

## **Update on TESPAs Complaint Against Aqua Texas for Over Pumping and Leaky Pipelines**

*from Andrew Weber, TESPAs board president*

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### **Where we are**

In April 2024, The Trinity Edwards Springs Protection Association (TESPA) and two of its members who are also Aqua customers in the Wimberley area filed a formal complaint with the Public Utility Commission of Texas (PUC) against Aqua Texas, Inc., the water utility serving Woodcreek I, Woodcreek II, and Mountain Crest.

TESPA customers allege that Aqua Texas has broken state law and multiple PUC rules by:

- Depending on unlawful groundwater, over-pumped from the Trinity Aquifer, far beyond its permitted limits for Woodcreek I, Woodcreek II and Mountain Crest—by 70 million gallons in 2022; 60 million gallons in 2023; 37 million gallons (in just Woodcreek II) in 2024—mostly from wells inside the Jacob’s Well Groundwater Management Zone (JWGMZ).
- Operating with expired groundwater permits after the Hays Trinity Groundwater Conservation District (HTGCD) refused renewal for 2024.
- inefficiently operating its Woodcreek II pipelines, which have leaked 30 million gallons of treated water every year since 2017, which is more than 30% of the total ground water Aqua pumped.
- failing to properly plan for adequate water supply and fix its leaks despite knowing for years about drought conditions.
- Continuing to add hundreds of new customers since 2018 with plans to add thousands more knowing it faced a critical shortage in supply.

Hydrogeologist Douglas A. Wierman, a longtime Hill Country groundwater expert, submitted an affidavit confirming the hydraulic link between Aqua’s unauthorized pumping and the loss of flow at Jacob’s Well, which ceased flowing 31 days in 2022 and 203 days in 2023.

After 18 months of discovery and legal motions, the case went to hearing before two administrative law judges from the State Office of Administrative Hearings (SOAH) on October 28, 2025, concluding on October 30.

The parties will now file written closing arguments summarizing the evidence of the alleged PUC violations. In early spring, the judges will issue a detailed Proposal for Decision recommending what actions the PUC Commissioners should take, if any.

The PUC will issue a final ruling, hopefully by May 2026, that will adopt, modify, or reject the judges’ recommendations. Either party is entitled to appeal the decision to Travis County District Court.

In short: the next six months could be decisive for the future of Aqua’s operations, the region’s aquifers and springs, and the Wimberley Valley communities that depend on them.

### **Why does this matter?**

Jacob’s Well is the headwaters of Cypress Creek, a lifeline for the Wimberley Valley’s ecosystem, tourism economy, and drinking-water supply. Cypress Creek feeds the Blanco River.

TESPA argues that Aqua’s violations threaten not just its customers, but the region’s entire spring-fed aquifer system.

By knowingly selling water obtained by over pumping its permits, from unsustainable source, with no plan to stop any time soon, Aqua Texas is—according to the complaint—out of compliance with statutes and rules that require utilities to provide “continuous and adequate” service from a *lawful* water supply.

The filings warn that if Aqua Texas were operating legally, it would have no authorized water source for its ~2,200 customers in western Hays County.

### **What we want the PUC To Do**

Our complaint seeks strong remedies from the PUC:

1. Revoke or decertify undeveloped portions of the CCN that covers Woodcreek II.
2. Stop Aqua Texas from adding new customer connections in Woodcreek I, Woodcreek II. and Mountain Crest until it demonstrates a legal and sustainable water supply.
3. Timely secure an alternative lawful water supply so it can service its customers without over pumping its permit limits.
4. Order comprehensive studies of the Woodcreek II pipelines and implement necessary repairs to substantially reduce the thousands of gallons per day of wasted drinking water.

### **The Bigger Picture**

The PUC ruling could mark a turning point in the Hill Country’s fight to restore our Trinity Aquifer, and Jacob’s Well and other springs, to health and sustainability.

Aqua Texas’s pattern of over pumping, rate hikes, and disregard for local groundwater rules has put both customers and the springs at risk.

TESPA is turning to the PUC to:

- Secure transparent, responsible, and sustainable water management for Wimberley-area residents.
- Prevent illegal and wasteful extraction of groundwater during drought.
- Protect Jacob’s Well and Cypress Creek from further depletion.

### **Key Takeaway**

Aqua Texas’s pattern of over pumping and neglect to repair leaky lines is more than a violation of rules—it’s a betrayal of public trust. We cannot allow a corporate monopoly to drain the very springs that sustain our culture and our economy.