Kinney County Groundwater Conservation District

Groundwater Management Plan

2008

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I. District Mission

The mission of the Kinney County Groundwater Conservation District is to develop, promote and implement water conservation and management strategies to conserve, preserve, and protect the groundwater supplies of the District, to protect and enhance recharge, prevent waste and pollution, and to promote efficient and beneficial use of groundwater within the District. The District seeks to protect the rights of owners of water rights as defined in Texas Water Code, Chapter 36 (36.002) within the District from impairment of their groundwater quality and quantity from within the District and to guard against same from outside the District by all means available, pursuant to the power and duties granted under Chapter 36, Subchapter "D" of the Texas Water Code. The District desires to manage the production and quality of groundwater within the District on a sustainable basis that allows the capture of water flowing through the county without jeopardizing the vailability of water to the county during extended periods of low rainfall or unduly increasing the frequency of the natural cycles for springs and intermittent streams going dry.

II. Purpose of Management Plan

The Plan is developed to provide general guidelines for the development of the District rules and implementation of policies to support the District's mission.

The purpose of this Management Plan is to provide guidance to the District for:

A. Managing the Production of Groundwater in the District-

- 1. on a sustainable basis:
- 2. for beneficial use;
- 3. that allows the capture of water flowing through the county;
- 4. without jeopardizing the availability of water to the county during extended periods of low rainfall; and
- 5. without unduly increasing the frequency of the natural cycles of springs and intermittent streams going dry.

B. Resolving Conflicts of Groundwater Use Between the Various Interests

Seeking To Put This Essential Natural and Renewable Resource To Beneficial Use

III. District Information

A. Creation

In 2001, the Texas Legislature authorized the creation of the District during the 77th Regular Session through House Bill 32431. The voters of Kinney County confirmed the creation of the District on January 12, 2002 with 87 percent of the voters casting favorable ballots. As required by 31 TAC § 356.3, this Management Plan is being submitted as the first revision to the original document as approved by the Board of Directors and will become effective upon certification by the Texas Water Development Board. This new Plan will remain in effect until such time as a revised plan is certified or March 20, 2013, whichever is earlier.

B. Location and Geographical Information

The District is located in Kinney County, Texas. The boundaries of the District are the same boundaries that are used by Kinney County. Kinney County is in southwestern Texas and is bounded on the north by Edwards County, on the east by Uvalde County, on the south by Maverick County, and on the west by Val Verde County and Mexico. Kinney County has an area of 891,240 acres (1,391 square miles). Brackettville is the county seat and the largest town in the county.

C. Authority / Regulatory Framework

In the preparation of this Management Plan, the District has followed all procedures and satisfied all requirements mandated by Chapter 36 of the Texas Water Code and Chapter 356 of the Texas Water Development Board's (TWDB) rules contained in Title 31 of the Texas Administrative Code. The District exercises the powers that it was granted and authorized to use by and through the special and general laws that govern it, including Chapter 36, as amended, Texas Water Code. The District will collaborate with surrounding counties, Mexico and other groundwater conservation districts, groundwater management areas, and regional planning areas.

The 75th Texas Legislature in 1997 enacted Senate Bill 1 (SB 1)2 to establish a comprehensive statewide water planning process. In particular, SB 1 contained provisions which required groundwater conservation districts to formulate management plans to identify the water supply resources and water demands that will shape the decisions of each district. The management plans for the groundwater conservation districts would also include the management goals that each district would establish to manage and conserve the groundwater resources within their boundaries. In 2001, the Texas Legislature enacted Senate Bill 2 (SB 2)3 to enhance the planning requirements of SB 1 and to further clarify the actions necessary to manage and conserve the groundwater resources of the state of Texas.

¹ Act of May 25, 2001, 77th Leg., R.S. ch. 1344, 2001 Tex. Gen. Laws 3329.

² Act of June 2, 1997, 75th Leg. R.S., ch. 1010, 1997 Tex. Gen.Laws 3610.

³ Act of May 27, 2001, 77th Leg., R.S., ch. 966, 2001 Tex. Gen. Laws 1991.

D. Groundwater Resources of Kinney County

Currently the District works with three management zones as shown below. These zones will be used for reference. This will allow the District to coordinate with surrounding groundwater districts, and enable all parties to see these zones on an attached map (see Appendix D). The Kinney County Groundwater Conservation District Board reserves the right to revise boundaries of these zones as further information and/or scientific data dictate changes.

1. KCGCD Management Zone - Edwards-Trinity (Plateau Aquifer)

The Edwards-Trinity (Plateau) Zone consists of sediments of Lower Cretaceous age Trinity Group and overlying limestone and dolomites of the Edwards Group. The Glen Rose Limestone is the primary unit in the Edwards-Trinity group in the southern part of the plateau. Springs issue from the headwaters for several eastward and southerly flowing rivers. Artesian conditions may exist in the Edwards-Trinity zone. Reported well yields commonly range from less than 50 gallons per minute (gpm) to more than 1,000 gpm.

Usable quality water (containing less than 3,000 mg/l dissolved solids) in the Edwards-Trinity (Plateau) zone occurs to depths of up to about 3,000 feet. The water is typically hard and may vary widely in concentrations of dissolved solids made up mostly of calcium and bicarbonate. The salinity of the groundwater in the Edwards-Trinity zone tends to increase toward the southwest. Water levels have generally fluctuated with seasonal precipitation. Water quality from the Edwards-Trinity zone is acceptable for most municipal and industrial purposes; however, excess concentrations of certain constituents in many places exceed drinking-water standards for municipal supplies. Excess levels of constituents are naturally occurring. The Edwards-Trinity Zone has both a Northern sub-zone and a Southern sub-zone.

2. KCGCD Management Zone - Edwards (BFZ Aquifer)

In the Plateau region, the westernmost end of the Edwards (BFZ) Zone occurs only in Kinney County. The zone is composed predominantly of limestone formed during the early Cretaceous Period. In Kinney County, the Edwards formation consists of the Devils River Limestone or the Salmon Peak, McKnight and West Nueces Limestone with a thickness of as much as 1,000 feet. Recharge occurs primarily by the downward percolation of surface water from streams draining off the Edwards Plateau to the north and west and by direct infiltration of precipitation on the outcrop. Groundwater is also discharged artificially from pumping wells. Water levels do require monitoring for fluctuations. The chemical quality of groundwater in the zone is typically fresh, although hard, with dissolved-solids concentrations averaging less than 500 mg/l. The Edwards (BFZ) Zone has both a Northern sub-zone and a Southern sub-zone.

3. KCGCD Management Zone - Austin Chalk (Coastal Plains)

The southern two-thirds of the District is the Austin Chalk Zone. The geologic formations vary widely and more detailed study for site-specific information about wells is needed. Parts of the zone have the Austin Group at the surface. Others may have Buda Limestone, and others the Edwards Group. The total thickness of these rock units is well over 1000 feet. There are several large capacity wells that have been used for irrigation. This is usually called the "bad water zone" because most of the wells have concentrations of total dissolved solids, especially sulfates, which make the water suitable for only

limited uses. This water is usually below state drinking water standards. This area does recharge the groundwater so there is a need for more careful study of the groundwater environment here because a freshwater spring issues at the northwest corner of the Anacacho escarpment of the east Elm Creek.

4. Other Groundwater Resources

The District is aware of the existence of local aquifers and other hydro-geological formations that exist within the boundaries of the District and are capable of producing groundwater such as the Uvalde Gravel, and slope colluvium. The District believes additional study is needed to better understand these local aquifers and hydro-geologic formations. The Management Plan for the District will be further amended and updated as additional hydro-geologic information becomes available to the District.

E. Drainage

1. Surface Drainage

The surface drainage of the District is predominantly directed to the Rio Grande River in the former Rio Grande embayment which flows to the Gulf of Mexico. The West Nueces River flows through the northeast corner of the District to the Nueces River which flows to the Gulf of Mexico. Intermittent streams enter the District from the Edwards Plateau in Edwards County on the north.

2. Sub-Surface Drainage

Sub-surface drainage occurs by underground dissolved karst flow ways that flow towards the south and the southwest. These need more investigation.

F. Groundwater Recharge / Discharge

1. Groundwater Recharge

Groundwater recharge comes from rainfall. The highly fractured ground surface and gullies are the dominant features providing recharge in the Edwards (BFZ) and Edwards-Trinity zones. The nearly level slopes and sheet flow of storm water in the Austin Chalk Zone provide time for rainwater infiltration to the groundwater system. Some of the groundwater in the District comes underground from Edwards County, although this number has not been quantified. There needs to be more study on this in cooperation with the Edwards/Real Groundwater Conservation District.

2. Groundwater Discharge

Groundwater discharges from the District as intermittent streams headed by springs and -underground dissolved karst flow ways. The flow of the streams and the location of the karst flow ways, and their flow need much more intense investigation.

IV. Technical District Information Required by Texas Administrative Code - (31 TAC § 356.5)

A. Estimate of the Managed Available Groundwater in the District, based on the desired future conditions of the aquifers (when available from the TWDB) – 31 TAC § 356.5(a)(5)(A)

The Groundwater Conservation Districts within Groundwater Management Areas No. 7 and No. 10 have not yet determined the desired future conditions, and therefore, the managed available groundwater could not be calculated. This Management Plan will be updated to include the managed available groundwater value when desired future conditions have been established, and the calculations finalized.

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the managed available groundwater at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering this item has been completed.

The District will manage the production of groundwater within the District on a sustainable basis and yet beneficially use the groundwater without jeopardizing the availability of water to the county during extended periods of low rainfall or unduly increasing the frequency of the natural cycles for springs and intermittent streams going dry.

Sustainability will be managed through a system of groundwater observation sites established in each of the District's groundwater management zones to assess the naturally occurring hydrologic conditions.

B. Average Amount of Groundwater Being Used Within the District on an Annual Basis – 31 TAC \S 356.5(a)(5)(B)

Table 1: Estimate of Groundwater Used (acre-feet per year)

2004	2005	2006	2006	2007
4,858	4,443	4,629	4,629	1,937

C. Estimated Average Annual Amount of Recharge From Precipitation to the Groundwater Resources Within the District – 31 TAC § 356.5(a)(5)(C)

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the average annual amount of recharge from precipitation to the groundwater resources within the District at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering this item has been completed.

D. Estimate of Groundwater Discharge to Springs and Surface Water Bodies Within the District - 31 TAC § 356.5(a)(5)(D)

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the groundwater discharge to springs and surface water bodies within the District at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering this item has been completed.

E. Estimate of Annual Volume of Flow In and Out of District Aquifers - 31 TAC § 356.5(a)(5)(E)

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the annual volume of flow in and out of District aquifers at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering these items has been completed.

There is most probably underground flow from Edwards County into Kinney County that needs to be included as other sources of inflow into the county, which would increase the water budget. That amount needs to be determined by further investigation.

F. Projected Surface Water Supply Within the District – 31 TAC § 356.5(a)(5)(F)

Table 2: Projected Surface Water Supply for Kinney County (acre-feet per year)

		,		FF-J		- J	·	· I	J J	
Water User Group	County	River Basin	Source Name	2000	2010	2020	2030	2040	2050	2060
Brackettville	Kinney	Rio Grande	Las Moras Creek Combined Run-of-River	0	2	2	2	2	2	2
Irrigation	Kinney	Nueces	West Nueces River Combined Run-of-River	0	0	0	0	0	0	0
Irrigation	Kinney	Rio Grande	Mud Creek Combined Run-of-River	0	120	120	120	120	120	120
Irrigation	Kinney	Rio Grande	Pinto Creek Combined Run-of-River	0	95	95	95	95	95	95
Irrigation	Kinney	Rio Grande	Las Moras Creek Combined Run-of-River	0	665	665	665	665	665	665
Irrigation	Kinney	Rio Grande	Elm Creek Combined Run-of-River	0	43	43	43	43	43	43
Irrigation	Kinney	Rio Grande	Rio Grande Combined Run-of-River	0	176	176	176	176	176	176
Livestock	Kinney	Nueces	West Nueces River Combined Run-of-River	135	0	0	0	0	0	0
Livestock	Kinney	Nueces	Other Local Supply	0	45	45	45	45	45	45
Livestock	Kinney	Rio Grande	Other Local Supply	0	90	90	90	90	90	90
Total Pro	jected Sur	face Water	Supplies	135	1236	1236	1236	1236	1236	1236

^{*}The data in Table 2 is from the 2007 State Water Plan, Volume 3, Regional Water Planning Group Database

G. Projected Water Demand Within The District – 31 TAC § 356.5(a)(5)(G)

1. Breakdown of Projected Water Demands

The breakdown of projected water demands shown in Table 3 below are estimates taken from the 2007 State Water Plan, Volume 3, Regional Water Planning Group Database.

Table 3: Projected Water Demands for Kinney County (acre-feet per year)

Water User Group	County	River Basin	2000	2010	2020	2030	2040	2050	2060
Brackettville	Kinney	Rio Grande	584	589	596	602	608	612	613
County-Other	Kinney	Nueces	59	36	21	13	8	5	3
County-Other	Kinney	Rio Grande	32	32	32	32	32	32	32
Irrigation	Kinney	Nueces	353	338	323	310	296	284	271
Irrigation	Kinney	Rio Grande	13,759	13,169	12,605	12,063	11,547	11,053	10,582
Livestock	Kinney	Nueces	187	187	187	187	187	187	187
Livestock	Kinney	Rio Grande	258	258	258	258	258	258	258
Fort Clark Springs MUD	Kinney	Rio Grande	604	631	663	693	723	744	749
Total Projected	Water De	emands	15,836	15,240	14,685	14,158	13,659	13,175	12,695

2. Current and Pending Permits, Urban and Exempt Well Use:

PERMIT	Acre Feet		Acre Feet
City of Brackettville	589.000		
Ft. Clark Springs MUD	603.580		
Existing	26,261.820		
Historical	38,628.010		
Regular	7,523.480		
Exempt	1,120.144		
		Sub-Total	74,726.034
Pending Applications			26,000.000
		TOTAL	726.034, 100

Note: The District recognizes that the above figures may exceed the recharge amount and are subject to modification. This condition can only be rectified by additional scientific study to better determine what is actually available as a water budget and by establishing rules that relate to conservation and drought management that accomplish Chapter 36 objectives, including desired future conditions. 31 TAC § 356.2(8)

V. Management of Groundwater Supplies – 31 TAC § 356.5(a)(6)

Required Content of Management Plan

The District will manage the production of groundwater from the Edwards-Trinity Management Zone and the Edwards (BFZ) Management Zone, and the local Austin Chalk Management Zone and Uvalde gravel within the District in a sustainable manner. Monitor well(s) or trigger well(s) will be developed in the existing Management Zones. As future scientific research indicates, the District may be sub-divided into additional Management Zones and within each of these additional Management Zones, monitor well(s) or trigger well(s) will be developed. Each Management Zone within the District will have a series of triggers or drought stage levels as specified in the Drought Contingency Plan.

The District may develop and implement groundwater well spacing and production regulations that are specific to water availability, the geographic area and site specific to the well and the wells' behavior in

the groundwater environment. Where appropriate and necessary to minimize interference, the District shall cause production monitor wells to be installed along the perimeter of a permittee's property and adjacent to a well field to monitor and regulate the cone of influence within the boundaries of a production unit.

Among the regulatory tools granted to districts, the Legislature empowered districts to protect current users of groundwater, which are those individuals or entities currently invested in or using groundwater resources within the District for a beneficial purpose. The District is also empowered to protect Historic and Existing permit users, which are those individuals or entities that used groundwater beneficially in the past. Most of the groundwater used in Kinney County has been applied to agricultural irrigation, domestic and livestock purposes. The District strives to protect such purposes to the extent practicable under the goals and objectives of this Management Plan. This shall be done without discriminating against any other lawful and beneficial purpose.

A cooperative agreement may be between governmental entities pursuant to Texas Governmental Code to accomplish mutual objectives or may be between the District and any well owner to provide a vehicle for gathering well-site specific information on well water levels and rainfall histories. These cooperative agreements should facilitate the District providing technical support on the status of the groundwater availability for each well.

The District, through this Management Plan and its rules, will attempt to manage groundwater withdrawals in the District at a level that will not cause depletion of these groundwater management zones in the future. The District should allow as much groundwater to be produced as possible for beneficial purposes while preventing the overproduction and mining of the groundwater resources of Kinney County. In an effort to protect the springs, intermittent streams and long-term productivity of these groundwater resources, the District shall engage in scientific research and data collection in order to establish the amount of groundwater that can be produced from within the District. Current amounts used are based on TWDB and Region J data. The District's greatest challenge is determining, through scientific study, the actual groundwater resources of Kinney County. Proper science requires a diligent effort by the District and other interested parties to gather appropriate information and apply that information responsibly. As data becomes available, this Plan and its associated rules should be updated to reflect this additional information. Care should be exercised not to overestimate or underestimate the amount of groundwater available on incomplete, poorly applied science or speculative data.

The District has created a tiered process that categorizes groundwater use and allocates available groundwater in accordance with District rules. The tiered process prioritizes groundwater use for the protection of urban populations within the District, exempt well owners, existing permit users and historic permit users, as the District allocates the remaining available groundwater through the concept of "proportionate reduction" and "zone management processes" as defined in the District's rules.

The District will protect all permit users by establishing rules for permitting wells, transfer of water permits from one entity or individual to another, and the scientific data requirements for new or increased use. In conversion of permits for export the amount permitted shall not exceed the Maximum

Historic Use as demonstrated by the applicant or suggested by agreements with other existing permittees.

VI. Consideration of Water Supply Needs and Water Management Strategies – 31 TAC § 356.5(a)(7)

The State's 2007 Water Plan identifies projected water needs for Kinney County (Table 4). There are no projected water needs for the county; therefore, no water management strategies have been derived for Kinney County.

WUG River Basin 2010 2020 2030 2040 2050 2060 County Brackettville 65 Kinney Rio Grande 64 64 65 66 65 **County Other** 27 Kinney **Nueces** 13 35 40 44 45 57 57 57 57 57 **County Other** Kinney Rio Grande 56 Irrigation Kinney Nueces 4,044 4,059 4,072 4,086 4,098 4,111 Rio Grande 13,721 15,202 Irrigation Kinney 12,615 13,179 14,237 14,731 Livestock Kinney Nueces 147 147 147 147 147 147 Livestock Kinney Rio Grande 83 83 83 83 83 83 Fort Clark Kinney Rio Grande 494 467 442 416 397 393 Springs MUD

Table 4: Projected Water Needs for Kinney County (acre-feet per year)

18,083

18,622

19,131

19,623

20,103

Total Projected Water Needs

VII. Methodology to Track District Progress in Achieving Management Goals –31 TAC § 356.5(a)(6)

The General Manager of the District will prepare and submit an annual report ("Annual Report") to the Board of the District. The Annual Report will include an update on the District's performance in regards to achieving management goals and objectives. The General Manager of the District will present the Annual Report within ninety (90) days following the completion of the District's fiscal year, beginning with the fiscal year that starts October 1, 2008. Upon adoption, the Board will maintain a copy of the Annual Report on file, for public inspection, at the District's offices.

^{*} Positive values reflect a water surplus; negative values reflect a water need.

^{**} The data in Table 2 is from the 2007 State Water Plan, Volume 3, Regional Water Planning Group Database.

VIII. Actions, Procedures, Performance, and Avoidance for District Implementation of Management Plan – 31 TAC § 356.5 (a)(4)

The District will implement the goals and provisions of this Management Plan and will utilize the objectives of this Management Plan as a guideline in its decision-making. The District will ensure that its planning efforts, operations, and activities will be consistent with the provisions of this plan.

The District will adopt rules, in accordance with Chapter 36 of the Texas Water Code, which implement the Management Plan. All rules will be followed and enforced. The District will amend the District rules as necessary to comply with changes to Chapter 36 of the Texas Water Code and to insure the best management of the groundwater within the District. The development and enforcement of the rules of the District will be based on the best scientific and technical evidence available to the District.

The District will encourage cooperation and coordination in the implementation of this plan. All operations and activities of the District will be performed in a manner that best encourages cooperation with the appropriate state, regional or local water entity. The Board meetings of the District will be noticed and conducted in accordance with the Texas Open Meetings Law. All official documents, reports, records and minutes of the District will be available for public inspection and copying in accordance with the Texas Public Information Act.

Annually, the District shall appoint a Groundwater Management Plan Committee chaired by a Board Director and conduct a review of (a) science and knowledge of the water resources available for the District's regulation, permitting and conservation and (b) make recommendations for improved management of the resources over which the District has jurisdiction. The Committee's appointment, report and action by the Board in response to such recommendations shall each be noticed in a local publication distributed within Kinney County.

IX. Management Goals

A. Providing the Most Efficient and Sustainable Use of Groundwater – 31 TAC § 356.5(a)(1)(A)

1. New, Exempt or Permitted Wells

Objective – Begin monitoring process by applying for one grant per year to obtain monies to expedite the monitoring process.

Performance Standard – A report defining activities performed to obtain grant funding during each year will be incorporated into the Annual Report submitted to the Board of the District.

B. Controlling and Preventing Waste of Groundwater – 31 TAC § 356.5(a)(1)(B)

1. Elimination of Wasteful Practices Using Groundwater

Objective – Encourage the elimination of wasteful practices regarding groundwater within the boundaries of the District.

Performance Standard – Submit an article regarding the elimination of wasteful practices regarding groundwater to a local publication for distribution in Kinney County and enclosed in the District's Annual Report to the Board of Directors.

C. Conjunctive Surface Water Management Issues – 31 TAC § 356.5(a)(1)(D)

1. Regional Planning

Objective – Annually, the District will meet with the Nueces River Authority regarding conjunctive surface water management issues.

Performance Standard – A report of the meeting with the Nueces River Authority will be noted in the Annual Report which will be presented to the Board of Directors of the District.

D. Drought Conditions

Objective - Quarterly, the District will download the updated Palmer

Drought Severity Index (PDSI) map once a month.

Performance Standard – Quarterly, the General Manager will make a report to the Board of the District.

E. Conservation, Recharge Enhancement, Rainwater Harvesting, Precipitation Enhancement and Brush Control

1. Public Water Conservation Articles

Objective - Increase public awareness within the District regarding the need for water conservation.

Performance Standard – The District will annually submit an article regarding water conservation for publication to at least one newspaper of general circulation in Kinney County and provide a copy of said article in the Annual Report to the Board of Directors.

2. Groundwater Recharge Structures

Objective – Request NRCS (National Resources Conservation Service) and USGS (US Geological Survey) under public law PL 83-566 – Small Watershed Act to provide a county survey with recommendations regarding appropriate locations for groundwater recharge structures.

Performance Standard – Track the request and include annual status updates in the Annual Report to the Board of Directors.

3. Rainwater Harvesting

Objective – Annually submit an article regarding rainwater harvesting methods for publication to at least one newspaper of general circulation in Kinney County.

Performance Standard – A copy of this article will be included in the Annual Report to the Board of Directors.

4. Precipitation Enhancement

Objective – On an annual basis, monitor the effectiveness and success of precipitation enhancement programs.

Performance Standard - A report detailing the results of monitoring precipitation enhancement programs will be included in the Annual Report to the Board of Directors.

5. Brush Management

Objective – Each year, the District will promote brush management by securing the report from NRCS regarding EQUIP program in Kinney county.

Performance Standard - A copy of the NRCS report will be included in the Annual Report to the Board of Directors.

F. Natural Resource Issues – 31 TAC § 356.5(a)(1)(E)

1. Communication With Governmental Agencies

Objective – The District will monitor the work of the Texas Railroad Commission, Texas Commission on Environmental Quality (TCEQ), and Texas Parks and Wildlife regarding natural resource issues relating to groundwater in Kinney County.

Performance Standard – Each year, a summary of these activities of the agencies set forth above will be included in the Annual Report submitted to the Board of Directors of the District.

G. Desired Future Conditions of the Groundwater Resources in the District –31 TAC § 356.5(a)(1)(E)

The District is engaged in joint planning with other Groundwater Conservation Districts in Groundwater Management Areas No. 7 and No. 10. Statements regarding desired future conditions of groundwater resources will be developed within this effort and will, to the extent feasible, be incorporated into the District's Groundwater Management Plan in compliance with the schedule established by the Texas Water Development Board.

X. Management Goals Non-Applicable to District

A. Controlling and Preventing Subsidence - 31 TAC § 356.5(a)(1)(C)

The District is not advised at this time of any issues with subsidence that exist within the District. Subsidence does not exist due to the geology of the region.

XI. Action Required for Plan Certification – 31 TAC § 356.6

A. Planning Period – 31 TAC § 356.5(a)

The Board of Directors of the District adopted by resolution on March 27, 2008, this revision of the Management Plan for the District. The Management Plan will remain effective until March 20 2013, unless the District sooner adopts a revised Management Plan that is certified by the Texas Water Development Board or another appropriate entity. The revised Management Plan will take effect as of the date of certification. In accordance with the provisions of Chapter 36 of the Texas Water Code, the District's Management Plan shall be reviewed annually and re-adopted with or without revisions at least every five years.

B. Certified Copy of District's Resolution Adopting Management Plan - 31 TAC § 356.6(a)(2)

A certified copy of the District's resolution adopting the Management Plan is located in Appendix A – District Resolution.

C. Evidence of Management Plan Adoption After Notice and Hearing – 31 TAC § 356.6(a)(3)

Evidence, including public notices, that the Management Plan was adopted following applicable public meetings and hearings is located in Appendix B - Notice of Meetings.

D. Coordination with Surface Water Management Entities – 31 TAC § 356.6(a)(4)

Evidence that District coordinated with surface water management entities in regards to the District's Management Plan is located in Appendix C.

References

- 1. Bennett, R. R. and Sayre, A. N., December 1962. Texas Water Commission Bulletin 6216, "Geology and Ground-Water Resources of Kinney County, Texas," published by Texas Water Commission in December 1962 in cooperation with United States Geological Survey.
- 2. Lozo, F.E., Jr; Smith, C.I. 1964. Revision of Comanche Cretaceous Stratigraphic Nomenclature, South Edwards Plateau, Southwest Texas. Transactions of the Gulf Coast Association of Geological Societies 14, 285-307.
- 3. Mace, Robert E., Ph.D. and Anaya, Roberto, P.G. Estimate of recharge to the Edwards (Balcones Fault Zone) and Edwards-Trinity (Plateau) aquifers in Kinney County, Texas, Texas Water Development Board August 2003.
- 4. Regional Water Management Plan of Region J (Plateau Region) Regional Water Planning Group.
- 5. Rules of the Kinney County Groundwater Conservation District, as amended.
- 6. Water for Texas-2007 Texas Water Development Board (January 2002).

Appendix A: Certified Copy of District's Resolution Adopting Management Plan

Resolution 2008-02

RESOLUTION OF THE BOARD OF DIRECTORS OF THE KINNEY COUNTY GROUNDWATER CONSERVATION DISTRICT

A RESOLUTION ADOPTING THE AMENDED MANAGEMENT PLAN

WHEREAS, the Kinney County Groundwater Conservation District ("District") is a POLITICAL SUBDIVISION OF THE State of Texas organized and existing under and by virtue of Article XVI, Chapter 59, of the Texas Constitution; and

WHEREAS, under the direction of the Board of Directors, and in accordance with Section 36.1071, Texas Water Code, and Chapter 356, Title 31, Texas Administrative Code, the District developed a Management Plan; and

WHEREAS, the District participated in mediation and the Board approved the Mediated Settlement Agreement in *Boulware v. Kinney County Groundwater Conservation District*; and

WHEREAS, the District agreed to review and develop a revised, updated Groundwater Management Plan as part of the Mediated Settlement Agreement; which Settlement Agreement was adopted by the District Court in the *Boulware* case No. 3469 on Thursday, September 6, 2007, upon telephone conference with the Parties.

WHEREAS, the District received informal TWDB written comments on the draft plan, held a public hearing pursuant to newspaper and Open Meeting Notice to receive public and written comments on the Management Plan on March 13, 2008 in the District Courtroom of the Kinney Courthouse located in Brackettville, Texas; and

WHEREAS, the Board of Directors, with the benefit of March 13, 2008, public comments, on March 20, 2008, subsequently voted 6-0 in favor of adopting the Groundwater Management Plan during the regular meeting, but made such approval subject to review by the General Manager of the tabular information contained within the proposed Plan, and subject to any revisions that might be deemed by the Manager to be necessary at the Board Meeting scheduled for Thursday, March 27, 2008;

WHEREAS, at the noticed Board Meeting for Thursday, March 27, 2008, and subject to an open forum presentation by Dr. Robert Mace, the Board did review and consider the Manager's updated, revised information for inclusion in the proposed Groundwater Management Plan and considering same, did adopt the Groundwater Management Plan with the revisions (and without further public comment) as the Amended Groundwater Management Plan for the District; and

WHEREAS, on this the 27th day of March, 2008, the Board of Directors finds that the Groundwater Management Plan, considering current available information, meets all of the requirements of Chapter 36, Texas Water Code, and Chapter 356, Title 31, Texas Administrative Code..

NOW THEREFORE BE IT RESOLVED THAT:

The Groundwater Management Plan presented March 27, 2008, is hereby adopted as the Groundwater Management Plan for the District; and

The Board, acting through its General Manager and Officers, are further authorized to take any and all action necessary to file the adopted Groundwater Management Plan with the Texas Water Development Board, and to coordinate with the Texas Water Development Board as may be required in furtherance of certification pursuant to the provisions of the Texas Water Code, and report back to the Board of Directors respecting formal comments and/or review by TWDB that may bear on adoption of the Plan.

A record copy of the updated Groundwater Management Plan shall be placed on file at the District's Headquarters, dated March 27, 2008, and included herein by reference.

AND IT IS SO ORDERED.

Upon motion duly made by Director Lowery, and seconded by Director Coates, and upon discussion, the Board voted 4 in favor and 0 opposed, 1 abstained, and 2 absent, and the motion thereby **PASSED** on this 27th day of March 2008.

KINNEY COUNTY GROUNDWATER CONSERVATION DISTRICT

Lloyd L. Davis, President

ATTEST:

Dennette Coates Secretary/Treasurer

Appendix B: Evidence of Management Plan Adoption After Notice and Hearing

Thursday, February 21, 2008 The Brackett News

O'Rourke Realty Elsa O'Rourke Broker (830) 563-2713

Sale 37 acres on the Guadalupe River

4 lots on Hwy 90. Partially

constructed Building.

4 diots on Hwy 90, Partally Constructed Building.

New Listing; 2/2, Spacious don, tile satio, many improvements \$5,000 per 1, 100 p

Public Hearing

THORIC HEARING

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analysis, and releted into the proposed rule, the draft economic
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Notice of Personal Part of the Kinney Courty Country C Yard Sale

* Tejas Properties

Phyllis & Les Meyer
Pebbral Isaacs
Broker/Ranch Sales
Broker/Ranch Sal New Listing: Unit 15 - ZBR/ZB, fully furnished, carport, storage shed, well maintained! Only \$36,000.

New Listing: Unit 12 - 2 lots with RV cover and 804 sq.ft. siving area. \$46,000.

2140 acres Val Verde County: Live Water, County Road Front-age, House, Good Deer. e, Good Deer.
HUNTING RANCHES AVAILABLE!
www.Tejas-Properties.com

LAS MORAS REALTY

104 E. Spring Street • 830-563-2997

Debbie Trant, Owner/Agent & Barbara Yoss, Broker BUT YEARS OF KNOWLEDGE & EXPERIENCE TO WORK FOR YOU www.realestatetxkinneycounty.com

Sale or Rent: 3/2 stone home, FP, tiled car-

Sale or Rent: 3/2 stone home, FP, tiled carport/patio.

15. Weirlor-Great Buy on this lovely, large 2/2 brides home, FP, tiled to trub room, fenced 2/2 brides & carport.

181 Bowlegs- REDUCED - 3/2 home, custom ungrades, sunroom addition.

Fairway Circle- Spacious 1999 Pal Harbor, 3/2, FP, decks, fenced, garage, stied.

PRICC \$LASHED - Unit 34 - Custom-built nome with 1,100 + /- \$q ft., covered RV parking & large workshop. Now \$69,900 worlook Las Moras Creek, peacethia & quiet setting.

Unit 1 - 3/2, 1,948 + /- \$q ft., overlook Las Moras Creek, peacethia & quiet setting.

Unit 15 - Furnished 3/2 Mit, screened proring great winter home or rental in the setting of the settin

Ranches & Small Acreage For Sale 🚖

KEN BARNETT REAL ESTATE

102 W. Spring St., Bracketwille, TX 78832

Ken Benner, Mensess Tubwell - Par Owens - Mellion Davis - Unnie Bedach

WWW. Drackettvillerealestate.com

FORT CLARK

BEAUTEUL. LARGE HISTORIC rock home. Approx. 3,400

This property now includes a 900 sq.ft. guesthouse last should be a property now includes a 900 sq.ft. guesthouse last should freat peacaful location of Calvon's properties. Including Historical Properties. 110 SUNSET, LANE. Fantages. 28817.58 fm.ft. house (2,500). 111, 2881, 158 octates without properties. 110 SUNSET, LANE. Fantages. 28817.58 fm.ft. house (1,500). 112, 1281, 158 octates without properties. 110 ST Calvon and State of the Calvo

great neighborhood. New garpet paint and binds throughout.
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COMMERCIAL SULLINES OCITION now insignate was 4475 per morth.

ON GOING BUSINESS with established customer base. Movie restal and established customer base. Movie restal and established properties of the state of

Log cabin w/ par ville on FM 674 OFFICE: 830-563-2446 Fax 830-563-2699

SUDOKU

www.orourkerealty.net

Public Hearing

the proposed rule and announcthe proposed rule and announcing an upcoming public hearing on the proposal. A copy of the proposed rule, the draft economic analysis, and related information is available online at: http://www.fws.gov/southwest/es/AustinTexas/. We will hold a public hearing on February 27, 2008, in Del Rio, Texas, in the Kennedy Room, Del Rio Civic Center, 1915 Veterans Blvd. An informal information session will be held from 6:00 pm to 7:00 informal information session will be held from 6:00 pm to 7:00 pm and the public hearing will begin at 7:00 pm. Comments may be submitted until March 10, 2008, at: http://www.regulations.gov, or by U.S. mail or hand-delivery to Public Comments Processing, Attn: RIN 1018-AV25; DPDM; USFWS; 4401 N. Fairfax Drive, Suite 222; Arlington, VA 22203. For more information or obtain documents by mail, to obtain documents by mail, please contact Nathan Allan at (512) 490-0057, ext. 237, or Nathan Allan@fws.gov.

NOTICE OF PUBLIC HEARING of the Kinney County Groundwater Conservation District: Notice is hereby given that the Board of Directors of the Kinney County Groundwater Conservation District will hold a public hearing to trict will hold a public hearing to receive the Groundwater Management Plah Committee's Report per the requirement of Paragraph 2.c. of the mediated Settlement Agreement to revise the Groundwater Management Plan of the Kinney County Groundwater Conservation District. The water Conservation District. The Hearing will be conducted on Thursday, March 13, 2008 at 2:00 p.m. in the District Courtroom of the Kinney County Courthouse located in Brackettville, Texas. The hearing will be to take public comment on the proposed revised Groundwater Management Plan of the Kinney County Groundwater Conservation District and act thereon or tion District and act thereon or schedule a further meeting of the Board of Directors to consider amendment(s) and/or approval amendment(s) and/or approval
and make subsequent submission
for review by the Texas Water
Development Board. A copy of
the proposed revised managethe proposed revised management plan can be obtained by contacting the District office by phoning (830) 563-9699, e-mailing kcgcd@sbcglobal.net, faxing (830) 563-9606, or by mailing to P.O. Box 369, Brackettville, Texas 78832.

Yard Sale

SAT., FEB. 23, 8:00-? 1st house on the right on Airport Rd. #5. Twin beds, TV, knick-1st knacks, clothing, etc.

YOUR HOROSCOPE

2 brick home, FF garage & carpon 181 Bowlegs- RI upgrades, sunroc Fairway Circle- S 2, FP, decks, fer PRICE SLASHED with 1,100 +/-: large workshop Unit 1 -3/2, 1,9 Moras Creek, pe Unit 15 - Furnish great winter hon Ň. Ellen -A MUS upgrades, REDUt Remote Alley - c Established busin ventory, no com-

Ranches & Sm

KEN BARN

102 W. Spring Ken Barnett - Marcus Tidw www.brac

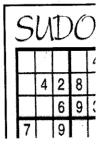
FORT CLARK: BEAUTIFUL, LARGE H sq.ft. This property now shop Great peaceful loc location! REDUCED \$ 2 110 SUNSET LANE, Fa sq.ft.) w/laminate woo sq.ft.) 2BR/1.5B cottage 2 car carport and garage 223 POMPEY Wonderfu great neighborhood,. Ne REDUCED TO \$135,00 FAIRWAY CIRCLE: Gor-toms features. 4BR/2.5 lots overlooking golf co UNIT 35: Warm and we 3B. Features: Open floor backyard deck w/hot to tem. 1848 sq. ft.

BEAUTIFUL NEW HOM Oaks" at Fort Clark. 31 rage. 1,981 sq. ft. Price

BRACKETTVILLE: BEVERAGE BARN, HW chines, office equipmer COMMERCIAL BUILDIN

\$475 per month.
ON GOING BUSINESS rental and snack store, 191 Acres, Hunters me 131 Acres at City Lin tracts at \$3000 per acr NEW LISTING: 221 Ac ft. Log cabin w/ panor ettville on FM 674

OFFICE: 83



NOTICE OF PUBLIC HEARING OF THE GOVERNING BOARD FOR THE KINNEY COUNTY GROUNDWATER CONSERVATION DISTRICT

Thursday, March 13, 2008 2:00 p.m.

Notice of Public Hearing of the Kinney County Groundwater Conservation District: Notice is hereby given that the Board of Directors of the Kinney County Groundwater Conservation District will hold a public hearing to receive the Groundwater Management Plan Committee's Report per the requirement of Paragraph 2.c. of the mediated Settlement Agreement to revise the Groundwater Management Plan of the Kinney County Groundwater Conservation District. The Hearing will be conducted on Thursday, March 13, 2008 at 2:00 p.m. in the District Courtroom of the Kinney County Courthouse located in Brackettville, Texas.

The hearing will be to take public comment on the proposed revised Groundwater Management Plan of the Kinney County Groundwater Conservation District and act thereon or schedule a further meeting of the Board of Directors to consider amendment(s) and/or approval and make subsequent submission for review by the Texas Water Development Board. A copy of the proposed revised management plan can be obtained by contacting the District office by phoning (830) 563-9699, e-mailing kcgcd@sbcglobal.net, faxing (830) 563-9606, or by mailing to P.O. Box 369, Brackettville, Texas 78832. A copy of the proposed plan may be picked up at the District office during regular business hours of operation on Tuesday, Wednesday, and Thursday from 10:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. A courtesy copy will be available for public viewing at the Kinney County Public Library.

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the Board of Directors of the Kinney County Groundwater Conservation District is a true and correct copy of said Notice on the bulletin board in the Kinney County Courthouse, located in Brackettville, Texas, and said Notice was posted on 2-22, 2008; a true and correct copy of said Notice was furnished to the Kinney County Clerk, in which the above named political subdivision is located

Kinney County Groundwater Conservation District

By: Diana Ward, General Manager

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the Board of Directors of the Kinney County Groundwater Conservation District is a true and correct copy of said Notice received by me on 2/2z/, 2008, and that I
posted the true and correct copy of said Notice on the bulletin board in the Kinney
County Courthouse on $2/2$, 2008, at $1/4$ o'clock, $1/4$ m.
Dou Elia Sandral
Dora Sandoval, County Clerk, Kinney County, Texas
By:

Appendix C: Coordination with Surface Management Entities and Proof of Mailing

Kinney County Groundwater Conservation District

P.O. Box 369 502 East Ellen Street Brackettville, Texas 78832-0369 (830) 563-9699 Fax (830) 563-9606

April 15, 2008

International Boundary & Water Commission Via CM/RRR 7005 1820 0004 3552 3423 HCR #3, Box 37 Del Rio, TX 78840

Dear Sirs:

Sincerely,

7005

The Kinney County Groundwater Conservation District adopted its management plan on March 20, 2008. I am forwarding a copy of the plan to you for your consideration. Please review the plan and notify the District office if you have any comments.

PS Form 3811, February 2004 Article Number
(Transfer from service label) 7005 General Manager Domestic Return Receipt 1820 3552 3552 4000 4000 000 388 7005 1820 1,820

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIV
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse 	A. Signature
 Attach this card to the back of the mailpiece, or on the front if space permits. 	B. Received by (Printed Name)
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1CR #3, Box 37	
Del Klaj I > 10° 10	<u>a.</u>
	Registered /X Return Receipt

Yes

78840 003

Kinney County Groundwater Conservation District

P.O. Box 369 502 East Ellen Street Brackettville, Texas 78832-0369 (830) 563-9699 Fax (830) 563-9606

April 15, 2008

Nueces River Authority Attn: Con Mims III Executive Director P.O. Box 349 Uvalde, TX 78802-0349 Via CM/RRR 7005 1820 0004 3552 3416

Dear Mr. Mims:

The Kinney County Groundwater Conservation District adopted its management plan on March 20, 2008. I am forwarding a copy of the plan to y Please review the plan and notify the District office if yo

Sincerely, PS Form 3811, February 2004 Diana Ward General Manager 7005 TO THE BUT TO WILL THE WASTER. 3436 3476 B. Received by (Printed Name) 3552 3552 0 Restricted Delivery? (Extra Fee) 4000 4000 Express
Defurn F 1820 1820 Receipt for Merchand 7005 C. Date of Delivery □ N es ☐ Agent ☐ Addre P.O. BOX 349 78832-036

Kinney County Groundwater Conservation District

P.O. Box 369 502 East Ellen Street Brackettville, Texas 78832-0369 (830) 563-9699 Fax (830) 563-9606

April 15, 2008

Region J Water Planning Group

Via CM/RRR 7005 1820 0004 3552 3379

Attn: Jonathan Letz 700 Main Street Kerrville, TX 78028

Dear Mr. Letz:

The Kinney County Groundwater Conservation District adopted its management plan on March 20, 2008. I am forwarding a copy of the plan to you for your consideration. Please review the plan and notify the District office if yc

Sincerely,

Diana Ward
General Manager

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Appendix D: Map Delineating Kinney County Management Zones

