CULBERSON COUNTY GROUNDWATER CONSERVATION DISTRICT
COUNTY OF CULBERSON, STATE OF TEXAS

#09543

NON-HISTORIC USE PRODUCTION PERMIT

THIS CERTIFIES THAT: **Texas Department of Transportation (TxDOT)**
125 E 11th St
Austin, TX, 78701

(the "Permittee"), has applied for a Non-Historic Use Production Permit to withdraw and place to beneficial use groundwater from within the District, and that the Board of Directors of the Culberson County Groundwater Conservation District ("District"), pursuant to the Rules of the District (adopted August 24, 2011, as amended March 7, 2012 as amended May 13, 2020) ("District Rules"), has APPROVED the application as follows:

1 Permit Category

This permit is a **Non-Historic Use Production Permit** ("NHUPP").

2 Permit Term

The term of this permit is perpetual from the date of issuance.

3 Groundwater Source

The source of groundwater is the Wild Horse Flat Aquifer (the "Aquifer").

4 Annual Groundwater Withdrawal Amounts

4.1 Permittee is authorized to withdraw groundwater from the Aquifer for beneficial, nonwasteful use in an amount not to exceed 12 acre-feet per calendar year.

4.2 The amount groundwater authorized in Section 4.1 was based on an evaluation of the Permittee's estimate of the amount of groundwater required by the Permittee for beneficial use within the District's boundaries, and the amount of groundwater, 4,804 acre-feet, available annually for production from the Aquifer under NHUPPs as specified in the District's Resolution and Order No. 2014-001, dated September 4, 2014.

4.3 The amount of groundwater authorized in Section 4.1 is subject to proportional adjustment pursuant to Chapter 5 of the District Rules and to cancellation or reduction pursuant to Section 5.217 of the District Rules.

5 Purpose of Use

Permittee may use Aquifer groundwater only for municipal purposes.

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

Groundwater may be withdrawn from the Aquifer only from the well(s) located at each of the location(s) and with a maximum rate of withdrawal(s) (flow rate), as follows:

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Name	Location (latitude/longitude)	Maximum Flow Rate (gpm)
TxDOT Well #1	31.0473/-104.6557	20 gpm

7 Measurement of Amount of Groundwater Withdrawn

Permittee may withdraw groundwater only from a well that has an operating flow meter that meets the requirements of Chapter 8 of the District Rules and is listed in Section 6 of this permit.

8 Location of Delivery and Place of Use

Groundwater authorized for production in Section 4.1 must be delivered to the municipal user at the place of the Permittee's facility located at TxDOT Rest stop- 15110 Interstate 10; East Bound 31.0471, -104.6543 and West Bound 31.0510, -104.6670 and must be beneficially used within the District's boundaries.

9 Well Construction, Operation, Maintenance, Closure

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

10 Water Conservation

Groundwater authorized by this permit to be produced is required to be efficiently withdrawn and used in compliance with the District Rules and the District's management plan, and, if applicable, Permittee's water conservation plan as approved by the District.

11 Conveyance to Place of Use

Groundwater authorized for production in Section 4.1 must be conveyed to the place of use in a manner that prevents evaporation, channel loss by percolation, and waste.

12 Meters; Alternative Measuring Method

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

13 Reports

Permittee shall timely file all applicable reports with the District on forms prescribed by the District as required by the District Rules, the requirements of this permit, and other applicable law.

14 Fees

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

15 Interruption, Suspension, or Other Limitations Due to Drought

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

16 Other Water Permits or Water Supply Contracts

Permittee shall only withdraw groundwater pursuant to this permit if the Permittee has made all reasonable efforts to fully use all water available to the Permittee pursuant to any water supply permits and/or water supply contracts.

17 Groundwater Management Plan

Permittee shall withdraw and use groundwater only in accordance with the District's approved groundwater management plan.

18 Water Quality

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

19 Transfers and Amendments

Permittee may transfer or amend this permit only in compliance with the District Rules.

20 Permit Review, Renewal or Extension Conditions

Permittee is subject to any review, renewal, or extension conditions stated in the permit or the District Rules. This permit is subject to cancellation in accordance with Section 5.217 of the District Rules.

21 Change of Name, Address, or Telephone Number

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

22 Inspections by District

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

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THIS PERMIT IS ISSUED, EXECUTED THIS July 8, 2020 by the Board of Directors of the Culberson County Groundwater Conservation District.

V R Cottrell

Vance Cottrell
President, Board of Directors

ATTEST:

Cruz Parada
Secretary, Board of Directors

ACKNOWLEDGMENT

STATE OF TEXAS)

COUNTY OF CULBERSON)

ON BEHALF OF THE DISTRICT, THIS PERMIT WAS ACKNOWLEDGED before me on July 8, 2020, by Vance Cottrell, President, Board of Directors, Culberson County Groundwater Conservation District, a groundwater conservation district created pursuant to Article XVI, Section 59, Texas Constitution.

Summer R. Webb

Notary Public in and for the State of Texas

SUMMER R. WEBB
NOTARY PUBLIC - STATE OF TEXAS
ID# 131585239
COMM. EXP. 05-29-2022

00000009543

FILED FOR RECORD
AT 2:00 **O'CLOCK** P. **M.**

ON THE 14th **DAY OF** September

A.D., 20 20.

Linda McDonald
COUNTY AND DISTRICT CLERK
CULBERSON COUNTY, TEXAS

BY Wally Davis **DEPUTY**

STATE OF TEXAS
COUNTY OF CULBERSON

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume 108 and Page 538-542 of the OPR Records of Culberson County, Texas.

COUNTY AND DISTRICT CLERK CULBERSON COUNTY, TEXAS