

**V104-348 COMPLIANCE DATA SHEET**

<b>Name:</b>	<b>Wayne Dent</b>
<b>Applicable Permit No(s). and Type(s):</b>	IRP-P105-159 (Industrial-Ag) = 3.000 acre-feet
<b>Alleged Violation:</b>	Exceeded annual authorized groundwater withdrawal during 2017.
<b>Violation Rule Reference:</b>	§§ 709.37, 711.134, 711.224 and 711.228
<b>Status of Violation:</b>	<input checked="" type="checkbox"/> Violator Not In Compliance <input type="checkbox"/> Violator Now In Compliance
<b>Director District and County of Alleged Violation:</b>	District-7 (Bexar County)
<b>Prior / Other Violations of the Alleged Violator:</b>	<ul style="list-style-type: none"> <li>Exceeded authorized groundwater withdrawal during 2013; (9/25/2014) attended Workshop; File closed.</li> <li>Exceeded authorized groundwater withdrawal during 2016; (11/28/2017), but he settled when his Permit status was changed from Industrial to Industrial-Ag and previously paid AMFs, at a higher rate, covered the amount due.</li> </ul>
<b>Additional Information:</b>	2017 annual authorized withdrawal amount was 3.000 acre-feet; pumped 7.905 acre-feet; exceeded authorized groundwater withdrawal by 4.905 acre-feet.
<b>Staff Recommendation Calculation:</b>	<ul style="list-style-type: none"> <li>Penalties = (4.905 af x \$465.30) = \$2,282.30;</li> <li>AMFs = (4.905 af x \$2.00) + 18% = \$11.58;</li> <li>Prior Violations = 1 + 15% = \$342.34</li> </ul> <b>Total proposed settlement amount = \$2,636.22</b>
<b>Counter-offer Proposal:</b>	<ul style="list-style-type: none"> <li>Pay \$200.00 of the EAA settlement;</li> <li>Withhold collection of remaining EAA settlement of \$2,436.22 pending no over-pumping in 2018 and 2019.</li> </ul>
<b>Recommended Action:</b>	<ul style="list-style-type: none"> <li><b>Permit Holder has made a counter-offer to the EAA settlement, staff makes no recommendation on the counter-offer proposal.</b></li> </ul>