

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Board of Directors
Called Meeting and Public Hearing

Wednesday, November 18, 2009
10:00 AM

Bluebonnet Groundwater Conservation District
Waller County Road and Bridge Office
775 Business 290 East
Hempstead, Texas

AGENDA

1. Call to order
2. Public Hearing. A hearing will be conducted by a quorum of the Board of Directors with the Board President or other person selected by the Board in the absence of the Board President acting as the Presiding Officer. The hearing will be conducted under the District Rules applicable to a contested application and in accordance with the October 15, 2009 Order of the Presiding Officer. Persons wishing to participate as a party must appear and demonstrate personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the Spring Preserve Water Company's actions and/or applications. An interest common to the general public does not qualify as a personal justiciable interest. The following will be considered:
 - a. Consideration of request from Spring Preserve Water Company LLC for and the protest against applications filed by Spring Preserve Water Company LLC for completion of a well drilling authorization and an operating permit for a non-exempt public water supply well BWLL-0048 located generally six miles northeast of Waller, Texas near the intersection of Kickapoo Road and Hegar Parkway in the Shubal Marsh Survey, abstract no. 217. The application is for production of 44,712,500 gallons annually to be used to serve the Kickapoo Preserve Subdivision for a well screened at a depth between 320 and 370 feet below ground surface.
 - b. Complaint filed by Rick Welch under District Rule 15.2 alleging that Spring Preserve Water Company LLC has drilled a well without authorization in violation of Texas Water Code § 36.115 and District Rules 8.2, 8.3 and 8.12. The location of the well is generally six miles northeast of Waller, Texas. The hearing will allow Rick Welch, Spring Preserve Water Company LLC, the General Manager of the District, and any parties designated by the Presiding Officer to

present evidence on whether a violation has occurred, whether the well drilling authority and/or operating permit for Spring Preserve Water Company LLC should be suspended, cancelled, or otherwise restricted or limited, whether civil penalties should be pursued, and the amount of such penalty, if any.

3. Discussion and possible action. Following the public hearing, the Board will consider and may take action on:

a. Applications filed by Spring Preserve Water Company LLC for completion of a well drilling authorization and an operating permit for a non-exempt public water supply well BWLL-0048 located generally six miles northeast of Waller, Texas near the intersection of Kickapoo Road and Hegar Parkway in the Shubal Marsh Survey, abstract no. 217. The application is for production of 44,712,500 gallons annually to be used to serve the Kickapoo Preserve Subdivision for a well screened at a depth between 320 and 370 feet below ground surface.

b. Complaint filed by Rick Welch under District Rule 15.2 alleging that Spring Preserve Water Company LLC has drilled a well without authorization in violation of Texas Water Code § 36.115 and District Rules 8.2, 8.3 and 8.12. The location of the well is generally six miles northeast of Waller, Texas.

If required, the Board will continue the hearings and/or deliberations to some other day, time, and place.

4. Adjourn

Executive Session

The Board of Directors of the Bluebonnet Groundwater Conservation District reserves the right to adjourn into Executive (Closed) Session at any time during the course of this meeting to discuss any of the items listed on this agenda, as authorized by the Texas Government Code, §§ 551.071 (Consultations with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development). No final action will be taken in Executive Session.

Posted _____ at _____
By _____
(Title) _____