

THE ORIGINAL WAS

**NOTICE OF PUBLIC HEARING AND MEETING
GONZALES COUNTY UNDERGROUND WATER CONSERVATION DISTRICT**

**FIFTEEN DRILLING AND PRODUCTION PERMITS AND A TRANSPORTATION PERMIT
AND OTHER RELATED AGREEMENTS AND ACTIONS
REQUESTED BY
HAYS CALDWELL PUBLIC UTILITY AGENCY**

On November 13, 2012 at the Gonzales County Court House in the District Court Room Gonzales, TX beginning at 5:30 p.m., a quorum of the board of directors of the Gonzales County Underground Water Conservation District, will conduct a public hearing and public meeting relating to the applications, summarized as follows, filed by Hays Caldwell Public Utility Agency:

Hays Caldwell Public Utility Agency (HCPUA), 400 W. Hopkins, Suite 203, San Marcos, Texas 78666 has submitted applications to the Gonzales County Underground Water Conservation District (GCUWCD) to drill and produce fifteen (15) new water wells. The fifteen (15) HCPUA wells will be located in two well fields. The southern well field with ten (10) wells is located approximately six (6) miles north of Harwood, Texas and ten (10) miles northwest of Waelder, Texas. The northern well field with five (5) wells is located around the community of Delhi, Texas. HCPUA proposes to produce approximately 10,300 acre feet of water per year at an average rate of approximately 447 gallons per minute per well.

HCPUA has also applied to GCUWCD for a transportation permit to transfer water from the fifteen (15) production wells to a transportation facility located adjacent to FM 713 in Caldwell County. The transportation facility is capable of handling the 10,300 acre feet of water per year requested by HCPUA and will transport the water to the cities of Kyle, San Marcos, and Buda along with the Canyon Regional Water Authority and its member entities, including County Line Special Utility District, Crystal Clear Water Supply Corporation (WSC), Martindale WSC and Maxwell WSC. The GCUWCD will consolidate its consideration of the fifteen (15) drilling and production applications with the application for a transportation permit. As part of the applications, HCPUA has agreed to enter into agreements with the GCUWCD relating to mitigation, monitoring and negotiated export fees. In response to requests by former intervener's, HCPUA has also agreed to request the GCUWCD to approve the location of two wells located in the northern well field so that they are further away from certain property boundaries, and to approve the inclusion of additional wells in HCPUA's mitigation plan and agreement.

During the meeting and hearing, the board of directors will receive evidence submitted by HCPUA in support of the applications and requests and will discuss and take action regarding the approval or denial of the applications and related requests by HCPUA. Since all protests of the applications by persons previously granted party status have been withdrawn and the hearing is not a contested case hearing, the board of directors will not receive or consider evidence from persons other than the applicant and the staff of the GCUWCD. However, the board of directors will allow time for public comment.

The agenda for the public hearing and meeting is as follows:

1. Call to order.
2. Announcements regarding hearing procedure.
3. Public Comment.
4. Presiding Officer to take evidence on the applications and requests.
5. Board consideration of and action on applications and requests.
6. Board consideration of and action on relocating PW2 and PW3.
7. Board consideration of and action on Mitigation Agreement.
8. Board consideration of and action on Monitoring Plan.
9. Board consideration of and action on a Negotiated Export Fees Agreement.
10. Adjourn.

POSTED

OCT 31 2012
1:20 P

LEE RIEDEL
COUNTY CLERK, GONZALES COUNTY TEXAS

BY Marti Marra DEPUTY

Copies of the applications, agreements, and associated maps of the area are available at the offices of the Gonzales County Underground Water Conservation District, 920 Saint Joseph, Room 129, Gonzales, TX from 8:00 am to 5:00 pm, Monday through Friday. The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. These public meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting, please call 830.672.1047 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.

At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Gonzales County Underground Water Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§ 551.071); deliberation regarding real property (§ 551.072); deliberation regarding prospective gift (§ 551.073); personnel matters (§ 551.074); and deliberation regarding security devices (§ 551.076). Any subject discussed in executive session may be subject to action during an open meeting.