

# PECAN VALLEY GROUNDWATER CONSERVATION DISTRICT

Darnell Knippa  
President

Clem Waskow  
Vice-Chairman

Wilbert Sauermilch  
Secretary/Treasurer

Marvin Sager  
Director

Tim Pennell  
Director

## NOTICE OF PUBLIC MEETING PECAN VALLEY GROUNDWATER CONSERVATION DISTRICT BOARD OF DIRECTORS

NOTICE IS GIVEN IN ACCORDANCE WITH CHAPTER 551, Government Code (V.T.C.A.) Texas Open Meetings Act that the Pecan Valley Groundwater Conservation District Board of Directors will hold a Public Meeting on

**Tuesday, August 19, 2014 at 2:00 PM at the  
DeWitt County Annex Courtroom, 115 N. Gonzales, Cuero, TX, 77954.**

### AGENDA

1. Call to Order.
2. Welcome Guests
3. Public Comment
4. Public Hearing – Charles Sutton III
  - a. Public Hearing on the Spacing Variance from Charles Sutton III. This hearing is to receive public comments on the Spacing Variance from Charles Sutton III. This property is located at 1191 Lakeside Drive, Cuero, Texas.
  - b. Discussion and consideration of spacing variance from Charles Sutton III
5. Public Hearing – Bluebonnet Youth Ranch
  - a. Public Hearing on the Drilling and Operating Permit Application from Bluebonnet Youth Ranch. The proposed permit application is to be used for irrigation. The Permit Application is requesting 11 AF of water per year. This property is located at 4652 US Hwy 77A South near Yoakum, Texas and involves 45 acres.
  - b. Discussion and consideration of drilling and operating permit application from Bluebonnet Youth Ranch.
6. Public Hearing – Kirk Laging
  - a. Public Hearing on the Drilling and Operating Permit Application from Kirk Laging. The proposed permit application is to be used for commercial use. The Permit Application is requesting 1 AF of water per year. This property is located at 579 US Hwy 87 North near Cuero, Texas and involves 2 acres.
  - b. Discussion and consideration of drilling and operating permit application from Kirk Laging.

7. Public Hearing – Harold High III
  - a. Public Hearing on the Drilling and Operating Permit Application from Harold High II. The proposed permit application is to be used for agriculture use. The Permit Application is requesting 62.93 AF of water per year. This property is located at 2173 Catholic Church Lane near Westhoff, Texas and involves 125.86 acres.
  - b. Discussion and consideration of drilling and operating permit application from Harold High III.
8. Public Hearing – Pete Dlugosch
  - a. Public Hearing on the Drilling and Operating Permit Application from Pete Dlugosch. The proposed permit application is to be used for commercial and agriculture use. The Permit Application is requesting 19.6 AF of water per year. This property is located at Hwy 72 West near Cuero, Texas and involves 43.39 acres.
  - b. Discussion and consideration of drilling and operating permit application from Pete Dlugosch.
9. Public Hearing – DeWitt County Precinct 2
  - a. Public Hearing on the Drilling and Operating Permit Application from DeWitt County Precinct 2. The proposed permit application is to be used for industrial use. The Permit Application is requesting 2.69 AF of water per year. This property is located on FM 1447 near Cuero, Texas and involves 5.39 acres.
  - b. Discussion and consideration of drilling and operating permit application from DeWitt County Precinct 2.
10. Public Hearing – James Claughton
  - a. Public Hearing on the Drilling and Operating Permit Application from James Claughton. The proposed permit application is to be used for irrigation use. The Permit Application is requesting 33.18 AF of water per year. This property is located at 1906 Mueller Lange Road near Cuero, Texas and involves 66.36 acres.
  - b. Discussion and consideration of drilling and operating permit application from James Claughton.
11. Public Hearing – Statoil US Holdings – Jeanie Heard
  - a. Public Hearing on the Operating Permit Amendment Application from Statoil US Holdings on Jeanie Heard's Property. The proposed permit amendment application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 7.25 AF of water per year for a total of 19.25 AF per year and a combined total of 99.25 AF per year from 3 water wells. This property is located on Alfred Blaschke Road near Nordheim, Texas and involves 145 acres.
  - b. Discussion and consideration of operating permit amendment application from Statoil US Holdings on Jeanie Heard's Property.

12. Public Hearing – Statoil US Holdings – Jeanie Heard

- a. Public Hearing on the Operating Permit Amendment Application from Statoil US Holdings on Jeanie Heard's Property. The proposed permit amendment application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 7.25 AF of water per year for a total of 19.25 AF per year and a combined total of 106.5 AF per year from 3 water wells. This property is located on Alfred Blaschke Road near Nordheim, Texas and involves 145 acres.
- b. Discussion and consideration of operating permit amendment application from Statoil US Holdings on Jeanie Heard's Property.

13. Public Hearing – Spacing Variance – BHP Billiton

- a. Public Hearing on the Spacing Variance from BHP Billiton on Cottonmill Trust's Property. This hearing is to receive public comments on the Spacing Variance from BHP Billiton. This property is located on Boldt Road near Cuero, Texas.
- b. Discussion and consideration of spacing variance from BHP Billiton on Cottonmill Trust's property.

14. Public Hearing – BHP Billiton – Cottonmill Trust

- a. Public Hearing on the Operating Permit Application from BHP Billiton on Cottonmill Trust's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Application is requesting 40 AF of water per year and a combined total of 140 AF from four water wells. This property is located on Boldt Road near Cuero, Texas and involves 587 acres.
- b. Discussion and consideration of operating permit application from BHP Billiton on Cottonmill Trust's Property.

15. Public Hearing – BHP Billiton – Cottonmill Trust

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Cottonmill Trust's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 20 AF of water per year for a total of 40 AF of water a year from this water well and a combined total of 160 AF from four water wells. This property is located on Boldt Road near Westhoff, Texas and involves 587 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Cottonmill Trust's Property.

16. Public Hearing – BHP Billiton – Oliver Ventures

- a. Public Hearing on the Operating Permit Application from BHP Billiton on Oliver Ventures' Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Application is requesting 30 AF of water per year and a combined total of 110 AF from three water wells. This property is located on Bellevue Cemetery Road near Westhoff, Texas and involves 944 acres.
- b. Discussion and consideration of operating permit application from BHP Billiton on Oliver Ventures' Property.

17. Public Hearing – BHP Billiton – Oliver Ventures

- a. Public Hearing on the Operating Permit Application from BHP Billiton on Oliver Ventures' Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Application is requesting 30 AF of water per year and a combined total of 140 AF from four water wells. This property is located on Bellevue Cemetery Road near Westhoff, Texas and involves 944 acres.
- b. Discussion and consideration of operating permit application from BHP Billiton on Oliver Ventures' Property.

18. Public Hearing – BHP Billiton – Johnny Blackwell

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Johnny Blackwell's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 30 AF of water per year for a combined total of 50 AF of water a year. This property is located on Boldt Road near Westhoff, Texas and involves 249 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Johnny Blackwell's Property.

19. Public Hearing – BHP Billiton – Clarence Arndt

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Clarence Arndt's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 30 AF of water per year for a combined total of 63 AF of water a year. This property is located on Arndt Road near Westhoff, Texas and involves 215 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Clarence Arndt's Property.

20. Public Hearing – BHP Billiton – Colina Ventosa

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Colina Ventosa's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 20 AF of water per year for a combined total of 33 AF of water a year. This property is located on US Hwy 87N near Westhoff, Texas and involves 1,542 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Colina Ventosa's Property.

21. Public Hearing – BHP Billiton – Bonnie Burton & Lanette Gips

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Bonnie Burton & Lanette Gips' Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 20 AF of water per year for a total of 40 AF of water per year and a combined total of 70 AF of water per year from two water wells. This property is located on US Hwy 87N near Westhoff, Texas and involves 114 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Bonnie Burton & Lanette Gips' Property.

22. Public Hearing – BHP Billiton – August & Hazel Schulle

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on August & Hazel Schulle's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 40 AF of water per year for a total of 80 AF of water per year. This property is located on US Hwy 87N near Westhoff, Texas and involves 182 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on August & Hazel Schulle's Property.

23. Public Hearing – BHP Billiton – Darlene Jordan

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Darlene Jordan's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 15 AF of water per year for a total of 30 AF of water per year. This property is located on Elroyce Helmers Road near Nordheim, Texas and involves 75 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Darleen Jordan's Property.

24. Public Hearing – BHP Billiton – Nick Ochoa

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Nick Ochoa's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 14 AF of water per year for a total of 40 AF of water per year. This property is located on Dworaczyk Road near Nordheim, Texas and involves 135 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Nick Ochoa's Property.

25. Public Hearing – BHP Billiton – Tam-Warzecha Estate Partnership

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Tam-Warzecha Estate Partnership's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 20 AF of water per year for a total of 40 AF of water per year and a combined total of 60 AF of water per year from two water wells. This property is located on FM 2656 near Nordheim, Texas and involves 159 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Tam Warzecha Estate Partnership's Property.

26. Public Hearing – BHP Billiton – Tam-Warzecha Estate Partnership

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Tam-Warzecha Estate Partnership's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 15 AF of water per year for a total of 35 AF of water per year and a combined total of 75 AF of water per year from two water wells. This property is located on FM 2656 near Nordheim, Texas and involves 159 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Tam Warzecha Estate Partnership's Property.

27. Public Hearing – BHP Billiton – Blake Muir

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Blake Muir's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 20 AF of water per year for a total of 40 AF of water per year and a combined total of 66 AF of water per year from two water wells. This property is located on FM 766 near Cuero, Texas and involves 402 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Blake Muir's Property.

28. Public Hearing – BHP Billiton – Blake Muir

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Blake Muir's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 14 AF of water per year for a total of 40 AF of water per year and a combined total of 80 AF of water per year from two water wells. This property is located on FM 766 near Cuero, Texas and involves 402 acres.
- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Blake Muir's Property.

29. Public Hearing – BHP Billiton – Blake Muir

- a. Public Hearing on the Operating Permit Amendment Application from BHP Billiton on Blake Muir's Property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 17 AF of water per year for a total of 50 AF of water per year and a combined total of 380.89 AF of water per year from eight water wells. This property is located on FM 766 near Cuero, Texas and involves 1,867 acres.

- b. Discussion and consideration of operating permit amendment application from BHP Billiton on Blake Muir's Property.
- 30. Discussion regarding complaints about permitted well #0268 and water table dropping.
- 31. Minutes from 7-15-14 Meeting (provided prior to meeting)
- 32. Financial Report – July (provided prior to meeting)
- 33. Budget/Tax Rate Workshop
- 34. Discussion and consideration of moving September board meeting date
- 35. Discussion and possible action regarding enforcement actions against Carol Schultz, Brian Dlugosch and update regarding Kenneth Benbow.
- 36. Discussion and consideration of office renovations
- 37. Discussion and consideration of Certification of Unopposed Candidates and Order Cancelling the Election for Precincts 1, 2, or 3
- 38. GM Report
  - a. Update on Water Quality Testing Program
  - b. Update on Water Level Testing Program
- 39. Closed Meeting (If necessary) – Close the meeting to conduct private consultation with PVGCD attorney regarding matters protected by the attorney-client privilege pursuant to V.T.C.A. Government Code 551.07. or to discuss matters regarding personnel pursuant to V.T.C.A. Government Code 551.074
- 40. Return to Open Meeting (If Necessary) – Return to open meeting and take any action deemed necessary based upon discussions in closed meeting pursuant to V.T.C.A. Government Code 551.102
- 41. Next Scheduled Board Meeting Date September 16, 2014
- 42. Adjourn

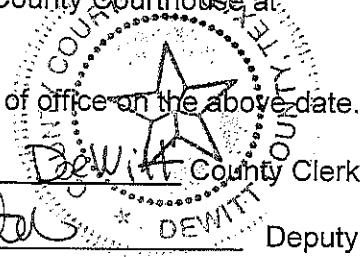
(In accordance with Title III of the Americans with Disabilities Act, we invite all attendees to advise us of any special accommodations due to disability. Please submit your request as far as possible in advance of the program you wish to attend.)

Certificate of Posting 72 Hour Notice

The above Notice of Meeting was posted at 9:45 am on Friday, August 15, 2014 at a place convenient to the public on a bulletin board in the DeWitt County Courthouse at Cuero, Texas.

WITNESS MY HAND AND SEAL of office on the above date.

Natalie Carson



DeWitt County Clerk

By Sam Brandstetter Deputy