District annually, as requested by the District, no later than February first (1st) of each year.
- (5) The well site must be accessible to District representatives for inspection, and Permittee agrees to cooperate fully in any reasonable inspection of the well and well site by the District representatives.
- (6) The application pursuant to which this Permit has been issued is incorporated in this Permit, and this Permit is granted on the basis of and contingent upon the accuracy of the information supplied in that application. A finding that false information has been supplied is grounds for immediate revocation of the permit.
- (7) Violation of this Permit's terms, conditions, requirements, or special provisions, including pumping amounts in excess of authorized withdrawal, is punishable by civil penalties as provided by the District Rule 15.3, as well as revocation of the permit.
- (8) Permittee will use reasonable diligence to protect groundwater quality and will follow well-plugging guidelines at the time of well closure.

The issuance of this Permit does not grant to Permittee the right to use any private property, or any public property, for the production or conveyance of water. Neither does this permit authorize the invasion of any personal rights nor the violation of any federal, state, or local laws, rules or regulations. Further, the District makes no representations and shall have no responsibility with respect to the availability or quality of water authorized to be produced under this permit.

Brazos Valley Groundwater Conservation District

By: _____ Date _____
Alan M. Day, General Manager