<u>Item 4 – Discussion/Possible Action – Operating Permit Amendments</u>

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

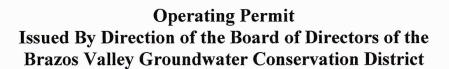
Max. Annual Production: 25 acre feet/year

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





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

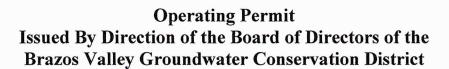
Max. Annual Production: 150 acre feet/year

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





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