



SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT  
COUNTY OF MCLENNAN, STATE OF TEXAS

**HISTORIC USE PRODUCTION PERMIT**

**THIS CERTIFIES THAT:** Leroy-Tours-Gerald Water Supply Corporation  
312 W. Commerce  
Leroy, Texas 76654  
Phone: 254-822-0455

(the "Permittee"), has applied for an Historic Use Production Permit to withdraw and place to beneficial use groundwater from within the District, and that the Board of Directors of the Southern Trinity Groundwater Conservation District ("District") has APPROVED the application as follows:

**1 Permit Category**

This permit is a **Historic Use Production Permit**.

**2 Permit Term**

The term of this permit is **perpetual**.

**3 Groundwater Source**

The source of groundwater is the **Trinity Aquifer**.

**4 Annual Groundwater Withdrawal Amounts**

Permittee may withdraw groundwater from the Trinity Aquifer for beneficial, nonwasteful use in a manner not to exceed the following volume: **167.0067 Acre-Feet (54,419,300 Gallons) per calendar year**. This groundwater withdrawal amount has been calculated pursuant to Section 5.211 of the District's rules. It may be subject to proportional adjustment pursuant to Chapter 5, Subchapter B of the District's rules, as may be amended.

**5 Purpose of Use**

Permittee may use Trinity Aquifer groundwater only for **municipal purposes**.

**6 Well Name(s), Location(s), and Maximum Rate of Withdrawal**

Groundwater may only be withdrawn from the aquifer from a well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate) as follows:

<u>Name</u>	<u>Location (latitude/longitude)</u>	<u>Maximum Flow Rate</u>
Well # 2	N31D 44M 13S / W97D 02M 33S	250 gpm
Well # 3	N31D 42M 27S / W97D 04M 11S	360 gpm

**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT  
COUNTY OF MCLENNAN, STATE OF TEXAS**

**7 Measurement of Amount of Groundwater Withdrawn**

Permittee may only withdraw groundwater from a well that has an operating flow meter that meets the requirements of Chapter 8 of the District's rules.

**8 Place of Use**

Permittee may beneficially use Aquifer groundwater only within the Permittee's wholesale or retail water service area identified in the Certificate of Convenience and Necessity 10025, filed with the Texas Commission on Environmental Quality. Except as provided by 5.401(b) of the District's rules, as may be amended, if the place of use is not within the District's boundaries, Permittee must obtain a groundwater exportation permit from the District prior to the withdrawal of groundwater under the permit.

**9 Well Construction, Operation, Maintenance, Closure**

The well(s) identified in this permit shall be installed, equipped, operated, maintained, plugged, capped, or closed, as may be appropriate in accordance with the District's rules and all other applicable federal, state, and local laws, including by submitting a copy of a state plugging report to the District within 60 days after capping or plugging any well.

**10 Water Conservation**

Withdrawals of groundwater are required to be efficiently withdrawn and used in compliance with the District's rules and the District's water conservation plan, as may be amended, and Permittee's plan as approved by the District, as may be applicable.

**11 Conveyance to Place of Use**

Water authorized by this permit to be produced must be conveyed to the place of use in a manner to prevent evaporation, channel loss by percolation, or waste. Water conveyed greater than a distance of one-half mile from the wellhead where produced must be conveyed through a pipeline.

**12 Meters; Alternative Measuring Method**

Permittee shall install, operate and maintain the meter or alternative measuring method on the well(s) identified in this permit in compliance with the District's rules and the manufacturer's instructions.

**13 Reports**

Permittee shall timely file all applicable reports with the District on forms prescribed by the District as required by the District's rules, as may be amended, and other applicable law.

**14 Fees**

Permittee shall timely pay and remain current on the payment of all applicable fees to the District.

**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT  
COUNTY OF MCLENNAN, STATE OF TEXAS**

**15 Interruption, Suspension, or Other Limitations Due to Drought**

Permittee shall reduce water supply and consumption during times of drought in accordance with the District's rules and the District's management plan and Permittee's plan approved by the District, as applicable.

**16 Groundwater Management Plan**

Permittee shall withdraw and use groundwater only in accordance with the District's approved groundwater management plan, as may be amended.

**17 Water Quality**

Permittee shall use diligence to protect the water quality of groundwater in the District and shall comply with the District's water quality rules and take no action that pollutes or contributes to the pollution of groundwater in the District.

**18 Transfers and Amendments**

Permittee may transfer or amend this permit only in compliance with the District's rules.

**19 Permit Review, Renewal or Extension Conditions**

Permittee is subject to any review, renewal or extension conditions stated in the permit or the District's rules.

**20 Change of Name, Address or Telephone Number**

Permittee shall provide written notice to the District of any change of ownership, name of Permittee or the authorized representative, well operator, mailing address or telephone number within 30 days of such change.

**21 Inspections by District**

Any authorized officer, employee, agent or representative of the District shall have the right at all reasonable times to enter upon lands upon which a well may be located within the boundaries of the District, including the well(s) identified in Paragraph 6 of this permit, for the purpose of inspecting or testing such wells, meters, pumps and the power units of a well or wells, collecting water samples, and making any other reasonable and necessary inspections and tests that may be required or necessary for the formulation or the enforcement of the permits, rules or orders of the District. Permittee has a duty to ensure that the well site is accessible to District representatives for inspection and to cooperate fully in any reasonable inspection of the well(s) and well site by District representatives.

**22 Additional Conditions**

This permit is issued subject to the requirements of: (1) Chapter 8821, Texas Special District Local Laws Code; (2) Chapter 36, Texas Water Code, as may be amended; and (3) the District's Rules, as may be amended.

**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT  
COUNTY OF MCLENNAN, STATE OF TEXAS**

**23 Enforcement**

The District retains the right to take any and all enforcement actions within its legal authority to enforce compliance with the terms and conditions of this permit.

**24 Continuing Jurisdiction of District**

This permit is issued subject to the continuing jurisdiction of and supervision by the District, and may be amended from time to time consistent with applicable law, including if the District learns that any of the information set forth in this permit is incorrect on the date issued.

**25 Permit Recordation**

Within 30 days of the date of issuance of this approved permit from the District, Permittee shall record this permit with the County Clerk of every county in which the well(s) or place of use are located and provide a copy of the recorded permit to the District.

**26 References to Law**

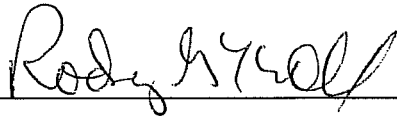
Any reference in this permit to a statute, rule, or other law of any kind, that exists on the date of issuance of the permit includes all subsequent amendments and additions thereto.

**27 Other Matters Denied**

All other matters requested in Permittee's application that are not specifically granted by this permit are denied.

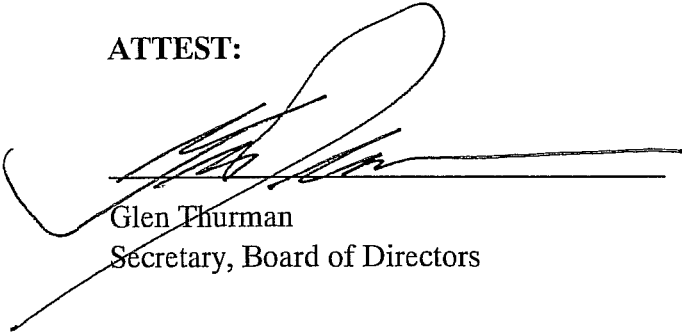
**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT  
COUNTY OF MCLENNAN, STATE OF TEXAS**

**THIS PERMIT IS ISSUED, EXECUTED THIS** 5 day of August, 2010, by the Board of Directors of the Southern Trinity Groundwater Conservation District.

  
\_\_\_\_\_

Rodney Kroll,  
President, Board of Directors

**ATTEST:**

  
\_\_\_\_\_

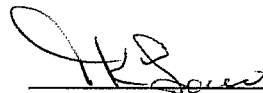
Glen Thurman  
Secretary, Board of Directors

**ACKNOWLEDGMENT**

STATE OF TEXAS )

COUNTY OF MCLENNAN )

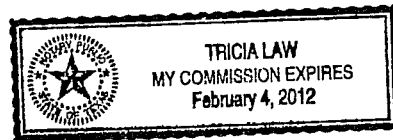
**ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED** before me on August 5, 2010, by Rodney Kroll, President, Board of Directors, Southern Trinity Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.

  
\_\_\_\_\_

Notary Public in and for the State of Texas

**AFTER RECORDING RETURN TO:**

Tricia Law, General Manager  
Southern Trinity Groundwater Conservation District  
P. O. Box 2205  
420 North 6th Street  
Waco, Texas 76703



**FILED AND RECORDED**  
OFFICIAL PUBLIC RECORDS

*J.A. Andy Harwell*

August 06, 2010 01:03:59 PM 2010024363

FEE: \$27.00

J.A. "Andy" Harwell County Clerk  
McLennan County TEXAS



Leroy. Tours - Gerald WSC

**AFFIDAVIT**

**THE STATE OF TEXAS**  
**COUNTY OF MCLENNAN**

§  
§  
§

BEFORE ME, the undersigned authority, on this day personally appeared Richard Kuster, who being duly sworn, upon oath deposes and says:

"My name is Richard Kuster. I am over 18 years of age, competent to make this affidavit, and am familiar with the facts herein stated and believe them to be true.

I have complied with the requirements of the Southern Trinity Groundwater Conservation District's Rules to provide notification by first class mail to landowners, well owners and well operators within one half-mile of the well or wells for which I or the entity I represent seek(s) a Historic Use Production Permit. Such notification was made not less than 10 days before the public hearing scheduled to consider the application for a Historic Use Production Permit."

Richard Kuster  
Affiant

Sworn to and subscribed before me on this 27 day of July, 2010.



Terri Lynne Way  
Notary Public in and for the State of Texas

MEMO

Date: 7-8-10

To: Southern Trinity Groundwater Conservation District

From: Leroy Jones - Gerald WSC

The following is the Latitude and Longitude for the well sites listed below:

Well No. 1

Latitude N 31° 43.851

Longitude W 097° 01.177

Well No. 2

Latitude \_\_\_\_\_

Longitude \_\_\_\_\_

Well No. 3

Latitude \_\_\_\_\_

Longitude \_\_\_\_\_

Joe Summers



**NOTICE OF PROPOSED HISTORIC USE PRODUCTION PERMITS  
AND PUBLIC HEARING**

The Southern Trinity Groundwater Conservation District ("District") proposes action on applications for Historic Use Production Permits ("HUPPs"), which would authorize the permittees to withdraw groundwater from the Trinity Aquifer according to the terms and conditions set forth in the permits. A copy of the general manager's proposed action, the proposed HUPPs and technical summaries are available for public inspection at the District's offices at 420 North 6<sup>th</sup> Street, Waco, Texas during regular business hours.

The District will conduct a public hearing pursuant to its authority under Chapter 8821 of the Texas Special District Local Laws Code, Chapter 36 of the Texas Water Code and the District's rules, to consider issuance of the proposed HUPPs and to provide interested members of the public the opportunity to appear and provide oral or written comments to the District regarding the proposed permits at the following date, time and place:

Date: Thursday, August 5, 2010  
Time: 9:00 a.m.  
Location: City of Woodway, City Council Chambers  
922 Estates Drive  
Woodway, Texas

HUPPs are proposed to be granted to the following entities as follows:

Spring Valley Water Supply Corporation, P.O. Box 399, Lorena, Texas, 76655 filed an application on 4/12/2010. The proposed HUPP has a maximum annual withdrawal of 62.5930 Acre-Feet (20,396,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 39M 052S / W97D 30M 79S, N31D 41M 100S / W97D 25M 89S.

M.S. Water Supply Corporation, 510 N Memorial St., Riesel, Texas, 76682 filed an application on 4/14/2010. The proposed HUPP has a maximum annual withdrawal of 23.3051 Acre-Feet (7,594,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 44.591/W097D 15.530.

Levi Water Supply Corporation, 2757 Rosenthal Pkwy, Lorena, Texas, 76655 filed an application on 4/16/2010. The proposed HUPP has a maximum annual withdrawal of 204.0709 Acre-Feet (66,496,700 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 23M 19S / W97D 6M 51S, N31D 23M 33S / W97D 09M 44S, N31D 23M 21S / W97D 10M 24S.

City of Bruceville-Eddy, 143 Wilcox Dr., Eddy, Texas, 76524 filed an application on 4/26/2010. The proposed HUPP has a maximum annual withdrawal of 348.2604 Acre-Feet (113,481,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 22M 2S / W97D 13M 29S, N31D 22M 2S / W97D 13M 28S, N31D 19M 2S / W97D 18M 22S, N31D 17M 47S / W97D 15M 13S.

Leroy-Tours-Gerald Water Supply Corporation, 312 W. Commerce, Leroy, Texas, 76654 filed an application on 4/29/2010. The proposed HUPP has a maximum annual withdrawal of 167.0067 Acre-Feet (54,419,300 Gallons) for municipal use pumped from

9

wells located at the following latitude/longitude (NAD83):N31D 43.851/W097 01.177, N31D 44M 13S / W97D 02M 33S, N31D 42M 27S / W97D 04M 11S.

City of Bellmead, 3015 Bellmead Dr., Bellmead, Texas, 76705 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 1476.9910 Acre-Feet (481,279,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 35M 45S / W97D 5 M 48S, N31D 36M 8S / W97D 05M 10S, N31D 37M 8S / W97D 05M 32S, N31D 35M 35S / W97D 06M 26S.

Pure Water Supply Corporation, P.O. Box 154414, Waco, Texas, 76715 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 84.4251 Acre-Feet (27,510,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 40.058/W097D 04.981, N31D 39.689/W097D 03.536.

City of Moody, 606 Ave. E., Moody, Texas, 76557 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 61.5005 Acre-Feet (20,040,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 18M 47S / W97D 21M 454S, N31D 18M 278S / W97D 21M 518S.

Ross Water Supply Corporation, P.O. Box 202, Ross, Texas, 76640 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 256.4577 Acre-Feet (83,567,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 43M 05S / W97D 07M 09S, N31D 43M 47S / W97D 05M 59S, N31D 42M 53S / W97D 07M 04S.

McLennan County WCID No. 2, P.O. Box 116, Elm Mott, Texas, 76640 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 258.7532 Acre-Feet (84,315,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 39M 75S / W97D 06M 26S, N31D 40M 43S / W97D 05M 36S, N31D 40M 50S / W97D 06M 32S.

EOL Water Supply Corporation, 9226 Elk Road, Axtell, Texas, 76624 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 214.7877 Acre-Feet (69,988,800 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 35M 18S / W96D 59M 08S, N31D 36M 55S / W96D 56M 13S, N31D 35M 36S / W96D 58M 28S.

Elm Creek Water Supply Corporation, P.O. Box 538, Moody, Texas, 76557 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 225.3186 Acre-Feet (73,420,300 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 17M 18S / W97D 18M 44S, N31D 19M 17S / W97D 23M 17S, N31D 15M 24S / W97D 47M 17S.

Patrick Water Supply Corporation, 245 Goldman Lane, Waco, Texas, 76708 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 52.5578 Acre-Feet (17,126,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 41M 09S / W97D 14M 78S.

Gholson Water Supply Corporation, 12520 Gholson Rd., Waco, Texas, 76705 filed an application on 5/3/2010. The proposed HUPP has a maximum annual withdrawal of 270.0348 Acre-Feet (87,991,100 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D .44.417./ W097D 15.223, N31D

43.851/ W097D 14.632, N31D 44.591/ W097D 15.530.

Hog Creek Water Supply Corporation, 147 Hsih Prairie Rd., Valley Mills, Texas, 76689 filed an application on 4/30/2010. The proposed HUPP has a maximum annual withdrawal of 81.5047 Acre-Feet (26,558,400 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 36.880/W097D 31.806, N31D 29.799/W096D 58.105.

City of West, 110 N Reagan St., West, Texas, 76691 filed an application on 3/10/2010. The proposed HUPP has a maximum annual withdrawal of 465.3691 Acre-Feet (151,641,000 Gallons) for municipal use pumped from wells located at the following latitude/longitude (NAD83):N31D 48M 58S / W97D 05M 33S.

HUPP applicants or affected persons may file a written request for a contested case hearing on the proposed HUPPs with the District by no later than August 2, 2010 at 9:00 a.m. If no timely requests for contested case hearing are filed, the applications will be presented to the District on the date of the hearing for final action.

**ISSUED THIS 16th DAY OF July 2010.**

---

Tricia K. Law, General Manager  
Southern Trinity Groundwater Conservation District

**SOUTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT**

P. O. Box 2205  
 420 North 6th Street  
 Waco, Texas 76703

Phone: (254) 759-5610 [southerntrinitygcd@att.net](mailto:southerntrinitygcd@att.net)

**APPLICATION FOR HISTORIC USE PRODUCTION PERMIT**

**Part A – General Information**

**Instructions:** Please type or print legibly. Incomplete applications will not be accepted. Application Fee Required: A non-refundable application fee of \$1,000 must accompany this application. Only checks or money orders made payable to “Southern Trinity Groundwater Conservation District” will be accepted. CASH IS NOT ACCEPTED.

1. Applicant Information		
<input type="checkbox"/> Individual	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation
<input type="checkbox"/> Government Entity	<input type="checkbox"/> Estate/Trust/Guardianship	
Permit Applicant's Name: LEROY-TOURS-GERALD WSC		
Physical Address: 312 W. COMMERCE		
City: LEROY	State: TX	Zip Code: 76654
Mailing Address, (if different): PO BOX 22		
City: LEROY	State: TX	Zip Code: 76654
Daytime Telephone Number:      Fax: 254-822-0455		
Email Address (if any): ltgwater@yahoo.com		
2. Name of Authorized Agent (if any): JOE T. SUMMERS		
Position: MGR		
Physical Address: 312. W. COMMERCE		
City: LEROY	State: TX	Zip Code: 76654
Mailing Address (if different): PO BOX 22		
City: LEROY	State: TX	Zip Code: 76654
Daytime Telephone Numbers of Authorized Agent: 254-822-1343      Fax: 254-822-0455		
Email for Authorized Agent (if any):		
<div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"><b>RECEIVED</b></p> <p style="text-align: center; font-size: small;">For District Use Only</p> <p style="text-align: center;">Date Application Received: <u>APR 29 2010</u></p> <p style="text-align: center;">BY: <u>[Signature]</u></p> </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;"><b>RECEIVED</b></p> <p style="text-align: center;">Date Admin. Fee Received: <u>APR 29 2010</u></p> <p style="text-align: center;">BY: <u>[Signature]</u></p> </div> </div>		
Date Application Received: <u>APR 29 2010</u>		Date Admin. Fee Received: <u>APR 29 2010</u> Amount of Fee: <u>1000.00</u>

X

**Historic Groundwater Use and Production Information.**

3. Purpose of Historic Use: The purpose(s) for which the groundwater was used during the Historic Use Period.  Irrigation  Municipal  Industrial  
 Other (If Other, describe specifically):

4. Purpose of Future Use: MUNICIPAL

5. Is the place of use within the District boundaries:  Yes  No

6. If you answered No to Item 5, has a groundwater exportation permit been applied for or obtained from the District or is there a groundwater export agreement or contract in effect prior to January 7, 2010?  Yes  No

7. If you answered Yes to Item 6, please describe the parties to the agreement, the location outside of the District that the water is used, the amount use, and pipeline route.

8. Completely describe the place of use of groundwater withdrawn from the well:  
 CCN# 10025

9. If groundwater was withdrawn from the well or placed to a beneficial use by a contract user or predecessor in interest, then provide the name, address, and telephone number of each contract user or predecessor in interest, and provide copies of the legal documents establishing the legal right of the contract user or predecessor in interest to withdraw and/or place groundwater from the well to beneficial use.

N/A

10. If applicable, provide a copy of the map identifying the boundaries of the applicant's Certificate of Convenience and Necessity (CCN).

11. If applicable, describe the number of connections to be serviced by the well: 518

12. Maximum Historic Use. State the amount of water that you claim as your Maximum Historic Use during any one year of the Historic Use Period. Maximum Historic Use means the maximum amount of groundwater that an applicant for a Historic Use Production Permit proves was produced and beneficially used without waste from the applicant's non-exempt well during any one calendar year of the Historic Use Period.  
 Amount: 54,419,300 Units: gal Year:2006

13. Provide your use amounts for each year groundwater was withdrawn during the Historical Use Period. If no groundwater was withdrawn for a period listed below, place a zero (0) in the appropriate space (typical units are in gallons, 100 gallons, 1000 gallons, or acre-feet).

2009 Amount: 50,398,100 Units: 100

2008 Amount: 43,567,100 Units: 100

2007 Amount: 49,219,700 Units: 100

2006 Amount: 54,419,300 Units: 100

2005 Amount: 45,136,600 Units: 100

2004 Amount: 34,832,400 Units: 100

2003 Amount: 22,096,301 Units: 100

2002 Amount: Units:

2001 Amount: Units:

2000 Amount: Units:

14. Attach documents to substantiate your claim of Maximum Historic Use. Documentation may include, but is not limited to: production logs showing amount of water pumped, copies of reports to the Texas Commission on Environmental Quality, the Texas Water Development Board, or the Texas Department of Health; reports filed with or created by the Natural Resource Conservation Service or Farm Services Agency or aerial photographs; reports filled with or created by soil and water conservation districts; fuel and electricity use records; and calculations used to estimate well discharge rates if the well discharge is not metered. The purpose of supporting documentation is to substantiate your declaration. The information you provide should be labeled, indexed and in a form that can be easily reviewed by the District.

15. Will the proposed use of water unreasonably affect existing groundwater and surface water resources or existing permit holders?  Yes  No

16. Is the proposed use of water dedicated to a beneficial use?  Yes  No

17. Is the proposed use of water consistent with the District's management plan?  Yes  No

**STATEMENT OF COMPLIANCE WITH DISTRICT GROUNDWATER  
MANAGEMENT PLAN, DISTRICT RULES, AND COMMITMENT TO WATER  
CONSERVATION AND WATER QUALITY PROTECTION**

Please check all that apply:

- Applicant will comply with the District's Groundwater Management Plan.
- Applicant is in compliance with all applicable District rules in effect since December 7, 2007 and will comply with the District's rules.
- Applicant agrees to avoid waste and achieve water conservation.
- Applicant agrees to use reasonable diligence to protect groundwater quality and will follow the District's well plugging guidelines at the time of well closure.
- Applicant affirms that activities constituting the purpose of use for which the groundwater will be beneficially used will be managed to preserve, protect, prevent the pollution, degradation, or harmful alteration of, control and prevent the waste of, prevent the escape of groundwater from, and achieve the conservation of groundwater in and produced from, the aquifer.

**CERTIFICATION†**

I, the undersigned applicant, subscribe and affirm that the information provided herein is true and correct. I also understand that it shall be considered to be a fraud upon the District for any applicant to knowingly give erroneous information in this application.

Signed: Richard Kuster Date: 4/27/10  
 Printed Name: Richard Kuster Title: President

† If the applicant is an individual, the application shall be signed by the applicant or a duly appointed agent. An agent shall provide written evidence of his or her authority to represent the applicant. If the applicant is an individual doing business under an assumed name, the applicant shall attach to the application an assumed name certificate filed with the county clerk of the county in which the principal place of business is located or with the Texas Secretary of State.

A joint application shall be signed by each applicant or each applicant's duly authorized agent with written evidence of such agency submitted with the application. If a well or proposed well is owned by both husband and wife, each person shall sign the application. Joint applicants shall select one among them to act for and represent the others in pursuing the application with the District with written evidence of such representation to be submitted with the application.

If the application is by a partnership, the application shall be signed by one of the general partners. If the applicant is a partnership doing business under an assumed name, the applicant shall attach to the application an assumed name certificate filed with the county clerk of the county in which the principal place of business is located or with the Texas Secretary of State. The name of the partnership must be followed by the words "a partnership." If the applicant is an estate or guardianship, the application shall be signed by the duly appointed guardian or representative of the estate and a current copy of the letters testamentary issued by the court shall be attached to the application.

If the applicant is a corporation, public district, county, municipality or other corporate entity, the application shall be signed by a duly authorized official. Written evidence in the form of bylaws, charters, or resolutions specifying the authority of the official to take such action shall be submitted along with the application. A corporation may file a corporate affidavit as evidence of a corporate official's authority to sign.

If the applicant is acting as trustee for another, the applicant shall sign as trustee and in the application shall disclose the nature of the trust agreement and give the name and current address of each trust beneficiary. The application must designate the trustee's name followed by the word "trustee," and the name of the trust for which the trustee is acting.



STATE OF TEXAS §

§

COUNTY OF McLENNAN §

BEFORE ME, a notary public, on this day personally appeared: Richard Kuster  
\_\_\_\_\_ who stated that: (1) he/she has read the foregoing application and any supporting attachments and that the statements contained therein are true and accurate; and (2) that he/she is duly authorized to sign this application on behalf of the permit applicant.

Subscribed and sworn to before me on this 27 day of April, 2010.

Terri Lynne Way  
Notary Signature



**STGWCD- HUPP Application - Part B – Well Information (one form per well)**

1. Applicant Name: Leroy-Tours-Gerald Water Supply Corporation			
2. Well Identifier or Well Name: Plant 1-Well 1-314 W. Commerce St			
3. System Name: Leroy-Tours-Gerald Water Supply Corporation			
4. TCEQ System ID Number: 1550027			
5. If applicable, please attach a copy of the applicant's most recent water conservation plan and drought contingency plan prepared for TCEQ.			
6. TWDB ID Number: TWDB MONITORING WELL ONLY			
7. Aquifer(s) or formations in which the well is screened:			
8. Address of the property upon which the well is located: 314 W. Commerce Rd			
9. Well Location:	Latitude:	D	M S
	Longitude:	D	M S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: N/A			
11. Well or Driller's Log. Please attach a copy of the State Well Report and, if available, any geophysical logs for the well.			
12. Please attach a photograph of the well taken approximately 100 feet from the well.			
13. Please attach a copy of a recorded deed or other legal document verifying the applicant's ownership of the well. Disregard this requirement if the deed was sent with your Application for Interim Production Status and there has been no change.			
14. Year well drilled:		Year well completed and operational:	
15. Pump Information: Pump Make and Model:			
Pump power source: <input type="checkbox"/> Electric <input type="checkbox"/> Diesel <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other			
Casing Material <input type="checkbox"/> Steel <input type="checkbox"/> PVC			
Size of well casing:		inches	Inside diameter of column pipe: inches
16. The maximum rate at which water can be withdrawn from the well:			gpm
17. Flow Meter Make and Model:			
Serial Number:		Meter Units:	
Meter reading end of 2008: Amount:		Units:	Date:
Meter reading end of 2009: Amount:		Units:	Date:

**STGWCD- HUPP Application - Part B – Well Information (one form per well)**

1. Applicant Name: Leroy-Tours-Gerald Water Supply Corporation			
2. Well Identifier or Well Name: Plant 4-Well 2-Whiskey Hollow Rd.			
3. System Name: Leroy-Tours-Gerald Water Supply Corporation			
4. TCEQ System ID Number: 1550027			
5. If applicable, please attach a copy of the applicant's most recent water conservation plan and drought contingency plan prepared for TCEQ.			
6. TWDB ID Number: 4024201			
7. Aquifer(s) or formations in which the well is screened:			
8. Address of the property upon which the well is located: 1522 Whiskey Hollow Rd.			
9. Well Location:	Latitude:	31 D	44 M 13 S
	Longitude:	97 D	02 M 33 S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: N/A			
11. Well or Driller's Log. Please attach a copy of the State Well Report and, if available, any geophysical logs for the well.			
12. Please attach a photograph of the well taken approximately 100 feet from the well.			
13. Please attach a copy of a recorded deed or other legal document verifying the applicant's ownership of the well. Disregard this requirement if the deed was sent with your Application for Interim Production Status and there has been no change.			
14. Year well drilled: 1980 Year well completed and operational: 1980			
15. Pump Information: Pump Make and Model: Grunfos Pump Model 230F500-16			
Pump power source: <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Diesel <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other			
Casing Material <input checked="" type="checkbox"/> Steel <input type="checkbox"/> PVC			
Size of well casing: 8 inches		Inside diameter of column pipe: 4 1/2 inches	
16. The maximum rate at which water can be withdrawn from the well: 250 gpm			
17. Flow Meter Make and Model: SENSUS			
Serial Number: 8131401207008		Meter Units: 100 gal	
Meter reading end of 2008: Amount: 1045397		Units: GAL	Date: 12/08
Meter reading end of 2009: Amount: 1318155		Units: GAL	Date: 12/09

**STGWCD- HUPP Application - Part B – Well Information (one form per well)**

1. Applicant Name: Leroy-Tours-Gerald Water Supply Corporation		
2. Well Identifier or Well Name: Plant 5-Well 3-Bode Rd.		
3. System Name: Leroy-Tours-Gerald Water Supply Corporation		
4. TCEQ System ID Number: 1550027		
5. If applicable, please attach a copy of the applicant's most recent water conservation plan and drought contingency plan prepared for TCEQ.		
6. TWDB ID Number:		
7. Aquifer(s) or formations in which the well is screened:		
8. Address of the property upon which the well is located: 2048 Bode Rd		
9. Well Location:	Latitude:	31 D 42 M 27 S
	Longitude:	97 D 04 M 11 S
10. Identify any surface water, including lakes or rivers within 1,000 feet of the well: N/A		
11. Well or Driller's Log. Please attach a copy of the State Well Report and, if available, any geophysical logs for the well.		
12. Please attach a photograph of the well taken approximately 100 feet from the well.		
13. Please attach a copy of a recorded deed or other legal document verifying the applicant's ownership of the well. Disregard this requirement if the deed was sent with your Application for Interim Production Status and there has been no change.		
14. Year well drilled: 2002 Year well completed and operational: 2003		
15. Pump Information: Pump Make and Model: Wolf Pump 6MM 8C		
Pump power source: <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Diesel <input type="checkbox"/> Natural Gas <input type="checkbox"/> Other		
Casing Material <input checked="" type="checkbox"/> Steel <input type="checkbox"/> PVC		
Size of well casing: 10 inches Inside diameter of column pipe: 6 5/8 inches		
16. The maximum rate at which water can be withdrawn from the well: 360 gpm		
17. Flow Meter Make and Model: Water Specialities		
Serial Number: 20013076		Meter Units: 100 gal
Meter reading end of 2008: Amount: 558528	Units: GAL	Date: 12/08
Meter reading end of 2009: Amount: 789751	Units: GAL	Date: 12/09

J. L. MYERS COMPANY  
DALLAS

Driller's Log

OWNER : Leroy Tours Gerald Water Supply Corporation - Well No. 2  
 LOCATION : 1 mile North & West of Leroy, Texas  
 DRILLED BY: J. L. Myers Company  
 DRILLERS : Les Bernard and Pat Westbrook  
 COMPLETED : July 1980

DEPTH OF STRATA	EACH STRATUM	FORMATION
0	42	42'
42	470	528'
570	824	254'
824	855	31'
855	1040	185'
1040	1414	374'
1414	1430	16'
1430	1503	73'
1503	1701	198'
1701	1799	78'
1779	2029	50'
2029	2151	122'
2151	2181	30'
2181	2212	31'
2212	2292	81'
2292	2310	18'
2310	2320	10'
2320	2330	10'
2330	2370	40'
2370	2390	20'
2390	2424	34'
2424	2470	46'
2470	2485	15'
2485	2615	130'
2615	2660	45'
2660	2670	10'

Attention Owner: Confidentiality Privilege Notice on reverse side of owner's copy.		<b>Texas Department of License and Regulation</b> Water Well Driller/Pump Installer Program P.O. Box 12157 Austin, Texas 78711 (512) 463-7880 FAX (512) 463-8616 Toll free (800) 803-9202 Email address: water.well@license.state.tx.us			This form must be completed and filed with the department and owner within 60 days upon completion of the well.																					
<b>WELL REPORT</b>																										
<b>A. WELL IDENTIFICATION AND LOCATION DATA</b>																										
<b>1) OWNER</b>																										
Name <b>LEROY-TOURS-GERALD</b>		Address <b>P.O. BOX 22</b>		City <b>LEROY</b>	State <b>TEXAS</b>	Zip <b>76654</b>																				
<b>2) WELL LOCATION</b>																										
Country <b>McLENNAN</b>		Physical Address <b>GRUDZIECKI ROAD</b>		City <b>LEROY</b>	State <b>TEXAS</b>	Zip <b>76654</b>																				
<b>3) Type of Work</b>		Lat. _____		Long. _____		Grid # _____																				
<input checked="" type="checkbox"/> New Well <input type="checkbox"/> Deepening <input type="checkbox"/> Reconditioning		<b>4) Proposed Use (check)</b> <input type="checkbox"/> Monitor <input type="checkbox"/> Environmental Soil Boring <input type="checkbox"/> Domestic <input type="checkbox"/> Industrial <input type="checkbox"/> Irrigation <input type="checkbox"/> Injection <input checked="" type="checkbox"/> Public Supply <input type="checkbox"/> De-watering <input type="checkbox"/> Testwell If Public Supply well, were plans submitted to the TNRCC? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				<b>5)</b> <b>NT</b>																				
<b>6) Drilling Date</b>		<b>Diameter of Hole</b>			<b>7) Drilling Method (check)</b> <input type="checkbox"/> Driven																					
Started <u>1/28/02</u>		Dia. (in)	From (ft)	To (ft)	<input type="checkbox"/> Air Rotary <input checked="" type="checkbox"/> Mud Rotary <input type="checkbox"/> Bored <input type="checkbox"/> Air Hammer <input type="checkbox"/> Cable Tool <input type="checkbox"/> Jetted <input type="checkbox"/> Other _____																					
Completed <u>10/29/02</u>		14 3/4	0	2615																						
From (ft)		To (ft)	Description and color of formation material			<b>8) Borehole Completion</b> <input type="checkbox"/> Open Hole																				
0		3	<b>BLACK DIRT</b>			<input type="checkbox"/> Under-reamed Gravel Packed <input type="checkbox"/> Other _____																				
3		20	<b>CLAY GRAVEL</b>			If Gravel Packed give the interval from _____ ft. to _____ ft.																				
20		814	<b>SANDY SHALE</b>			<b>Casing, Blank Pipe, and Well Screen Data</b>																				
814		1906	<b>GLENN ROSE LIME</b>			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th rowspan="2">Dia. (in.)</th> <th rowspan="2">New Or Used</th> <th rowspan="2">Steel, Plastic, etc. Perf., Slotted, etc. Screen Mfg., if commercial</th> <th colspan="2">Setting (ft)</th> <th rowspan="2">Gage Casing Screen</th> </tr> <tr> <th>From</th> <th>To</th> </tr> <tr> <td>10</td> <td>N</td> <td><b>STEEL CASING</b></td> <td>+2</td> <td>2600</td> <td>40.50</td> </tr> <tr> <td>1/2</td> <td>N</td> <td><b>PERFORATIONS</b></td> <td>2208</td> <td>2514</td> <td>1/2</td> </tr> </table>	Dia. (in.)	New Or Used	Steel, Plastic, etc. Perf., Slotted, etc. Screen Mfg., if commercial	Setting (ft)		Gage Casing Screen	From	To	10	N	<b>STEEL CASING</b>	+2	2600	40.50	1/2	N	<b>PERFORATIONS</b>	2208	2514	1/2
Dia. (in.)	New Or Used	Steel, Plastic, etc. Perf., Slotted, etc. Screen Mfg., if commercial	Setting (ft)		Gage Casing Screen																					
			From	To																						
10	N	<b>STEEL CASING</b>	+2	2600	40.50																					
1/2	N	<b>PERFORATIONS</b>	2208	2514	1/2																					
1906		2124	<b>HENSEL WATER SAND</b>																							
2124		2208	<b>GRAY SHALE</b>																							
2208		2586	<b>HOSSTON WATER SAND</b>																							
2586		2615	<b>RED SHALE</b>																							
(Use reverse side of Well Owner's copy, if necessary)																										
<b>13) Plugged</b> <input type="checkbox"/> Well plugged within 48 hours		Casing left in well: _____				<b>9) Cementing Data</b>																				
Cement/Bentonite placed in well:		Sacks used _____				Cementing from <u>0</u> ft. to <u>2600</u> ft. # of sacks used <u>840</u>																				
From (ft)		To (ft)	From (ft)	To (ft)	_____ ft. to _____ ft. # of sacks used _____																					
					Method Used <b>CIRCULATED FROM BOTTOM TO TOP</b>																					
					Cementing By <b>JET STAR, GAINESVILLE, TEXAS</b>																					
					Distance to septic system field or other concentrated contamination <u>150</u> ft.																					
					Method of verification of above distance <b>MEASURED</b>																					
<b>14) Type pump</b>		<input type="checkbox"/> Turbine <input type="checkbox"/> Jet <input checked="" type="checkbox"/> Submersible <input type="checkbox"/> Cylinder <input type="checkbox"/> Other _____																								
Depth to pump bowls, cylinder, jet, etc., <u>1210</u> ft.																										
<b>15) Water Test</b>																										
Type test <input checked="" type="checkbox"/> Pump <input type="checkbox"/> Bailer <input type="checkbox"/> Jetted <input type="checkbox"/> Estimated																										
Yield: <u>385</u> gpm with <u>233</u> ft. drawdown after <u>36</u> hrs.																										
<b>16) Water Quality</b>																										
Did you knowingly penetrate any strata which contain undesirable constituents?																										
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> NO If yes, did you submit a REPORT OF UNDESIRABLE WATER?																										
Type of water _____		Depth of Strata _____																								
Was a chemical analysis made? <input type="checkbox"/> Yes <input type="checkbox"/> No																										
<b>10) Surface Completion</b>		<input checked="" type="checkbox"/> Specified Surface Slab Installed <input type="checkbox"/> Specified Surface Sleeve Installed <input type="checkbox"/> Pitless Adapter Used <input type="checkbox"/> Approved Alternative Procedure Used																								
<b>11) Water Level</b>		Static level <u>690</u> ft. below    Date <u>10/29/02</u> Artesian Flow _____ gpm.    Date <u>/ /</u>																								
<b>12) Packers</b>		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th>Type</th> <th>Depth</th> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>				Type	Depth																			
Type	Depth																									
Company or Individual's Name (type or print) <b>J.J.BIFFLE WATER WELL DRILLING</b>		Lic. No. <b>2741WI</b>																								
Address <b>P.O. BOX 728</b>		City <b>MUENSTER</b>		State <b>TX</b>	Zip <b>76252</b>																					
Signature <i>David Biffle</i>		Date <b>10/29/02</b>		Signature    _____	Date    _____																					
Licensed Driller/Pump Installer		Date		Apprentice	Date																					

Tyler, Texas  
January 7, 1959

No. 1 Leroy-Tours-Gerald W. W.  
Wildcat

Layne Texas Company  
McLennan County, Texas

cc: Fisk, Fransen, Layne Texas  
Worked by: T. R. Simmons, Jr.  
Type of Examination: Semi-detail  
Interval Examined: 0 - 2863  
No. Samples: 133

SUMMARY

- 0 - 180 ----- In Taylor
- 180 - 240 cts----- Sample Skip
- 240 - 520 cts----- In Austin
- 520 - 840 cts----- Eagle Ford
- 840 - 900 cts----- Woodbine
- 900 - 1460 cts----- Washita-Frederickburg
- 1460 - 1520 cts ----- Paluxy
- 1520 - 2093 cts ----- Upper Glen Rose
- 2093 - 2133 cts ----- Massive Anhydrite
- 2133 - 2450 cts----- Lower Glen Rose
- 2450 - 2830 cts----- Travis Peak
- 2830 - 2863 cts----- Paleozoic

DESCRIPTION

- 0 - 180 cts ----- In Taylor
- 0 - 30 cts           SS           White, medium-grained, pebbled, sub-rounded to rounded loose, Inoceramus prisms common, Globotruncana arca Gumbelina striata.
- 30 - 60 cts           SS           Gray, fine-grained, sub-angular, glauconitic, loose fossiliferous Planulina Taylorensis
- 180 - 240 cts       Sample Skip
- 240 - 520 cts ----- In Austin
- 240 - 80 cts        Chk           White, fossiliferous, Inoceramus prisms abundant Citharina texana (Vaginulina regina ) first observed

Layne Texas Company  
McLennan County, Texas

No. 1 Leroy-Tours-Gerald W  
Wildcat

520 - 840 cts ----- Eagle Ford

520 - 50 cts SH  $\frac{1}{2}$  Gray, thinly laminated, fish scaled  
550 - 80 cts Planulina eaglefordensis  
700 - 20 cts SS (Ls) Gray, fine-grained, sub-angular  
740 - 60 cts SH Black and white, "pepper"  
820 - 40 cts Filter cake abundant

842 - 900 cts ----- Woodbine

840 - 60 cts SS White, very fine-grained, sub-angular,  
slightly ashy, chloritic lignitic

900 - 1460 cts ----- Washita-Fredericksburg

900 - 20 cts Ls Gray, spherulitic (Sample consists of about 90%  
thinly laminated "fish scale shale" probably  
from Eagle Ford)  
940 - 60 cts Sh Gray  
980 - 1000 cts Ls (Ls) White to cream, spherulitic (Georgetown)  
1000 - 20 cts Ls White, dense  
1060 - 80 cts Sh Gray, Thinly laminated  
1080 - 1100 cts Ls White, dense  
1100 - 20 cts Sh Gray, thinly laminated  
1140 - 60 cts Ls White, dense  
1180 - 80 cts Ls Grayish white, highly spherulitic  
(Duck Creek)  
1180 - 1200 cts Sh Gray, thinly laminated  
1220 - 40 cts Ls Cream, dense  
1240 - 60 cts Sh Gray  
1440 - 80 cts Ls Cream to tan, shelly

1460 - 1520 cts ----- Paluxy

1460 - 80 cts Sh Gray, satiny

1520 - 2093 cts ----- Upper Glen Rose

1520 - 40 cts Ls White, crystalline, slightly glauconitic  
very slightly oolitic, shelly  
1680 - 1700 cts Ls As above, highly oolitic and pseudo-oolitic  
1883 - 53 cts Ls Cream, crystalline to finely sucrose, oolitic  
shelly, very slightly porous (Orbitoline texana)

Layne Texas  
McLennan County, Texas

No. 1 Leroy-Tours-Gerald W. W.  
Wildcat

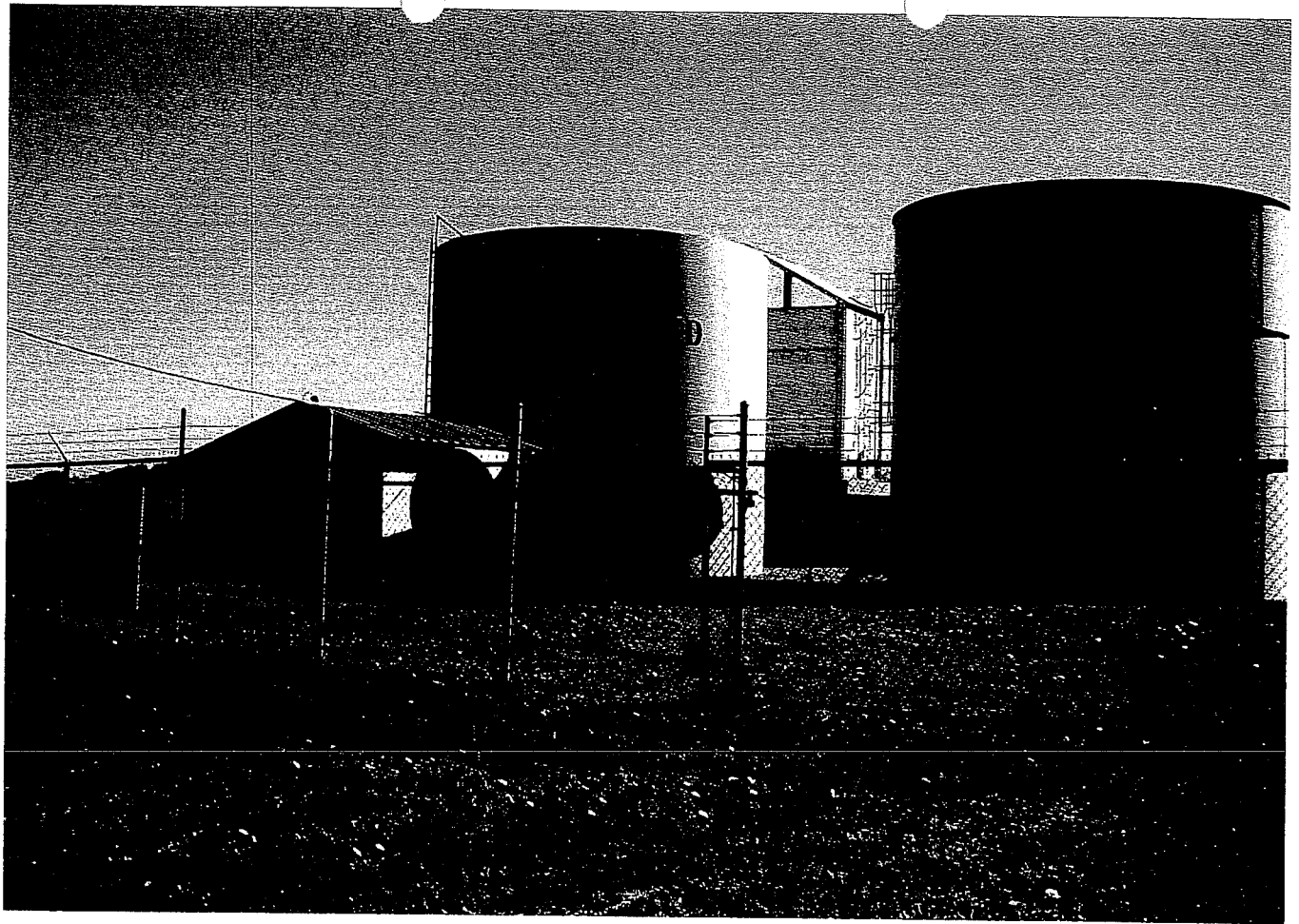
		2093 - 2133 cts -----	Massive Anhydrite
2093 - 13 cts	Anhy		White, crystalline
		2133 - 2450 cts -----	Lower Glen Rose
2133 - 38 cts	Sh		Gray
	Ls		Cream, crystalline, highly oolitic
2198 - 2220 cts	SS		White, medium to coarse-grained, sub-rounded, loose.
2240 - 60 cts	SS		White, fine to medium-grained, sub-angular loose
2280 - 2300 cts	SS		White, fine-grained, sub-angular, loose
2320 - 40 cts	Ls		Cream, oolitic to finely sucrose, slightly porous
2340 - 60 cts	Sh		Gray
2360 - 80 cts	Ls		Cream, slightly oolitic, crystalline
2400 - 30 cts	Sh		Gray
		2450 - 2830 cts -----	Travis Peak
2450 - 70 cts	SS		White, fine to medium-grained, sub-rounded to rounded loose
2480 - 2510 cts	Sh		Gray
2530 - 50 cts	Gvl		Pebble and fragments and chert and quartz fragments common
	SS		White, medium-grained, sub-rounded to rounded, loose
2550 - 80 cts	ss Cgl		Coarse-grained to pebbled, sub-rounded to sub-angular loose, chert fragments common
2590 - 10 cts	SS		White, fine-grained, sub-angular, loose
2610 - 30 cts	SS		As above, fine to medium-grained
2650 - 70 cts	SS		White, medium to coarse-grained, sub-rounded to rounded chert fragments common
2680 - 2700 cts	SS		As above, coarse-grained to pebbled
2700 - 20 cts	Gvl		Red and pink, sub-rounded, loose
2750 - 70 cts	Sample Skip		
2700 - 90 cts	SS		White and pink, coarse-grained to pebbled sub-rounded to rounded, loose, chert fragments common
2790 - 2810 cts	SS		White, fine to medium-grained, sub-rounded to rounded loose
		2830 - 2863 cts -----	Paleozoic
2830 - 50 cts	SS		White, fine to medium-grained, sub-angular, rounded, loose
	Sh		Red, silty
2850 - 63 cts	Sh		Vari-colored, schistose

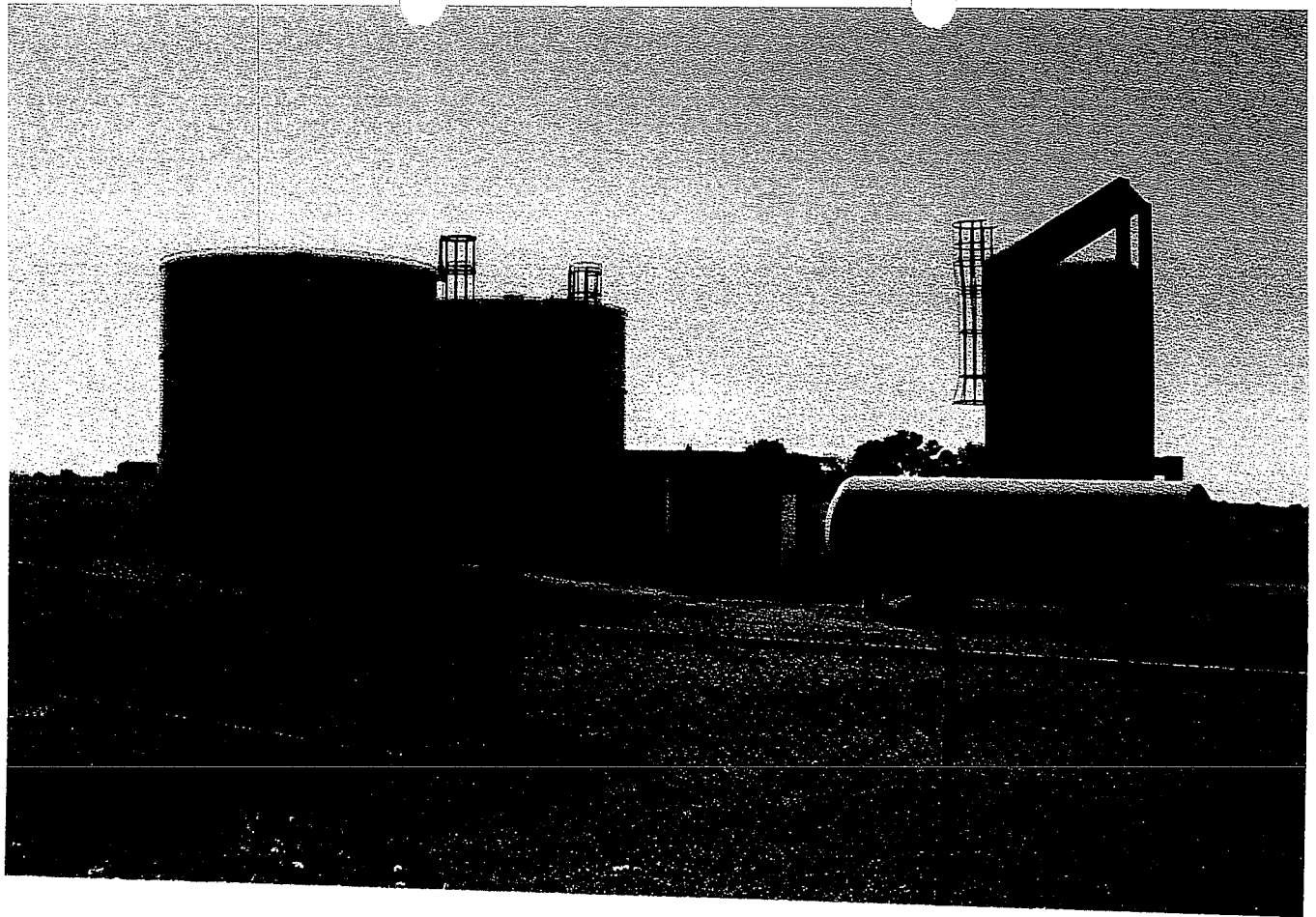
RESIDUE FILED:

CAN NO. 8679

0-2863







**DUFF**  
*Consulting Engineers, Inc.*  
817-756-5414  
1401 JEFFERSON AVENUE  
WACO, TEXAS 76702

JAMES C. DUFF, P. E.

August 23, 1978

**COPY**

Mr. Steve Kazanas, Attorney  
P.O. Box 126  
West, Texas 76691

Re: Leroy-Tours-Gerald Water Supply Corporation

Dear Steve:

Attached you will find a copy of the plat and fieldnote description for the Plant No. 4 and Well No. 2 site for your use in preparation of the necessary deed.

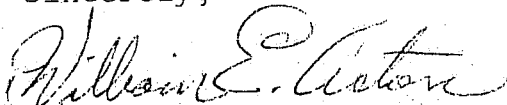
The corporation has agreed to provide Wayman Willenborg an ingress-egress easement along the south side of this site. I feel that this easement should be 20 feet in width.

Mr. Willenborg will also need to give the corporation a sanitary control easement stating the following:

"No tile or concrete sanitary sewers or septic tanks shall be placed within a distance of 50 feet, and no cesspool or septic tank open-jointed drain-fields shall be placed within a distance of 150 feet of the well."

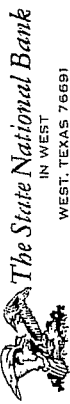
Please contact us if you have any questions, or comments.

Sincerely,

  
William E. Aston, P.E.

Attachment

✓ cc: Leroy-Tours-Gerald Water Supply Corporation w/enc.



**LEY TOURS GERALD  
WATER SUPPLY CORP.**

GENERAL FUND  
PH. 254-822-1343  
P.O. BOX 22  
LEROY, TX 76654

2937

88-515/1119

DATE 4-28-10

PAY TO THE ORDER OF Southern Trinity SWCD \$ 1000.00

One thousand and 00/100 DOLLARS

Historic Use Production Permit			

Lynn R. Gray  
Joe L. Summer MP

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNTS LISTED

⑈002937⑈ ⑆111905159⑆

05 4750 5⑈

**RECEIPT**

DATE 4-29-10 No. 248722

RECEIVED FROM Leroy Tours Gerald WSC \$ 1000.00

One thousand & 00/100 DOLLARS

FOR RENT  
 FOR HUPP Application - HUPP 2010-2016

ACCOUNT		
PAYMENT		
BAL. DUE		

CASH  
 MONEY ORDER  
 CHECK  
 CREDIT CARD

FROM #2937 TO  

BY JK

1182