



V201-361

September 6, 2024

Bryce T. Tearney
28707 Howards Bull
Boerne, TX 78015

RE: **FINAL NOTICE OF EAA GENERAL MANAGER SETTLEMENT OFFER** – related to exceeding annual authorized groundwater withdrawals in 2023 from the Edwards Aquifer

Dear Mr. Tearney:

This letter is to notify you that Edwards Aquifer Authority (EAA) records show you have not fully settled your pending compliance matter with the EAA related to exceeding authorized groundwater withdrawals in 2023 from your Edwards Aquifer well(s). In previous correspondence, you were notified of this potential violation, and the various settlement options you could use to fully resolve this matter.

In summary, you exceeded (over-pumped) your 2023 authorization by a total of 3.362 acre-feet. EAA offered to resolve this over-pumped amount at a rate of \$271.62 per acre-foot, or in the total amount of \$913.19. This was outlined as settlement “Option C” in our previous letters.

Also as stated in previous letters, you can identify unpumped 2023 water rights from other permit holders who would allow you to resolve the amount you over-pumped under an “Option B” settlement. EAA staff has made outreach efforts and can help identify permit holders who have unused permit authorizations on their irrigation permits from 2023 and could make them available to you. While this action would be a private negotiation between you and the permit holder, EAA staff can provide you with contact information for these permit holders if you are interested in this option.

Therefore, to properly respond to this notice, you must contact me by telephone, email, or in writing to express your willingness to settle this matter as per the terms outlined herein. **You must make this commitment before Friday, September 20, 2024**; otherwise, EAA staff will begin enforcement efforts as outlined in the EAA Act and EAA rules.

If you have any questions, you can contact me at (210) 477-8525, by email at jparamo@edwardsaquifer.org, or toll free at (800) 292-1047. The EAA appreciates your immediate attention in resolving this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Paramo", is written over a light blue horizontal line.

Jorge Paramo
Sr. Regulatory Compliance Coordinator

EP:JP/epg

Enclosures: Notice of EAA General Manager Settlement Offer
Second Notice of EAA General Manager Settlement Offer



Certified Mail – Return Receipt Requested

V201-361

May 21, 2024

Bryce T. Tearney
28707 Howards Bull
Boerne, TX 78015

RE: **SECOND NOTICE OF EAA GENERAL MANAGER SETTLEMENT OFFER** – related to exceeding annual authorized groundwater withdrawals in 2023 from your Edwards Aquifer well

Dear Mr. Tearney:

This letter is to notify you that the Edwards Aquifer Authority (EAA) did not receive a response to our letter dated April 19, 2024, that notified you of an EAA General Manager Settlement Offer to resolve a violation of EAA rules related to exceeding annual authorized groundwater withdrawals in 2023 from your Edwards Aquifer well(s). For your convenience, a copy of that letter is enclosed.

As a final effort to reach a settlement with you regarding this violation, the General Manager has allowed me to make this second offer to settle this matter before making a recommendation to the EAA Board of Directors (“Board”) to seek further enforcement through the assessment of an administrative penalty. The EAA Act and EAA rules authorize the Board to assess administrative penalties to facilitate enforcement of the Act, the EAA’s rules, orders of the Board, and the terms and conditions of permits.

To properly respond to this notice, you must contact me by telephone or in writing to express your willingness to settle this matter as per the terms outlined in the enclosed April 19, 2024, letter, or to present a written counter-offer to the proposed settlement. **You must make this commitment before Friday, June 7, 2024;** otherwise, EAA staff will report this violation to the Board’s Permits/Enforcement Committee at their June 25, 2024, meeting with a recommendation to seek further enforcement.

If you have any questions, you can contact me at (210) 477-8525, or toll free at (800) 292-1047. The EAA appreciates your immediate attention in resolving this matter.

Sincerely,

Jorge Paramo
Sr. Regulatory Compliance Coordinator

EP:JP/pm

Enclosures: Notice of EAA General Manager Settlement Offer Letter, April 19, 2024



V201-361

April 19, 2024

Bryce T. Tearney
28707 Howards Bull
Boerne, TX 78015

RE: **NOTICE OF EAA GENERAL MANAGER SETTLEMENT OFFER**—related to making regulated withdrawals without a groundwater withdrawal permit in 2023 from your Edwards Aquifer well

Dear Mr. Tearney:

The Edwards Aquifer Authority (EAA) believes that you made groundwater withdrawals during calendar year 2023 without first obtaining or transferring groundwater withdrawal rights to your well before the January 31, 2024, filing deadline. As per §711.224 of the EAA's rules, a person may not withdraw groundwater from the Aquifer unless authorized by a groundwater withdrawal permit issued by the EAA.

A review of your 2023 Annual Groundwater Use Reporting Form indicates that you made 3.362 acre-feet of withdrawals.

Since you did not transfer water rights before the filing deadline, EAA staff can allow you to settle this potential violation of EAA rules by reconciling your 2023 withdrawals from conserved groundwater withdrawal rights held by the EAA. EAA staff can apply these conserved groundwater withdrawal rights to your 2023 groundwater withdrawals at the fee rate of \$271.62 per acre-foot.

Therefore, to fully settle this matter, please submit payment online at the EAA website, or by check, in the amount of \$913.19 to the EAA by no later than Friday, May 17, 2024, to:

Edwards Aquifer Authority
ATTN: Compliance Program
900 E. Quincy
San Antonio, Texas 78215

If you believe our records are in error, and you do not believe that you exceeded your 2023 authorization, please contact me so we can discuss what additional information may be necessary for us to conduct a review of our records. If you have any questions, please contact me at (210) 477-8525, toll free at (800) 292-1047, or by email at jparamo@edwardsaquifer.org.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Paramo', with a stylized flourish at the end.

Jorge Paramo
Sr. Regulatory Compliance Coordinator

EP:JP/pm