

Worksheet for a Drilling/Operating Permit Amendment
Luminant Mining Company, LLC – Kosse Mine (BVDO-0291)

Luminant Mining Company, LLC – Kosse Mine seeks an amendment to a Drilling/Operating permit for the purpose of:

- **Agricultural Use – Water supply for livestock and wildlife**

Existing Permit:

Well #3 (**BVDO-0291**) Located at: N 31.270025415° W 96.4467222437° 0.78 miles ESE of the intersection of Old Well Road and SH-7 in Robertson County

Tract Size: Approximately 75.8 acres

Beneficial Use: **Agricultural** – Water supply for livestock and wildlife

Aquifer of Origin: **Simsboro**

Well Column: **4”**

Rate of Production: **50 gpm**

Max. Annual Production: **80.65 acre feet/year**

This application meets all the specifications listed in BVGCD Rule 7.1 (c) regarding production-based acreage. Below are the calculations verifying the applicant's compliance:

$80.65 \text{ acre feet/year} \times .62 = 50 \text{ gpm}$ on an average annual basis

$50 \times 1'/\text{gpm}$ for Simsboro wells –50' radius from the wellhead

$50' \times 50' \times 3.14 = 7,850$ square feet around the well

$7,850/43,560 = 0.1802$ contiguous acres to be assigned the well

The permit holder seeks to amend the above referenced permit lengthening the permit term from one (1) year to five (5) years. No additional water production is being requested.

Application is administratively complete.

It is the recommendation by the General Manager to approve the amendment to the Drilling/Operating permit as presented.

Permit No. BVDO-0291



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

This **Operating Permit** is granted to **Luminant Mining Company, LLC – Kosse Mine** (Permittee) authorizing the Permittee to operate a water well known as **Well #3** ("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 31.270025415° and W 96.4467222437°** to produce water from the **Simsboro Aquifer** at an annual maximum capacity not to exceed **50 GPM** and a maximum annual production of **80.65 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 March 16, 2022. This permit was amended June 9, 2022 extending the permit term from one (1) year to five (5) years.

Special Provisions/Notes: None