

# BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Board of Directors  
Called Meeting

Wednesday, September 16, 2009  
6:00 PM

Bluebonnet Groundwater Conservation District  
Board Room, Suite B & C  
303 East Washington Avenue  
Navasota, Texas

## MINUTES OF THE MEETING

In attendance: Directors Copeland, Brandes, Minze, Beckindorff, Patout, Sandel, Paben, Huebner, Ward, Morrison, Director Blezinger joined the meeting at 6:08 PM., General Manager Behm, Administrative Assistant Williams: William Dugat, Bickerstaff Heath; W. Randy Williams, BarW; Jim Blackburn, Blackburn & Carter; William Gamblin, DBS&A; Mike Gershon, Lloyd Gosselink; Louise Muller, Hank Muller, Rajan Shamdasani, Kickapoo Preserve; Andrew Barclay, Brooks & Sparks; Frank Pokluda, Jim C. Hodge; Adam Friedman, Blackburn Carter; Rick Welch, Rita Pyle, Caty Gleason, Tom Gleason, Frank Brooks, Brooks & Sparks; Scott Smith, Tamarack Fairwind Farm and two persons whose names on the sign in sheet were illegible.

### 1. Call to order

The meeting was called to order at 6:02 PM by Jared Patout, President.

**The President announced that the Board would be taking the agenda items out of the order stated on the Agenda.**

4. Public Hearing – Proposed revisions to the District Management Plan that establishes: the District Mission; the purpose and time period of the Plan; reviews the composition of the District and the authority of the District; established the groundwater resource of the District; reviews the regional geologic structure and aquifer relationships in the District; sets forth aquifer descriptions; describes the physiography of the District; defines units of measure for the water planning estimates in the Plan; estimates the Total usable amount of groundwater in the District, the amount of groundwater used annually in the District and the amount of natural or artificial annual recharge of the groundwater resources within the District; describes how recharge may be increased; states estimates of projected total water demand within the District and of projected surface and groundwater supplies; discusses water management strategies to meet the needs of water

user groups; discusses how the District Plan addresses water supply needs in a manner not in conflict with the Region G and H water plans;

No one addressed the Board during this Public Hearing.

5. Discussion and possible action on the revised Management Plan, including but not limited to approval of Resolution 2009-03 Revising and Readopting the District Management Plan or setting a date for future Board consideration of the Management Plan Revision and Readoption.

W. Randy Williams presented the proposed revisions, with explanations for each.

The board discussed the revised Management Plan as presented and the President suggested that it be adopted at the October meeting. This suggestion met with the Board's approval.

6. Discussion and possible action to approve Amended FY 2009 District Budget.

After questions and explanation of the proposed Budget amendment Director Sandel moved that the Amended FY 2009 District Budget be approved. Director Minze seconded. **MOTION CARRIED**

7. Discussion and possible action to approve FY 2009 - 2010 District Budget.

General Manager Behm delineated the revenue and expenses proposed in the FY 2010 including funding a part-time permitting assistant. Director Morrison moved approval of the 2009-2010 District Budget. Director Copeland seconded. **MOTION CARRIED.**

**At 7:04 PM the Board went into Executive Session for consultation with their attorney. The Board members and Attorney Bill Dugat left the room and met in the district offices. The meeting was reconvened in open session at 7:24 PM**

2. Public Hearing – Consideration of request from Spring Preserve Water Company for and the July 15, 2009 protest by Rick Welch of an application filed by Spring Preserve Water Company LLC, whose address is c/o New Waverly sound Investments, LLC; PO Box 502, Hockley, TX, 77447, for an operating permit for a non-exempt public water supply well BWLL-0048, located generally six miles northeast of Waller, Texas on Kickapoo Road and Hegar Parkway in the Shubal Marsh Survey, abstract no. 217. The volume of water proposed to be produced from this well is 44,712,500 gallons annually to be used to serve the Kickapoo Reserve Subdivision.

Hearing presiding officer President Patout asked each party who wished to address the Board to give a brief summary of their comments and an estimate of the time required to make their full presentations. President Patout explained that he wanted to proceed in this manner to get an estimate of the time required for the hearing to determine if the Board

should proceed with the hearing at this time or if the hearing should be continued to another date and time. The following persons addressed the Board in response to this request; Jim Blackburn and Adam Friedman, attorneys representing several parties; Jim Hodge; Rita Pyle; Rick Welch; Tom Gleason; Frank Pokluda and Michael Gershon, attorney representing the applicant.

3. Discussion and possible action on the Spring Preserve Water Company LLC request for Well Operating Permit for Well BWLL-0048 in the amount of 44,712,500 gallons annually, and the protest by Rick Welch.

A. Further discussion and possible action on the operating permit for Well BWLL-0048 was delayed until a date, time and place was determined for the continued hearing.

B. Director Ward moved that the Board continue the hearing to another date with time and place to be determined by the General Manager, and with the agreement of Messrs: Gershon and Blackburn as to the notice of the hearing as well as a process for the hearing length, within 30 days time, if possible. Morrison seconded. **MOTION CARRIED**

8. Date for next Board meeting – October 21, 2009.

9. Adjourn

The meeting was adjourned at 8:48 PM.

**THE ABOVE MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE BLUEBONNET GROUNDWATER CONSERVATION DISTRICT HELD ON SEPTEMBER 16, WERE APPROVED AND ADOPTED BY THAT BOARD ON OCTOBER 21, 2009.**

(s) J Jared Patout

J. Jared Patout, President

**ATTEST:**

(s) Lloyd A Behm

Lloyd A Behm, Deputy Secretary