BD 6-3-64 BL 20 P. 2.

SCALE: 1" = 100'

-LEGEND-

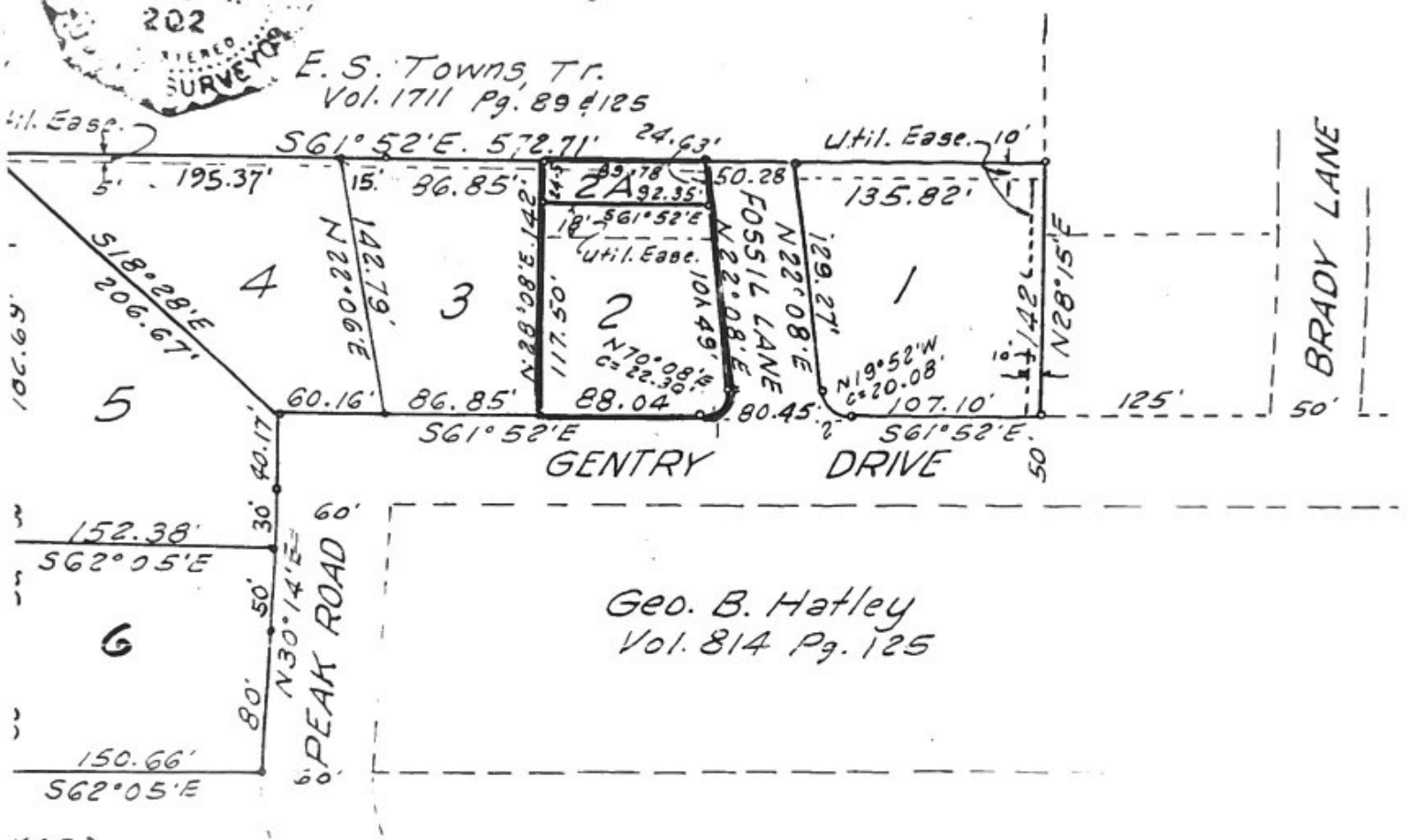
◉ - Iron pipe Found

5' ---- " " Set

---- Util. Easement

By: Claude F. Bush, Jr.
CLAUDE F. BUSH JR
Reg. Public Surveyor #202

202
REGISTERED SURVEYOR



KAS }
S } KNOW ALL MEN BY THESE PRESENTS:

Stenger, owner of the hereon designated tract containg 2.57 acres
e Henry P. Hill Lge, Travis County, Texas, being a part of the land
deed recorded in Vol. 1264, Pg. 129, Travis County Deed Records and
2 in deed from E. S. Towns, Trustee, to A. D. Stenger, recorded in Vol. 2771,

89.78 24.63

24.5 50.25

102.49

117.50

22.30

88.04 85.45

Red Bud Wood Village, Sec 4th

SCALE: 1" = 70'

-LEGEND-

⊙ - Iron pipe found
" " Set
5' ---- Util. Easement

CURVE DATA

1	2
I = 96°00'	I = 84°00'
T = 16.66'	T = 13.51'
R = 15.00'	R = 15.00'
LC = 22.30'	LC = 20.08'
A = 25.13'	A = 21.99'

STATE OF TEXAS
CLAUDE F. BUSH, JR.
202
REGISTERED PUBLIC SURVEYOR

By: Claude F. Bush, Jr.
CLAUDE F. BUSH, JR
Reg. Public Surveyor #202

E. S. Towns, Tr.
Vol. 1711 Pg. 89 etc

Util. Ease.

S61°52'E. 572.71'

195.37'

15'

86.85'

24.63'

50.28'

Util. Ease. 10'

135.82'

2A 92.35'

S61°52'E

Util. Ease.

N22°08'E

129.27'

N22°08'E

101.49'

FOSSIL LANE

N28°08'E. 142'

117.50'

N70°08'E
C=22.30'

N19°52'W
C=20.08'

107.10'

125'

BRADY LANE

50'

S18°28'E

206.67'

N29°26'E

182.69'

5'

5'

4

3

2

1

S61°52'E. 290.22'

142.79'

60.16'

86.85'

88.04'

80.45'

S61°52'E

GENTRY DRIVE

50'

N29°26'E

182.69'

30'

30'

40.17'

60'

152.38'

S62°05'E

50'

50'

6

80'

80'

N30°14'E

PEAK ROAD

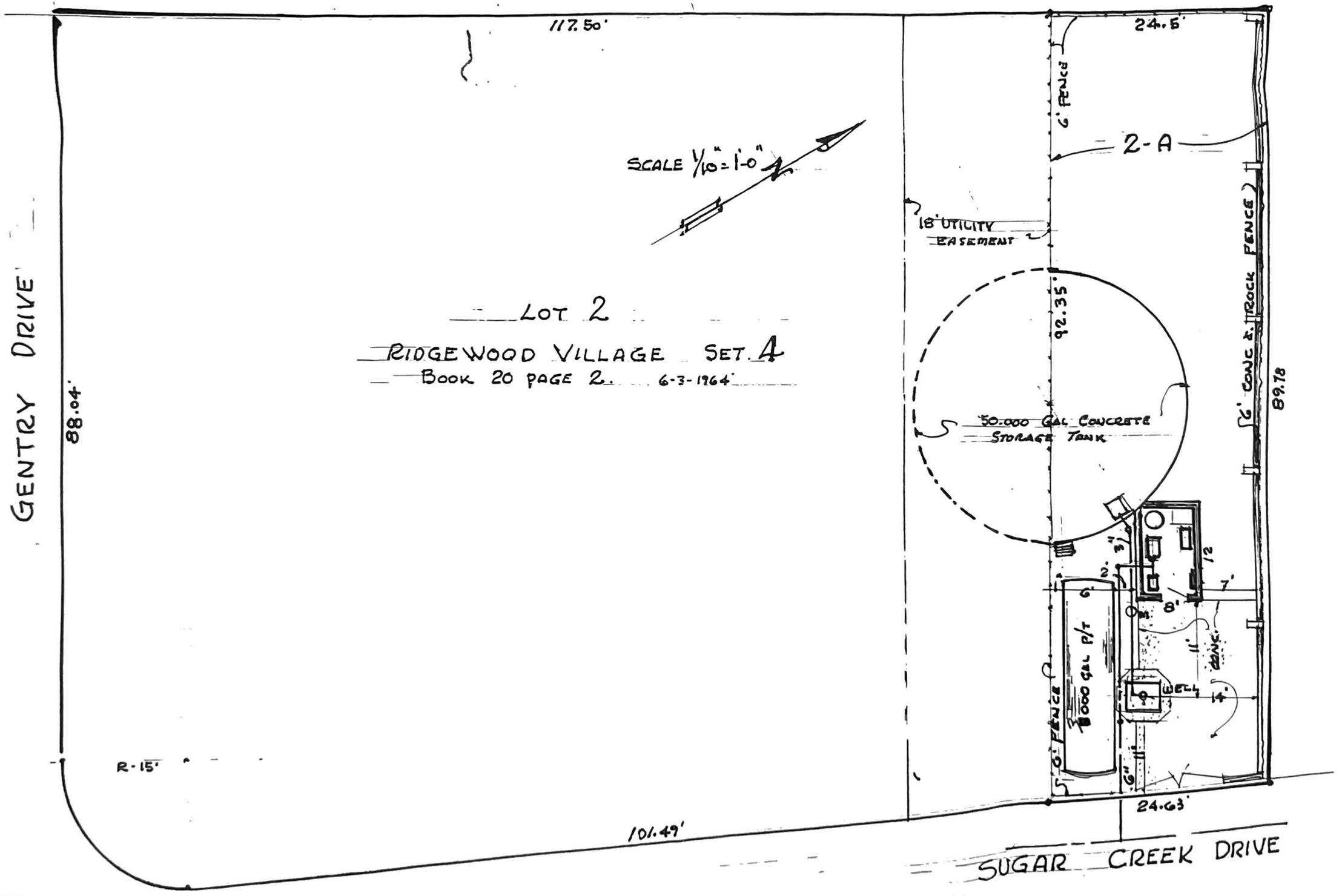
60'

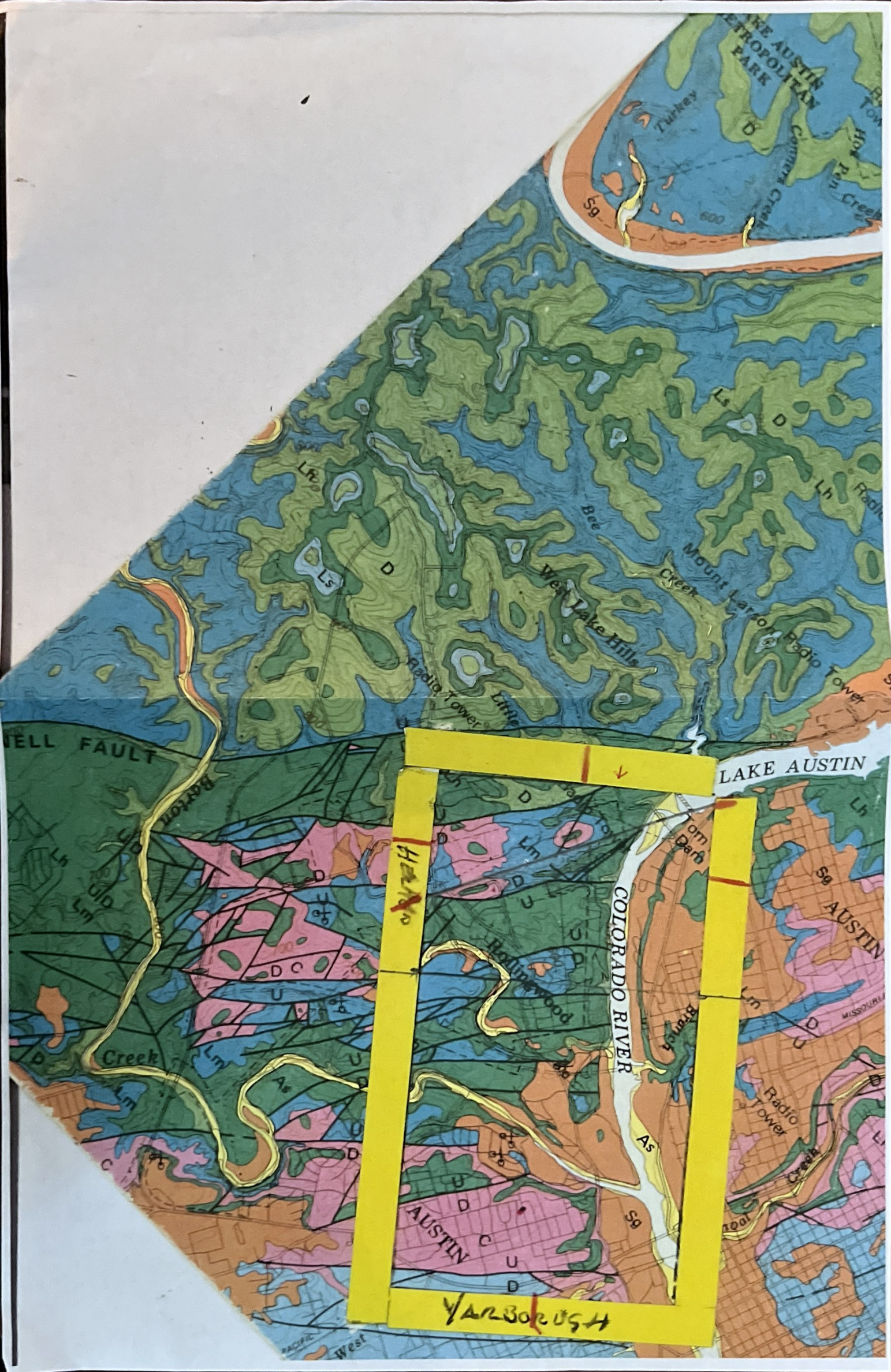
150.66'

S62°05'E

Hatley
Pg. 12

THE STATE OF TEXAS }
COUNTY OF TRAVIS } KNOW ALL


117.50'
24.5'
6' FENCE
2-A
SCALE 1/10"=1'-0"
18' UTILITY EASEMENT
92.35'
6' CONC. & ROCK FENCE
89.78'
LOT 2
RIDGEWOOD VILLAGE SET. 4
BOOK 20 PAGE 2. 6-3-1964
50,000 GAL CONCRETE STORAGE TANK
GENTRY DRIVE
88.04'
12
7'
8'
11'
CONC.
WELL
4'
6' FENCE
1000 GAL P/T
6"
11'
R-15'
24.63'
101.49'
SUGAR CREEK DRIVE


LAKE AUSTIN METROPOLITAN PARK
Turkey
Creek
Sg
D
Ls
Lh
Bee
Creek
West Lake Hills
Mount Larson
Radio Tower
Little
Barton
Creek
Lm
DC
U
As
Rollingwood
Bruny
Tom Dark
COLORADO RIVER
AUSTIN
Sg AUSTIN
Radio Tower
Creek
Hwy 71
YARBOROUGH
West
LAKE AUSTIN

IMENTAL GEOLOGY OF AUSTIN AREA

PLATE I

EXPLANATION

As — Sandy alluvium

Orange-brown, unconsolidated sand, silt, and clay

Ac — Clayey alluvium

Yellow-brown, unconsolidated clay, silt, and sand

Sg — Sand and gravel

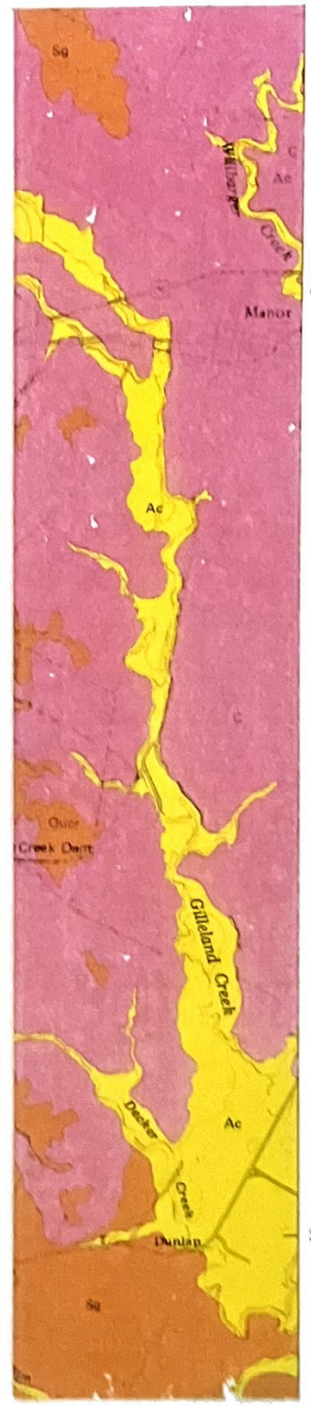
Yellow-brown and orange-brown sand, gravel, silt, and clay, locally calichified

C — Clay

Dark olive or blue-gray to yellow-brown, massive clay and marl

Ls — Soft limestone

Gray to white, thick-to thin-bedded chalk, marly limestone, and marl



Lh — Hard limestone

Gray to tan, dense limestone with local flaggy and nodular beds, flint nodules, and cavernous zones

Lm — Mixed limestone

Gray to tan, thick to thin interbedded hard limestone and marl

D — Dolomite and dolomitic limestone

Gray-brown to gray, thin-to medium-bedded, porous dolomite and dolomitic limestone

B — Basalt

Black to dark greenish gray, massive, hard, fine grained basalt

V — Altered volcanic rock

Green-brown to tan, friable clayey altered tuff

Fault (U / D)

U, upthrown side; D, downthrown side; dashed where inferred

Quarry

Gravel pit

Windmill

Ridgewood Village Water System

P. O. Box 3353 Austin, Texas 78764 (512) 441-5236 Since 1952

Texas State Department of Health #227-0015
Texas Water Commission
Public Utility Commission **CCN-10303**

Barton Springs Edwards Aquifer
Conservation District--Permit
#84-88-100 Well # 58-42-823

Ridgewood.....Has not rationed water since.....**1963**

P. O. Box 3353 Austin, Texas 78764 (512)441-5236

October 1, 2001

For the Concerned West Lake Hills Citizens of Ridgewood Village:

1951 I contracted with George B. Hatley, about 3 years before the Village of West Lake Hills was chartered, to buy the most westerly 80 acres of his 384 acre tract. He was in a financial bind because Austin had backed out of a water supply contract to furnish him water through a small, 2" water line extension from the old Boy Scout Club House in Zilker Park just southeast of the tract.

10-13-1952 I recorded Ridgewood Village Section I, a 44-lot subdivision in the City of Austin. Bill Drake, Mayor and Albert Davis, head of Utilities for whom the Davis Water Treatment Plant at the west end of 35th street is named, coached me. And I agreed to lay a six inch water line in Brady Lane, an eight-inch line in Ridgewood Road, and a 12" line in Hatley, even though no water could then be permitted to me until we jointly laid an 8" water line from West Sixth Street at Deep Eddy, across the Colorado River and up to Stratford. Just recently, 48 years later, Austin utility connected Las Lomas and Rollingwood with a 12" line, part of which I had laid.

All of the following is from the official West Lake Hills City Council Minutes.

1-25-54 **The Village of West Lake Hills** was formed and the State's Charter Rule allowed the maximum of only 1,280 acres (Shelton, 8-28-54)

7- 3-56 **Stenger' first request** to West Lake Hills Council to annex two tracts of land--15.53 acres and a 42.09 acre tract of land whose western and southern property lines are adjacent to the Village of West Lake Hills. Dellana Hills, 38 acres, including Peak Rd., Gregory Place, Jeffery Place, 14 homes, co-op type water system was annexed in 1954 (Ref: W.L.H. Council Minutes, 5-14-54).

11-19-56 I recorded a 40-lot subdivision, **"Ridgewood Village Section II" located only in Travis County**, Book 8, Pg. 26. I drilled a well, laid 6" C.I. water main, 1¼" copper services, Austin Standard fire hydrants. Inspected and permitted by the State of Texas to sell water publicly.

10-5-57 **Water District 10** was first mentioned in the Village of West Lake Hills Council Minutes, a year after we had established Ridgewood Village Water System.

12-3-57 The Village of West Lake Hills, now more than 2,000 acres, was changed to the **City of West Lake Hills** by ordinance (Ref:

Thompson, Shelton v. City of West Lake Hills, 1969). Stenger's annexation request was again referred to the zoning committee. Why the north 15.53 undeveloped acres were not annexed is unknown. ? !

August 1958 A map of West Lake Hills (the first -J.E.S.) was finally submitted to the West Lake Hills Council by Marvin Turner, Engineer.

12-2-58 Stenger's two tracts, the northern 15.53 acres and the southern 42.09 acres, **were annexed**, 2 ½ years after first request. !?

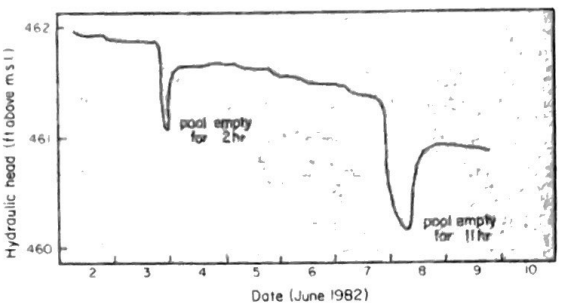
Respectfully Submitted,

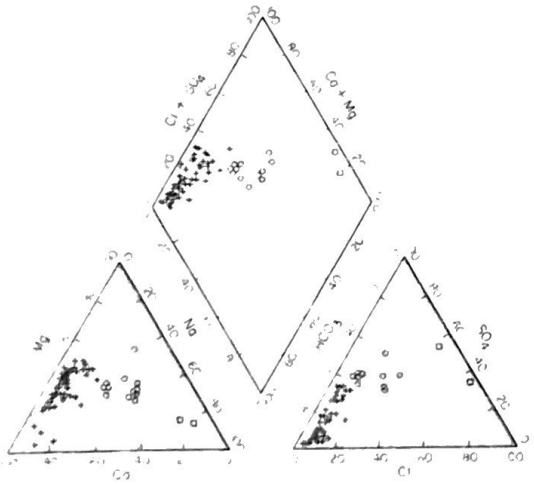
A. D. Stenger

Report of Investigations No. 141

Hydrogeology of the Edwards Aquifer, Austin Area, Central Texas

Rainer K. Senger *Charles W. Kreitler*





BUREAU OF ECONOMIC GEOLOGY

1984

W. L. Fisher, Director
The University of Texas at Austin
Austin, Texas 78713

moved preferentially along faults toward the early discharge sites. Dissolution by circulating ground water enlarged the initial flow paths along the faults. Ground-water movement downdip into deeper, less permeable sections of the Edwards Formation was therefore largely restricted. Consequently, the Edwards Limestone within the "bad-water" zone lacks the solution enlargements, recrystallization, and calcitized dolomite characteristic of the equivalent rocks updip (Abbott, 1975).

East of the "bad-water" line, ground water cont total dissolved solids of 1,000 mg/L or more and sodium sulfate water that becomes a sodium chlo water farther downdip. The interconnection among fresh water, "bad water," and the deep brines in Edwards Formation is speculative. Water chemistries the "bad water" and of the deep brines in Central Te have been described by Prezbindowski (1981) and La and Prezbindowski (1981).

PHYSICAL HYDROGEOLOGY

Recharge and Discharge

In the study area, recharge to the Edwards aquifer occurs predominantly along the five major creeks: Barton Creek, Williamson Creek, Slaughter Creek, Bear Creek, and Onion Creek. Studies of channel losses in 1980 and 1981 (fig. 5) conducted by the U.S. Geological Survey (Slade and others, 1982) during conditions of approximate steady-state flow indicate that most of the creeks lose up to 100 percent of low-flow water to the aquifer. Most of the precipitation in the fault zone runs into the creeks. Creek water flowing into the Balcones Fault Zone from the west infiltrates through faults and fractures in the streambeds. Surface karst features are evident along the Edwards outcrop south of Oak Hill; however, they are not important aquifer recharge points.

The total discharge at Barton Springs is supplied by five major springs (fig. 6); Main Springs, consisting of three springs in the pool area, and which contributes 75 to 83 percent of the total discharge, depending on the amount of flow; Concession Springs, located just north of the pool; and Old Mills Springs, which discharge from a small pool downstream from Main Springs on the south bank of Barton Creek.

Slade and others (in press) estimated the total recharge to the aquifer (fig. 7). The contribution of each watershed is shown in table 2. Spring discharge and average annual pumpage (about 5 ft^3/sec) from the aquifer balance total recharge that occurs along the five major creeks (Slade and others, 1982).

TABLE 2. Average annual recharge from different watersheds (in percent).

Onion Creek	34
Barton Creek	28
Bear Creek	20
Slaughter Creek	12
Williamson Creek	6

Ground-Water Flow in the Aquifer

The pattern of ground-water flow can be inferred from the distribution of hydraulic head in the aquifer. Figures 8 and 9 show the potentiometric surfaces during high and low flow according to water-level measurements made during 1979 and 1981, and during 1978, respectively. Flow patterns inferred from the hydraulic head distribution suggest that during high flow the dominant flow direction is southwest to northeast toward Barton Springs. In contrast, the main flow component shifts to a south-to-north direction during conditions of low flow, and ground-water flow lines appear to concentrate in the eastern part of the fault zone. The potentiometric surface during low flow also documents a minor flow component from southeast to northwest across the "bad-water" line. The supposition that ground water flows from the "bad-water" zone is supported by water-chemistry data collected at Barton Springs, as will be shown.

Water-level fluctuations between conditions of high and low flow are largest in the mideastern and northeastern part of the aquifer. Wells in the study area having the highest yields produce from the confined section of the Edwards aquifer, where the wells penetrate the total thickness of the Edwards Formation. In general, water levels in wells along the Edwards outcrop to the west are relatively deep. Large yields are not obtained near the updip boundary of the aquifer (Smith, 1978). The Mt. Bonnell fault apparently is a barrier boundary marking the western limit of the aquifer.

Interaction between Aquifer and Springs

The change in potentiometric surface between high and low flow conditions is documented by individual water-level hydrographs from wells in the area (fig. 10). The Texas Department of Water Resources well numbering system was used in this report. Figure 11 shows that wells in the confined section of the aquifer display water-level fluctuations up to 90 ft (33 m). Moreover, these changes in water level correlate with changes in discharge of Barton Springs, suggesting an aquifer system with good hydrologic interconnection to Barton Springs. However, there are some exceptions: well 58-42-810,

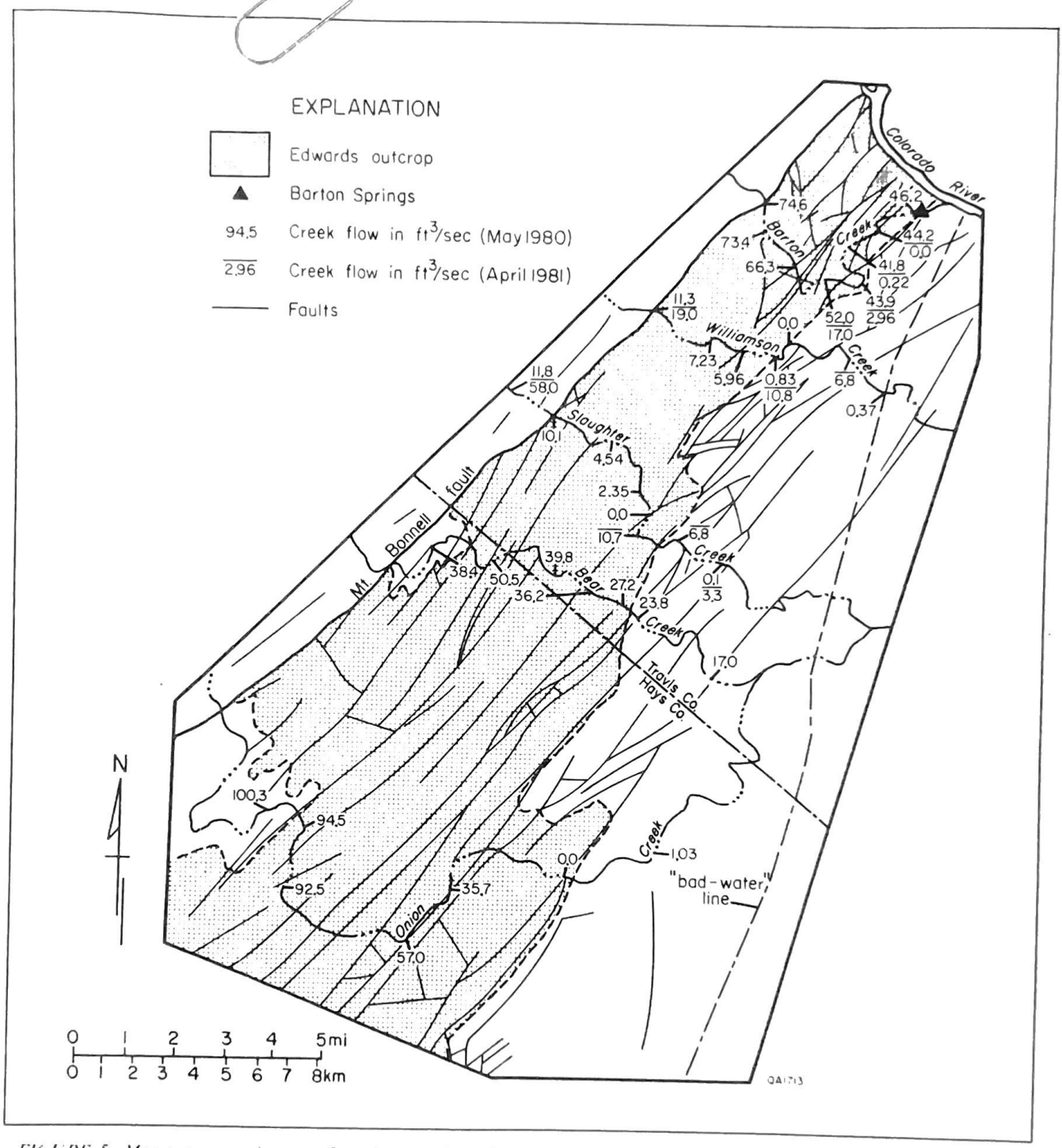


FIGURE 5. Measurements of stream flow showing channel losses in the Balcones Fault Zone. After Slade and others (1982).

which is located in the Rollingwood residential area to the west of the springs, shows no significant water-level variation and no correlation with changes in spring discharge. Also, water levels in well 58-42-913 did not show any significant changes during 1982 (Senger, 1983). This indicates that the main hydrologic connection within the aquifer is from the south and southwest to the northeast toward Barton Springs.

Well 58-50-301 is of interest because of its water-level fluctuation. This well is located just east of the "bad-water" line, where water has more than 1,000 mg/l total dissolved solids. Water level variations exhibited by this

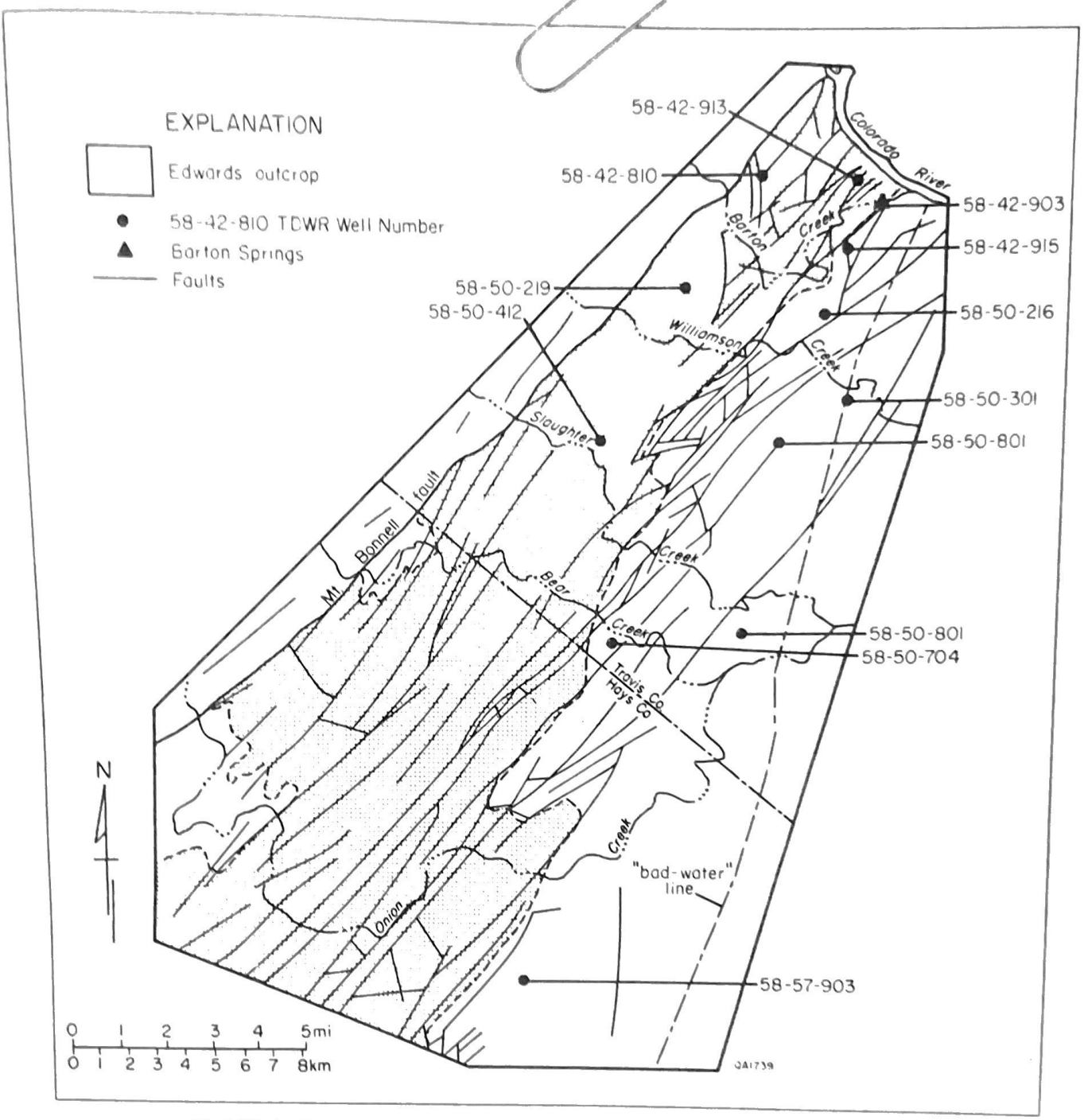


FIGURE 10. Location of wells that were measured monthly or were recorded continuously.

During conditions of relatively low flow, the water-level decline in the aquifer caused by draining the pool can be recognized in water-level records of well 58-50-216, which is located about 2.7 mi (4.5 km) southwest of Barton Springs (fig. 14). In contrast, the water level in well 58-42-913, located about 0.6 mi (1 km) northwest of the springs in the Rollingwood area (fig. 10), shows no response to pool draining. These contrary water-level responses indicate that the dominant hydrologic connection between the springs and the aquifer is south and southwest of Barton Springs, corresponding to the general direction of the Balcones faulting.

The part of the Edwards aquifer that is in the Rollingwood area appears to be isolated from Barton

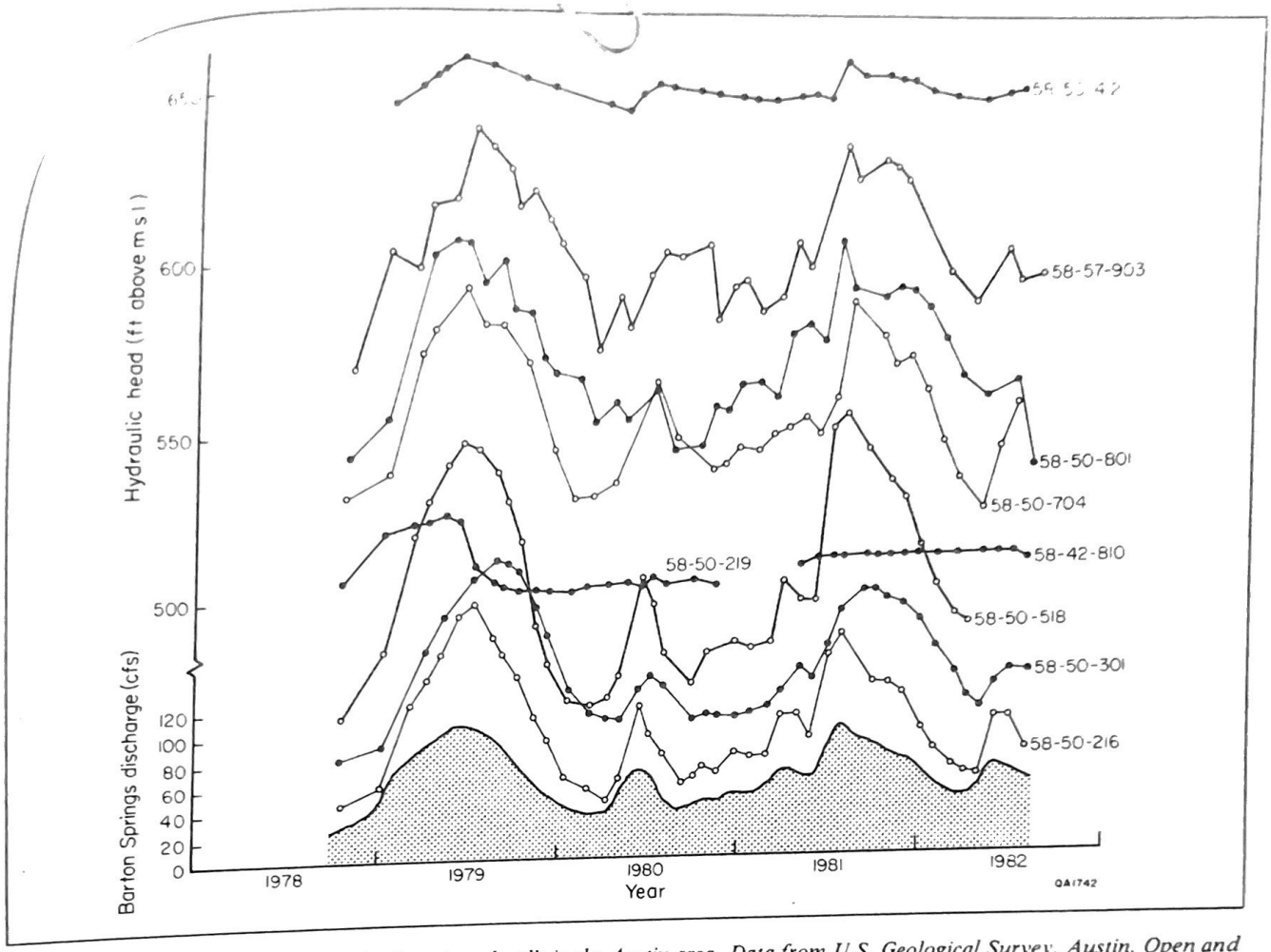


FIGURE 11. Water-level hydrographs for selected wells in the Austin area. Data from U.S. Geological Survey, Austin. Open and closed circles represent measured water levels.

Springs. Recharge to the Rollingwood part of the aquifer is probably supplied mainly by Dry Creek and to a smaller extent by Barton Creek. Additional updip leakage from the Glen Rose Formation across the Mt. Bonnell fault can be inferred from water-chemistry data. Cold Springs and Deep Eddy Springs probably represent the natural discharge points along the Colorado River for the Rollingwood area (fig. 10). Discharge from those two springs is approximately 3 ft^3/sec (0.09 m^3/sec) (Brune and Duffin, 1983).

Aquifer Characteristics

The water-level response in wells 58-42-915 and 58-50-216, as shown in figures 13 and 14, reflects an interesting characteristic of the aquifer. After Barton Springs pool was refilled, the water level in well 58-42-915 did not recover to the expected higher water level that existed before the pool was drained. A similar response occurred at well 58-50-216 during low-flow conditions, where the water level decreased more rapidly when the pool was drained. This demonstrates that lowering the water level in Barton pool causes a significant increase in the rate of ground-water discharge from the aquifer, and, in turn, a removal of ground water from storage. Water lost from storage might not be replenished until the next period of significant recharge.

A comparison of the total recharge to the aquifer supplied by the major creeks and the total discharge of the aquifer at Barton Springs (fig. 7) shows that during dry periods most of the discharge in Barton Springs is sustained by water from storage within the aquifer. Otherwise the two curves in figure 7 would be parallel.

Carbonate aquifers in general show complex patterns of ground-water flow because of their heterogeneity and anisotropy. It is difficult to assign hydrologic parameters to a karst aquifer on the basis of limited results of pumping tests. However, with regard to the aquifer characteristics described previously, the recession-curve analysis of discharge variation and water-level declines can be used to obtain certain quantitative information about the aquifer. The most suitable time for discharge measurement is during relatively dry periods when

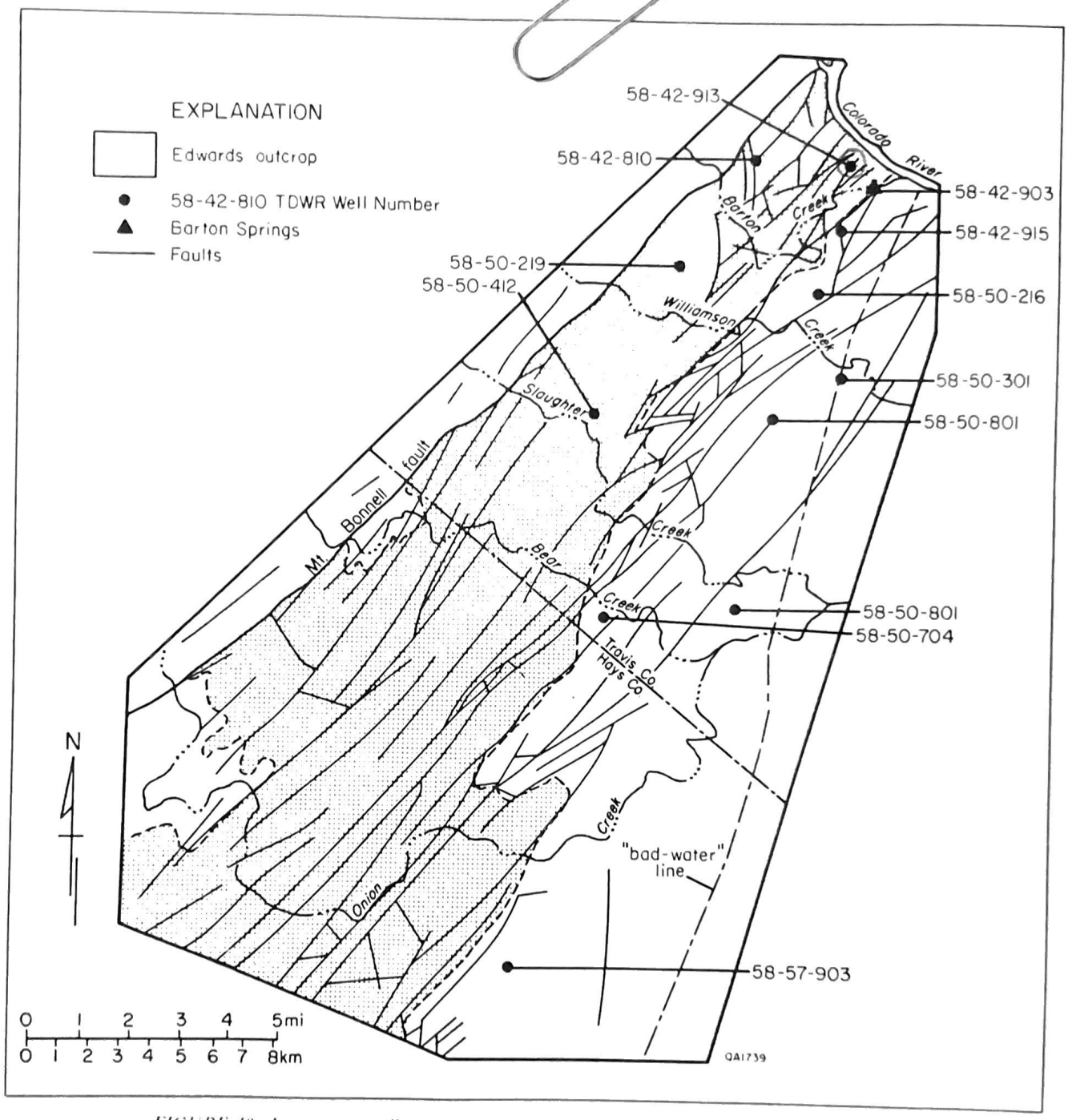


FIGURE 10. Location of wells that were measured monthly or were recorded continuously.

During conditions of relatively low flow, the water-level decline in the aquifer caused by draining the pool can be recognized in water-level records of well 58-50-216, which is located about 2.7 mi (4.5 km) southwest of Barton Springs (fig. 14). In contrast, the water level in well 58-42-913, located about 0.6 mi (1 km) northwest of the springs in the Rollingwood area (fig. 10), shows no response to pool draining. These contrary water-level responses indicate that the dominant hydrologic connection between the springs and the aquifer is south and southwest of Barton Springs, corresponding to the general direction of the Balcones faulting.

The part of the Edwards aquifer that is in the Rollingwood area appears to be isolated from Barton

CANCELATION OF CERTIFICATE OF CONVENIENCE AND NECESSITY

To Provide Water Service Under V.T.C.A., Water Code
and Texas Commission on Environmental Quality Substantive Rules

Certificate No. 10303

Certificate of Convenience and Necessity No. (CCN) 10303 was canceled by Order of the Commission in Docket No. 37033-S. Ridgewood Village Water System's facilities and lines were transferred to Travis County Water Control and Improvement District No. 10, CCN No. 10306, in Travis County.

Please reference CCN 10306 for the location of maps and other information related to the service area transferred.

CCN 10303 is hereby canceled by Order of the Texas Commission on Environmental Quality.

Issued Date: **June 20, 2012**

For the Commission

IN THE MATTER OF AN ENFORCEMENT ACTION CONCERNING RIDGEWOOD VILLAGE WATER SUPPLY	§ § § § §	**BEFORE THE BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT**

AGREED ORDER

I.
JURISDICTION AND STIPULATIONS

The Board of Directors ("Board") of the Barton Springs/Edwards Aquifer Conservation District ("District") has considered this agreement of the parties resolving an enforcement action regarding Ridgewood Village Water System ("RVWS") under the authority of Texas Water Code Ch. 36. The Board and RVWS together stipulate that:

1. RVWS owns and operates a retail public water utility in Travis County, Texas;

2. RVWS provides retail water service from water supplied by a well permitted by the District;

3. RVWS' permit issued by the District includes a User Drought Contingency Plan requiring monthly pumping volume reductions during a District-declared drought;

4. The District and RVWS agree that the District has jurisdiction to enter into this Agreed Order and that RVWS is subject to the District's jurisdiction;

5. RVWS received notice of the violations alleged in Section II on or about February 20, 2009;

6. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by RVWS of any violation alleged in Section II, nor of any statute or rule;

7. A penalty in the amount of $34,200.00 is assessed by the District in settlement of the violations alleged in Section II. The full amount of $34,200.00 is deferred contingent upon

RVWS' satisfactory compliance with the terms of this Agreed Order. The deferred amount will be waived upon compliance with the terms of this Agreed Order. If RVWS fails to satisfactorily comply with all requirements of this Agreed Order, the District may require RVWS to pay all or part of the deferred penalty, in the District's sole discretion;

8. Any notice and procedure that might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter;

9. The District and RVWS have agreed on a settlement of the matters alleged in this enforcement action, subject to approval of the Board;

10. The District may, without further notice or hearing, seek further enforcement proceedings in a court of competent jurisdiction if the Board determines that RVWS has not complied with one or more of the terms or conditions of this Agreed Order;

11. This Agreed Order shall terminate upon compliance with all of the terms and conditions set forth in this Agreed Order; and

12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II.
ALLEGATIONS

As a permittee of the District, RVWS is alleged to have pumped in excess of mandatory drought-restricted amounts in each of the months of July, August, September, October, November, and December 2008, and January, February, March, and April 2009, in violation of its permit and District Rule § 3-7.7(B). A total of 61 days of such violations is alleged.

III.
DENIALS

RVWS generally denies each allegation in Section II.

IV.
ORDERING PROVISIONS

1. The District shall not be constrained in any manner from requiring corrective action or penalties for violations that are not raised here, except as expressly provided herein.

2. RVWS shall undertake the following compliance requirements:

a. The volumes of water that RVWS is authorized to produce monthly under Historical Production Permit No. PO84-88-10 is up to 18,500,000 gallons annually, subject to drought restrictions, as follows:

		Alarm Stage	Critical Stage
i.	September	1,450,400	1,269,100
ii.	October	1,198,800	1,048,950
iii.	November	1,065,600	932,400
iv.	December	1,065,600	932,400
v.	January	1,065,600	932,400
vi.	February	1,065,600	932,400
vii.	March	1,065,600	932,400
viii.	April	1,095,200	958,300
ix.	May	1,154,400	1,010,100
x.	June	1,376,400	1,204,350
xi.	July	1,598,400	1,398,600
xii.	August	1,598,400	1,398,600

b. The Historical Production Permit, or any subsequent production permit based on it, will not be renewed after it expires on August 31, 2010;

c. Unless exempted from permitting under existing District Rules or authorized as a non-exempt domestic use well ("NDU") under a general permit, the well associated with the RVWS Historical Production Permit must be capped or plugged in accordance with District rules related to abandoned wells on or before August 31, 2010. Unless RVWS transfers ownership of and the responsibility to plug and cap the well(s) as provided in paragraph IV.2.f. below, RVWS must file an application with the District on or before June 30, 2010, to retire the SRVWS Historical Production Permit and cap or plug the associated well(s) in accordance with District rules related to abandoned wells;

d. RVWS will enforce and comply with the provisions of the UDCP during District-declared drought including the required monthly pumpage reductions of volumes authorized under Paragraph IV.2.a. above;

e. Within five (5) days after the effective date of this Agreed Order, RVWS will initiate a study of the feasibility of transferring to Travis County Water Control and Improvement District No. 10 ("TCWCID No. 10"), the RVWS water system, customers, and service territory ("Transfer of the System"). The feasibility study will include consideration of an alternative water supply based upon a condition that the RVWS Historical Production Permit will be limited to the volumes authorized under Paragraph IV.2.a. above, the Historical Production Permit will expire, and the well(s) associated with the RVWS Historical Production Permit will be capped or plugged in accordance with District rules related to abandoned wells on or before August 31, 2010. RVWS will provide to the general manager the scope of work associated with the feasibility study

demonstrating this condition with thirty (30) days of the effective date of RVWS' agreement to conduct the feasibility study. RVWS will provide the final feasibility study to the general manager within five (5) days of its completion;

f. If the feasibility study required under paragraph IV.2.e. above concludes that the Transfer of the System is feasible, then within 180 days after the effective date of the feasibility study, RVWS will provide demonstration, to the satisfaction of the general manager, of a binding commitment for the Transfer of the System to TCWCID No. 10. If as a part of the Transfer of the System RVWS transfers ownership of its well(s) to TCWCID No. 10, then the binding commitment shall contain representations that:

i. the RVWS Historical Production Permit will be at the volumes authorized under Paragraph IV. 2. a. above;

ii. the RVWS Historical Production Permit will not be renewed by the District after, and the permit will expire on, August 31, 2010; and

iii. on or before August 31, 2010, the well associated with the RVWS Historical Production Permit must be capped or plugged in accordance with District rules related to abandoned wells, unless the well is exempted from permitting or authorized as a NDU well under general permit.

g. If the feasibility study required under subparagraph 2.e. of this Section concludes that the Transfer of the System is infeasible or if there is a unilateral refusal by TCWCID No. 10 to the Transfer of the System (hereinafter, "Conditions Triggering Alternative Study"), then subparagraphs 2.b. 2.c. 2.e. and 2.f. of this section shall not apply and RVWS shall submit to the District an alternative plan of action to secure an alternative water supply and to retire the RVWS Historical Production Permit. The plan

to secure an alternate water supply should provide for 100% substitution of District-permitted pumpage and future water demand within the Ridgewood service area. The alternative water supply plan must be submitted within 180 days of the Conditions Triggering Alternative Study.

3. The provisions of this Agreed Order shall apply to and be binding upon RVWS or its successors at interest, subject to the exception in this subsection below. RVWS is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the facility operations referenced in this Agreed Order. The corrective action and penalties for violations that are raised here shall not be binding upon TCWCID No. 10.

4. If RVWS fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe (not including drought), RVWS' failure to comply is not a violation of this Agreed Order. RVWS shall have the burden of establishing to the General Manager's satisfaction that such an event has occurred. RVWS shall notify the General Manager within seven days after RVWS becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

5. The General Manager may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written showing of good cause. All requests for extensions by RVWS shall be made in writing to the General Manager. Extensions are not effective until RVWS receives written approval from the General Manager. The determination of what constitutes good cause rests solely with the General Manager.

6. This Agreed Order, issued by the Board, shall not be admissible against RVWS in a civil proceeding, unless the proceeding is brought by the District to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the District's jurisdiction, or of a rule adopted or an order or permit issued by the District under such a statute.

7. This Agreed Order may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreed Order may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

8. The effective date is the date of hand-delivery of the Agreed Order to RVWS, or three days after the date on which the District mails notice of the Order to RVWS, whichever is earlier.

SIGNATURE PAGE

Barton Springs/Edwards Aquifer Conservation District

Robert D. Larson
For the Board

5/28/09
Date

ATTEST:

Craig Smith

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the District, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this Agreed Order and/or my failure to timely pay the penalty amount, may result in:

- A negative impact on my compliance history;
- Greater scrutiny of any permit applications submitted by RVWS;
- Lawsuit for contempt, injunctive relief, additional penalties, and/or attorney fees, or referral to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to civil trial for any future enforcement actions; and
- District seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Marlene Ciccarelli
Signature

5/28/09
Date

Marlene Ciccarelli
Name (Printed or Typed)
Authorized Representative of RVWS

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

July 7, 2000

CERTIFIED MAIL - RETURN RECEIPT REQUESTED
Mr. A. D. Stenger, Sr., Owner
Ridgewood Village Water System
P. O. Box 3353
Austin, Texas 78764-3353

Subject: Public Drinking Water Supply
Ridgewood Village Water System- I. D. # 2270015
Travis County, Texas

Dear Mr. Stenger:

On June 21, 2000 a sample of water was collected from the well which supplies water for Ridgewood Village Water System. This sample was collected by filtering 500 gallons of water through a one micron porosity filter. The filter was delivered to the Texas Department of Health Laboratory where a microscopic particulate analysis was performed to determine what microorganisms were present. The result indicates the presence of many freshwater aquatic organisms including protozoa, diatoms and algae. The presence of chlorophyll was noted. **The well must be considered as groundwater under the direct influence of surface water.** Due to this result chlorination alone cannot be considered as adequate treatment of the water from the well. Additional treatment, such as filtration, must be provided which will bring the system into compliance with the surface water treatment rule.

Ridgewood Village Water System will have **18 months** from the date of this letter to provide approved treatment or remove the well from service. Other small public water supplies which have been determined to have wells under the influence of surface water have installed cartridge filtration. Any treatment which is installed must be approved by this agency. Plans and specifications must be submitted to this agency by a registered professional engineer and approval received for whatever treatment process is proposed. As part of the approval process a "CT" study must be submitted so that we may determine that chlorine residuals and any treatment installed will be adequate to provide the 3 log giardia and 4 log virus removals as required by the surface water treatment rule.

Should you decide to provide treatment and keep the well in use a monthly report must be submitted to this office with daily turbidity data and chlorine residuals listed. A certified operator with a grade "C" groundwater certificate must report the monitoring data to this office and supervise the water system if cartridge filtration were provided. The 20 hour "surface water production" class

provided by the Engineering Extension Service from Texas A&M University is required since information concerning filling out the monthly report is provided in this class. Other treatment options may require varying certified operator requirements.

In the interim if the well is to remain in service we must require that you furnish this office a report each month reporting the daily chlorine residuals. The minimum chlorine residual must be no less than 0.5 mg/l, free chlorine, in the far reaches of the distribution system. A form is enclosed for you to report these residuals to this office. We will expect the form to be submitted by the 15th of each month. Please provide what July data you can by the 15th of August and each month there after.

Compliance with the Surface Water Treatment Rule must be achieved within 18 months from the date of this letter as indicated above. The 18 months will expire on January 7, 2002. If compliance has not been achieved by the end of the 18 months we will have no choice but to refer this matter to our Enforcement Division for legal action. If compliance is not achieved, but would be soon, we may be able to enter into a compliance agreement which would allow additional time, but no more than a few months.

If you have questions regarding this matter you may contact me at (512) 239- 6058.

Sincerely,

Larry E. Mitchell

Larry E. Mitchell
Drinking Water Monitoring Team
Public Drinking Water Section
Water Permits and Resource Management Division

LEM:ad

cc: TNRCC Region 11 - Austin

[illegible] 7-9-92

United States Department of the Interior

FISH AND WILDLIFE SERVICE
611 E. Sixth Street
Grants Bldg., Fourth Floor
Austin, Texas 78701

JUN 9 1992
JUNE 92

Mr. Lee Sherrod
Horizon Environmental Services, Inc.
P.O. Box 162017
Austin, Texas 78716

Dear Mr. Sherrod:

This responds to your letter dated May 18, 1992, in reference to the following property:

> a tract of land located between the end of Sugar Creek Drive and Stratford Drive, in Travis County, Texas (Horizon Job No. 920108)

Please excuse this "standardized" response to your letter; it was developed to expedite the large number of similar requests we receive. In your letter you either implicitly or explicitly requested that this office review the above property for its suitability as habitat for federally listed threatened or endangered species.

As a point of clarification, the U.S. Fish and Wildlife Service (Service) does not have the authority to approve properties for development; that is a function of your city and/or county government. However, such approval for development does not exempt you from having to comply with the Endangered Species Act (Act) with respect to this property, nor can the Service exempt you from having to comply with this Act. In responding to your letter we are providing you with assistance in complying with the provisions of the Act.

We have reviewed the information you provided as well as other available information concerning the potential of the above property to provide suitable habitat for the federally listed endangered golden-cheeked warbler, black-capped vireo and cave invertebrates. The paragraphs marked with an "X" below apply to the above property.

X We believe this property would not provide suitable habitat for the endangered golden-cheeked warbler, black-capped vireo or cave invertebrates.

__ We believe this property is very close to habitat that is suitable for either the golden-cheeked warbler or the black-capped vireo. Therefore, to avoid harassment (a possible "take" violation) of warblers or vireos that may occur in adjacent areas, we recommend that exterior construction activities on this property not occur between March 1 and August 1.

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U.S. Fish & Wl. Bird Letter 1-9-92

We appreciate your concern for endangered species and your desire to comply with the Endangered Species Act. This response is intended to assist you in such compliance. You are ultimately responsible for compliance with all laws, and this letter cannot assure you complete protection from any current or future federal, state, regional, or local development requirements. If you wish to discuss this further, please contact Lisa O'Donnell at 512-482-5436.

Sincerely,

James B Gate

for Sam D. Hamilton
State Administrator

cc: Environmental and Conservation Services Department, City of Austin, Austin, TX
Jim Nuckles, Travis County Tax Appraisal District, Austin, TX
A.D. Stenger, Stenger Productions, Austin, TX

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6-9-92