

Formal complaint filed against Aqua Texas for using 'illegal groundwater supply'

The complaint alleges the company serves its customers with an illegal groundwater supply.



Author: Johann Castro, Jenni Lee
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AUSTIN, Texas — The Trinity Edwards Springs Protection Association (TESPA) has filed a formal complaint with the Public Utility Commission of Texas (PUC) over practices employed by Aqua Texas, the association announced Wednesday.

TESPA claims the company serves its customers with an illegal groundwater supply. The filing requests that the PUC either revoke Aqua Texas' authority to provide water in the Wimberley area or mandate significant changes to its operations.

TESPA's complaint details a history of actions that it claims show Aqua Texas violated public trust and placed local residents' water service in jeopardy, also causing Jacob's Well to go dry.

Some of the claims include:

- Aqua Texas violating its authorized groundwater production limits by 90 million gallons in 2022
- Aqua Texas exceeded its production limits by an additional 70 million gallons in 2023
- Aqua Texas lost 55 million gallons of water due to leaks in its infrastructure and a lack of maintenance – a direct violation of the PUC’s requirements to maintain infrastructure and State and District prohibitions on wasting groundwater
- Aqua Texas' actions caused Jacob’s Well to stop flowing on multiple days when it otherwise would have been flowing
- Aqua Texas allegedly misrepresented the number of connections within its service areas when it requested authority from the PUC to sell water in those areas, claiming a smaller number than actually existed. Since that time, the number of connections the company represented to the PUC has grown by 65% - without the company ever demonstrating to the PUC it has an adequate water supply
- Aqua Texas' continual adding of customers in Hays County communities despite not having a legal water supply

This complaint follows a lawsuit involving Aqua Texas after the utility company previously claimed unlawful and unfair treatment from the [Hays Trinity Groundwater Conservation District](#), a group that regulates groundwater from wells in the county.

Aqua Texas released this statement in response to the complaint filed by TESPAs:

"Aqua Texas owns valuable land and water rights and has made substantial investments to provide safe and reliable water to its Wimberley Valley customers.

After Aqua purchased land and drilled two new wells to provide water to its customers—at the cost of millions of dollars—the local groundwater district unlawfully changed its rules to prevent Aqua from using its new wells.

After illegally preventing Aqua from using its new wells, the groundwater district then illegally fined Aqua in violation of the district’s governing statute.

These actions were plainly illegal and have been challenged by Aqua in Federal Court. "

The [KVUE Defenders](#) previously looked into the issues between the two after the utility over-pumped its water allotment in 2022, resulting in nearly half a million dollars worth of fines.

The complaint filed Thursday has been docketed by the PUC and assigned to an administrative law judge.