

Permit Hearing - Item #11

Victory Rock

N3-24-003G

# **NOTICE OF ENCUMBRANCE HEARING & PERMIT HEARING OF THE CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT**

Notice is hereby given that the Board of Directors for the Clearwater Underground Water Conservation District will conduct a hearing on two Applications for Permits as described below at 1:30 p.m. on Wednesday, May 8, 2024, in the Clearwater UWCD Board Room located at 640 Kennedy Court, Belton, Texas, in compliance with the Texas Open Meetings Act.

The hearing will be conducted on the following application:

Applicant's File Number/Name	Permit Applicant/Holder and Landowner	Location of Encumbrance	Proposed Encumbrance Tracts
Encumbrance Hearing related to:	Jaffe Interests, LP James Kerby owner Mustang Springs c/o Dr. Gretchen	<b>Well #N3-23-010P</b> Latitude 30.921147° Longitude -97.625147°	TO: Jaffe Interests, LP, owner of a 9.93-acre tract of land, being out of 1,019.86-acre tract of land described as <u>Tract One conveyed from Mor-Maur Mustang, LLC</u> to Jaffe Interests, LP by Special Warranty Deed with Vendor's Lien dated June 9, 2023, and recorded Document No. 2023-026185 of the Real Property Records of Bell County, Texas.
<b>Well # N3-23-010P</b>	Miller  1205 Sam Bass Rd Bldg. B, Ste. 300 Round Rock, Texas 78681  (512) 851-8740	Per District Rule 9.5.5 (g), <i>The Board may grant an exception if, after notice and hearing, the Applicant provides a properly executed and recorded Encumbrance Agreement, transferring the groundwater rights attributable to the adjacent land of one or more property owner(s) to the Applicant sufficient to attain the minimum tract size necessary to support a Non-exempt Well.</i>  Encumbrance of acreage necessary for 20-acres as it relates to an approved drilling permit requiring tract size necessary for a Lower Trinity well equipped with a maximum 4-inch column pipe, per District Rule 9.5.2.	FROM: Jaffe Interests, LP, owner of a 10.07-acre tract of land, being out of a 1,019.86-acre tract of land described as <u>Tract One conveyed from Mor-Maur Mustang, LLC</u> to Jaffe Interests, LP by Special Warranty Deed with Vendor's Lien dated June 9, 2023, and recorded Document No. 2023-026185 of the Real Property Records of Bell County, Texas (the "Encumbered Property").
Applicant's File Number/Name	Permit Applicant/Holder and Landowner	Location of Well/Wells	Proposed Annual Groundwater Withdrawal Amount & Purpose of Use
Operating Permit Hearing related to:  <b>Well # N3-24-003G</b> Existing Well	Victory Rock Texas, LLC  c/o Jordan Furnans  1101 Satellite View #301 Round Rock, TX 78665  (512) 736-6485	The proposed amendment is for an existing well located at:  <b>Well #N3-24-003G</b> Latitude 30.876146° Longitude -97.609419°  The existing well is completed in the Hensell Layer of the Trinity Aquifer and geographically in the CUWCD Stillhouse Hollow Management Zone.  Well #N3-24-003G is equipped with a 2-inch column pipe with a submersible pump rated at 42 gallons per minute on contiguous tracts of land totaling 394.18-acre tract located at 7090 Solana Ranch Rd, Salado, TX 76571.	Victory Rock Texas, LLC is requesting an operating permit to produce groundwater for a defined beneficial use to provide water for commercial sand and gravel mining operations, to wash the mined material, dust suppression, and to provide water to a concrete batch plant facility known as Five Star, Concrete, LLC on contiguous tracts of land, leased from Byron Goode, known as <u>PID: 107127</u> of approximately 3.35-acres, <u>PID: 523554</u> of approximately 2.70-acres, <u>PID: 41910</u> of approximately 55.56-acres, <u>PID: 41912</u> of approximately 221.83-acres, <u>PID: 41920</u> of approximately 110.74-acres totaling 394.18-acres.  This operating permit request is to authorize production of groundwater not to exceed 67.75-ac-ft (22,076,405 gallons) per year from well #N3-24-003G completed in the Hensell Layer of Trinity Aquifer.

The application for the encumbrance, if granted, would authorize the drilling permit holder within the Clearwater Underground Water Conservation District, in accordance with the terms and conditions specified in this application, to proceed with their test well efforts.

The application for an operating permit for an existing exempt well would authorize the applicant to operate within the Clearwater Underground Water Conservation District, in accordance with the terms and conditions specified in the application, subject to board deliberation and approval with potential limits and special provisions. A person wishing to submit a Contested Case Hearing Request, as it relates to the proposed Operating Permit, under District Rule 6.10.15(d), who is unable to appear at the hearing on the date and time set forth above, must also file a motion for continuance with CUWCD demonstrating good cause for the inability to not appear.

For additional information about this application or the permitting process, or to request information on the legal requirements on what MUST be included for a Contested Case Hearing Request to be valid, please contact CUWCD at 700 Kennedy Court (PO Box 1989) Belton, Texas, 76513, 254-933-0120.

ISSUED this 26<sup>th</sup> day of April 2024 in Belton, Texas, on the recommendation of the General Manager.

I, the undersigned authority, do hereby certify that the above NOTICE OF PERMIT HEARING of the Board of Directors of the Clearwater Underground Water Conservation District is a true and correct copy of said Notice. I have posted a true and correct copy of said Notice at the District office located in Belton, Texas, and said Notice was posted on April 26, 2024, and remained posted continuously for at least 10 (ten) days immediately preceding the day of said hearing; a true and correct copy of said Notice was furnished to the Bell County Clerk, in which the above-named political subdivision is located.

Dated 4/26/2024

Clearwater Underground Water Conservation District

By: Dirk Aaron  
Dirk Aaron, General Manager

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**Executive Summary**  
**Application for Operating Permit**  
**N3-24-003G**



**Applicant/Owner:** Victory Rock Texas, LLC  
c/o Jordan Furnans  
1101 Satellite View #301  
Round Rock, TX 78665 Phone: (512) 736-6485

**Location of Wells:**

*Location description:* The proposed Operating Permit is for an existing well #N3-24-003G to produce groundwater for commercial sand and gravel mining operations, to wash the mined material, dust suppression, and to provide water to a concrete batch plant facility known as Five Star, Concrete, LLC on contiguous tracts of land, leased from Byron Goode, totaling 394.18-acres, located at 7090 Solana Ranch Rd, Salado, TX 76571.

*Management Zone:* Stillhouse Hollow Management Zone

*Well #1:* (N3-24-003G) Latitude 30.876146° Longitude -97.609419°

**Proposed Annual Withdrawal:**

**Well #1:**

**Initial Rate:** 42-gpm  
**Column Pipe:** 2-inch  
**Horsepower Rating:** 10-HP

**Well #N3-24-003G**

Proposed Production: 67.75-ac-ft  
22,076,405-gallons/year

*The application for an operating permit for an existing exempt well would authorize the Applicant to operate within the Clearwater Underground Water Conservation District, in accordance with the terms and conditions specified in the application, subject to board deliberation and approval with potential limits and special provisions.*

**Proposed Beneficial Use:**

Commercial sand and gravel mining operations, wash the mined material, dust suppression, and provide water to a concrete batch plant facility known as Five Star, Concrete, LLC

**Source Aquifer:**

Hensell Layer of the Trinity Aquifer

**Nearest Registered & Existing Wells:**

**Well #N3-24-003G** has 8 wells within ½ mile.

- 1-Unknown
- 2- Edwards BFZ
- 0-Upper Trinity (Glen Rose)
- 4-Middle Trinity (Hensell)
- 1-Lower Trinity (Hosston)

## **General Information**

Victory Rock Texas, LLC is requesting an operating permit to produce groundwater for a defined beneficial use to provide water for commercial sand and gravel mining operations, to wash the mined material, dust suppression, and to provide water to a concrete batch plant facility known as Five Star, Concrete, LLC on contiguous tracts of land, leased from Byron Goode, known as PID: 107127 of approximately 3.35-acres, PID: 523554 of approximately 2.70-acres, PID: 41910 of approximately 55.56-acres, PID: 41912 of approximately 221.83-acres, PID: 41920 of approximately 110.74-acres totaling 394.18-acres.

Victory Rock Texas, LLC requested an exempt test well permit (*per District Rule 6.3 on December 22, 2023*) for the purpose of assessing the aquifer conditions for a potential future operating permit. The definition of a “Test Well” shall mean a Well Drilled for the purposes of assessing or otherwise measuring groundwater quality and/or the quantity of groundwater that could be produced from a Well 8 properly registered or permitted in accordance with the District’s Rules.

The scientific understanding of the Hensell layer of the Trinity Aquifer is enhanced due to the testing of the aquifer at the existing well and monitoring at the Baird well #E-19-051P. The findings and geoscience assessment by Mike Keester provide a clear understanding and guide the conclusions and the General Manager’s recommendations to the Board of Directors.

Victory Rock Texas, LLC currently has an operating permit of 30-ac-ft/yr from well #N2-21-001P completed in the Lower Trinity.

CUWCD well #N3-24-003G is located in the Stillhouse Hollow Management Zone and is completed to 880 feet below land surface, screened in the Hensell Layer of the Trinity Aquifer at approximately 820 to 880 feet below land surface. The well is currently equipped with a 2-inch column pipe equipped with a 10-HP submersible pump rated at 42-gpm on the 3.359-acre tract located at 7090 Solana Ranch Rd, Salado TX, 76571, Latitude 30.876146°, Longitude - 97.609419°. The Applicant has requested 67.75-ac-ft/yr of proposed production from this well.

## **Per Rules 6.9 and 6.10**

In deciding whether or not to issue a permit, the Board must consider the following in accordance with Section 36.113(d) of the Texas Water Code:

- 1) **Does the application contain all the information requested, is the application accurate? Does it meet spacing and production limitations identified by District Rules, and does it conform to all application requirements which include public notification and accompanied by the prescribed fees? (TWC 36.116(a)(1), TWC 36.113(d), Rule 6.9.1(a)(b)(1)(2), Rule 6.9.2(a)-(f), Rule 6.10.24(a)-(h), and Rule 9.5.1-2)**

The application has been deemed administratively complete and the requested information necessary to proceed is as follows:

- PID: 107127 (3.359-acres) where the well is located **does not meet the tract size requirements** (minimum of 10 acres) associated with District Rule 9.5.2 for wells completed to the Middle Trinity with a maximum 2-inch column pipe in the Stillhouse Hollow Management Zone for an existing well, but **the sum of the contiguous tracts does meet the tract size requirements**. The Applicant has provided documentation of the lease agreement with Byron Goode (*see attached 10/16/2023*).
- The application fee of \$1,855.00 for the operating permit has been received.
- The Applicant and their representative have conducted all notification requirements in a proper manner per District Rules.

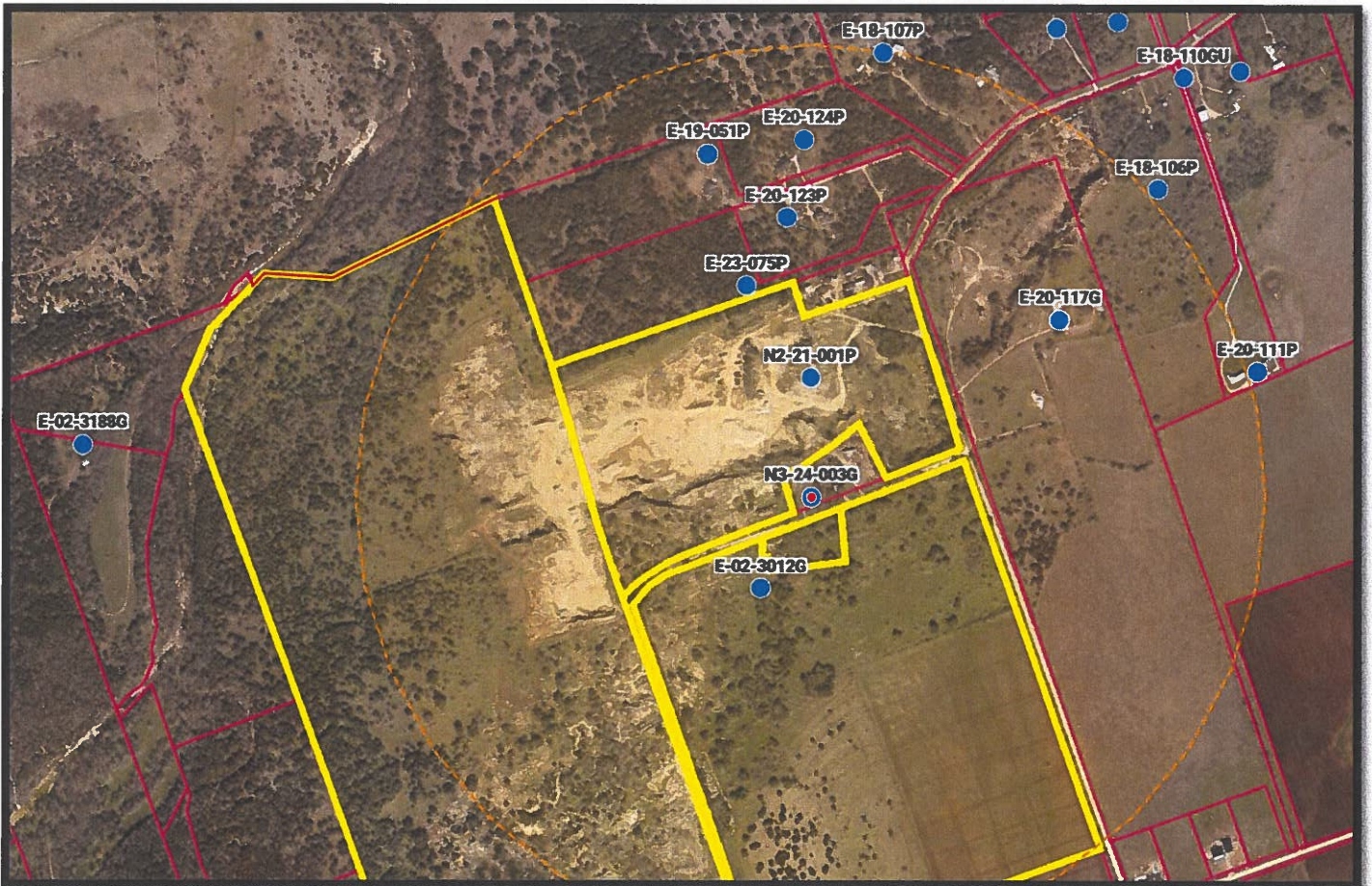
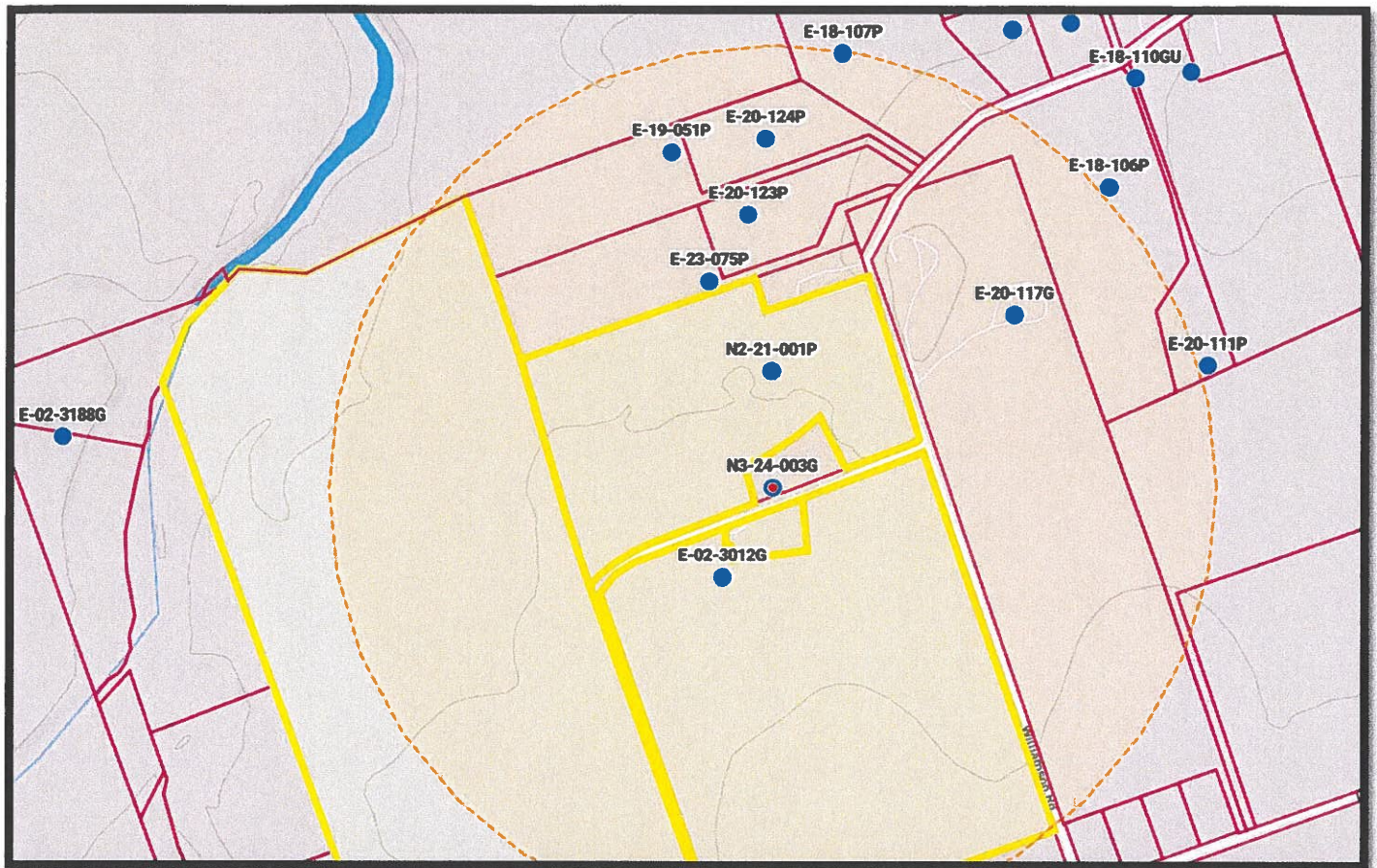
**2) Is the proposed use of water dedicated to a beneficial use? (TWC 36.113(d)(3), District Rule 6.10.24(d), and District Rule 9.5.2 authority to serve as an industrial well per TCEQ requirements)**

- The proposed production of groundwater for commercial sand and gravel mining operations, to wash the mined material, dust suppression, and to provide water to a concrete batch plant facility is deemed a “beneficial use” for the 394.18-acre tract.
- The attached maps below illustrate all other registered wells shown in ½ mile.
- All declared tracts are in good standing with the tax authority.
- The Applicant is in compliance with TCEQ and should testify that such requirements are being met.
- The Applicant has submitted a well completion report per district rule for a test well as described in District Rule 6.3(d)(r) and 6.9.2(e)(f) explained in #5.

The figures on page 4 illustrate the ½ mile radius of existing wells with an overlay of the parcels.

**3) Has the Applicant demonstrated under District Rule 5.2 the amount of groundwater requested to be produced under the proposed permit is necessary for the beneficial use identified in the application?**

The Applicant’s representative recently confirmed that the Applicant recently completed a new well in a portion of the tract of land outside the jurisdictional boundaries of the District. District Staff became aware of the new well, which was completed on April 25, 2024, after deeming the application administratively complete. The Board should consider the new well’s intended use and intended production in assessing whether the Applicant has sufficiently demonstrated the amount of groundwater requested is necessary for the beneficial use identified in the application.



**4) Has the Applicant agreed to avoid waste and achieve water conservation? (TWC 36.113(d)(6) and Rule 6.10.24(f))**

The Applicant should testify they understand per District Rule 6.10.24(f) that by signing the application form the Applicant and their representative agreed to and states they will comply with the District's Management Plan and District Rules in effect on October 11, 2023.

The Applicant or his representative should testify to the importance of water conservation measures. The district hopes that the Applicant states in testimony they do not intend to utilize the groundwater for other purposes beyond the expressed beneficial use and agrees to describe that their use of the groundwater will not be deemed a waste by conducting recapture and reuse strategies.

**5) Has the Applicant agreed that reasonable diligence will be used to protect groundwater quality and that the Applicant will follow well plugging guidelines at the time of well closure? (TWC 36.113(d)(7) and Rule 6.10.24(g)) and Rule 9.3.1 Special Standards of Completion for wells in TX Grid 58-03-06 related to Glen Rose Layer head pressure and injurious water concerns.**

The Applicant should testify that if the well deteriorates over time or becomes damaged in such a way that the well is inoperable, state law and district rules require such a well to be plugged before a replacement well is approved per District Rule 8.1.2.

**6) Will the proposed operating permit comply with the spacing and production limitations identified in our rules? (TWC 36.116(a)(1-2), TWC 36.116(c)&(d) and Rule 6.10.24(b), Rule 7.1 and Rule 9.5.2)**

The proposed well is located in the *Stillhouse Hollow Management Zone* described in *District Rule 7.1* and will have a maximum column pipe size not to exceed 2-inches as declared in the applications.

Based on column pipe size, a minimum size tract of 10-acres is required, with a 660-foot spacing requirement from other wells completed to the same layer of the Trinity Aquifer. The 75-foot setback requirement from adjacent property lines be met for this proposed well. Note the combined parcels of land under lease are 394.18-acres.

Per District Rule 9.5.2, as it relates to Spacing and Tract Size Requirements, the Applicant or their representative must testify that they understand the requirements.

The District's rules require a production limit based on acre-feet/year and described gallons/year. The proposed amount has been determined by the Applicant for this review of the operating permit is for no more than:  
*67.75 acre-feet/year or 22,076,405 gallons/year*

The Applicant and/or their representative need to understand that the district will deliberate on the operating permit for groundwater production and deliberations will be based on the elements of the Permit Application and test well findings in the required Well Completion Report per:

**District Rule 6.9.2(e)(2)(3)&(f) require the following:**

**Operating Permit Applications:**

- Requests to Operate a Non-exempt annual maximum permitted use of 5 acre-feet or more; or
- Requests to modify to increase production or production capacity of a Public Water Supply, Municipal, Commercial, Industrial, Agricultural, or Irrigation Well if such increase is 5 acre-feet or more per year and/or the Board determines that such report is warranted based on aquifer conditions, type of modification, status of adjacent Wells, local water use trends, and other aquifer management considerations.

**The Test Well Completion Report includes\*:**

- 1) A lithology log based on the cuttings collected during drilling.  
*(#1 is not applicable because the well is preexisting.)*
- 2) For a new well, chip trays containing samples of the formation cuttings collected during drilling with depth interval for each sample clearly marked.  
*(#2 is not applicable because the well is preexisting.)*
- 3) Geophysical log with the well name, location, depth, and drilling fluid properties recorded on the log header.
- 4) Well completion diagram identifying (as applicable) the open and cased intervals, casing and screen type and size, filter pack interval, cement interval, pump and motor (model number, pump bowls, horsepower, etc.), pump setting, column pipe type and size, pump head, and other pertinent information related to the Well construction.
- 5) Pump curve for the final or proposed pump.
- 6) Data and analysis from a minimum 24-hour pumping test.
- 7) Water quality analysis results from a NELAP certified laboratory; and
- 8) Predicted impacts of the proposed production from the well.

\*See attached application, supplemental documents, and test well information by J. Furnans.

If the proposed operating permits cause an unacceptable level of decline in the water quality of the aquifer and/or artesian pressure, then the board may require production at levels necessary to reduce said depletion or degradation of the aquifer.

In addition, the Board may reduce production necessary to prevent waste and achieve water conservation, minimize as far as practicable the drawdown of the water table or the reduction of artesian pressure, lessen interference between wells, or control and prevent subsidence.

More specifically these issues are considered in Items 6 & 7 below and with staff recommendations to address potential concerns of adjacent property owners and well owners within the potential radius of influence from future production.

7) **Will the proposed use of water unreasonably affect existing groundwater and surface water resources or existing permit holders (per TWC 36.113(d)(2))?**

Based on available information, within ½ mile radius, there are 5 wells defined for domestic and livestock use, completed and active, from Edwards BFZ and Middle Trinity layers and 1 active in the Lower Trinity. 2 wells are currently inactive.

**8 wells are within ½ mile radius of the proposed well,**

**1-Unknown**

**2-Edwards BFZ (Hosston)**

**0-Upper Trinity (Glen Rose)**

**4-Middle Trinity (Hensell)**

**1-Lower Trinity**

Based on new findings by the District on May 2, 2024, a previously unknown well identified as VR-Wilco #1 completed in the Hensell Layer of the Trinity Aquifer exists on PID 41912.

Mike Keester, KT Groundwater, has reviewed the application, determined the anticipated drawdown, and provided the *attached MK report*.

Additionally, the District, to the extent possible, must issue permits up to the point the total volume of exempt and permitted groundwater production will achieve the applicable Desired Future Condition (DFC) per TWC 36.1132(a)(b) and Rule 6.10.25(a)(b)(c)(d)(e).

8) **Is the proposed use of groundwater consistent with the District's Groundwater Water Management Plan related to the approved DFC and the defined available groundwater for permitting?**

The District's Management Plan reflects a groundwater availability figure in the Middle (Hensell Layer) Trinity Aquifer of **1,100 ac-ft/year Modeled Available Groundwater** (then reserve 548 ac-ft/year for exempt well use) thus **552 ac-ft/year is the Managed Available Groundwater for permitting established by the district.**

The Board, per the District Management Plan, has evaluated groundwater available for permitting the Middle Trinity Aquifer and most recently evaluated the available groundwater for permitting (*consistent with the management plan as stated on pages 9-10*).

The requested permit amount relative to the modeled available groundwater MAG determined by the Texas Water Development Board (TWDB) based on the desired

future conditions (DFCs) established by the District for the Middle Trinity Aquifer was set by CUWCD based on 137-ft of drawdown over 60-yrs. This was reviewed and again approved by the board in January 2022. To achieve this DFC, the TWDB used a model that indicated the MAG was equal to 1,100 acre-feet per year from the Middle Trinity.

A summary of YTD 2023 permit production, HEUP & OP Permit Analysis, pending applications, issued drilling permits and \*Exempt Well Reservations for the Middle Trinity, per District Report illustrates current Middle Trinity Aquifer permits total 467.74 ac-ft/year. Currently, the District has no other pending permits, thus available for permitting is only 84.26 ac-ft/year. *(See attached Trinity Aquifer Status Report, (April 10, 2024)).*

- 9) **What are the Modeled Available Groundwater calculations determined by the Executive Administrator of the Texas Water Development Board?**

Refer to #7 above. The modeled available groundwater will not be exceeded by granting this permit. *(See attached Trinity Aquifer Status Report, April 10, 2024).*

- 10) **What has the Executive Administrator of the Texas Water Development Board's estimate of the current and projected amount of groundwater produced under the exemptions in District Rule 6.3?**

Refer to #7 above. Reservation of Modeled available groundwater for **exempt well** use will not be exceeded by granting this permit. 548 ac-ft/year vs 534 ac-ft estimated to be used annually from the *Middle Trinity*. *(See 2023 district exempt use report).*

- 11) **What is the amount of groundwater authorized under permits previously issued by the District?**

Refer to #7 above. Existing permits do not exceed the managed available groundwater (*Modeled Available Groundwater – Reserved Exempt Well Use = Managed Available Groundwater*) for the Middle Trinity Aquifer which is 1,100 ac-ft per year.

- 12) **What is the reasonable estimate of the amount of groundwater that is produced annually under existing non-exempt permits issued by the District?**

The total permitted amounts for non-exempt wells in the Middle Trinity Aquifer in 2023 was **467.74 ac-feet/yr.** and the actual production in 2023 was **44.70 ac-ft/yr. (37.99%)** of the permitted amount. *(Figures are based upon monthly production reports submitted to Clearwater by the permit holders in 2023).*

**13) Yearly precipitation and production patterns.**

Clearwater is currently in “No Drought” based on the PDI system (average running total annual rainfall) as of May 1, 2024. The PDI for the Trinity Aquifer in the District is currently at 32.883 inches of rain received in the last 365 days (as of 5/1/2024) thus 99.65% of annual expected rainfall of 33 inches. The Trinity Aquifer permit holders in all of 2023 have used 37.99% of the total permitted amounts in the Aquifer. Permit holders did not exceed their total permitted amounts in 2020, 2021, 2022, and 2023.

The gravity of the current drought is reminiscent of the epic drought of 2011-2013, the significant drought in 2018, 2020, and again in 2022-23. The current drought trends do necessitate the need for all permit applications to be evaluated based on conservative needs and usage that are not contradicted by the current trends and the need for voluntary drought contingency relationships with permit holders.

The Applicant should agree to take extreme conservation strategies to increase efficient and conservative groundwater use by the batch plant and crushing facility. Testimony as to their planned Direct Reuse of water into their engineered detention ponds would help the District and provide a positive understanding of groundwater conservation.

**Conclusions and Recommendations:**

The District GM recommends denial of the permit Application as proposed, or alternatively that the Board continues the evidentiary hearing until the Applicant supplements its Application with the information necessary to demonstrate the requested volume of water is necessary for the beneficial use stated in the application, given its recent completion of the new well located outside the District’s boundaries, but within the leased acreage on which the Applicant’s application is based and identified as the place of use.

Attachments are as follows:

<i>CUWCD Trinity Aquifer Status Report</i>	<i>04/10/2024</i>
<i>CUWCD 2023 Exempt Well Estimate of Use Report</i>	<i>12/31/2023</i>
<i>Request for Contested Case Hearings&amp; Continuance</i>	<i>See Attached</i>
<i>KT Groundwater Technical Memorandum</i>	<i>05/02/2024</i>
<i>Applications, Fees, and Notification Affidavits</i>	<i>See Attached</i>
<i>Supplement #1 by J. Furnans</i>	<i>4/14/2024</i>
<i>Supplement #2 by J. Furnans</i>	<i>5/1/2024</i>
<i>Batch Plant Needs Assessment</i>	<i>4/19/2024</i>
<i>Lease Agreement</i>	<i>10/16/2023</i>
<i>Test Well Application &amp; Permits</i>	<i>12/22/2023</i>
<i>Test Well Permit Renewal</i>	<i>3/25/2024</i>
<i>Reconditioned Well Report #662549</i>	<i>See Attached</i>
<i>VR-Wilco #1 Geophysical Log</i>	<i>5/2/2024</i>

## Trinity Aquifer Status Report – April 2024

<u>DFC Analysis Over Time</u> (2000-Present) Modeled Available Groundwater			<u>HEUP and OP Permit Analysis</u> Relative to the Modeled Available Groundwater			<u>2024 YTD</u> <u>Total Prod.</u> Jan - Mar 365.38 ac-ft 7.15%		<u>Pending Applications</u>		<u>Exempt Well Reservations</u>		
Trinity Aquifer (by layer)	DFC Adopted * Average Drawdown (by layer)	MAG ** Ac-ft	HEUP Ac-ft (by layer)	OP Ac-ft (by layer)	Total Permitted Ac-ft (by layer)	2023 YTD Prod. (by layer)	2024 YTD Prod. (by layer)	Available for Permitting Ac-ft (by layer)	Pending Applications Ac-ft (by layer)	Exempt Well Reserve Ac-ft (by layer)	2023 Exempt Well Use Estimate Ac-ft (by layer)	Available Exempt Use Ac-ft (by layer)
		Current										
Pawluxy	NA	0	0	0	0	0	0	0	0			0
Glen Rose (upper)	-1.38 ft/yr -83 ft/60 yrs	275	61.9	72.73	134.63	35.94	1.26	0	0	140.37	190	0
Hensell (middle)	-2.28 ft/yr -137 ft/60 yrs	1100	259.3	208.44	467.74	44.70	7.60	84.26	0	548	534	14
Hosston (lower)	-5.50 ft/yr -330 ft/60 yrs	7900	1181.4	3324.99	4506.51	1860.31	356.52	3215.49	***569.60	178	60	118
Total		9275	1502.6	3606.16	5108.88	1940.95 (37.99%)	365.38 (7.15%)	3299.75	569.60	866.37	784	132

\*Desired Future Conditions (DFC) is the description of how the aquifer should look in the future (60 years).

\*\*The Modeled Available Groundwater (MAG) is the estimated amount of water available for permitting assigned to Clearwater UWCD by the Executive Administrator of TWDB.

\*\*\*Pending applications

City of Temple N3-23-004P (239 ac-ft/yr)

UMHB N3-23-005P (64 ac-ft/yr)

Mustang Springs N3-23-010P & N3-23-011P (249.8 ac-ft/yr)

Lake Thomas RV Resort N3-24-002P (16.8 ac-ft/yr)



## CUWCD Exempt Well Use Summary

As of: 2/12/2024

Aquifer	Total Active Registered Exempt Wells <sup>3</sup>	Registered Domestic Wells	Estimated Domestic Use Gallons/Day <sup>1,2</sup>	Estimated Domestic Use Ac-ft/Year <sup>1,2</sup>	Registered Stock Wells	Estimated Stock Use Gallons/Day <sup>4</sup>	Estimated Stock Use Ac-ft/Year <sup>4</sup>	Total Estimated Use Gallons/Day <sup>7</sup>	Total Estimated Exempt Well Use Ac-ft/Year <sup>7</sup>	MAG Reserved Exempt Well Use
Glen Rose (Upper Trinity)	428	350	102,396	115	78	67,392	75	169,788	190	
Hensell (Middle Trinity)	993	931	423,297	474	62	53,568	60	476,865	534	
Hosston (Lower Trinity)	162	151	44,177	49	11	9,504	11	53,681	60	
Trinity (Total) <sup>6</sup>	1,583	1,432	569,870	638	151	130,464	146	700,334	784	1,419
Edwards BFZ	855	723	211,521	237	132	114,048	128	325,569	365	825
Edwards Equivalent	485	386	112,928	126	99	85,536	96	198,464	222	
Buda	28	15	4,388	5	13	11,232	13	15,620	17	
Lake Waco	8	3	878	1	5	4,320	5	5,198	6	
Austin Chalk	226	141	41,251	46	85	73,440	82	114,691	128	
Ozan	161	114	33,352	37	47	40,608	45	73,960	83	
Pecan Gap	67	44	12,873	14	23	19,872	22	32,745	37	
Kemp	15	11	3,218	4	4	3,456	4	6,674	7	
Alluvium	585	377	110,295	124	208	179,712	201	290,007	325	
Other <sup>5</sup>	1,575	1,091	319,183	358	484	418,176	468	737,359	826	
<b>CUWCD Total Active</b>	<b>4,013</b>	<b>3,246</b>	<b>1,100,574</b>	<b>1,233</b>	<b>767</b>	<b>662,688</b>	<b>742</b>	<b>1,763,262</b>	<b>1,975</b>	

1. Domestic use estimate assumes 106 gallons/person per day (USGS estimate of domestic use outside of a municipal water system) and 2.76 persons/household (U.S. Census Bureau, Population Estimates Program (PEP) July 1, 2019)

2. Benjamin G. Wherley, Ph.D. Associate Professor- Turfgrass Science & Ecology Dept. of Soil and Crop Sciences Texas A&M University estimate of 2,000ft<sup>2</sup> warm season turfgrass requires 38,855gal/yr/lawn or 106gal/day/lawn; "Ranchette" Avg. lawn size is 13,042ft<sup>2</sup>, 6.5X larger; 6.5 X 106gal/day/lawn= 689gal/day/lawn; ~217 "Ranchette" Middle Trinity Wells; 689 X 217=an additional 150,924gal/day/lawn; **490ac-ft/yr or an 89% increase in Middle Trinity exempt well use from the 2018 estimate of 258ac-ft/yr.**

3. Exempt well use estimate factors out all plugged, capped, monitor and inactive wells in the database.

4. Source of stock water estimates is Texas Agrilife Extension @ 18 gallons water per day per cow. Livestock water use estimates are based on the 2017 Census of Agriculture, USDA National Agricultural Statistics Service. 36,868 cows / 771 stock wells= 48 ccws/stock well; 48\* 18gpd= 846 gal/day/stock well, **747ac-ft/yr or a 34% increase in annual stock use from the 2018 estimate of 556ac-ft/yr.**

5. The "Other" designation is the total of minor aquifer and alluvium source designation of the exempt wells.

6. Trinity Aquifer wells registered with unknown depth are assigned to the Middle Trinity per Board decision.

7. All estimates of groundwater use by exempt well owners is based on assumptions and scientific data, but by no means are they to be interpreted as recommended practices by CUWCD.

Requests for  
Contested Case Hearing  
and/or Continuance

PERALES, ALLMON & ICE, P.C.  
ATTORNEYS AT LAW

1206 San Antonio Street  
Austin, Texas 78701  
(512) 469-6000 • (512) 482-9346 (facsimile)  
info@txenvirolaw.com

Of Counsel:  
David Frederick  
Richard Lowerre  
Vic McWherter

May 2, 2024

Leland Gersbach, Board President  
Clearwater Underground Water Conservation District

Gary Young, Director  
Clearwater Underground Water Conservation District

Jody Williams, Board Vice President  
Clearwater Underground Water Conservation District

Scott Brooks, Director  
Clearwater Underground Water Conservation District

James D. Brown, Director  
Clearwater Underground Water Conservation District

c/o Dirk Aaron, General Manager

*Via Email: [daaron@cuwcd.org](mailto:daaron@cuwcd.org)*

**RE: Request for Contested Case Hearing and to Continue May 8, 2024 Hearing on the Merits regarding Application by Victory Rock Texas, LLC for Operating Permit Associated with Existing Well No. N3-24-003G**

Dear President Gersbach and Members of the Board:

I am submitting this letter on behalf of the Salado Creek Water and Air Coalition ("SCWAC") regarding the above-referenced application by Victory Rock Texas, LLC ("Victory Rock"). SCWAC may be contacted through my office at the address and telephone number indicated above.

SCWAC requests a contested case hearing on the application. SCWAC is a membership organization whose purposes include protection of the quality of the water and air in the area of Salado Creek in Bell County, Texas. SCWAC has members who will be impacted by the application in a way that is distinct from the impacts upon the general public. Dennis Baird is one such member of SCWAC. Mr. Baird is an adjacent landowner whose address is 6604 Solana Ranch Road, Salado, Texas 76571. A recent pump test at the well subject to the requested permit resulted in the significant drawdown of a groundwater well owned by Mr. Baird, and it took a significant period of time (several days) for the water level in Mr. Baird's well to recover from that drawdown. Clearly, a hydrologic connection exists between the well to be permitted and Mr. Baird's well, and the proposed pumping has the significant potential to impact Mr. Baird's ability to use his own

well, and has the significant potential to draw water owned by Mr. Baird beneath his property.

The Board is set to consider the above-referenced application at a hearing on May 8, 2024. This letter is to notify the District that, in addition to requesting a hearing, SCWAC seeks a continuance of the hearing on the merits in this matter at least 60 days in order to allow time for discovery and the development of evidence and cross-examination based upon that discovery.

The proposed permit will authorize the withdrawal of water which, in part, will originate beneath Mr. Baird's property. Thus, authorization of the permit without a full and fair hearing, including the opportunity for discovery, would constitute an illegal taking of Mr. Baird's property. *See Stratta v. Roe*, 961 F.3d 340 (5th Cir. 2020).

Sincerely,

/s/ Eric Allmon

Eric Allmon

State Bar No. 24031819

[eallmon@txenvirolaw.com](mailto:eallmon@txenvirolaw.com)

**PERALES, ALLMON & ICE, P.C.**

1206 San Antonio St.

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512-469-6000 (t)

512-482-9346 (f)

*Counsel for Salado Creek Water and  
Air Coalition*



**Protestant Form**  
**CONTESTED CASE HEARING REGISTRATION**  
(REQUIRED BY DISTRICT RULE 6.10 (Subsections 8-10))

Date of Hearing: 8 May 2024

PLEASE PRINT CLEARLY AND COMPLETE ALL SPACES

- ☐ I do wish to testify before this board as an affected party:  
☒ I wish to register as affected party, but will not testify:
- ☐ for  
☒ against  
☐ other, as indicated:

☒ **Permit Hearing** (Drilling and/or Operating Permit Application Before Board)

NAME ON PERMIT: Victory Rock Texas AGENDA ITEM: # 2

Please state basis for which you are contesting, protesting or otherwise as an affected person in this hearing: See attached

Name (please print): David P. Penney

Address: 6350 Solana Ranch Rd

City: Salado State: Tx Zip: 76571

Telephone: 254-677-2986 Fax: \_\_\_\_\_

Precinct Number or Board Director: 2 - Gary Young

In appearing before this Board, I represent: ☒ myself  
☐ the following persons, firms, corporations, or groups:

**BY SUBMITTING THIS DOCUMENT I DO SOLEMNLY SWEAR THAT THE TESTIMONY I GIVE IN THIS HEARING WILL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH.**

David P. Penney  
Typed Name

**SUBMIT FORM**

To: [tsmith@cuwcd.org](mailto:tsmith@cuwcd.org)

\* "Affected Person" means a Person who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest that is within the District's regulatory authority and is affected by the permit or permit amendment application to be considered, not including an interest common to members of the public. When used with respect to a Groundwater Management Area, "Affected Person" means: 1) an owner of land in the Groundwater Management Area; 2) a district in or adjacent to the Groundwater Management Area; 3) a regional water planning group with a water management strategy in the Groundwater Management Area; 4) a Person who holds or is applying for a permit from a district in the Groundwater Management Area; 5) a Person who has groundwater rights in the Groundwater t Area; 6) or any other Person defined as affected by a TCEQ Rule.

To Clearwater Underground Conservation District (CUWCD),

My name is David Penney and I live at 6350 Solana Ranch Road, Salado Tx 76571.

I will be unable to attend the hearing set for May 8, 2024, therefore wish to file a motion for continuance for up to 60 days for the following reasons:

- Obligations with my full-time employment prevent me from attending the hearing on May 8<sup>th</sup>
- More time is needed to collect and review data on the impact of the proposed Victory Rock operating permit on existing Middle Trinity and Lower Trinity wells in the area
- If this motion for continuance is not granted, then I name Mr. Johnny Baird to testify on my behalf

I am filing this protestant form as an affected person in regard to the request from Victory Rock Texas, LLC for an operating permit request to produce groundwater not to exceed 22,076,405 gallons per year from well #N3-24-003G completed in the Hensell layer of the Trinity Aquifer. My status as an affected person is based on the location of my home approximately 0.5 miles from the Victory Rock site with an operating well #N2-19-002P which also draws groundwater from the Middle Trinity aquifer for domestic use.

Groundwater supplies in Texas are a precious resource that must be managed appropriately, and the Clearwater UWCD has the mission and responsibility to develop and implement an efficient, economical and environmentally sound groundwater management program to protect and enhance these water resources.

It is quite clear that Victory Rock's operating permit request to withdraw up to 22 million gallons of water per year from the Middle Trinity aquifer is both excessive and unsustainable for the long-term reliability of the groundwater supply in Bell and Williamson Counties.

Therefore, I respectfully request that Clearwater UWCD reject this operating permit request from Victory Rock LLC and that Victory Rock LLC seek an alternative source for the water supplies they need. I also respectfully request that Clearwater UWCD work with appropriate authorities having jurisdiction over groundwater supplies in Williamson County on a long-term solution for the sustainability of the Middle Trinity and Lower Trinity aquifers.

My comments and concerns regarding approval of this operating permit are as follows:

1. Information on the Clearwater UWCD website states that the desired future condition (DFC) expressed in Clearwater UWCD's Management Plan for the Middle Trinity layer of the Aquifer is to contain the drawdown at no more than 5.72 feet average per year or 286 feet over 50 years. This process is mandated by Chapter 36 "Texas Water Code" and requires Texas Water Development Board to set the managed available groundwater for each major aquifer accordingly.
2. Reports on the Clearwater UWCD website indicate that the current county-wide drawdown rate for the Middle Trinity is averaging 5.9 feet per year and the Lower Trinity is averaging 7.3 feet per year over the last six years. These rates already exceed the DFC goal in Clearwater UWCD's management plan.
3. Reports on the Clearwater UWCD website also state that in specific rural areas that depend solely on the Middle Trinity Aquifer, Clearwater UWCD found much greater drawdowns in rural subdivisions such as the River Ridge Ranch, south of Killeen on the Lampasas River, with drawdowns as high as 13.3 feet/year over the last six years, compared to the District wide average of 5.9 feet/year.
4. Based on CUWCD measurements on my residential well, the level has dropped approximately 24 feet over the last 2 ½ years, or approximately 10 feet per year, which also exceeds the district's DFC goal.
5. There are multiple homeowners in the Solana Ranch and surrounding areas with existing residential wells that are solely dependent on the Middle Trinity as a secure and reliable water source for their homes, families, and businesses.

6. The volume of water that Victory Rock proposes to withdraw would supply the equivalent 325 homes for one year (based on my 2023 actual usage).
7. Reports on the Clearwater UWCD website state that Clearwater UWCD recognizes the many factors that are contributing to drawdown and that the unmanaged groundwater use in Williamson County is contributing to the problem in Bell County. This makes it imperative that Clearwater UWCD continues to work with authorities in Williamson County on long term solutions for the sustainability of the Middle Trinity and Lower Trinity aquifers, and that unpermitted wells in Williamson County do not continue to have detrimental effects on the residents and businesses of Bell County.
8. Finally, I do not believe that the short duration of the pump test conducted by Victory Rock was adequate to assess the long-term impacts of Victory Rock's usage on existing wells in the area, or on the Middle Trinity as a whole.

However, if Clearwater UWCD chooses to approve Victory Rock's operating permit, then there are certain levels of responsibility and accountability that Clearwater UWCD must assume with this decision.

- a. If the permit is approved, what is Clearwater UWCD's plan to attain the DFC goal of 5.72 ft/year for the Middle Trinity with the Victory Rock additional usage when data shows the current drawdown levels already exceed that rate?
- b. If the permit is approved, what is Clearwater UWCD's plan to address aquifer levels for well owners in the immediate vicinity of the Victory Rock site that will possibly experience more severe changes in well levels? How does CUWCD plan to ensure that existing Middle Trinity well owners have access to a secure water supply for their homes and families? What is CUWCD's plan for existing well owners for any financial burdens imposed by Victory Rock's additional usage, i.e. the cost to lower our existing wells?
- c. Finally, if the permit is approved, are other options available to assure a reliable and sustainable water source for existing well owners? These may include:
  1. Issuing the permit on a shorter-term basis until the long-term effects can be adequately assessed.
  2. Shortening the level monitoring measurements on other wells in the vicinity to quickly determine impacts of Victory Rock's operations.
  3. Stipulations within the permit to either reduce Victory Rock's production levels or rescind the permit altogether if severe impacts are found.

A final note, for residents in the Solana Ranch area, Victory Rock has shown on multiple occasions that they do not act in good faith and are not a good steward for the environment. The basis for this is:

- a. Multiple complaints and citations issued in response for failure to contain dust contamination on the quarry site within their air permit limits.
- b. Multiple complaints and citations issued due to rock from blasting operations landing on or damaging neighboring properties.
- c. Multiple citations issued to gravel trucks for violations on Solana Ranch Road.
- d. And most recently, a cease-and-desist order from the county for improperly digging a water line across the county road without proper permits or easements.

I understand that Clearwater UWCD is primarily concerned with water management and conservation, and the issues listed above are not germane to that responsibility, however, I believe it speaks volumes as to the character and integrity of Victory Rock and its leadership, and these factors should be included in the decision process.

Thank you for your consideration,

Respectfully submitted,  
David Penney

# KT Groundwater Technical Memorandum



2804 Paradise Ridge Cove  
Round Rock, Texas 78665  
(512) 621-7237  
KTGroundwater.com  
TBPG Firm No. 50705

## Technical Memorandum

**To:** Mr. Dirk Aaron, General Manager  
Whitney Ingram, Assistant General Manager –  
Clearwater Underground Water Conservation District

**From:** Michael R. Keester, P.G.  
Philip Webster, P.G.

**Date:** May 2, 2024

**Subject:** Hydrogeologic Evaluation of the Victory Rock Well (N3-24-003G) Permit Application

---

**Proposed Well ID:** N3-24-003G

**Well Owner Name:** Bryan Goode

**Tract Size:** 55.56 Acres

**Column Pipe Size:** 2 inches

**Aquifer:** Middle Trinity

**Management Zone:** Stillhouse Hollow

**Proposed Annual Production:** 67.75 acre-feet (22,076,045 gallons)

**Proposed Instantaneous Pumping Rate:** 42 Gallons per Minute

According to information provided in the permit application, the proposed production is for industrial use for a sand and gravel mining operation (washing and dust suppression) and to provide water to Five Star Concrete, LLC for concrete mixing. The application requested 67.75 acre-feet per year of production (22,076,045 gallons per year). However, on April 22, 2024 the applicant provided information demonstrating demand for at least 27.62 acre-feet/year (“AFY”) or approximately 9,000,000 gallons per year. This projected water demand is based on the water usage of Five Star Concrete, LLC’s Uhland Plant.

Well N3-24-003G is completed and produces groundwater from the Middle Trinity Aquifer in the Stillhouse Management Zone. The application indicates the well is screened from 827 to 880 feet below ground level. The CUWCD virtual bore indicates the Middle Trinity is about 885 feet below ground level and about 46 feet thick.

The applicant conducted a pumping test with the Middle Trinity well and monitored a nearby well. As part of the hydrogeologic evaluation, we estimated transmissivity and storativity from the pumping test data. We used the aquifer parameters determined from the pumping test to

estimate drawdown at nearby Middle Trinity wells under various production rate scenarios. In addition, we also conducted simulations using the Clearwater Groundwater Management Model (“CGMM”)<sup>1</sup> to estimate regional drawdown under the various pumping rate scenarios.

## Aquifer Test

The applicant conducted two multiday pumping tests using the Victory Rock Middle Trinity well (N3-24-003G) reportedly pumping 42 gallons per minute (“gpm”). Prior to the first pumping test, the applicant installed a datalogger (that is, transducer) in their Middle Trinity well to record changes in water level. The first test involved pumping the well between March 19, 2024 and March 25, 2024. Following this first test, the District installed a sonic water level datalogger on Middle Trinity well E-23-075P, located approximately 1,300 feet from the Victory Rock well, to monitor water levels during a second pumping period. The second pumping period started on March 28, 2024 at 11:45 a.m. and ended on April 5, 2024 at 5:04 p.m. Following completion of the second pumping test the applicant left the transducer in the well and recorded water levels until April 19, 2024. Attached are charts illustrating the water levels and analyses discussed below.

During the first pumping test water levels were generally rising within the pumping well. In addition, data from an observation well were not available during the first pumping test. Since the second pumping test presented a more typical drawdown curve and water level data from an observation well were available, we focused our evaluation of the aquifer hydraulic properties on the data from the second pumping test.

The static water level in the pumping well was reported as 476.3 feet below ground level on March 19, 2024. Based on the transducer data, the pumping water level was 505.75 feet below ground level at the end of the pumping test. Overall, there was just over 29 feet of drawdown after 8 days of pumping. Much of the drawdown, approximately 27 feet, occurred during the first 24 hours of pumping.

We utilized the Cooper-Jacob<sup>2</sup> method to determine aquifer parameters using the pumping test data. Table 1 summarizes the transmissivity and storativity values determined from our evaluation of the pumping and observation well during the pumping and recovery period. Both the pumping and observation well data contained fluctuations in water levels potentially due to pumping from other nearby wells. For example, there are patterns that reflect pumping

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<sup>1</sup> Keester, Michael R.; Webster, Philip; Beach, James; Chen, Ye Hong, 2023, Clearwater Groundwater Management Model, Report prepared for the Clearwater Underground Water Conservation District, 56 pg.

<sup>2</sup> Cooper, H.H., and Jacobs, C.E., 1946, A Generalized Graphical Method for Evaluating Formation Constants and summarizing Well Field History, Am. Geophys. Union Trans. Vol. 27, pp. 526-534.



interference in the middle of most days which are likely due to a nearby domestic well. Also, on some days, the water levels in the pumping well suddenly dropped or increased.

**Table 1. Aquifer properties determined from the second pumping test. PW = Pumping well (N3-24-003G), OW = Observation well (E-23-075P), ND = Not Determined.**

Well – period	Transmissivity, gpd/ft	Storativity (-)
PW – testing period	3,500	ND
PW – recovery period	2,800	ND
OW – testing period	3,500	$2.6 \times 10^{-5}$
OW – recovery period	2,500	ND

On April 1<sup>st</sup> water levels recovered about 20 feet and then dropped again. Dr. Furnans indicated the pump shut off temporarily at that time but was restarted after a relatively short period. We did not receive pumping rates with the pumping test data and cannot assess if any of the other water level changes are due to pumping rate fluctuations. Similar water level fluctuations are also observed in the observation well data with the large fluctuations on April 4<sup>th</sup> and April 8<sup>th</sup> possible due to operation of the observation well or errors with the sonic measurement. Overall, the recovery data from the pumping well provided a relatively smooth data trend compared to the pumping water level data.

The average calculated transmissivity between the pumping and recovery trends was 3,075 gallons per day per foot (“gpd/ft”). Since storativity can only be calculated using observation well data, we calculated a value of  $2.6 \times 10^{-5}$  during the pumping period based on water level changes in the observation well. We compared these calculated local aquifer properties to the values in the CGMM. For the Middle Trinity layer, the CGMM has a transmissivity of 2,877 gpd/ft and a storativity of  $2.0 \times 10^{-5}$  at the proposed well location. Both of these values are similar to parameters determined from the pumping test.

As noted above, the testing was reportedly conducted at a constant rate of 42 gpm. This pumping rate is the equivalent of the requested annual volume of 67.75 AFY if the well were operated continuously at the reported rate. It is unlikely the well could maintain the reported pumping rate for a full year due to factors such as declining head and a corresponding decrease in pumping rate as illustrated by the pump curve, routine maintenance, or power failure. A lower annual volume reflecting actual potential use is more likely.



## Regional Drawdown

Based on data collected during the Victory Rock well pumping test, the depth to water in the Middle Trinity is currently about 476 feet below ground level. Based on monitoring well N2-19-002P and N2-19-001P, since the beginning of 2021 the Middle Trinity water level has been declining by about 12 to 13 feet per year (Figure 1 and Figure 2). Based on the top of the screen at 827 feet below ground level, is currently about 350 feet of water above the top of the screen with about 120 feet of regional water level decline per decade. The pump in the Victory Rock well is reportedly set at 750 feet below ground level, providing about 274 feet of submergence.

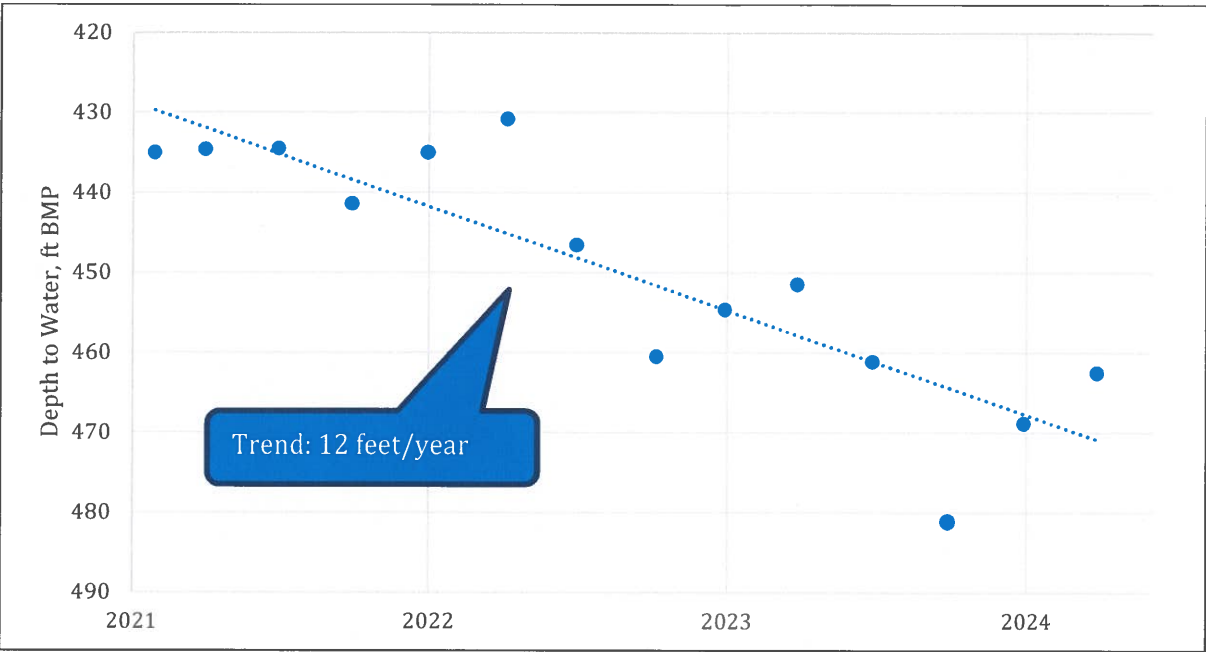
The adopted desired future condition (“DFC”) for the Middle Trinity Aquifer is 145 of average drawdown across the District. For evaluation of compliance with the adopted DFC the District considers the average annual decline over the 71-year DFC period or 2.04 feet per year of average water level decline. Based on CUWCD’s monitoring well data and aquifer analysis tool,<sup>3</sup> the current average and median trend in measured water levels is 5.55 and 5 feet per year of decline, respectively. Within the Stillhouse Hollow Management Zone, the average decline trend is 7.35 feet per year with a median value of 6.45 feet per year based on 17 CUWCD monitoring wells.

CUWCD monitoring data illustrate the local water level declines in the Middle Trinity Aquifer. Nearest to N3-24-003G, data indicate water levels are declining at a rate of more than 10 feet per year. Assuming the applicant is able to continue operating the well at about 40 gpm, experiences about 30 feet of drawdown when pumping for 24 hours, and requires about 20 feet of water above the pump to prevent cavitation there is about 225 feet of available drawdown. If water levels continue declining at a rate of 10 feet per year, or more, there is about 20 years of water available.

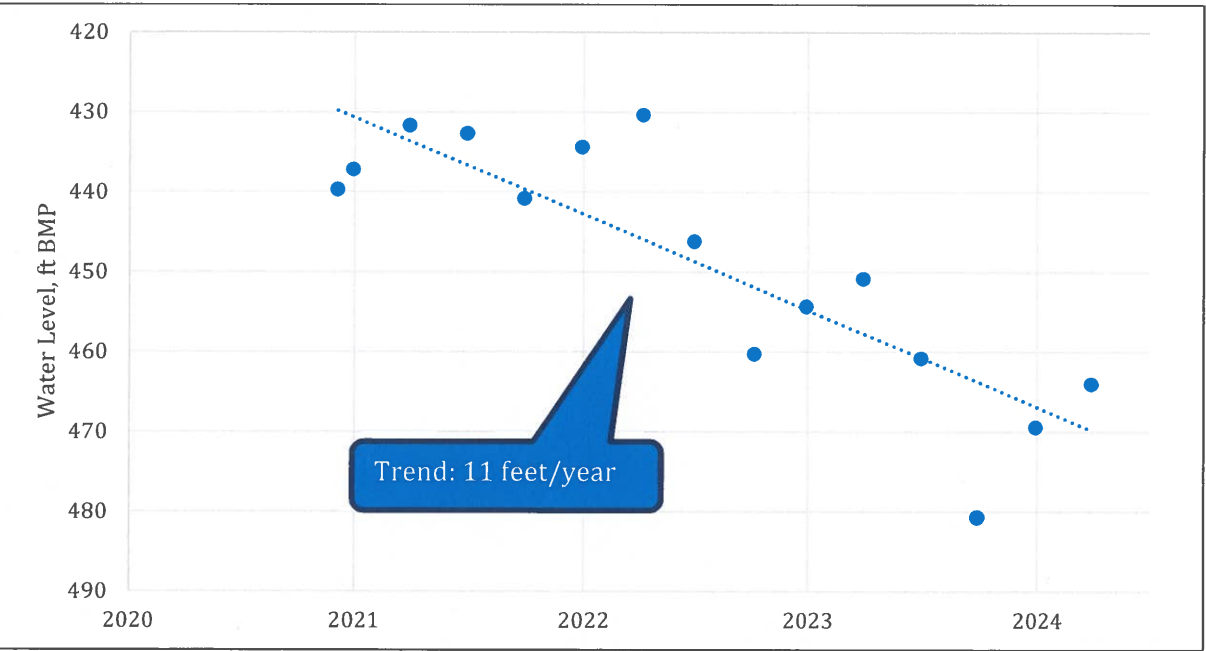
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<sup>3</sup> Keester, M. and Pedrazas, M., 2020, User Guide for CUWCD DFC Compliance Assessment Tool: Technical Memorandum to Dirk Aaron, General Manager – Clearwater Underground Water Conservation District for Update and Revisions to the District DFC Compliance Assessment Tool, 11 p





**Figure 1. Middle Trinity CUWCD monitoring well N2-19-001P. The well location is shown in Figure 3.**



**Figure 2. Middle Trinity CUWCD monitoring well N2-19-002P. The well location is shown in Figure 3.**



## Projected Effect on Existing Wells

We estimated the potential effects of the proposed permit on local water levels in the Middle Trinity Aquifer using the Theis<sup>4</sup> equation and the CGMM. Three annual production rates, shown in Table 2, were assessed with both modeling approaches. For the Theis equation, we used a transmissivity value of 3,000 gpd/ft and a storativity value of  $3 \times 10^{-5}$  based on the results of the Victory Rock pumping test<sup>5</sup>. Since the aquifer parameters in the CGMM were similar to the pumping test results, no changes were necessary for the modeling.

**Table 2. Pumping rate scenarios used to assess effects to nearby wells.**

Pumping Scenario	Acre-Feet per Year	Gallons per Year
A	10	3,258,510
B	27.62	9,000,000
C	67.75	22,076,405

### *Theis drawdown*

The Theis equation relates water level decline (that is, drawdown) to the pumping rate of a well and properties of the aquifer. While the equation does not account for aquifer conditions which may affect the calculation of long-term water level declines (for example: aquifer recharge, faulting, or changes in aquifer structure), it does provide a very good, reliable, and straightforward method for estimating relatively short-term drawdown in and near a well due to pumping. To assess the potential effects from the proposed production, the equation uses values representative of the Victory Rock pumping test results. We used these values to assess the potential drawdown at the proposed well and at existing wells located within two miles of the proposed well (Figure 3).

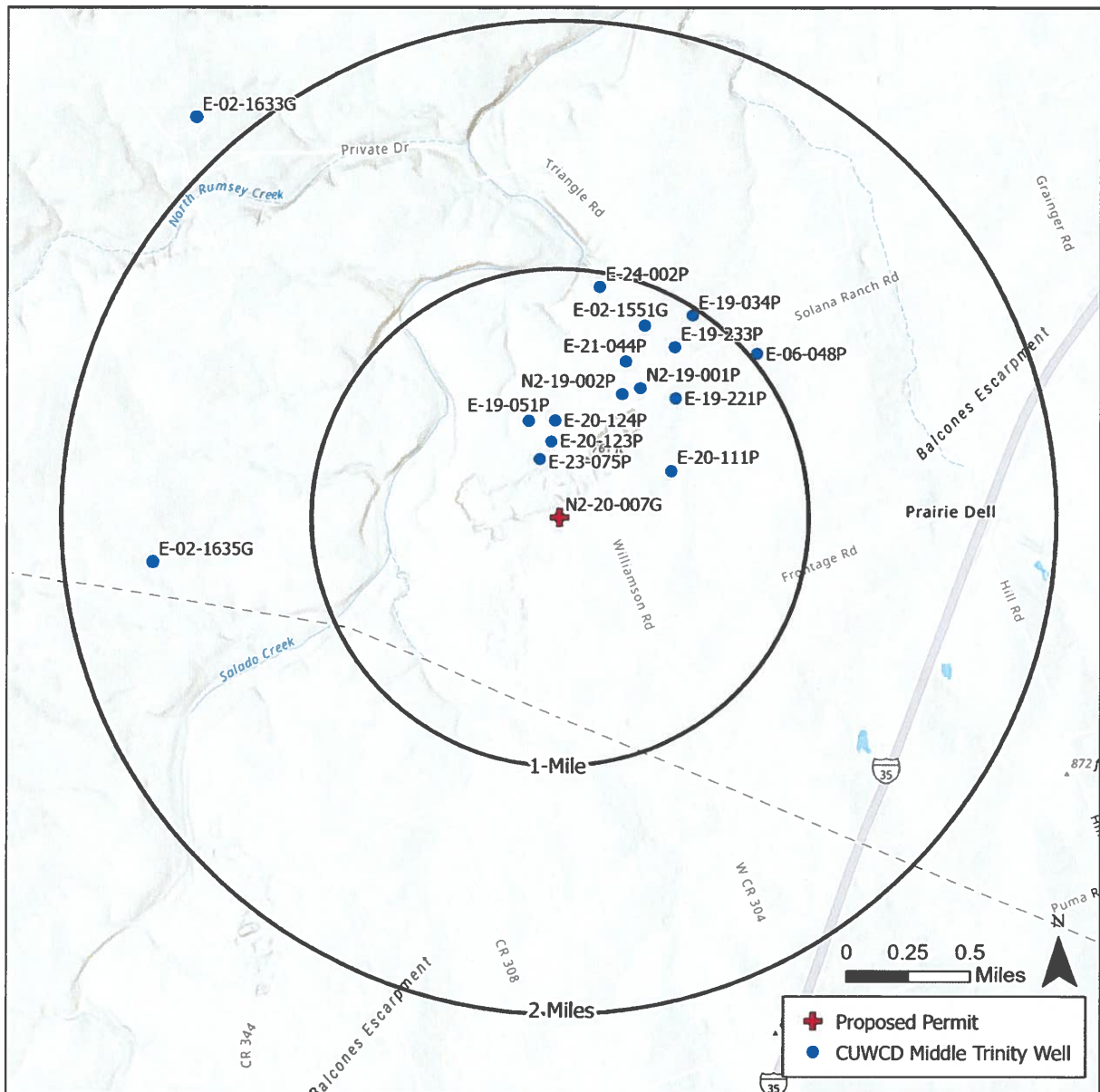
Table 3 presents the calculated drawdown at the proposed permit and nearby wells completed in the same aquifer. For 1-Day Drawdown, we applied the proposed instantaneous pumping rate for a period of 24 hours. Since the instantaneous rate is the same for all scenarios, the 1-Day Drawdown only includes one result per well. For 30-Day Drawdown, we assumed peak pumping during the summer of about 15 percent more than the average monthly amount (that is, the proposed annual production rate divided by 12 then multiplied by 1.15). For 1-Year Drawdown, we used the proposed annual production amount.

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<sup>4</sup> Theis, C.V., 1935, The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, Am. Geophys. Union Trans., vol. 16, pp. 519-524.

<sup>5</sup> While the values used are not specific to a calculated value, the parameters are representative of the calculated values while simplified to account for the approximation of the solution methods.





**Figure 3. The Victory Rock well and existing CUWCD active Middle Trinity wells.**



**Table 3. Calculated drawdown at the proposed and nearby Middle Trinity wells based on an instantaneous production of 42 gallons per minute and the three annual production rate scenarios described in Table 2. N = Negligible.**

CUWCD Well ID	Distance from Proposed Well (feet)*	1-Day Drawdown (feet)	30-Day Drawdown (feet)			1-Year Drawdown (feet)		
			A	B	C	A	B	C
<b>N3-24-003G</b>	—	28	6	16	39	6	15	37
E-23-075P	1,304	5	2	5	12	2	6	14
E-20-123P	1,641	4	2	5	11	2	6	14
E-20-124P	2,074	3	2	4	10	2	5	13
E-19-051P	2,159	3	N	4	10	2	5	13
E-20-111P	2,550	3	N	4	9	2	5	12
N2-19-002P	2,943	2	N	4	9	2	5	12
N2-19-001P	3,240	2	N	4	9	2	5	11
E-19-221P	3,520	2	N	3	8	2	5	11
E-21-044P	3,603	2	N	3	8	2	4	11
E-19-233P	4,364	N	N	3	8	2	4	10
E-02-1551G	4,461	N	N	3	7	2	4	10
E-24-002P	4,979	N	N	3	7	N	4	10
E-19-034P	5,130	N	N	3	7	N	4	10
E-06-048P	5,427	N	N	3	7	N	4	10
E-02-1635G	8,658	N	N	2	5	N	3	8

\*distance calculated from coordinates for the well as stored in the CUWCD database and are not necessarily the exact distance from the pumping well.

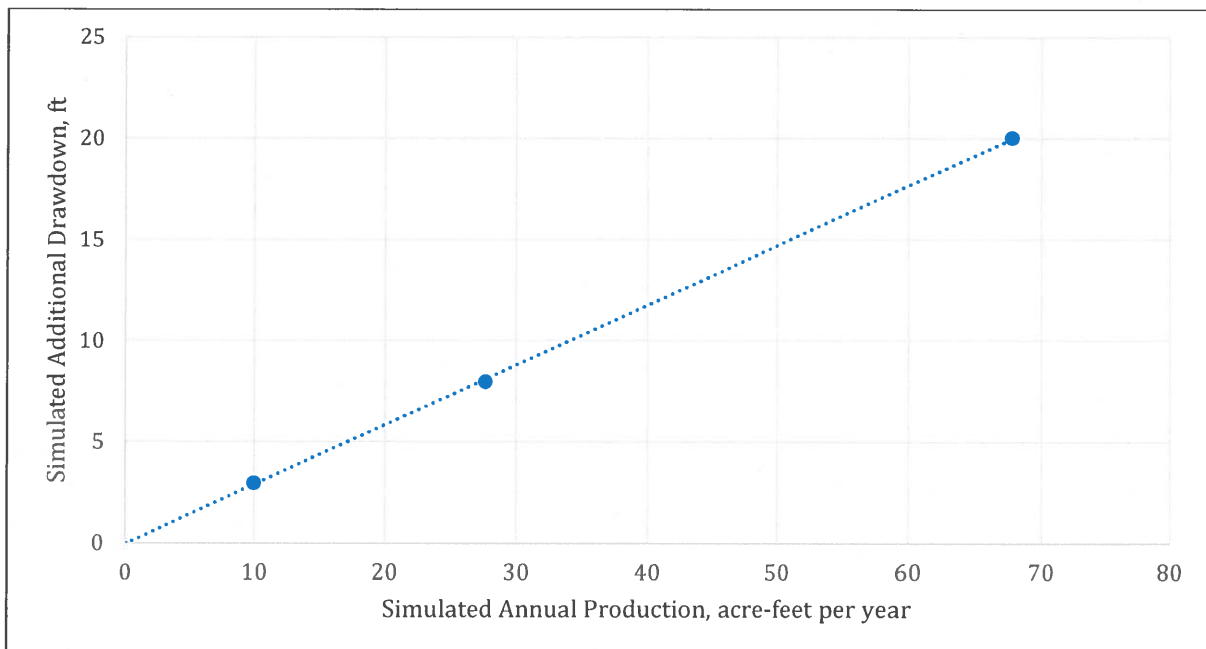
The predicted drawdown presented in Table 3 is based on our current understanding of the aquifer hydraulic properties and simulated production from the well. The predicted drawdown values presented do not include the effects from other wells pumping near the well. Predicted drawdown of one foot or less is considered negligible for analysis purposes due to inherent uncertainty in the aquifer hydraulic characteristics, modeling limitations, and limited effect the drawdown would have on existing groundwater users. To calculate a predicted 1-year drawdown value of one foot or less at the nearest existing well would require the pumping well to produce 4.8 to 7.1 acre-feet per year.

### ***CGMM drawdown***

We also used the CGMM to assess the effects of the proposed permit on nearby Middle Trinity wells and Middle Trinity Aquifer conditions. The advantage of using a numerical model is being able to consider aquifer stresses, like other wells, recharge, and cross-formational flow along with factors that may affect groundwater flow such as faulting, structure, and hydraulic properties. To evaluate the proposed permit, we ran the model with and without the proposed pumping with the difference in simulated water levels representing the effect of the proposed pumping.



Figure 4 shows the simulated additional drawdown at the closest reported well, CUWCD Well ID E-23-075P, from the different production scenarios after pumping for 50 years. After 50 years of pumping at the Scenario A rate (10 AFY), the water level at the nearby well is estimated to drawdown about 2 feet and about 2 to 3 feet in Middle Trinity wells less than 1 mile away (Figure 5). For Scenario B (27.62 (AFY), the water level at the nearest well is estimated to drawdown about 8 feet and about 7 to 8 feet in Middle Trinity wells less than 1 mile away (Figure 6). For Scenario C (67.75), the water level at the nearest well is estimated to drawdown about 20 feet and about 16 to 20 feet in Middle Trinity wells less than 1 mile away (Figure 7).



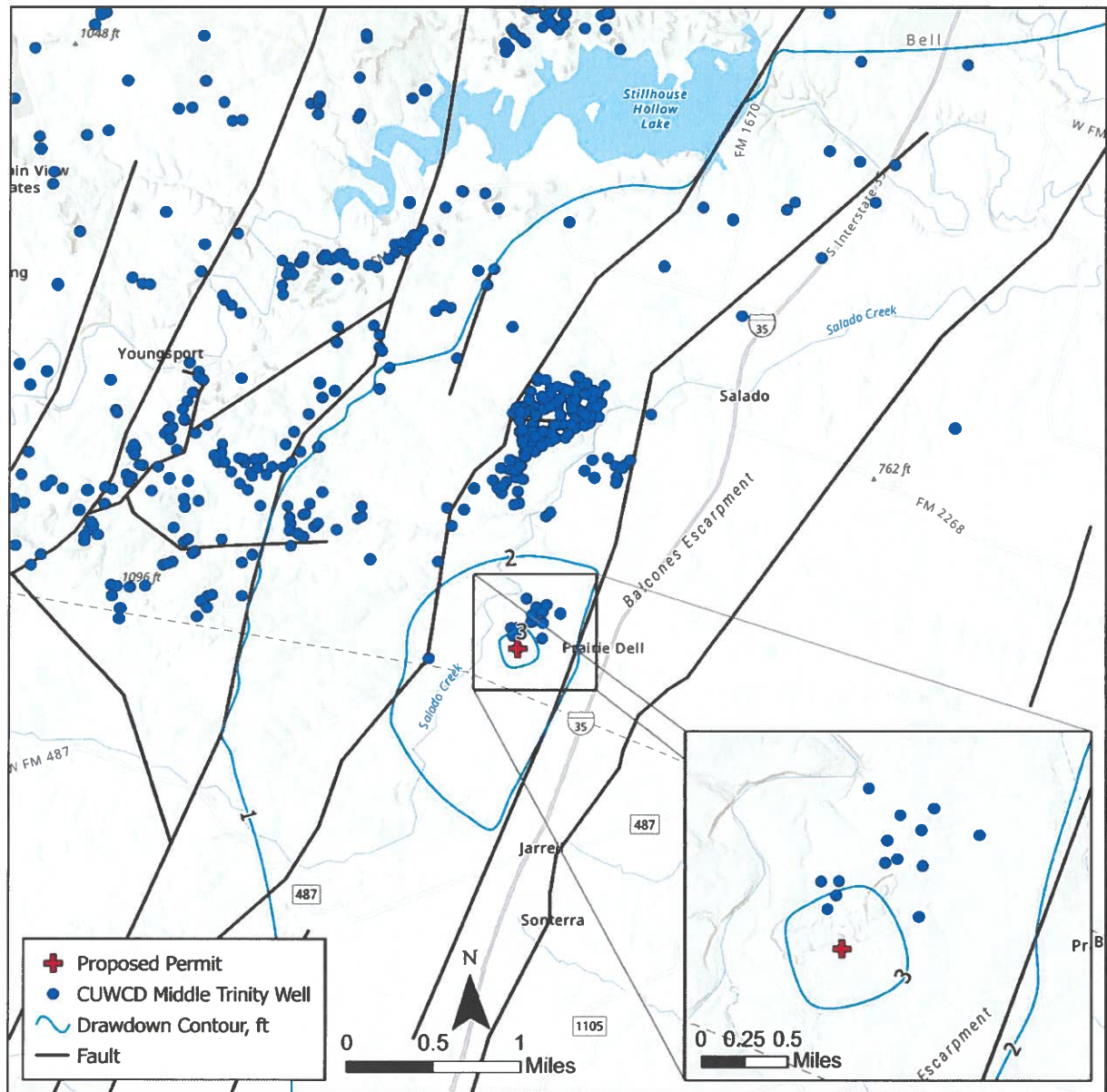
**Figure 4. Simulated additional drawdown at CUWCD Well ID E-23-075P after pumping at the three production scenarios for 50 years.**

Figure 5 through Figure 7 also show the effects of the fault just east of the proposed production. Most of the drawdown occurs on the western portion of the fault due to the modeled sealing properties of the fault. If the fault is less sealing than the model indicates, then we would expect more drawdown to occur east of the fault, resulting in less drawdown west of the fault.

By accounting for the structural changes in the aquifer, the CGMM predicts more additional drawdown than the Theis method. The results of the CGMM suggest 3.4 acre-feet per year of production would limit the additional drawdown at well E-23-075P to no more than one foot. However, the CGMM is coarse representation of the aquifer and production value could be a

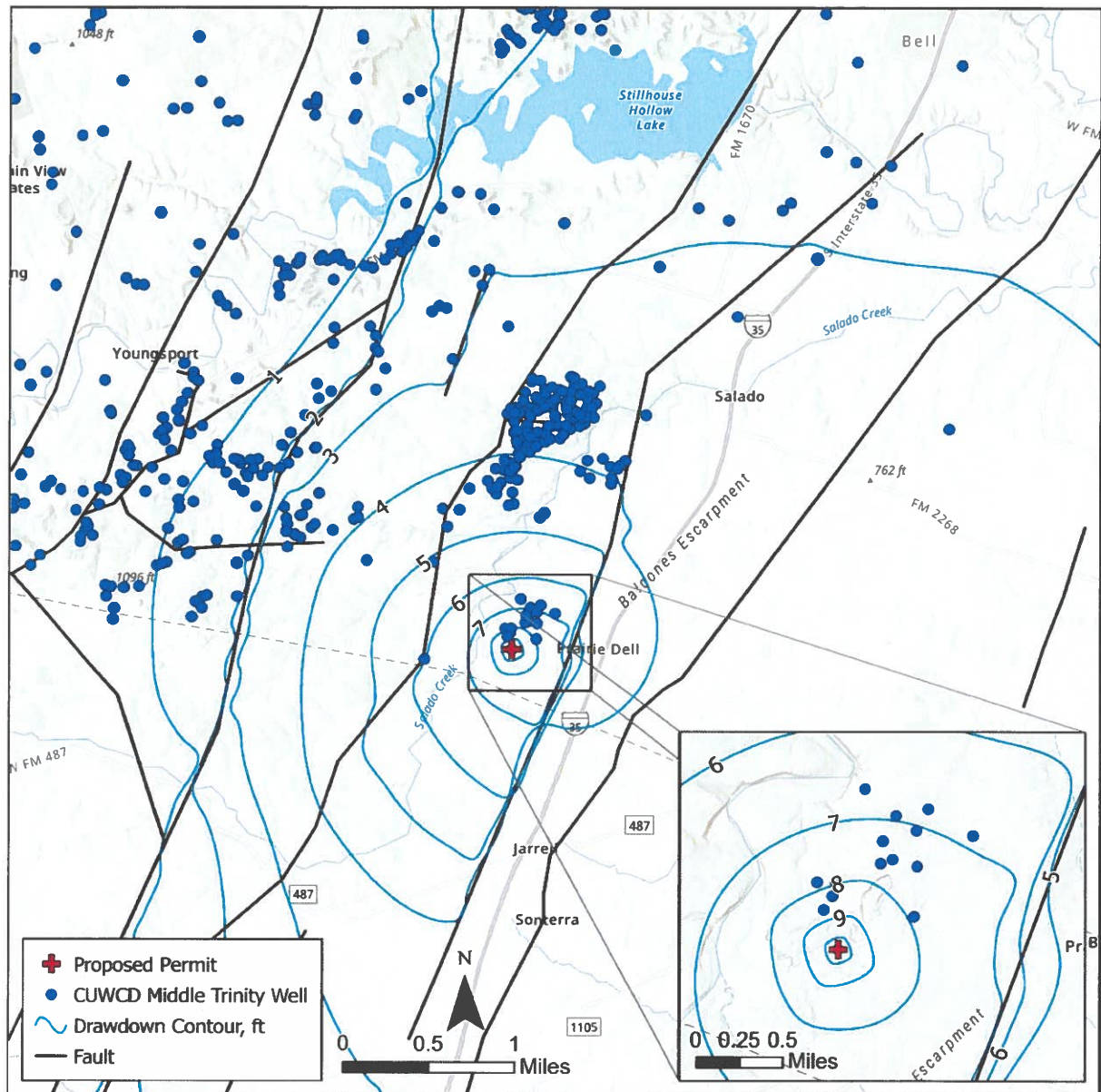


lower bound on the range of possible pumping that could result in one foot or less of additional drawdown at E-23-075P.



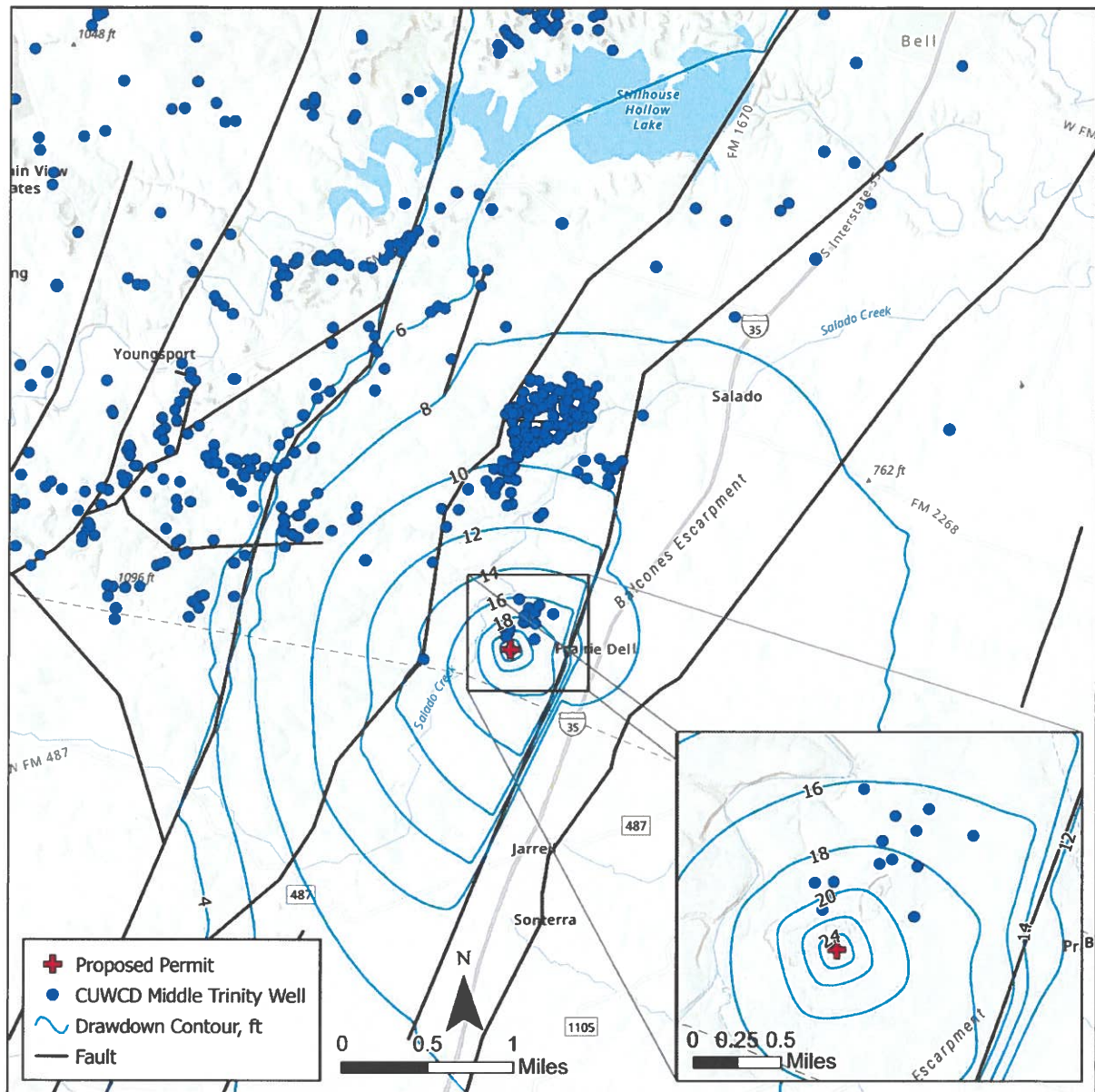
**Figure 5. Simulated additional drawdown due to the Victory Rock Middle Trinity well pumping at the Scenario A rate (10 AFY) for 50 years.**





**Figure 6. Simulated additional drawdown due to the Victory Rock Middle Trinity well pumping at the Scenario B rate (27.62 AFY) for 50 years.**





**Figure 7. Simulated additional drawdown due to the Victory Rock Middle Trinity well pumping at the Scenario C rate (67.75 AFY) for 50 years.**



## Conclusions and Recommendations

The applicant has applied for 67.75 acre-feet per year of production from the Middle Trinity Aquifer. Based on data provided, the applicant has documented demand for at least 27.62 acre-feet per year. It is unlikely the well could maintain the reported pumping rate for a full year due to factors such as declining head and a corresponding decrease in pumping rate as illustrated by the pump curve, routine maintenance, or power failure. A lower annual volume reflecting actual potential use is more likely.

Measured water levels in the area suggest water level decline of 10 feet per year or more. The adopted DFC for Middle Trinity Aquifer in the District is 145 feet of average drawdown over a 71-year period which is equivalent to about 2 feet per year. Within the Stillhouse Hollow Management Zone the median water level decline is more than 6 feet per year based on 17 CUWCD monitoring wells within the management zone.

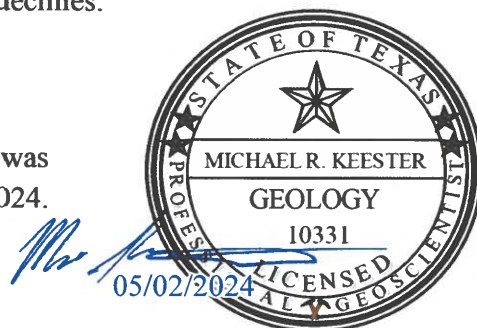
Based on the modeling results, Middle Trinity wells within 1 mile are estimated to experience approximately 10 feet of additional drawdown from the annual proposed production after one year and approximately 16 to 20 feet of additional drawdown after 50 years due to the proposed production of 67.75 acre-feet per year. These additional drawdown values do not include regional water level declines. Rather, they are in addition to any water level declines which may occur. To reduce the predicted additional drawdown at the nearest existing well (E-23-075P) to no more than one foot, the annual production would need to be 7.1 acre-feet or less.

Based on the current water level trends and projected additional drawdown, there is about 20 years of water available at well N3-24-003G. If water level decline trends increase, then the duration of water supply will decrease. A limitation of N3-24-003G is the placement of a liner within the well that will inhibit the owner from setting the pump in the screen interval. However, existing well owners near well N3-24-003G may need to set pumps within screen intervals within the next two decades if current Middle Trinity Aquifer water level trends persist.

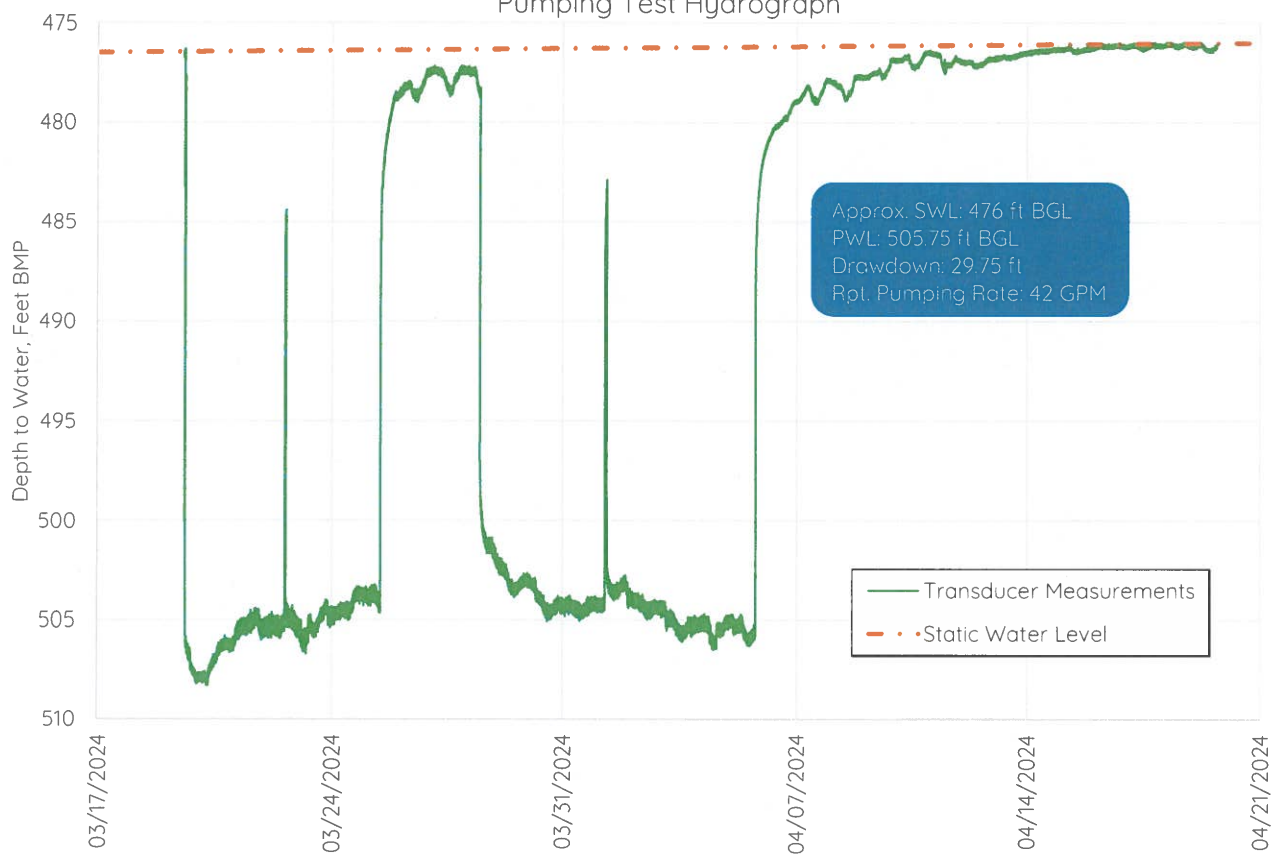
Additional water-level monitoring will aid in assessing the long-term effects of cumulative groundwater production in the area and in informing local users of the groundwater availability. We recommend the applicant install a measuring tube to assess actual changes in water levels due to pumping from the well and regional water level declines.

## Geoscientist Seal

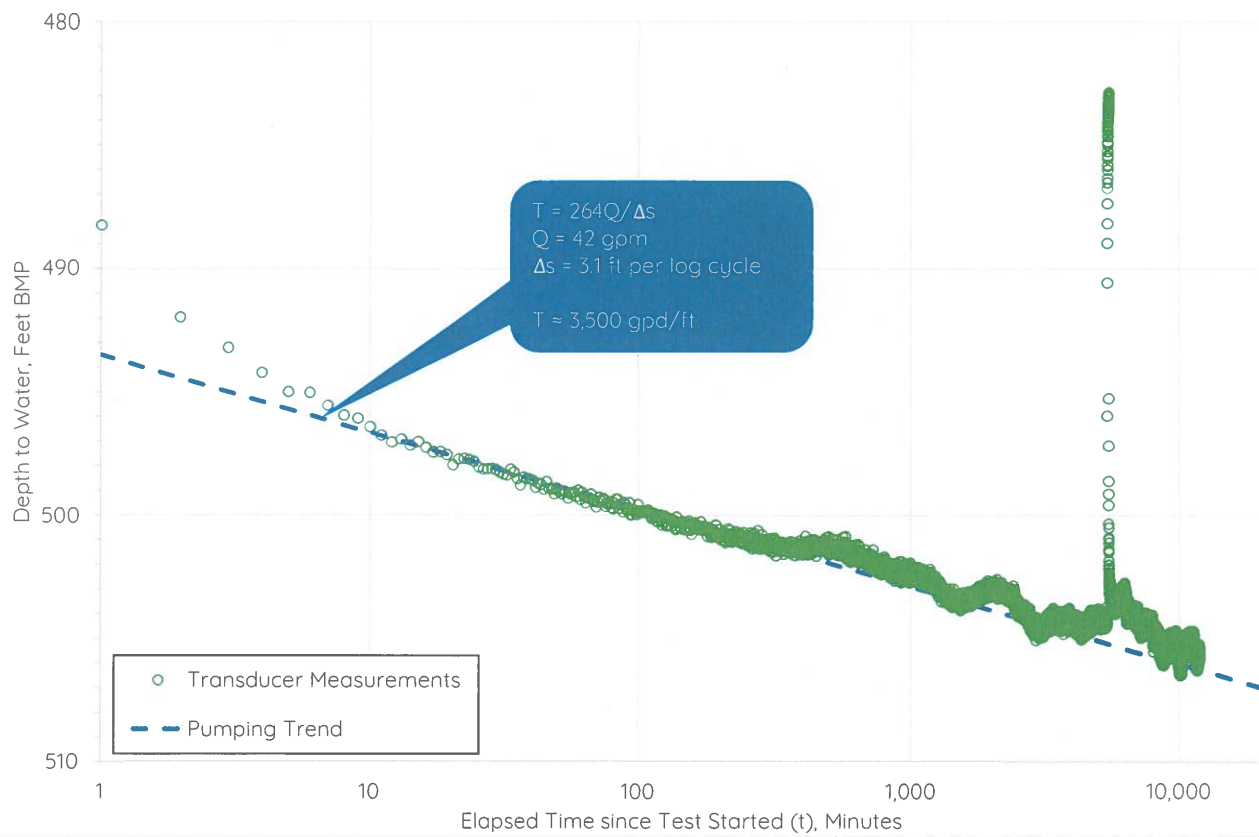
The signature and seal appearing on this document was authorized by Michael R. Keester, P.G. on May 2, 2024.



Victory Rock  
Test Well - N3-24-003G  
Pumping Test Hydrograph

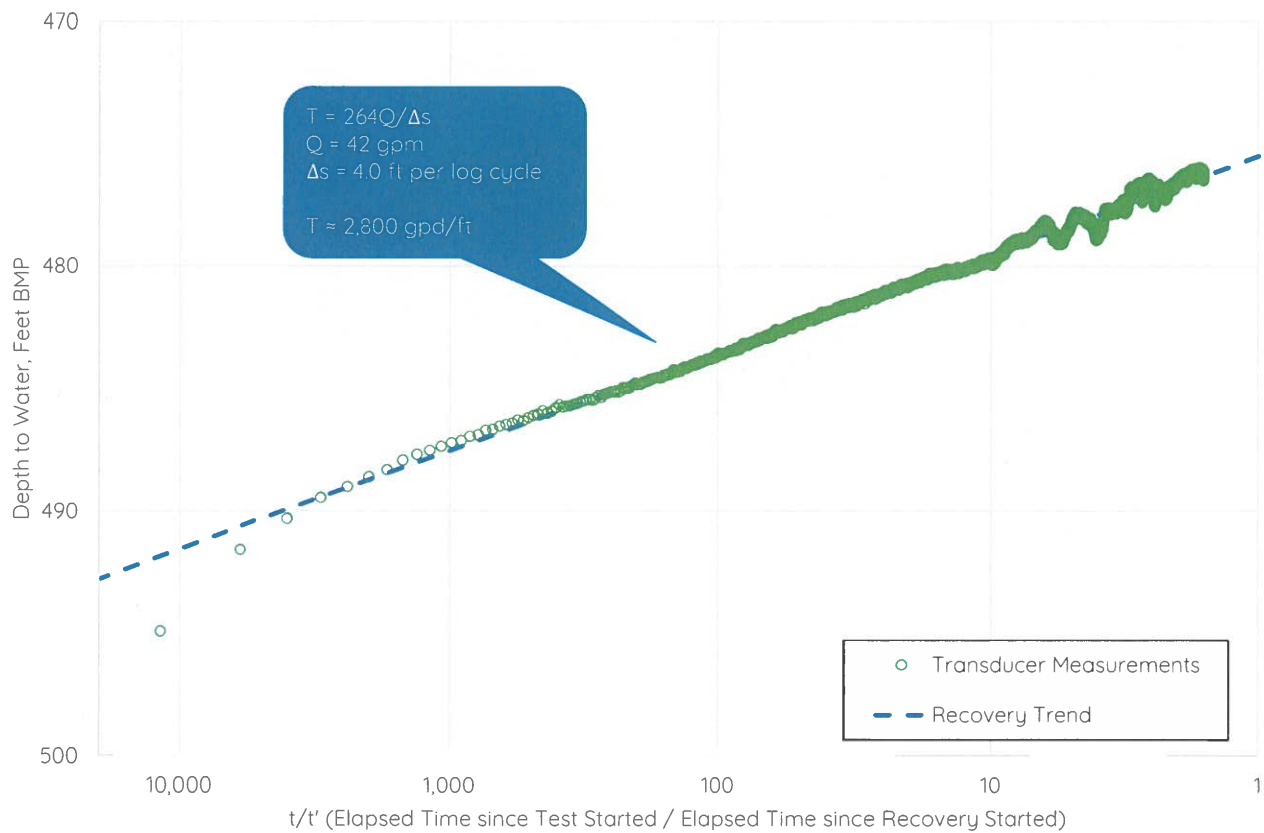


Victory Rock Pumping Test  
Test Well - N3-24-003G  
Cooper-Jacob Straight-Line Analysis - Pumping Period

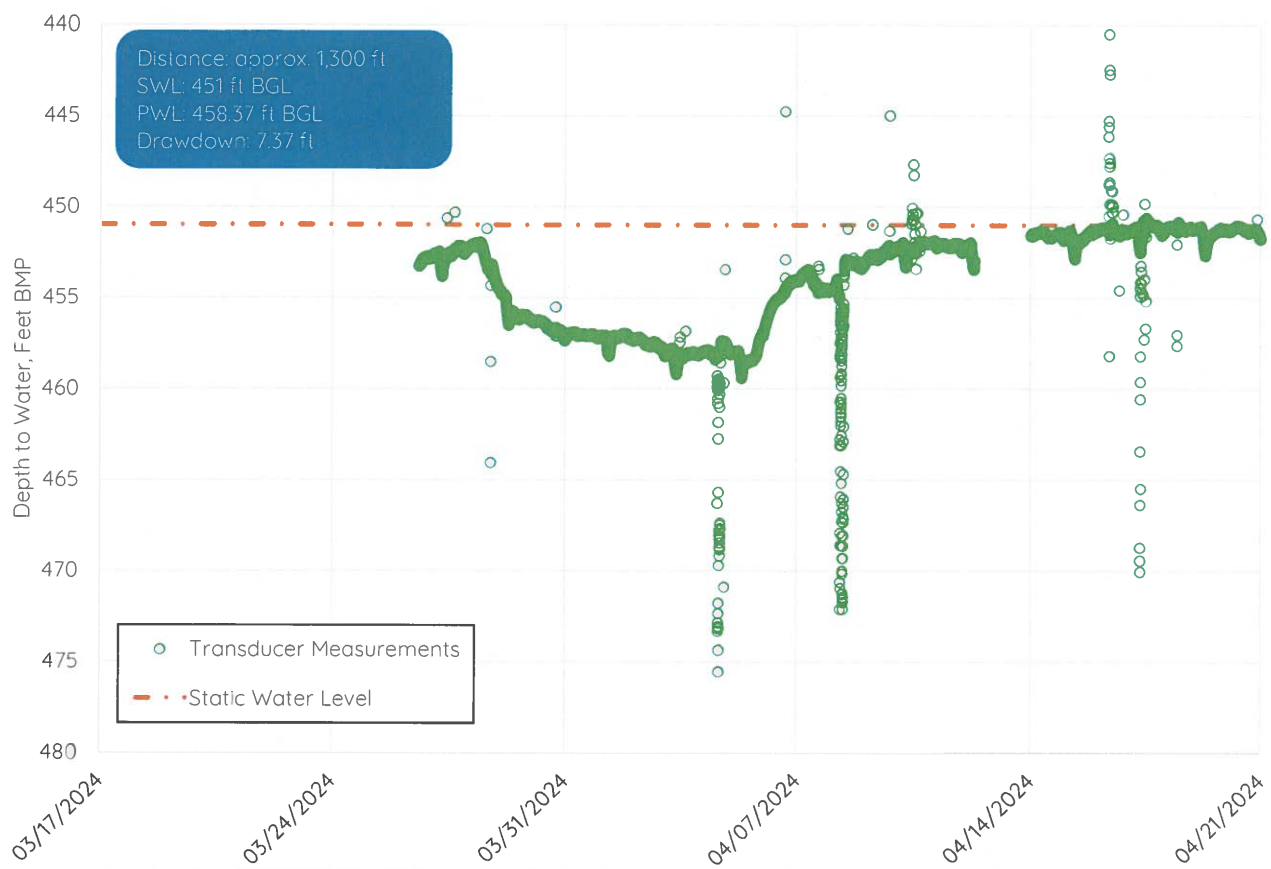




Victory Rock Pumping Test  
Test Well - N3-24-003G  
Cooper-Jacob Straight-Line Analysis - Recovery Period

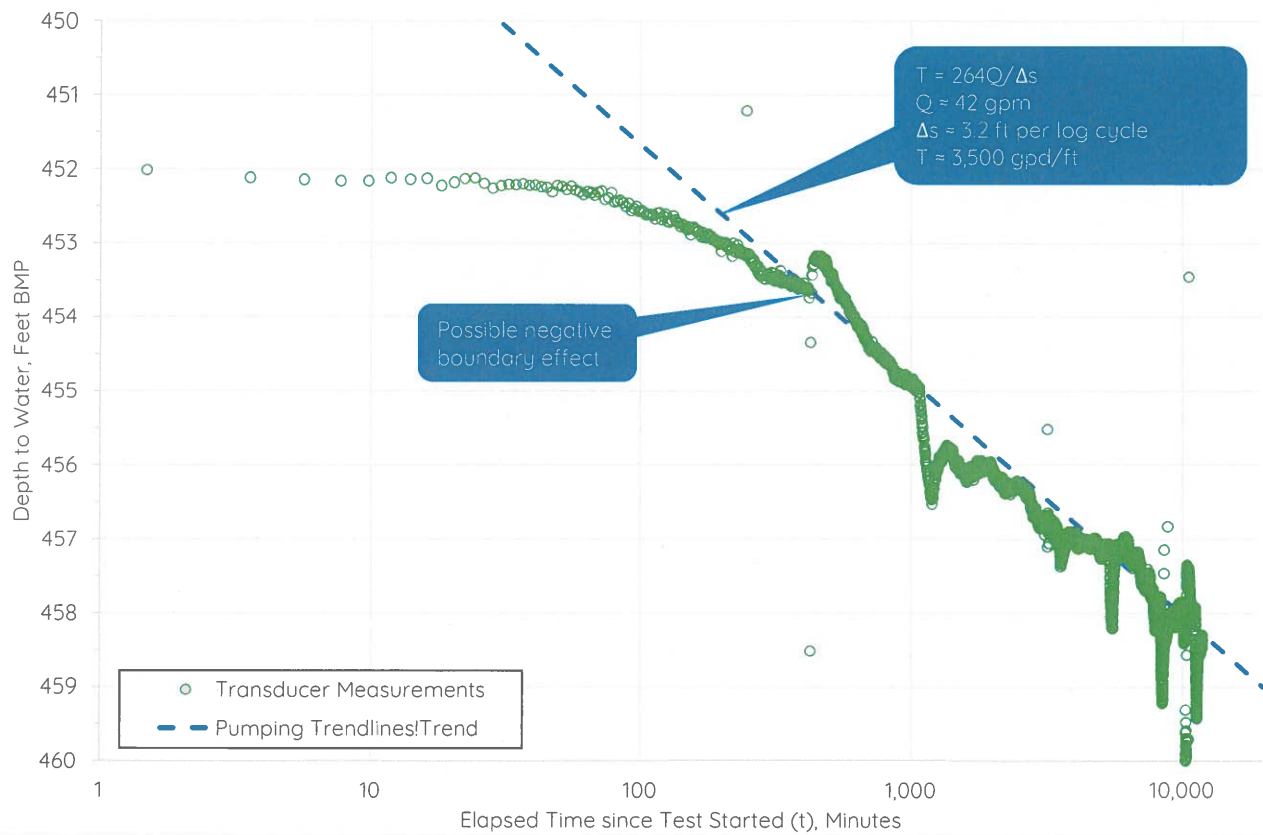


# Victory Rock Observation Well (E-23-075P) Hydrograph



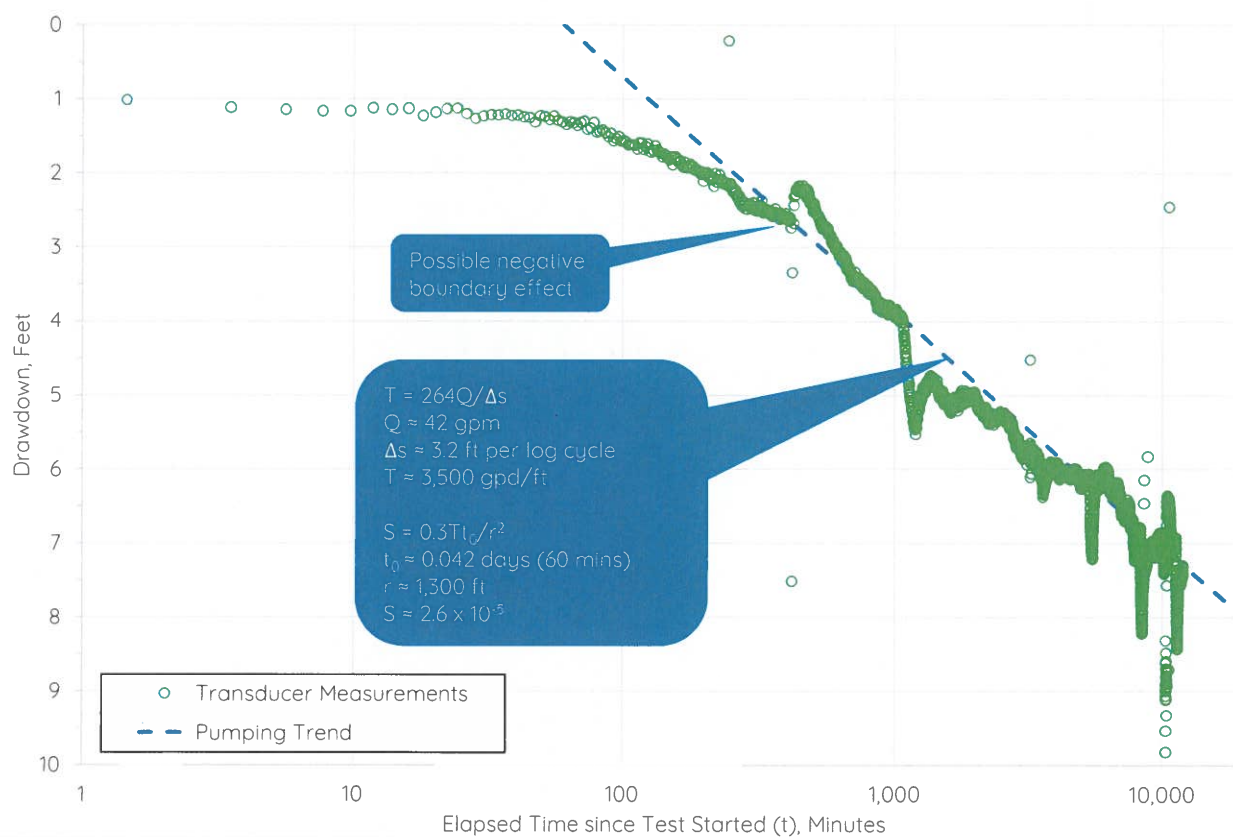


Victory Rock Pumping Test  
Observation Well - E-23-075P  
Cooper-Jacob Straight-Line Analysis - Pumping Period



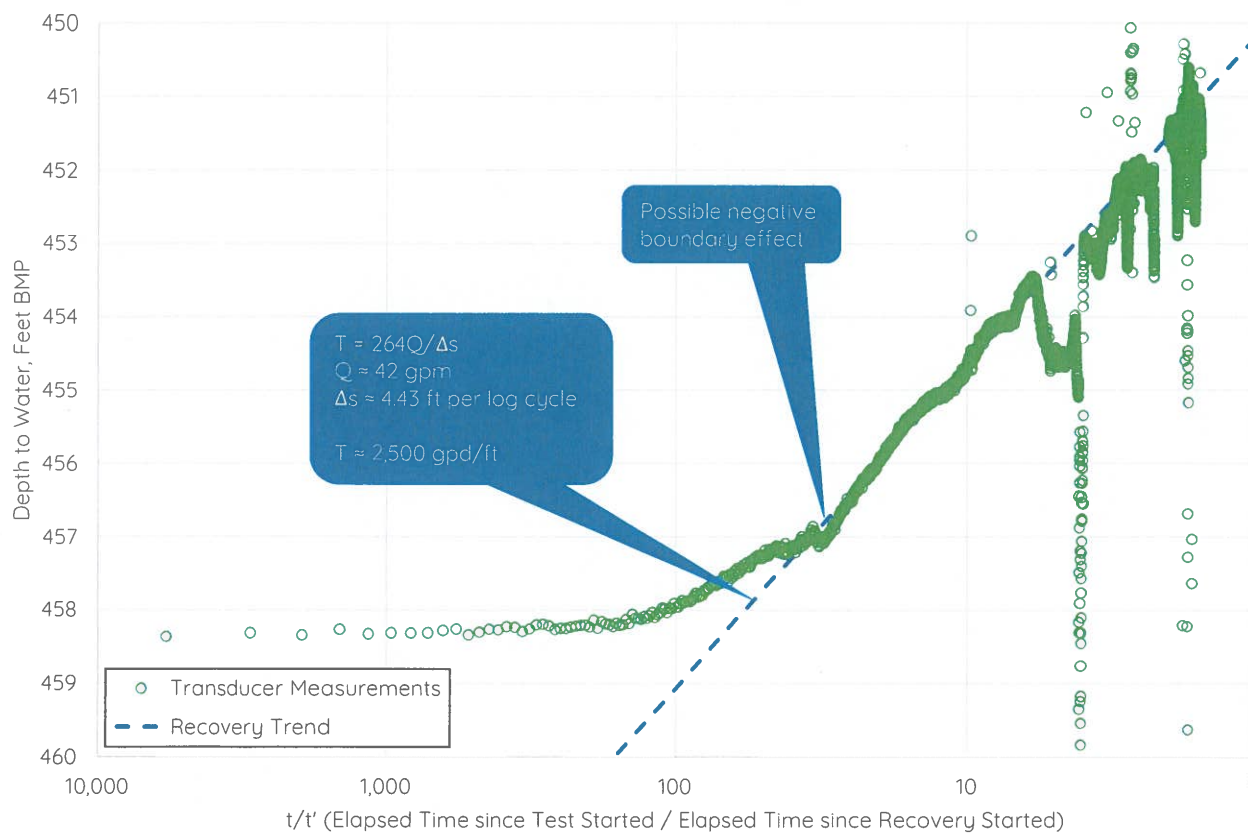


Victory Rock Pumping Test  
Observation Well - E-23-075P  
Cooper-Jacob Straight-Line Analysis - Pumping Period





Victory Rock Pumping Test  
Observation Well - E-23-075P  
Cooper-Jacob Straight-Line Analysis - Recovery Period



Application Cover Letter  
March 28, 2024



March 28, 2024

Dirk Aaron, General Manager  
Clearwater Underground Water Conservation District  
P.O. Box 1989  
Belton, TX 76513

via email: [daaron@cuwcd.org](mailto:daaron@cuwcd.org)

RE: Test Well Application Request & Application for an Operating Permit for a Non-Exempt Well Classification 3 for Clearwater Underground Water Conservation District Well E-02-3010G, Bell County, Texas

Dear Mr. Aaron,

This submission is to satisfy the requirements of Test Permit No. TW-24-001 and TW-24-002P, and to provide a complete package supporting an Operating Permit application for well E-02-3010G. I have broken up this report into sections addressing each of these items.

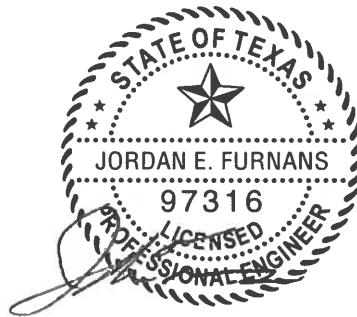
Please do not hesitate to contact me regarding this report, or on anything related to well E-02-3010G. I may be reached by phone at 512-736-6485 or via email at [Jordan.Furnans@lrewater.com](mailto:Jordan.Furnans@lrewater.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jordan E. Furnans", is written over a circular professional engineer seal.

Jordan Furnans, PhD, PE, PG

LRE Water, LLC



3/28/24  
TBPELS #14368

**Support for Test Permit No. TW-24-002P**

In an email sent to me dated 3/25/2024, the District provided Test Permit No. TW-24-002P, which authorizes a 24-hour pumping test to be performed on well E-02-3010G. The email listed items that the District must receive related to the first test well permit (No. TW-24-001). These items were:

1. Geophysical Log
2. Downhole camera survey
3. The raw pumping data from the first series of attempts to conduct and aquifer pumping test.
4. A timeline and description of the series of mishaps related to alleged improper activity that during the extended pumping test that harmed the test and possible the well itself.
5. An updated drillers report to the district that includes specific information necessary for the district to properly evaluate the work.

The geophysical log, downhole camera survey, and raw pumping data have been provided on a USB Drive accompanying this application. The updated drillers report will be provided to the District by Mike Griffis of Trinity Water Solutions, as he is the licensed driller who performed the repair on well E-02-0310G. LRE staff personally verified that the column pipe installed in the well is two (2) inches in diameter.

The following is the timeline of prior activities related to the pumping and testing of well N2-20-007G:

**Table 1 - Timeline of Mishaps of Alleged Improper Activities**

Date	Event & Notes
12/22/2023	Test Permit TW-23-01 Issued
1/3/2024	Video Survey Conducted by Well Scope
1/4/2024	Pump installed by Trinity Water Solutions
1/4/2024-1/5/2024	24-Hour Pump Test Commenced, performed by LRE Water staff using E-line water level measurements. Flow was limited to 35 GPM. Water was collected in onsite tanks and transferred to lined storage pond via truck.
1/9/2024	Pump & Column Pipe removed by Trinity Water Solutions
1/10/2024	Gamma Log Survey By Conducted Well Scope
1/11/2024	Higher Rated Pump (45GS100) Pump installed by Trinity Water Solutions. Wellhead connected to a 2" diameter discharge line to convey water to Victory Rock, LLC storage tank.

1/11/2024	Extended Pumping Test commenced, to stress aquifer and obtain better data on aquifer properties. System produced 37-39 gpm. Initial drawdown readings identical to those from 1/4-1/5 test.
1/14/2024 21:45	Pump operations last checked by Victory Rock staff
1/15/2024 05:00	Pump found off, pipes frozen. Suspected pump was shut off by vandals
1/17/24-1/19/24	Victory Rock, LLC replaces 2" discharge line with 3" discharge line
1/19/24 16:30	24-Hr Pump test restarted, performed by LRE Water staff using E-line water level measurements. Flow was 41-44 GPM
1/20/24 0530-1830	Water levels increased in the well, with flow rates decreasing. LRE Water staff stopped the test.
1/21/24	Trinity Water Solutions staff found sand within the discharge line, removed pump, found pump to be full with fine, Middle-Trinity formation sand.
3/18/24-3/19/24	Trinity Water Solutions installs a Muni-Pak screen inside the existing 4.5" OD PVC well casing. Re-installs the cleaned-out 45GS100 pump
3/19/24 14:21	Pump/System test commences, monitored with automatic levellogger. Static water level was 476 ft BGS, pumping 42-44 GPM, pumping level stabilized at 507 ft BGS (31 ft drawdown)
3/20/24 08:30	Water levels began rising, without decrease in flow rate. Rose to 505 ft BGS.
3/22/24 13:40	Meter failure noted, meter was replaced. Pumping restarted after 23 minutes.
3/25/24 11:37	Pump shut down after receiving email from Dirk Aaron. Pumping was continuous at 41-44 gpm

### Notes on Well E-02-3010G

During test of the well on 1/20/2024, LRE Water observed rising water levels with decreasing flow rates. The pumping was inducing the movement of sand through the slotted PVC casing and into the well, where it effectively clogged up the motor and prevented water flow.

To prevent Middle Trinity sands from entering the well and damaging the motor/pump, Trinity Water Solutions (Mike Griffis) installed a Muni-Pak system from Johnson Screens. This system consists of a 2" pipe size liner (2.5" OD) installed from 826' BGS to 880' ft BGS, with slot size of 0.020". Around the screen were installed ShurPak Beads 20-30, which were further incased by the outer screen with a diameter just under 4.5". The Muni-Pak screen is shown in Figure 1.



**Figure 1 – MuniPak Screen Installation in Well**

The Muni-Pack Screen was installed with a K-Packer at the top of the unit, to prevent water inside the PVC casing from flowing downward around the screened area. At the top of the screen unit is a connector which was ultimately disengaged by the installer to leave the screen in place after the installer withdrew the temporary installation equipment. In theory, this connector could be re-engaged, and the Muni-Pak screen removed if needed. Information on the Muni-Pak system from Johnson Screens is included in Attachment A.

### **Well Completion Report – Well E-02-301G**

As required in Test Permit No. TW-24-02 and Test Permit No. TW-23-001, a well completion report must be submitted to the District within 45 days of completion of the permitted pump test. This well completion report must contain:

- 1) A lithology log based on the cuttings collected during Drilling.
- 2) Geophysical log with the Well name, location, depth, and Drilling fluid properties recorded on the log header.
- 3) Well completion diagram identifying the open and cased intervals, casing and screen type and size, filter pack interval, cement interval, pump and motor (model number, pump bowls, horsepower, etc.), pump setting, column pipe type and size, pump head, and other pertinent information related to the Well construction.
- 4) Pump curve for the pump installed at completion of the test.
- 5) Data and analysis from a minimum 24-hour pumping test.
- 6) Water quality analysis results from a NELAP certified laboratory; and
- 7) Predicted impacts of the proposed production from the Well,

These requirements are provided as attachments to this report, and are discussed individually below.

#### ***Lithology Log***

As detailed on the Test Well Permits, the existing driller's well report sufficiently details the lithology of the well as determined during drilling in 2001. The driller's well report is provided as Attachment B. The lithology included in the report is reproduced in Table 2.

**Table 2 – Lithology Log from Original Driller's Report - Unaltered**

<b><u>Depths (ft)</u></b>		<b><u>Description and color of formation material</u></b>
<b><u>From</u></b>	<b><u>To</u></b>	
0	120	Edwards Lime
120	200	Grey Lime
200	240	Grey Shale
240	390	Grey Shale & Lime
390	840	Grey Lime
840	860	Sand
860	880	Limestone

The driller's report notes the well casing was slotted over the interval from 800 ft to 880 ft below ground surface, indicating the well would draw water from the Grey Lime, Sand, and Limestone features noted on the log.

### Geophysical Log

LRE Water directed Well Scope to perform a gamma log survey of Well E-02-3010G. This survey was performed on 1/10/202, and the log data is provided in PDF and LAS format on the USB drive accompanying this report. The log Header is shown in Figure 2.


 <b>WELL SCOPE</b> DRIPPING SPRINGS, TEXAS GEOPHYSICAL LOGGING & CAMERA SERVICES PO Box 572, Dripping Springs, TX 78620				www.well-scope.com 512-798-1888		
				Borehole: 5804707 Logs: Gamma		
Project:		Victory Rock- Middle Trinity Well		Date:		01/10/2024
Client:		Trinity Water Solutions		County:		Bell
Location:		30.876041, -97.609381		State:		Tx
<u><b>Borehole Data</b></u>						
Contractor:		Alpine Water Wells		Drilled TD (ft):		880
Elevation:		772'		Logged TD (ft):		875
Depth Ref:		ground level		Date Drilled:		06/04/2001
BIT RECORD				CASING RECORD		
RUN	BIT SIZE (in)	FROM (ft)	TO (ft)	SIZE/WGT/THK	FROM (ft)	TO (ft)
1	No Data	0	880	4.5" PVC	0	880
2						
Drill Method:		Air Rotary		Weight:		N/A
Hole Medium:		rock		Mud Type:		N/A
Viscosity:		N/A		Rm:		N/A
				at (Deg F):		N/A
<u><b>General Data</b></u>						
Logged By:		Chase Crane		Unit/Truck:		1
Witness:		Mike Griffis				
LOG TYPE	RUN	SPEED (ft/min)	FROM (ft)	TO (ft)	FT/IN	
CALIPER						
GAMMA	1	40	875	5	ft	
RESISTIVITY/SP/SPR						
VIDEO						
COMMENTS:						

Figure 2 – Geophysical Log header from Well Scope.

As required by the district, the Well name, location, and depth were recorded in the log header, although the “Borehole” is identified by the State Well Number 5804707 rather than the District designation E-02-3010G. Drilling fluid properties were not recorded on the log header as the properties were not relevant at the time of the log collection.

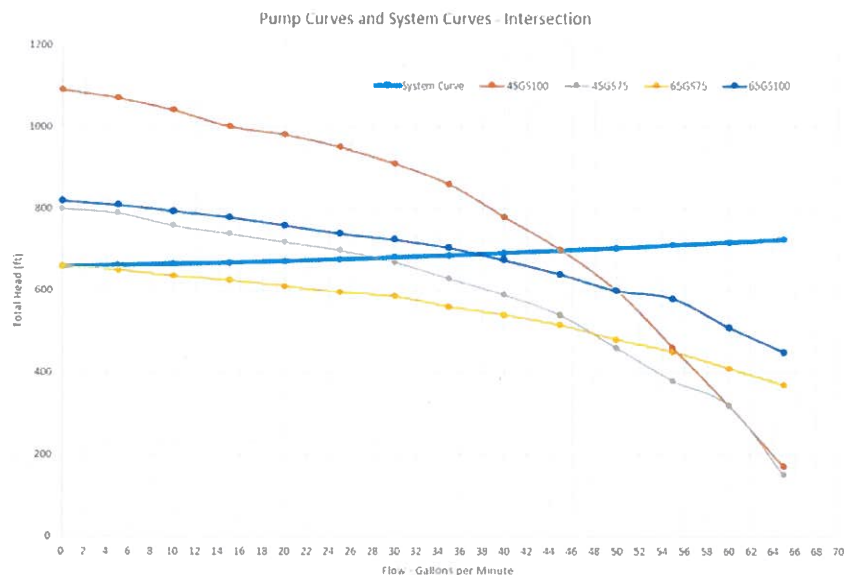
As per the District's additional request, a downhole video survey was conducted to verify the well's completion/integrity. The video survey was performed by Well Scope on 1/3/2024. A copy of the survey is provided on the USB drive accompanying this report. The survey was reviewed by LRE Water staff, and the review report is provided as Attachment C.

### ***Well Completion Diagram***

As required by the District, LRE Water prepared a well completion diagram identifying the open and cased intervals, casing and screen type and size, filter pack interval, cement interval, pump and motor, pump setting, column pipe type and size, pump head, and other pertinent information related to the construction of well E-02-3010G. Well completion diagrams are provided for the initial well condition and the final well condition. As noted in Table 1, the well began producing sand on 1/20/2024, and on 3/18/2024-3/19/2024 a Muni-Pak liner was installed to repair the well. Separate well completion diagrams are provided as Attachment D.

### ***Pump Curve***

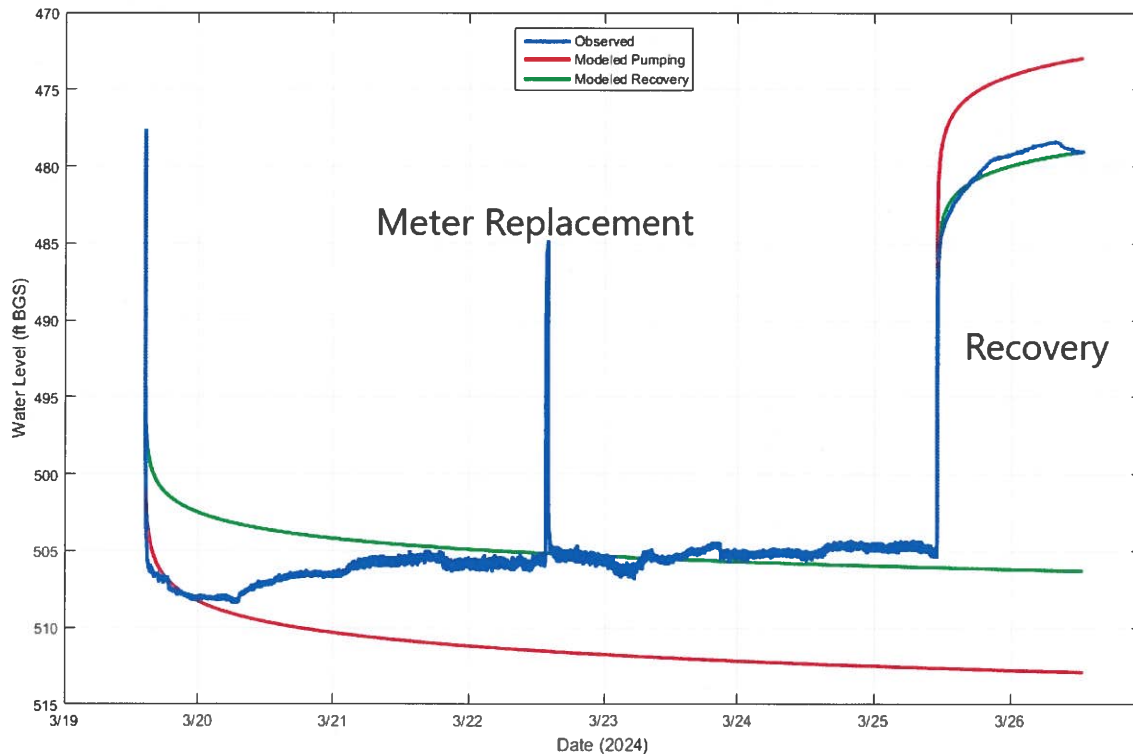
As shown in Attachment D, Trinity Water Solutions installed a 45GS100 pump (10 Hp) along with a single 0.75" ID slotted sounding tube to a depth of 750 ft below ground surface. The pump curves for the Goulds Water Technology Models 35GS, 45GS, 6GS, and 85 GS pumps are included in Attachment E. Figure 3 presents the pump curves and Well E-02-3010G system curve (computed by LRE Water), showing they system should produce 45 gpm and a Total Head of 700 ft using the 45GS100 pump.



**Figure 3 – Pump and System Curves for Well E-02-3010G**

### ***Pumping Test Data Analysis***

To test the efficacy of the Muni-Pak system, a pumping test was performed from 3/19/2024-3/25/2024, with recovery occurring until 3/26/2024. Pumping was held constant at approximately 42 gpm over the duration of the test. Results from that test are provided in Figure 4, and the raw "Observed" data are provided on the USB drive accompanying this report.



**Figure 4 – Pump Tests Results from the Muni-Pak System**

As shown in Figure 4, at test commencement the static water level was 476.3 ft BGS, and water levels dropped to approximately 507 ft BGS within 10 hours. Early in the morning on 3/20/24, water levels began to rise within the wellbore, as recorded by the installed pressure transducer. Water levels continued to rise over the course of the test. At 2:00PM on 3/22/2024, pumping was temporarily ceased in order to replace the malfunctioning water meter. Pumping resumed within 25 minutes, and water levels quickly returned to the 505 ft BGS level. Pumping ceased around 11:00am on 3/25/24, and water levels quickly recovered. Water levels actually decreased in mid-morning on 3/26/24, suggesting that pumping from one or more nearby Middle Trinity wells was occurring. The general increase in water levels from mid-3/20 to mid 3/25 also suggests that prior Middle Trinity pumping had recently ceased, and wellbore water levels were slowly recovering.

To estimate aquifer properties, observed water levels were matched with water levels predicted from the Theis equation (1935). For the Theis equation, pumping was set at 42 GPM, and the distance term was set to 0.1875 feet (the radial distance of the casing). One-hundred (100) factorial terms were used in computing the well function integral within the Theis equation. The value of storativity (S) was set to  $1 \times 10^{-4}$  based on discussions with Mike Keester, PG (of KT Groundwater). Values of transmissivity (T) and well efficiency were varied in order to create a “best fit” match to the observed water levels in Figure 2. Two “best fit” matches were created: 1) using the “pumping” portion of the observed data, until water levels started to increase on 3/20/24, and 2) using the “recovery” portion of the observed data, which started on 3/25/24. Resulting computed efficiencies are provided in Table 3.

**Table 3 – Computed Aquifer Properties from March 2024 Pumping Test**

Period	Transmissivity	Well Efficiency
Pumping	4977 gpd/ft	60%
Recovery	4044 gpd/ft	90%

The Theis-simulated drawdown and recovery curves are provided in Figure 2, with **GREEN** corresponding to the recovery curve and **RED** corresponding to the pumping curve. As shown, the higher transmissivity computed from the pumping portion of the observed data results in greater modeled water level recovery than was actually observed. Similarly, the lower transmissivity computed from the recovery data suggests higher water levels during the pumping portion of the test. This, however, is attributable more to the higher well efficiency indicated by the recovery data.

### **Water Quality Analysis**

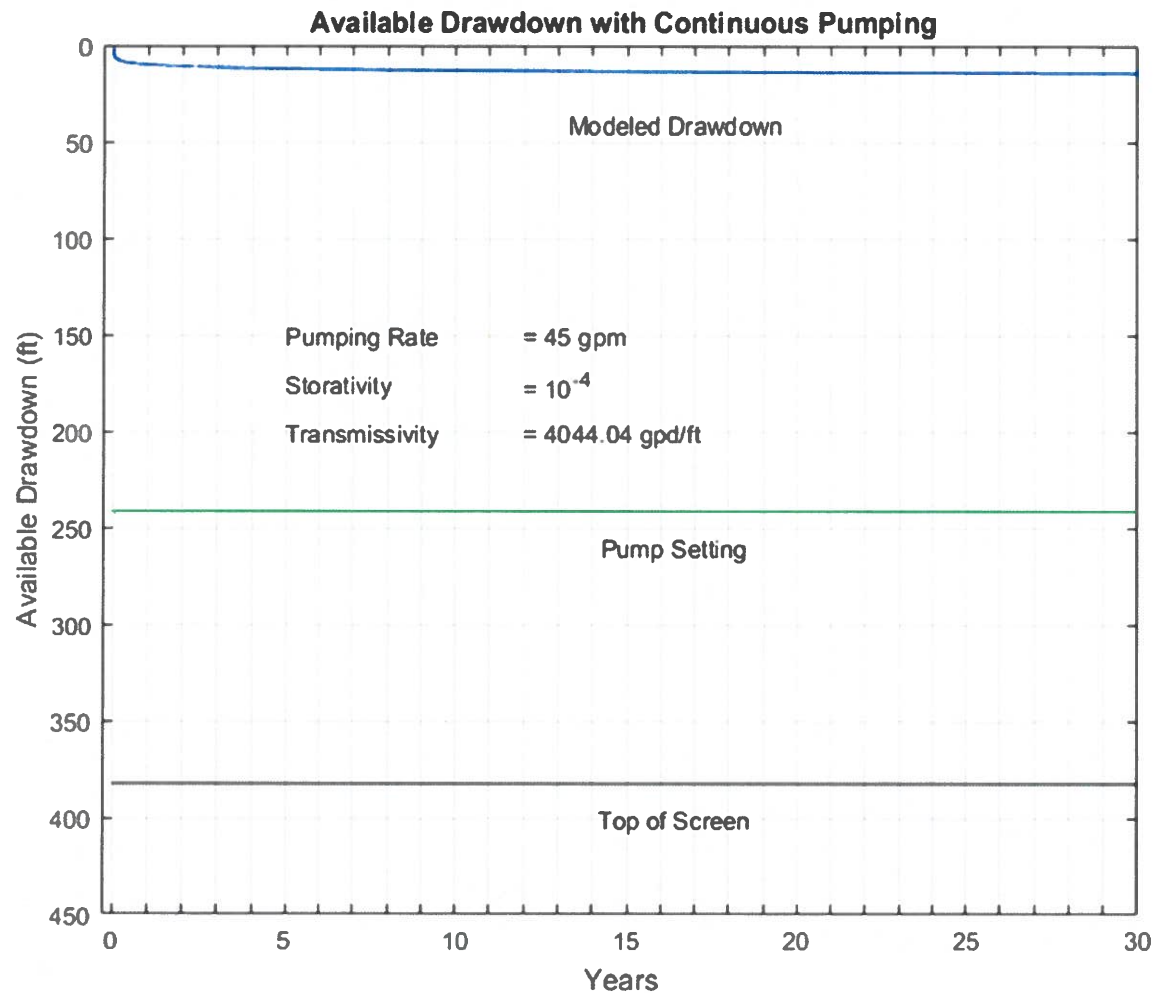
A water sample from Well E-02-3010G was collected on 1/5/2024 after the well had been pumped for over 24 hours. The water sample was analyzed by the Lower Colorado River Authority Environmental Laboratory Services, a NELAP certified laboratory. Water quality results are provided in Table 4 and the laboratory report is included as Attachment F.

**Table 4 – Water Quality Results for Well E-02-3010G**

Water Quality Parameter	Unit of Measure	Result
Total Alkalinity	mg/L as CaCO <sub>3</sub>	318
Bicarbonate Alkalinity	mg/L as CaCO <sub>3</sub>	307
Calcium, Total	mg/L	31.9
Chloride	mg/L	144
Magnesium, Total	mg/L	28.9
Potassium, Total	mg/L	15.8
Silica, Dissolved	mg/L as SiO <sub>2</sub>	11.5
Sodium, Total	mg/L	300
Sulfate	mg/L	477
Total Dissolved Solids	mg/L	1,130

**Predicted impacts of the proposed production**

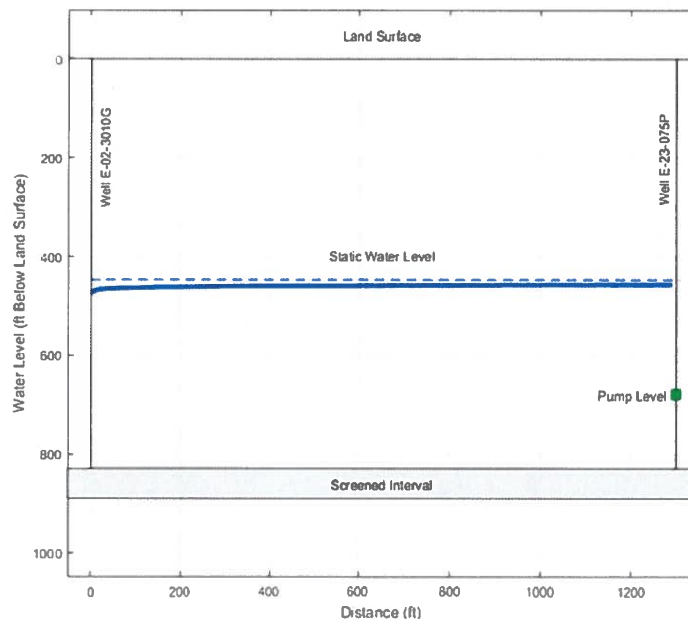
To assess the predicted impacts of the proposed production on other Middle Trinity wells in the vicinity of Well E-02-3010G, LRE Water utilized the Theis equation (1935) with aquifer properties derived from the recovery period during the 3/19-3/26 pumping test. As detailed in Table 3, the modeled aquifer transmissivity is 4,044 gpd/ft and the storativity was modeled at  $10^{-4}$ . For this analysis, the modeled pumping rate was set to 45 gpm, which should be achievable for this system as indicated in Figure 3. Drawdown was computed at well E-23-075P, located approximately 1300 ft north of well E-02-3010G. Well E-23-075P is the closest Middle Trinity well to well E-02-3010G. Drawdowns computed at any other nearby wells would be less than that experienced at well E-23-075P.



**Figure 5 – Computed drawdown over time at nearby well E-23-075P**

Figure 5 presents the computed drawdown at well E-23-075P resulting from continuous pumping from Well E-02-3010G at a rate of 45 gpm for 0-30 years. As shown, the resulting drawdown approaches 15 ft over time, which is well above the pump setting and top of screen. Therefore the computed drawdown will have negligible impact on well E-23-075P.

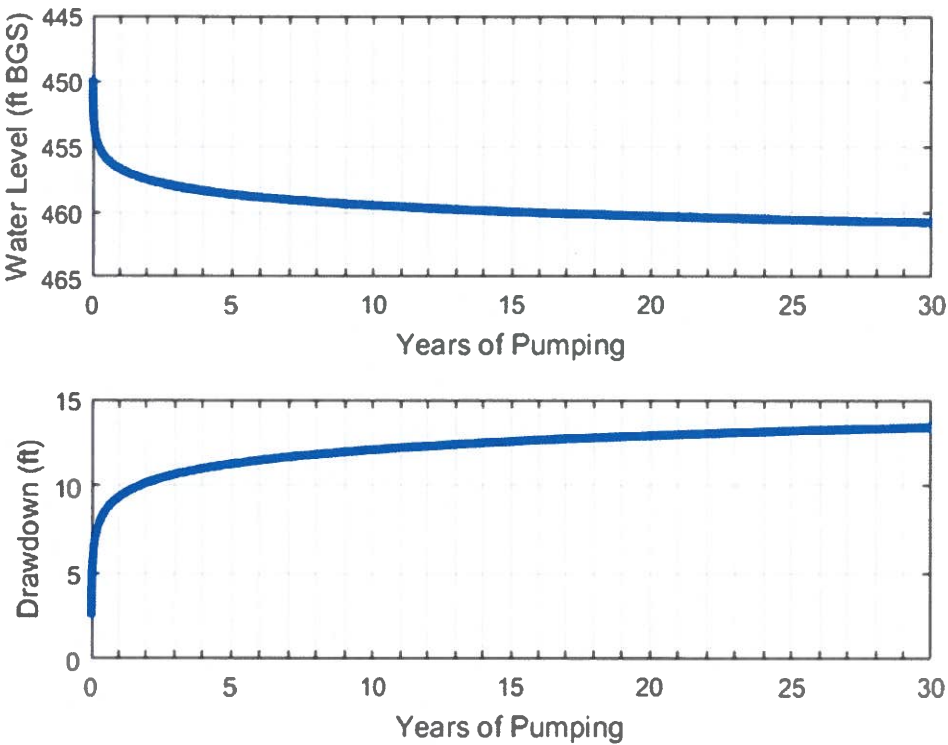
Figure 6 presents the computed drawdown between Well E-02-3010G and Well E-23-075P after one year of continuous pumping. This figure assumes both wells have the same land surface elevation, and the screened interval shown is that for Well E-02-3010G. The pump level for Well E-23-075P was determined from data obtained from the District. As shown, the drawdown after 1-year of pumping is negligible, and will have no discernible impact on well E-23-07P. The water levels in the well remain substantially above the pump setting.



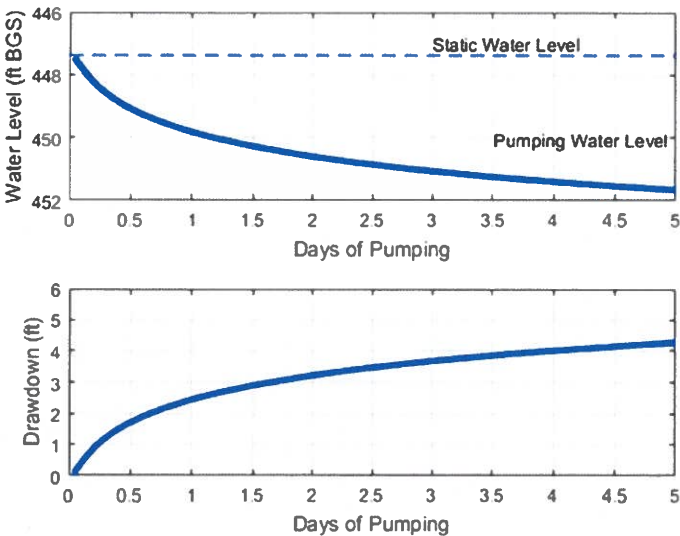
**Figure 6 – Computed drawdown between wells after 1-year of continuous pumping**

Figure 7 presents the computed water levels (in feet below ground surface) and drawdown (in feet) calculated for the well E-23-075P resulting from pumping well E-02-3010G continuously for 0-30 years. As shown, the drawdown does not reach 15 feet over 30 years.

Figure 8 presents the computed water level and drawdown calculated for the well E-23-075P resulting from pumping well E-02-3010G continuously at 42 GPM for 0-5 days. If granted permission to conduct a second pump test on Well E-02-3010G while monitoring water levels in well E-23-075P, 2.5 ft of drawdown would be expected over 24 hours.



**Figure 7 – Computed water levels and drawdown at Well E-23-075P when pumping well E-02-3010G for 0-30 years**



**Figure 8 – Computed drawdown at Well E-23-075P resulting from pumping well E-02-3010G at 42 GPM for 0-5 days**

### Operating Permit Application Attachments

This section of this report provides the attachments requested under Item 6 of the Operating Permit Application (Provided as Attachment G).

#### Statement/Documentation Explaining Requested Production

The requested production of 67.75 acre-ft/year is the volume of water obtained from Well E-02-3010G if the well were pumped continuously at the rate of 42 gallons per minute.

Victory Rock, LLC performs commercial sand and gravel mining operations on the property to be supported by Well E-02-3010G. Water is needed to wash the mined material and for dust suppression. Water is also provided to a concrete batch plant.

Water demands were provided by Scott Cusik, CEO of Victory Rock, LLC, and are provided in Table 5.

**Table 5 – Water Demands for Victory Rock, LLC**

<b>Demand Source</b>	<b>Demand Amount</b>	<b>Notes</b>
Concrete Batch Plant	28 Acre-ft/yr	**As requested by plant operators
Wash Plant	80 Acre-ft/yr	When operating only single shifts
Dust Suppression	5 Acre-ft/yr	Depends on rainfall conditions
Total Demand	113 Acre-ft/yr	

Sufficient demand for washed product exists to justify a second operating shift, which would then necessitate an additional 80 Acre-ft/yr of water. The lack of available water is currently limiting the capacity of Victory Rock, LLC to meet business objectives.

Victory Rock, LLC strives to conserve water to the extent possible. Conservation measures include stormwater retention and use (in lieu of groundwater), as well as water recycling through plant operations. Victory Rock, LLC invested in a state of the art water recycling system which minimizes the need for raw water while maintaining plant operations.

As shown in Table 5, the 67.75 acre-ft/yr requested in this application will be insufficient to meet the needs of Victory Rock, LLC. Additional water sources will need to be procured, along with pumpage available from well E-02-3010G.

LRE Water, LLC is the consulting firm preparing and submitting this application on behalf of Victory Rock, LLC.

The well permit will be operated by Victory Rock, LLC.

Pump Test Reports & Operating Permit Application  
Well E-02-3010G  
March 28, 2024  
Page 14 of 14

Victory Rock, LLC is leasing land from Byron Goode. The lease will be provided to the District upon request, as it was provided in support of a recent application approved for Well N2-21-001P.

Victory Rock, LLC is licensed and in good standing with the TCEQ. The received TCEQ Permit Number 161554 to operate in Bell County On 7/21/2021

Victory Rock, LLC maintains a lined storage pond on the property, as documented in Attachment H. The pond's maximum surface area is 0.80 acres, maximum depth is 16 feet. Additional documentation of Victory Rock, LLC mining operations was provided in support of the recent application approved for Well N2-21-001P.

Victory Rock, LLC Is applying for an Operating Permit for 67.75 acre-ft/yr. Per the fee schedule presented on the document N3-Permit-Application-Process.pdf, the application fee is \$600 for the first 5 acre-ft, and \$20 each for the remaining 62.75 acre-ft. The total fee is therefore \$1,855. As the well was already drilled, a drilling permit fee should not be required. If required, it would be for \$1,341.25.

**Attachment A –  
Muni-Pak Screen Information**



**Johnson  
Screens**

A brand of  
Aqseptence Group

## Muni-Pak screens — A better way to gravel pack

Johnson Screens' solution for improving gravel packing is the Muni-Pak™ screen. This pre-packed screen eliminates the need for a larger borehole, shortens the time required to drill a well and speeds development time.



For the well owner, the Muni-Pak screen offers long-term benefits. The latest Johnson Screens innovation uses glass beads as the filter media—a unique concept that reduces the likelihood of filter pack fouling from biofilm and encrustation, lowering overall well maintenance costs.

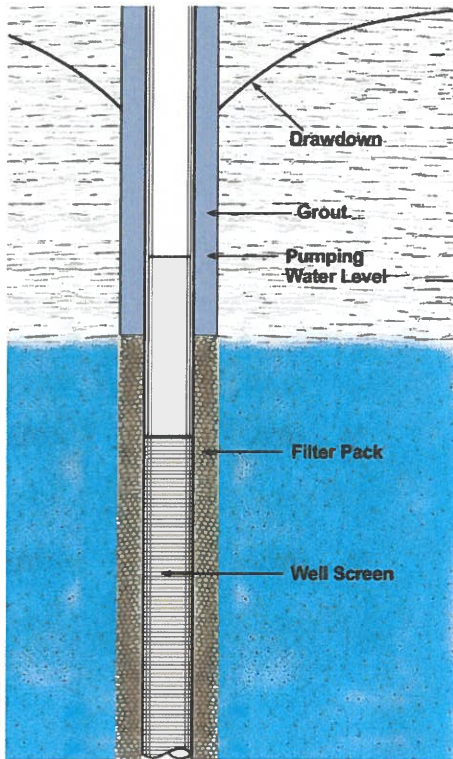
Artificial filter pack is one of the most common designs used today for high-capacity municipal, industrial and agricultural wells. Before the installation of a filter pack, the contractor and the well owner must take into account some significant issues:

- The borehole must be sufficiently oversized to allow for adequate placement of the filter pack. In practice, an annular thickness of 3 to 5 in. is considered minimum. The oversized borehole is costly to the contractor (and therefore to the well owner) and keeps the crew on site for additional time.
- The filter pack must be carefully selected, placed and developed to avoid bridging and sand pumping.
- The well owner is concerned with long-term performance. Biofouling and encrustation are issues that will eventually affect performance.

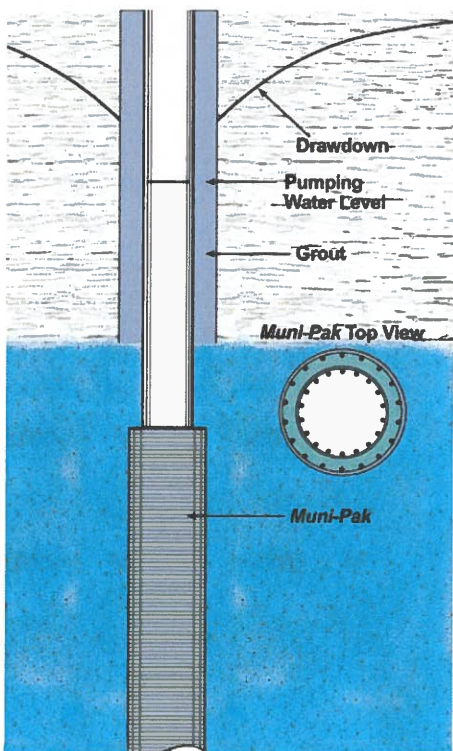
### Applications

- Controls sand infiltration in new, high-capacity municipal, industrial and agricultural wells
- Can be used as a liner in existing wells to eliminate the need for constructing a new well
- Custom applications such as infiltration galleries
- Environmental remediations
- Horizontal applications.

# Features, Advantages and Benefits



A Typical Gravel Pack Well



Muni-Pak Well

- The pre-packed construction of Muni-Pak screens allows the use of a smaller borehole versus gravel packed filtering, with fewer cuttings, reduced circulating volume and increased uphole velocity. This feature lowers bit and cement costs and reduces the drilling time.
- Since the media is included as part of the screen package, gravel placement is not required—eliminating bridging filter packs and time spent packing, as well as reduction of equipment requirements. The results are reduced installation time and lower costs.
- The Muni-Pak's dual-screen construction is four times stronger than standard rod-based screens, allowing more aggressive development and better immunity to unexpected hole problems—providing lower costs.
- A thinner filter pack results in a smaller annulus for easier development and rehabilitation of the near-well area over time, better formation penetration and more aggressive development. The benefits are a perfect media pack, reduced site time and lower risk.
- The wide range of diameters (1.25 to 20 in.) and connections (weld rings or threaded fittings) provides flexibility for meeting most application needs with a variety of standard or custom-end fittings—offering easier adaptation for a wide array of uses.
- The continuous-slot construction provides maximum open area, optimizing development and redevelopment. The result is thorough development.
- With custom lengths up to 20 ft., with no mid-weld, on-site welding requirements are reduced; thus, minimizing field assembly time and associated costs.
- Multiple wire-size and filter-media options enable custom applications and maximum depth capabilities, providing a wide range of uses.
- Glass beads improves efficiency by offering excellent roundness and sphericity, a lower uniformity coefficient for better hydraulic conductivity, better flow characteristics than silica sands, less buildup of biofilm and encrustation and easier media cleaning than with irregularly shaped silica sand grains.
- Muni-Pak works great as a liner in existing well construction, eliminating the need the construction and the cost of a new.

## Installation costs: Muni-Pak Screen versus gravel pack filtering

Description	Single-String Completion	
	Gravel Pack	Muni-Pak
Mobilization	\$13,000	\$13,000
Demobilization	\$7,500	\$7,500
Drilling	\$94,509	\$74,184
Casing	\$35,827	\$35,827
Screen	\$27,633	\$76,700
Gravel Pack	\$14,959	\$0
Grout	\$40,881	\$28,350
Development	\$24,844	\$16,148
Testing	\$7,800	\$7,800
Disinfection	\$275	\$275
Video	\$700	\$700
Site Cleanup	\$12,000	\$12,000
Totals	\$279,928	\$272,484

# Muni-Pak Screen Specifications

Size <sup>1</sup> (in.)	Approx. Screen ID (in.)	Approx. Screen OD (in.)	Media Annular Thick- ness (in.)	Inner Screen Open Area - sq. in./ft. of Screen								Outer Screen Open Area - sq. in./ft. of Screen								Approx. Screen Weight (lbs/ft.)
				Screen Slot Size (thousandths of an in.)								Screen Slot Size (thousandths of an in.)								
				10	20	30	40	50	60	80	100	10	20	30	40	50	60	80	100	
2 x 4	1.5	4.5	0.85	13	22	30	35	40	44	51	55	24	42	56	68	77	85	97	106	17
3 x 5	2.8	5.7	0.97	20	35	46	55	63	69	79	86	30	53	70	84	96	105	120	132	23
4 x 6	3.8	6.7	0.94	25	44	59	70	80	87	100	110	36	62	83	100	114	125	143	156	25
5 x 7	4.7	7.7	0.87	30	53	70	84	96	105	120	132	40	70	94	113	128	141	161	176	27
6 x 8	5.8	8.7	0.84	36	62	83	100	114	125	143	156	46	81	108	129	147	162	185	202	35
8 x 10	7.7	10.8	0.84	33	60	82	101	117	131	155	172	41	74	102	125	145	162	191	213	55
10 x 12	9.8	12.8	0.84	41	74	102	125	145	162	191	213	48	88	121	148	172	193	226	253	70
12 x 15	11.8	15.0	0.84	59	106	143	173	199	220	255	281	69	122	165	200	230	255	295	325	85
14 x 16	13.0	16.0	0.64	42	78	108	135	159	180	215	244	48	89	125	155	183	207	247	281	100
16 x 18	15.0	18.0	0.64	48	89	125	155	183	207	247	281	54	99	139	173	204	230	276	313	115
18 x 20	16.9	20.0	0.78	54	99	139	173	204	230	276	313	59	110	154	192	226	256	306	347	128

## Muni-Pak Screen vs. Standard Rod Based Screen

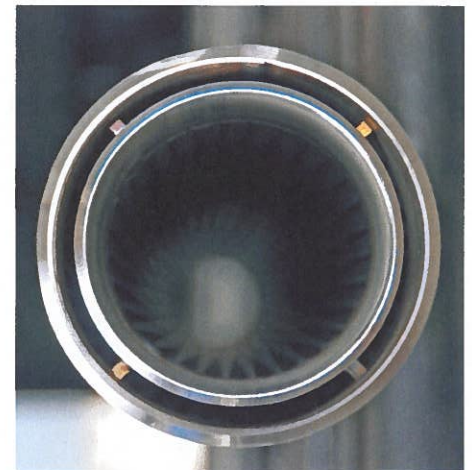
Nominal Size (in.) <sup>1</sup>		Collapse Strength (PSI)		Tensile Strength (lbs.)	
Rod Based	Muni-Pak	Rod Based	Muni-Pak	Rod Based	Muni-Pak
2	2 x 4	1,940	16,500	4,300	12,500
3	3 x 5	540	5,650	5,200	15,000
4	4 x 6	730	2,830	6,100	18,800
5	5 x 7	440	1,550	7,000	20,700
6	6 x 8	260	990	17,600	41,600
8	8 x 10	250	1,160	24,200	50,000
10	10 x 12	360	630	30,800	81,400
12	12 x 15	220	880	35,200	87,000
14	14 x 16	170	1,110	35,200	95,400
16	16 x 18	170	760	72,200	135,900
18	18 x 20	130	540	74,200	147,200

### Notes:

- Other sizes available upon request
- Values compare 1,000 ft. construction Muni-Pak to 1,000 ft. construction rod base
- Other sizes available upon request
- Table compares 1,000 ft. rod-based construction vs 1,000 ft. Muni-Pak construction

## Standard Glass Filter Pack Sizes

Screen Slot Size (Thousandths of an in.)	Bead Diameter (in.)	Bulk Density (lb. ft. <sup>3</sup> )
10	0.016 - 0.024	93.0
20	0.030 - 0.0390	93.0
30	0.039 - 0.051	94.3
40	0.049 - 0.065	94.3
50	0.061 - 0.073	94.9
60	0.079 - 0.094	95.5
80	0.094 - 0.114	95.5
100	0.112 - 0.136	95.5



Packing process allows for a thinner filter pack

# Improving the life cycle of wells

## Success showcases

### New life for an old collector well

Collector wells are major investments and not easily replaced. The City of Nekoosa, Wisconsin, constructed two in the 1960s. One became so severely biofouled and encrusted that pumping just 200 GPM practically dewatered the laterals. The problem was that the design of the original laterals did not facilitate effective rehabilitation (The original laterals were slotted 8 in. PVC).

The advantages of Muni-Pak screens were introduced the contractor:

- The prepack design simplified installation
- The high open area with a compact, highly conductive ceramic or glass beads pack facilitated development (and future maintenance)
- The properties of the ceramic or glass beads deter biological growth

Three Muni-Pak laterals were successfully installed without removal of the existing PVC laterals. After development and testing, the refurbished collector well had more than a sevenfold increase in specific capacity and testing determined that 78 percent of the production came from the Muni-Pak laterals.

### New pre-pack screen installed in Indiana well

The City of LaPorte, Indiana, was planning construction of a new well in its Warneke field. Existing wells in this field were underreamed, gravel packed completions drilled by reverse circulation and had been plagued with decreased specific capacity.

The city's contractor worked with the city engineers on presenting the Muni-Pak product.

Despite an initial concern about proper packing and adequate production from a pre-pack design, the city chose the Muni-Pak solution for several reasons:

- The pre-pack design negated concerns over proper pack placement
- The slim pack afforded greater development potential than an underreamed completion
- Ceramic or glass beads pack are considered superior to conventional silica sand

After successful placement of the Muni-Pak screen, the new well was developed without a problem, and a 24 hr. pumping test was conducted. The well produced 805 GPM with a specific capacity of a 24.6 gal./min./ft. drawdown. This production compared favorably to the existing wells in the Warneke field, which had much larger underreamed holes.

#### Johnson Screens Water Well Screens

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22-WW-0040-v2-4-Eng

**Attachment B –  
Original Driller's Report**

N2-20-007G

Send original copy by certified return receipt request

to: TDLR, P.O. Box 12167, Austin, TX 78711

ATTENTION OWNER: Confidentiality  
 Privilege Notice on reverse side  
 of Well Owner's copy (pink)

# State of Texas WELL REPORT

Texas Department of Licensing &  
 Regulation  
 P.O. Box 12167  
 Austin, TX 78711  
 512-463-7880

1) OWNER Southwest Aggregates ADDRESS P.O. Box 47 Knippa TX 78870  
 (Name) (Street or RFD) (City) (State) (Zip)  
 2) ADDRESS OF WELL'S LOCATION: County Bell Long. 98° 04' 17"  
 (Street, RFD or other) (City) (State) (Zip) Grid # 58-04-17

## 3) TYPE OF WORK (Check):

☒ New Well ☐ Deepening  
☐ Reconditioning ☐ Plugging

## 4) PROPOSED USE (Check):

☐ Monitor ☐ Environmental Soil Boring ☒ Domestic  
☐ Industrial ☐ Irrigation ☐ Injection ☐ Public Supply ☐ De-watering ☐ Testwell  
 If Public Supply well, were plans submitted to the TNRCC? ☐ Yes ☐ No

5)

## 6) WELL LOG:

Date Drilling: 6-4-01  
 Started 6-4-01  
 Completed 6-8-01

## DIAMETER OF HOLE

Dia. (in.)	From (ft.)	To (ft.)
9	Surface	140
6 1/2	140	880

## 7) DRILLING METHOD (Check):

☐ Driven  
☒ Air Rotary ☐ Mud Rotary ☐ Bored  
☐ Air Hammer ☐ Cable Tool ☐ Jetted  
☐ Other \_\_\_\_\_

From (ft.) To (ft.) Description and color of formation material

0-120 Edwards Line  
120-200 Grey Line  
200-240 Grey Shale  
240-320 Grey Shale Line  
320-340 Grey Line  
340-540 Sand  
540-880 Line Stone

## 8) Borehole Completion (Check):

☐ Open Hole ☒ Straight Wall  
☐ Underreamed ☐ Gravel Packed ☐ Other \_\_\_\_\_  
 If Gravel Packed give interval from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

## CASING, BLANK PIPE, AND WELL SCREEN DATA:

Dia. (in.)	New or Used	Steel, Plastic, etc. Perf., Slotted, etc. Screen Mfg., if commercial	Setting (ft.)		Gage Casting Screen
			From	To	
6	n	Steel	0	140	
4 1/2	n	PVC	140	880	
4 1/2	n	PVC Slotted	880	880	

(Use reverse side of Well Owner's copy, if necessary)

13) ☐ Well plugged within 48 hours

Casing left in well:		Cement/bentonite placed in well:		Sacks used:
From (ft)	To (ft)	From (ft)	To (ft)	

## 14) TYPE PUMP:

☐ Turbine ☐ Jet ☒ Submersible ☐ Cylinder

Other \_\_\_\_\_  
 Depth to pump bowls, cylinder, jet, etc.. 600 ft.

## 15) WELL TESTS:

Typetest: ☐ Pump ☐ Bailor ☐ Jetted ☒ Estimated  
 Yield: 50 gpm with \_\_\_\_\_ ft. drawdown after \_\_\_\_\_ hrs.

## 16) WATER QUALITY:

Did you knowingly penetrate any strata which contained undesirable constituents?

☐ Yes ☒ No If yes, submit "REPORT OF UNDESIRABLE WATER"  
 Type of water: \_\_\_\_\_ Depth of strata: \_\_\_\_\_

Was a chemical analysis made? ☐ Yes ☒ No

## 9) CEMENTING DATA

Cemented from 0 ft. to 140 ft. No. of sacks used 20  
0 ft. to 20 ft. No. of sacks used 2  
 Method used Prepacked Gravel  
 Cemented by Alpine Water Well  
 Distance to septic system field lines or other concentrated contamination None  
 Method of verification of above distance None

## 10) SURFACE COMPLETION

☒ Specified Surface Slab Installed  
☒ Specified Steel Sleeve Installed  
☐ Pileless Adapter Used  
☐ Approved Alternative Procedure Used

## 11) WATER LEVEL:

Static level 300 ft. below land surface  
 Artesian flow \_\_\_\_\_ gpm.

Date 6-8-01

## 12) PACKERS:

Type Depth

Rubber 20  
Rubber 400  
Rubber 600

I certify that I drilled this well (or the well was drilled under my direct supervision) and that each and all of the statements herein are true and correct. I understand that failure to complete items 1 thru 16 will result in the log(s) being returned for completion and resubmittal.

COMPANY NAME Alpine Water Well WELL DRILLER'S LICENSE NO. 02912WF  
 (Type or print)

ADDRESS 10124 Javelin TX 76537  
 (Street or RFD) (City) (State) (Zip)

(Signed) Bob Tate (Signed) \_\_\_\_\_  
 (Licensed Well Driller) (Registered Driller Trainee)

Please attach electric log, chemical analysis, and other pertinent information, if available.

**Attachment C –  
Well Video Survey Report**

# VIDEO SURVEY LOG

<b>Well Name:</b> Victory Rock Middle Trinity			<b>Video Survey Co.</b> Well-Scope	
<b>Well Owner:</b>			<b>Video Date</b> 01/03/2024	
<b>Well Location:</b> Salado, TX			<b>Color</b> <input checked="" type="checkbox"/> <b>Black and White</b> <input type="checkbox"/>	
<b>Video Reviewed By:</b> Wallace Darling			<b>Side Scan Available?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
<b>Original Depth</b> 876	<b>Current Depth</b> 876	<b>Casing Diameter(s)</b> 4 in	<b>Perforation Type(s)</b> PVC Slots	<b>Static Water Level</b> 483.5

Depth	Description/Comment	Generalized Well Graphic
0 -3	PVC casing	
3 - 483	PVC Casing with joints every 20 feet. Visible pipe glue on joints.	
483.5	Static Water Level. Snail floating in water. Scum initially stuck to the camera.	
484 - 639	Slight build up of dark material on PVC surface. Joints continue every 20 feet.	
640	Original pump depth	
641 - 800	PVC casing becomes much cleaner. Little to no dark material built up	
800	Screens do not start where driller specified.	
827	First set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced evenly. Biofilm present in openings.	
830	Second set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced evenly. Biofilm present in openings.	
832	Third set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced evenly. Biofilm present in openings.	
833.5	Fourth set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced evenly. Biofilm present in openings.	
835.3	Fifth set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Biofilm present in openings.	
837	Sixth set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Biofilm present in openings.	
839	Seventh set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Biofilm present in openings.	
841.5	Eighth set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Biofilm present in openings.	
843.2	Ninth set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.	
846.3	Tenth set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.	
848.6	11th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.	
850.9	12th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.	

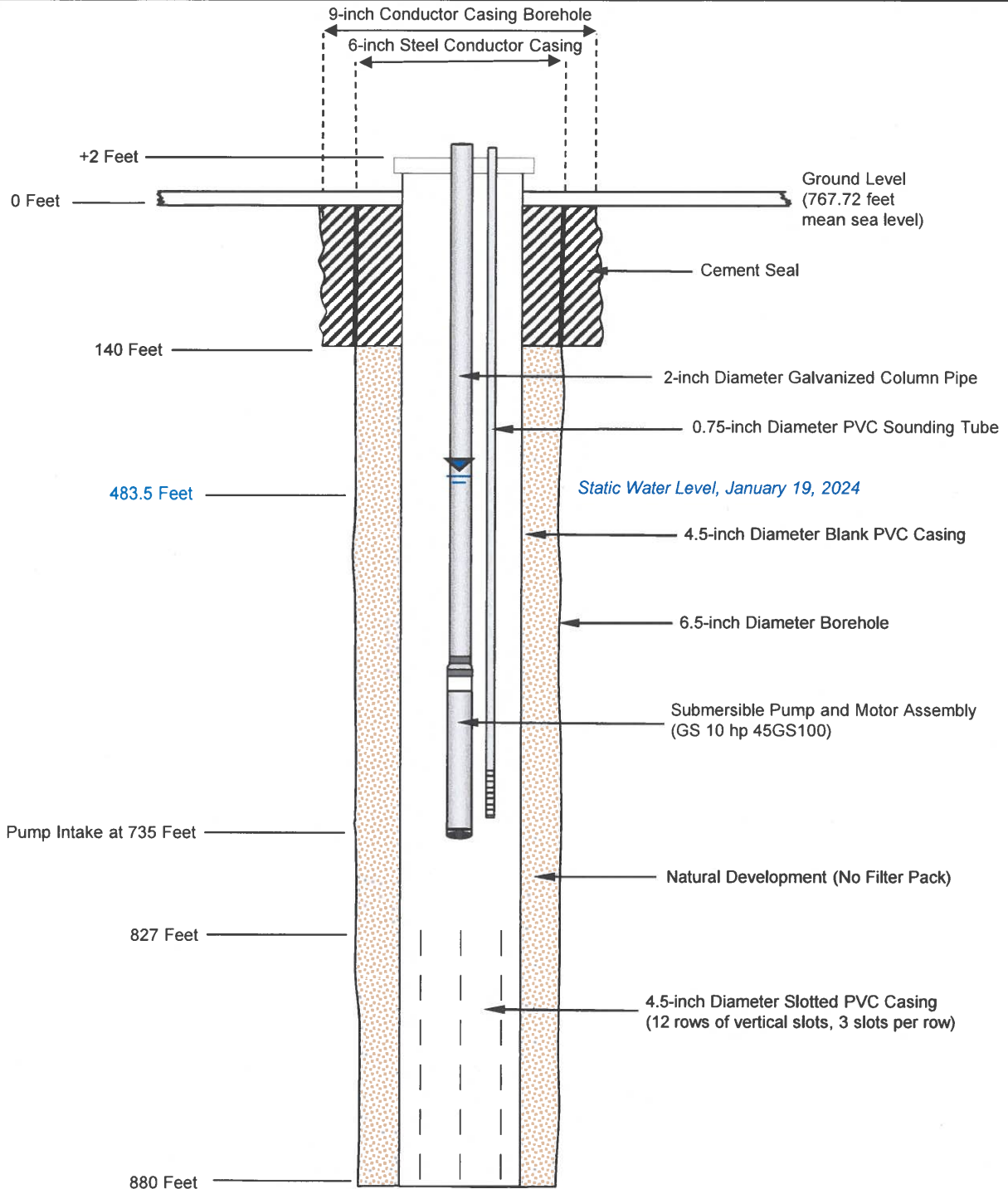
## VIDEO SURVEY LOG

852.8	13th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
855.6	14th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
857.6	15th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
859.6	16th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced evenly. Trace biofilms present in openings.
861.4	17th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
863	18th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
866.9	19th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
869	20th set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
870.5	21st set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
872.9	22nd set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
874-876	23rd set of slots in PVC. Three slots total that are each roughly 1-foot-long vertical slots, a few millimeters wide. Spaced un-evenly. Trace biofilms present in openings.
	Bottom of well 876

### General Comments:

Spacing of slots in PVC are not uniform. Cuts appear to be done with hand tools. Slight biofilms build up on majority of slots but do not appear to block flow. Total amount of slotted area is roughly 24ft.

**Attachment D –  
Well Completion Diagrams**



DRAWING IS NOT TO SCALE

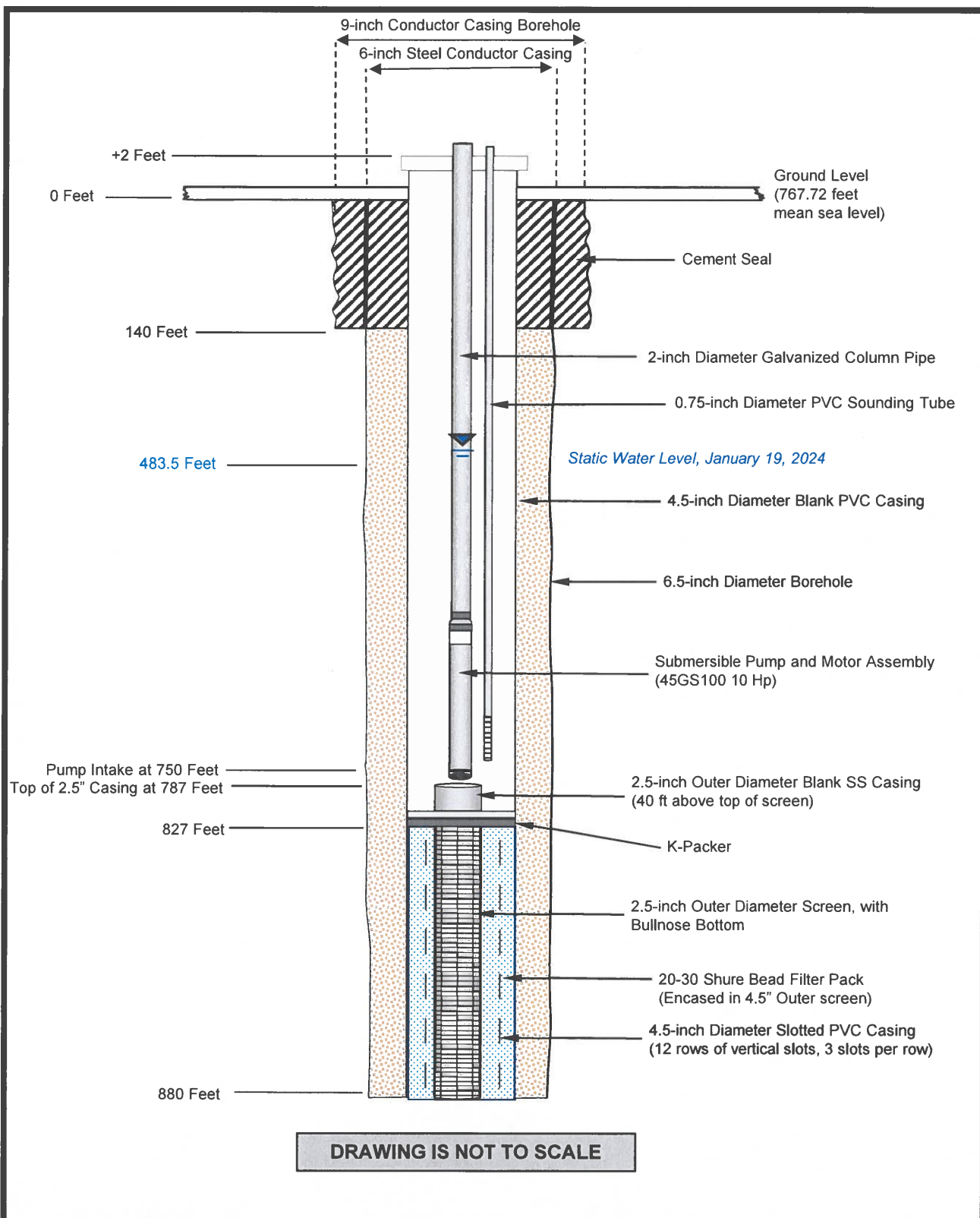


**AS-BUILT WELL DESIGN  
MIDDLE TRINITY WELL  
E-02-3010G**

Prepared By:  
LRE Water, LLC  
Round Rock, TX  
TBPELS Firm  
#14368

**WELL LOCATION:**  
N 30°52'34.125" W 97°36.9084"  
(30.876146, -97.609419)

**DATE:** 1/19/2024



**FINAL WELL DESIGN  
MIDDLE TRINITY WELL  
E-02-3010G**

Prepared By:  
LRE Water, LLC  
Round Rock, TX  
TBPELS Firm  
#14368

**WELL LOCATION:**  
N 30°52'34.125" W °97'36.9084"  
(30.876146, -97.609419)

**DATE:** 3/19/2024

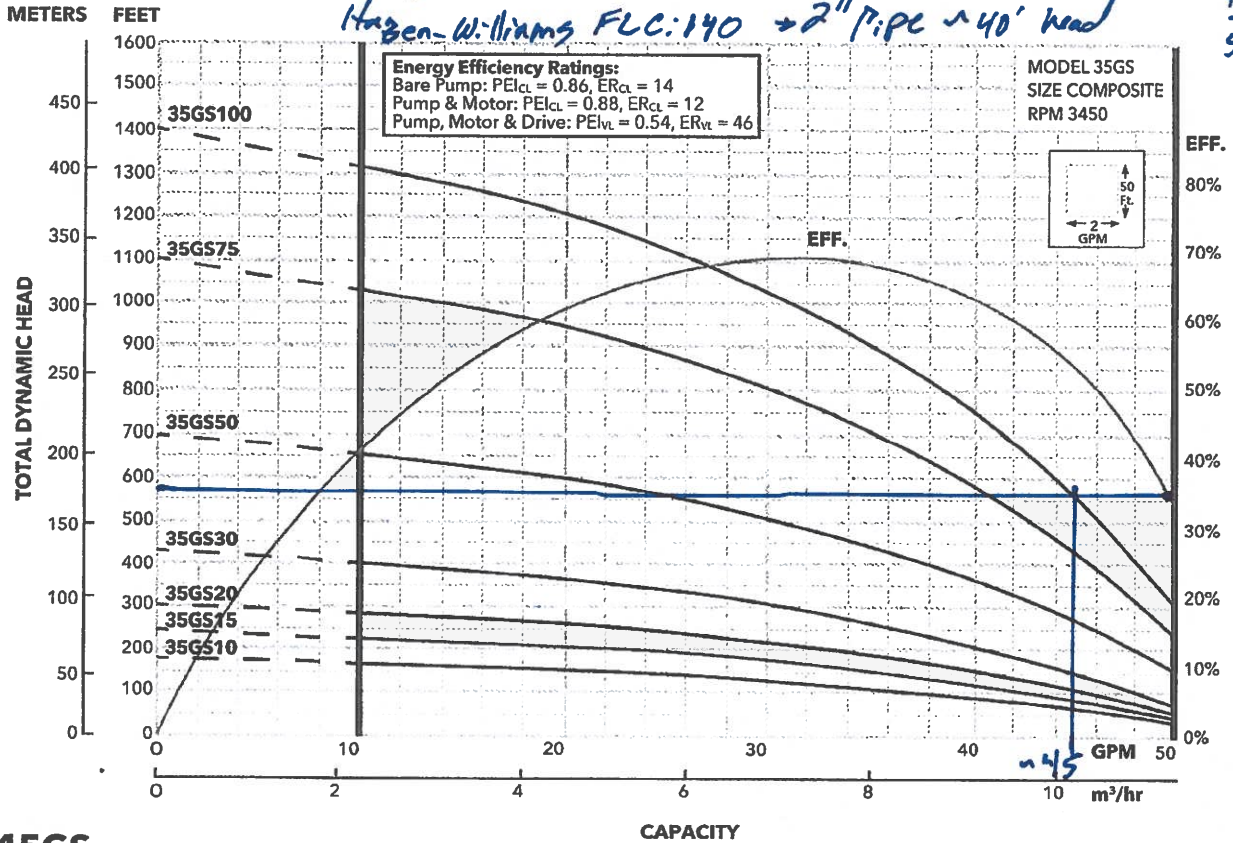
## **Attachment E – Pump Curve**

# Goulds Water Technology

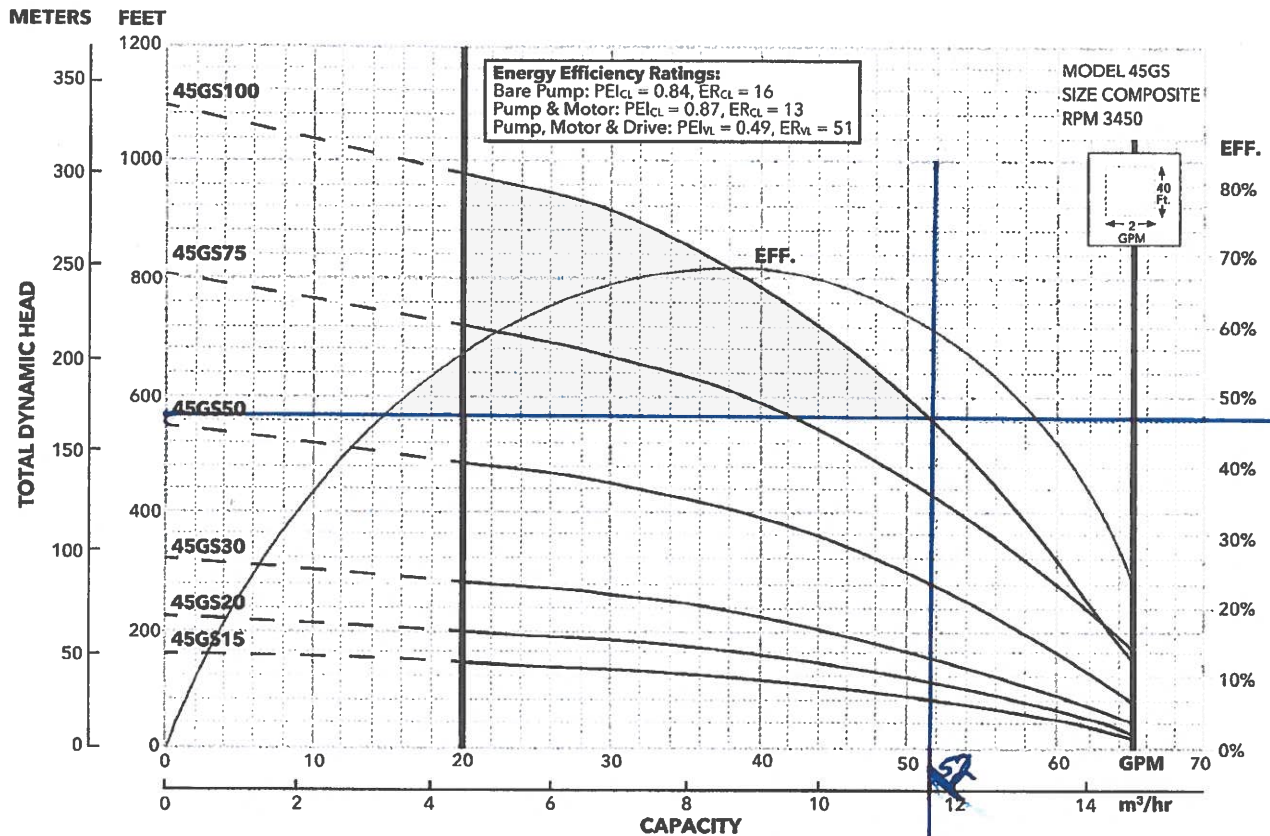
Residential Water

## Model 35GS

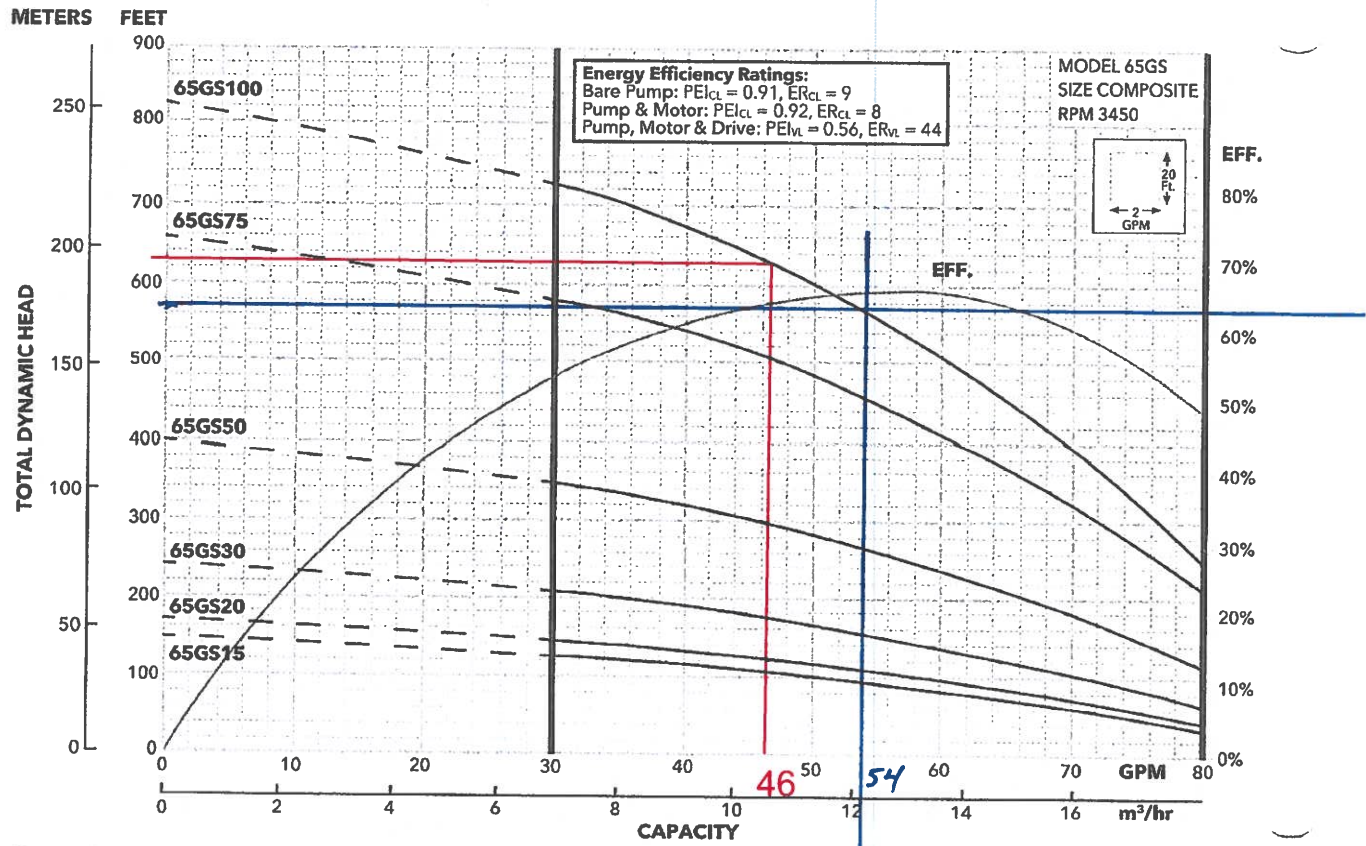
Target ~50 GPM Pump @ 735' P.W.L. 530'  
Hazen-Williams FLC: 140 → 2" Pipe ~40' head  
+ 40  
570'



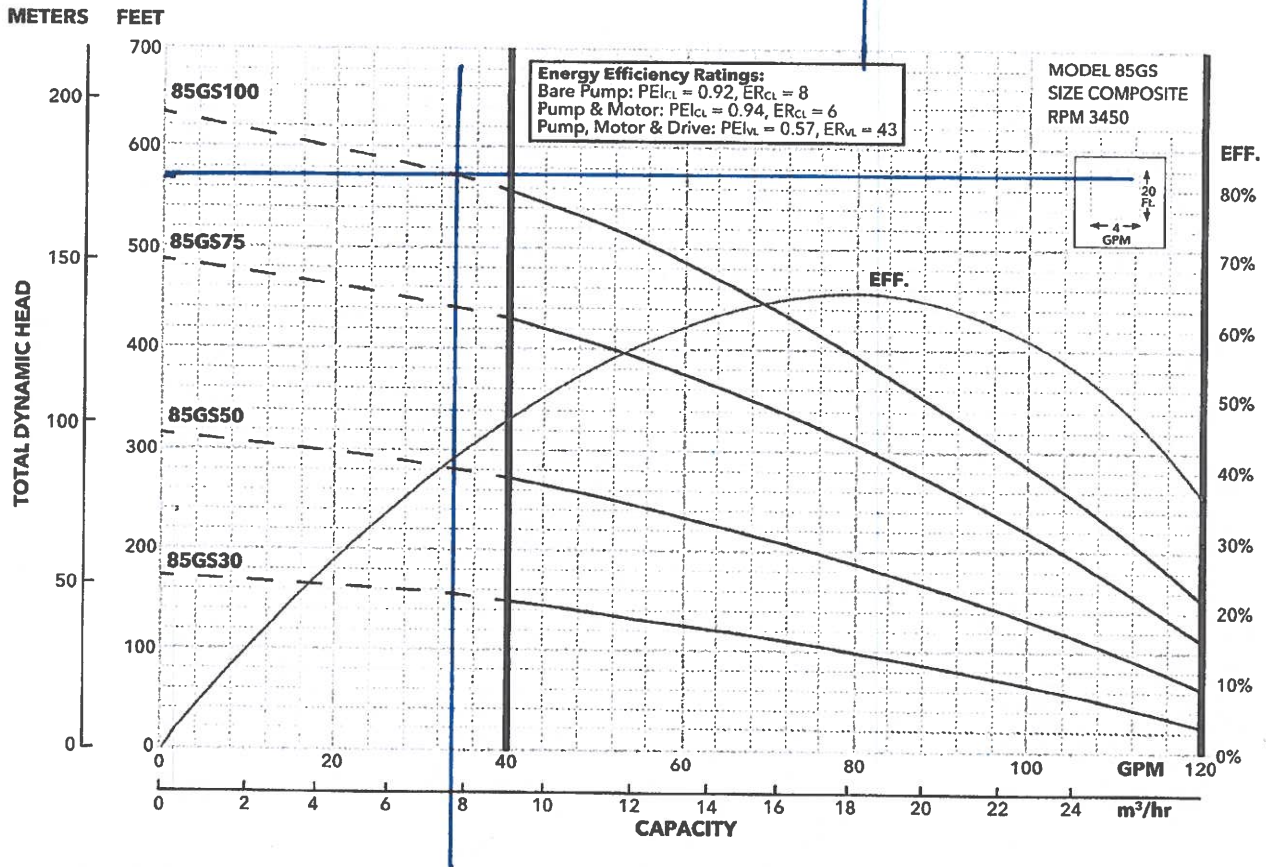
## Model 45GS



Model 65GS



Model 85GS



**Attachment F –  
Water Quality Information**

**Water Quality Results for the Middle Trinity Well (E-02-3010G Well)**

Water Quality Parameter	Unit of Measure	Result
Total Alkalinity	mg/L as CaCO <sub>3</sub>	318
Bicarbonate Alkalinity	mg/L as CaCO <sub>3</sub>	307
Calcium, Total	mg/L	31.9
Chloride	mg/L	144
Magnesium, Total	mg/L	28.9
Potassium, Total	mg/L	15.8
Silica, Dissolved	mg/L as SiO <sub>2</sub>	11.5
Sodium, Total	mg/L	300
Sulfate	mg/L	477
Total Dissolved Solids	mg/L	1,130

Notes: Samples were collected on 1/5/2024 after 24 hours of pumping at 35 gpm and were analyzed by LCRA Environmental Laboratory Services.



LCRA Environmental Laboratory Services  
3505 Montopolis Drive  
Austin, TX 78744  
Phone (512)730-6022  
Fax (512)730-6021

January 19, 2024

STEPHANIE WONG  
LRE WATER  
1101 Satellite View #301  
Round Rock, TX 78665  
Stephanie.Wong@LREwater.com

RE: Final Analytical Report Q2400525  
Attn: STEPHANIE WONG

Enclosed are the analytical results for sample(s) received by LCRA Environmental Laboratory Services. Results reported herein conform to the most current NELAP standards, where applicable, unless otherwise narrated in the body of the report. This final report provides results related only to the sample(s) as received for the above referenced work order.

Thank you for selecting ELS for your analytical needs. If you have any questions regarding this report, please contact us at (512) 730-6022 or environmental.lab@lcra.org. We look forward to assisting you again.

Authorized for release by:

Ariana Dean  
Account Manager  
ariana.dean@lcra.org



Enclosures:  
CC:JORDAN FURNANS



LCRA Environmental Laboratory Services  
3505 Montopolis Drive  
Austin, TX 78744  
Phone (512)730-6022  
Fax (512)730-6021

**Workorder:** Q2400525  
**Workorder Description:** LREVICTORYROCK\_01052024  
**Client:** LRE WATER  
**Profile:** LRE WATER  
**Sampled By:** W DARLING

**Report To:** STEPHANIE WONG  
LRE WATER  
1101 Satellite View #301  
Round Rock, TX 78665

## Sample Summary

Lab ID	Sample ID	Matrix	Method	Date Collected	Date Received	Analytes Reported
Q2400525001	VICTORY ROCK MT 1-2	AQ	E200.7 Metals, Trace Elements	01/05/2024 07:30	01/05/2024 14:00	4
Q2400525001	VICTORY ROCK MT 1-2	AQ	E300.0, Anions	01/05/2024 07:30	01/05/2024 14:00	2
Q2400525001	VICTORY ROCK MT 1-2	AQ	SM2320B, Alkalinity	01/05/2024 07:30	01/05/2024 14:00	2
Q2400525001	VICTORY ROCK MT 1-2	AQ	SM2540C, TDS	01/05/2024 07:30	01/05/2024 14:00	1
Q2400525001	VICTORY ROCK MT 1-2	AQ	SM4500-SiO2-C, Silica	01/05/2024 07:30	01/05/2024 14:00	1

## Report Definitions

MRL - Minimum Reporting Limit  
LOD - Limit of Detection  
ML - Maximum Limit - Client Specified  
MCL - Maximum Contaminant Level  
LOQ - Limit of Quantitation - Client Specified  
DF - Dilution Factor  
(S) - Surrogate Spike  
MDL - Method Detection Limit  
RPD - Relative Percent Difference

## Qualifier Definitions

J - Analyte detected below quantitation limit  
R - RPD outside duplicate precision limit  
S - Spike recovery outside limit  
B - Analyte detected in method blank  
N - Not Accredited  
M - Analyte Detected Above Maximum Contaminant Level  
SL - Spike Recovery Low  
SH - Spike Recovery High  
H - Analyzed Past Hold Time  
CR - Confirmed Result  
CH - Result confirmed by historical data



LCRA Environmental Laboratory Services  
3505 Montopolis Drive  
Austin, TX 78744  
Phone (512)730-6022  
Fax (512)730-6021

## Workorder Summary

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## Analytical Results

<b>Client ID:</b> LREWATER	<b>Date Collected:</b> 01/05/2024 07:30	<b>Matrix:</b> Aqueous
<b>Lab ID:</b> Q2400525001	<b>Date Received:</b> 01/05/2024 14:00	<b>Sample Type:</b> SAMPLE
<b>Sample ID:</b> VICTORY ROCK MT 1-2	<b>Location:</b>	
<b>Project ID:</b> LRE WATER	<b>Facility:</b>	
	<b>Sample Point:</b>	

### ALKALINITY (SM2320B, Alkalinity)

Parameter	Results	Units	MRL	LOD	ML	DF	Prepared	By	Analyzed	By	Qualifier
Bicarbonate Alkalinity	307	mg/L	0.00	0.00		1	01/10/2024 09:43	SN	01/10/2024 09:43	SN	N
Total Alkalinity (CaCO <sub>3</sub> )	318	mg/L	20.0	20.0		1	01/10/2024 09:43	SN	01/10/2024 09:43	SN	

### INORGANICS (E200.7 Prep/E200.7 Metals, Trace Elements)

Parameter	Results	Units	MRL	LOD	ML	DF	Prepared	By	Analyzed	By	Qualifier
Calcium Total	31.9	mg/L	0.200	0.0700		1	01/11/2024 14:25	MAB	01/18/2024 12:26	FO	
Magnesium Total	28.9	mg/L	0.200	0.0700		1	01/11/2024 14:25	MAB	01/18/2024 12:26	FO	
Potassium Total	15.8	mg/L	0.200	0.0700		1	01/11/2024 14:25	MAB	01/18/2024 12:26	FO	
Sodium Total	300	mg/L	0.200	0.0700		1	01/11/2024 14:25	MAB	01/18/2024 12:26	FO	

### INORGANICS (E300.0, Anions)

Parameter	Results	Units	MRL	LOD	ML	DF	Prepared	By	Analyzed	By	Qualifier
Chloride	144	mg/L	10.0	4.00		10	01/05/2024 19:12	JLL	01/05/2024 19:12	JLL	
Sulfate	477	mg/L	10.0	4.00		10	01/05/2024 19:12	JLL	01/05/2024 19:12	JLL	

### SILICA (SM4500-SiO<sub>2</sub>-C, Silica)

Parameter	Results	Units	MRL	LOD	ML	DF	Prepared	By	Analyzed	By	Qualifier
Silica as SiO <sub>2</sub> , Dissolved	11.5	mg/L	0.500	0.200		1	01/16/2024 14:17	JLL	01/16/2024 14:17	JLL	

### TOTAL DISSOLVED SOLIDS (SM2540C, TDS)

Parameter	Results	Units	MRL	LOD	ML	DF	Prepared	By	Analyzed	By	Qualifier
Total Dissolved Solids(TDS)	1130	mg/L	25.0	25.0		10	01/08/2024 10:06	BJP	01/08/2024 10:06	BJP	

## Quality Control Results

QC Batch: MET/10166  
Preparation Method: E200.7 Prep  
Associated Lab IDs: Q2400525001

Analysis Method: E200.7 Metals, Trace Elements

### Limit of Quantitation Check (2019503)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Calcium Total	mg/L	0.2	0.218	109.0	70 - 130	
Magnesium Total	mg/L	0.2	0.222	111.0	70 - 130	
Potassium Total	mg/L	2.0	1.94	97.0	70 - 130	
Sodium Total	mg/L	0.2	0.22	110.0	70 - 130	

### Laboratory Fortified Blank (2019497); Lab Fortified Blank Duplicate (2019498)

Parameter	Units	Spiked Amount	Spike Result	%Spike Recovery	Control Limits %	Duplicate Result	%Duplicate Recovery	RPD	RPD Limit	Qualifier
Calcium Total	mg/L	10.0	10.5	105.0	85 - 115	10.4	104.0	0.95 7	20	
Magnesium Total	mg/L	10.0	10.5	105.0	85 - 115	10.5	105.0	0.0	20	
Potassium Total	mg/L	10.0	9.31	93.1	85 - 115	9.17	91.7	1.52	20	
Sodium Total	mg/L	10.0	10.2	102.0	85 - 115	10.2	102.0	0.0	20	

### Laboratory Reagent Blank(2019496)

Parameter	Units	Results	MRL	LOD	Qualifier
Calcium Total	mg/L	<0.200	0.2	0.07	
Magnesium Total	mg/L	<0.200	0.2	0.07	
Potassium Total	mg/L	<0.200	0.2	0.07	
Sodium Total	mg/L	<0.200	0.2	0.07	

### Laboratory Fortified Matrix (2019499); Lab Fortified Matrix Duplicate (2019500); Original: Q2400712001

Parameter	Units	Spiked Amount	Spike Result	%Spike Recovery	Control Limits %	Duplicate Result	%Duplicate Recovery	RPD	RPD Limit	Qualifier
Calcium Total	mg/L	10.0	400.0	-491.0	70 - 130	402.0	-472.0	-3.95	20	SL
Magnesium Total	mg/L	10.0	1060.0	-1960.0	70 - 130	1020.0	-2390.0	-19.8	20	SL
Potassium Total	mg/L	10.0	393.0	56.4	70 - 130	389.0	14.9	116. 0	20	SL
Sodium Total	mg/L	10.0	2910.0	-69000.0	70 - 130	2480.0	-73400.0	-6.18	20	SL

## Quality Control Results

QC Batch: WET/30013  
Preparation Method: E300.0, Anions  
Associated Lab IDs: Q2400525001

Analysis Method: E300.0, Anions

### Limit of Quantitation Check (2017246)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Chloride	mg/L	5.0	4.04	80.8	70 - 130	
Sulfate	mg/L	5.0	3.96	79.2	70 - 130	

### Laboratory Reagent Blank(2017250)

Parameter	Units	Results	MRL	LOD	Qualifier
Chloride	mg/L	<1.00	1.0	0.4	
Sulfate	mg/L	<1.00	1.0	0.4	

### Laboratory Fortified Blank (2017251)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Chloride	mg/L	60.0	60.7	101.0	90 - 110	
Sulfate	mg/L	60.0	61.1	102.0	90 - 110	

### Laboratory Fortified Matrix (2017252); Lab Fortified Matrix Duplicate (2017253); Original: Q2400516008

Parameter	Units	Spiked Amount	Spike Result	%Spike Recovery	Control Limits %	Duplicate Result	%Duplicate Recovery	RPD	RPD Limit	Qualifier
Chloride	mg/L	300.0	542.0	90.6	80 - 120	543.0	90.7			
Sulfate	mg/L	300.0	479.0	98.5	80 - 120	479.0	98.5			

### Duplicate (2017256); Original Q2400517003

Parameter	Units	Original	Duplicate	RPD	RPD Limit	Qualifier
Chloride	mg/L	215.386	210.7745	2.16		
Sulfate	mg/L	188.2565	184.521	2.0		

### Method Reporting Limit Check (2017244)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Chloride	mg/L	1.0	0.686	68.6	50 - 150	
Sulfate	mg/L	1.0	0.747	74.7	50 - 150	

## Quality Control Results

QC Batch: WET/30014  
Preparation Method: SM2540C, TDS  
Associated Lab IDs: Q2400525001

Analysis Method: SM2540C, TDS

### Duplicate (2017409); Original Q2400525001

Parameter	Units	Original	Duplicate	RPD	RPD Limit	Qualifier
Total Dissolved Solids(TDS)	mg/L	1129	1127.0	0.177	20	

### Method Blank(2017406)

Parameter	Units	Results	MRL	LOD	Qualifier
Total Dissolved Solids(TDS)	mg/L	<25.0	25.0	25.0	

### Lab Control Sample (2017407)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Total Dissolved Solids(TDS)	mg/L	400.0	388.0	97.0	80 - 120	

### Matrix Spike (2017408); Original: Q2400525001

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Total Dissolved Solids(TDS)	mg/L	400.0	1540.0	102.0	70 - 130	

## Quality Control Results

**QC Batch:** WET/30024  
**Preparation Method:** SM2320B, Alkalinity  
**Associated Lab IDs:** Q2400525001

**Analysis Method:** SM2320B, Alkalinity

### Limit of Quantitation Check (2018184)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Total Alkalinity (CaCO <sub>3</sub> )	mg/L	20.0	22.1	110.0	70 - 130	

### Method Reporting Limit Check (2018185)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Total Alkalinity (CaCO <sub>3</sub> )	mg/L	20.0	21.7	108.0	50 - 150	

### Duplicate (2018186); Original Q2400497006

Parameter	Units	Original	Duplicate	RPD	RPD Limit	Qualifier
Total Alkalinity (CaCO <sub>3</sub> )	mg/L	118.92	118.92	0.0	20	

### Lab Control Sample (2018187)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Total Alkalinity (CaCO <sub>3</sub> )	mg/L	100.0	99.4	99.4	90 - 110	

### Method Blank(2018188)

Parameter	Units	Results	MRL	LOD	Qualifier
Total Alkalinity (CaCO <sub>3</sub> )	mg/L	<20.0	20.0	20.0	

## Quality Control Results

**QC Batch:** WET/30053  
**Preparation Method:** SM4500-SiO<sub>2</sub>-C, Silica  
**Associated Lab IDs:** Q2400525001

**Analysis Method:** SM4500-SiO<sub>2</sub>-C, Silica

### Limit of Quantitation Check (2020204)

Parameter	Units	Spiked Amount	Spike Result	Spike Recovery%	Control Limits %	Qualifier
Silica as SiO <sub>2</sub> , Dissolved	mg/L	0.5	0.444	88.8	70 - 130	

### Matrix Spike (2020205); Matrix Spike Duplicate (2020206); Original: Q2400463001

Parameter	Units	Spiked Amount	Spike Result	%Spike Recovery	Control Limits %	Duplicate Result	%Duplicate Recovery	RPD	RPD Limit	Qualifier
Silica as SiO <sub>2</sub> , Dissolved	mg/L	10.0	22.3	79.0	80 - 120	22.3	79.0	0.0	20	SL

## QC Cross Reference

Lab ID	Sample ID	Prep Batch	Prep Method
<b>MET/10166 - E200.7 Metals, Trace Elements</b>			
Q2400525001	VICTORY ROCK MT 1-2	MEP/13310	E200.7 Prep
<b>WET/30013 - E300.0, Anions</b>			
Q2400525001	VICTORY ROCK MT 1-2		
<b>WET/30014 - SM2540C, TDS</b>			
Q2400525001	VICTORY ROCK MT 1-2		
<b>WET/30024 - SM2320B, Alkalinity</b>			
Q2400525001	VICTORY ROCK MT 1-2		
<b>WET/30053 - SM4500-SiO2-C, Silica</b>			
Q2400525001	VICTORY ROCK MT 1-2		



**LCRA Environmental Laboratory Services  
Request for Analysis Chain-of-Custody Record**



LCRA - Environmental Lab Phone: (512) 730-6022 or 1-800-776-5272  
3505 Montopolis Dr Fax: (512) 730-6021  
Austin, TX 78744 www.lcra.org/services/els

Lab ID#: **02400525**

Client PO:

Invoice To:

Project: **Victory Back** Client: **LRE**  
Collector: **W. Darling** Contact:  
Event#: Phone:

Report To:

LAB USE ONLY	Sample ID *	Collected *		Matrix* AQ = Aqueous S = Solid T = Tissue DW = Drinking Water	Container(s) Type/Preservative/Number *				Requested Analysis *			
		Date*	Time * HH:MM		COMPOSITE Y/N	FILTERED Y/N						
1	Victory Back - MT-1	1/5/24	7:30	AQ								
2	Victory Back - MT-2	1/5/24	7:30									
3												
4												
5												
6												
7												
8												
9												
10												

See Attached

Transfers	Relinquished By	Date/Time	Received By	Date/Time	Cooler Temp (°C)				Client Special Instructions
1	<i>[Signature]</i>	1/5/24 14:00	<i>[Signature]</i>	1/5/24 14:00	#	T#	Obs	Corr.	
2					1	10	1.4	-0.1	
3					2				

Note: Relinquishing sample(s) and signing the COC, client agrees to accept and is bound by the ELS Standard Terms and Conditions. All fields with an asterisk (\*) are required to be completed.



02400525  
624585

## Environmental Laboratory Services Standard Terms and Conditions

Effective September 2016

**Acceptance of Samples...**The Lower Colorado River Authority (LCRA) Environmental Laboratory Services (ELS) will accept samples and perform services in accordance with these terms and conditions. No modifications to these terms and conditions will be valid or binding unless in writing and signed by authorized representatives of both the Customer and ELS.

ELS reserves the right to refuse or revoke receipt of any sample due to insufficient sample volume, improper sample container, unacceptable customer credit, or risk of handling for any health, safety, regulatory, environmental, holding time issues or any other reason, at the discretion of ELS.

ELS also reserves the right to terminate any work being done or work promised on samples accepted for ELS's sole convenience. In the event of such termination, ELS will notify all affected Customers as soon as possible.

**Payment & Invoicing...**Customer must pay for all services by check or credit card upon delivery of sample to ELS unless other billing arrangements are agreed to by ELS and Customer. Invoices will be issued monthly following the completion of services. All payments are due 30 days from receipt of the invoice. A one percent (1%) per month late fee will be assessed on unpaid invoices after the due date. Customers that have outstanding balances equal to or greater than 90 days must make payment in full at the time of sample delivery.

**Quoted Fees...**Written quoted fees for all services to be performed by the ELS will be honored for a period of thirty (30) days from the quotation date unless otherwise specified by ELS in writing.

**Costs for Compliance...**All costs associated with compliance with any subpoena for documents, testimony, or assistance, or for any other purpose relating to work performed by ELS for the Customer, will be paid by the Customer or requesting party. Such costs will include, but not be limited to, hourly charges for each staff member, travel and accommodations, mileage, and any other miscellaneous expenses incurred.

**Use of Data...**The Customer is solely responsible for determining what actions are required as a result of the data, information, recommendations, interpretations, and opinions provided by ELS. The Customer also assumes sole responsibility for determining whether the nature, type, and quantity of work requested by the Customer is adequate and sufficient for the Customer's intended purpose. *Customer hereby indemnifies and releases ELS from and against any and all liabilities arising out of, related to, or resulting from Customer's incorrect or inappropriate use of any data or opinions provided to it by ELS.*

**Reports...**ELS will deliver approved final reports and/or electronic data including any Customer-approved subcontract laboratory data by the agreed upon due date. Reports may not be reproduced, except in full, without prior written approval by ELS. Reports or copies of reports will not be provided to any person or representative other than the Customer without the Customer's written authorization, except as may be required by law.

**Confidentiality...**Strict confidentiality is maintained regarding all Customer transactions and results. Where information is lawfully subpoenaed, must be released to a regulatory or other legal entity with jurisdiction, or disclosure of documents is otherwise required by law, the Customer will be promptly notified.

Confidential, trade secret, and privileged information provided to ELS by Customer, including sample content, analysis, and Reports, is ~~is protected~~ from public access by exceptions to the Texas Public Information Act ("PIA") to which LCRA is subject. ELS will assert the appropriate exception to withhold Customer information requested under the PIA. Customer may be asked by ELS to provide assistance in asserting exceptions to the PIA (e.g., explanation of competitive position, treatment of trade secrets, etc.). Customer agrees to assist ELS in protection of Customer's information.

**Sample Disclosures...**Customer agrees that all samples delivered to the ELS will be accompanied by a properly completed chain-of-custody form disclosing the presence of any contaminated, toxic, or hazardous substances known or suspected to be contained in such samples. ELS shall reject any samples received without a valid chain of custody form.

**Analytical Errors...**Upon request by the Customer, ELS will reanalyze samples whenever test results are suspect. Should the results of the second analysis substantially agree with those of the first, the Customer will pay for the cost of the second analysis. However, if the result of the second analysis materially differs from the first, then Customer will not be charged for the second analysis.

**Holding Times...**All samples must be delivered to ELS within one-half of the applicable holding time. ELS shall not assume any responsibility for missed holding times for samples submitted outside this criterion. To meet holding time for subcontract samples, ELS may make arrangements for the Customer to deliver samples directly to the subcontract lab.

**Sample Retention & Disposal...**Samples are stored for 30 days upon transmitting final analysis results to the Customer. After 30 days, samples are disposed of properly. However, Customer may request additional storage time at a storage fee of \$50 per month per sample.

**Hazardous Waste...**Any samples found to be or suspected of being hazardous or containing hazardous substances according to state and federal regulations will be disposed of at submitting Customer's expense.

**Turnaround Time (TAT)...**Turnaround times (TAT) are based on full "working days" which are defined as 8:00 A.M. to 5:00 P.M. Monday through Friday, excluding holidays. Standard TAT is 7 working days from the day starting after sample receipt. However, TAT may be longer depending upon the tests requested and the same matrix. TAT for samples subcontracted to a Customer-approved laboratory is based on the agreed target due date between all parties (i.e., the Customer, the ELS and the subcontract laboratory).

**Expedited Service...**Expedited service is available upon approval by ELS and written authorization from the Customer. Service charge amounts added to the total cost of service will be applied as follows:

< or = to 24 hrs	4 X cost of service
2 to 3 days	3 X cost of service
4 to 6 days	2 X cost of service

**Non-Standard Services...**On sample matrices or analytes for which no official or validated test method exists, usage of an accepted method for a different type of sample or analyte or method development, in some situations, may be offered. In such cases, no guarantee of the success of the method or warranty will be provided. The Customer will be notified of the alternate method proposed, and only after its approval, will analyses begin. Approval by the Customer of the alternate method obligates the Customer for payment for that work, regardless of result obtained.

**Warranty...**Where applicable, ELS will use analytical methodologies in accordance with the U.S. Environmental Protection Agency (EPA), state agency, or other recognized and approved source.

ELS warrants that it possesses and maintains all licenses, accreditations, and certifications that are required to perform services under these terms and conditions, provided that such requirements are documented in writing to ELS prior to sample delivery acceptance. ELS will notify the Customer in writing of any decertification or revocation of any license, or notice of either that affects work in progress.

*The foregoing express warranty is exclusive and is given in lieu of all other warranties, whether express, implied, or statutory. The ELS disclaims any other warranties, whether express, implied, or statutory, including a warranty of fitness for particular purpose and warranty of merchantability. The ELS is not responsible for any of the purposes for which the Customer may use ELS test results.*

*Liability...Customer agrees that the maximum liability of ELS for all claims of any kind whether based on contract, indemnity, warranty, tort (including negligence & strict liability), or otherwise, arising out of, connected with, or resulting from the performance or breach thereof, or from any goods or services covered by or furnished under these terms and conditions or any extension or expansion, is limited to the amounts paid or payable by the Customer for the goods or services giving rise to such claims.*

- Recommended constituents: calcium, magnesium, sodium, potassium, chloride, bicarbonate, sulfate, silica, and total dissolved solids

- 7) Predicted impacts of the proposed production from the Well, which may be provided by the District's consultants if you so choose
- Prediction of effects on area water levels based on parameters derived from the pumping test is to be done by your consulting geoscientist should you decide to pursue and operating permit under **District Rule 6.6**

Please let me know if you have further questions

I await the prescribed application and confirmation letter from your consulting firm

Thank you.

Dirk Aaron

Digitally signed by Dirk  
Aaron  
Date: 2023.12.17  
14:48:42 -06:00

Dirk Aaron [daaron@cuwcd.org](mailto:daaron@cuwcd.org)

General Manager  
Clearwater UWCD

Clearwater Underground Water Conservation District (CUWCD) is a political subdivision of the State of Texas, and underground water conservation district created and operating under and by virtue of Article 377, Section 52, of the Texas Constitution; Texas Water Code Chapter 36, the District's enabling act, Act of May 27, 1989, 71<sup>st</sup> Legislature, Regular Session, Chapter 524 (House Bill 3172), as amended by Act of April 25, 2001, 77<sup>th</sup> Legislature, Regular Session, Chapter 23 (Senate Bill 464), Act of May 7, 2009, 81<sup>st</sup> Legislature, Regular Session, Chapter 64 (Senate Bill 1755), and Act of May 27, 2015, 84<sup>th</sup> Legislature, Regular Session, Chapter 1196, Section 2 (Senate Bill 1536) omnibus districts bill, and the applicable general laws of the State of Texas; and confirmed by voters of Bell County on August 21, 1999

End of Report

**Attachment G –  
Operating Permit Application**

## Application for Non-Exempt Well Classification 3

Check one of the following:

- ☐ COMBINATION PERMIT
- ☐ DRILLING PERMIT
- ☒ OPERATING PERMIT
- ☐ PERMIT AMENDMENT

Answer the following:

- Is this for a New Well? ☐ Yes ☒ No
- Is this for a Replacement Well? ☐ Yes ☒ No
- Do you plan to Export Water Outside District? ☐ Yes ☒ No
- Are you modifying a Drilling Permit? ☐ Yes ☒ No
- Are you modifying an Operating Permit? ☐ Yes ☒ No

### 1. Owner Information

Well Owner: Byron Goode Email: scusick@victoryrockusa.com Telephone: 254-931-7348  
Address (Street/P.O. Box, City, State, ZIP): PO Box 297 Jarrell TX 76537  
Contact Person (if other than owner): Scott Cusick Telephone: 512-717-1499  
If ownership of Well has changed, name the previous owner: \_\_\_\_\_ State Well #: \_\_\_\_\_

### 2. Property Location & Proposed Well Location

Owner of Property (if different from Well Owner): Byron Goode  
The well is located in Management Zone: Stillhouse Hollow  
Acreage: 55.56 Bell CAD Property ID #: 107127 Latitude: 30.876146 Longitude: -97.609419

### 3. Well Description (Submit if State of Texas Well Report is Available)

a. Proposed use of well and estimated amount of water, **in acre-feet**, to be used for each purpose:

\_\_\_\_\_ \*Domestic; \_\_\_\_\_ Livestock/Poultry; \_\_\_\_\_ Agricultural/Irrigation;  
\_\_\_\_\_ \*\* Public Supply; 67.75 Industrial \_\_\_\_\_ Other

\*Total number of houses to be serviced by the well \_\_\_\_\_.

\*\* Applicant is required to give notice to TCEQ to obtain or modify a Certificate of Convenience and Necessity to provide water or wastewater service with water obtained pursuant to the requested permit.

b. Estimated distance, **in feet**, from the nearest:

\_\_\_\_\_ N / S Property Line; \_\_\_\_\_ E / W Property Line; \_\_\_\_\_ Existing Septic Leach Field  
\_\_\_\_\_ River, Stream, or Lake; \_\_\_\_\_ Existing Water Well; \_\_\_\_\_ Livestock Enclosure;  
\_\_\_\_\_ Other Source of Contamination (cemetery, pesticide mixing/loading, petroleum storage tank, etc.)

c. Estimated Rate of Withdrawal (GPM): 42

d. Is the Property subject to flooding? No

e. Is there another well on the property? Yes ; If YES, how many wells? 1

f. Is the well part of a multi-well aggregate system? Yes

If YES, list the State or District Well Numbers: N2-21-001P

### REQUIRED BY LAW: Pump Installer / Well Driller Information

Name: Bob Stork Street Address: 10121 I-35  
TDLR Pump Installer License #: 02912 City, State, ZIP: Jarrell, Texas 76537  
TDLR Well Driller License #: 02912 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Name of Consultant preparing Application (if applicable): Jordan Furnans, LRE Water, LLC  
Con. Phone: 512-736-685 Con. Fax: \_\_\_\_\_ Con. Email: Jordan.Furnans@lrewater.co

#### 4. Completion Information

Provide the following information to the extent known and available at the time of application:

**Proposed Total Depth of Well:** 880 ft;

Borehole Diameter (Dia): 4.5 inches (in) from 0 to 880;

Dia (2) \_\_\_\_\_ in from \_\_\_\_\_ to \_\_\_\_\_;

Casing Material: PVC; Inside Diameter (ID): 4 in;

Screen Type: Slotted & Muni-Pak; Screen Dia. 4 in from 800 to 880; # of Packers: 1

**Pump Type:** Submersible; **Power:** Electric; **Horsepower Rating:** 10 Hp;

**Pump Depth:** 750 ft; **Column Pipe ID:** 2 in.

**Date Completed:** 6/8/2021, 3/19/2024

**Proposed Water Bearing Formation:** Middle Trinity; **Management Zone:** Stillhouse Hollow

#### 5. Operating Permit

Number of contiguous acres owned or leased on which water is to be produced: 564.63 acres

Total annual production requested with this operating permit: 67.75 acre-feet

If exporting water, what is the annual volume requested for export out of the District: 0 Gallons

What is the annual volume requested for export as a % of total pumpage: 0 %

If modifying an operating permit, what is the current, permitted annual production: \_\_\_\_\_ ac-ft

What is the requested amount of annual production: \_\_\_\_\_ ac-ft

#### 6. Attachments

Include a statement/documentation explaining your requested production.

If amending an existing permit, explain the requested amendment and the reason for the amendment in a signed and dated letter, attached to this application.

If requesting operating permits or permit renewals for multiple wells, please attach a separate sheet with the information requested in Section 5 for each well.

If applicant plans to export water outside the District, address the following in an attachment and provide documents relevant to these issues:

- The availability of water in the District and in the proposed receiving area during the period requested
- The projected effect of the proposed export on aquifer conditions, depletion, subsidence, or effects on existing permit holders or other groundwater users within the District
- How the proposed export is consistent with the approved regional water plan and certified District Management Plan

For more attachments that may be needed, please see the *Full Summary of the Permit Application Process* document.

#### 7. Certification

*I hereby certify that the information contained herein is true and correct to the best of my knowledge and belief. I certify to abide by the terms of the District Rules, the District Management Plan, and orders of the Board of Directors. I agree to comply with all District well plugging and capping guidelines as stated in the District Rules.*

Typed Name of the Owner or Designee: Scott Cusick

Signature: Scott Cusick Date: 3/26/24

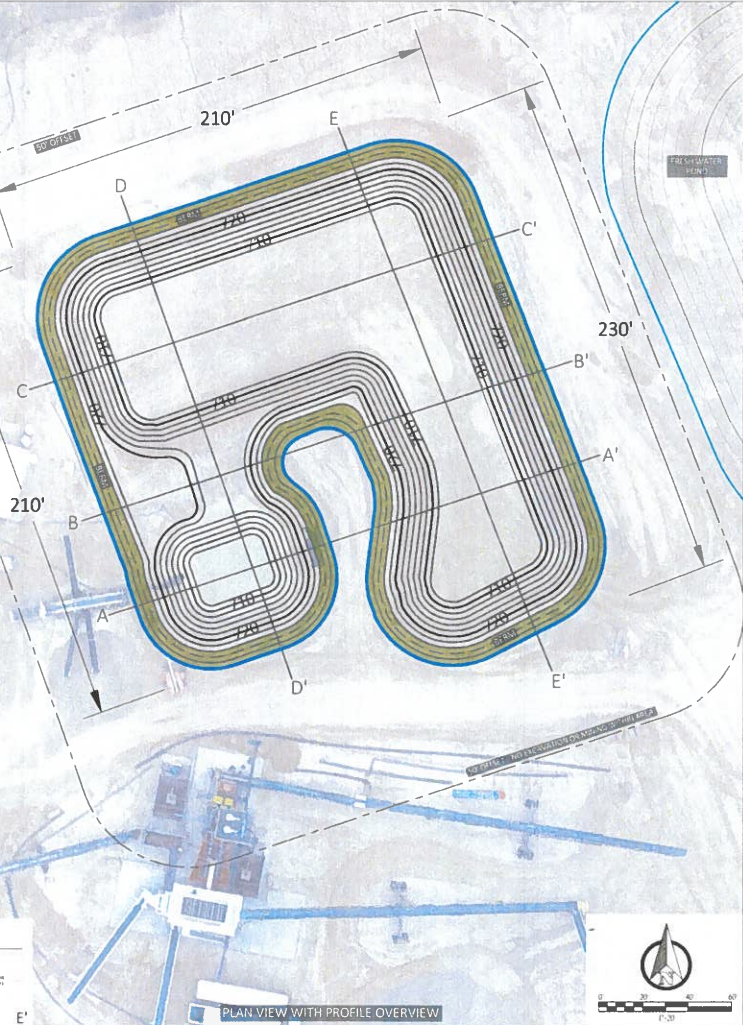
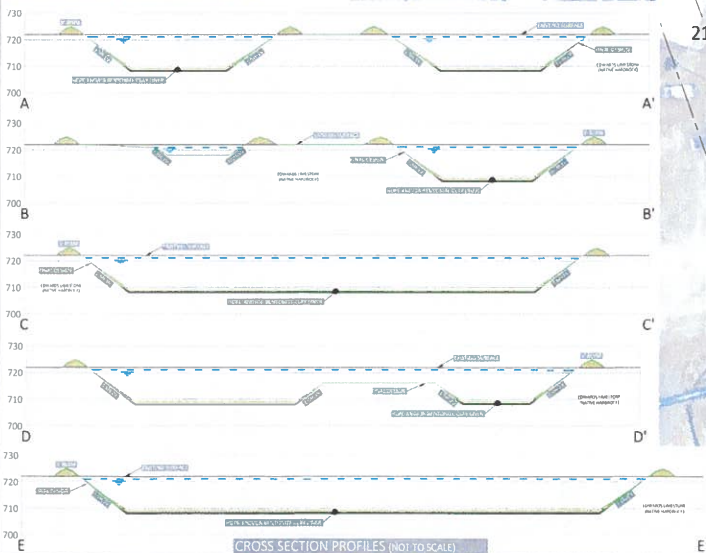
**Attachment H –  
Storage Pond Information**



Received J& Confirmed  
January 22, 2024  
by: Dirk Aaron

WATER SURFACE ELEV.	DEPTH	VOLUME (cubic yards)	VOLUME (gallons)	AREA (acres)
724	16" Max	14,000	2,800,000	0.80
722	14"	11,500	2,300,000	0.74
720	12"	9,250	1,850,000	0.66
718	10"	7,200	1,450,000	0.60
716	8"	5,450	1,100,000	0.52
714	6"	3,850	750,000	0.47
712	4"	2,400	450,000	0.42
710	2"	1,150	200,000	0.37
708	Bottom	0	0	0.33

POND VOLUMES BY INCREMENTAL STAGES



VR JARRELL  
AUXILIARY WATER POND DESIGN  
POND LOCATION AND LAYOUT  
**VICTORY ROCK**

- GENERAL NOTES:
1. FRESH WATER WILL BE PUMPED INTO THE AUXILIARY POND FROM THE FRESH WATER POND OR UNDERGROUND WATER WELL. POND IS DESIGNED TO CAPTURE AND ALLOW FINES GENERATED FROM THE WASH PLANT TO SETTLE AT THE BOTTOM.
  2. POND WILL BE LINED WITH HDPE BENTONITE CLAY, OR A COMBINATION OF BOTH.
  3. POND WILL BE MAINTAINED ON A SCHEDULED BASIS AND MAINTAINED ON A SCHEDULED BASIS.
  4. POND WILL BE MAINTAINED ON A SCHEDULED BASIS AND MAINTAINED ON A SCHEDULED BASIS.
  5. WATER LEVEL SHOULD NOT EXCEED THE BASE OF THE BERM FOR ANY EXTENDED PERIOD OF TIME.
  6. NO EXCAVATION OR MINING WITHIN 50 FEET OF POND BOUNDARY.

DWG NAME: JARRELL PIT  
DRAW DATE: JANUARY 10, 2024  
AERIAL DATE: DECEMBER 15, 2023  
SHEET: 1 OF 1

DESIGN AND DRAWN BY: BDH



DESIGN AND REVIEW BY:



LEGEND:  
— AUXILIARY POND BOUNDARY  
— FRESH WATER POND BOUNDARY  
--- 50' OFFSET FROM POND





PO Box 1989  
Belton, TX 76513

Date	4/15/2024
Payment Method	Check
Check/Ref No	

## Invoices Paid

Date	Invoice Number	Amount Due	Amount Applied
4/12/2024	226	\$1,855.00	\$1,855.00



**Clearwater Underground Water  
Conservation District**  
P.O. Box 1989, Belton, TX 76513  
Phone: 254/933-0120 Fax: 254/933-8396

## ADMINISTRATIVE FEE SCHEDULE

**Effective November 1, 2022**

<u>DESCRIPTION</u>	<u>FEES</u>
<b><u>Exempt Well Registration (unregistered wells)</u></b>	<b>No Fee</b>
<b><u>Exempt Well Application (New or Replacement)</u></b>	<b>No Fee</b>

**Non-Exempt Permit Application Fee Schedule:**

*(Fee calculation Table is available by request)*

Title	Annual Withdrawal (ac-ft)	Withdrawal Limit Condition	Drilling Permit Base Fee	Drilling Permit Progressive Fee	Progressive Fee Unit	Operating Permit Base Fee	Operating Permit Progressive Fee	Progressive Fee Unit
Level I <sup>†</sup>	0	Up to and including 1 ac-ft	\$ 150.00	\$ -	-	\$ -	\$ -	-
Level II <sup>†</sup>	1	Up to but not including 5 ac-ft	\$ 150.00	\$ 210.00	per ac-ft	\$ -	\$ -	-
Level III	5	Up to but not including 130 ac-ft	\$ 400.00	\$ 15.00	per ac-ft	\$ 600.00	\$ 20.00	per ac-ft
Level IV	130	Equal to or Greater than 130 ac-ft	\$ 2,200.00	\$ 7.50	per ac-ft	\$ 3,300.00	\$ 10.00	per ac-ft

<sup>†</sup> Level I and Level II use a Combination Permit, the Combination Permit fees are listed under Drilling Fees

**Reference Table of Fees:**

Table of Fees			
ac-ft	Combined Fee	Drilling Fee	Operating Fee
0.5	\$ 150.00	-	-
1	\$ 150.00	-	-
2	\$ 360.00	-	-
3	\$ 570.00	-	-
4	\$ 780.00	-	-
5	\$ 1,000.00	\$ 400.00	\$ 600.00
30	\$ 1,875.00	\$ 750.00	\$ 1,125.00
55	\$ 2,750.00	\$ 1,100.00	\$ 1,650.00
80	\$ 3,625.00	\$ 1,450.00	\$ 2,175.00
105	\$ 4,500.00	\$ 1,800.00	\$ 2,700.00
130	\$ 5,500.00	\$ 2,200.00	\$ 3,300.00
155	\$ 5,937.50	\$ 2,375.00	\$ 3,562.50
180	\$ 6,375.00	\$ 2,550.00	\$ 3,825.00
205	\$ 6,812.50	\$ 2,725.00	\$ 4,087.50
230	\$ 7,250.00	\$ 2,900.00	\$ 4,350.00

All Drilling and Operating Permit applications of 5-acre feet or more are a two-step process, with progressive fees that have a maximum cost not to exceed as follows:

	Maximum
<b>Drilling Permit Fee</b>	<b>\$ 7,500.00</b>
<b>Operating Permit Fee</b>	<b>\$ 10,000.00</b>
<b>Combined Total</b>	<b>\$ 17,500.00</b>

\$ 1855.00  
for 67.75 ac-ft

COPY

32-61/1110 1681

**JORDAN FURNANS**  
DL #19059851  
512-736-6485  
1551 LORSON LOOP  
ROUND ROCK, TX 78665

DATE 3/28/24

PAY TO THE ORDER OF Clearwater UWCD \$ 1855.00

One thousand Eight hundred fifty five and 00/100 DOLLARS

**CHASE**  
JPMorgan Chase Bank, N.A.  
www.Chase.com

MEMO Operating Permit

MP

PAID

## Applicant Notification Documents

April 22, 2024

**NOTICE OF APPLICATION FOR AN OPERATING PERMIT**

*Name*  
*Address*  
*City, State Zip*

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

RE: Application for an Operating Permit Associated with an Existing Well

To Whom It May Concern:

On behalf of Victory Rock Texas LLC and Jordan Furnans, Vice President of Texas Operations with LRE Water, LLC, Clearwater Underground Water Conservation District (CUWCD) received an operating permit application associated with an existing well on March 26, 2024. In the previous letter that was sent out by Jordan Furnans, LRE Water, LLC, our staff noted two mistakes. We apologize that these errors were overlooked in the draft. The corrected information regarding the operating permit application is printed in **blue** below.

Victory Rock Texas, LLC is requesting an operating permit to produce groundwater for a defined beneficial use to provide water for commercial sand and gravel mining operations, to wash the mined material, dust suppression, and to provide water to a concrete batch plant facility known as Five Star, Concrete, LLC on contiguous tracts of land, leased from Byron Goode, known as PID: 107127 of approximately 3.35-acres, PID: 523554 of approximately 2.70-acres, PID: 41910 of approximately 55.56-acres, PID: 41912 of approximately 221.83-acres, PID: 41920 of approximately 110.74-acres totaling 394.18-acres.

CUWCD well #N3-24-003~~R~~ is located in the Stillhouse Hollow Management Zone and is completed to 880 feet below land surface, screened in the Hensell Layer of the Trinity Aquifer at approximately **820 to 880 feet** below land surface. The well is currently equipped with a 2-inch column pipe equipped with a 10 HP submersible pump rated at 42 gallons per minute on the **3.359-acre tract** located at 7090 Solana Ranch Rd, Salado TX, 76571, Latitude 30.876146°, Longitude -97.609419°.

This application will be set for hearing before the CUWCD Board upon notice posted at the Bell County Clerk's Office and the CUWCD Office. If you would like to support, protest, or provide comments on this application, you must appear at the hearing and comply with District Rule 6.10. For additional information about this application or the permitting process, please contact CUWCD at 700 Kennedy Court (PO Box 1989), Belton, Texas 76513, 254-933-0120. The applicant's representative, Mr. Jordan Furnans may be contacted at 1101 Satellite View #301, Round Rock, TX 78665, or by calling 512-736-6485.

Sincerely,

Dirk Aaron  
General Manager  
Clearwater U.W.C.D.

April 16, 2024

**NOTICE OF APPLICATION FOR AN OPERATING PERMIT**

*Name*  
*Address*  
*City, State Zip*

**VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

RE: Application for an Operating Permit Associated with an Existing Well

To Whom It May Concern:

On behalf of Victory Rock Texas LLC, I Jordan Furnans as Vice President of Texas Operations with LRE Water, LLC, have made an application to the Clearwater Underground Water Conservation District (CUWCD) on March 26, 2024, for an operating permit associated with an existing well.

Victory Rock Texas, LLC is requesting an operating permit to produce groundwater for a defined beneficial use to provide water for commercial sand and gravel mining operations, to wash the mined material, dust suppression, and to provide water to a concrete batch plant facility known as Five Star, Concrete, LLC on contiguous tracts of land, leased from Byron Goode, known as PID: 107127 of approximately 3.35-acres, PID: 523554 of approximately 2.70-acres, PID: 41910 of approximately 55.56-acres, PID: 41912 of approximately 221.83-acres, PID: 41920 of approximately 110.74-acres totaling 394.18-acres.

CUWCD well #N3-24-003P is located in the Stillhouse Hollow Management Zone and is completed to 880 feet below land surface, screened in the Hensell Layer of the Trinity Aquifer at approximately 1056 to 1160 feet below land surface. The well is currently equipped with a 2-inch column pipe equipped with a 10 HP submersible pump rated at 42 gallons per minute on the 61.61-acre tract located at 7090 Solana Ranch Rd, Salado TX, 76571, Latitude 30.876146°, Longitude -97.609419°.

This application will be set for hearing before the CUWCD Board upon notice posted at the Bell County Clerk's Office and the CUWCD Office. If you would like to support, protest, or provide comments on this application, you must appear at the hearing and comply with District Rule 6.10. For additional information about this application or the permitting process, please contact CUWCD at 700 Kennedy Court (PO Box 1989), Belton, Texas 76513, 254-933-0120. I, the applicant's representative, Mr. Jordan Furnans may be contacted at 1101 Satellite View #301, Round Rock, TX 78665, or by calling 512-736-6485.

Sincerely,

Jordan Furnans  
Vice President – Texas Operations  
LRE Water, LLC

## CROSSWORD

By THOMAS JOSEPH

ACROSS 39 Binary  
1 Really like digit  
7 Horn  
11 Sitka's state  
12 Trade show  
13 Elect  
14 Basic idea  
15 Foils' kn  
16 "I under-stand!"  
17 Hot  
18 A waste of time  
19 Theater award  
21 Negative link  
22 Two-bar symbol  
25 Letter before upslon  
26 Musical symbol  
27 Stands  
28 Striker's foe  
33 Run, as color  
34 Stable animal  
35 Learning method  
36 Exotic fruit  
37 Yeah, sure!  
38 Late hour

DOWN

1 Dance parties  
2 Skip the ceremony  
3 Rubber source  
4 Words after  
5 Enjoys Aspen  
6 Solo in space  
7 Sired  
8 Leaving  
9 Letter after delta  
10 Peter  
11 Rabbit's creator  
12 Shot in the dark  
13 Does  
14 Clerical work  
15 Revealed  
16 Ring  
17 Sling  
18 Robust  
19 Parrot or puppy  
20 Reply to a  
21 Iranian  
22 city  
23 Handle  
24 So far  
25 badly  
26 Chi  
27 need  
28 Robust  
29 Parrot or puppy

Yesterday's answer

11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40

(254) 778-4444  
10 South 3rd Street  
Temple, Texas 76501

TEMPLE DAILY TELEGRAM

## su do ku

©Puzzles by Pappocom

2 1  
2 1 8 7 5  
3 5 6  
2 8 4 1 3  
5 4 8  
9 2 6  
4 3 7 9  
5 1 4 3

Difficulty: ★★★ 4/20

## How to Play:

Using the numbers provided, complete the grid so that every row, column, and 3x3 square contains the numbers 1-9 without duplications. Find solutions, tips, and computer program at [www.sudoku.com](http://www.sudoku.com)

AXYDLBAAXR  
is LONG FELLOW  
One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

4-20 CRYPTOQUOTE

LYNTOZ HF LJN Y XEYBZ

NJ SHFHN. HN HF MJPZ.

— UYOK FLKRZO

Yesterday's Cryptquote: AND THE DAY CAME WHEN THE RISK TO REMAIN TIGHT IN A BUD WAS MORE PAINFUL THAN THE RISK IT TOOK TO BLOSSOM. — ANAIS NIN

## CLASSIFIEDS

TEMPLE DAILY TELEGRAM

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Rental: 9-21 Farm/Ranch: 170-175  
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Auctions, 194

Garage Sales  
Temple Garage Sales 200

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After 26 weeks

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Rogers \$750.00  
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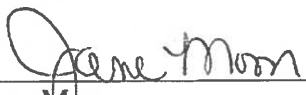
# Publisher's Affidavit

State of Texas  
County of Bell


Before Me, The Undersigned Authority, this day personally appeared Jane Moon after being by me duly sworn, says that she is the Classified Manager Inside Sales of the Temple Daily Telegram, a newspaper published in Bell County, Texas and that the stated advertisement was published in said newspaper on the following date(s):

April 20, 2024

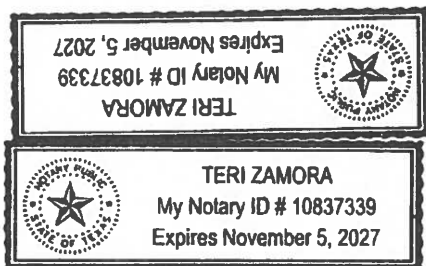
For: Victory Rock Texas, LLC  
Ad #: 16692116  
Cost: \$176.55  
Times Published: 1

  
Jane Moon  
Classified Manager Inside Sales

Subscribed and sworn to before me,  
this day: April 22, 2024

  
Notary Public in and for  
Bell County, Texas

(Seal)



## NOTICE OF APPLICATION FOR AN OPERATING PERMIT FROM CLEARWATER UNDERGROUND WATER CONSERVATION DISTRICT

Victory Rock Texas, LLC, c/o Jordan Furnans, Vice President of Texas Operations with LRE Water, LLC, has made an application to the Clearwater Underground Water Conservation District (CUWCD) on March 26, 2024, for an operating permit associated with an existing well.

Victory Rock Texas, LLC is requesting an operating permit to produce groundwater for a defined beneficial use to provide water for commercial sand and gravel mining operations, to wash the mined material, dust suppression, and to provide water to a concrete batch plant facility known as Five Star, Concrete, LLC on contiguous tracts of land, leased from Byron Goode, known as PID: 107121 of approximately 3.35-acres, PID: 523554 of approximately 2.70-acres, PID: 41910 of approximately 55.55-acres, PID: 41912 of approximately 221.83-acres, PID: 41920 of approximately 110.74-acres totaling 394.18-acres.

CUWCD well #N3-24-003P is located in the Stillhouse Hollow Management Zone and is completed to 880 feet below land surface, screened in the Hensell Layer of the Trinity Aquifer at approximately 1056 to 1160 feet below land surface. The well is currently equipped with a 2-inch column pipe equipped with a 10 HP submersible pump rated at 42 gallons per minute on the 61.61-acre tract located at 7890 Solano Ranch Rd, Solado TX, 76571, Latitude 30.876148°, Longitude -97.609419°.

This application will be set for hearing before the CUWCD Board upon notice posted at the Bell County Clerk's Office and at the CUWCD Office. If you would like to support, protest, or provide comments on this application, you must appear at the hearing and comply with District Rule 6.10. For additional information about this application or the permitting process, please contact CUWCD at 700 Kennedy Court (PO Box 1989), Belton, Texas 76513, 254-933-0120. The applicant's representative, Mr. Jordan Furnans may be contacted at 1101 Satellite View #301, Round Rock, TX 78665, or by calling 512-736-6485.

Victory Rock N3-24-003G

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Salado, TX 76571

Certified Mail Fee	\$4.40	0199
Extra Services & Fees (check box, add fee to total)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00	
<input type="checkbox"/> Return Receipt (electronic)	\$0.00	
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00	
<input type="checkbox"/> Adult Signature Required	\$0.00	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
Postage	\$0.68	
Total Postage and Fees	\$5.08	
Sent To	Casey + Emily DeWitt	
Street and Apt. No., or PO Box No.	6569 Salado Ranch Rd	
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PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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(lost/damaged)

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<https://online.uspsavtmi.com/loop>

VISA \*\*\*\* \* 9914 019103 01:31 PM  
04/19/2024 756348710003  
TID

Purchase XXXXXXXXXXXX314  
VISA CREDIT CHIP  
ENTRY METHOD 316H  
CUR 0030010209  
Invoice 27600  
Clerk APPROVED  
Response 019103  
Auth Code

ENV DETAILS

NAME 06000000631010  
AID 008600000000  
IUR 06011203A0A000  
IAD 6A00  
TSI Z3  
ARC USD \$6.27  
Amount  
FURNANS/ JORDAN  
\*\*\* CUSTOMER COPY \*\*\*

The UPS Store #6926  
200 University Blvd Ste 225  
Round Rock, TX 78665 1096  
512-843-4212

Terminal: PAS6926C Date: 4/19/2024  
Employee: 276062 Time: 01:31 PM

ITEM NAME	QTY	PRICE	TOTAL
Online Printing Other			\$1.60
Tax	1 @	\$1.60	\$0.13
Print 6/U 8.5X11			\$4.20
Tax	12 @	\$0.35	\$0.34
Subtotal			\$5.60
Shipping/Other Charges			\$0.00
Total tax			\$0.47
Total			\$6.27
Cards			\$6.27

Items Designated HK are NOT eligible  
for Returns, Refunds or Exchanges.

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1 2 4 0 4 1 9 6 9 2 6 C 0 2 1 4 4 2

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Salado, TX 76571

Certified Mail Fee \$4.40

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☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To Joshua + Nicole Champion  
Street and Apt. No., or PO Box No. 1632 Dos Hernandez Rd  
City, State, ZIP+4® Salado TX 76571

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

ROUND ROCK TX 78681  
APR 19 2024  
USPS  
04/19/2024

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Troy, TX 76579

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☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To Kenny Kautzer + Amy Hayes  
Street and Apt. No., or PO Box No. 484 H. 11 Top  
City, State, ZIP+4® Troy TX 76579

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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Jarrell, TX 76537

Certified Mail Fee \$4.40

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☐ Return Receipt (electronic) \$0.00  
☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To Jose Espinoza + Terencia Ramirez Garcia  
Street and Apt. No., or PO Box No. PO Box 553  
City, State, ZIP+4® Jarrell TX 76537

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

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APR 19 2024  
USPS  
04/19/2024

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Salado, TX 76571

Certified Mail Fee \$4.40

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☐ Return Receipt (electronic) \$0.00  
☐ Certified Mail Restricted Delivery \$0.00  
☐ Adult Signature Required \$0.00  
☐ Adult Signature Restricted Delivery \$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To Johnny + Sharon Baird  
Street and Apt. No., or PO Box No. 6573 Solann Ranch Rd  
City, State, ZIP+4® Salado TX 76571

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

ROUND ROCK TX 78681  
APR 19 2024  
USPS  
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Street and Apt. No., or PO Box No. 3412 Darion Lane  
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City, State, ZIP+4® Salado TX 76571

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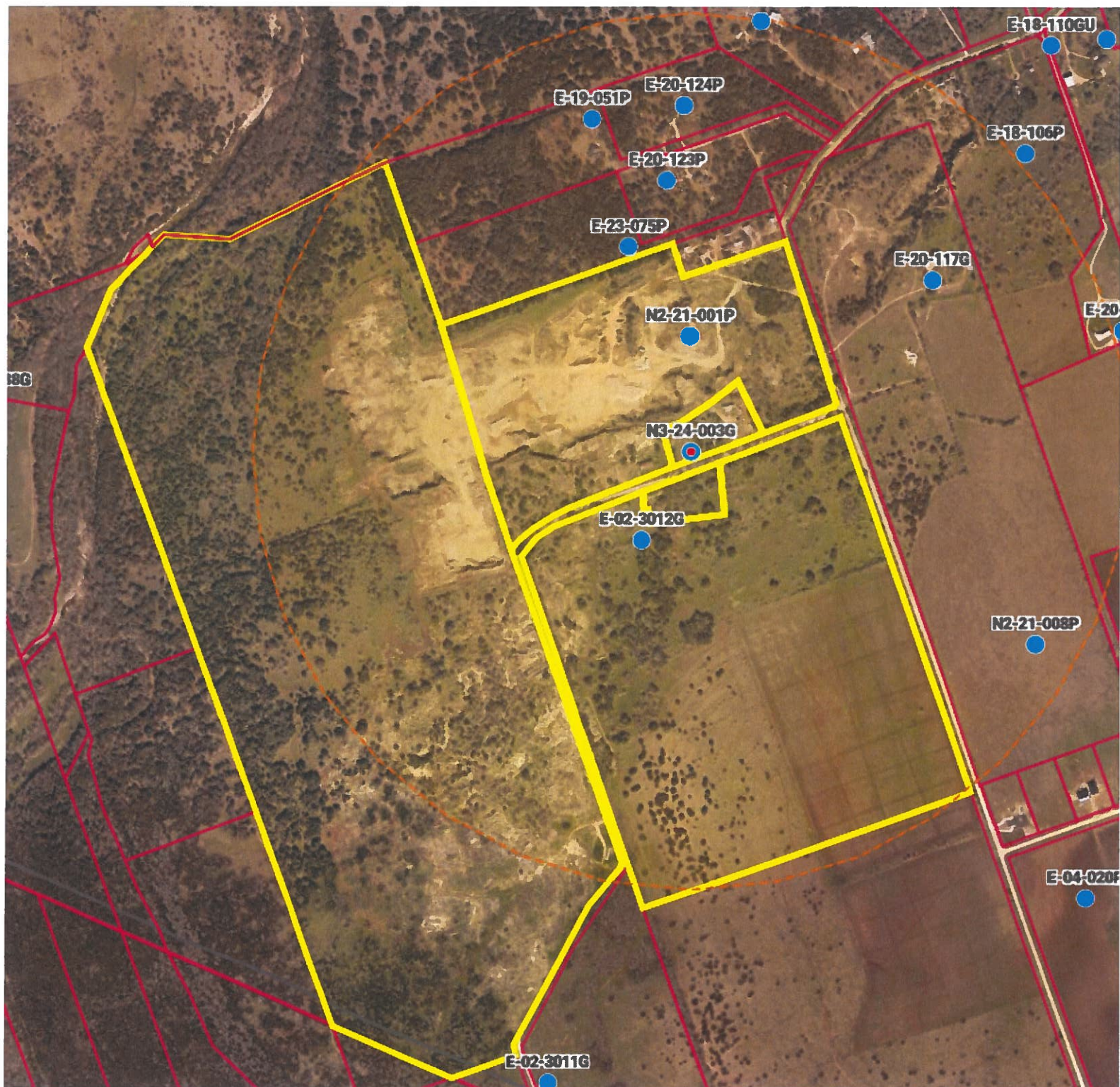
## Mailing List

Byron Goode	PO Box 297	Jarrell	TX	76537
Casey & Emily DeWees	6569 Solana Ranch Rd	Salado	TX	76571
Dennis Baird	6604 Solana Ranch Rd	Salado	TX	76571
Johnny & Sharon Baird	6573 Solana Ranch Rd	Salado	TX	76571
Jose Espinoza & Terencio Ramirez Guerra	PO Box 553	Jarrell	TX	76537
Joshua & Nicole Champion	1632 Dos Hermanas Rd	Salado	TX	76571
Kenny Kautzer & Amy Hayes	484 Hilltop	Troy	TX	76579
Marcus & Tanya Edwards	PO Box 338	Salado	TX	76571
Matthew Baird	6577 Solana Ranch Rd	Salado	TX	76571
Patsy Faulkner	3412 Darion Lane	Plano	TX	75093
Solana Ranch Co. c/o Kirk Michaux	PO Box 1199	Salado	TX	76571
Tim & Louise Watkins	6327 Solana Ranch Rd	Salado	TX	76571
Zach & Charlotte Baird	968 Prairie Dell Church Rd	Salado	TX	76571

Wells 1/2 Mile

## N3-24-003G Contact List

<u>Prop ID</u>	<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Well #</u>	<u>Status</u>	<u>Depth</u>	<u>Aquifer</u>	<u>Use</u>	<u>Distance</u>
41920	Byron Goode	PO Box 297	Jarrell	TX	76537	E-02-3012G	Inactive	unknown	unknown	Not used	621 ft
351652	Zach & Charlotte Baird	968 Prairie Dell Church Rd	Salado	TX	76571	E-20-117G	Inactive	75	Edwards BFZ	Domestic	1,786 ft
484918	Johnny & Sharon Baird	6573 Solana Ranch Rd	Salado	TX	76571	E-19-051P	Active	887	Middle Trinity	Domestic	2,545 ft
484907	Marcus & Tanya Edwards	PO Box 338	Salado	TX	76571	E-18-107P	Active	140	Edwards BFZ	Domestic	2,148 ft
113755	Matthew Baird	6577 Solana Ranch Rd	Salado	TX	76571	E-20-123P	Active	900	Middle Trinity	Domestic	1,626 ft
484919	Casey & Emily DeWees	6569 Solana Ranch Rd	Salado	TX	76571	E-20-124P	Active	900	Middle Trinity	Domestic	2,063 ft
484912	Dennis Baird	6604 Solana Ranch Rd	Salado	TX	76571	E-23-075P	Active	890	Middle Trinity	Domestic	1,286 ft
<b>Adjacent Property</b>											
186827	Jose Espinoza & Terencio Ramirez Guerra	PO Box 553	Jarrell	TX	76537						
484912	Dennis Baird	6604 Solana Ranch Rd	Salado	TX	76571						
484918	Johnny & Sharon Baird	6573 Solana Ranch Rd	Salado	TX	76571						
419635	Patsy Faulkner	3412 Darion Lane	Plano	TX	75093						
34909	Patsy Faulkner	3412 Darion Lane	Plano	TX	75093						
34913	Patsy Faulkner	3412 Darion Lane	Plano	TX	75093						
34912	Patsy Faulkner	3412 Darion Lane	Plano	TX	75093						
58224	Byron Goode	PO Box 297	Jarrell	TX	76537						
41920	Byron Goode	PO Box 297	Jarrell	TX	76537						
351652	Zach & Charlotte Baird	968 Prairie Dell Church Rd	Salado	TX	76571						
108586	Solana Ranch Co. c/o Kirk Michaux	PO Box 1199	Salado	TX	76571						
240802	Kenny Kautzer & Amy Hayes	484 Hilltop	Troy	TX	76579						
502065	Joshua & Nicole Champion	1632 Dos Hermanas Rd	Salado	TX	76571						



LRE Water Supplement #1  
April 14, 2024



April 14, 2024

Dirk Aaron, General Manager  
Clearwater Underground Water Conservation District  
P.O. Box 1989  
Belton, TX 76513

via email: [daaron@cuwcd.org](mailto:daaron@cuwcd.org)

RE: Test Well Application Request & Application for an Operating Permit for a Non-Exempt Well Classification 3 for Clearwater Underground Water Conservation District Well E-02-3010G, Bell County, Texas

Dear Mr. Aaron,

On March 28, 2024, on behalf of Scott Cusick, Victory Companies, LLC, I submitted to you an operating permit application for well E-02-3010G. After our discussion on this day, you deemed the application administratively incomplete, as it did not include results from well testing authorized under Test Permit TW-24-002P. This supplemental packet provides the results of the well pumping test conducted under Test Permit TW-24-002P, and provides my assessment of the negligible impacts that pumping well E-02-3010G will have on surrounding registered wells withdrawing water from the Middle Trinity aquifer.

Please do not hesitate to contact me regarding this supplemental report, or on anything related to well E-02-3010G. I may be reached by phone at 512-736-6485 or via email at [Jordan.Furnans@lrewater.com](mailto:Jordan.Furnans@lrewater.com).

Sincerely,

Jordan Furnans, PhD, PE, PG

LRE Water, LLC

**Support for Test Permit No. TW-24-002P**

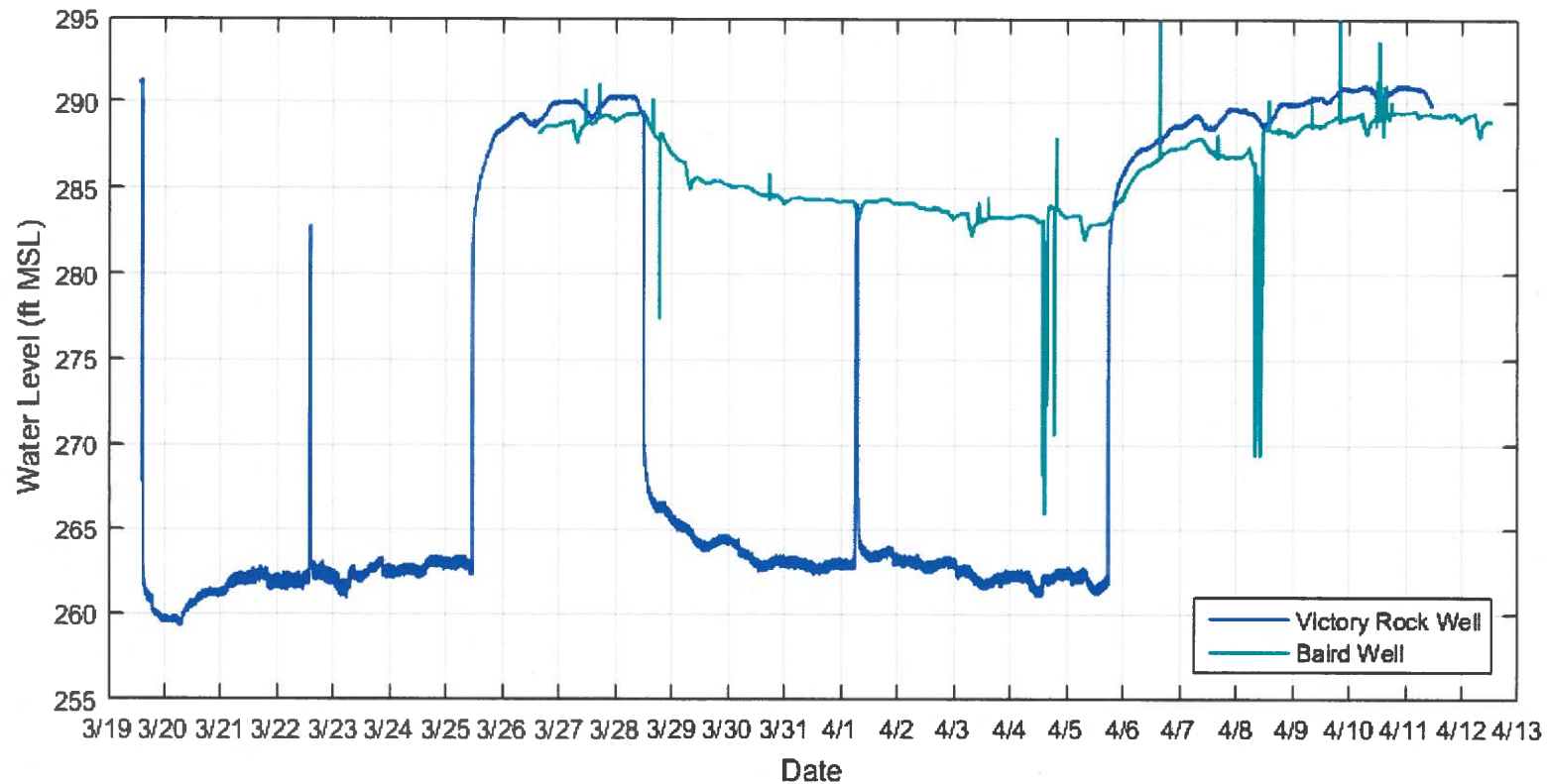
In an email sent to me dated 3/25/2024, the District provided Test Permit No. TW-24-002P, which authorized a pumping test to be performed on well E-02-3010G (herein referred to as the "Victory Rock Well"). Testing under this permit commenced on 3/28/2024, and stopped on 4/5/2024. During this pumping, LRE Water recorded water levels within well E-02-3010G at 1-minute intervals using an In-Situ LevelTroll 700 device with direct-read capabilities. LRE Water has provided the raw water level data to the District (via email to Dirk Aaron) and to Mike Keester, PG of KT Groundwater. The District has also provided water level data collected with its own equipment from well E-23-075P, which is herein referred to as the "Baird Well."

Figure 1 presents the time series of water level data from the Victory Rock and Baird wells, for the period from 3/19/2024 to 4/13/2024. Water levels are referenced to Mean Sea Level (MSL), as computed from the well land surface elevations (per the District online dashboard) and the recorded "depth to water" readings. Note: the Baird Well data is recorded as "depth to water" readings, whereas the Victory Rock water levels are recorded as "water depth above the transducer" with the transducer depth set at 597.6 ft below ground surface. This setting was computed based on an e-line measurement of the static water level (on 3/19/2024) as 476.3 ft below ground surface, and a measured water depth above the transducer of 121.3 ft upon transducer installation.

As shown in Figure 1, Barn well pumping lowered the water level until early on 3/20/24, when water levels began generally increasing until pumping ceased on 3/25/24. The cause for this increase is unknown; LRE Water verified that pumping over this time consistently ranged from 40-42 gpm, and therefore concluded that the observed water level increase was NOT due to a systematic pumping rate reduction. The water level rise shown on 3/22/24 occurred when pumping ceased for 23 minutes, to allow for the installation of a new water meter (necessitated by the failure of the original meter).

Figure 1 also presents water level data from the Baird Well, shown to be approximately 2-ft lower than water levels at the Victory Rock (when the Victory Rock was not pumping). Water levels in the Baird Well dropped by approximately 6.3 ft over the course of the pumping of the Victory Rock Well from 3/28/24-4/5/24. After cessation of the Victory Rock Well pumping, water levels in the Baird Well recovered to pre-pumping conditions within 4-5 days (by 4/10/2024).

The cause of the water level upward spike in the Victory Rock Well on 4/1/2024 is unknown, as is the corresponding decrease in water levels in the Baird Well at that time.



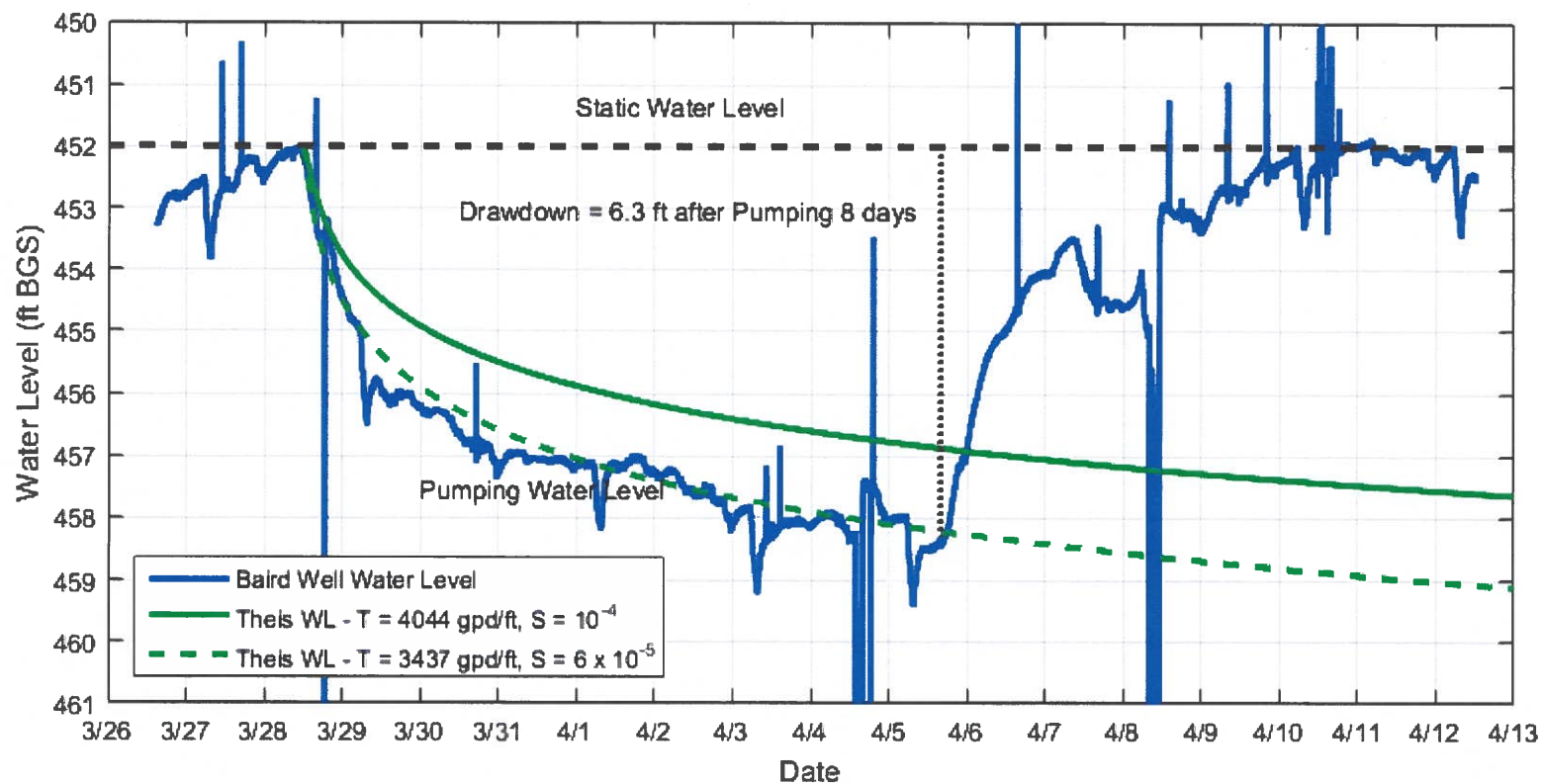
**Figure 1 – Water level data (relative to MSL) within the Victory Rock Well and the Baird Well from 3/19/24-4/13/24. Data presented is “raw” data that is unfiltered. LRE Water did not remove obviously erroneous level data from the Baird Well dataset (which includes short-duration positive and negative “spikes” in the recorded water levels).**

Water level data from both wells suggest that other Middle Trinity wells are operating within the area, as evidenced by the periodic “dips” in level data. This is evident in Figure 1, with the most prominent dips seen in the well data from 3/25/24-3/28/24 when the Victory Rock Well was not pumping. Dips are sharper, earlier, and more pronounced within the Baird Well data, suggesting that another well is pumping nearby, and that this unknown well is closer geographically to the Baird Well than to the Victory Rock Well.

Figure 2 presents the recorded water level (in depth below ground surface) for the Baird Well for the period from 3/26/2024 to 4/12/2024. As shown, water levels decreased as a result of the Victory Rock well pumping from 3/28/24 to 4/5/24, and then recovered by 4/10/2024 after Victory Rock well pumping ceased (on 4/5/2024). LRE Water determined that 6.3 ft of drawdown was experienced in the Baird Well over the 8-days of pumping. The majority of this drawdown should be attributed to the influence of the Victory Rock Well, however some of the drawdown results from the periodic pumping of the nearby unknown well. This is evident in the Baird well data from 3/29, which shows a rapid decrease from the unknown well’s pumping.

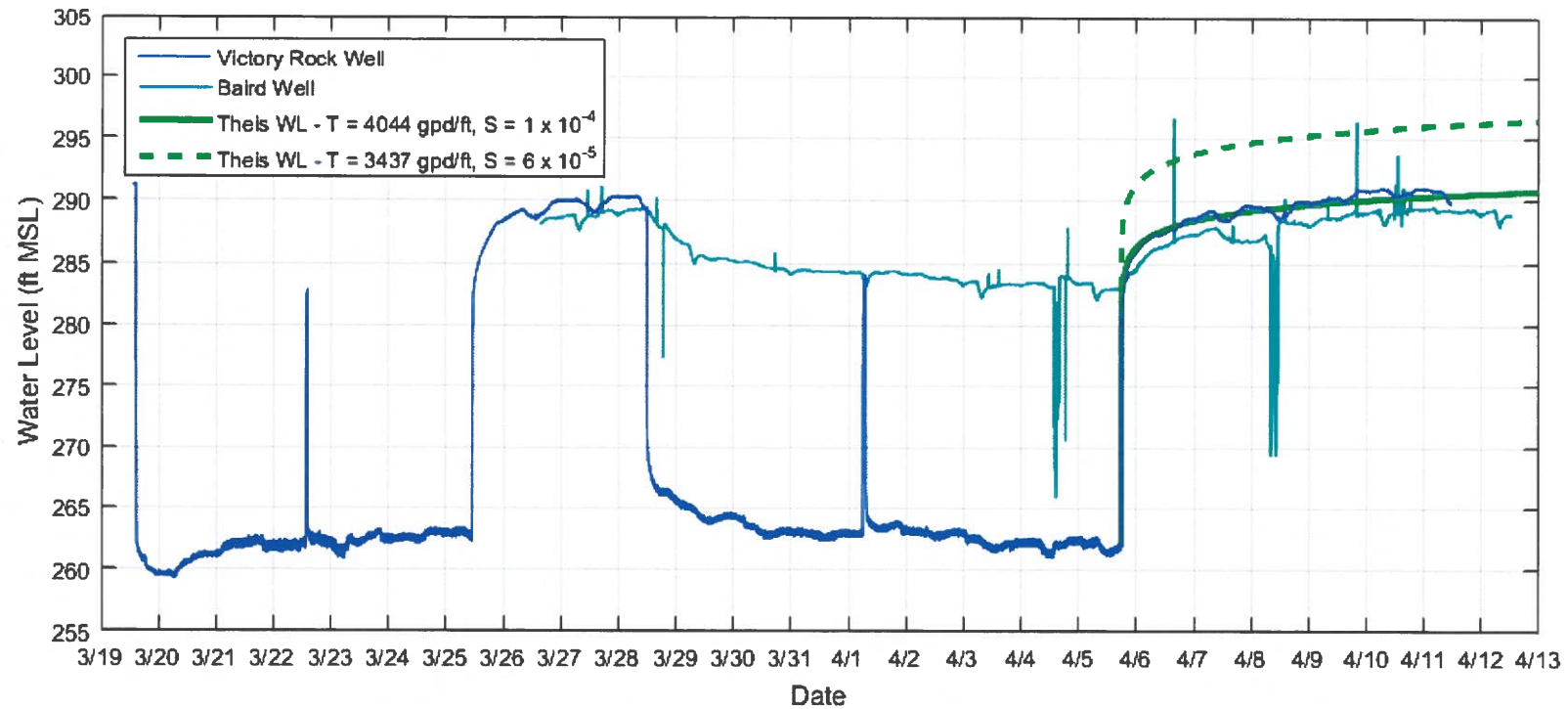
Figure 2 also presents modeled “Theis” water levels for the Baird Well, theoretically resulting from the Victory Rock well pumping. The solid green water level line represents modeled water levels using a transmissivity of 4,044 gpd/ft, which was the value calculated from Victory Rock Well water level data and presented in the original operating permit application. For that calculation, a storativity of  $10^{-4}$  was used, based on advice provided by Mike Keester of KT Groundwater. The dashed green line shows modeled water levels resulting from the Theis standard equation, using a transmissivity of 3,437 gpd/ft and a storativity of  $6 \times 10^{-5}$ . As shown, the dashed green line is in better agreement with the measured data than the solid green line. LRE Water recommends using these slightly lower transmissivity and storativity values when performing calculations related to the Baird Well.

Figure 2 also demonstrates how water levels in the Baird Well are periodically influenced from pumping from a nearby unknown well. Pumping is evident on 3/27, 3/29, 3/31, 4/1, 4/3, 4/4, 4/5, and 4/7-4/12. In general the pumping commences in the morning and ceases by mid-day. This suggests the pumping is in support of typical domestic water use activities (morning showers followed by water tank refilling).

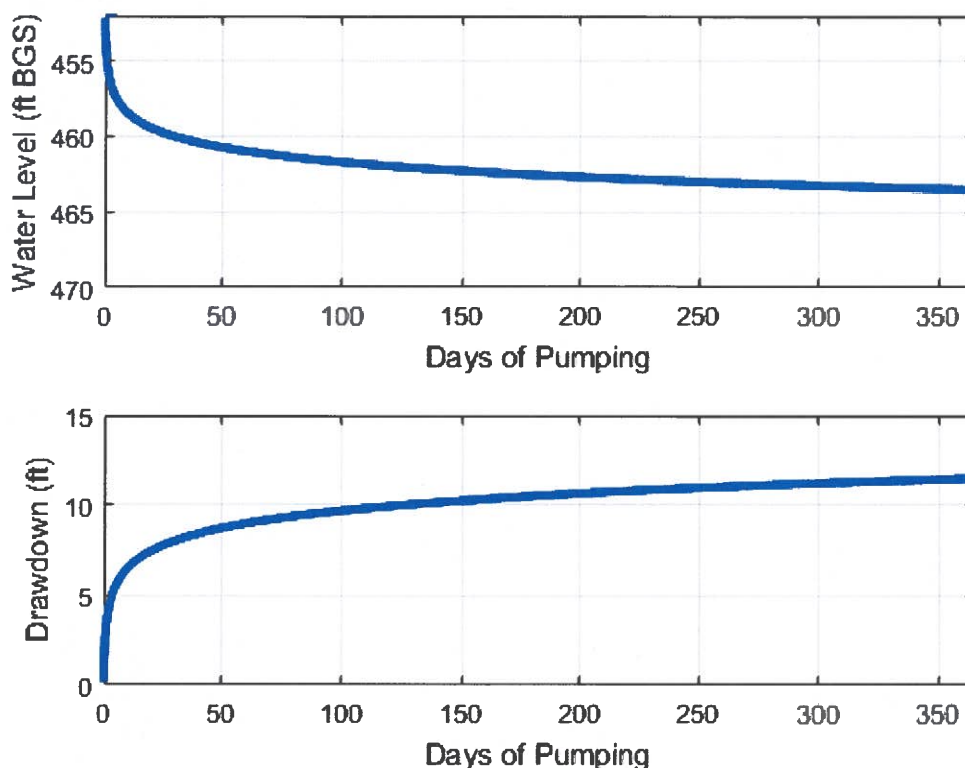


**Figure 2 – Measured and Modeled Water Levels in the Baird Well – 3/26/24-4/12/24**

Figure 3 presents the same water level data as in Figure 1, but includes modeled Theis water levels for the recovery period from 4/5/24 to 4/13/24. Shown in the solid and dashed green lines are the computed water levels within the Victory Rock Well, assuming a well efficiency of 90%. The solid line uses a transmissivity of 4,044 gpd/ft and a storativity of  $10^{-4}$ . The dashed green line uses the transmissivity and storativity values that provided the “best-fit” match to the Baird Well water level data, namely 3,437 gpd/ft and  $6 \times 10^{-5}$ , respectively. As shown, the solid green line provides a much better match to the observed water level data in the Victory Rock Well. This suggests that aquifer properties vary over the distance between the Victory Rock Well and the Baird Well, and that properties are more conductive to water production at the Victory Rock well site.



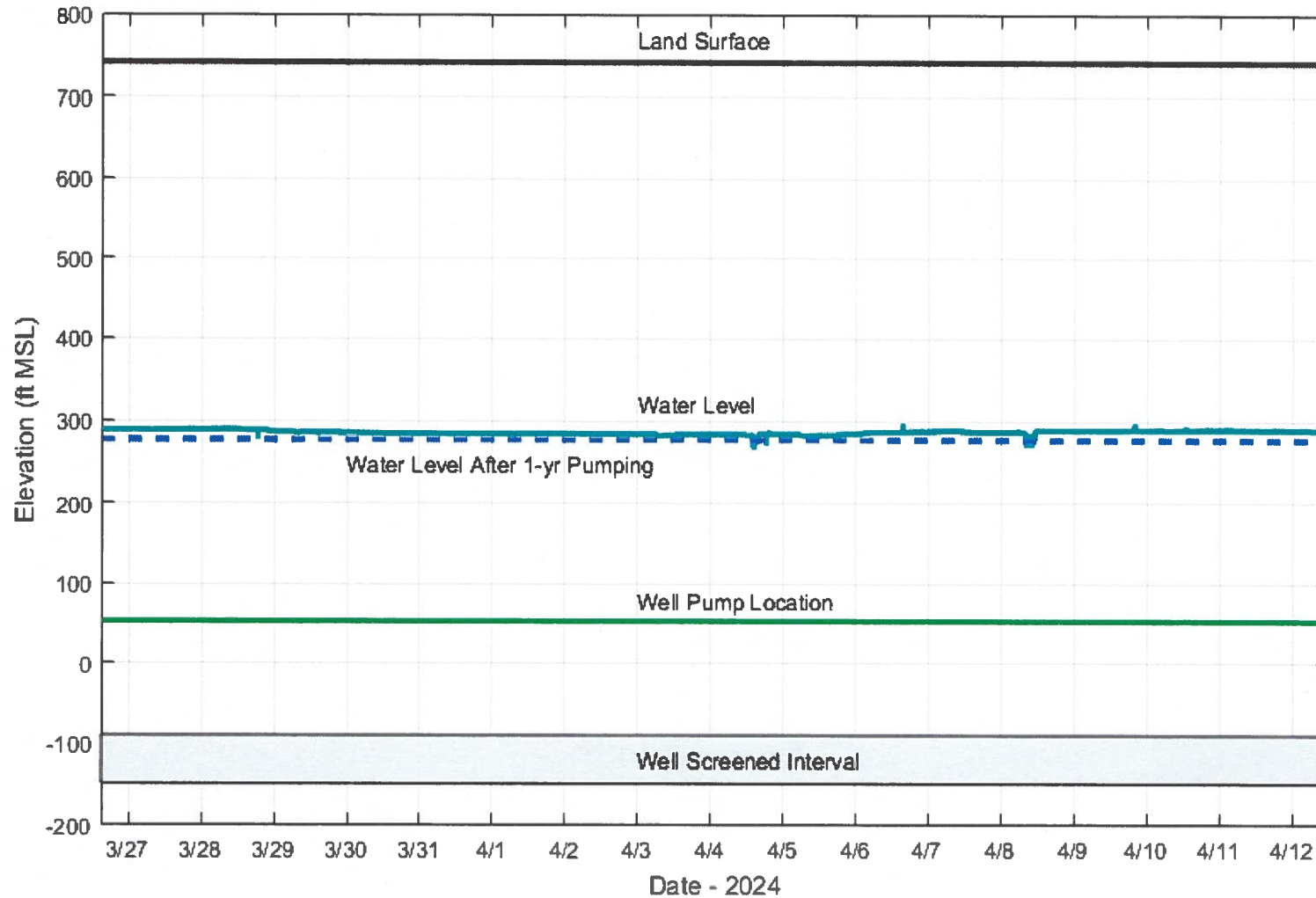
**Figure 3 – Water level data (relative to MSL) within the Victory Rock Well and the Baird Well from 3/19/24-4/13/2024. Data presented identical to that presented in Figure 1, yet also included simulated Theis Water levels in the Victory Rock Well for the recovery period from 4/5-4/13/24.**



**Figure 4 – Computed Water Levels and Drawdown within the Baird Well resulting from continuous pumping of the Victory Rock Well at 42 gpm (as requested in the operating permit application).**

Figure 4 presents Theis-calculated water levels and drawdown in the Baird Well resulting from continuously pumping the Victory Rock Well at 42 gpm (as requested in the operating permit). For the Theis calculations, transmissivity and storativity values pertaining to the Baird Well site (3,437 gpd/ft and  $6 \times 10^{-5}$ , respectively) were used. As shown, after 1-year of pumping, approximately 12 feet of drawdown is to be expected.

Figure 5 presents the measured water levels at the Baird Well over the period from 3/26/24 to 4/13/24, including the time over which the Victory Rock Well was pumping. Also shown are the land surface elevation, the elevation at which the Baird Well pump is located, and the well screened interval. The dashed blue line shows the approximately 12-foot drawdown that would result from 1-yr of continuous pumping of the Victory Rock Well.



**Figure 5 – Baird Well water levels relative to features of the Baird Well, showing negligible impact of Victory Rock Well Pumping on the ability to obtain water from the Baird Well.**



Figure 5 clearly demonstrates that pumping of the Victory Rock Well will have negligible impact on the ability to obtain water out of the Baird Well. At the current pump setting, there is over 200 ft of available drawdown above the pump, even after the 1-year of simulated pumping. In addition, the well pump itself is located over 100 ft above the top of the well screen, indicating that the well pump could easily be lowered in order to increase the amount of available drawdown. LRE Water does not foresee the need to lower the Baird Well in order to maintain the ability to obtain water from the well.

As shown in Table 1, there are 13 known Middle Trinity Wells located within the jurisdiction of the District and which are within 1-mile of the Victory Rock Well. The well closest to Victory Rock is the Baird Well, and it is the well therefore most likely to be effected by pumping from the Victory Rock Well. As all other wells are further away, the proposed pumping from the Victory Rock well will have less drawdown impact at the other well locations.

Table 2 presents the computed “available drawdown” and drawdown resulting from 1-year of continuous pumping from the Victory Rock Well for all of the 13 known Middle Trinity Wells within 1-mile of the Victory Rock Well. As shown, the greatest drawdown (11.8 ft) is computed for the Baird Well, and all other computed drawdowns are less than this value. The “Available Drawdown” is computed as the difference between relevant elevations, as follows:

- Current Available Drawdown: Pump Depth MINUS Static Water Level
- 1-yr Pumping Drawdown: Current Available Drawdown MINUS 1-Yr Theis Drawdown
- To-Top-of-Screen: Top of Screen Depth MINUS Static Water Level

The “To-Top-of-Screen” value is the maximum available drawdown if the well pump were to be lowered to the top of the screened interval for the given well.

As shown in Table 2, the minimum Current Available Drawdown is 150 ft, and the minimum 1-yr pumping drawdown is 141.7 ft. Both of these values were computed for well E-02-1551G, which has a very high static water level and a very high pump depth setting, relative to all other wells in the table. The available drawdown to the “Top-of-screen” for this well, however, is 541.7 ft, indicating that if need be, the well pump could be lowered to maintain well utility. Based on the data in Table 2, LRE Water contends that pumping from the Victory Rock well will have NEGLIGIBLE impact on the ability to withdraw water from neighboring wells.

Table 1 – Middle Trinity Wells within 1-mile of the Victory Rock Well.

Well ID	Lat	Lon	Distance To Victory Rock (ft)	Elev (ft)	Screen Depth (ft BGS)		Depth (ft)	Static WL (ft BGS)	Pump Depth (ft BGS)	Rate (gpm)
					Top	Bottom				
E-23-075P	30.87953	-97.6106	1,289	741.429	830	890	890	452.17	689	150
N2-19-002P	30.88364	-97.6048	3,093	757	850	910	910	463.96	647	150
N2-19-001P	30.88375	-97.6037	3,302	754.593	850	910	910	462.5	642	150
E-24-002P	30.88964	-97.6064	5,013	736.379	821	881	881	UNK	684	150
E-21-044P	30.88518	-97.6048	3,599	753.286	830	910	910	433.6	647	200
E-20-124P	30.88186	-97.6096	2,085	743.263	832	892	892	423.3	642	150
E-20-123P	30.88062	-97.6099	1,639	743.34	832	892	892	424.9	642	150
E-20-111P	30.87815	-97.6011	2,705	761.321	NA	NA	900	389	760	UNK
E-19-233P	30.88608	-97.6014	4,409	754.67	850	910	910	420.7	647	150
E-19-221P	30.88296	-97.6015	3,511	756.19	855	915	915	420.4	689	510
E-19-051P	30.88164	-97.61133	2,092	736.972	827	887	887	399	647	200
E-19-034P	30.88776	-97.6003	5,109	744.97	850	910	910	396	647	200
E-02-1551G	30.88727	-97.6035	4,461	759.288	800	880	880	250	400	50

\*\*Victory Rock Well is located at (30.876146, -97.609419).

\*\*\* Pumping Rates as provided on the State of Texas Well Reports, and may not reflect permitted pumping rates.

**Table 2 – Computed Available Drawdown at Neighboring District Middle-Trinity Aquifer Wells**

Well ID	Top Screen Depth (ft BGS)	Static WL (ft BGS)	Pump Depth (ft BGS)	1-Yr Theis Drawdown (ft)	Available Drawdown (ft)		
					Current	1-yr pumping	To top of screen
E-23-075P	830	452.17	689	11.8	236.8	225.0	366.0
N2-19-002P	850	463.96	647	9.3	183.0	173.7	376.7
N2-19-001P	850	462.5	642	9.2	179.5	170.3	378.3
E-24-002P	821	UNK	684	8.0	UNK	UNK	UNK
E-21-044P	830	433.6	647	8.9	213.4	204.5	387.5
E-20-124P	832	423.3	642	10.4	218.7	208.3	398.3
E-20-123P	832	424.9	642	11.1	217.1	206.0	396.0
E-20-111P	NA	389	760	9.7	371.0	361.3	UNK
E-19-233P	850	420.7	647	8.3	226.3	218.0	421.0
E-19-221P	855	420.4	689	9.0	268.6	259.6	425.6
E-19-051P	827	399	647	10.4	248.0	237.6	417.6
E-19-034P	850	396	647	7.9	251.0	243.1	446.1
E-02-1551G	800	250	400	8.3	150.0	141.7	541.7

\*\* Well E-23-075P is the Baird Well



LRE Water Supplement #2  
May 1, 2024



May 1, 2024

Dirk Aaron, General Manager  
Clearwater Underground Water Conservation District  
P.O. Box 1989  
Belton, TX 76513

via email: [daaron@cuwcd.org](mailto:daaron@cuwcd.org)

RE: Test Well Application Request & Application for an Operating Permit for a Non-Exempt Well Classification 3 for Clearwater Underground Water Conservation District Well N3-24-003G, Bell County, Texas

Dear Mr. Aaron,

Thank you for your willingness to meet with us on April 25, 2024 to discuss our application. This document is an application supplement containing the data and analysis we discussed at the April 25<sup>th</sup> meeting. From the meeting, it is clear we unlikely to be able to avoid the time, effort, and expense of a contested case hearing, irrespective of whether Victory Rock, LLC lowers the diversion amount requested.

As such, we have decided not to amend our application and not to request a lower annual diversion limit. We have demonstrated a need for water that exceeds the amount of water that is producible from well N3-24-003G. We are requesting the District allow for us to produce from well N3-24-003G so that we may obtain less water from other sources, should we find any. Our intention is to use all available means to produce valuable product, generate local jobs, and to generate local revenue while utilizing water in a responsible and conservatory manner.

We are willing to discuss lower permit quantities, but would like to do so at the May 8<sup>th</sup> hearing where all parties can fairly and calmly review the science behind our application and analyses.

Please do not hesitate to contact me regarding this supplemental report, or on anything related to well E-02-3010G. I may be reached by phone at 512-736-6485 or via email at [Jordan.Furnans@lrewater.com](mailto:Jordan.Furnans@lrewater.com).

Sincerely,

  
Jordan Furnans, PhD, PE, PG  
LRE Water, LLC

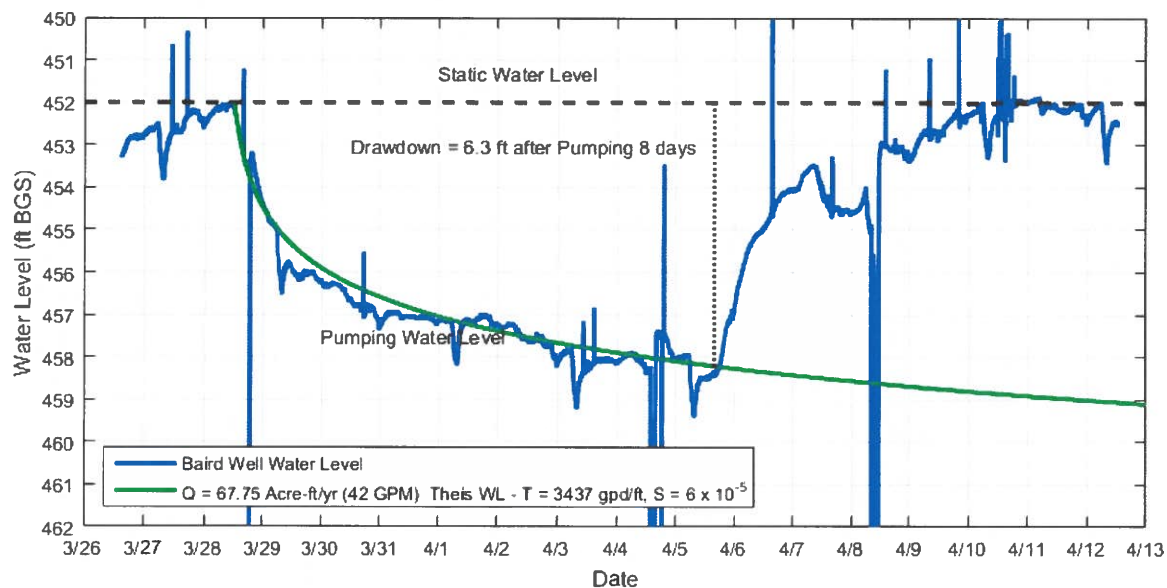
**Support for Operating Permit for Well N3-24-003G**

Figure 1 presents the recorded water level (in depth below ground surface) for the Baird Well for the period from 3/26/2024 to 4/12/2024. As shown, water levels decreased as a result of the Victory Rock well pumping from 3/28/24 to 4/5/24, and then recovered by 4/10/2024 after Victory Rock well pumping ceased (on 4/5/2024). LRE Water determined that 6.3 ft of drawdown was experienced in the Baird Well over the 8-days of pumping. The majority of this drawdown should be attributed to the influence of the Victory Rock Well, however some of the drawdown results from the periodic pumping of the nearby unknown well. This is evident in the Baird well data from 3/29, which shows a rapid decrease from the unknown well's pumping.

Figure 1 also presents modeled "Theis" water levels for the Baird Well, theoretically resulting from the Victory Rock well pumping. The solid green water level line represents modeled water levels using a transmissivity of 3,437 gallons per day per foot (gpd/ft) and a storativity of  $6 \times 10^{-5}$ . Mike Keester, PG of KT Groundwater has verbally confirmed the validity of these Middle Trinity Aquifer parameters. There is strong agreement between the predicted and observed Baird Well water level, which provides high confidence that the aquifer properties used in the modeling are correct.

Figure 2 presents predicted drawdowns resulting from continuous pumping for 1-year periods at differing flow rates. At the 67.75 acre-feet/year flow rate requested in the permit application, the 1-year computed drawdown at the Baird well will be 11.8 feet. This drawdown diminishes with lower flow rates. As shown, a 33.87 acre-feet/year flow rate results in 5.9 feet of drawdown and a 16.93 acre-feet/year flow rate results in 2.95 feet of drawdown.

To get 1 foot of drawdown at the Baird Well location, well N3-24-003G would need to be pumped at the flow rate of 8.47 acre-feet/yr.



**Figure 1 – Water level data from the Baird Well from 3/19/24–4/13/2024. Data presented is “raw” data that is unfiltered. Green line is the modeled water level computed using the standard Theis Equation and the aquifer parameters (T &S) shown. Drawdown is that resulting from pumping Well N3-24-003G at the rate of 67.75 Acre-feet/yr (42 GPM).**

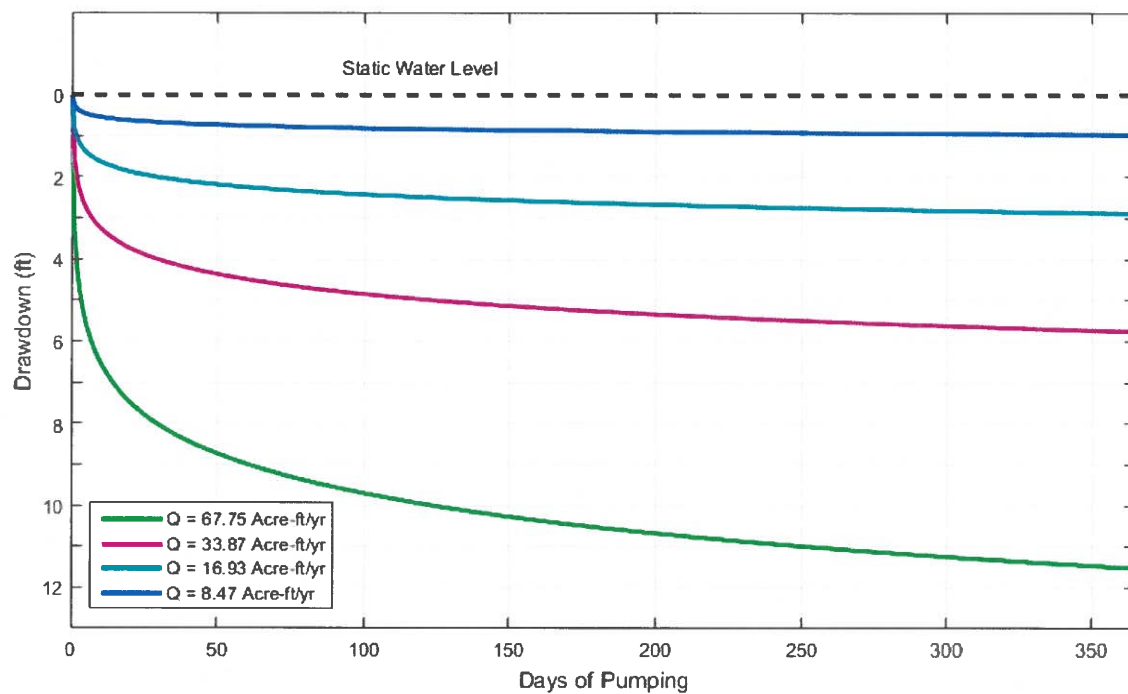


Figure 2 – Theis-modeled drawdown in the Baird Well if pumping Well N3-24-003G at various flow rates.



We understand that the District must allow for groundwater production for beneficial uses, such that the production does not exert unreasonable hardship on other nearby landowners with wells and property rights. We also do not wish to impose hardships on nearby landowners. Our previous application supplement demonstrated how pumping of well N3-24-003G will cause drawdown within neighboring wells, but that it will not cause those wells to be any less productive or to require any sort of mitigation. We have repeated that material evidence here.

As shown in Table 1, there are 13 known Middle Trinity Wells located within the jurisdiction of the District and which are within 1-mile of well N3-24-003G. The well closest to well N3-24-003G is the Baird Well, and it is the well therefore most likely to be effected by pumping from t well N3-24-003G. As all other wells are further away, the proposed pumping from well N3-24-003G will have less drawdown impact at the other well locations.

Table 2 presents the computed “available drawdown” and drawdown resulting from 1-year of continuous pumping from well N3-24-003G for all of the 13 known Middle Trinity Wells within a 1-mile distance. As shown, the greatest drawdown (11.8 ft) is computed for the Baird Well, and all other computed drawdowns are less than this value. The “Available Drawdown” is computed as the difference between relevant elevations, as follows:

- Current Available Drawdown: Pump Depth MINUS Static Water Level
- 1-yr Pumping Drawdown: Current Available Drawdown MINUS 1-Yr Theis Drawdown
- To-Top-of-Screen: Top of Screen Depth MINUS Static Water Level

The “To-Top-of-Screen” value is the maximum available drawdown if the well pump were to be lowered to the top of the screened interval for the given well.

As shown in Table 2, the minimum Current Available Drawdown is 150 ft, and the minimum 1-yr pumping remaining available drawdown is 141.7 ft. Both of these values were computed for well E-02-1551G, which has a very high static water level and a very high pump depth setting, relative to all other wells in the table. The available drawdown to the “Top-of-screen” for this well, however, is 541.7 ft, indicating that if need be, the well pump could be lowered to maintain well utility. Based on the data in Table 2, LRE Water contends that pumping from well N3-24-003G will have NEGLIGIBLE impact on the ability to withdraw water from neighboring wells.



**Table 1 – Middle Trinity Wells within 1-mile of the Victory Rock Well.**

Well ID	Lat	Lon	Distance To Victory Rock (ft)	Elev (ft)	Screen Depth (ft BGS)		Depth (ft)	Static WL (ft BGS)	Pump Depth (ft BGS)	Rate (gpm)
					Top	Bottom				
E-23-075P	30.87953	-97.6106	1,289	741.429	830	890	890	452.17	689	150
N2-19-002P	30.88364	-97.6048	3,093	757	850	910	910	463.96	647	150
N2-19-001P	30.88375	-97.6037	3,302	754.593	850	910	910	462.5	642	150
E-24-002P	30.88964	-97.6064	5,013	736.379	821	881	881	UNK	684	150
E-21-044P	30.88518	-97.6048	3,599	753.286	830	910	910	433.6	647	200
E-20-124P	30.88186	-97.6096	2,085	743.263	832	892	892	423.3	642	150
E-20-123P	30.88062	-97.6099	1,639	743.34	832	892	892	424.9	642	150
E-20-111P	30.87815	-97.6011	2,705	761.321	NA	NA	900	389	760	UNK
E-19-233P	30.88608	-97.6014	4,409	754.67	850	910	910	420.7	647	150
E-19-221P	30.88296	-97.6015	3,511	756.19	855	915	915	420.4	689	510
E-19-051P	30.88164	-97.61133	2,092	736.972	827	887	887	399	647	200
E-19-034P	30.88776	-97.6003	5,109	744.97	850	910	910	396	647	200
E-02-1551G	30.88727	-97.6035	4,461	759.288	800	880	880	250	400	50

\*\*Victory Rock Well is located at (30.876146, -97.609419).

\*\*\* Pumping Rates as provided on the State of Texas Well Reports, and may not reflect permitted pumping rates.



**Table 2 – Computed Available Drawdown at Neighboring District Middle-Trinity Aquifer Wells**

Well ID	Top Screen Depth (ft BGS)	Static WL (ft BGS)	Pump Depth (ft BGS)	1-Yr Theis Drawdown (ft)	Available Drawdown (ft)		
					Current	1-yr pumping	To top of screen
E-23-075P	830	452.17	689	11.8	236.8	225.0	366.0
N2-19-002P	850	463.96	647	9.3	183.0	173.7	376.7
N2-19-001P	850	462.5	642	9.2	179.5	170.3	378.3
E-24-002P	821	UNK	684	8.0	UNK	UNK	UNK
E-21-044P	830	433.6	647	8.9	213.4	204.5	387.5
E-20-124P	832	423.3	642	10.4	218.7	208.3	398.3
E-20-123P	832	424.9	642	11.1	217.1	206.0	396.0
E-20-111P	NA	389	760	9.7	371.0	361.3	UNK
E-19-233P	850	420.7	647	8.3	226.3	218.0	421.0
E-19-221P	855	420.4	689	9.0	268.6	259.6	425.6
E-19-051P	827	399	647	10.4	248.0	237.6	417.6
E-19-034P	850	396	647	7.9	251.0	243.1	446.1
E-02-1551G	800	250	400	8.3	150.0	141.7	541.7

\*\* Well E-23-075P is the Baird Well

We also understand that the District has to regulate pumping so as to limit county-wide drawdown to meet established Desired Future Conditions (DFCs). Per the adopted DFC for the Clearwater UWCD for the Hensell aquifer (Middle Trinity), the drawdown target is a 145-ft county-wide average drawdown by 2080.

The District has discretion as to how it is to administer permits to meet this long-term drawdown goal. As District permits are only good for calendar years, there is always the possibility to modify or eliminate permits in the future to ensure achieving the drawdown target remains feasible. We'd propose careful monitoring of drawdown caused by pumpage from well N3-24-003G, and the regular re-evaluations of the permitted amount so as to ensure DFC compliance.

We also note that the DFCs were based on results of a groundwater model that is known to be incorrect. The model is in fact being updated by consultants for GMA-8, which includes Mike Keester (the District's hydrogeologist). Mr. Keester has also developed a District-specific groundwater model, which produces very different results than the old, official model used to create the DFCs. We therefore request the District disregard DFC concerns until the new GMA-8 model is officially adopted and used to create proper DFCs during this planning cycle.

We would also recommend that the District provide applicants with a tool to allow us to simulate District-wide drawdown, and assess how our proposed pumpage would impact the district-wide DFCs.

I look forward to discussing this with you at the May 8<sup>th</sup> hearing.

Sincerely,

Jordan Furnans



Batch Plant  
Needs Assessment  
April 19, 2024



April 19, 2024

Victory Companies, LLC  
2802 Flintrock Trace, Ste. 214  
Austin, TX 78738

**RE: Water Usage – Jarrell Plant, TCEQ Standard Permit Registration Number 172917**

Scott,

The Five Star Concrete Jarrell Batch Plant, located at 22000 Williamson Rd, is permitted as a dual facility, with no restrictions on operating hours. Based on a 200,000 cyd annual output, it is estimated the operation will consume **9,000,000 gallons annually** (750,000 gallons monthly). Concrete Batch Plants utilize water for 3 main purposes; batch water, truck washout, and dust suppression.

**Batch Water:** The Five Star Concrete Mix Catalog currently contains 166 different recipes per location, with an average of 29.22 gallons batched per cubic yard (mix data attached). Based on a 200,000 cyd year, the amount of batch water required would equal 5,844,000 gallons (487,000 gallons per month average).

**Truck Washout:** The truck washout procedures are part of daily maintenance with the mixer unit. This procedure cleans the mixer drums by removing any remnants of concrete with water. Each washout consists of approximately 250 gallons, usually done at the end of each workday. Every truck in the fleet is required to be washed out daily. The Jarrell location is estimated to maintain 25 trucks, resulting in 6,250 gallons daily. Based on an average of 22 working days a month, it is estimated truck washout would require 1,650,000 gallons annually (137,500 monthly).

**Dust Suppression:** Dust control is a requirement of the TCEQ Air Quality Standard Permit for Concrete Batch Plant with Enhanced controls. This is outlined in:

***(3) Design and Operation Requirements***

*(E) Each road, parking lot, or other area at the plant site that is used by vehicles must be paved with a cohesive hard surface that is properly maintained, cleaned, and watered so as to minimize dust emissions.*

*(F) Each stockpile must be sprinkled with water or dust-suppressant chemicals or covered so as to minimize dust emissions.*

The water used for dust control is not measured. Stockpiles are watered via water hoses set on timers. The paving is watered utilizing the front-end loader.



In order to quantify the entire water demand of the Jarrell Plant, we have used our Uland Location as a benchmark. At this location, all the water used on site (batch water, truck washout, and dust suppression) is measured via city meter. This plant should be close to mirror the total usage of the Jarrell Plant. Based on a 21-month span of total water usage, the Uland Plant consumed an average of 747,300 gallons per month, equating to 8,967,600 gallons per year.

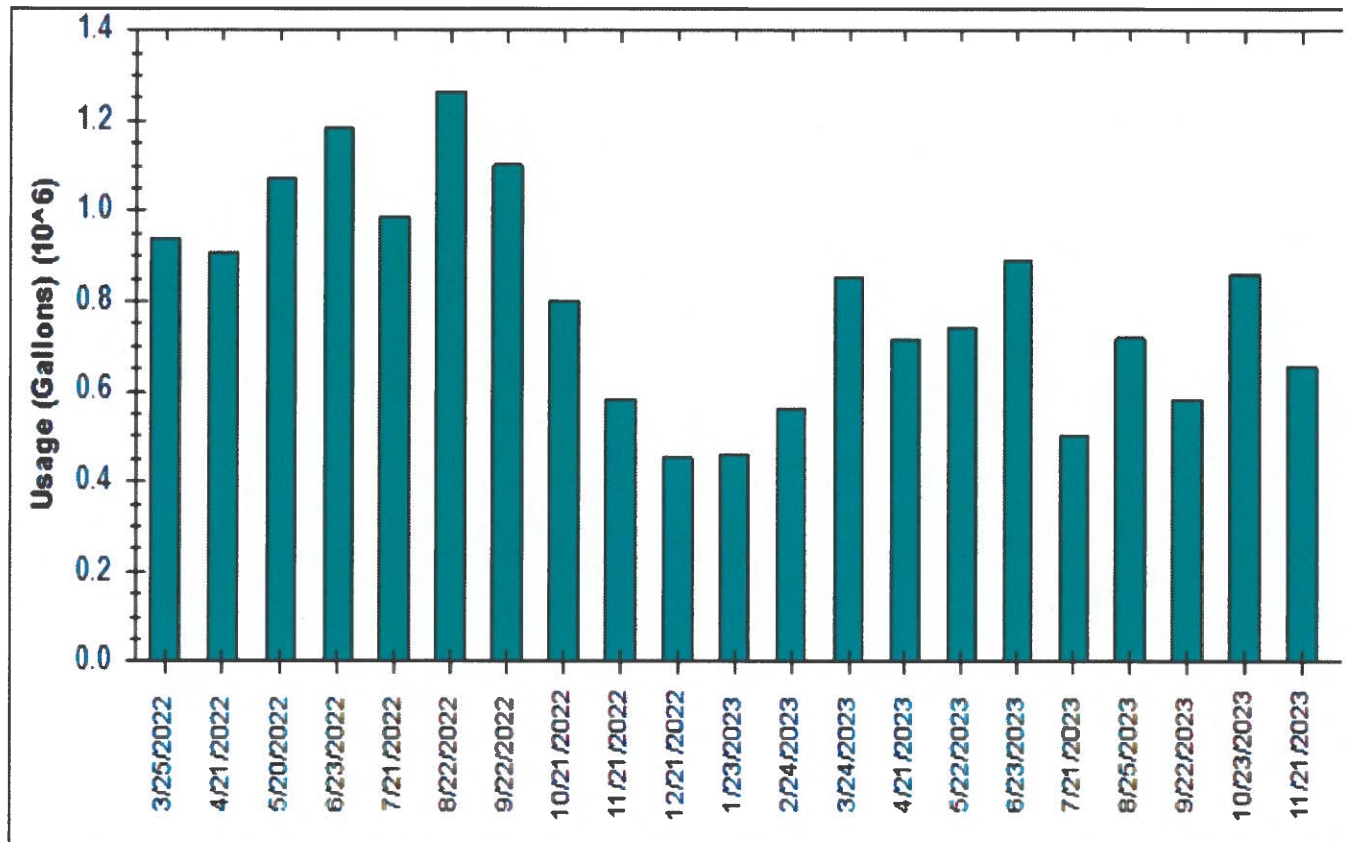
Thank you,

Shawn Hrabal, CCPf  
Operations Manager  
Five Star Concrete, LLC

Uhaland Water Usage	
End Date	Gallons Used
3/25/2022	938,400
4/21/2022	907,200
5/20/2022	1,072,600
6/23/2022	1,183,800
7/21/2022	986,900
8/22/2022	126,900
9/22/2022	1,101,300
10/21/2022	799,500
11/21/2022	583,700
12/21/2022	453,300
1/23/2023	457,300
2/24/2023	562,400
3/24/2023	855,000
4/21/2023	717,100
5/22/2023	742,800
6/23/2023	887,900
7/21/2023	500,500
8/25/2023	717,400
9/22/2023	583,500
10/23/2023	860,500
11/21/2023	655,200
<b>Average</b>	<b>747,300</b>
<b>12 months</b>	<b>8,967,600</b>

## Uhland Water

Service **Water** ▼



3/25/2022	4/21/2022	5/20/2022	6/23/2022	7/21/2022	8/22/2022
938400	907200	1072600	1183800	986900	1262900
9/22/2022	10/21/2022	11/21/2022	12/21/2022	1/23/2023	2/24/2023
1101300	799500	583700	453300	457300	562400
3/24/2023	4/21/2023	5/22/2023	6/23/2023	7/21/2023	8/25/2023
855000	717100	742800	887900	500500	717400
9/22/2023	10/23/2023	11/21/2023			
583500	860500	655200			

PLNTNAME1	MixName1	Mix Description	Synch	MixMaterial	GAL(US)
05	C2000	2000 PSI w/ ASH	InSync	WATER	22
05	C3000	3000 PSI WITH 100% CEMENT	InSync	WATER	28
05	C3000A	3K PSI AEA/STR	InSync	WATER	28.4
05	C3000EX	3/8 EXPOSED STR	InSync	WATER	30
05	C3000FW	3K PSI STR FLATWORK	InSync	WATER	29
05	C3000PG	3/8 STR 3000 PSI	InSync	WATER	31
05	C3001	COMM 3K STR	InSync	WATER	28.4
05	C3001A	COMM 3K w/AIR	InSync	WATER	28.4
05	C3001PGC	COMM 3/8 CURB	InSync	WATER	31
05	C3007	3000 PSI STR 1/2" CS	OutOfSync	WATER	28.4
05	C3007A	3000 PSI STR W / AEA 1/2" CS	OutOfSync	WATER	28.4
05	C3019	2500 PSI Concrete	InSync	WATER	29
05	C3020	3000 PSI WITH FLYASH	InSync	WATER	28
05	C3020A	3000 PSI W/ AIR	InSync	WATER	28.5
05	C3020EX	3/8 EXPOSED	InSync	WATER	30
05	C3021	COMM 3K PSI	InSync	WATER	28.4
05	C3021A	COMM 3K W/AEA	InSync	WATER	28.4
05	C3021H	Comm 3K PSI w/ HRWR	InSync	WATER	27.5
05	C3021P	COMM 3K PIER MIX	Sent	WATER	28.4
05	C3022	COMM 3K PSI	InSync	WATER	28.4
05	C3025	3000 PSI WITH FLYASH	InSync	WATER	29.5
05	C3025FW	3K FLATWORK W/ ASH	InSync	WATER	29
05	C3025FWSC	FLATWORK MIX	InSync	WATER	29
05	C3025PG	3000 PSI w/ASH PG	InSync	WATER	31
05	C3025PGC	3/8 CURB MIX	InSync	WATER	31
05	C3031H	COMM 3000PSI HR	InSync	WATER	28
05	C3120	.45 W/C w/ASH	InSync	WATER	26.8
05	C3120A	.45 W/C w/ AIR	InSync	WATER	26.8
05	C3500	3500 PSI 5 SACK 100% CEMENT	InSync	WATER	29
05	C3500A	3500 w/AIR STR	InSync	WATER	29
05	C3500FW	5 SACK STR FLATWORK MIX	InSync	WATER	28
05	C3500LP	3/8 STR LINE PUMP MIX	InSync	WATER	31
05	C3520	5.0 SACK 20%	InSync	WATER	28
05	C3520A	3500 PSI w/AIR	InSync	WATER	28
05	C3520P	3500 w/ASH PAVING MIX	InSync	WATER	27
05	C3521	COMM 3500 PSI	InSync	WATER	28.5
05	C3521A	COMM 3500 w/AEA ASH	InSync	WATER	30
05	C3521H	3500 PSI High Slump	InSync	WATER	28
05	C3525	3500 PSI 5 SACK w/ASH	InSync	WATER	28
05	C3525A	3500 PSI ASH AEA	InSync	WATER	28
05	C3525FW	5 SACK FLATWORK w/ASH	InSync	WATER	28
05	C3525PG	3/8 LINE PUMP MIX	InSync	WATER	31
05	C3600A	3600 PSI STR w/ AIR	InSync	WATER	30
05	C3620P	COMM PAVING	InSync	WATER	26.9
05	C3625FW	3600 PSI w/ ASH	Sent	WATER	27
05	C4000	4000 PSI 100% CEMENT	InSync	WATER	31
05	C4000H	4000 PSI w/ HRWR	InSync	WATER	28
05	C4001	COMM 4000 PSI 100% CEM	InSync	WATER	30
05	C4001A	COMM 4K PSI STR w/AEA	InSync	WATER	28.8
05	C4004	4,000 PSI 1" LS	InSync	WATER	28
05	C4015	COMM 4000 PSI w/ ASH	InSync	WATER	28
05	C4019	4000 PSI .42 W/C	InSync	WATER	28.5

PLNTNAME1	MixName1	Mix Description	Synch	MixMaterial	GAL(US)
05	C4020	4000 PSI w/ASH	InSync	WATER	28
05	C4021	COMM 4000 PSI w/ ASH	InSync	WATER	29.5
05	C4021A	COMM 4K PSI AEA	InSync	WATER	29.2
05	C4021H	4000 PSI w/ HRWR	InSync	WATER	27
05	C4021HP	HP CONCRETE	InSync	WATER	29
05	C4021P	COMM 4K PIER MIX	Sent	WATER	29.5
05	C4025	4000 PSI WITH FLYASH	InSync	WATER	30
05	C4025LT	4500 PSI LTWT	Sent	WATER	35.2
05	C4025PG	4000 PSI w/ASH PG	InSync	WATER	36
05	C4031	COMM 4000PSI HRWR	Sent	WATER	27
05	C4031CS	COMM 4K 38CS w/ ASH	Sent	WATER	28
05	C4036H	COMM 4K W/ 35% ASH	Sent	WATER	27.5
05	C4500	4500 PSI 100% CEMENT	InSync	WATER	29
05	C4500A	4500 PSI with AIR	InSync	WATER	29
05	C4500AE	4500 PSI w/ AIR 6.5 SACK	InSync	WATER	28
05	C4515	4500 PSI w/ ASH	Sent	WATER	28
05	C4521	COMM 4500 PSI w/ ASH	InSync	WATER	30
05	C4525	COMM 4500 PSI w/ ASH	InSync	WATER	30
05	C5000	5000 PSI 100% CEMENT	InSync	WATER	31
05	C5000A	5K PSI w/ AIR	InSync	WATER	31.6
05	C5000LT	5000 PSI w/ AIR - LIGHTWEIGHT	InSync	WATER	38.2
05	C5010	HP CONCRETE	InSync	WATER	28
05	C5020	5000 PSI w/ ASH	InSync	WATER	30
05	C5025	5000 PSI 25% ASH	InSync	WATER	28
05	C5501A	COMM 5500 STR w/AIR	InSync	WATER	30
05	C6001	COMM 6k PSI STR	InSync	WATER	30
05	C6010	HP CONCRETE	InSync	WATER	27
05	C6021	6000 PSI CONCRETE	InSync	WATER	30
05	C6021HP	HP CONCRETE	InSync	WATER	28
05	C6510	6.5 Sack w/ ASH	InSync	WATER	29
05	C7010	7.0 Sack w/ ASH	InSync	WATER	31
05	C7050	7.5 Sack w/ ASH	InSync	WATER	31
05	CCLAHCM	CLASS A HCM	InSync	WATER	28
05	CCLASSA	CLASS A (3K PSI)	InSync	WATER	28
05	CCLASSI	CLASS I CONCRETE W/FLYASH	InSync	WATER	22
05	CFILL	FLOWABLE FILL WITH FLYASH	InSync	WATER	40
05	CLASSAST	Class A 100% CMT	InSync	WATER	28
05	CLASSC	CLASS C 3600 PSI	InSync	WATER	30
05	CLASSCST	Class C 100% CMT	InSync	WATER	30
05	CLASSIST	Class I 100% CMT	InSync	WATER	24
05	CLSM	FLOWABLE FILL	InSync	WATER	30
05	D3021	3000 PSI	InSync	WATER	28.5
05	D4000	4,000 PSI 3/4" CS	InSync	WATER	28
05	D4001A	4000 PSI STR w/ AIR	InSync	WATER	28.8
05	D4001H	COMM 4K STR 3/4 DOL	Sent	WATER	27
05	D4015	COMM 4000 PSI w/ ASH	InSync	WATER	29
05	D4021	4000 PSI w/ ASH	InSync	WATER	29.5
05	D4022	4K DOL 20%ASH .45 WC	Sent	WATER	28.5
05	D5021	5K DOL .40 WC	Sent	WATER	28.5
05	D6021	6000 PSI	InSync	WATER	28
05	FLOW100	FLOWABLE FILL	InSync	WATER	32
05	FLOW1000	1K PSI FLOW FILL	InSync	WATER	40

PLNTNAME1	MixName1	Mix Description	Synch	MixMaterial	GAL(US)
05	G5025	5000 PSI PANEL GROUT	InSync	WATER	39
05	GGROUT	6 SACK GROUT 3000 PSI	InSync	WATER	34
05	GROUT3	3K PSI GROUT	InSync	WATER	38
05	GROUT60	6 SACK GROUT W/ ASH	InSync	WATER	36
05	HCM6	3500 Curb Mix	InSync	WATER	28
05	ITEM360	ITEM 360 PAVING	InSync	WATER	28
05	ITEM360H	Item 360 HRWR	InSync	WATER	27.5
05	ITM360ST	Item 360 100% CMT	InSync	WATER	28
05	MF3025	3000 PSI w/ ASH	InSync	WATER	27
05	MF3525	3500 PSI w/ Fly Ash	InSync	WATER	26.5
05	MF4025	4000 PSI w/ ASH	InSync	WATER	28
05	MIX B	5,000 PSI 1" LS WITH AIR	InSync	WATER	32
05	PCHP	HP Precast Mix	InSync	WATER	35
05	PCHP38CS	HP Precast	InSync	WATER	35
05	PRIMEGRT	PRIMER GROUT	InSync	WATER	40
05	SCCPG	3/8 SCC MIX	InSync	WATER	27.5
05	SHOT4	SHOTCRETE 4000 PSI	InSync	WATER	35.5
05	SHOT4K	SHOTCRETE 4000 PSI	InSync	WATER	33.5
05	T3000	3000 PSI w/ ASH	InSync	WATER	28
05	T3500	3500 PSI 100% CMT	InSync	WATER	27
05	T3525	3500 PSI w/ Fly Ash	InSync	WATER	27
05	T4000	4000 PSI 100% CMT	InSync	WATER	28
05	T4020	4000 PSI w/ ASH	InSync	WATER	29
05	T4025	4000 PSI w/ Fly Ash	InSync	WATER	28
05	T4038	4000 PSI 3/8 CS	InSync	WATER	28
05	T4520	4500 PSI w/ ASH	InSync	WATER	28
05	T5015	5000 PSI w/ AIR	InSync	WATER	30
05	T8500	HP CONCRETE	InSync	WATER	29
05	TEST	TEST		WATER	1
05	THP	HP MIX	InSync	WATER	27.5
05	TP4000	4,000 PSI PAVING	InSync	WATER	28
05	TXACRB	TXDOT CURB wASH	InSync	WATER	26
05	TXACRBS	TXDOT CURB STR	InSync	WATER	28
05	TXACURB	TxDOT Machine Curb	InSync	WATER	26
05	TXAHC	TxDOT HAND CURB wASH	InSync	WATER	28
05	TXAHCS	TXDOT HAND CURB STR	InSync	WATER	31
05	TXCLA	TXDOT CLASS A wASH	InSync	WATER	28
05	TXCLAS	TXDOT CLASS A STR	InSync	WATER	30
05	TXCLBS	TXDOT CL B STR	InSync	WATER	28.5
05	TXCLC	TxDOT CLASS C wASH	InSync	WATER	28.5
05	TXCLCS	TXDOT CLASS C STR	InSync	WATER	29.5
05	TXCLCST	TxDOT Class C Straight	InSync	WATER	28.5
05	TXCLP	TXDOT CL P ITEM360 wASH	InSync	WATER	27.5
05	TXCLPF	TxDOT CL P FORMED w ASH	InSync	WATER	27
05	TXCLPFS	TXDOT CL P FORMED STR	InSync	WATER	29
05	TXCLPS	TXDOT CL P ITEM 360 STR	InSync	WATER	29
05	TXCLS	TxDOT Class S	InSync	WATER	28.5
05	TXCLSS	TXDOT CLASS S STR	InSync	WATER	29.5
05	TXCLSST	TxDOT Class S Straight	InSync	WATER	28.5
05	V3001	#67 3K PSI 100% CEMENT	Sent	WATER	28.4
05	V3021	#67 3K PSI 25% ASH	Sent	WATER	28.4
05	V3525	3500 PSI 3/4 AGG	Sent	WATER	28

PLNTNAME1	MixName1	Mix Description	Synch	MixMaterial	GAL(US)
05	V4001	#67 4000 PSI 100% CEMENT	Sent	WATER	28
05	V4021	#67 4K PSI 25% ASH	Sent	WATER	28
05	V4521	4500 PSI 3/4 AGG HRWR	Sent	WATER	30
05	V5025	5K PSI 3/4 AGG HRWR	Sent	WATER	28.5
05	V6021	6K PSI 3/4 AGG HRWR	Sent	WATER	28
05	V8020	8K PSI 3/4 AGG HRWR	Sent	WATER	29
05	WALLGRT	WALL GROUT	InSync	WATER	35
05	WALLGRTX	WALL GROUT NON SPEC	InSync	WATER	30
05	WALLGT60	WALL GROUT 6.0 SACK	InSync	WATER	37
05	WLLGRT24	WALL GROUT - 24 HOUR EXTENDED	InSync	WATER	35
					<u>29.22</u>

# Lease Agreement

## SECOND LANDLORD CONSENT TO SUBLEASE AND ESTOPPEL CERTIFICATE

THIS SECOND LANDLORD CONSENT TO SUBLEASE AND ESTOPPEL CERTIFICATE ("Consent Agreement") is entered into as of the 16th day of ~~September~~<sup>October</sup>, 2023, by and among Byron Goode, Sr. ("Landlord"), Victory Companies, LLC, a Texas limited liability company ("Sublandlord"), and Five Star Concrete, LLC a Delaware Limited Liability company ("Subtenant").

### RECITALS:

A. Landlord, as landlord, and Sublandlord, as tenant, are parties to that certain lease agreement dated May 27, 2015 (as amended, the "Lease") pursuant to which Landlord has leased to Victory Rock Texas, LLC, as predecessor-in-interest to Sublandlord, certain premises identified on Exhibit A hereto (the "Premises").

B. Sublandlord and Subtenant have entered into that certain sublease agreement dated May 25, 2023, attached hereto as Exhibit B (the "Original Sublease"), pursuant to which Sublandlord agreed to sublease to Subtenant the portion of the Premises identified therein.

C. Sublandlord and Subtenant intend to enter into that certain Amendment to Sublease, dated on about the date hereof and attached hereto as Exhibit C (the "Amendment"; the Original Sublease, as amended by the Amendment, the "Sublease"), pursuant to which Sublandlord and Subtenant will agree to change the sublet premises to the land described on Exhibit A attached thereto (the "Sublet Premises").

D. Sublandlord and Subtenant have requested Landlord's consent to the Amendment and the Sublease.

E. Landlord has agreed to give such consent upon the terms and conditions contained in this Agreement.

NOW THEREFORE, in consideration of the foregoing preambles which by this reference are incorporated herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord hereby consents to the Amendment and the Sublease subject to the following terms and conditions, all of which are hereby acknowledged and agreed to by Sublandlord and Subtenant:

1. Recitals. The foregoing recitals are hereby incorporated by reference. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Lease.

2. Landlord's Consent. Subject to the terms and conditions of this Consent Agreement, Landlord hereby consents to the subletting of the Sublet Premises by Sublandlord to Subtenant pursuant to the Sublease and the use of the Sublet Premises for the manufacture and distribution of ready-mix concrete products and any related or ancillary purposes, including but not limited to surveying, permitting, and construction of improvements for such purposes.

3. Lease Agreement. Landlord and Sublandlord hereby represent that a true and complete copy of the Lease is attached hereto as **Exhibit A**, and Sublandlord and Landlord agree that the Lease shall not be modified in a way that materially affects the Sublet Premises without Subtenant's prior written consent, which consent shall not be unreasonably withheld, conditioned or delayed.

4. Representations.

Landlord hereby represents and warrants, as of the date hereof, that (i) Landlord has full power and authority to enter into this Consent Agreement, (ii) the Lease is in full force and effect, (iii) to the best of Landlord's knowledge, Sublandlord is not in default thereunder; and (iv) Landlord has received no notice that it is in default under the Lease nor has Landlord any knowledge of the existence of any condition or the occurrence of any event which, if not timely acted upon, would result in Landlord's default under the Lease.

5. Landlord Confirmation of Lease Information. Landlord hereby represents and warrants, as of the date hereof, as follows:

a. There are no improvements or alterations to be removed from the Premises, and there is no other restoration work required to be performed, upon the expiration or sooner termination of the Lease, and Subtenant shall not be required to remove any improvements or alterations existing in the Premises or perform any restoration work to the Premises.

b. Subtenant shall have unimpeded access to the Sublet Premises.

6. Additional Rights of Subtenant. Landlord hereby agrees and consents to the following exercise of rights by Subtenant under the Lease:

a. Subtenant shall be permitted to exercise all rights of Sublandlord, as tenant, under the Lease, which rights shall be subject to the requirements of the Lease. In no event shall Subtenant pay a management fee to Landlord but shall be responsible for Landlord's costs to the extent permitted by the Lease.

b. Subtenant shall be permitted to exercise all rights of Sublandlord, as tenant, under the Lease with respect to the Sublet Premises.

c. Landlord hereby consents to Subtenant's installation of such alterations and improvements as Subtenant may require or desire in connection with Subtenant's construction of a concrete batch plant within the Sublet Premises,.

7. No Release. Nothing contained in the Sublease or this Consent Agreement shall be construed as relieving or releasing Sublandlord from any of its obligations under the Lease, it being expressly understood and agreed that Sublandlord shall remain liable for such obligations notwithstanding anything contained in the Sublease or this Consent Agreement or any subsequent assignment(s), sublease(s) or transfer(s) of the interest of the tenant under the Lease. Sublandlord

shall be responsible for the collection of all rent due it from Subtenant, and for the performance of all the other terms and conditions of the Sublease.

8. No Transfer. Subtenant shall not further sublease the Sublet Premises, assign its interest as the Subtenant under the Sublease or otherwise transfer its interest in the Sublet Premises or the Sublease to any person or entity, except to the extent otherwise permitted by Landlord in accordance with the assignment and subletting provisions of the Lease.

9. Lease. The parties agree that the Sublease is subject and subordinate to all the terms of the Lease, except as expressly provided in this Consent Agreement.

10. Non-Disturbance of Subtenant. In the event that the Lease is terminated by Landlord because of a default by Sublandlord under the Lease (other than such a default which is caused by a default by Subtenant under the Sublease), or if the Lease terminates for any other reason, Landlord shall notify Subtenant in writing ("Landlord's Notice") within fifteen (15) business days after such termination. Subtenant shall then have the option, exercisable solely by giving Landlord notice of exercise of such option no later than five (5) business days after receiving Landlord's Notice, to enter into a Direct Lease (defined below) with Landlord of the Sublet Premises on the terms provided under the Sublease (excluding however the provisions of Section 4 of the Sublease, and provided that the rent payable under the Direct Lease shall be [REDACTED] per month); provided, that Subtenant shall have no such option if it is then in default under the Sublease. If Subtenant fails to give such notice of exercise to Landlord in timely fashion, Subtenant shall have no right to enter into a Direct Lease with Landlord and the Sublease shall immediately terminate. If Subtenant timely exercises such option, Landlord and Subtenant shall within thirty (30) business days after the date of such exercise enter into a direct lease of the Sublet Premises between Landlord, as landlord, and Subtenant, as tenant (the "Direct Lease"). The effective date of the Direct Lease, for rent commencement and other purposes, shall be contemporaneous with the termination of the Sublease.

11. Sublandlord Notice Address. Landlord may continue to send notices to Sublandlord at the address(es) provided in, and in accordance with the terms of, the Lease and shall send copies of any notices to be sent to Subtenant to [REDACTED] with a copy to the Premises.

12. Authority. Each party to this Consent Agreement hereby represents that the individual executing this Consent Agreement on behalf of such party has the authority to execute and deliver the same on behalf of the party hereto for which such individual is acting.

13. Counterparts. This Consent Agreement may be executed in counterparts and shall constitute an agreement binding on all parties notwithstanding that all parties are not signatories to the original or the same counterpart provided that all parties are furnished a copy or copies thereof reflecting the signature of all parties.

IN WITNESS WHEREOF, Landlord, Sublandlord and Subtenant have executed this Consent Agreement as of the date set forth above.

**SUBLANDLORD:**

**Victory Companies, LLC**  
a Texas limited liability company

By: Scott Cusick

Name: Scott Cusick

Title: CEO/President

**SUBTENANT:**

**Five Star Concrete, LLC**  
a Delaware limited liability company

By: [Signature]

Name: Thomas L. Gerson III

Title: President

**LANDLORD:**

[Signature]  
Byron Goode

W

**Exhibit A**

See attached.

*Exhibit A*

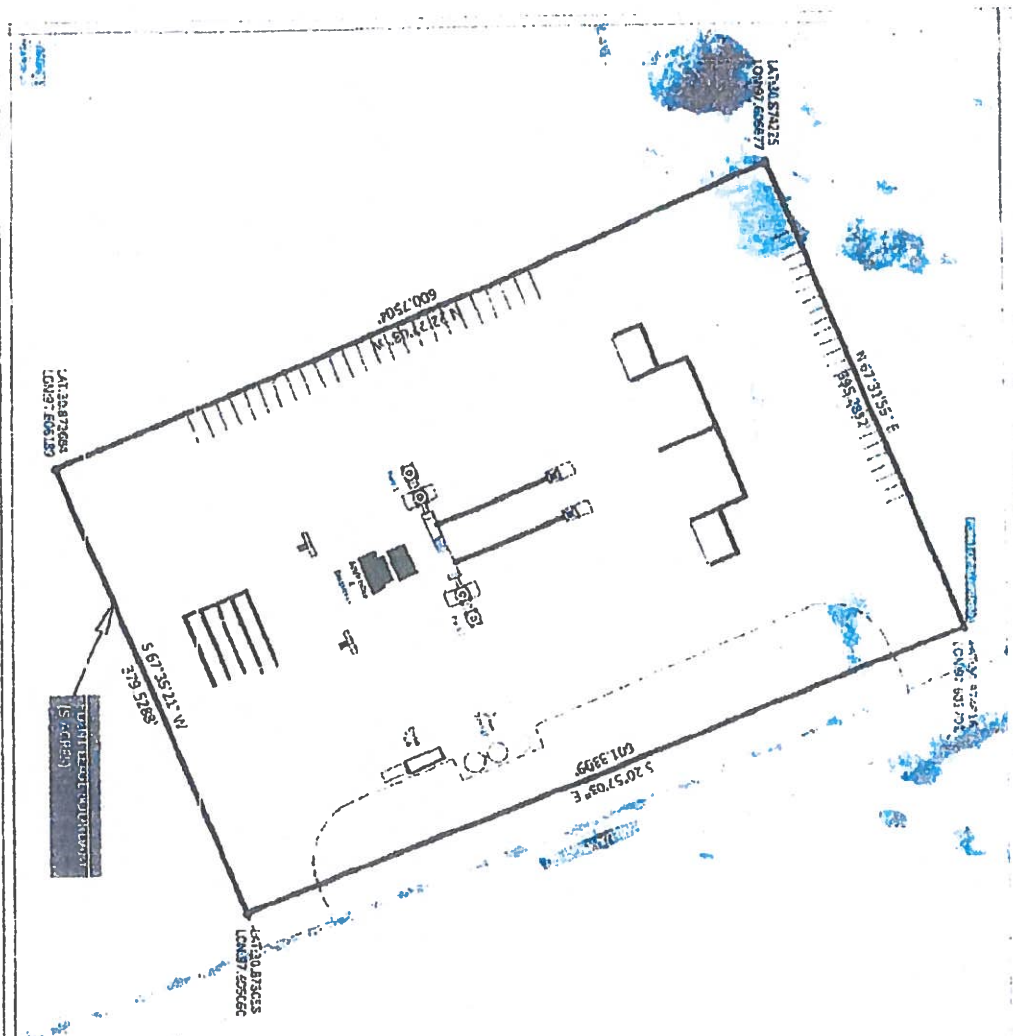
ilw

**EXHIBIT A**

**Description of Leased Premises**

BEGINNING AT A POINT WHICH IS A WOODEN RAIL TIE SET  
FOR CORNER FENCE POST THAT LIES APPROXIMATELY 40' TO  
THE SOUTHWEST OF THE SOLANA RANCH RD AND  
WILLIAMSON ROAD INTERSECTION CENTER;  
THENCE S 20°57'03" E A DISTANCE OF 377.07';  
THENCE S 68°45'01" W A DISTANCE OF 599.24';  
THENCE N 21°14'59" W A DISTANCE OF 364.45';  
THENCE N 67°32'52" E A DISTANCE OF 601.34';  
WHICH IS THE POINT OF BEGINNING.  
AREA LYING WITHIN THE SAID BOUNDARY IS APPROXIMATELY  
5.10 ACRES AND IS SET TO BE THE PLANT LEASE BOUNDARY LINE.

S. Wick



**LEASE BOUNDARY DESCRIPTION**

BEGINNING AT A POINT WHICH WESEDA COORDINATES ARE 30.874616° LATITUDE AND 97.605703° LONGITUDE THAT LIES APPROXIMATELY 850' S 20°57'03\"/>



<b>VICTORY ROCK</b>	
Name:	SON JUSCIT
Date:	10/14/23
Signature:	[Signature]
FIVE STAR CONCRETE	
Name:	
Date:	
Signature:	

74

Test Well Application & Permits  
December 22, 2023



Received and Approved

Digitally signed by Dirk  
Aaron  
Date: 2023.12.22 13:44:01  
-06'00'

by: Dirk Aaron

date: December 22, 2023

December 22, 2023

Dirk Aaron, General Manager  
Clearwater Underground Water Conservation District  
P.O. Box 1989  
Belton, TX 76513

via email: [daaron@cuwcd.org](mailto:daaron@cuwcd.org)

RE: Test Well Application Request for Clearwater Underground Water Conservation  
District Well E-02-3010G, Bell County, Texas

Dear Mr. Aaron,

LRE Water ("LRE") is pleased to provide you with this request to perform a pumping test on the existing E-02-3010G Well, formerly non-exempt well N2-20-007G, in accordance with directions outlined by the District in a letter entitled, "RE: Activities Regarding Exempt Test Well E-02-3010G" on December 16, 2023 on behalf of Victory Rock LLC. The purpose of this pumping test is to assess the current production capabilities of the E-02-3010G Well for Victory Rock LLC prior to pursuing an operating permit. An operating permit, if granted, would authorize the use of water for onsite industrial applications which is defined by Clearwater Underground Water Conservation District ("District") Rule 1.1 (n)(1) as a beneficial use of groundwater.

The enclosed test well application, if granted, would authorize a constant rate pumping test to be performed on the E-02-3010G Well. The pumping test will be a constant rate test with a minimum pumping period of 24 hours in accordance with District Rule 6.9.2 (f). The maximum instantaneous test pumping rate will be 20 gallons per minute (gpm). Disposition of discharge water will be captured in holding tanks set on site by the client. LRE plans to commence the test on January 2, 2024, weather permitting, with a geoscientist present throughout to ensure data consistency.

To facilitate your review of this application, LRE has prepared this cover letter and attached the following information:

Attachment A: Application for New and Existing Exempt Wells form

Attachment B: State of Texas Well Report for Well E-02-3010G

Attachment C: Reported Well Production for Well E-02-3010G (N2-20-007G)

This cover letter is in accordance with directions outlined by the District in a letter entitled, "RE: Activities Regarding Exempt Test Well E-02-3010G" on December 16, 2023. For ease of reference, LRE has restated (in bold font) each of the items listed in the letter as requirements of seeking authorization to perform the pumping test, followed immediately by LRE's response.

### Requirements for Test Well Authorization

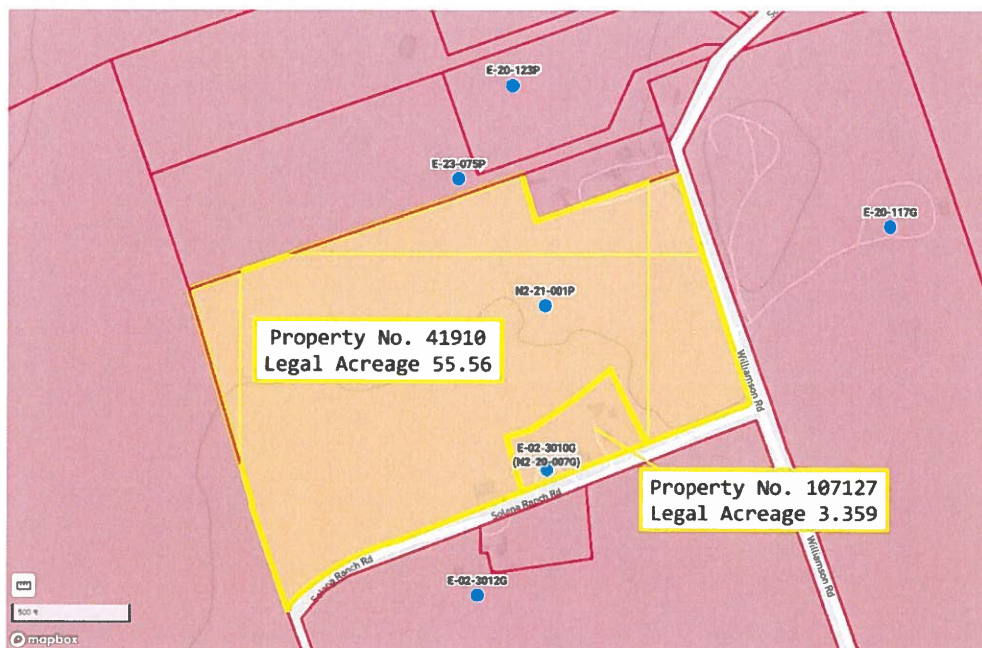
#### 1. Complete the Exempt Well Application Form:

Please see Attachment A: Application for New and Existing Exempt Wells.

#### 2. Include a cover letter stating your proposed use which must be based on a beneficial use of groundwater.

- a) **Because the well is located in the Stillhouse Hollow Management Zone the maximum column pipe size for exempt wells is 1.5-inches based on District Rules Section 7.1 Designation of Management Zones.**
- b) **State your tract size of the properties, your column pipe size and desired annual production from the well.**

The well is located on Property 107127 (3.359 acres) in combination with Property 41910 (55.56 acres) for a combined property size of 58.919 acres.



The column pipe size for the E-02-3010G Well is currently unknown, as this information was not provided in the State of Texas Well Report (Attachment B). The column pipe size shall be confirmed by a licensed pump installer after the completion of the pumping test, if permission to perform the test is granted by the District.

The desired annual production amount and pumping rate from the well shall be determined based on data from the proposed pumping test and an application of the Theis equation. The test data will assist in determining an annual production amount and pumping rate that has minimal impact on existing registered or permitted wells within a half (1/2) mile radius of the E-02-3010G Well.

- c) State who the consulting firm is that is assisting you with the application, conducting the necessary tests, and providing the findings to the District within 45 days of completion.**

LRE is the engineering consulting firm assisting Victory Rock LLC with the application, and will be conducting the necessary pumping test and any other necessary tests. LRE will prepare and file the well completion report and provide the test findings to the District within 45 days of the end of the pumping test.

- d) Because the application is for testing an existing well, state the condition of the well, the well's current production capacity, and whether the well is operational.**

The E-02-3010G Well was completed in 2001 and has not been in operation, per the Reported Well Production record downloaded from the District Interactive Map (Attachment C). For the purposes of performing the proposed pumping test, LRE plans to operate the well using a generator and the pump motor that is currently installed.

The condition of the well is currently unknown. If permission is granted by the District to perform the pumping test, the pump and column pipe shall be removed after the test and a video survey conducted to assess the condition of the well. LRE will report findings to the District, including recommendations for a permanent pump if test results warrant.

- e) Provide documentation which demonstrates that a licensed well driller and/or pump installer has assessed the well (detailed receipts from Pump installer is sufficient).**

Exempt Test Well Application  
Well E-02-3010G  
December 22, 2023  
Page 4 of 4

The E-02-3010G Well was drilled and completed on June 8, 2001 by Bob Stork (Water Well Driller and Pump Installer License #2912). Available information on the completion of the well is provided in Attachment B. The proposed pumping test shall be performed using the pump and motor currently installed. If the test results are satisfactory, a licensed pump installer will be engaged to remove the current pump to conduct a video survey. Provided that the test results and assessment of the well's condition are acceptable, a permanent pump may be installed. Such a pump will be installed by a licensed pump installer, and the column pipe shall not exceed 1.5 inches in accordance with District Rules Section 7.1 Designation of Management Zones.

LRE appreciates the opportunity to provide you with this application on behalf of Victory Rock LLC. If you have any questions regarding the information provided, please do not hesitate to contact us.

Sincerely,

LRE Water

Jordan Furnans, PhD, PE, PG  
Vice President of Texas Operations



**Attachment A –  
Application for New and Existing Exempt Wells Form**



Phone: 254-933-0120 Fax: 254-933-8396  
P.O. Box 1989, Belton, TX 76513

Every drop counts!

## Application for New and Existing Exempt Wells

Per District Rule 1.1(gg), an Exempt Well is a new or existing well that meets *at least one* of the criteria in District Rule 6.3, and as a result, the well is exempt from permitting under the laws of this State or the District Rules

Select one of the following:



EXISTING WELL



NEW WELL



Other:

(ex: Geothermal Closed Loop or  
Test Well, per Rule 6.3)

If Existing Well, on what date was the well drilled: June 8, 2001

### 1. Owner Information

Well Owner: Byron Goode Email: scusick@victoryrockusa.com Telephone: 254-931-7348

Address (Street/P.O. Box, City, State, ZIP): PO Box 297 Jarrell TX 76537

Contact Person (if other than owner): Scott Cusick Telephone: 512-717-1499

### 2. Property Location & Proposed Well Location

Owner of Property (if different from Well Owner): Byron Goode

Address of Well Location: 7170 Solana Ranch Rd

Acreage: 55.56 Bell CAD Property ID #: 107127 Latitude: 30.876146 Longitude: -97.609419

### 3. Well Use & Description

a. Proposed use for the well: Test Well; If OTHER, please explain in an attachment

b. Estimated Rate of Withdrawal (GPM): 17 gpm

c. Well Depth: 880 feet;

d. Column Pipe ID: 1.5 in.

e. Proposed Water Bearing Formation: Middle Trinity; Management Zone: Stillhouse Hollow

f. Attach a map or drawing showing the proposed location(s) or the well(s) and the distance from the well(s) to the property lines, other wells, and septic systems. See District Rule 6.3 for specific spacing requirements.

#### REQUIRED BY LAW: Pump Installer / Well Driller Information

Name: Bob Stork

Street Address: 10121 I-35

TDLR Pump Installer License #: 02912

City, State, ZIP: Jarrell, Texas 76537

TDLR Well Driller License #: 02912

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Name of Consultant preparing Application (if applicable): Jordan Furnans, LRE Water, LLC

Con. Phone: 512-736-6485 Con. Fax: NA Con. Email: jordan.furnans@LREwater.com

### 4. Certification

*By submitting this document, I hereby certify that the information contained herein is true and correct to the best of my knowledge and belief.*

Typed Name of the Owner or Designee: Scott Cusick

Signature: Scott Cusick Date: 12/21/2023

**Attachment B –  
State of Texas Well Report for Well E-02-3010G**

N2-20-007G

Send original copy by certified return receipt request to:

to: TDLR, P.O. Box 12157, Austin, TX 78711

ATTENTION OWNER: Confidentiality  
 Privilege Notice on reverse side  
 of Well Owner's copy (pink)

# State of Texas WELL REPORT

Texas Department of Licensing &  
 Regulation  
 P.O. Box 12157  
 Austin, TX 78711  
 612-463-7880

1) OWNER Southwest Aggregates ADDRESS P.O. Box 47 Knippa TX 78870  
 (Name) (Street or RFD) (City) (State) (Zip)  
 2) ADDRESS OF WELL'S LOCATION:  
 County Brew (Street, RFD or other) (City) (State) (Zip) Grid # 58-04-7  
 Long. Lat.

## 3) TYPE OF WORK (Check):

☒ New Well ☐ Deepening  
☐ Reconditioning ☐ Plugging

## 4) PROPOSED USE (Check):

☐ Monitor ☐ Environmental Soil Boring ☒ Domestic  
☐ Industrial ☐ Irrigation ☐ Injection ☐ Public Supply ☐ De-watering ☐ Testwell  
 If Public Supply well, were plans submitted to the TNRCC? ☐ Yes ☐ No

5)

## 6) WELL LOG:

Date Drilling: 6-4-01  
 Started 6-4-01  
 Completed 6-8-01

## DIAMETER OF HOLE

Dia. (in.)	From (ft.)	To (ft.)
9	Surface	140
6 1/2	140	880

## 7) DRILLING METHOD (Check):

☐ Driven  
☒ Air Rotary ☐ Mud Rotary ☐ Bored  
☐ Air Hammer ☐ Cable Tool ☐ Jetted  
☐ Other \_\_\_\_\_

From (ft.) To (ft.) Description and color of formation material

0-140 Edwards Line  
140-200 Grey Line  
200-240 Grey Spale  
240-320 Grey Spale Line  
320-340 Grey Line  
340-560 Sand  
560-880 Line Stone

## 8) Borehole Completion (Check):

☐ Open Hole ☒ Straight Wall  
☐ Underreamed ☐ Gravel Packed ☐ Other \_\_\_\_\_  
 If Gravel Packed give interval from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

## CASING, BLANK PIPE, AND WELL SCREEN DATA:

Dia. (in.)	New or Used	Steel, Plastic, etc. Perf., Slotted, etc. Screen Mfg., if commercial	Setting (ft.)		Gage Casing Screen
			From	To	
6	n	Steel	0	140	
4 1/2	n	PVC	140	880	
4 1/2	n	PVC Slotted	880	880	

## 9) CEMENTING DATA

Cemented from 0 ft. to 140 ft. No. of sacks used 70  
0 ft. to 880 ft. No. of sacks used 7  
 Method used Grout Pump  
 Cemented by Alpine Water Well  
 Distance to septic system field lines or other concentrated contamination None  
 Method of verification of above distance None

13) ☐ Well plugged within 48 hours

Casing left in well:		Cement/bentonite placed in well:		Sacks used:
From (ft.)	To (ft.)	From (ft.)	To (ft.)	

## 14) TYPE PUMP:

☐ Turbine ☐ Jet ☒ Submersible ☐ Cylinder  
☐ Other \_\_\_\_\_  
 Depth to pump bows, cylinder, jet, etc. 600 ft.

## 15) WELL TESTS:

Type test: ☐ Pump ☐ Bailor ☐ Jetted ☒ Estimated  
 Yield: 50 gpm with \_\_\_\_\_ ft. drawdown after \_\_\_\_\_ hrs.

## 16) WATER QUALITY:

Did you knowingly penetrate any strata which contained undesirable constituents?

☐ Yes ☒ No If yes, submit "REPORT OF UNDESIRABLE WATER"  
 Type of water: \_\_\_\_\_ Depth of strata: \_\_\_\_\_

Was a chemical analysis made? ☐ Yes ☒ No

## 10) SURFACE COMPLETION

☒ Specified Surface Slab Installed  
☒ Specified Steel Sleeve Installed  
☐ Pileless Adapter Used  
☐ Approved Alternative Procedure Used

## 11) WATER LEVEL:

Static level 300 ft. below land surface Date 6-8-01  
 Artesian flow \_\_\_\_\_ gpm. Date \_\_\_\_\_

## 12) PACKERS:

Type Depth

Rubber 20  
Rubber 400  
Rubber 600

I certify that I drilled this well (or the well was drilled under my direct supervision) and that each and all of the statements herein are true and correct. I understand that failure to complete items 1 thru 16 will result in the log(s) being returned for completion and resubmittal.

COMPANY NAME Alpine Water Well WELL DRILLER'S LICENSE NO. 02912WF  
 (Type or print)

ADDRESS 10124 Javelle TX 76537  
 (Street or RFD) (City) (State) (Zip)

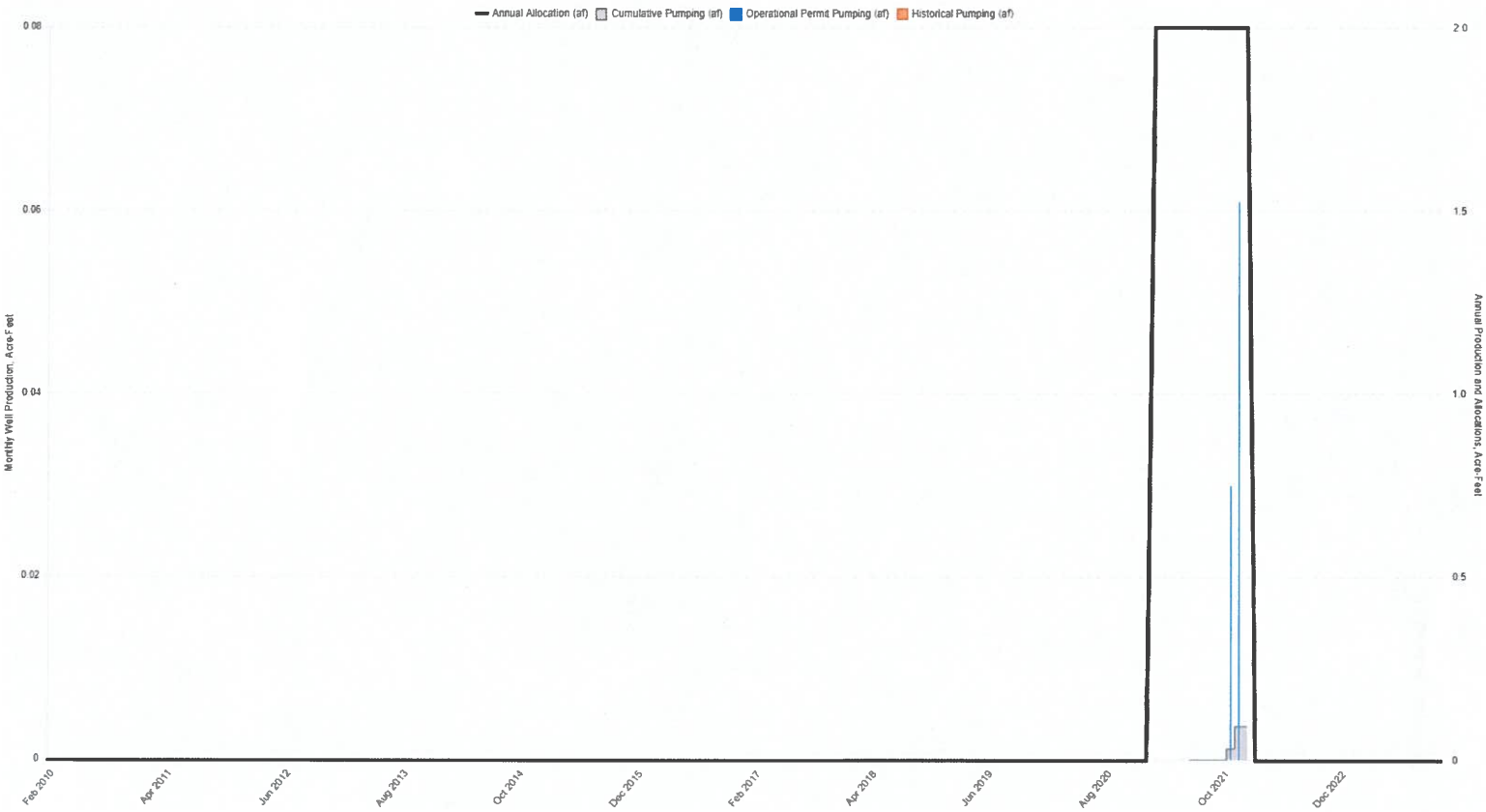
(Signed) Bob Stoltz (Signed) \_\_\_\_\_ (Registered Driller Trainee)

Please attach electric log, chemical analysis, and other pertinent information, if available.

**Attachment C –  
Reported Well Production for Well E-02-3010G (N2-20-007G)**

Reported Well Production for Well: E-02-3010G (N2-20-007G)

Switch Units





**Clearwater Underground Water  
Conservation District**  
P.O. Box 1989, Belton, TX 76513  
254-933-0120

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## Test Well Permit per District Rule 6.3(d)

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**Test Permit No:** TW-23-01

**Owner/Permittee:** Victory Rock LLC  
c/o Scott Cusick [scusick@victoryrockusa.com](mailto:scusick@victoryrockusa.com)  
c/o Jordan Furnans, LRE Water, LLC

**Mailing Address:** PO Box 297  
Jarrell, TX 76537

**Physical Well Location:** 7090 Solana Ranch Rd., Salado TX  
**Latitude:** 30.876146 **Longitude:** -97.609419

**District Well No:** E-02-3010G (TW-23-001P)

**Terms:** Permit expires February 4, 2024.  
Failure to abide by District/State rules and special provisions of issuance, will subject this agreement to revocation. See Page 2 for Permit Conditions and Requirements.

**Permitted Withdrawal:** *No production* other than agreed upon for prescribed pumping test.

**Source Aquifer:** Middle Trinity (Hensell Layer)

**Beneficial Use:** Feasibility analysis for a potential future Non-Exempt Well application

**Special Provisions:** *“Test Well”* shall mean an Existing or Well Drilled for the purposes of assessing or otherwise measuring groundwater quality and/or the quantity of groundwater that could be produced from a Well/s properly registered or permitted in accordance with the District’s Rules 6.3(d) for an exempt Test Well. This permit provides **no production** of groundwater other than that necessary for the applicant and applicants representatives to develop water quantity and water quality feasibility while preparing for a potential operating permit necessitating items 3-8 of the Well Completion Report, including, but not limited to, a geo-physical log, downhole camera and the prescribed minimum 24-hour Aquifer pumping test under Rule 6.9.2(f)3-8.

This Permit is hereby issued this 22<sup>nd</sup> day of December 2023.

By:

Dirk Aaron

Digitally signed by Dirk  
Aaron  
Date: 2023.12.22  
13:53:28 -06'00'

Dirk Aaron, General Manager

## Test Well Permit per District Rule 6.3(d)

### **Special Provisions:**

The professional geoscientist or professional engineer must conduct the tests and prepare a “well completion report” described under District Rule 6.9.2(f) (page 26) and submit that final report to our office within 45-days of completion and submit to the District on-site well inspection.

Disposition of the groundwater during the pumping test phase, as described in the application, states that all is captured and contained on-site in holding tanks provided and set on-site by Victory Rock. Containing in this manner is to prevent all potential runoff of the property and/or into the underlying Karst Aquifer known as the Edwards BFZ and will be verified by the geoscientist on-site and reported as such.

On-site supervision and collection of all data necessary for the assessment will be collected and verified by representatives of Jordan Furnans, LRE Water Texas Operations, with a LRE geoscientist present throughout the testing to ensure data collection and consistency.

The well completion report must include the following:

- 1) A lithology log based on the cuttings collected during Drilling.
  - Because the well is existing, your existing driller’s well report sufficiently covers this item but must be described in the well completion report.
- 2) Geophysical log with the Well name, location, depth, and Drilling fluid properties recorded on the log header.
  - We require, at minimum, that you obtain a gamma log to identify formations and a downhole video to verify the well’s completion/integrity.
- 3) Well completion diagram identifying the open and cased intervals, casing and screen type and size, filter pack interval, cement interval, pump and motor (model number, pump bowls, horsepower, etc.), pump setting, column pipe type and size, pump head, and other pertinent information related to the Well construction.
  - Consultant geoscientist should prepare this based on the driller’s well report, geophysical log and a down-hole video of the well.
- 4) Pump curve for the pump installed at completion of the test is required in the report.
- 5) Data and analysis from a minimum 24-hour pumping test.
  - Pumping test data collected under the authority and oversight of your professional geoscientist.
  - Analysis of the data should be performed by professional geoscientist.
- 6) Water quality analysis results from a NELAP certified laboratory; and
- 7) Predicted impacts of the proposed production from the Well, which will also be provided by the District’s consultants.
  - Prediction of effects on area water levels based on parameters derived from the pumping test is to be done by your consulting geoscientist should you decide to pursue an operating permit under **District Rule 6.9.**

**Standard Provisions/Permit Conditions and Requirements**  
**Applicable to all Drilling & Operating Permits**

All permits are granted subject to the Rules, regulations, orders, special provisions, and other requirements of the Board, and the law of the State of Texas. In addition, each permit issued shall be subject to the following conditions and requirements:

- A. The permit is granted in accordance with the provisions of Chapter 36, Texas Water Code, and the Rules, regulations and orders of the District as may be in effect from time to time, and acceptance of the permit constitutes an acknowledgement and agreement that the permittee will comply with all the terms, provisions, conditions, requirements, limitations, and restrictions embodied in the permit and with the Rules, regulations, and orders of the District.
- B. The permit confers no vested rights in the holder and the permit is transferable only upon compliance with the District's rules governing transfers. Written notice must be given to the District by the permittee prior to any sale or lease of the well covered by the permit. The permit may be revoked or suspended for failure to comply with its terms, which may be modified or amended pursuant to the requirements of State law and any applicable Rules, regulations and orders of the District.
- C. The well shall be located and completed as required in District rules and 16 Texas Administrative Code, Chapter 76.1000. The well shall observe spacing requirements specifically stated in the District rules.
- D. A permit shall be subject to amendment by the District of the amount of water authorized for pumpage based upon a review of the District's groundwater availability model and a determination by the District that an amendment is necessary after considering adequate water levels in water supply wells and degradation of water quality that could result from low water levels and/or low spring discharge.
- E. The drilling and operation of the well for the authorized use shall be conducted in such a manner as to avoid waste, pollution, or harm to the aquifers.
- F. The permittee, unless qualifying for a metering and reporting exception, shall 1) keep accurate records and meter readings, on a monthly basis, of the amount of groundwater withdrawn, the purpose of the withdrawal, and, for any transporting of water outside the District, the amount of water transported and the identity and location of the recipients; 2) report total withdrawals to the District monthly; and 3) make all records available for inspection at the permittee's principal place of business by District representatives. All permittees shall provide immediate written notice to the District in the event a withdrawal or transportation of water exceeds the quantity authorized by the permit or rules. Unless the permittee can present evidence that the pumpage or transport which exceeded the permitted amount is due to an isolated incident that is not likely to be repeated and/or would not result in continued higher demands, the permittee must immediately submit an application to increase the permitted pumpage or transport volume based on the amount of pumpage or transport which exceeded the permitted amount projected for the remainder of the year.
- G. The well site and transport facilities shall be accessible to District representatives for inspection during normal business hours and during emergencies. The permittee agrees to cooperate fully in any reasonable inspection of the well site or transport facilities and related monitoring or sampling by District representatives. The well owner shall provide a twenty-four (24) hour emergency contact to the District.
- H. The application pursuant to which this permit has been issued is incorporated therein, and this permit is granted on the basis of and contingent upon the accuracy of the information supplied in that application and in any amendment thereof. A finding that false information has been supplied shall be grounds for immediate revocation of a permit. In the event of conflict between the provisions of the permit and the contents of the application, the provisions of the permit shall prevail.
- I. Driller's logs must be submitted within sixty (60) days of the drilling of a well. Monitoring of groundwater pumpage is to be accomplished in the manner specified in the District's metering policy and any modifications thereto.
- J. Violation of the permit's terms, conditions, requirements, or special provisions, including pumping amounts in excess of authorized withdrawal or transporting amounts outside of the District in excess of the amount authorized for transport, shall be punishable by civil penalties as provided by State law and the District's Rules.
- K. If special provisions are inconsistent with other provisions or regulations of the District, the special provisions shall prevail.
- L. Permittee will notify the District upon filing an application with TCEQ to obtain or modify CCN to provide water or wastewater services in a service area that lies wholly or partly within the District or for which water shall be supplied from a well located inside the District.

Test Well Permit Renewal  
March 25, 2024  
(Allowed More Than  
24 Hour Pump Test)



**Clearwater Underground Water  
Conservation District**  
P.O. Box 1989, Belton, TX 76513  
254-933-0120

## Test Well Permit per District Rule 6.3(d)

**Test Permit No:** TW-24-002P Limited to max 24-hour Aquifer Pumping Test

**Owner/Permittee:** Victory Rock LLC  
c/o Scott Cusick [scusick@victoryrockusa.com](mailto:scusick@victoryrockusa.com)  
c/o Jordan Furnans, LRE Water, LLC

**Mailing Address:** PO Box 297  
Jarrell, TX 76537

**Physical Well Location:** 7090 Solana Ranch Rd., Salado TX  
**Latitude:** 30.876146 **Longitude:** -97.609419

**District Well No:** E-02-3010G (TW-24-002P)

**Terms:** Permit expires May 3, 2024.  
Failure to abide by District/State rules and special provisions of issuance, will subject this agreement to revocation. See Page 2 for Permit Conditions and Requirements.

**Permitted Withdrawal:** No production other than agreed upon for the prescribed max 24- hour pumping test.

**Source Aquifer:** Middle Trinity (Hensell Layer)

**Beneficial Use:** Feasibility analysis for a potential future Non-Exempt Well application

**Special Provisions:** "Test Well" shall mean an Existing or Well Drilled for the purposes of assessing or otherwise measuring groundwater quality and/or the quantity of groundwater that could be produced from a Well/s properly registered or permitted in accordance with the District's Rules 6.3(d) for an exempt Test Well. This permit provides **no production** of groundwater other than that necessary for the applicant and applicants representatives to develop water quantity and water quality feasibility while preparing for a potential operating permit necessitating items 3-8 of the Well Completion Report, including, but not limited to, a geo-physical log, downhole camera and the prescribed **maximum 24-hour Aquifer pumping test** under Rule 6.9.2(f)3-8.

This Permit is hereby issued this 25<sup>th</sup> day of March 2024.

By:

**Dirk Aaron**

Digitally signed by  
Dirk Aaron  
Date: 2024.03.25  
09:20:37 -05'00'

Dirk Aaron, General Manager

Extended  
time approved  
due equipment  
structural finding  
a barrier

## Test Well Permit per District Rule 6.3(d)

### Special Provisions:

The professional geoscientist or professional engineer must conduct the tests and prepare a “well completion report” described under District Rule 6.9.2(f) (page 26) and submit that final report to our office within 45-days of completion and submit to the District on-site well inspection.

Disposition of the groundwater during the pumping test phase, as described in the application, states that all is captured and contained on-site in holding tanks provided and set on-site by Victory Rock. Containing in this manner is to prevent all potential runoff of the property and/or into the underlying Karst Aquifer known as the Edwards BFZ and will be verified by the geoscientist on-site and reported as such.

On-site supervision and collection of all data necessary for the assessment will be collected and verified by representatives of Jordan Furnans, LRE Water Texas Operations, with a LRE geoscientist present throughout the testing to ensure data collection and consistency.

The well completion report must include the following:

- 1) A lithology log based on the cuttings collected during Drilling.
  - Because the well is existing, your existing driller’s well report sufficiently covers this item but must be described in the well completion report.
- 2) Geophysical log with the Well name, location, depth, and Drilling fluid properties recorded on the log header.
  - We require, at minimum, that you obtain a gamma log to identify formations and a downhole video to verify the well’s completion/integrity.
- 3) Well completion diagram identifying the open and cased intervals, casing and screen type and size, filter pack interval, cement interval, pump and motor (model number, pump bowls, horsepower, etc.), pump setting, column pipe type and size, pump head, and other pertinent information related to the Well construction.
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- 7) Predicted impacts of the proposed production from the Well, which will also be provided by the District’s consultants.
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**Applicable to all Drilling & Operating Permits**

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- B. The permit confers no vested rights in the holder and the permit is transferable only upon compliance with the District's rules governing transfers. Written notice must be given to the District by the permittee prior to any sale or lease of the well covered by the permit. The permit may be revoked or suspended for failure to comply with its terms, which may be modified or amended pursuant to the requirements of State law and any applicable Rules, regulations and orders of the District.
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- G. The well site and transport facilities shall be accessible to District representatives for inspection during normal business hours and during emergencies. The permittee agrees to cooperate fully in any reasonable inspection of the well site or transport facilities and related monitoring or sampling by District representatives. The well owner shall provide a twenty-four (24) hour emergency contact to the District.
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- K. If special provisions are inconsistent with other provisions or regulations of the District, the special provisions shall prevail.
- L. Permittee will notify the District upon filing an application with TCEQ to obtain or modify CCN to provide water or wastewater services in a service area that lies wholly or partly within the District or for which water shall be supplied from a well located inside the District.

Reconditioned Well Report  
#662549

## STATE OF TEXAS WELL REPORT for Tracking #662549

Owner:	<b>Victory Rock</b>	Owner Well #:	<b>1</b>
Address:	<b>7000 Solana Ranch Rd Salado, TX 76571</b>	Grid #:	<b>58-04-7</b>
Well Location:	<b>7090 Solana Ranch Rd Salado, TX 76571</b>	Latitude:	<b>30° 52' 34.13" N</b>
Well County:	<b>Bell</b>	Longitude:	<b>097° 36' 33.91" W</b>
		Elevation:	<b>767 ft. above sea level</b>

Type of Work: **Reconditioning**

Proposed Use: **Unk**

Drilling Start Date: **6/4/2001**

Drilling End Date: **6/8/2021**

	<i>Diameter (in.)</i>	<i>Top Depth (ft.)</i>	<i>Bottom Depth (ft.)</i>
Borehole:	<b>9</b>	<b>0</b>	<b>140</b>
	<b>6.5</b>	<b>140</b>	<b>880</b>

Drilling Method: **Air Rotary**

Borehole Completion: **Perforated or Slotted**

Annular Seal Data: **No Data**

Seal Method: **Poured**

Sealed By: **Driller**

Distance to Property Line (ft.): **No Data**

Distance to Septic Field or other  
concentrated contamination (ft.): **No Data**

Distance to Septic Tank (ft.): **No Data**

Method of Verification: **No Data**

Surface Completion: **Surface Sleeve Installed**

**Surface Completion by Driller**

Water Level: **No Data**

Packers: **No Data**

Type of Pump: **Submersible**

Pump Depth (ft.): **735**

Well Tests: **No Test Data Specified**

Water Quality:

Strata Depth (ft.)	Water Type
No Data	No Data

Chemical Analysis Made: No

Did the driller knowingly penetrate any strata which  
contained injurious constituents?: No

The driller did certify that while drilling, deepening or otherwise altering the above described well, injurious water or constituents was encountered and the landowner or person having the well drilled was informed that such well must be completed or plugged in such a manner as to avoid injury or pollution.

Certification Data: The driller certified that the driller drilled this well (or the well was drilled under the driller's direct supervision) and that each and all of the statements herein are true and correct. The driller understood that failure to complete the required items will result in the report(s) being returned for completion and resubmittal.

Company Information: Trinity Water Solutions

PO BOX 328  
JARRELL, TX 76537

Driller Name: Mike Griffis

License Number: 60683

Comments: 45 GPM 10 HP Set on 2" Galvanized pipe at 735'. 3-1/2" x 2" SS muni-pack screen from 882' to 830' with a K-packer on top with an on/off tool.

Lithology:  
DESCRIPTION & COLOR OF FORMATION MATERIAL

Casing:  
BLANK PIPE & WELL SCREEN DATA

No Data

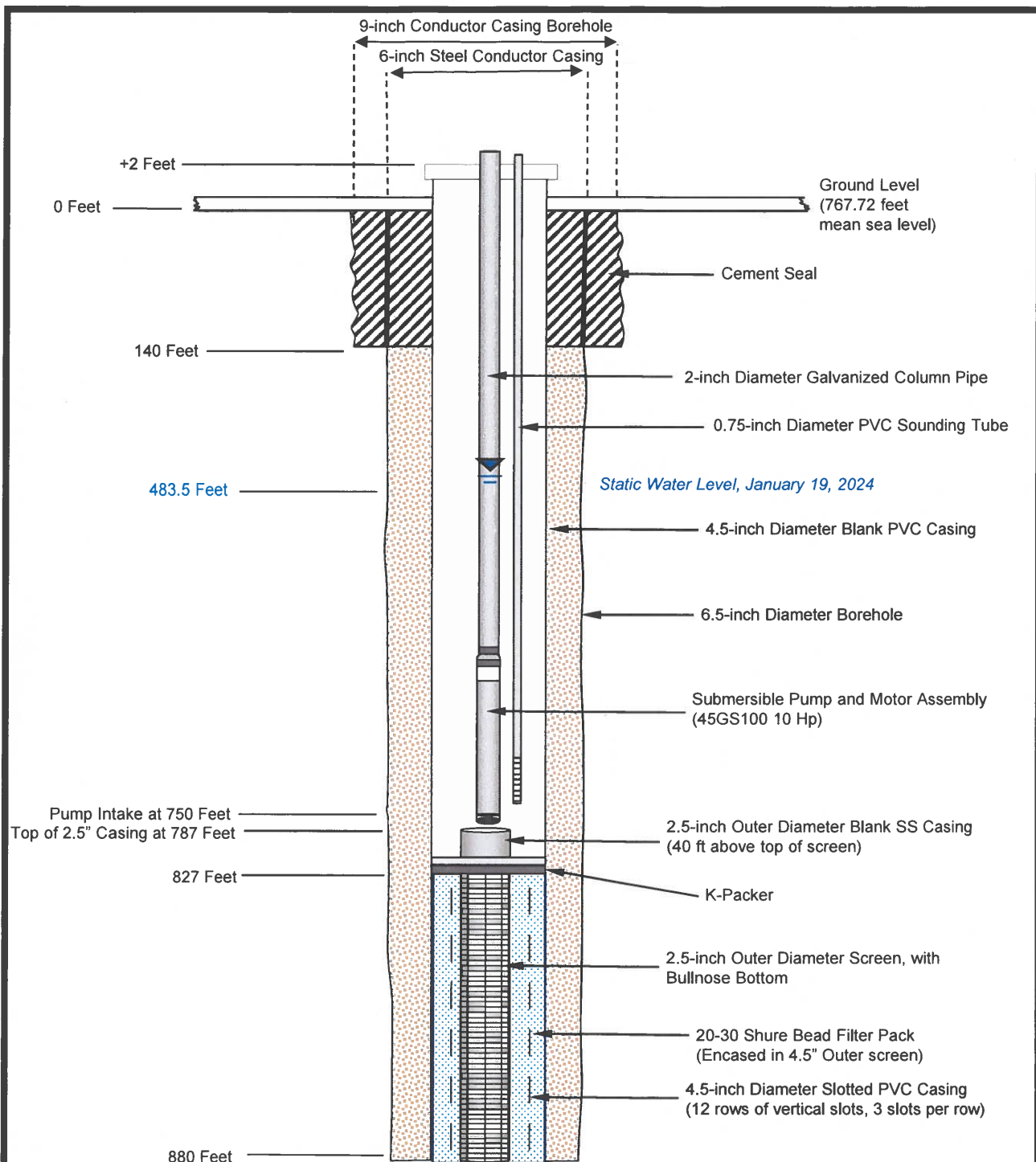
Dia (in.)	Type	Material	Sch./Gage	Top (ft.)	Bottom (ft.)
4.5	Blank	New Plastic (PVC)	SDR17	-2	820
6	Blank	New Steel	40	-1	20
4.5	Perforated or Slotted	New Plastic (PVC)	SDR17	820	880

#### IMPORTANT NOTICE FOR PERSONS HAVING WELLS DRILLED CONCERNING CONFIDENTIALITY

TEX. OCC. CODE Title 12, Chapter 1901.251, authorizes the owner (owner or the person for whom the well was drilled) to keep information in Well Reports confidential. The Department shall hold the contents of the well log confidential and not a matter of public record if it receives, by certified mail, a written request to do so from the owner.

Please include the report's Tracking Number on your written request.

Texas Department of Licensing and Regulation  
P.O. Box 12157  
Austin, TX 78711  
(512) 334-5540



**DRAWING IS NOT TO SCALE**



**FINAL WELL DESIGN  
MIDDLE TRINITY WELL  
E-02-3010G**

Prepared By:  
LRE Water, LLC  
Round Rock, TX  
TBPELS Firm  
#14368

**WELL LOCATION:**  
N 30°52'34.125" W 97°36.9084"  
(30.876146, -97.609419)

**DATE:** 3/19/2024

VR-Wilco #1  
Geo-Log & Virtual Bore



PO Box 572 Dripping Springs, Texas 78620

512-798-1888

www.well-scope.com

### Project

Project: Victory Rock- Wilco #1

Borehole ID: VR- Wilco #1

Client: Bee Cave Drilling

Logs: Gam/Res/Sp/Spr/Cal

Date: 4/25/2024

County: Williamson

Location Lat: 30.8657725

State: Tx

Location Lon: -97.6153298

Elevation: 828'

### Borehole Data

Contractor: Bee Cave Drilling

Drilled TD: 900'

Date drilled: 4/24/2024

Logged TD: 900'

Driller: Michael Scott

Depth Ref: Ground Level

Drill Method: Air Rotary

Static Level: 450'

Viscosity: -

Hole Medium: Rock/Clay

Circ Time: 1hr

Mud Type: Foam

### Bit Record

### Casing Record

### Log Type

Run #	Bit Size (in)	From (ft)	To (ft)	Size/SCH	From (ft)	To (ft)
1	20	0	80	14" Steel	+2	80
2	12.75	80	900			

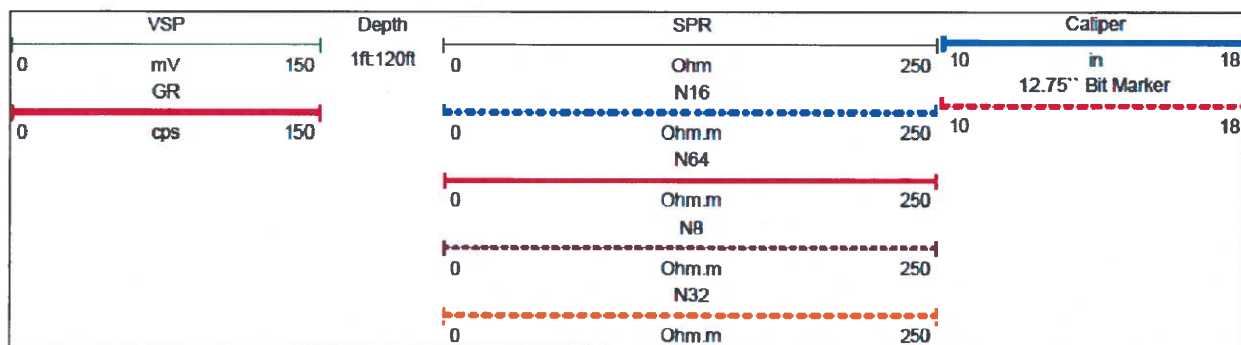
Run #	Tool	From (ft)	To (ft)
1	Gam/Res	900	10
2	Caliper	900	5

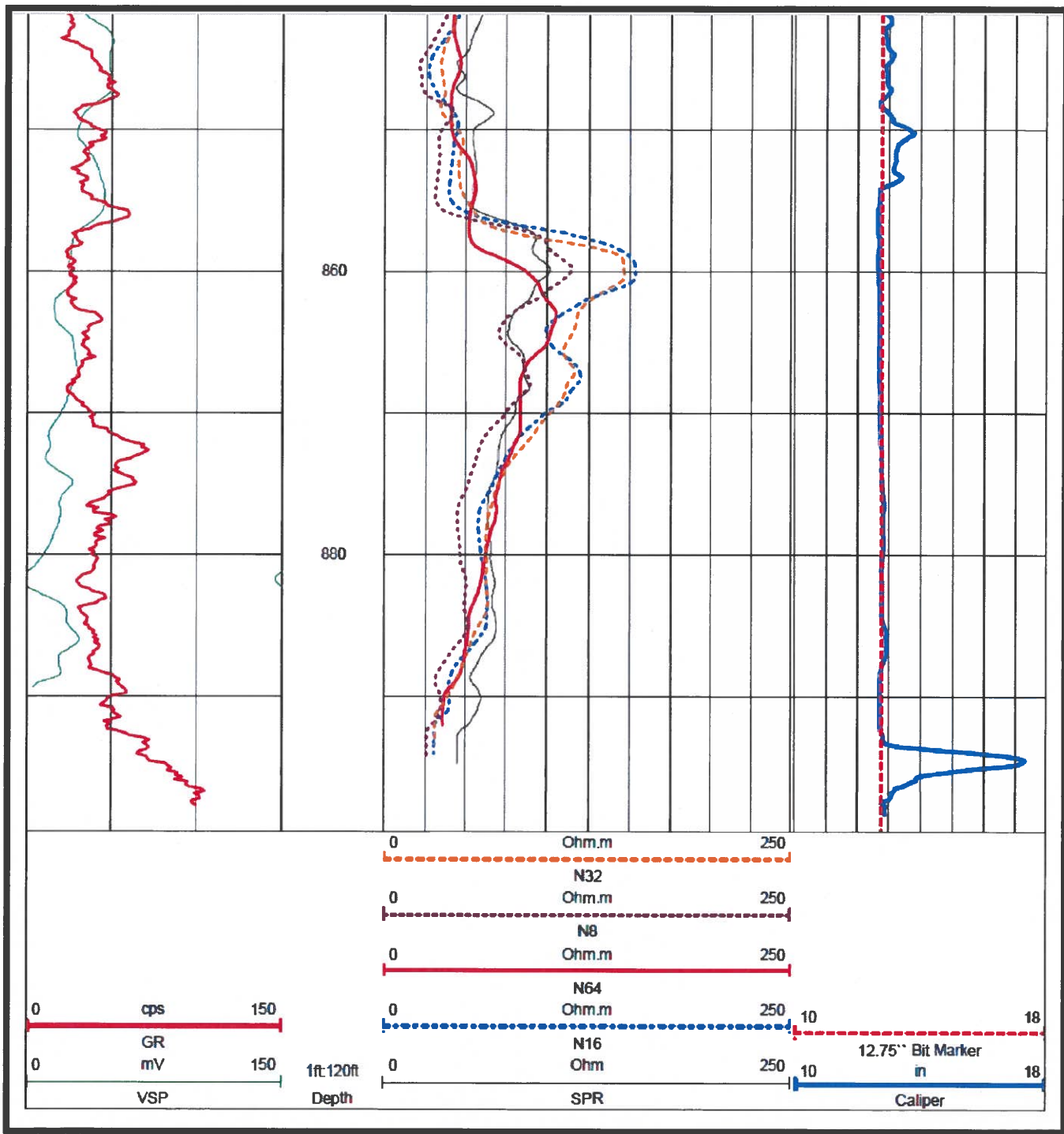
Logged By: Matthew McGovern

Truck #: 2

Witness: Michael Scott

Comments:







# CUWCD VIRTUAL BORE

Created: May 3rd 2024, 11:49am

Latitude: **30.8657725**

Longitude: **-97.6153298**

Approximate Ground Surface

Elevation:

**751.09**

Top Elev. (ft)	Bottom Elev. (ft)		Depth to Formation (ft)*	Formation Thickness (ft)*	Formation (Geologic Unit)
751.09	451.79		0	299.3	Edwards & Commanche Peak Limestone
451.79	291.12		299.3	160.67	Walnut
291.12	-107.18		459.97	398.3	Glen Rose
-107.18	-171.6		858.27	64.42	Hensell & Cow Creek Limestone
-171.6	-327.47		922.69	155.88	Pearsall & Hammett Shale
-327.47	-467.57		1078.57	140.1	Hosston

\*Depths / Thicknesses are not to scale

**Disclaimer:** This product is for informational purposes only and has not been prepared for or suitable for legal, engineering, or other purposes. All representations in this virtual bore represent only the approximate relative depths and thicknesses based on geological interpretation and extrapolation of available well data. Additional data may modify one or more of these formation surfaces. The Clearwater Underground Water Conservation District expressly disclaims any and all liability in connection herewith.

