

WINTERGARDEN GROUNDWATER CONSERVATION DISTRICT
NOTICE OF FINAL PUBLIC HEARING ON PERMIT APPLICATIONS

Notice is hereby given in accordance with Sections 36.404(c) and 36.4165 of the Texas Water Code and Section 2001.052 of the Texas Government Code that the Board of Directors of the Wintergarden Groundwater Conservation District ("District") will conduct a final hearing on consideration of a proposal for decision as set forth in detail below at 12:00 p.m. on Wednesday, March 25, 2020, at Yolie's Steakhouse located at 1511 N. Highway 83, Crystal City, Texas 78839.

Matter: State Office of Administrative Hearings (SOAH) Docket No. 962-19-1978; Applications of Black Mountain Sand, LLC

Applicant: Black Mountain Sand, LLC, 420 Commerce Street, Suite 500, Fort Worth, Texas 76102

Summary of Applications: (1) Application for Water Well Permit for Proposed Well No. 2; (2) Application for Water Well Permit for Proposed Well No. 3; and (3) Application for Water Well Permit Amendment for Existing Well No. 18-349 to reduce production from the Wilcox Aquifer

Location of New Water Wells: Well No. 2 located at 28.461211° N, -99.909185° W in Dimmit County; Well No. 3 located at 28.461654° N; -99.917206° W in Dimmit County

Purpose of Use: Industrial; Sand mining

Requested Amount of Use: Total production from two new wells of 1,290 acre feet per year

Amount Proposed to be Granted Pursuant to Proposal for Decision: Total production from two new wells of 485 acre feet per year

Maximum Production Capacity of Wells: Two wells at 400 gallons per minute per each well

Aquifer: Carrizo (two new wells); Wilcox (existing well; production requested to be reduced)

On January 28, 2020, the State Office of Administrative Hearings (SOAH) Administrative Law Judges issued a Proposal for Decision in the above-referenced permitting matter. Pursuant to Section 36.4165 of the Texas Water Code, the District Board of Directors will make a final decision on consideration of the Proposal for Decision. For additional information about the applications or the permit hearing process, please contact the District at:

Wintergarden Groundwater Conservation District

Phone: (830) 876-3801

Mailing Address: P.O. Box 1433, Carrizo Springs, TX 78834

Physical Address: 2881 Highway 277 West, Carrizo Springs, Texas 78834

Email: wgcd@wgcd.net

Website: www.wgcd.net

District Certification:

This is to certify that prior to 5:00 p.m. on March 13, 2020, I posted this NOTICE OF FINAL PUBLIC HEARING ON PERMIT APPLICATIONS ("Notice") on the bulletin board of the District office, posted the Notice on the District's internet website, provided the Notice to the Dimmit County Clerk's office, the La Salle County Clerk's office, and the Zavala County Clerk's office, and provided the Notice to the Applicant, the Parties to the evidentiary hearing, and all other individuals required by Section 36.404 of the Texas Water Code.

Signed: *Debbie Farmer*