

ORDER NO. 104

HAYS TRINITY GROUNDWATER §
CONSERVATION DISTRICT §

AGREED ORDER: ROGER HANKS PARK, INC.
PRODUCTION PERMIT

At its _____ board meeting, the Hays Trinity Groundwater Conservation District (the District) Board of Directors, considered this agreement of the parties, resolving the applications of Roger Hanks Park, Inc. (the Applicant), for a production permit from the Middle Trinity Aquifer, located at 1301 Highway 290 West, Dripping Springs, in Hays County, Texas (the Property). Whit Hanks, on behalf of Roger Hanks Park, Inc and the District stipulate that:

1. The Applicant applied for a production permit in the Middle Trinity Aquifer on the Property. The Applicant is seeking a total of 7,200,000 gallons per year for the duration of the three year permit. The produced well water will be used solely for landscape irrigation purposes on approximately 15 acres of the total 45 acres of the property.
2. The District and the Applicant agree that the District has jurisdiction and authority to enter this Agreed Order and that the wells are under the District's jurisdiction.
3. Any notice and procedures that might otherwise be authorized or required in this matter are waived in the interest of resolution of this matter.
4. The Applicant agrees to waive any right to appeal of the permits issued under this Order.
5. As authorized in Permit No. 0021, the proposed use of water is not anticipated to unreasonably affect existing groundwater and surface water resources or existing permit holders.
6. The Applicant has agreed to avoid waste and achieve water conservation.
7. The Applicant has agreed to use reasonable diligence to protect groundwater quality.
8. The Applicant has agreed to follow well plugging guidelines at the time of well closure.

9. The conditions and limitations imposed in Permit No. 0021 are reasonably necessary to protect existing uses, prevent waste, achieve water conservation, minimize as far as practicable the drawdown of the water table or the reduction of artesian pressure, or lessen interference between wells.

THEREFORE, the Board of Directors approves and issues Permit No. 0021, which is made a part of this Agreed Order.

SIGNED AND ENTERED THIS DAY OF OCTOBER, 2004.

**Al Broun
President
Hays Trinity Groundwater
Conservation District**

Attested by:

I, the undersigned, have read and understand the foregoing Agreed Order. I am authorized to agree to the foregoing Agreed Order on behalf of Roger Hanks Park, Inc., and I do agree to the terms and conditions specified herein.

Whit Hanks, Authorized
Representative of Roger Hanks Park, Inc.

Date: _____