

## NOTICE OF OPEN MEETING

Notice is given that a **continuation of a Public Hearing** of the Board of Directors of the Barton Springs/Edwards Aquifer Conservation District initiated on August 27, 2009, will be held in the **Fellowship Hall, Hays Hills Baptist Church, 1401 N FM 1626, Buda, TX, on Saturday, December 5, 2009, commencing at 9:00 a.m. and continuing on that day until no later than 5:00 p.m., and, as necessary and subject to cancellation, reconvening on Monday, December 7, 2009, at 6 p.m., and again on Tuesday, December 8, 2009, at 6 p.m., at the same location** for the following purposes:

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney). No final action or decision will be made in Executive Session.

1. **Call to Order.**
2. **Public Hearing (Contested Case)**

The Board will continue the contested-case with a Hearing on the Merits of the applications submitted by the City of Kyle for 1) a Class B Conditional Production Permit to increase the permitted pumpage from the Edwards aquifer for public water supply purposes from 165,000,000 gallons/year up to 350,000,000 gallons/year, and 2) a Transport Permit to export the increased volume outside of the District into the City of Kyle's service area. The increased pumpage requested would be from the City of Kyle's existing Well No. 4, located near the intersection of RM 2770 and CR 171 in the 700 block of Kohlers Crossing, in Kyle, Texas.

Note: This Hearing on the Merits is an evidentiary proceeding before the Board of Directors and will be conducted in accordance with the stipulated "Procedures, Schedule, and Logistics For Hearings on the City of Kyle Permit Amendment" previously agreed among the parties in the contested case. While open to the public, no public testimony or comments will be allowed during this hearing. Only the designated parties to the case will provide testimony in this hearing. Public testimony may be offered in the Regular Meeting of the District's Board of Directors in which the subject of this contested case is considered for action.

3. **Discussion and Possible Action. At the conclusion of the hearing, the board will consider and may take action on:**

The applications submitted by the City of Kyle for 1) a Class B Conditional Production Permit to increase the permitted pumpage from the Edwards aquifer for public water supply purposes from 165,000,000 gallons/year up to 350,000,000 gallons/year, and 2) a Transport Permit to export the increased volume outside of the District into the City of Kyle's service area.

The increased pumpage requested would be from the City of Kyle's existing Well No. 4, located near the intersection of RM 2770 and CR 171 in the 700 block of Kohlers Crossing, in Kyle, Texas.

**If required, the Board or the Presiding Officer may continue the hearing and/or deliberations to some other day, time and place.**

**4. Adjournment.**

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the \_\_\_\_\_<sup>th</sup> day of December, 2009, at \_\_\_\_\_ .m.

\_\_\_\_\_, Deputy Clerk

Travis County, TEXAS

**Please note:**

This agenda and available related documentation have been posted on our website, [www.bseacd.org](http://www.bseacd.org). If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you.

The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.