



Kyle Dannhaus General Manager
Board of Directors:
William Jackson, President
Mark Key, Vice President
Rex Miller, Secretary/Treasurer
Travis Crow, Director
Jimmy Skipton, Director

January 31, 2020

Hays Trinity Groundwater Conservation District
Board of Directors
P.O. Box 1648
Dripping Springs, TX 78620

Re: Comments of Dripping Springs Water Supply Corporation
to proposed and amended New Rule 15

Dear Directors:

These comments are hereby filed on behalf of Dripping Springs Water Supply Corporation (DSWSC) pertaining to the Hays Trinity Groundwater Conservation District (District) proposed and amended new Rule 15. According to the District website, the comment deadline date to submit public comments expires on Wednesday, February 5, 2020, therefore, DSWSC requests the District accept these public comments as part of your review.

We present the following comments concerning your proposed and amended new Rule 15 and wish that you take the appropriate time necessary to make changes in favor of permittees. We emphasize working together with all permittees is key and again ask that you place yourselves in your operating permit holders' position and attempt to recognize all the difficulties to implement and enforce any and all District rules.

PROPOSED AND AMENDED RULE 15 (15.2.5)

1. HTGCD provides no guidance to permit holders how the Drought Curtailment Implementation Plan (DCIP) should be developed.
2. According to amended new Rule 15, if permittees establish a detailed DCIP including achieving production curtailments and the District approves all DCIP submittals, then why would there be a requirement for penalties?
3. During HTGCD Board meetings, the Board stated production curtailment will not make Jacob's well flow during a drought event, therefore, how does the District justify rule 15?
4. Of the approximate 95 existing permit holders within HTGCD's authority, governing each individual permit holder with a separate DCIP promotes special circumstances and unfair and arbitrary practices from one permit holder to another.
5. The burden of rulemaking is the responsibility of the governing body to create clear rules, not for permit holders to create and defend a DCIP.



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6. It is an unrealistic burden for permit holders to comply with specific terms of curtailment or an undefined monthly baseline production amount. Growth occurs daily and is the goal of every business owner.
7. Dependent upon annual rainfall events and drought conditions, end-users will irrigate accordingly thus making a monthly baseline impossible to predict and govern effectively. HTGCD will inadvertently punish permit holders for all conservation efforts from previous years and incentivize waste to raise annual production amounts for future monthly baseline charts.
8. HTGCD avoiding enforcement during this one-year hiatus contradicts the rationale of the creation of a groundwater district. As proposed, Rule 15 would allow permittees who fail to meet curtailment standards, e.g., Camp Young Judaea, to avoid penalties and other consequences.
9. The one-year waiver on enforcement will incentivize all permittees to avoid expending resources to meet curtailment standards during that period.
10. It would seem appropriate for HTGCD to negotiate directly with Aqua Texas rather than punish all permit holders.
11. HTGCD neglected to address any modifications to the amended new Rule 15 based on Dripping Springs Water Supply Corporation's submitted letter dated January 02, 2020.

In conclusion, we ask that the District continue with their rule-making process and continue to amend the proposed and amended new Rule 15, for the reasons and in the manner discussed above.

Respectfully,

A handwritten signature in black ink, appearing to read "Will Jackson", with a long horizontal flourish extending to the right.

William Jackson
DSWSC Board President