

Public Notice - San Marcos Daily Record

Electro Purification LLC (Applicant), 4605 Post Oak Place Houston, TX 77027, filed a Well Modification Authorization Application and a Production Permit Application on July 13, 2017 with the Barton Springs/Edwards Aquifer Conservation District (District) to modify seven test wells and for an Historic Use Trinity Production Permit to withdraw an annual permitted volume of 912,500,000 gallons/year (2.5 MGD) from the Middle Trinity Aquifer for wholesale public water supply. The District's General Manager determined the application to be administratively complete on May 21, 2018, and issued its recommendation for issuance of Production Permit.

The well field is located on two properties located along FM 3237 approximately 9 miles northwest of the City of Kyle and 5.5 miles northeast of Wimberley, in central Hays County. The physical address on the application is 7205 Old Kyle Road, Wimberley, TX 78676 (Lat 30°02'46.50", Long 98°00' 56.28").

The General Manager (GM) and staff have reviewed and determined that the permit application satisfies all District requirements and is administratively complete. The GM has developed a Statement of Position recommending the Board of Directors (Board) approve a phased Trinity Production Permit with Special Provisions. The GM proposes to authorize up to 182,500,000 gallons/year (0.5 MGD) in an initially authorized production Phase I. The GM will consider authorizing additional phases of production from the well field conditioned on the Applicant satisfying permit-specified requirements. The proposed additional phases are: Phase II at 1 MGD, Phase III at 1.5 MGD, and Phase IV at 2.5 MGD.

If approved by the Board, the Applicant will be required to comply with the drought curtailments of an Historic Use Trinity Production Permit for the authorized phase, as well as, the terms outlined in the proposed Special Provisions. The Special Provisions include a Compliance Monitoring Plan, Impact Avoidance Plan, and Mitigation Plan. The applications, GM's Preliminary Decision, GM's Statement of Position, and proposed Special Provisions are available on the District's website at [www.bseacd.org](http://www.bseacd.org).

The Board may grant a contested case hearing on the application if a written hearing request is filed within 20-days after the publication date of this notice. To request a contested case hearing, you must submit in writing to the District the information required under District Rule 4-9.13. For a party desiring for the hearing to be conducted by the State Office of Administrative Hearings (SOAH), the request must include the statement: "[I/we] request that the SOAH conduct the hearing." Note that a party requesting that SOAH conduct the hearing, shall pay all costs associated with the contract for a SOAH hearing and will be required to deposit with the District an amount determined by the District to pay the SOAH contract amount.

You may also file written comments within 20-days after the publication date of this notice without requesting a contested case hearing. Comments or requests for a contested case hearing must be submitted to the District in writing by mail or hand delivery to 1124 Regal Row, Austin, Texas 78748; facsimile (512) 282-7016; or, e-mail [bseacd@bseacd.org](mailto:bseacd@bseacd.org).

The Notice is scheduled to be published June 3, 2018, in the *San Marcos Daily Record* newspaper. The last day to file comments and/or request for a contested case with the District will be Monday, June 25, 2018, because the 20<sup>th</sup> day following publication falls on a Saturday, June 23, 2018.

For further information, please contact the District, 1124 Regal Row, Austin, Texas 78748, (512) 282- 8441, [bseacd@bseacd.org](mailto:bseacd@bseacd.org). You may also contact the Applicant's representative, Edmond McCarthy at 512-904-2310.