

Applications to Amend Drilling and Operating Permit No. POS D&O/A&M-0001C

April 18, 2017

Paul M. Terrill
Terrill & Waldrop
810 West 10th Street
Austin, Texas 78707
(512) 474-9100
pterrill@terrillwaldrop.com

**Amended and Restated Drilling & Operating Permit
Issued By Direction of the Board of Directors of the
Post Oak Savannah Groundwater Conservation District**

This Amended and Restated Drilling and Operating Permit ("Amended Permit") is granted to Abengoa Vista Ridge, LLC, ("Permittee"), the assignee of and successor to Blue Water Vista Ridge LLC ("BWVR"), the successor to Blue Water Systems, L.P. ("Blue Water") the successor to Layne Water Development of Texas, LLC ("Layne"), to authorize Permittee to drill and operate thirty-three (33) water wells within the Post Oak Savannah Groundwater Conservation District ("District"), for the purpose of producing water for Municipal Use. The name, location, maximum annual production and maximum gallons of production permitted per minute for each of the thirty-three wells is listed in Exhibit "A". The individual wells listed in Exhibit "A" are referred to herein as the "Well" or "Wells" and the thirty-three Wells are collectively referred to as the "Well System". This Permit is conditioned upon and subject to Permittee complying with the Rules of the District ("Rules"), the orders of the Board, the Management Plan of the District, as amended, and the laws, rules and regulations of the State of Texas, as amended, applicable to drilling, operating and maintaining water wells within the District. This Permit confers only the right to drill and operate the Wells and Well System in compliance with and subject to the Rules and requirements of this Amended Permit. The terms, conditions and authorizations of this Amended Permit may be modified or amended under the Rules.

The Wells are registered with the District and the State of Texas. The Wells are approved for production in the aggregate as a Well System. The Permittee is authorized to drill and operate the Wells at the locations and maximum GPM production set forth in Exhibit "A", and the maximum annual production of the Well System shall not exceed 50,993 acre feet per year.

The Rules are incorporated herein in their entirety by reference, as if set forth herein verbatim, including but not limited to the Rules providing for reducing permitted production. The Permittee shall comply with the Rules and each requirement thereof in operating, maintaining, repairing and altering each of the Wells and the Well System. All application(s) pursuant to which the related original permits and prior amended permits, and this Amended Permit, have been issued, and all written agreements and acknowledgments executed by the Permittee, and/or by BWVR, Blue Water, or Layne, are incorporated into this Amended Permit. This Amended Permit is granted on the basis of, and contingent upon, the accuracy of the information supplied in the application(s), agreements and acknowledgments on file with the District. A finding that false information was supplied to the District in the permitting process for the Wells is grounds for revocation of this Permit.

The issuance of this Permit does not grant Permittee the right to use any public or private property, interfere with any personal or property rights, or violate any federal, state, or local law, rule or regulation. The District makes no representations and has no responsibility with respect to the availability or quality of the water authorized to be produced under this permit.

The term of the Permit, both the Drilling and the Operating Permit, is for a period of forty years from the original issuance date of September 11, 2004, subject to review every fifth year and modification during any such review to conform this Permit with intervening changes in the Management Plan or state law. Unless waived by the Board of the District for a specific review period, applications for review shall be submitted to the District 90 days prior to the fifth anniversary of the issuance date and each subsequent scheduled review date following the fifth anniversary date, until the date of expiration of this Permit. The Board may waive any review if no material change has been made to the Management Plan, or if the changes made do not require modification of this Permit.

This Amended Permit is executed and effective as of July 24, 2015.



Post Oak Savannah Groundwater Conservation District

By: 

Name: Gary Westbrook

Title: General Manager

Permit No. POS-D&O/A&M-0001c

Current Permit

**Exhibit A
Blue Water Vista Ridge LLC Permitted Water Wells**

Well Designation	Location	Max. GPM
CW-1	30.44108N 96.81247W	1200gpm
CW-2	30.43564N 96.80366W	1200gpm
CW-3	30.42803N 96.80739W	1200gpm
CW-4	30.43169N 96.81623W	1200gpm
CW-5	30.43037N 96.82592W	1200gpm
CW-6	30.42724N 96.83412W	1200gpm
CW-7	30.41233N 96.81705W	1200gpm
CW-8	30.42325N 96.81969W	1200gpm
CW-9	30.42052N 96.81123W	975gpm
CW-10	30.41916N 96.80507W	750gpm
CW-11	30.41392N 96.7928W	750gpm
CW-12	30.41116N 96.79682W	750gpm
CW-13	30.44583N 96.76865W	1200gpm
CW-14	30.40421N 96.7786W	750gpm
CW-15	30.41001N 96.78026W	750gpm
CW-16	30.40794N 96.77606W	750gpm
CW-17	30.41709N 96.77139W	750gpm
CW-18	30.42121N 96.77545W	975gpm
CW-19	30.41838N 96.7668W	750gpm
CW-20	30.43605N 96.76393W	1200gpm
CW-21	30.43899N 96.77173W	1200gpm
PW-9	30.44138N 96.801233W	3000gpm
PW-10	30.43638N 96.80358W	3000gpm
PW-11	30.42851N 96.80668W	3000gpm
PW-12	30.42113N 96.811W	3000gpm
PW-13	30.42394N 96.82004W	3000gpm
PW-14	30.41266N 96.81705W	2500gpm
PW-15	30.42723N 96.83449W	3000gpm
PW-16	30.43059N 96.82576W	3000gpm
PW-17	30.43181n 96.981632w	3000gpm
PW-18	30.41998N 96.7752W	3000gpm
PW-19	30.41001N 96.77979W	3000gpm
PW-20	30.41145N 96.79644W	1800gpm

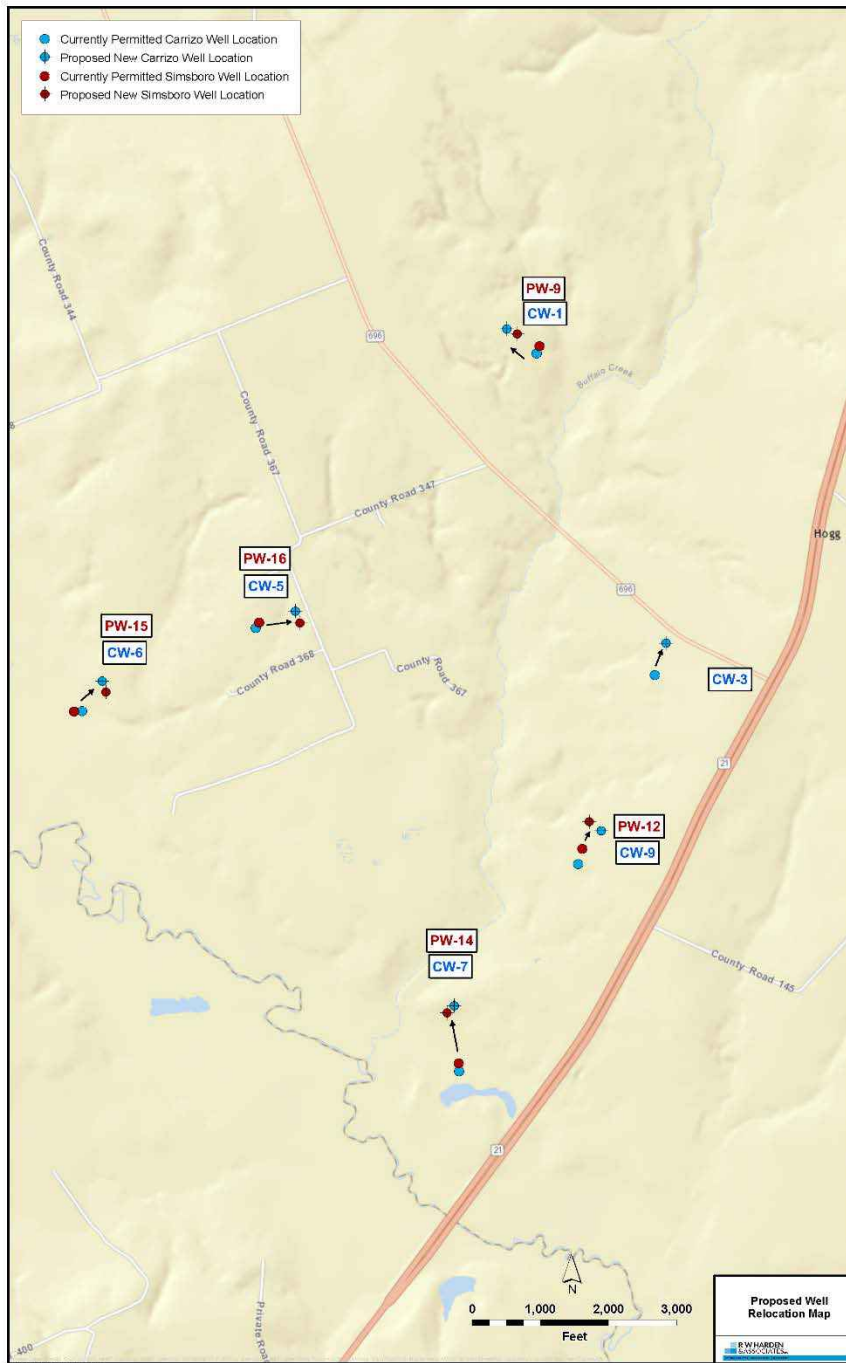
Permit Applications Request:

- Minor relocation of points of withdrawal for 11 of 33 permitted locations

Permit Applications Do Not Change:

- Annual amount of water withdrawn
- Instantaneous rate
- Place of use
- Purpose of use
- 22 of the 33 permitted points of withdrawal

Well Relocation Map



NOTICE OF A PUBLIC HEARING
POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
TUESDAY, MARCH 28, 2017, 5:30 P.M.
Post Oak-Savannah Groundwater Conservation District Offices
310 East Avenue C, Milano, Texas 76556

The Board of Directors of the Post Oak Savannah Groundwater Conservation District will hold a public hearing in the Post Oak-Savannah Groundwater Conservation District Offices, 310 East Avenue C, Milano, Texas 76556, on Tuesday, March 28, 2017, at 5:30 P.M., for the purpose of receiving public comments on the following application for amendment to an existing permit.

Notice is hereby given of the following public hearing that will be held at the time and place listed above on the following application, to-wit:

1. Amendment to Existing Drilling and Operation Permit. Blue Water Vista Ridge LLC, whose address is 805 Las Cimas Parkway, Suite 320, Austin, Texas 78746, acting as permit administrator for Vista Ridge, LLC, submitted an application on January 5, 2017, for an amendment of Vista Ridge's existing Drilling and Operating Permit (Permit No. POS-D&O/A&M-0001c). The amendment application seeks to relocate the point of withdrawal for 11 of the 33 permitted well sites to accommodate topography and landowner requests. The amendment application does not seek to change the point of withdrawal for the remaining 22 permitted well sites. Further, the amendment application does not request a change in the annual amount of water, instantaneous rate, purpose or place of use for the referenced Drilling and Operating Permit.

The field notes, maps and full request related to the above referenced application and public hearing are available for inspection, review and copying at Post Oak Savannah Groundwater Conservation District offices, located at 310 East Avenue C, Milano, Texas. Persons wishing to be heard as a potential party to the hearing must notify the General Manager in writing at least five (5) days before the hearing at 310 East Avenue C, Milano, Texas 76556. A copy of the documents and application are available to the public during office hours from 8:00 a.m. until 4:00 p.m., Monday through Friday.

Well Locations

Well Number

CW-1

Begin
21.1
Private

CW-3

Begin at the intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 0.26 miles on FM 696 and then go SW 0.13 miles to well

Mailed Notice

Well Number

Directions

CW-5

Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1 miles on FM 696 to CR 347 and then go SW 0.56 miles on CR 347 to CR 367 and then go 0.25 miles on CR 367 to well

CW-6

Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1 miles on FM 696 to CR 347 and then go SW 0.56 miles on CR 347 to CR 367 and then go S 0.35 miles on CR 367 to CR 368 and then go SW 0.3 miles on CR 368 to well

CW-7

Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 11.2 miles to Private rd and then go NW 0.40 miles on Private rd to well

CW-9

Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.7 miles to Private rd and then go NW 0.25 miles on Private rd to well

PW-9

Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1.5 miles on FM 696 to Private rd and then go NE 0.33 miles on Private rd to well

PW-12

Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.7 miles to Private rd and then go NW 0.25 miles on Private rd to well

PW-14

Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 11.2 miles to Private rd and then go NW 0.40 miles on Private rd to well

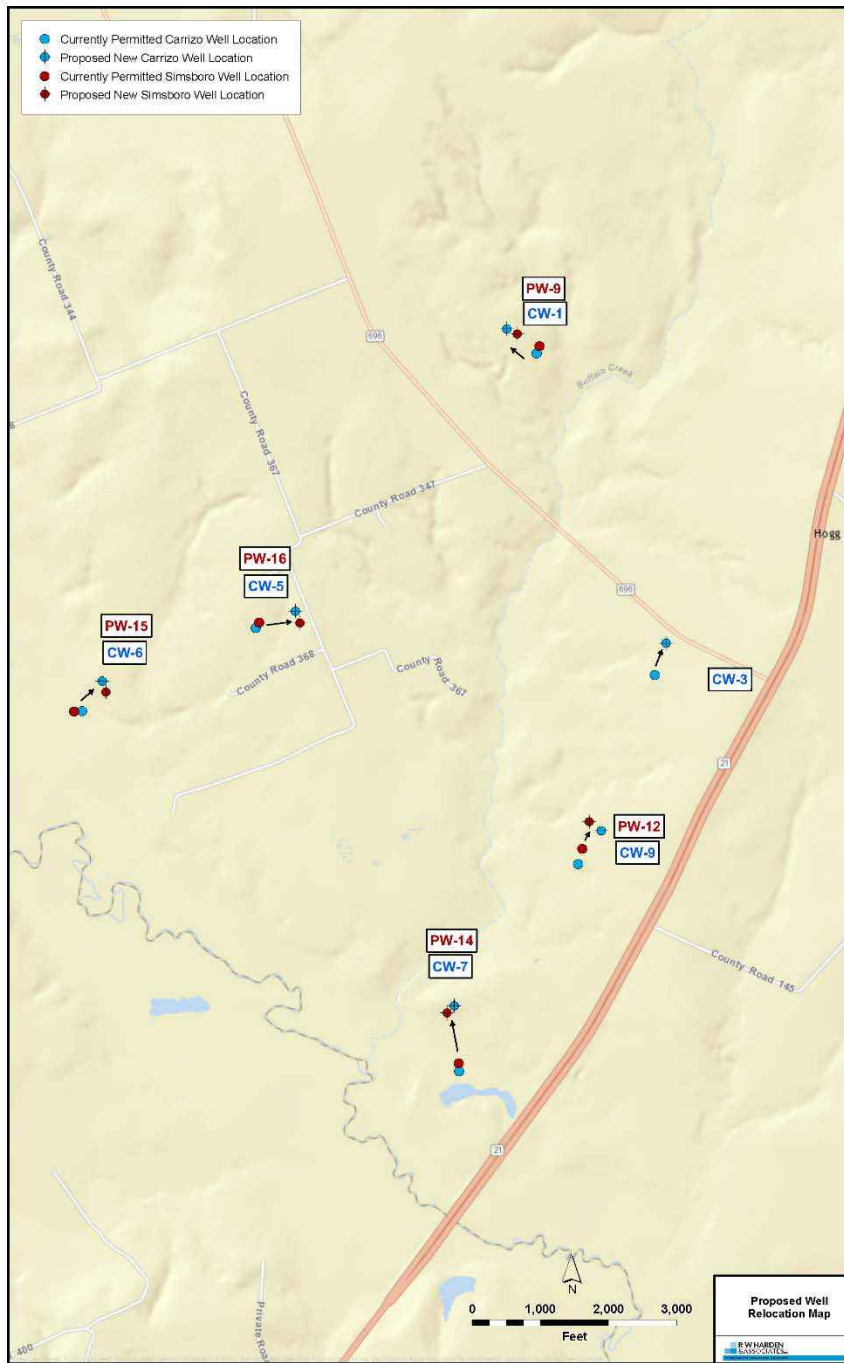
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on Hwy 21
CR 347
go S 0.35
well
on Hwy
36 to CR
then go S

0.25 miles on CR 367 to well

The map printed below shows the proposed location of the wells:

Mailed Notice Map



NOTICE OF A PUBLIC HEARING POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT TUESDAY, MARCH 28, 2017, 5:30 p.m.

Post Oak-Savannah Groundwater Conservation District Offices, 310 East Avenue C, Milano, Texas 76556

The Board of Directors of the Post Oak Savannah Groundwater Conservation District will hold a public hearing in the Post Oak-Savannah Groundwater Conservation District Offices, 310 East Avenue C, Milano, Texas 76556, on Tuesday, March 28, 2017, at 5:30 p.m., for the purpose of receiving public comments on the following application for amendment to an existing permit:

Notice is hereby given of the following public hearing that will be held at the time and place listed above on the following application, to-wit:

1. Amendment to Existing Drilling and Operation Permit: Blue Water Vista Ridge LLC, whose address is 805 Las Cimas Parkway, Suite 200, Austin, Texas 78748, acting as permit administrator for Vista Ridge, LLC, submitted an application on Jan. 5, 2017, for an amendment of Vista Ridge's existing Drilling and Operating Permit (Permit No. PDG-0501866-0001a). The amendment application seeks to relocate the point of withdrawal for 11 of the 33 permitted well sites to accommodate topography and landowner requests. The amendment application does not seek to change the point of withdrawal for the remaining 22 permitted well sites. Further, the amendment application does not request a change in the annual amount of water, instantaneous rate, purpose or place of use for the referenced Drilling and Operating Permit.

The field notes, maps and all request related to the above referenced application and public hearing are available for inspection, review and copying at Post Oak Savannah Groundwater Conservation District offices, located at 310 East Avenue C, Milano, Texas. Persons wishing to be heard as a potential party to the hearing must notify the General Manager in writing at least five days before the hearing at 310 East Avenue C, Milano, Texas 76556. A copy of the documents and application are available to the public during office hours from 8 a.m.-4 p.m., Monday through Friday.

Well Locations

Well Number Directions

- CW-1 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.1 miles to F.M. 696 and then go NW 1.5 miles on F.M. 696 to Private Road and then go NE 0.33 miles to well.
- CW-3 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.1 miles to F.M. 696 and then go NW 0.26 miles on F.M. 696 and then go SW 0.13 miles to well.
- CW-5 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.1 miles to F.M. 696 and then go NW 1 mile on F.M. 696 to CR 347 and then go SW 0.58 miles on CR 347 to CR 367 and then go S 0.25 miles on CR 367 to well.
- CW-6 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.1 miles to F.M. 696 and then go NW 1 mile on F.M. 696 to CR 347 and then go SW 0.58 miles on CR 347 to CR 367 and then go S 0.35 miles on CR 367 to CR 368 and then go SW 0.3 miles on CR 368 to well.
- CW-7 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 11.2 miles to Private Road and then go NW 0.40 miles on Private Road to well.
- CW-9 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.7 miles to Private Road and then go NW 0.25 miles on Private Road to well.
- PW-9 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.1 miles to F.M. 696 and then go NW 1.5 miles on F.M. 696 to Private Road and then go NE 0.33 miles on Private Road to well.
- PW-12 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.7 miles to Private Road and then go NW 0.25 miles on Private Road to well.
- PW-14 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 11.2 miles to Private Road and then go NW 0.40 miles on Private Road to well.
- PW-15 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.1 miles to F.M. 696 and then go NW 1 mile on F.M. 696 to CR 347 and then go SW 0.58 miles on CR 347 to CR 367 and then go S 0.35 miles on CR 367 to CR 368 and then go SW on CR 368 to well.
- PW-36 Begin at the intersection of Hwy. 36 and 21 and then go SW on Hwy. 21 10.1 miles to F.M. 696 and then go NW 1 mile on F.M. 696 to CR 347 and then go SW 0.58 miles on CR 347 to CR 367 and then go S 0.25 miles on CR 367 to well.



The map printed above shows the proposed location of the wells.

Notice as
Published in
the Burleson
County
Tribune on
Feb. 23, 2017

NOTICE OF A PUBLIC HEARING
POST OAK SAVANNAH GROUNDWATER CONSERVATION DISTRICT
TUESDAY, MARCH 28, 2017, 5:30 P.M.
 Post Oak-Savannah Groundwater Conservation District Offices
 310 East Avenue C, Milano, Texas 78556

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1. Amendment to Existing Drilling and Operation Permit, Blue Water Vista Ridge LLC, whose address is 805 Las Cruces Parkway, Suite 300, Austin, Texas 78746, acting as permit administrator for Vista Ridge, LLC, submitted an application on January 5, 2017, for an amendment of Vista Ridge's existing Drilling and Operating Permit (Permit No. POS-DACIAM-0001c). The amendment application seeks to relocate the point of withdrawal for 11 of the 33 permitted well sites to accommodate topography and landowner requests. The amendment application does not seek to change the point of withdrawal for the remaining 22 permitted well sites. Further, the amendment application does not request a change in the annual amount of water, instantaneous rate, purpose or place of use for the referenced Drilling and Operating Permit.

The field notes, maps and full request related to the above referenced application and public hearing are available for inspection, review and copying at Post Oak Savannah Groundwater Conservation District offices, located at 310 East Avenue C, Milano, Texas. Persons wishing to be heard as a potential party to the hearing must notify the General Manager in writing at least five (5) days before the hearing at 310 East Avenue C, Milano, Texas 78556. A copy of the documents and application are available to the public during office hours from 8:00 a.m. until 4:00 p.m., Monday through Friday.

Well Locations

Well Number	Directions
CW-1	Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1.5 miles on FM 696 to Private Rd and then go NE 0.33 miles to well
CW-3	Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 0.26 miles on FM 696 and then go SW 0.13 miles to well
CW-5	Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1 miles on FM 696 to CR 347 and then go SW 0.56 miles on CR 347 to CR 367 and then go 0.25 miles on CR 367 to well
CW-6	Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1 miles on FM 696 to CR 347 and then go SW 0.56 miles on CR 347 to CR 367 and then go S 0.35 miles on CR 367 to CR 368 and then go SW 0.3 miles on CR 368 to well
CW-7	Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 11.2 miles to Private rd and then go NW 0.40 miles on Private rd to well
CW-8	Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.7 miles to Private rd and then go NW 0.25 miles on Private rd to well

- PW-9 Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1.5 miles on FM 696 to Private rd and then go NE 0.33 miles on Private rd to well
- PW-12 Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.7 miles to Private rd and then go NW 0.25 miles on Private rd to well
- PW-14 Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 11.2 miles to Private rd and then go NW 0.40 on Private rd to well
- PW-15 Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1 mile on FM 696 to CR 347 and then go SW 0.56 miles on CR 347 to CR 367 and then go S 0.35 miles on CR 367 to CR 368 and then go SW on CR 368 to well
- PW-16 Begin at the Intersection of Hwy 36 and 21 and then go SW on Hwy 21 10.1 miles to FM 696 and then go NW 1 miles on FM 696 to CR 347 and then go SW 0.56 miles on CR 347 to CR 367 and then go S 0.25 miles on CR 367 to well

The map printed below shows the proposed location of the wells.



Notice as
Published
in the
Rockdale
Reporter
on Feb.
23, 2017

Carrizo Well Spacing

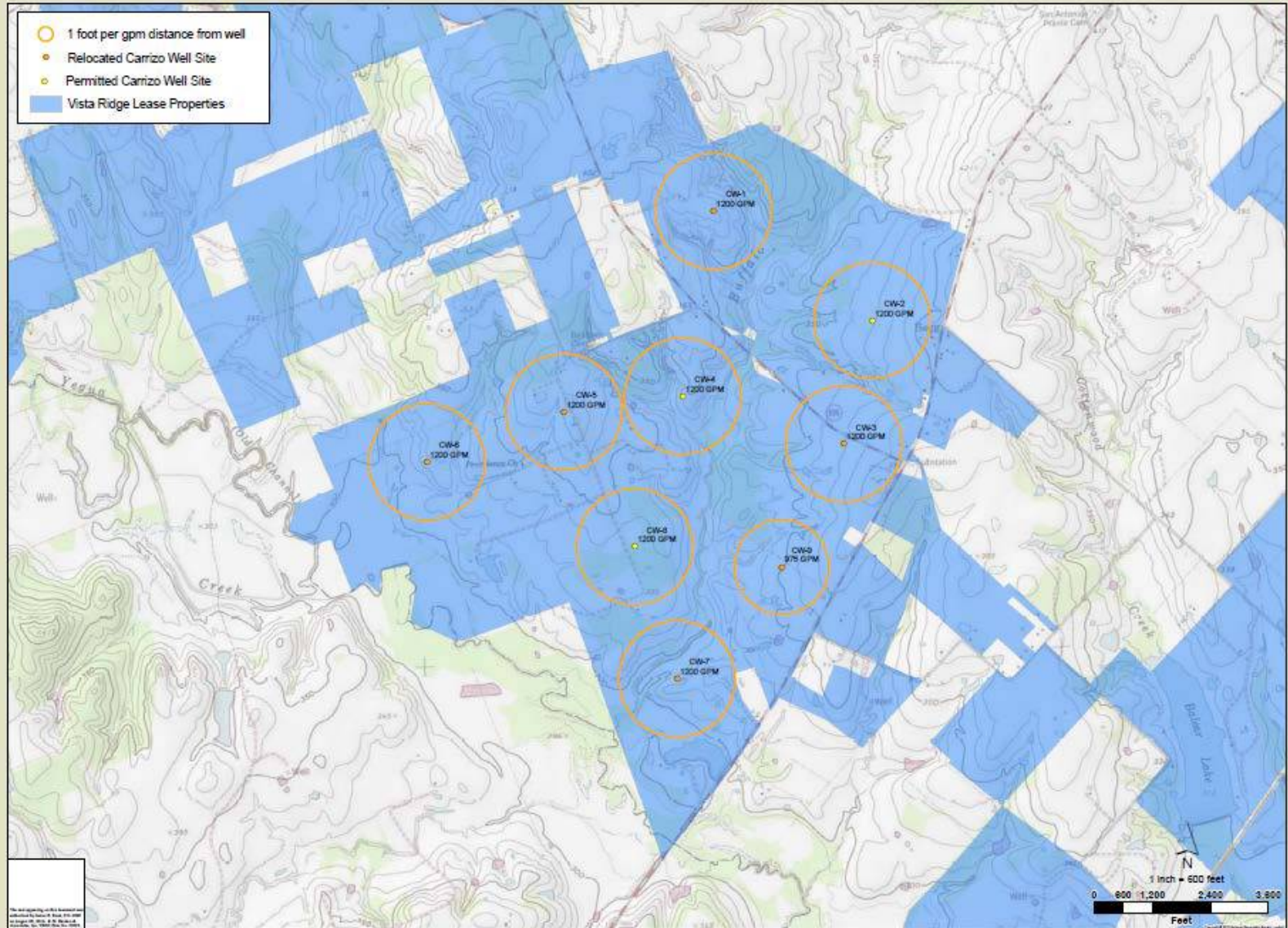
POSGCD Rule 4.1.3

3. A new well that will pump from the Carrizo, Calvert Bluff or Hooper formations shall be spaced a distance of not less than two feet per one gallon per minute production capacity from any well existing in the same formation, and not less than one foot per gallon per minute from the property line of each owner of abutting land that is not owned or controlled by the owner of the new well.

Property Line	1 ft. per GPM from property line
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Well Spacing	2 ft. per GPM from existing well in same formation
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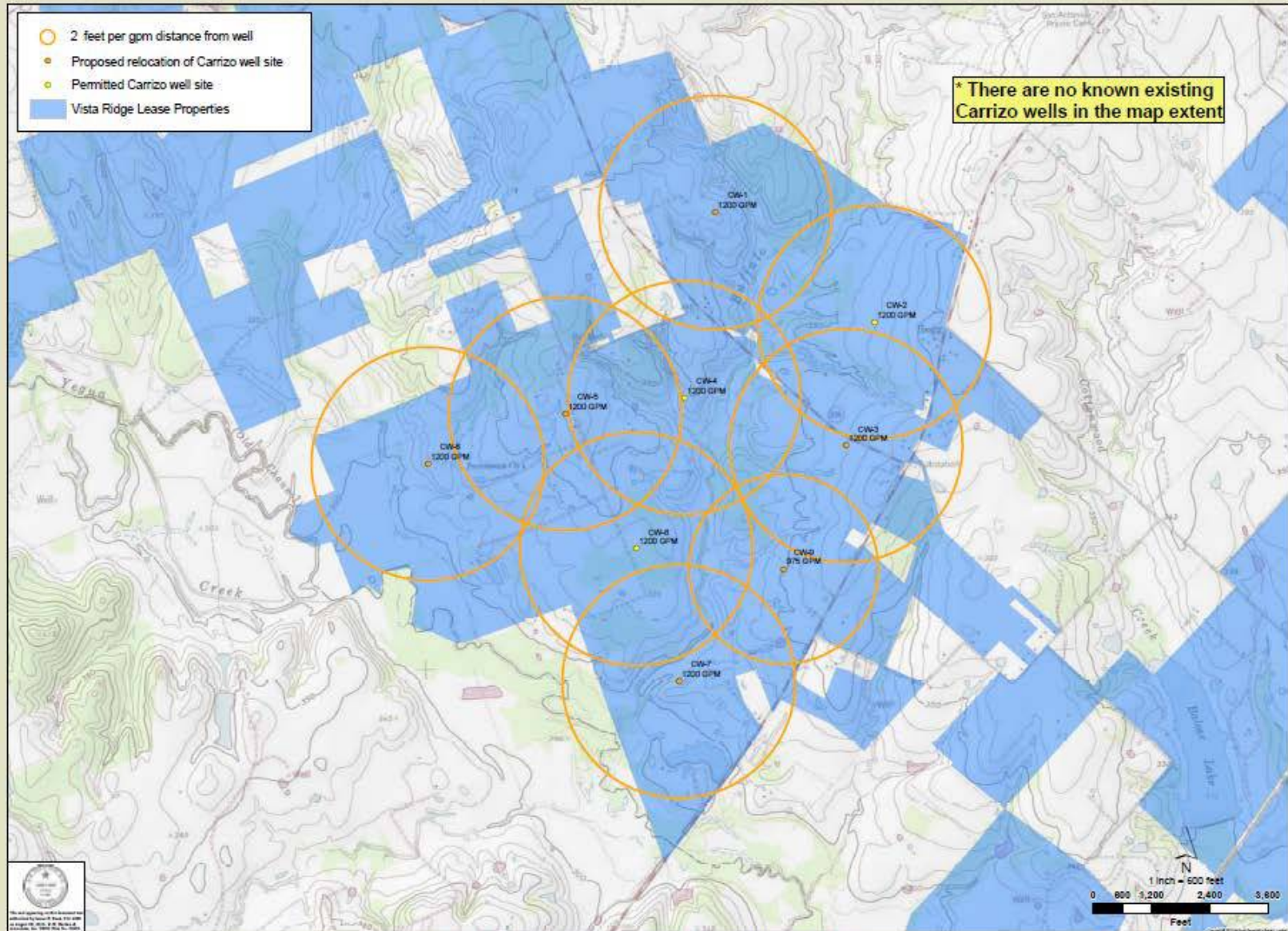
Spacing Offsets from Property Line – Carrizo Well Sites



Property Offsets for Carrizo Well Sites (Rule 4.1.3)

RW HARDEN
& ASSOCIATES

Spacing Offset for Carrizo Well Sites



Carrizo Wells

- Applications CW-1, CW-3, CW-5, CW-6, CW-7, and CW-9 are for Carrizo wells
- All Carrizo wells comply with Rule 4.1.3 well-to-property line spacing requirements
- All Carrizo wells comply with Rule 4.1.3 well-to-well spacing requirements
- No variance required

Simsboro Well Spacing

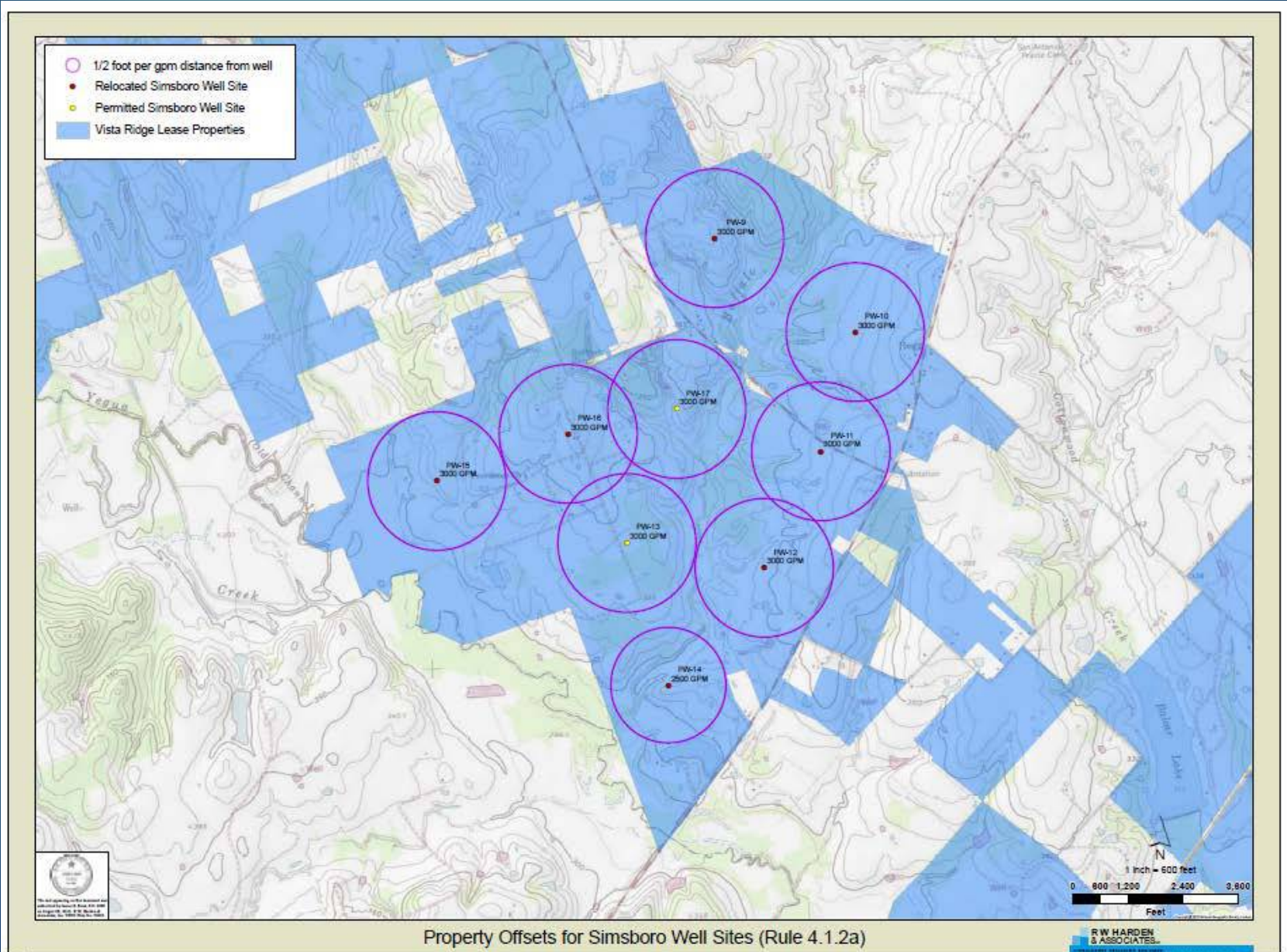
POSGCD Rule 4.1.2.a

a. the spacing of a new well from any well existing in that formation shall be a distance of not less than one foot per one gallon per minute of production capacity and not less than one-half foot per gallon per minute from the property line of each adjoining landowner; or

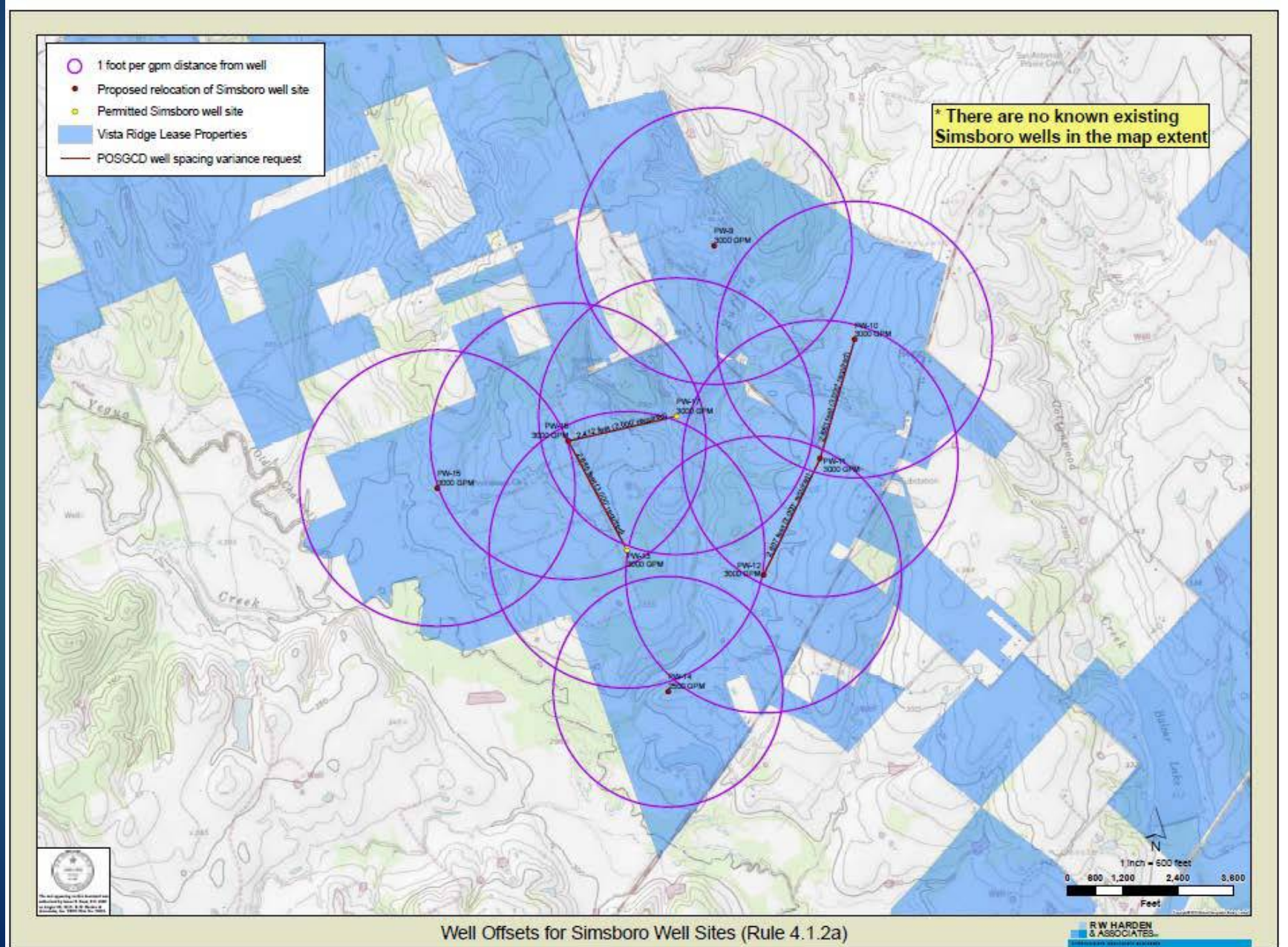
Property Line	$\frac{1}{2}$ ft. per GPM from property line
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Well Spacing	1 ft. per GPM from existing well in same formation
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Spacing Offsets from Property Line - Simsboro Well Sites



Spacing Offset for Simsboro Well Sites



Simsboro Wells

- Applications PW-9, PW-12, PW-14, PW-15, and PW-16 are for Simsboro wells
- All Simsboro wells comply with Rule 4.1.2 well-to-property line spacing requirements
- There are no “existing wells” in the Simsboro for many miles
- Because the well-to-well spacing rule is tied to spacing from an existing well, the Vista Ridge well field complies with spacing requirements
- No variance is required

Hydrology is Unchanged

- POSGCD Rules specify use of Central Carrizo-Wilcox Groundwater Availability Model (GAM) for predicting aquifer conditions and response
- POSGCD Rule 4.1.2.b provides for spacing of new Simsboro wells “based on engineering studies and drawdown criteria derived from GAM simulations. . .”
- James Bene of RW Harden certified that “the GAM run results incorporating the proposed well locations are **identical** to GAM results using the currently permitted well locations.”
- Bene further certified that “the proposed well site modifications **do not result in any changes** in the simulated aquifer response included in the original permit application submittals.”
- Confirmed by Steve Young of Intera.

Bene Certification

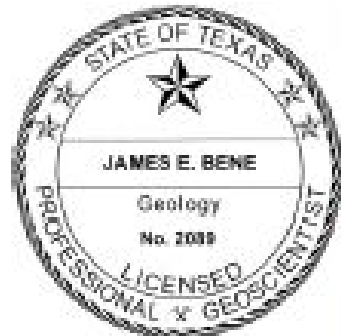
As you know, the District's rules specify the use of the Central Carrizo-Wilcox Groundwater Availability Model (GAM) for predicting aquifer conditions and response. The GAM utilizes one square mile grid cells, and, because the proposed changes are minor, the relocated well sites fall within the same model cells as the currently permitted well locations. Consequently, the GAM run results incorporating the proposed well locations are identical to GAM results using the currently permitted well locations. Consequently, the proposed well site modifications do not result in any changes in the simulated aquifer response included in the original permit application submittals.

Please let me know if you or any Board members need any additional information, we would greatly appreciate your action on these applications as soon as possible.

Sincerely,



James Bené, P.G.
R. W. Harden & Associates, Inc.



The seal appearing on this document was authorized by James E. Bené, P.G. 2089 on January 5, 2017. R.W. Harden & Associates, Inc. TBPG Firm No. 50033.

Other Considerations

- 3 Simsboro wells are currently permitted at 3,000 GPM instantaneous rate
 - No change in annual amount
 - Moves wells slightly closer together—less than 3,000 ft.
 - No existing Simsboro wells
 - Does not change GAM hydrology
 - No other well owner or property owner is even affected—let alone hurt
 - Both permittee and landowners want these minor relocations

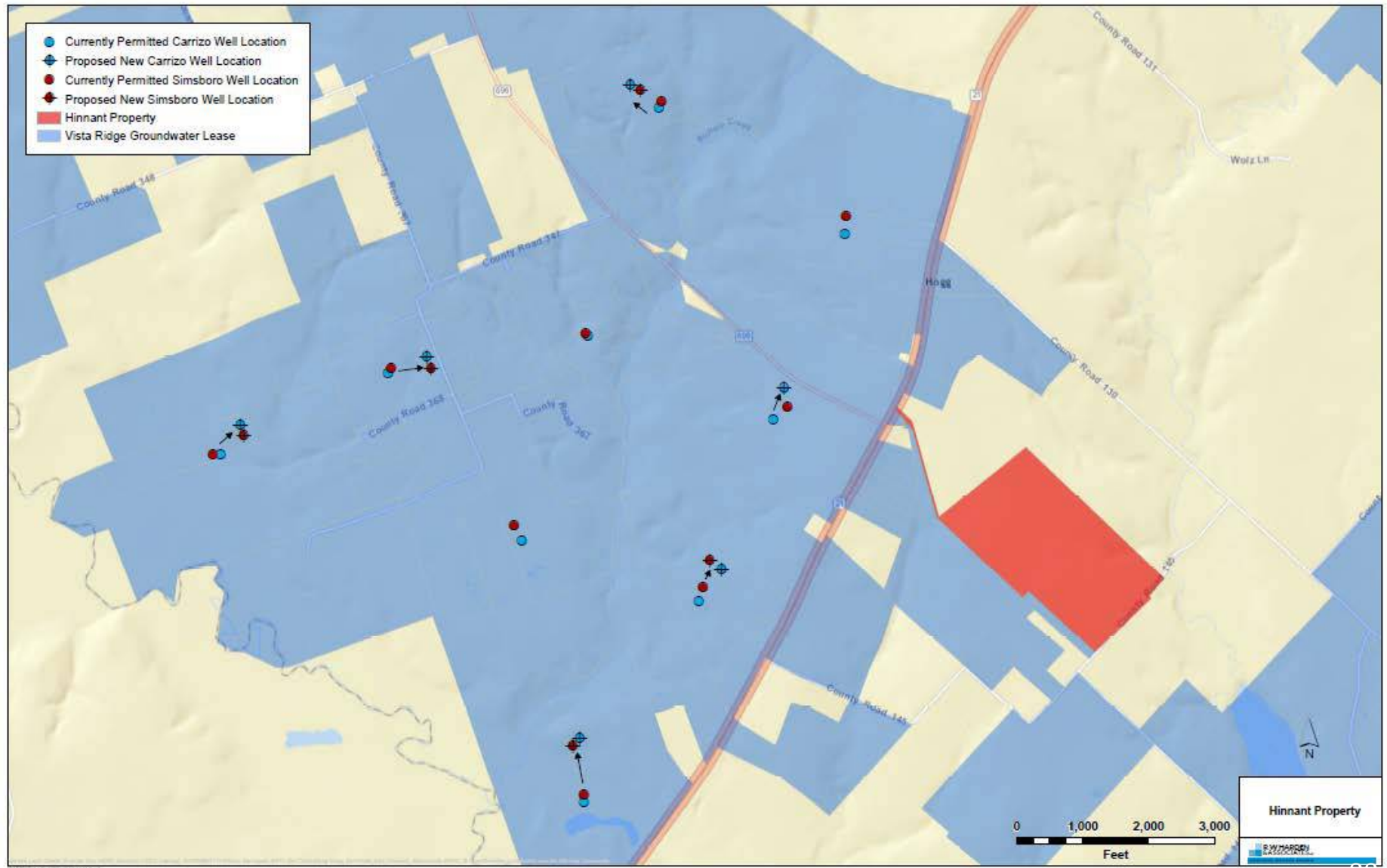
Other Issues Raised by Protestants

- Permit Applications are about the straightforward application of the facts to the law.
- Permit applications are not a popularity contest.

A map showing a large area of land with numerous small, irregular blue patches. These patches are concentrated in a central region and are surrounded by a network of orange lines representing roads or highways. The background of the map is a light tan color.

Blue Water Leases

Amy Hinnant Property



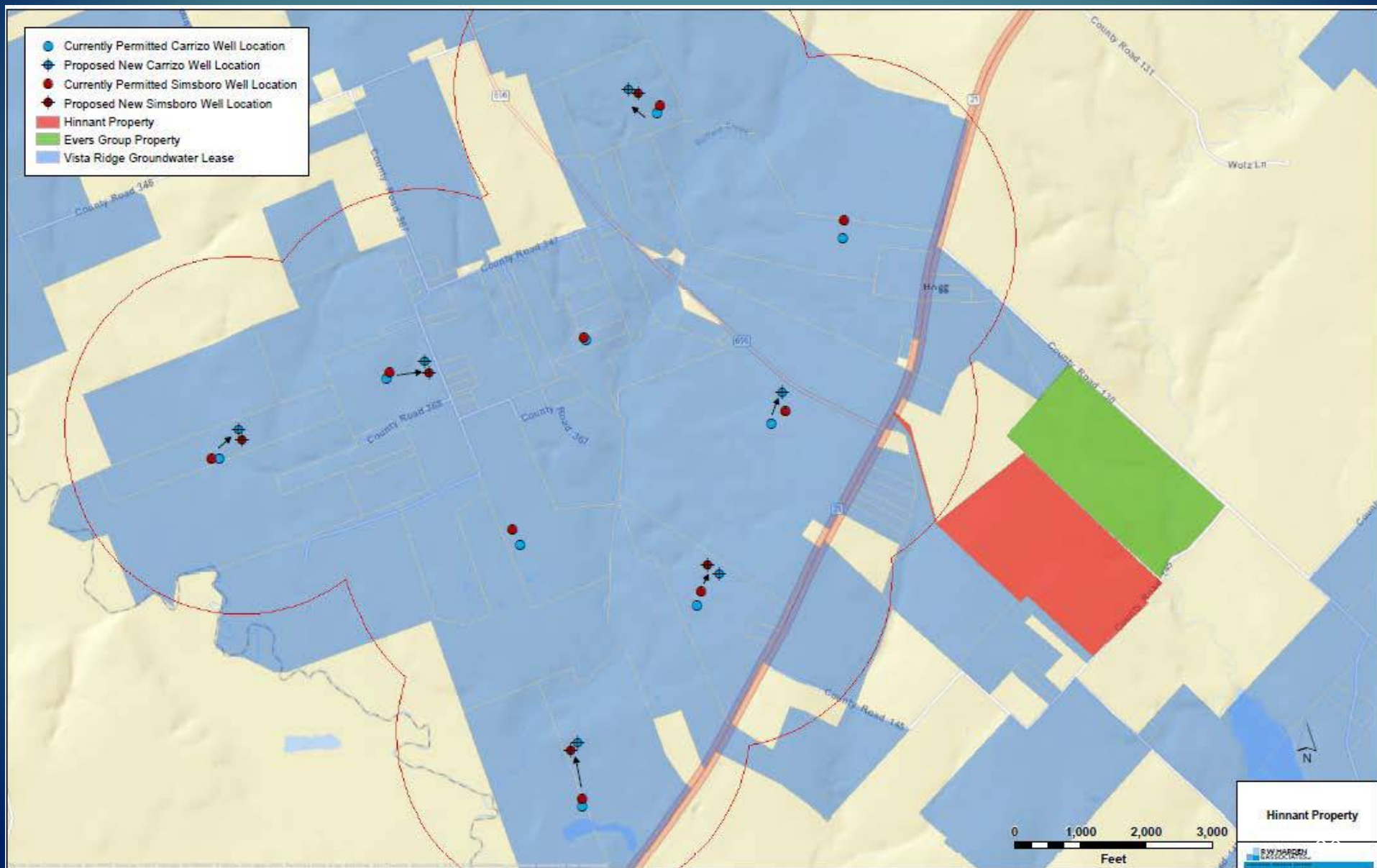
Amy Hinnant Property

A	B	C	D	E
Burleson County Landowners				
Owner Name	Address Line 2	Address	City	State
Adele T. Davis		3705 Arctic Blvd	Anchorage	AK
Allen Taylor Creek	DBA : C N C Plastics	4031-B CR 117	Giddings	TX
Alvin R. & Nancy J. McNeil		10900 W HWY 21	Caldwell	TX
Amy Jurica Hinnant		PO Box 1081	Caldwell	TX
Andrea Butler		10739 CR 367	Caldwell	TX

Amy Hinnant

- Received mailed notice
- Untimely request for hearing filed the day of the hearing
- Never served Applicant as required by POSGCD Rules
- No Carrizo well
- No Simsboro well
- No registered well at POSGCD
- No property line spacing variance requested
- Relocation actually moves well further away from Hinnant property
- No standing – not an affected party under POSGCD Rules

Evers Group Property



Walter Hurd

- Complained of flooding from well
- 12,000 GPM !
- Moved logs

WHAT ACTUALLY HAPPENED:

- Simsboro Well pump tested during due diligence (PW-13)
- Hurd was paid substantial sum of money by well driller—Weisinger Water Well Drillers
- Signed full release of claims after being paid
- Flooding in Yegua Creek moved logs—not 3,000 GPM from well

RELEASE AND INDEMNITY AGREEMENT

WHEREAS, Walter Dewey Hurd, Donald Wayne Hurd, and Charles Edward Hurd ("Claimants") own certain real property located at 368 and Yegua in Burleson County, Texas (the "Real Property").

WHEREAS, a claim has been made that the Real Property sustained damage as a result of operations performed by Blue Water Vista Ridge LLC, Central Texas Water Supply Corporation, Abengo Vista Ridge LLC, Garney Construction, Weisinger Water Well and Weisinger, Inc. (the "Released Parties") on neighboring realty as more fully set forth in the letter dated May 11, 2016, attached as Exhibit "A" (the "Claim").

WHEREAS, the parties to this Release and Indemnity Agreement wish to avoid the expense and uncertainty of litigation and settle any and all claims which Claimants have, had, or may have, against the Released Parties.

THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

The Claimants release, acquit and forever discharge the Released Parties and their owners, employees, officers, directors and shareholders from any and all claims, demands, and causes of action of whatsoever kind or nature, whether in contract or in tort, known or unknown, heretofore or hereafter occurring in any manner, directly or indirectly, out of, or in connection with, the Claim or the Real Property.

The Claimants agree to forever defend, protect, indemnify, and hold harmless the Released Parties and their owners, employees, officers, directors and shareholders from any costs, expenses and/or liabilities arising out of any and all claims, demands, actions, and causes

Hurd Release

Executed this the 27th day of August, 2016.

CLAIMANTS:

Walter Dewey Hurd
Walter Dewey Hurd

Donald Wayne Hurd
Donald Wayne Hurd

CALHRZ
Charles Edward Hurd

STATE OF TEXAS

COUNTY OF Harris

BEFORE ME, the undersigned authority, on this day personally appeared Walter Dewey Hurd, who, on his oath, deposed and stated that he has read the foregoing and that the statements and allegations contained therein are true and correct.

SUBSCRIBED AND SWORN TO before me by the undersigned notary public on this the 27th day of August, 2016, to certify which witness my hand and seal of office.



Carla Castillo
Notary Public in and for the
State of TEXAS

Save Our Springs/McGeary

- Do not have standing
- Do not represent Hinnant (or anyone else)
- Failed to comply with POSGCD Rule requiring service on Applicant

Questions re: land ownership and water rights

- Lease information part of original applications
- Lease memos recorded in public records
- When permits divided in 2015, lease schedules and map provided to District

Questions re: reason for relocation

- POSGCD Rules do not require a reason
- Minor location adjustments to accommodate landowners and topography

Save Our Springs/McGeary

Questions re: new locations

- Complies with POSGCD property line spacing in all cases
- No change in hydrology
- Mentions breakthrough to neighboring wells
 - There are no neighbors that have Simsboro or Carrizo wells

Questions re: variance

Carrizo no variance required; complies with POSGCD spacing rules

Simsboro all 5 Simsboro wells comply with property line spacing; no variance required

3 Simsboro wells less than 3000 ft.

- there are no “existing wells” in Simsboro
- all are Vista Ridge
- no change in GAM hydrology

Save Our Springs/McGeary

Questions re: aquifer impacts

- GAM certification no change in hydrology included in applications
- No other Carrizo or Simsboro wells

Questions re: pump testing

- Pump testing is standard operating procedure for new municipal supply wells
- POSGCD staff aware of testing
- Settlement paid to Hurd
- Road work and culverts installed for Gabbo Goetsch

Conclusion

- Request for minor well relocations – 11 of 33 permitted locations
- POSGCD staff reviewed and determined application administratively and technically complete
- Proper notice given
- Carrizo wells comply with POSGCD spacing rules
- Simsboro wells comply with POSGCD spacing rules
- 3 Simsboro wells currently permitted at 3,000 GPM would be less than 3,000 ft. from other Vista Ridge wells
 - No neighboring wells
 - Does not change annual pumping amount or hydrology
 - Only affected parties are Vista Ridge and landowners where well will be drilled
- Vista Ridge and the landowners all consent to the well relocation and spacing