MANAGEMENT PLAN

OF THE

PECAN VALLEY

GROUNDWATER CONSERVATION DISTRICT

October 22, 2003

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DISTRICT MISSION AND GOAL

The mission of the Pecan Valley Groundwater Conservation District is to manage, protect, and conserve the groundwater resources of Dewitt County, Texas, while protecting private property rights and promoting constructive and sustainable development in Dewitt County.

The goal of the Pecan Valley Groundwater Conservation District in pursuing its mission is the sustainability of the groundwater resources of Dewitt County.

STATEMENT OF GUIDING PRINCIPLES

The groundwater resources of Dewitt County ("the County") are of vital importance to all citizens, and as the economic development of the County continues to increase, additional pressure will be placed on the groundwater resources of the County. The Pecan Valley Groundwater Conservation District ("the District"), managed and controlled locally, is the most practical means of directing development and preventing over-development of the natural resources of the County.

The District can achieve its mission and goals by increasing the quantity and quality of knowledge regarding the groundwater resources of the County, encouraging the most efficient use of groundwater, preserving and improving groundwater quality, and increasing public awareness and education of groundwater issues. Believing that local control of local resources is critical to the District's mission and goal, the District will monitor the activities of the Texas Legislature and of Texas Water Planning Groups, along with the rules and orders of state agencies which may affect the private ownership, use, and management of groundwater.

The District will work in cooperation with the Gonzales County Underground Water Conservation District, and the Goliad County Groundwater Conservation District to manage and protect those groundwater resources that are shared by any or all of these counties.

A major threat to the mission of the District is management of the groundwater resources of Dewitt County without a thorough understanding of the aquifers and their hydro geologic properties. This Management Plan will be a tool for the directors of the District and for the managers of the District's water resources, the landowners of Dewitt County. The District's directors regard all landowners as the District's partners in managing our groundwater resources.

GENERAL DESCRIPTION OF THE DISTRICT

The District was created by the citizens of Dewitt County through a confirmation election on November 6, 2001. The current Board of Directors ("the Board") are Errol J. Dietze (Chairman), Lias B. Steen (Vice Chairman), Gary Colman (Secretary), Peggy Laging and Robert C. Davis. At the time of the adoption of this Management Plan, the District's General

Manager is Bob McCurdy. The boundaries of the District are coterminous with those of Dewitt County, Texas. The economy of the County and the District is dominated by agriculture, tourism, and light industrial activities. Agricultural income is derived primarily from beef cattle production, hunting, and outdoor recreation.

LOCATION OF THE DISTRICT

Location of the Pecan Valley Water Conservation District is within the physical confines of DeWitt County. DeWitt County is in the West Gulf Coastal Plain of south-central Texas. It is bounded on the south and southeast by Goliad and Victoria Counties, on the northeast by Lavaca County, on the north by Gonzales County, and on the west by Karnes County. Cuero, the county seat, is about 80 miles southeast of San Antonio, approximately 30 miles east of Victoria, Texas, and is at the junction of State Hwys 183, 77, and 87. The county has an area of 910 square miles and a population of 20,114. There are four major municipalities in DeWitt Co. that rely on the available water resources. Cuero, Yoakum, Yorktown, and Nordheim all have municipal needs or growth and maintenance. Also included are the outlying local communities of Meyersville, Arneckeville, and Westhoff.

TOPOGRAPHY AND DRAINAGE

DeWitt County land surfaces are gently rolling except for a small part in the Eastern county which is almost flat. Recharge areas are mostly along the northwest county line. Altitude of land surface ranges from slightly less than 150 feet in the southeastern quadrant of the county to more than 540 feet in the northwest, approximately one-half miles east of the junction of the Gonzlales, Karnes, and DeWitt County lines.

Most of the county lies in the drainage basin of the Guadalupe River, one of the major rivers in Texas. A small area in the northern part of the county lies in the Lavaca River Basin and a small area in the south drains into the San Antonio River. The Guadalupe River, a perennial stream, is fed by large springs at New Braunfels and San Marcos which help to maintain the low flow of the river in DeWitt County in times of drought. It is estimated that 60-75% of the summer flow of the Guadalupe is required by the spring flows contributing to the water in the Guadalupe River. (Groundwater Resources of DeWitt Co., TX-Texas Water Commission Bulletin 651 Aug 1965-Reprinted by TWDB-May 1970).

GROUNDWATER RESOURCES

The principal water-bearing formations, from oldest to youngest, underlying the county are the Catahoula Tuff, Oakville Sandstone, Lagarto Clay, and Goliad Sand; collectively they comprise the Gulf Coast aquifer. The alluvial deposits associated with the Guadalupe River also comprise an aquifer of local importance.

SURFACE WATER RESOURCES

The only surface water in Dewitt County is the Guadalupe River. According to information from the Guadalupe-Blanco River Authority, there is a supply of surface water available to meet future water demands within the District. That supply could be provided by a combination of existing and proposed run-of-river water rights, firmed up by stored water from Canyon Reservoir during periods of extreme drought.

DROUGHT CONTINGENCY PLAN

A contingency plan to cope with the effects of water supply shortages due to climatic or other conditions may be developed by the District and will be adopted by the Board after notice and hearing. In developing the contingency plan, the District will consider the economic effect of conservation measures upon all water storage conditions, the unique hydrogeologic conditions of the aquifer and the appropriate conditions under which to implement the contingency plan.

The drought contingency plan will be considered after the District has done water level monitoring across the District and compared this data with the rainfall trends during that period.

PROJECTED WATER SUPPLIES

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In order to make a reasonable computation of the amount of water that might be made available to wells in DeWitt County, several assumptions were made. First, it was assumed that wells were installed along a line extending northeastward through the approximate middle of the county and that the wells were pumped in such a way as to lower the water levels to 400 feet below the land surface along the line. It was assumed that during the pumping period, no water was recharged to the aquifer except along a line approximating the northwestern boundary of the county and that the recharge was adequate to keep the altitude of the water levels everywhere the same alone the line of recharge. It was assumed also that the altitude of water levels was the same and remained the same both along the southeastern boundary of the county and at all points along the line of discharging wells. By lowing the water levels to 400 feet, a large segment of the aquifer would be dewatered; therefore, the coefficient of storage was assumed to be 0.10. The coefficient of transmissibility of the aquifer was assumed to be 75,000 gpd per foot. It was assumed that the hydraulic gradient in the aquifer is the slope of a straight line from the water level at the line of recharge to the water level along the line of discharging wells. The average transmission capacity is based on the 1962 hydraulic gradient and on the maximum hydraulic gradient.

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Under these assumed conditions, about 12 million acre-feet of water would be available from storage in the Gulf Coast aquifer by lowering the water levels to 400 feet along the line of discharging wells. At the present (1962) hydraulic gradient of 1.9 feet per mile, the aquifer transmits about 6,500 acre-feet of water per year (6 mgd), which is nearly twice the 1962

pumping rate. At the average gradient (16.7 feet per mile) under the assumed conditions, however, the aquifer would transmit about 55,000 acre-feet per year (50 mgd). After the water levels were lowered to 400 feet, the aquifer would transmit about 100,000 acre-feet per year (90mgd). Actually, the flow of water could be increased by installing the wells closer to the line of recharge, thereby increasing the maximum hydraulic gradient.

At the present (1962) rate of pumpage, about 3,500 acre-feet of water per year, and assuming no recharge to the aquifer, it would take about 3,400 years to pump the 12 million acre-feet of water that would be released from storage while the water level was being lowered to 400 feet along the line of discharge. If withdrawals were increased to as much as 110,000 acre-feet per year (100 mgd) and assuming full recharge and an average hydraulic gradient, it would take about 200 years to lower the water levels to 400 feet along the line of discharge; it would take only about 40 years of pumping 330,000 acre-feet per year (300 mgd) to lower the levels to 400 feet. (Groundwater Resources of DeWitt Co., Ibid.) 2

GROUNDWATER USAGE AND DEMAND

Current groundwater usage in the District is approximately 6,029 acre-feet per year. Future demand during the next ten years is projected to decrease to approximately 5, 818 acre-feet per year. The estimated annual recharge in the District is 7,287 acre-feet. (Region L Water Plan) There are an estimated 450 square miles of effective recharge area in DeWitt County. The recharge rate could be increased with additional precipitation and reduction in vegetation and runoff. 3 4

MANAGEMENT OF GROUNDWATER SUPPLIES

This Management Plan ("the Plan" or "this Plan") has been adopted by the Board in accordance with Section 36.1071 of the Texas Water Code ("the Water Code") and will remain in effect for a period of ten years unless modified by the Board prior to the end of the planning period. The District, in partnership with the landowners of the District, will manage the groundwater within the District in accordance with its mission and goal while seeking to maintain the economic viability of all resource user groups, public and private. With due consideration to the economic, cultural, historical, and environmental activities occurring within the District, the District will identify and engage in suchactivities and practices, which, if implemented, would result the sustainability of the groundwater resources within the District, including reductions of groundwater use where necessary for that result. 6 7 9

A network of observation wells will be established and maintained in cooperation with private landowners in order to monitor changing storage conditions of groundwater within the District. The District will make regular assessments of water supply and groundwater storage conditions and will report those conditions to the public. The District will undertake and cooperate with investigations of the groundwater resources within the District and will make the results of investigations available to the public.

The District will adopt Rules from time to time ("the District Rules") which may regulate groundwater withdrawals by means of production limits and fees, spacing regulations, and export fees and requirements. The District may deny a well construction permit or limit groundwater withdrawals in accordance with the District Rules. In making a determination to deny a permit or limit groundwater withdrawals or export, the District will weigh the public benefit against individual hardship after considering all appropriate testimony. The relevant factors to be considered in making a determination to deny a permit or limit groundwater withdrawals will include:

(1) the projected effect on other wells, landowners, and groundwater users in the District;
(2) the projected environmental and economic effects of the water use;
(3) the projected effects on aquifer conditions;
(4) any projected subsidence resulting from the proposed water use;
(5) relationship of the proposed water use to historical uses of water in the district;
(6) the availability of water in the district and in the area of the well being considered;
(7) the availability of feasible and practicable alternative supplies to the applicant;
(8) the amount and purposes of use for water;
(9) any projected public benefit of the proposed use;
(10) the approved regional water plan and certified district management plan.

In pursuit of the District's mission of managing, protecting, and conserving the resource, while protecting private property rights and promoting constructive and sustainable development in Dewitt County, the District may be forced to require reductions of groundwater withdrawals from existing commercial or non-exempt wells. The District will not regulate domestic or livestock wells. To achieve this purpose, the District may, at the Board's discretion, amend or revoke any permit after notice and hearing. The determination to seek the amendment or revocation of a permit by the District will be based on aquifer conditions observed by the District from time to time, as well as those factors listed above in relation to initial permits. If necessary, the District will enforce the terms and conditions of the permits and the District Rules by enjoining the permit holder in a court of competent jurisdiction as provide for in TWC 36.102.

ACTIONS, PROCEDURES, PERFORMANCE

The District will implement the provisions of this Plan and will utilize the provision of this Plan as guidelines for determining the direction or priority for all District activities. All operations of the District, all agreements entered into by the District, and any additional planning efforts in which the District may participate will be consistent with the provisions of this Plan. This Plan will remain in effect for a period of 10 years or until a revised or amended Plan may be certified, whichever occurs first.

The District has adopted or will adopt the District Rules relating to the permitting of wells and the production of groundwater. The District Rules shall be as required by the Water Code and

the provisions of this Plan. All District Rules will be enforced. The promulgation and enforcement of the District Rules will be based on the best technical evidence available.

The District shall treat all citizens equally. Citizens may apply to the District for a waiver in the enforcement of one or more of the District Rules on grounds of adverse economic effects or unique local conditions. In granting or denying any waiver to any District Rule, the Board shall consider the potential for adverse effects on adjacent landowners. The exercise of discretion in the granting or denying of any waiver by the Board, shall not be construed as limiting the power of the Board.

In the implementation of this Plan and in the management of groundwater resources within the District, the District will seek the cooperation of all residents, landowners, and well owners of the District. All activities of the District will be undertaken in cooperation and coordination with any appropriate state, regional, or local water management entity.

ANNUAL REPORT

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The General Manager of the District (or, in the absence of a General Manager, the Chairman of the Board) will prepare and present an annual report to the Board of Directors ("the Annual Report") evaluating the impact of the District's activities on its goals, management objectives, and performance standards (as enumerated below). The Annual Report will be presented at the last meeting of the Board of Directors in each fiscal year. The Annual Report will include the number of instances that each activity of the District occurred during the year (such as the monitoring of wells for water quality and levels, permitting, inspecting for permit compliance, securing abandoned wells), together with an estimate of the expenditure of staff time and cost so that the effectiveness and efficiency of each activity may be evaluated.

The annual District Manager's Report will be received by the District Board and upon approval shall be available to the public at the District Office. The Board of Directors will meet at least quarterly to review all considerations by the District to fully comply with all rules and regulations set forth by the Texas Water Development Board.

GOALS, MANAGEMENT OBJECTIVES, PERFORMANCE STANDARDS

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The goals, management objectives, and performance standards of the District are:

1. GOAL: Implement a system to improve the understanding of groundwater in the District.

1.1. MANAGEMENT OBJECTIVE: On an annual basis, obtain all the new information gathered or generated on wells in Dewitt County by the Texas Water Development Board, the Texas Commission on Environmental Quality, or any other water resource agency.

1.1.1. PERFORMANCE STANDARD: Report annually to the Board on the number of requests made for information and the information received.

1.2. MANAGEMENT OBJECTIVE: Enlist private landowner cooperation to provide five additional observation wells each year to monitor water levels and/or production until the District has thirty (30) observation wells (or such lesser number as the Board may determine be adequate to monitor the groundwater resources of the County).

1.2.1. PERFORMANCE STANDARD: Report to the Board annually on all new observation wells.

1.3. MANAGEMENT OBJECTIVE: Establish a database consisting of at least 5% of the permitted and registered wells in Dewitt County by October 1, 2004, 10% by October 1, 2005, and 20% by October 1, 2007.

1.3.1. PERFORMANCE STANDARD: Annually, provide to the Board a list of all new wells added to the database and an updated percentage of the wells in the database.

1.4. MANAGEMENT OBJECTIVE: Annually, evaluate and estimate current annual aquifer recharge, discharge, movement, and storage values.

1.4.1. PERFORMANCE STANDARD: Annually, report to the Board the evaluation and estimate of aquifer characteristics for each aquifer.

1.5. MANAGEMENT OBJECTIVE: Compile a list of water use practices in the District by conducting a survey of existing water use practices by well owners.

1.5.1. PERFORMANCE STANDARD: Annually, report the results to the Board.

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2. GOAL: Implement a system of rules for the drilling, completing, equipping, and operating of water wells by October 1, 2004.

2.1. MANAGEMENT OBJECTIVE: Review rules adopted by other groundwater conservation districts.

2.1.1. PERFORMANCE STANDARD: Review and report to the Board at the first meeting after July 1, 2004, together with any changes recommended to the District's Rules.

2.2. MANAGEMENT OBJECTIVE: All current rules and procedures will be reviewed and revised to address the needs of the District every two years or as often as the Board may deem necessary.

*2.2.1. **PERFORMANCE STANDARD:*** Annually, report to the Board on the number of recommended changes to insure that District rules meet the District needs.

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*3. **GOAL:*** Implement or recommend management strategies that will provide for the most efficient use of groundwater and for the long-term the sustainability and conservation of the groundwater resources. 16 17

*3.1. **MANAGEMENT OBJECTIVE:*** Disperse educational information at least twice annually regarding conservation practices for the efficient use of water resources.

*3.1.1. **PERFORMANCE STANDARD:*** Report to the Board annually the number of times that educational information was dispersed, including articles in local newspapers pertaining to the economic and environmental benefits of implementing efficient water use practices and the number of water conservation literature packets and other information handed out and distributed.

*3.2. **MANAGEMENT OBJECTIVE:*** The District will register and permit all new wells, unless exempt by the District Rules.

*3.2.1. **PERFORMANCE STANDARD:*** Report to the Board annually on the number of wells registered to be drilled and permitted in the District.

*3.3. **MANAGEMENT OBJECTIVE:*** The District will file a drilling log or acceptable alternative for each new well drilled within the District that is submitted by the driller.

*3.3.1. **PERFORMANCE STANDARD:*** Report to the Board annually on the number of driller's records and reports filed by the District since the previous year.

*3.4. **MANAGEMENT OBJECTIVE:*** Beginning January 1, 2005, file reports on static levels provided by well service operators.

*3.4.1. **PERFORMANCE STANDARD:*** Report to the Board annually the number of static level reports filed by the District based on reports received from well service operators.

*4. **GOAL:*** Recommend management strategies that will protect and enhance the quantity and quality of recoverable water by controlling and preventing waste. 18 20 21

*4.1. **MANAGEMENT OBJECTIVE:*** File all reports of wasteful practices within the District that are reported to the District.

*4.1.1. **PERFORMANCE STANDARDS:*** Provide a report to the Board annually indicating the number and location of wasteful practices reported

*4.2. **MANAGEMENT OBJECTIVE:*** Encourage voluntary metering of non-exempt wells and apply for a grant to provide meters by October 1, 2004.

*4.2.1. **PERFORMANCE STANDARD:*** Provide a report to the Board at the first meeting after October 1, 2004, and then annually indicating that an application was made and the number of meters installed on wells in the District.

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5. GOAL: Prevent the degradation of the aquifers in the District and ensure that the citizens of the District will have adequate water in the future by considering regulations for (1) the spacing of wells from each other and from a well owner's property lines and (2) the production of water from wells based on tract size.

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*5.1. **MANAGEMENT OBJECTIVE:*** Develop proposed regulations on spacing and production to include private and public wells and supply lines by October 1, 2004.

*5.1.1. **PERFORMANCE STANDARD:*** Report to the Board annually that proposed spacing and production regulations are in place.

6. GOAL: Determine definitions of aquifer conditions to be used as trigger mechanisms to assist water suppliers in implementing emergency drought management plans by October 1, 2004.

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*6.1. **MANAGEMENT OBJECTIVE:*** Compare static levels of wells in the District's database with historical rainfall to determine a correlation.

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*6.1.1. **PERFORMANCE STANDARD:*** Report the correlation to the Board and to water suppliers as often as necessary, but at least annually, to assist water suppliers in implementing their drought management plans.

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7. GOAL: Minimize the potential for contamination of groundwater by new or existing wells.

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*7.1. **MANAGEMENT OBJECTIVE:*** Initiate a program to identify the location of all abandoned wells that will include a survey of landowners, well drillers, and the Texas Railroad Commission regarding any known abandoned wells, and initiate actions as necessary to enforce the notice, plugging and other requirements of Section 1901.255, Occupations Code.

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*7.1.1. **PERFORMANCE STANDARD:*** Include the results of these activities in the annual report.

8. GOAL: Prevent damage or degradation to the aquifers of the District by the export of water from the District.

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*8.1. **MANAGEMENT OBJECTIVE:*** Each year, monitor all wells from which water is being exported out of the District, together with adjacent wells.

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*8.1.1. **PERFORMANCE STANDARD:*** Report annually to the Board any decline or degradation of water levels or water quality in wells from which water being exported out of the District is produced or in adjacent wells.

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9. GOAL: Promote cooperation between water management entities and user groups within the District.

9.1. MANAGEMENT OBJECTIVE: Meet with the cities of Cuero, Yorktown, Yoakum, and any small communities in the county for input into the future plans of the District and areas of local concern

9.1.1. PERFORMANCE STANDARD: Include the results of all meetings and informational updates in the annual report.

9.2. MANAGEMENT OBJECTIVE: Meet with Cuero County Commissioners annually to update future plans of mutual concern.

9.2.1. PERFORMANCE STANDARD: Include the results of all meetings and informational updates in the annual report.

9.3. MANAGEMENT OBJECTIVE: Meet with any city or development council in the county to give updates or information that will affect future plans or areas of mutual concern.

9.3.1. MANAGEMENT OBJECTIVE: Include the results of meetings and informational updates in the annual report.

9.4. MANAGEMENT OBJECTIVE: Meet with any water user, water user group, or water purveyor within Dewitt County and adjacent groundwater districts throughout the year to share information with the public and all interested parties.

9.4.1. PERFORMANCE STANDARD: Include the results of these meetings in the annual report.

9.5. MANAGEMENT OBJECTIVE: Coordinate with the South Central Texas Regional Water Planning Group and other Groundwater Conservation Districts in Groundwater Management Area 15 by furnishing a copy of the certified plan and other information.

9.5.1. PERFORMANCE STANDARD: Include the results of this coordination in the annual report.

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10. GOAL: Promote conjunctive management of surface water issues.

10.1. MANAGEMENT OBJECTIVE: Meet with Guadalupe-Blanco River Authority and other surface water interests to discuss mutual areas of concern.

10.1.1. PERFORMANCE STANDARD: Include the results of these meetings in the annual report.

11. GOAL: Control and prevention of subsidence.

11.1. MANAGEMENT OBJECTIVE: Monitor any indication of significant subsidence.

11.1.1. PERFORMANCE STANDARD: Include the results of this monitoring in the annual report.

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12. GOAL: Cooperative resolution of natural resource management issues.

12.1. MANAGEMENT OBJECTIVE: Monitor groundwater-surface water interaction and document potential groundwater impact on streams, riparian and wetland areas that support endangered or threatened species.

12.1.1. PERFORMANCE STANDARD: Include the results of this monitoring in the annual report.

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13. GOAL: Addressing drought conditions.

13.1. MANAGEMENT OBJECTIVE: Semi annually the District will update the rainfall for the District in the last six months. An analysis will be made to predict possible changes in aquifer level. These predictions will be based on historic trends established by the water level monitoring program.

13.1.1. PERFORMANCE STANDARD: Issuance of a semi annual report.

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14. GOAL: Addressing Conservation.

14.1. MANAGEMENT OBJECTIVE: The District will on at least two occasions each year provide public information on water conservation and waste prevention through presentations at public schools, and civic organizations or newspaper articles.

14.1.1. PERFORMANCE STANDARD: a) Report the number of speaking appearances made by the District each year; and b) Report the number of newspaper articles published by the District each year.

Senate Bill 1 Management Goals Determined To Be Inapplicable in This District: NONE

RESOLUTION TO ADOPT MANAGEMENT PLAN

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WHEREAS, the Pecan Valley Groundwater Conservation District has prepared a district management plan, pursuant to Chapter 36, Water Code; and

WHEREAS, after proper notice and hearing, the district management plan has been subjected to public comment and review; now

THEREFORE, be it resolved by the Board of Directors of the Pecan Valley Groundwater Conservation District that the attached District Management Plan is hereby adopted and said District Management Plan shall take effect upon certification by the executive administrator of the Texas Water Development Board.

ADOPTED this 22nd day of October, 2003.

President

ATTEST:

Secretary

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100 Legals

PECAN VALLEY GROUNDWATER CONSERVATION DISTRICT NOTICE OF PUBLIC HEARING

The Pecan Valley Groundwater Conservation District ("the District") will conduct a public hearing on a proposed groundwater management plan ("GMP") for the District at 3:00 p.m., Wednesday, October 22, 2003, at the Offices of Dietze & Reese, 108 N. Esplanade, Cuero, Texas. Pursuant to Chapter 36, Texas Water Code, the GMP will address: (1) the management goals for the aquifer; (2) efficient use; (3) waste prevention; (4) subsidence control and prevention; (5) conjunctive use; (6) natural resources; (7) drought; and (8) conservation. Other elements in the management goals are as follows: (1) district operational management goals; (2) district operational management objectives; (3) district operational performance standards; (4) actions necessary to effect the GMP; (5) procedures necessary to effect the GMP; (6) performance necessary to effect the GMP; (7) avoidances rules; (8) specifications necessary to effect the GMP; (9) proposed groundwater use; (10) estimate of existing total usable groundwater; (11) estimate of total annual groundwater use; (12) estimate of total annual recharge; (13) methods to increase recharge; (14) estimate of projected water supply within the district; and (15) estimate of projected water demand within the district.

Copies of the draft GMP may be obtained by written request to the District at P.O. Box 88, Cuero, Texas 77954. Oral and written comments will be received at the public hearing.

ALLISON, BASS & ASSOCIATES, L.L.P.

Attorneys at Law

A. O. WATSON HOUSE
402 WEST 12TH STREET
AUSTIN, TEXAS 78701
law@allison-bass.com
(512) 482-0701
FAX (512) 480-0902

JAMES P. ALLISON
j.allison@allison-bass.com

ROBERT T. BASS
r.bass@allison-bass.com

VANESSA A. GONZALEZ
v.gonzalez@allison-bass.com

PORTIA F. BOSSE
p.bosse@allison-bass.com

CARLOS D. LOPEZ
c.lopez@allison-bass.com

December 17, 2003

VIA HAND DELIVERY

Ms. Rima Petrossian
Texas Water Development Board
1700 N. Congress Avenue
Austin, Texas 78711-3231

RE: Pecan Valley Groundwater Conservation District Management Plan

Dear Ms. Petrossian:

Pursuant to your request, please find enclosed the following documents:

1. A copy of correspondence received from the Guadalupe-Blanco River Authority with comments upon the draft management plan. These comments were utilized in the preparation of the adopted plan.

2. A copy of the certified mail receipt and correspondence received from the South Central Texas Regional Water Planning Group. This correspondence states that, upon review, the regional planning group did not find any conflict between the Management Plan and the South Central Texas Regional Water plan.

3. A copy of the draft rules for the District. The District is currently considering adoption of its rules.

If you need any further information, please let me know.

Sincerely,

James P. Allison

JPA/afb
Enclosures
cc: Board of Directors
Bob McCurdy, General Manager

GUADALUPE-BLANCO RIVER AUTHORITY

GENERAL OFFICE
933 East Court Street
Seguin, Texas 78155
Phone: 830-379-5822
Fax: 830-379-9718

COLETO CREEK PARK
AND RESERVOIR
P.O. Box 68
Fannin, Texas 77960
Phone: 361-575-6366
Fax: 361-575-2267

LAKE WOOD
RECREATION AREA
167 FM 2091 South
Gonzales, Texas 78629-6051
Phone: 830-672-2779

LOCKHART WATER
TREATMENT PLANT
547 Old McMahan Road
Lockhart, Texas 78644
Phone: 512-398-3528

LOCKHART
WASTEWATER
RECLAMATION
SYSTEM
4435 FM 20 East
Lockhart, Texas 78644
Phone: 512-398-6391
Fax: 512-398-6526

LULING WATER
TREATMENT PLANT
350 Memorial Drive
Luling, Texas 78648
Phone: 830-875-2132
Fax: 830-875-3670

PORT LAVACA
OPERATIONS
P.O. Box 146
Port Lavaca, Texas 77979
Phone: 361-552-9751
Fax: 361-552-6529

SAN MARCOS WATER
TREATMENT PLANT
91 Old Bastrop Road
San Marcos, Texas 78666
Phone: 512-353-3888
Fax: 512-353-3127

VICTORIA REGIONAL
WASTEWATER
RECLAMATION
SYSTEM
P.O. Box 2085
Victoria, Texas 77902-2085
Phone: 361-578-2878
Fax: 361-578-9039

GBRA WEBSITE
http://www.gbra.org

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September 19, 2003

The Board of Directors
Pecan Valley Groundwater Conservation District
C/O Mr. James P. Allision
402 West 12th Street
Austin, Texas 78701

REF: Comments on Draft Management Plan

Dear Members of the Board:

By letters of August 28, 2003 from Mr. James P. Allison, the Board of Directors of the District transmitted the draft Management Plan of the Pecan Valley Groundwater Conservation District (the "Plan") to the Texas Commission on Environmental Quality (TCEQ) and to the Texas Water Development Board. In those letters the District requested review and comment on the draft Plan. GBRA appreciates receiving a copy of the draft Plan and being given the opportunity to provide the following comments.

SURFACE WATER RESOURCES

We feel that the section of the draft Plan dealing with surface water resources needs to be corrected and expanded to more accurately and thoroughly describe those resources available for use within the District. Although the obvious purpose of the Plan is to provide the framework for the management of groundwater resources, to be most effective that framework should consider surface water and the ability of water users within the District to conjunctively use both sources of water.

The draft Plan states that "The only surface water in Dewitt (*sic*) County is the Guadalupe River, and being fully permitted it is largely unavailable for future expanded use in the County."

The TCEQ does not consider the Guadalupe River downstream of its confluence with the San Marcos River at Gonzales, Texas to be fully appropriated. A document prepared by the Texas Natural Resource Conservation Commission, predecessor agency to TCEQ, entitled "A Regulatory Guidance Document for Applications to Divert, Store or Use State

Water" (RG-141) states in Table 8 on page 26 that there is limited or no water available for new appropriation in the Guadalupe River **upstream** of Gonzales. Therefore, a new run-of-river water right can be obtained from TCEQ for the Guadalupe River downstream of Gonzales, although that permit would have a junior priority date and some type of special condition for the protection of senior water rights and environmental purposes.

In addition to a new run-of-river water right, a potential user of surface water in De Witt County could also gain a source of supply by contracting with GBRA for stored water from Canyon Reservoir. In fact, a contract for stored water would be the method by which a surface water user could "firm up" a new water right with a junior priority date and special conditions.

Recently GBRA received from TCEQ an amendment to the Canyon Reservoir water right (Certificate of Adjudication 18-2074) that increased the authorized diversions from the Reservoir to an average of 90,000 acre-feet of water per year. The Certificate of Adjudication also authorizes GBRA to use the bed and banks of the Guadalupe River to deliver that stored water to downstream points of diversion. At the present time, GBRA has contractual commitments for about 64,000 acre-feet per year, and therefore, stored water from Canyon Reservoir is available for use within De Witt County, especially as a backup supply to interruptible supplies such as run-of-river water rights.

Again, thank you for giving us the opportunity to review and comment on the draft Plan and for considering these comments from GBRA. If you have any questions or require any clarification, please do hesitate to call me.

Sincerely,

Fred M. Blumberg
Deputy General Manager

Cc Mr. James P. Allison
Cc Mr. William E. West, Jr.
Cc Mr. Bryan Serold

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South Central TX Regional Water Planning Group
c/o:Moorhouse Associates, Inc.
5826 Bear Lane
Corpus Christi, Texas
Pecan Valley 10.23.03 531.01
Management Plan

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SOUTH CENTRAL TEXAS
REGIONAL WATER PLANNING GROUP

c/o San Antonio River Authority, P.O. Box 839980, San Antonio, Texas 78283-9980
(210) 227-1373 Office, (210) 227-4323 Fax

13
(a)

1.11–3.9 GC

October 23, 2003

Mr. James P. Allison
Allison, Bass, & Associates, L.L.P.
402 West 12th Street
Austin, Texas 78701

Re: Pecan Valley Groundwater Conservation District
Management Plan of the Pecan Valley Groundwater Conservation District

Dear Mr. Allison:

The Technical Consultant for the South Central Texas Regional Water Planning Group, HDR Engineering, Inc., has reviewed the "Management Plan of the Pecan Valley Groundwater Conservation District," and has not found conflicts between the Management Plan and the South Central Texas Regional Water Plan adopted in 2001. However, the Pecan Valley Management Plan contains two (2) provisions that, if implemented by the District, may result in conflicts with the Regional Plan. The provisions are:

1. "The District will adopt Rules from time to time ("the District Rules ") which may regulate groundwater withdrawals by means of production limits and fees, spacing regulations, and export fees and requirements," and
2. "In pursuit of the District's mission, the district may be forced to require reductions in groundwater withdrawals from existing commercial or non-exempt wells."

Since these provisions of the groundwater management plan are not specific as to quantities pf water, it cannot be determined whether or not they would result in conflicts with the Regional Plan.

The Management Plan appears to be using the water demand projections of the 2001 Regional Plan. On September 17, 2003, The Texas Water Development Board approved new projections for use in developing the 2006 Regional Plan. The new projections for DeWitt County are on the following page:

DeWitt County Water Demand Projections	2000	2010	2020	2030	2040	2050	2060
Municipal (acre-feet)	3,065	3,064	3,071	3,039	2,982	2,889	2,839
Manufacturing (acre-feet)	154	184	199	212	225	236	254
Steam-Electric (acre-feet)	0	0	0	0	0	0	0
Irrigation (acre-feet)	102	159	132	108	87	69	54
Mining (acre-feet)	58	64	67	68	68	70	71
Livestock (acre-feet)	1,689	1,689	1,689	1,689	1,689	1,689	1,689
Total (acre-feet)	5,068	5,160	5,158	5,116	5,051	4,953	4,907

Thank you for the opportunity to review the plan, and if you have questions please contact Mr. Ronnie Hernandez at 210/302-3609.

Sincerely,

EVELYN BONAVITA, Chair
South Central Texas Regional Water Planning Group