

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

NOTICE OF CONTESTED CASE HEARING

**APPLICATIONS OF ELECTRO PURIFICATION, LLC
FOR PERMITS TO DRILL, PRODUCE, AGGREGATE, AND TRANSPORT
GROUNDWATER FROM TEN PROPOSED WELLS IN
WALLER AND AUSTIN COUNTIES**

SOAH DOCKET NO. 951-13-4182

APPLICATION. On November 21, 2012, Electro Purification LLC, whose address is 4605 Post Oak Place, Suite 212, Houston, Texas 77027 (“Applicant”), filed applications with the Bluebonnet Groundwater Conservation District (“District”) seeking permits to drill 3 wells in Austin County and 7 wells in Waller County, for a total of 10 wells and to produce from the wells an aggregated maximum amount of twenty million gallons per day (approximately 22,500 acre-feet per annum). Applicant seeks authority to transport ten million gallons per day for beneficial use by the cities of Richmond and Rosenberg in Fort Bend County outside of the District for municipal purposes only. Additionally, Applicant intends to apply the remaining ten million gallons per day of produced water to beneficial, non-wasteful use for municipal and industrial purposes within or transported outside the District. Each of the wells would be 20 inches in diameter and completed in the Gulf Coast Aquifer. The Applicant proposes to manage production from the wells in a manner designed to minimize any interference with any neighboring wells completed in the same aquifer. The wells will be located on property in Austin and Waller Counties. The proposed Waller County wells are generally located at 36604 Fort Bend County Line Rd., Brookshire, Texas 77423, and the proposed Austin County wells are generally located at 6135 Coody Lane, Sealy, Texas 77474. Pertinent information and coordinates for the proposed wells are as follows:

Bluebonnet GCD Well No.	Well No.	Latitude	Longitude	Formation/ Aquifer	County
BWLL-0067A	EP-EVGL-1	29° 44' 7.314"N	95° 59' 22.716"W	Gulf Coast	Waller
BWLL-0067B	EP-EVGL-2	29° 43' 57.648"N	95° 59' 54.939"W	Gulf Coast	Waller
BWLL-0067C	EP-EVGL-3	29° 43' 42.955"N	96° 0' 24.544"W	Gulf Coast	Waller
BWLL-0067D	EP-EVGL-4	29° 44' 6.021"N	96° 0' 45.156"W	Gulf Coast	Waller
BWLL-0067E	EP-EVGL-5	29° 43' 42.908"N	96° 1' 6.502"W	Gulf Coast	Waller
BWLL-0067F	EP-EVGL-6	29° 43' 55.350"N	96° 1' 37.439"W	Gulf Coast	Waller
BWLL-0067G	EP-EVGL-7	29° 44' 18.645"N	96° 1' 58.523"W	Gulf Coast	Waller
BAUS-0067A	EP-EVGL-8	29° 42' 2.388"N	96° 2' 28.796"W	Gulf Coast	Austin
BAUS-0067B	EP-EVGL-9	29° 41' 44.696"N	96° 2' 1.456"W	Gulf Coast	Austin
BAUS-0067C	EP-EVGL-10	29° 42' 2.764"N	96° 1' 34.442"W	Gulf Coast	Austin

CONTESTED CASE HEARING. The State Office of Administrative Hearings (“SOAH”) will conduct a preliminary hearing on these applications at:

10:00 a.m. – October 28, 2013
Austin County Expo Center at Austin County Fairgrounds
1076 East Hill
Bellville, Texas 77418

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the contested case proceeding, and address other matters as directed by the Administrative Law Judge (“ALJ”). The evidentiary phase of the proceeding will be similar to a civil trial in a state district court. The hearing will be conducted in accordance with Subchapters C, D, and F, Chapter 2001, Texas Government Code; Chapter 36, Texas Water Code; the Rules of the District; and the procedural rules of SOAH, including Title 1, Texas Administrative Code, Chapter 155.

The Applicant is automatically a party in this hearing. If any other person wishes to be a party to the hearing, the person must attend the preliminary hearing and show the ALJ how the person would be affected by the application in a way not common to members of the general public. Any person may attend the hearing and any person may request to be named as a party by the ALJ. Only persons named as parties may participate in the evidentiary phase of the proceeding.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-3445, at least one week prior to the hearing.

INFORMATION. The applications are available for review at the District Offices, 303 East Washington Avenue, Suite D, Navasota, Texas 77868, or on the District’s website at www.bluebonnetgroundwater.org.

Issued: October 11, 2013

Zach Holland, General Manager
Bluebonnet Groundwater Conservation District