

207h

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN 14 AM 8:09

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: Beth Cross-Watson

Address: 229 SUNDAY CIRCLE

City/State: FBG TX Zip: 78624

Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

5/08/2006 14:32 FAX

SE

001/002

JOHN CORNYN
TEXAS

United States Senate

WASHINGTON, DC 20510-4305

ADJ 1441

May 4, 2006

OPA

NOV 10 2006

BY _____

Texas Commission On Environmental Quality
MC 119
P.O. Box 13087
Austin, Texas 78711-3087
512-239-4430

ADJ
1441
3087

RECEIVED

MAY 11 2006

WATER RIGHTS PERMITTING

Re: Barbara Mann/ 1 pages to follow

My constituent has sent the enclosed communication. A response which addresses his/her concerns would be appreciated.

Please send your response to the following address:

Office of Senator John Cornyn
Occidental Tower
5005 LBJ Freeway, Suite 1150
Dallas, Texas 75244-6199

ATTN: Anna Smith
(972) 239-3984
(972) 239-2110 (Fax)

E-mail: Anna_Smith@cornyn.senate.gov

Enclosure

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
NOV 10 AM 10:39
CHIEF CLERKS OFFICE

Received

MAY 08 2006
TCEQ Wastewater Permitting
Land Application Team

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA

MAR 17 2006

2006 MAR 17 AM 9:28 BY DA

Application #14-1441A
OFFICE OF THE CHIEF CLERK

ADD
50857

Office of the Chief Clerk,
MC 105 TCEQ
P.O. Box 13087
Austin, TX 78711

RE: Certificate of Adjudication #14-440
~~I am enclosing~~ with TCEQ (Boat Ranch
Request

I am enclosing the copy of the
above application which I approve.

I am about 3 miles downstream
from Boat Ranch and I have owned
my home & lived here for 30 years.
Due to the lack of rain my hay
crop was very small so I have
sold my live stock. I now find
that I will have no water in my
creek if this is approved.

The original application was for
agricultural purposes. What kind
of a crop do you grow on a golf
course? This was a lie from the
start. I don't trust or like
people who lie.

Who is going to check on how
much water they use on the golf

course?

I am sorry my writing is so bad but this happens when you get to be 80 years. I don't have a typewriter.

over My wife and I protest this change.

Thank You

Tom Alt

THOMAS & ALETHIA ALT

830-997-7316



Mr. Tom Alt
3588 Lower Crabapple Rd.
Fredericksburg, TX 78624

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN 14 AM 8:09

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name:

Ann Baltzer

Address:

PO Box 1459

City/State:

Fredricksburg, TX

Zip:

78624

Phone: ()

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.



50857
WR

JUNE 6 2006

EXECUTIVE DIRECTOR AND STAFF
TEXAS COM. ON ENVIRONMENTAL QUALITY
AUSTIN TEXAS

RE: BOOT RANCH DEV. APPLICATION # 14-1441A

DEAR TCEQ:

PLEASE CONSIDER THIS AS A WRITTEN COMMENT IN
OPPOSITION TO THE APPLICATION REFERENCED ABOVE.

AN APPROVAL OF THIS UNBALANCED REQUEST WOULD GIVE
THE PERCEPTION OF TCEQ FAVORING WEALTHY COMMERCIAL
ENTERPRISES (OVER AREA LANDOWNERS AND RESIDENTS).

TCEQ SHOULD CONSIDER DROUGHTS, DRY CREEK CONDITIONS,
HEAT WAVES -- AS WELL AS THE PERCEPTION OUTCOME
OF THIS PRECEDENT.

MOST SINCERELY,
GILLESPIE COUNTY, CITY OF FBG PROPERTY OWNER:

Ann Baltzer
ANN BALTZER
PO BOX 1459
FREDERICKSBURG TX 78624-1459

OPA RECEIVED

JUN 06 2006 *Jr*

AT PUBLIC MEETING

d

18th

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 JUN 14 AM 8:09
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: E.J. Beyer
Address: 760 Beyer Rd.
City/State: Fredericksburg, Texas Zip: 78624
Phone: (830) 997-3523

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

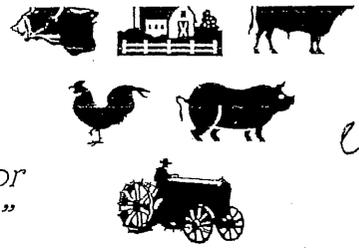
I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Beyer Farms

760 Beyer Rd
Fredericksburg, TX 78624
(830)997-3523 - fax: (830)997-3523

"Farming for
the Future"



50357
WR

June 6 - 2006

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

Letter TO TORA + LCRA

Our Farm + Ranch is on 1631-7m Road.

1 1/2 Mile Past From The Pecos River north.
In an worst Drought once Cattle Dried on
Water Holes in The Palo alto Creek Bottom
if we cut of. underground. Water above.
No Flow will fill Watering Holes For
Line Stock and other animals to Drink
When it gets Dried.

This has True For Watering Holes
4 out of 10 Years.

We and my adjoining Nabor Relij on
aquifer water

we have 152 Mamma Cows
+ 90 Calves at this Time
Prof 150 white tail Deer and Cakes.
Please Use gray water to Keep grass
Green, and Not good Drinking Water.

Thank...

OPA

MAR 01 2006

To whom this may concern (Cheif Clerk)

Larry Beyer 44 Lonesome Trail - (830)997-3061

BY KY

Boot Ranch Developement Permit No. 141441

- 1.The well for my home will go dry
- 2.Cattle willnot be able to get water
- 3.Land value will go down

AJD
50857

The Palo Alto creek runs throw my property , 200 yards from my home
About a mile from the Pedernales

Larry Beyer

CHIEF CLERK'S OFFICE
MAR 01 11 03 AM '06

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA

MAR 17 2006

2006 MAR 17 AM 9:29

BY DM

CHIEF CLERKS OFFICE

Chief Clerk
M C 105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711- 3087

*AD
3087*

Dear Chief Clerk:

I have just become aware of a legal notice recently published in the Fredericksburg Standard Radio Post stating that the Boot Ranch, located five miles north of Fredericksburg on farm road 965 has applied for an amendment to a certificate of Adjudication No. 14-1441 with the Texas Commission on Environmental Quality to markedly increase the size of their reservoir fed by creeks on their land and to use great quantities of this water for irrigation purposes.

I am the general partner of a family limited partnership who owns the property directly across F M 965 from the Boot Ranch and am greatly concerned about anything that should alter the flow of the creek that comes out of their property, runs beneath the bridge and then through the land of the Brannan Family Partnership. Secondly, I read that at least eight large wells are being drilled into the same aquifer that serves for domestic water supply for our houses and livestock.

I would like to know if a study has been made of the effect of these new usages of water by Boot Ranch on the aquifer that we all share and also on the neighbors down stream from the new Boot Ranch Golf Resort. May I please receive a report on the findings. If there is no such study I believe it is incumbent on the Commission to do one.

May I also please ask you for the name of the Chairman of the Texas Commission on Environmental Quality and the names and addresses of the members of the commission.

I thank you in advance for your courtesy of a reply and for your concern for environmental issues that may affect the landowners of Gillespie county.

Sincerely yours,

Harold M. Brannan

Harold M. Brannan, M. D.
200 Patterson Ave. # 606
San Antonio, TX 78209

(1st)

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:06

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: CURTIS CAMERON

Address: 111 CAMERON RD

City/State: FREDERICKSBURG TEXAS Zip: 78624

Phone: (830) 997-4625

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? WILKESPIE CO COMMISSIONER Pct 1

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

A

814 Triple Creek Road
Fredericksburg, Texas 78624
830-997-0734

ADJ
50857

Chief Clerk
Texas Commission of Environmental Quality

OPA

MAR 06 2006

BY JS

CHIEF CLERK'S OFFICE

I am David Cantu and I live 0.1 mile from the Palo Alto Creek in Gillespie County. I am writing to protest an amendment to a Certificate of Adjudication No. 14-1441 by Boot Ranch Developers. They are seeking to divert the majority of the water from Palo Alto Creek for the irrigation of their golf course. Doing so benefits the few out of town financial elites that will spent an occasional afternoon on the course and deprives the permanent down stream residents that depend on this water. Furthermore, this diversion is a slap in the face of all water conservation efforts in our county.

Alternatives exist. Boot Ranch can purchase reclaimed water from City of Fredericksburg Waste Water Treatment Plant as does our local Lady Bird Johnson Golf Course.

Please consider the well being of the established permanent residents of Gillespie County (especially those on or near Palo Alto Creek) when deciding this matter.

David and Pam Cantu

Daughters: Lea (age 4) and Emma (age 1)

14-1448

OPA

MAR 06 2006

BY

js

508057

My Property is located just across RR tracks from the Boot Ranch development. I am, along with 2 of my children who also live on this property, very concerned about the development of Boot Ranch and the extreme amount of water, both creek and ground water, that it will take to operate this facility. A cousin Shirley Preece, whose husband died recently and who lives in Austin but plans to move here to her property may not be aware of the consequences that hold for her since she depends on the Palo Alto creek and a spring which comes out on the bank of the creek for her only water as she lives against the granite mountain called Bear Mountain and has not been able to drill a well and obtain water. I have drilled 10 wells over several years and gotten only enough water to pour a pump on 1. I feel if Boot Ranch takes that much water for their use we will all suffer in this neighborhood.

WA

cc Larry E. Jung
546 Twin Creek Ln.
Fredericksburg Tex 78624

830-997-4260

Boat Ranch Development L.P.
adjudication # 14-1441

From: 2108244106
MAR/28/2006/TUE 08:53 AM MC2/C DW

Mar 28 2006 8:54 P.01
FAX No. 210 824 3 F

24 March 2006

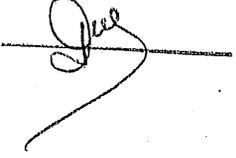
Office of the Chief Clerk
Mail Code 105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA

MAR 28 2006

ADD
50857

FAX (512) 239-3311
U. S. Mail

BY 

Reference: Applicant: BOOT RANCH
Permit Application #14-1441A

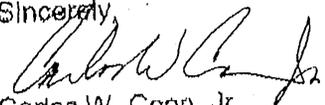
Like other members of the community, we are concerned about the impact of the diversion proposed in the application described above. The Palo Alto Creek is important to all of us who live in the area. In over thirty years, with multiple crossings every day, we have seen the Palo Alto as a torrent and as a trickle. We would consider it a tragedy if the selfish desires of a few upstream users could deny others a feature that we have come to cherish.

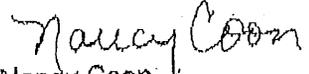
From the information that we have been able to obtain, it appears that the proposed diversion would exceed the capacity of the stream in most conditions. We would like to obtain the background information for the permit, including the analysis of the TCEQ Hydrology Team and the supporting data on stream flow conditions from the water availability model.

If a time line for permit application and review exists, a copy of that document would be most helpful.

We look forward to receiving information on this application.

Sincerely,


Carlos W. Coon, Jr.


Nancy Coon
1749 Middle Creek Road
Fredericksburg, Texas 78624
(830) 997-4005
(830) 997-5257 FAX

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
MAR 28 AM 8:52
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

24 March 2006

2006 MAR 30 AM 10:05

Office of the Chief Clerk
Mail Code 105
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

CHIEF CLERKS OFFICE

FAX (512) 239-3311
U. S. Mail

OPA

MAR 31 2006

Reference: Applicant: BOOT RANCH
Permit Application #14-1441A

ADJ
50857

BY DM

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We look forward to receiving information on this application.

Sincerely,


Carlos W. Coon, Jr.


Nancy Coon

1749 Middle Creek Road
Fredericksburg, Texas 78624
(830) 997-4905
(830) 997-5257 FAX

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 MAR -1 AM 9:38

CHIEF CLERKS OFFICE

Elizabeth Covert
Rivercreek Ranch
3402 Southill Circle
Austin, Texas 78703
(512) 459-5939

OPA

MAR 01 2006

BY KG

Office of the Chief Clerk
MC 105
P.O.Box 13087
Austin, TX 78711-3087

ADD
50854

February 27, 2006

To Whom It May Concern:

In the Fredericksburg paper this week I read a letter to the Editor that has greatly alarmed me. It concerned the Boot Ranch Development, Permit #14-1441, and the invasive nature of that development along the Palo Alto Creek and the Pedernales River.

My property is located on Draper-Smith Lane approximately 10 miles southeast (as the crow flies) of the Boot Ranch Development. Draper-Smith Lane runs off of Goehmann Lane immediately north of Hwy 290. The Palo Alto Creek runs a mile in length through my property and empties into the Pedernales River at the southeast corner.

The natural sources of these water supplies is of the utmost importance to the health and wellbeing of the wildlife and livestock that I care for. I believe that the Boot Ranch Development is asking too much of current property owners and overstepping their boundaries to make a request that could, most likely, cause the natural water ways to dry up. It would, without a doubt, cause a monetary loss in our agricultural and livestock operation and, without the natural sources of water, property values of the surrounding properties would be adversely affected.

Barbara Mann is correct in saying that the developers should have done a better job planning for their water needs. Why can't they form their own water district instead of taking away the natural resources that the surrounding landowners depend on?

Sincerely,

Elizabeth Covert
Elizabeth Covert

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Elizabeth Covert

Address: 3402 Southill Circle

City/State: Austin TX Zip: 78703

Phone: (512) 459-5939

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

50851
wr

① What has happened to the plan to water the Boot Ranch golf course with effluent water from the Ibg. Wastewater Treatment Plant?

② The Boot Ranch has applied for a 90 surface ^{lake} area permit on the Palo Alto. What compensation will the Boot Ranch make to the downstream landowners who depend on the Palo Alto Creek water for their livestock and for the wildlife in that area?

OPA RECEIVED

JUN 06 2006

Jr

AT PUBLIC MEETING

A

50851
WR

OPA RECEIVED

JUN 06 2006 JP

AT PUBLIC MEETING

Rivercreek Ranch
869 Draper-Smith Lane
Fredericksburg, Texas 78624

To: Texas Commission on Environmental Quality
From: Elizabeth Covert
3402 Southill Circle
Austin, Texas 78703

Dear Members of the Commission:

The purpose of my response is to lodge an objection concerning the Boot Ranch Development and it's desire to retrieve water from the Palo Alto Creek and the Colorado River Basin as a water source for the development of their golf course and surrounding property.

1. Boot Ranch has an available water source from the City of Fredericksburg.
2. Effluent water is a recognized way of watering golf courses. Effluent lines can be run from the city to the development and the treated water could be used as their additional water supply.
3. The volume of water required (1 MILLION gallons A DAY to grow in a course and 500,000 to 700,000 gallons A DAY to maintain) would very likely impede the natural resource of the Palo Alto Creek and the Colorado River Basin.
4. Land owners who adjoin these water sources depend on them for preserving the natural wildlife, maintaing their own livestock and for the beauty and economic value of their land.
5. Boot Ranch Development should have preformed a water analysis before they began developing. If they did, and find they have come up short in the demands, the landowners should not have to pay for their mistakes and errors in judgement.
6. The Boot Ranch Development is not for municipal use. It is a golf club and homesite that is exclusive and expensive. Memberships are sold for \$175,000 and available lot

AA

prices begin at \$750,000.00 and go up to \$1,615,000.00.
Only the private interests of the membership will be served by
tapping into these beautiful natural water sources. It is a
detriment to the landowners and the public's interests, rights
and welfare.

Their petition, therefore, should not be granted.

Respectfully submitted,

Elizabeth Covert

Elizabeth Covert

STATE OF TEXAS
COUNTY OF TARRANT
OPEN

OPA

MAR 01 2006

BY KY

FEB -1 AM 9:36

Feb 27, '06

CHIEF CLERKS OFFICE

Sirs:

My name is Harold Carl
595 Phillipa Lane, Frg. Tx.
tel # 830-997-7082. Cell
456-4080.

ADD
b
15885
55857

It went to enter my
objection to any further diversion
of waters from Palo Alto creek
& Pedernales river as proposed
by Boot Ranch Development
in their application # 14-1441.

We have seen over past
several years a diminished flow
of water in the river which flows
behind our property.

Water table had dropped to
the point that we had to drill
a new well for domestic &
livestock use.

When we purchased our property
in 1978 we were informed there
would be no more permits issued

to divert water from the river
for irrigation purposes.

My chief concern is they
will divert the water that
enters the Pedernales $\frac{1}{2}$ mi from
my property which will further
~~injure~~ ~~decrease~~ our future property
values for the family and our
neighbors.

Very truly yours
Harold Auel



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

ms
2006 MAR - 7 PM 1:03

CHIEF CLERKS OFFICE

OPA

MAR 08 2006

BY *gr*

March 7, 2006

Ms. LaDonna Castañuela
Chief Clerk, MC-104
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

*ADD
50857*

RE: Application No. 14-1441A, Application of Boot Ranch Development, Ltd. to Amend Water Right

Dear Ms. Castañuela:

I am writing on behalf of the Lower Colorado River Authority (LCRA) regarding the above-referenced water rights application. LCRA recognizes and appreciates the need for water rights holders to be able to obtain necessary amendments to make use of these water rights as needs in the basin change over time.

As a downstream senior water right holder, LCRA's primary concern is to ensure that the requested amendment does not impact our ability to fully exercise our water rights. In this instance, because the Applicant seeks to use more water than originally authorized under Certification of Adjudication 14-1441, the Applicant must either demonstrate that additional water supply is available for appropriation or that another source of supply is available. Because there is general recognition that there is no additional water available for appropriation in this part of the basin, the Applicant has obtained an upstream water sale contract with LCRA that allows the Applicant to divert and use water that LCRA would otherwise be legally entitled to impound in Lake Travis or use under its other downstream senior water rights. With this contract and its accounting provisions, LCRA is satisfied that its senior water rights are adequately protected. The requested permit amendment should contain a condition requiring the Applicant to maintain this or a comparable water supply contract in effect for the duration of the permit.

If you have any questions, please call me at (512) 473-3378.

Sincerely,

Lyn Dean
Lyn Dean

Associate General Counsel
Lower Colorado River Authority

cc: Paul Thornhill, PR, Deputy General Manager, LCRA
Karen Bondy, Executive Manager, River Services, LCRA
Bob Brandes, R. J. Brandes Company, 4900 Spicewood Springs Road, Austin, Texas 78759



OPA

MAR 09 2006

March 7, 2006

BY [Signature]

Ms. LaDonna Castañuela
Chief Clerk, MC-104
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

5/27/06
50857

CHIEF CLERK'S OFFICE
MAR 09 9 58 AM '06
COMMUNICATIONS SECTION

RE: Application No. 14-1441A, Application of Boot Ranch Development, Ltd. to Amend Water Right

Dear Ms. Castañuela:

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If you have any questions, please call me at (512) 473-3378.

Sincerely,

[Signature: Lyn Dean]

Lyn Dean
Associate General Counsel
Lower Colorado River Authority

cc: Paul Thornhill, PR, Deputy General Manager, LCRA
Karen Bondy, Executive Manager, River Services, LCRA
Bob Brandes, R. J. Brandes Company, 4900 Spicewood Springs Road, Austin, Texas 78759

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 9:11

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Genevieve Dooly

Address: 806 W Schubert

City/State: Fredrickburg Tx. Zip: 78624

Phone: (830) 997-3941

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

*Water is precious. We don't need to water
golf courses with it when grey water is so*
Please give this to the person at the information table. Thank you.

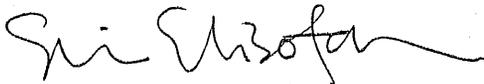
*readily available, and has been
offered to Boot Ranch.*

FA

This is a high end luxury development through which the developers intend to make a substantial return. No one denies them that right but it must not come from hardships imposed on this community.

This is a situation which will be repeated again and again in the Texas Hill Country. Please work to protect water for the traditional uses such as farming, ranching, wildlife observation, and hunting that attract people to our communities and sustain it.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Elin Elisofon". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Elin Elisofon

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:11

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: John Engel

Address: 1993 W. US HWY 290

City/State: Fredericksburg, Tx Zip: 78624

Phone: (230) 990-0537

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

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I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.



50851
WR

It is unbelievable that ~~additonal~~ additional diversion rights would be granted to Boot Ranch considering that in the summer months the flow downstream is very small and at times does not flow at all.

OFFICE OF THE
SHERIFF
COUNTY OF LOS ANGELES

OPA RECEIVED
JUN 06 2006 4
AT PUBLIC MEETING

10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA

MAY 30 2006

2006 MAY 30 AM 10: 22

BY pa

CHIEF CLERKS OFFICE

adj 1441

May 26, 2006

Office of the Chief Clerk, TCEQ
Mail Code MC-105
P.O. Box 13087
Austin, TX 78711-3087

*ADD
50857*

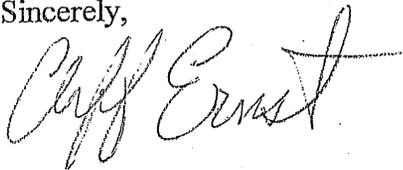
To Whom It May Concern:

The rivers and creeks of Texas are very important assets. They should not be destroyed for the financial benefit of a few. The Boot Ranch golf course is a serious threat to the Palo Alto Creek in more ways than one. The water right issue is a very serious one, but the water quality issue is also a very serious issue, that should not be overlooked.

Golf courses should not be built next to sensitive waterways, like the Palo Alto Creek. They reduce oxygen levels and water clarity. It happened on the Live Oak Creek, below the Lady Bird Johnson Park golf course. It will most likely happen on the Palo Alto Creek, below the Boot Ranch golf course.

I hope that some day Texas will show more respect for its creeks and rivers.

Sincerely,



Cliff Ernst, owner of land on Live Oak Creek below the Lady Bird Johnson golf course
329 Lady Bird Drive
Fredericksburg, TX 78624

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 JUN 14 AM 8:10
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: JOYCE FEUGE
Address: 374 FALCON LN
City/State: FREDERICKSBURG, TX Zip: 78624
Phone: (830) 997-4901

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE CHECK BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

FIVE ANGELS RANCH
561 Kneese Road
Fredericksburg, Texas 78624

Mailing address:
2438 Industrial Blvd
PMB 122
Abilene, Texas 79605

March 3, 2006

Office of the Chief Clerk
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087

OPA
MAR 16 2006
BY DM

CHIEF CLERKS OFFICE
MAR 15 PM 2:32
CIVIL RIGHTS DIVISION

Re: Certificate of Adjudication No. 14-1441
Boot Ranch Development

ADD
50857

Ladies and Gentlemen:

Palo Alto Creek is about to be destroyed along with our water tables and wildlife. We need your help to stop these interlopers and their "fancy Dan" lawyers.

Boot Creek has been ^{afforded} the affluent water from the Fredericksburg water treatment plant, but they won't spend the money to get it. They think they can rob all of us in the area of our water so they can get their water for free. This is outrageous and, I thought, illegal to boot—no pun intended.

People have struggled for over a hundred years to make Fredericksburg the wonderful place it is. We are happy to have affluent residents. We've lengthened our runways to accommodate their jets. However, they need to pay for their own golf course and not rob ranchers and citizens who were here long before their precious creek and water table.

Palo Alto Creek is only one of two really good creeks in the entirety of Gillespie County. This is an outrage.

Begging for your help,


John & Diane Fourton
On behalf of all citizens of Gillespie County.

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN 14 AM 9:10

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: JOANIE HARRIS

Address: 270 Peaceable Road

City/State: Fredericksburg, TX Zip: 78624

Phone: (831) 990-0600

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

50857
WR

My name is Curtis Cameron. I am Commissioner of Pct # 1 Gillespie County.

I have numerous constituents that are concerned that approval of this application would directly affect the value of their property along Palo Alto Creek. Because it would decrease the amount of water in the creek.

I also have many other constituents who are concerned that approval of this application would set a precedent, that would allow a land owner at the headwaters of any of the creeks in our county to divert the normal flow of water for the benefit of a few at the cost of many.

I strongly urge you to consider whether the approval of this application would benefit anyone along Palo Alto Creek and all the way to the coast other than Boot Ranch.

Thank you very much for your attention.

OPA RECEIVED

JUN 06 2006

JL

AT PUBLIC MEETING

AD

50897
WR

Comment concerning Application NO. 14-1441A

I am very concerned about (1) the impact on future water availability downstream and, especially, (2) non-point source water pollution due to chemicals used in the golf course management at Bork Ranch and its affect on the future water quality of Palo Alto Creek -

Joan Harris
270 Peaceable Road
Fredericksburg, TX 78624
830-990-0600

OPA RECEIVED

JUN 06 2006 J

AT PUBLIC MEETING

21

174

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 3:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: MARC JACOBI
Address: 1991 Jung Ln
City/State: Ft Worth Zip: 76124
Phone: (830)-997-9482

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

HA

7x6

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

2006 JUN 14 AM 8:09

CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: MARC JACOBI

Address: 1991 Jung Ln

City/State: Fredericksburg, TX Zip: 78624

Phone: (830) 997-9482

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

will have full authority to drain Palo Alto creek at the expense of down stream land owners during time of drought. There will be no metering measures adequate to determine that Boot would have exceeded their allocated limit.

I am a property owner that directly benefits from the water flow from Palo Alto Creek. My irrigation needs and indirectly the property value of my land are affected by water availability in the Palo Alto Creek.

I do not believe Boot Ranch or the TCEQ are prepared to compensate me or the other down stream property owners for loss of irrigation resources and ultimately the substantial effect it could have on my property's value. Therefore, I will hereby be placing notice to both TCEQ and Boot Ranch that should the permit be approved and should the water flow from Palo Alto downstream through my property be adversely effected by this usage, I will have no choice but to look for satisfaction from the TCEQ and/or Boot Ranch.

Thank you -
Man Jacob

OPA RECEIVED
JUN 06 2006
AT PUBLIC MEETING

50857
WR

ed

February 28, 2006

Office of the Chief Clerk
MC 105
TCEQ
P.O. Box 13087
Austin, Texas 7811-3087

To the Chief Clerk;
This is a letter of protest concerning:
Boot Ranch
Certificate of Adjudication # 14-1441

Please do not approve of the amendment Boot Ranch has applied for in the Certificate of Adjudication No. 14-1441 to increase the storage capacity of their reservoir on Upper Palo Alto Creek from 6 acre feet to 93 acre feet, increase the annual diversion amount from 34 acre feet to 232 acre feet of water per year, increase the diversion rate cfs, add an existing off channel reservoir as part of the irrigation system, add recreational use to both reservoirs, increase the lands to be irrigated from 29 acres to 100 acres out of a 1921 acre tract of land in Gillespie county, being the same tract of land authorized in Certificate of Adjudication No. 14-1440.

All of the property owners along the Palo Alto and the Pedernales River could end up with little or no water. We should not allow one entity such as this to destroy a constant water source for others.

We have 200 feet of the Palo Alto Creek running through our property and it waters our cattle and provides recreation for our family.

Sincerely,



Laurie Jenschke
903 Durst- Maurer Road
Fredericksburg, Texas 78624
830-997-8263

STATE OF TEXAS
OFFICE OF THE CHIEF CLERK

MAR 02 2006

CHIEF CLERKS OFFICE

OPA

MAR 03 2006

BY [Signature]

ADD
50857

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERK'S OFFICE

2006 JUN 14 AM 8:11

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Thank You

PLEASE PRINT:

Name: Thomas Kaderli
Address: 464 Valley View Ln.
City/State: Fredericksburg TX Zip: 78624
Phone: (830) 997 7367

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

*350 cubic
acres of water*

(2) What is the total flow of Palo Alto creek? in cubic ft

- so what % of flow does Boot Ranch want

Please give this to the person at the information table. Thank you.

(1) Is the one city well, which was located on one farway, plugged and replaced with a replacement drilling, totally dedicated or used by Boot Ranch residents? - What percentage of the

** Reservoir Storage *
66t to
status quo -> 93 acres ft*

Melton Keller
18005 NRR
Junction, TX 76849
325-446-2198

CHIEF CLERK'S OFFICE

Office of the Chief Clerk
MC 105
TCEQ
PO BX. 13087
Austin, TX 78711-3087

ADD'S
50857

OPA

MAR 06 2006

BY JK

Dear Sirs:

We highly oppose the Boot Ranch Development (No. 14-1441) and the astronomical amount of water they wish to divert. We own a mile of the Palo Alto Creek about four miles downstream upon which our household depends. Our well is only 30 feet deep; thus, totally derived from the subwater of the creek. Our livestock obtain their water from the creek, also. Abundant wildlife uses this stream as their source of nourishment. The vast amount of water that the Boot Ranch Development wishes to use for personal gain is sure to dry up this stream leaving humans, livestock, and wild life without water, plus the devaluation of land resulting in tax revenue losses to our community. A small stream such as the Palo Alto does not have the volume of water needed to support such an endeavor. We hope you understand our concern and direct them to obtain their water needs in another way.

Sincerely,

Melton Keller

JK

7th

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 9:08

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: CLAYTON KLINKSIEK

Address: P.O. BOX 982

City/State: FREDERICKSBURG TX Zip: 78624

Phone: (830) 997 5162

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

1441

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 APR 10 PM 2:36

John F. Koepke
237 Emerald Loop
Fredericksburg, Texas 78624

CHIEF CLERKS OFFICE

Office of The Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

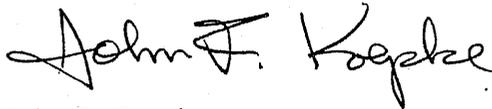
ADD
50857

Dear Commission Members;

I live out in the country very near the Palo Alto Creek in Gillespie County. Boot Ranch Golf Resort is trying to take virtually all of the water out of the Creek to water the golf course. This is not right. This creek is important to many other people that live near the creek. It is important for wildlife, ranchers, farmers, and in my case, recharging the aquifer.

Please give this problem your attention and help the majority of the people that live on the Palo Alto.

Thank you,



John F. Koepke

OPA

APR 11 2006

BY



87831

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:16

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: John F. Koepke

Address: 237 Emerald Loop

City/State: Fredericksburg, Tx Zip: 78624

Phone: (830) 997-2511

Please add me to the mailing list. *I may already be on your list. Please check. If not add me.*

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Shirley Land

Address: 1027 Middle Creek Rd

City/State: _____ Zip: 78624

Phone: (830) 997-2739

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any-time during the meeting.)

Please give this to the person at the information table. Thank you.

JUN 06 2006 98

June 6-06

To: TCEQ AT PUBLIC MEETING

Dear representatives of TCEQ and
Boat Ranch. I would like to
address the situation of the water
for the golf course. I live on Middle
Creek which flows into the Palto Alto,
Our water is much too precious
to be wasting on watering a golf
course. The live water should be
left in the creek for farmers and
ranchers downstream. After all it is
more important for people to have
food to eat than to play golf. Boat Ranch
has an opportunity to get water from the
waste water plant to water their golf
course & should do so. They could
have done this at the same time they
laid the other water lines. Please
leave our natural water alone.

Sincerely,

Shirley Land
1027 Middle Creek Rd,
Flg. Tex 78624



TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

PLEASE PRINT:

Name: Shirley A. Land

Address: 1027 Middle Creek Rd.

City/State: Ft. Worth, Tx. Zip: 78624

Phone: (830) 999-2739

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

I wish to state that Mr. Brannis doesn't know enough about the situation and that Boot Ranch is already in violation of the permits that it does have, what benefit will this golf course be to our farmers and ranches?

Please give this to the person at the information table. Thank you.

OPA

MAR 03 2006

BY

[Handwritten signature]

Office of the Chief Clerk
MC 105, TCEQ
P.O.Box 13087
Austin, Texas 78711-3087

*ADD
50857*

Dear Sir or Madam:

Please refer to prior letter sent to you from Dr. and Mrs. D. Rod Lee, dated February 28, 2006. Attached to that letter you found our property description that showed our home on Palo Alto Creek. One item that my husband left out of that original letter is that we have a stock pond for our livestock that on occasion we have had to supplement with water from the Palo Alto Creek. The creek, for us, is an extremely important part of our water supply for our animals. The recent, and continuing drought in our area has been difficult on our animals, and without the additional resource of the nearby creek, we might have a problem with getting them water.

I know I am late getting this to you, but I felt it was important to let you know that the creek is important to our animals as well as just the enjoyment we take in seeing the water flow by our home there.

Thank you for your consideration.

Sincerely,

Ann H. Lee

Ann H. Lee
Concerned land owner

San Antonio address: 702 W. Russell Place
San Antonio, Texas 78212
Fredericksburg address: 3880 No. Hwy 16, Fredericksburg, Texas 78624

Applicant's: Boot Ranch Development, L.P.
#14-1441 and #1440

[Vertical stamp: CHIEF CLERK'S OFFICE]

ADJ
50857

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

OPA

MAR 01 2006

BY KH
Feb 25, 06

FEB 11 9:36

CHIEF CLERKS OFFICE

Dear Sirs,

We are writing to vehemently oppose the proposal by Boot Ranch Development to divert waters from Palo Alto Creek. The creek runs through our property and the creek bed constitutes 50% of our 40 acres. We purchased this property for the creek. If the creek is substantially reduced we will have 20 acres of worthless land with no use as it will remain flood prone. They will divert and "steal" the recreational and beautiful flow but leave us with the flood risks. When I sought to build a small dam to deepen the creek we were refused and we would have damaged essentially no one.

We will avidly seek legal action to block this if it is approved. Please don't yield to someone's poor planning by damaging those of us downstream.

Signed:

Dr. and Mrs. D. Rod Lee

D. ROD LEE, M.D.
ANN H. LEE
702 W. RUSSELL PLACE
SAN ANTONIO, TX 78212

Fredricksburg address:

3880 No. Holly 16

Fredricksburg, Texas 78624

Home phone 210-734-8761

Fredricksburg phone 830-997-3737

Applicant's name - Boot Ranch Development, L.P.

Permit # 14-1441 and/or # 14-1440

Attached pls. find our location to Palo Alto Creek
i.e. description of our property -

W

EXHIBIT A

THE STATE OF TEXAS. *
COUNTY OF GILLESPIE. *

Field notes of a survey of 38.0 acres of land made at the request of Carl W. Hein, et al. Said land is situated in Gillespie County, Texas, and comprises 1.4 acres, more or less, part of the James McKay (Dec'd) Survey No. 199, Abstract No. 496, and 36.6 acres, more or less, part of the Wm. H. Anderson Survey No. 197, Abstract No. 2, and being part of that 262.9 acre TRACT 1 of land described in a conveyance to Carl W. Hein, et al by Gilbert Ball, et ux, dated December 21, 1967, found of record in Volume 92, pages 619-620 of the Deed Records of Gillespie County, Texas, as said tract is found fenced, monumented, and/or used on the ground.

Said 38.0 acre tract of land is described by metes and bounds as follows, to wit:

BEGINNING at a steel bar found set at a fence corner post, in the N.W. right-of-way line of Texas State Highway No. 16, for the South corner of that 75.58 acre tract of land described in ~~conveyance~~ conveyance to Fred J. Crooks, et ux, by Carl W. Hein, et ux, et al, dated May 4, 1984, found of record in Volume 159 pages 978-986 of the Deed Records of Gillespie County, Texas, for the East corner of this tract of land;

THENCE with fence along the S.W. boundary of said 75.58 acre tract as follows:

N. 42 deg. 55 min. W. 89.8 feet to a steel bar at a corner post;
N. 46 deg. 00 min. W. 821.2 feet to a steel bar at a corner post;
N. 31 deg. 53 min. W. 673.72 feet to a steel bar at a corner post;
N. 61 deg. 17 min. W. 115.67 feet to a steel bar at a corner post;
N. 30 deg. 12 min. W. 487.92 feet to a steel bar at a corner post;
N. 22 deg. 52 min. W. 197.97 feet to a steel bar at a corner post;
N. 10 deg. 55 min. E. 49.62 feet to a steel bar at a corner post;
N. 86 deg. 26 min. W. 36.12 feet to a steel bar at a corner post in the N.W. boundary of that 262.9 acre TRACT 1 of land described in said conveyance to Carl W. Hein, et al, found of record in Volume 92, pages 619-620 of the Deed Records of Gillespie County, Texas, for the N.N.W. corner of this tract of land;

THENCE with fence along the N.W. boundary of said 262.9 acre tract as follows:

S. 32 deg. 17 min. W. 186.5 feet to a 15 inch dia. pecan tree;
S. 1 deg. 14 min. E. 94.6 feet to a 24 inch dia. pecan tree;
S. 0 deg. 27 min. E. 113.9 feet to an 18 inch dia. pecan tree;
S. 34 deg. 13 min. W. 61.6 feet to a steel bar at a corner post;
S. 41 deg. 59 min. W., crossing Palo Alto Creek, 171.8 feet to a 15 inch dia. L.O. tree;
S. 49 deg. 32 min. W. 65.7 feet to a steel bar at a corner post;
S. 58 deg. 04 min. W. 278.5 feet to a steel bar at a corner post;
S. 43 deg. 43 min. W. 95.8 feet to a steel bar at a corner post;

(continued on page 2)

N. 85 deg. 47 min. W., crossing a waterway, 41.9 feet in all to a steel bar at a corner post;
 S. 58 deg. 41 min. W. 65.4 feet to a steel bar at a corner post;
 S. 30 deg. 57 min. W. 373.2 feet to a steel bar set for the West corner of this tract of land;

THENCE S. 84 deg. 47 min. E., crossing said waterway, 731.8 feet in all to a steel bar at a fence corner post;

THENCE with fence as follows:

S. 35 deg. 39 min. E. 149.4 feet to a steel bar at a corner post;
 S. 38 deg. 44 min. R. 149.6 feet to a steel bar at a corner post;
 S. 47 deg. 39 min. E. 94.8 feet to a steel bar at a corner post;
 S. 37 deg. 08 min. E. 118.2 feet to a steel bar at a corner post;
 S. 53 deg. 21 min. E. 145.8 feet to a steel bar at a corner post;

THENCE S. 85 deg. 49 min. E. 401.0 feet to a steel bar at a fence corner post;

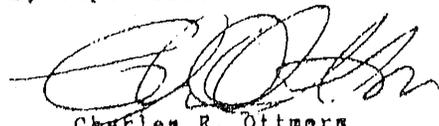
THENCE with fence, S. 31 deg. 57 min. E. 697.8 feet to a steel bar set in the N.W. right-of-way line of Texas State Highway No. 16, for the South corner of this tract of land;

THENCE with the N.W. right-of-way line of Texas State Highway No. 16 as follows:

with the arc of a curve to the right, having a radius of 1949.9 feet and a central angle of 8 deg. 05 min. 15 sec., in a northeasterly direction, a distance of 275.2 feet to the end of said curve (LC brs N. 43 deg. 03 min. E. 275.0 feet);
 N. 47 deg. 08 min. E., crossing Palo Alto Creek, at 297.32 feet a concrete right-of-way monument, 303.0 feet in all to the place of beginning.

Surveyed January 1992

I hereby certify that the foregoing field notes represent a survey made on the ground under my supervision.



Charles E. Ottmers
 Reg. Prof. Land Surveyor



EXHIBIT B

THE STATE OF TEXAS, *
COUNTY OF GILLESPIE, *

Field notes of a survey of the centerline of a 30 ft. wide road made at the request of Carl W. Hein, et al. Said road is situated in Gillespie County, Texas and passes through part of the Wm. H. Anderson Survey No. 197, Abstract No. 2, and through part of that 262.9 acre TRACT 1 of land described in a conveyance to Carl W. Hein, et al by Gilbert Ball, et ux, dated December 21, 1967, found of record in Volume 92, pages 619-620 of the Deed Records of Gillespie County, Texas.

Said centerline of a 30 ft. wide road is described by metes and bounds as follows, to wit:

BEGINNING at a steel bar set in a gateway, in the S.E. line of the Kneese (county) Road, 1627.6 feet S. 36 deg. 29 min. W. from the West corner of that 75.68 acre tract of land described in a conveyance to Fred J. Crooks, et ux, by Carl W. Hein, et ux, et al, dated May 4, 1984, found of record in Volume 159 pages 978-985 of the Deed Records of Gillespie County, Texas, for the POINT OF BEGINNING, from which the West corner of a 38.0 acre tract surveyed for Carl W. Hein, et al, January 1992, bears N. 27 deg. 21 min. E. 173.0 feet;

THENCE with the centerline of said 30 ft. wide road as follows:

S. 68 deg. 35 min. E., crossing a ditch at an old concrete slab, 128.2 feet in all to a steel bar;

N. 27 deg. 21 min. E. 211.6 feet to a point in the south boundary of said 38.0 acre tract, for the end of this survey and description of the centerline of said road, from which the West corner of said 38.0 acre tract bears N. 84 deg. 47 min. W. 137.6 feet.

Surveyed January 1992 Revised February 5, 1993

Charles W. Ottmers
Reg. Prof. Land Surveyor



CERTIFICATE OF LEGALITY AND AUTHENTICITY

I, certify that the discrete numbered microfilm images between the Title Page and the Certificate of Legality and Authenticity have been made in strict accordance with Article 1941 (a), V.T.C.S., and that each image is a true, correct, and exact copy of the page or pages of the identified instrument of writing, legal document, paper, or record which had been filed for record on the date and at the time stamped on each; that no microfilm image or images were substituted for any original discrete microfilm image or images between the Title Page and this Certificate. Official Public Records of Real Property, Volume 248 Pages 99-105, filmed on the 27th day of May A.D. 1993.

DORIS LANGE, Clerk, by

Felicia Cornwell Deputy

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN -5 AM 10: 24

June 1 2006
CHIEF CLERK'S OFFICE

TCEQ Office of the Chief Clerk
Mail code MC-105
P.O. Box 13087
Austin, Tx. 78711-3087

OPA

JUN 07 2006

Re. Application No. 14-1441A

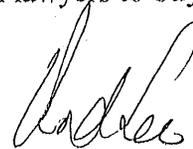
BY 

Dear Sirs,

I am writing in opposition to the proposed usurping of the waters of Palo Alto creek being pursued by the Boot Ranch organization.

Palo Alto creek is a very unusual entity that varies dramatically in nature but is vital to all downstream from this new division. At times flood runoff is so great they may capture any amount of water imaginable. The average flow does not allow significant excess and in dry times the request that they have made may cripple all below them. We have 20 acres of creek bed that is unusable to to the variation in size. That creek flow makes that land valuable. Its absence would render that 20 acres useless and lower the value of my ranch by \$5000-\$8000 an acre. Those are real values from an appraiser. We however have no plans to sell our ranch and would lose its use rather than the money, at least in our present plans. We use that creek to support our livestock as well as recreation use. Losing the meager but continuous flow we have had for the entire 15 years we have owned the ranch would be a devastating blow. Water rights are exactly that RIGHTS, they are to be administered equally. No one has a right to harm many downstream neighbors because they are a water hog that has failed to consider the amount of water they need to hog before building something that consumes so much. If they have enough money to have \$1000000 lots then they can water their yards and course with bottled Perrier.

They obviously have the money to buy enough lawyers to buy this decision, we can only hope this is Texas, that's why we live here.



Rod Lee
3880 Hwy 16 N.
Fredericksburg, Tx.

ADD
50857



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 MAR 24 AM 10:32

CHIEF CLERKS OFFICE

March 23, 2006

Office of the Chief Clerk
MC 105, TCEQ
P.O. Box 13087
Austin, Tx. 78711-3087

ADD
50857

BY 
MAR 24 2006
OPA

RE: Certificate of Adjudication #14-1440 with TCEQ(Boot Ranch Request)

Gentlemen:

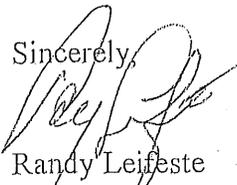
I protest approval of the above request for diversion and use of waters from the Palo Alto Creek located in Gillespie County, Texas, and want to know when there will be a contested case hearing on the matter.

Our home and land is located on the Palo Alto Creek, approximately 7-8 miles downstream from Boot Ranch.

I am concerned that if Boot Ranch is allowed to restrict that much water, the flow of Palo Alto Creek might quit and that our drinking water from our wells may dry up. I have already seen, in dry periods such as we are in right now, the water flow of the creek go below the surface of the land .

Please let us know when there will be a hearing on this matter.

Sincerely,



Randy Leifeste
729 Durst Maurer Rd.
Fredericksburg, Tx. 78624
Ph. 830/997-9330

To: Texas Commission of Environmental Quality
Re: Boot Ranch request for additional water

QJD-1441

POWER Struggle in the Hill Country

AD 5
50857

OPA

MAY 30 2006

BY RL

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2006 MAY 30 AM 10:22
CHIEF CLERKS OFFICE

You, the Texas Commission on Environmental Quality (TCEQ) is being asked to rule on a power struggle that is taking place in the Texas Hill Country. The proposed battleground for the moment is the Palo Alto Creek watershed; however, this fight is only the beginning skirmish which through time will spread to the entire Hill Country Region. The parties involved here are a recreational developer and the citizens living along Palo Alto Creek. Your eventual ruling will affect every person, plant and animal now enjoying the quality of life in one of the most desirable regions of Texas.

This power struggle goes beyond Boot Ranch and the residents of Palo Alto Creek. The clash is between one group whose modus operandi is "Pleasure Outweighs Wasting Environmental Resources" and another group trying to "Protect Our Water Equity Rights." Caught in the middle is an entrepreneurial developer trying to make money for himself and his investors. The main issue here is the development of a luxury resort with intense water demand dedicated for recreational use placing local downstream residents at risk of losing water for their future agricultural operations and personal enjoyment, as well as reducing available sources of water for wildlife.

Let us take a quick look at the makeup of the combatants. The "Pleasure Outweighs Wasting Environmental Resources" group are wealthy people from outside the region who are accustomed to using their wealth to buy whatever personal recreational pleasures they desire. The lot owners remain anonymous as they hide behind their developer to shield themselves from any adverse publicity. Money for the most part has not seemed to be an obstacle when one considers what has been spent in converting 2,200 acres of typical Hill Country habitat into a green environmental wasteland whose sole purpose is to give a few hundred privileged people an opportunity to enjoy a few rounds of golf each month, or year. Sixty lots ranging in price from \$400,000 to \$1,750,000 indicate that this development is reserved for wealthy people. When given the option to pay for a pipeline to bring available treated water from the City of Fredericksburg to water Boot Ranch's golf course, the developers balked. Instead of accepting a viable solution to conserve our natural water resources, they applied to increase their water permits for "cheaper" water from Palo Alto Creek and underground aquifers. Money suddenly became an issue. TCEQ should take note that the environmental resources obviously are not important to these developers. They are choosing to place the integrity of the ecosystem at risk to cut the cost of their project.

On the other side are the local residents trying to "Protect Our Water Equity Rights." Some residents are up to six generations trying to make a living through farming and ranching in the area. More recent residents bought their land because they were attracted to the wonderful setting of hills, clear flowing streams, and green vegetative cover. The animals and plants that live along streams, like Palo Alto Creek, have been doing so for

countless generations, covering many thousands of years. The quality of life for wildlife relies on an interdependence that keeps the ecosystem balanced and viable. All of us must share in the required stewardship to protect the diversity needed to maintain the quality of life for all Hill Country residents.

TCEQ's byline is "Protecting Texas by Reducing and Preventing Pollution." A dry streambed is just as toxic to life as the harshest chemicals one can add to a water supply. The effect is taking away the very lifeline of our Hill Country ecosystem – our precious water. I ask you to consider this as a landmark case, because if you rule in favor of the developers and recreationists, you will set a precedent that lowers the quality of life for the rest of us in the Hill Country and Texas. It will be only a matter of time.

Please consider, when the day is done, these wealthy part-time residents will get on their jets and return to high rise condos in our large cities and not consider the damage they have left behind. The locals will be left wondering when their dreams and history of living in the unique beauty of the Hill Country will become as empty, dry and dusty as the streams sapped by a golf course community available only to a few. Even the pleasure provided by the golf course may be short lived as the natural diversity balance of the area is irrevocably destroyed by the loss of water resources.

Please stand up for the continuing environmental quality of life for all of us who call the Texas Hill Country home. Thank you.

Bill Lindemann
884 Loudon Road
Fredericksburg, Texas 78624
Telephone: 830-997-8917
E-mail: wlljhl@ktc.com

A handwritten signature in black ink, appearing to read "Bill Lindemann", with a long, sweeping underline.

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

PLEASE PRINT:

Name: Ernie Loeffler
Address: 372 Wilderness Dr.
City/State: Friedericksburg Zip: 78624
Phone: (830) 990-4454

CHIEF CLERKS OFFICE

2006 JUN 14 AM 9:10

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

50857
WR

I live close to the Jung Lane crossing
out the Pedernales, right off of Highway 290 East,
Just below where the Palo Alto empties
into the Pedernales. As it is, the
Pedernales stops flowing in dry weather
and impacts the quality of water for
wild life, not to mention livestock and crops.
Any additional impoundment of water of the
Palo Alto will only cause further harm to
the flow of the Pedernales in
Gillespie County. Thank you.

OPA RECEIVED
JUN 06 2006 JR

AT PUBLIC

hd

50857
ADT

March 8, 2006

Office of the Chief Clerk
MC 105
TCEC
P.O. Box 13087
Austin, TX 78711-3087
Fax # 512-239-3311

OPA PM

MAR 09 2006

BY JY

CHIEF CLERKS OFFICE

MAR 9 10:53

RE: Boot Ranch Development, L.P.
35 Fares Ranch Rd.
Fredericksburg, TX 78624
Application No. 14-1441A

50857

To Whom This May Concern:

As a citizen of Gillespie County and a down stream neighbor of Boot Ranch Development I am requesting that a Public Meeting be held regarding Application No. 14-1441A. I am very concerned that Boot Ranch Development's request to increase the annual diversion amount from Upper Palo Alto Creek from 34 acre-feet to 232 acre-feet of water per year will stop the flow of water and dry up the creek not just under the drought conditions that we are now facing but also under normal conditions. This in turn will affect the aquatic and fish life. It will affect the farmers and ranchers down stream who will not have the water to feed their animals such as cows, goats and/or sheep. The Pedernales River will be affected by the low flow or no flow at all.

I sent an email to LCRA trying to find out information on the average flow rate of Palo Alto Creek and they could not provide any information regarding the average flow nor could they find any prior reports to see if any studies had been done at earlier times. Copy of the email is attached.

It would seem to me that Boot Ranch Developers need to explain to their neighbors and the concerned citizens of Gillespie County why this is now being requested and why the need for such a large increase. This seems to be very poor planning by the developer. The overall benefit of such water use is largely restricted to the golfers and the club owners.

Signed original to follow by mail.

Sincerely,
Barbara Mann
Barbara Mann
73 Pfeiffer Rd.
Fredericksburg, TX 78624
830-997-8727
boman@beecreek.net

Barbara Mann

From: "Mark Browning" <Mark.Browning@lcra.org>
To: "Barbara Mann" <bomann@beecreek.net>
Sent: Thursday, March 02, 2006 9:20 AM
Subject: Re: Palo Alto Creek - Gillespie County

Ms. Mann:

LCRA does not have any responsive information on your request for the Palo Alto Creek average flow. A gage is required to gather the data required to determine a flow rate, and LCRA does not have a gage on this creek. In addition, prior reports were reviewed to see if any studies had been at earlier times. No information was found.

Mark Browning
Records Compliance Officer
LCRA
P. O. Box 220
Austin, TX 78767-0220
512.473.4065
512.473.3211 fax

>>> "Barbara Mann" <bomann@beecreek.net> 2/27/2006 8:27:13 AM >>>

I'm interested in the records that LCRA has in regard to the average flow rate of Palo Alto Creek located in Gillespie County. I'm especially interested in this information for the Upper Palo Alto Creek that runs through the Boot Ranch Development.

Thank you,

Barbara Mann
73 Pfeiffer Rd.
Fredericksburg TX 78624
830-990-8727
bomann@beecreek.net

CHIEF CLERKS OFFICE
206 MAR -9 AM 03 06
COMMUNICATIONS SECTION
CIVIL SERVICE DIVISION

Barbara Mann

From: "Mark Browning" <Mark.Browning@lcra.org>
To: "Barbara Mann" <bomann@beecreek.net>
Sent: Thursday, March 02, 2006 9:20 AM
Subject: Re: Palo Alto Creek - Gillespie County

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Mark Browning
Records Compliance Officer
LCRA
P. O. Box 220
Austin, TX 78767-0220
512.473.4065
512.473.3211 / fax

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Thank you,

Barbara Mann
73 Pfeiffer Rd.
Fredericksburg, TX 78624
830-990-8727
bomann@beecreek.net

March 8, 2006

Office of the Chief Clerk
MC 105
TCEQ
P.O. Box 13087
Austin, TX 78711-3087
Fax # 512-239-3311

RE: Boot Ranch Development, L.P.
36 Fares Ranch Rd.
Fredericksburg, TX 78624
Application No. 14-1441A

*ADJ
50057*

RECEIVED
MAR 10 2006
CHIEF CLERKS OFFICE

OPA *PM*

MAR 10 2006

BY *js*

To Whom This May Concern:

As a citizen of Gillespie County and a down stream neighbor of Boot Ranch Development I am requesting that a Public Meeting be held regarding Application No. 14-1441A. I am very concerned that Boot Ranch Development's request to increase the annual diversion amount from Upper Palo Alto Creek from 34 acre-feet to 232 acre-feet of water per year will stop the flow of water and dry up the creek not just under the drought conditions that we are now facing but also under normal conditions. This in turn will affect the aquatic and fish life. It will affect the farmers and ranchers down stream who will not have the water to feed their animals such as cows, goats and/or sheep. The Pedernales River will be affected by the low flow or no flow at all.

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It would seem to me that Boot Ranch Developers need to explain to their neighbors and the concerned citizens of Gillespie County why this is **now** being requested and why the need for such a large increase. This seems to be very poor planning by the developer. The overall benefit of such water use is largely restricted to the golfers and the club owners.

Signed original to follow by mail.

Sincerely,
Barbara Mann
Barbara Mann
73 Pfeiffer Rd.
Fredericksburg, TX 78624
830-990-8727
bomann@beecreek.net

M

28 February, 2006

To: Office of the Chief Clerk
MC 105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Tx. 78711-3087

OPA

MAR 01 2006

BY Ly

CHIEF CLERK'S OFFICE

MAR 01 09 39

RECEIVED
MAR 01 2006

From: Ronald K. Mathis / Shirley Hale Mathis
223 Lonesome Trail
Fredericksburg, TX 78624
(830) 990-0270
(956) 723-9806

AD 5 / 50857

Re: Boot Ranch Development, L.P.
Application for amendment to Certificate of Adjudication No. 14-1441

The application by Boot Ranch Development to increase their annual diversion amount from Palo Alto Creek by nearly seven (7) times and to increase the diversion rate by more than three (3) times will have devastating effects on the plants and wild life along the Palo Alto Creek during dry times (such as the present) and will negatively impact the value of our home in a major way.

Water is a precious commodity in the Texas Hill Country and the creeks are unique resources that create havens for wildlife and native plants. We specifically bought our property because Palo Alto Creek runs across it. The flow of the Palo Alto becomes low during dry times, but it still manages to provide a little water for animals and trees. Attempting to pump anything like 2,550 gpm out of the creek during such times would eliminate this critical resource and have a devastating effect on flora, fauna and property values.

Please do not allow this commercial development to destroy our natural environment.

Property location:

Palo Alto Creek Ranch, Lot 1
Property I.D R 2034
Approximately seven (7) miles downstream from Boot Ranch Development
(26.18 acres)

Shirley Hale Mathis
Shirley Hale Mathis
809 Victoria Street
Laredo, Texas. 78040

March 1, 2006

OPA

MAR 06 2006

BY gr

CHIEF CLERK'S OFFICE

Chief Clerk
Texas Commission on Environmental Quality

**RE: Boot Ranch Development, L.P., request for an
Amendment to a Certificate of Adjudication No. 14-1441**

ADD
50857

I am strongly opposed to the amendment request by Boot Ranch Development for more water. I live approximately 5 miles east of Boot Ranch and a few hundred feet north of the Palo Alto Creek and my only water supply will surely be affected especially, during times of drought. There is a high probably that I and my neighbors will, at some point, need to drill deeper wells to keep our current level of water. The bigger question is, what impact will this have on the farmers and the ranchers and the wildlife including migratory birds that depend on the waters of Palo Alto Creek and the Pedernales River? **Water** is their life line.

Who's responsibility is it to study this request for more water, who will make the final decision on this request for more water and how long will the entire process take? How often can Boot Ranch Development amend their original request and ask for more water? Do we the people have any voice in the study and/or the final decision?

Thank you.

Sandra Maule

Sandra Maule
209 Triple Creek Road
Fredericksburg, TX 78624

Home: 830-990-4656
Fax : 830-990-2737

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHESTER COUNTY TEXAS
 ZONING
 ON ENVIRONMENTAL

The pale alto does rain dry periodically now. If needed I have video of the creek pooling. We are currently watering stock. If diverted we would not be able to water stock. Plus, this creek provides water for wild during dry season. We are only a few miles down of boot ranch.

PLEASE PRINT:

Name: MARK MAZUR

Address: 2680 KNEESE Rd.

City/State: FREDERICKSBURG TX Zip: 78624

Phone: (830) 997-4604

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
 If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
 (Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Handwritten mark

155 currently -
70
353 ACRE FTI

Increase capacity of reservoir -

from 6 acre ft.

request to 93 Acre ft.

6000 - 2550 gallons per minute

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:11

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Judy McGooker

Address: 4107 Arec

City/State: Austin TX Zip: 78751

Phone: (512) 323-0689

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

June 5, 2006

Office of the Chief Clerk
TCEQ
Mail Code MC-106
P.O. Box 13087
Austin, TX 78711-3087

50851
w/c

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

To whom it may concern,

I am a land owner on the path of the Palo Alto Creek in Gillespie County and am very concerned about the development of Boot Ranch.

We have approximately 45 head of cattle, 3 horses, and produce hay for our animals as well as for others in the community when we have it available.

I am concerned that the Boot Ranch Development may cause less water flow through the Palo Alto and what little there may be, it may have more contaminants for these animals.

I urge you to seriously consider these possible consequences in the decisions made regarding the development of Boot Ranch.

Thank you very much.

Sincerely,

Judy Oehler McGooley
4107 Avenue C
Austin, TX 78751
512-585-0787 (cell)

IP# 9125

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:11

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PLEASE PRINT:

Name: ERNEST MCKENNEY

Address: 4011 ROSEDALE AVE.

City/State: AUSTIN, TX Zip: 78756

Phone: (512) 453-1621

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

WRITTEN COMMENTS ARE ON THE BACK OF THIS PAGE.

Please give this to the person at the information table. Thank you.

THE COMMISSION SHOULD REJECT THE ^{5085r} _{WR} APPLICATION BECAUSE:

- 1) THERE IS NO FLOW DATA FOR THE SPECIFIC WATER WAY IN QUESTION.
- 2) THE APPLICATION WILL REDUCE THE DOWNSTREAM FLOW. THE WATER COVERED IN THE LORA CONTRACT IS CURRENTLY FLOWING DOWNSTREAM AND THIS APPLICATION WILL STOP THAT FLOW.
- 3) THE CITY OF FREDERICKSBURG HAS OFFERED TO SUPPLY AN ALTERNATIVE SOURCE TO WATER THE GOLF COURSE.

OPA RECEIVED *g*

JUN 06 2006

AT PUBLIC MEETING


ERNEST MCKENNEY

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 9:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Julia McNabb

Address: 608 W. Hackberry

City/State: Fburg TX Zip: 78624

Phone: (832) 990-8250

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Formal Written Comment

50857
WR

As a rural landowner in this (Gillispie) county, and 26 years in the real estate business, I am astonished at the increase of capacity that Boot Ranch Development is requesting. For such a large land and financial development - where, who did their "homework"? Permitting was based on facts?

Julia Ann Tomforde McNabb
Julia McNabb

OPA RECEIVED
JUN 06 2006
AT PUBLIC MEETING

JK

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: JIMMY G. MELTON

Address: 605 LONESOME TRAIL

City/State: FREDERICKSBURG, TX Zip: 78624

Phone: (834) 997-5823

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.



TEXAS
COMMISSION ON ENVIRONMENTAL
QUALITY

OPA

MAR 06 2006

BY JK

Office of the Chief Clerk

MC 105

Texas Commission on Environmental Quality CHIEF CLERKS OFFICE

P.O. Box 13087

Austin, Texas 78711-3087

PERMIT - 4 (1) ID: 27

March 3, 2006

ADJ
50857

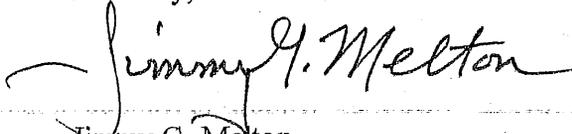
Dear Sirs,

In Gillespie county, Palo Alto Creek is described as an all-weather creek. However, that description is an exaggeration. For two of the last six years, Palo Alto Creek has gone dry.

Now Boot Ranch Development is applying to be allowed to increase their diversion of water from the creek (permit # 14-1441). Such action certainly will cause further drying of the creek.

I own property and live along Palo Alto Creek, approximately eight miles downstream from the Boot Ranch Development. I appeal to the Texas Commission on Environmental Quality to deny the Boot Ranch request.

Sincerely,



Jimmy G. Melton

605 Lonesome Trail

Fredericksburg, Texas 78624

(830) 997-5823

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

206 JUN 14 AM 8:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: ROBERT & MELISSA MIAL

Address: 210 W COCK ST

City/State: FISG, TX Zip: 76024

Phone: (839) 997 3874

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

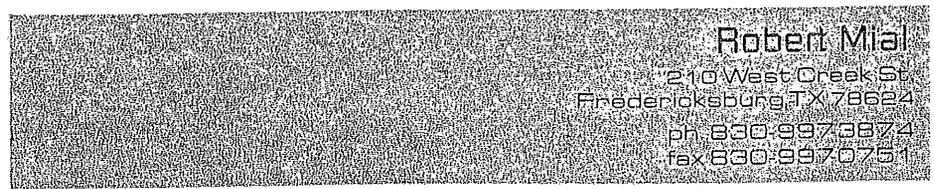
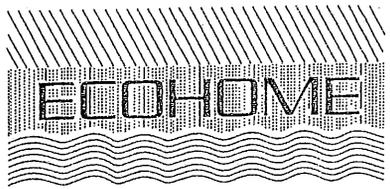
I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

50857
WR



Robert Mial
210 West Creek St.
Fredericksburg, TX 78624
ph 830-997-3874
fax 830-997-0751

OPA RECEIVED

JUN 06 2005 *JR*

AT PUBLIC MEETING

6-5-06

To the Office of the Chief Clerk, TCEQ:

The intention of Boot ranch to impound and use a greater amount of the waters of Palo Alto Creek seems, on the surface, to be detrimental to the welfare of the creek and all of its present users and inhabitants. Other than simple logic, I have no way of knowing this, as I am ignorant of the details of the actual flow of the creek. But specialists versed in measuring these things surely can be employed to determine the effects. I'm a fairly optimistic (maybe naive) person and as so, assume that I can trust the governmental entities that are in place to protect the environment. I think that that means you, the Texas Commission on ENVIRONMENTAL QUALITY.

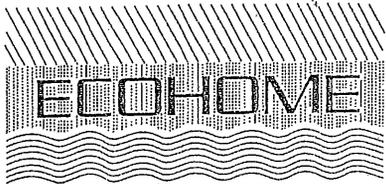
I am not an owner of property along the Palo Alto, nor am I a farmer or rancher who depends on significant amounts of water for my operations. At times, this water rights battle appears to be between those who are fortunate enough to own Palo Alto property and those who are wealthy enough to buy into Boot Ranch. But in reality the battle has a much greater scope and affects those who may have neither wealth nor land. The quality of life for all of us who have chosen to live in the Hill Country (or will choose to do so in the future) is determined by the government's response to issues like this one. Creeks and creekside environments are important and a delight to us all, even if we only see them while passing over a bridge on the way to work or observing the wildlife supported by them as it makes its daily forays and crosses our paths.

Please evaluate the Boot Ranch request carefully and justify the trust placed in you by the people of Texas.

Sincerely,

Robert and Melissa Mial
Robert and Melissa Mial

4



Robert Mial
 210 West Creek St
 Fredericksburg TX 78624
 ph 830-897-3874
 fax 830-897-0761

ADD
 50857

OPA

FEB 27 2006

BY RM

To the Office of the Chief Clerk:

This letter concerns a recent notice in the Fredericksburg Standard Newspaper that Boot Ranch Development, L.P. has applied for an amendment to a Certificate of Adjudication No. 14-1441 with the Texas Commission on Environmental Quality.

The idea of further diversion of the waters of Palo Alto Creek is frightening. Though not a property owner near the creek, I frequently enjoy the wildlife along its banks. Just last week my grandchildren and I watched a heron fishing there. Though there isn't much flow in the creek at present, there is enough to support the native species that depend on it. Diverting any water, let alone 2550 gpm, could be the end of flowing water on the Palo Alto during times like these.

Allowing this diversion of water from a creek that is used and enjoyed by many species, to a development that is used by few, would be a gross act of negligence by those assigned to the task of assuring "Environmental Quality".

Sincerely,

TEXAS
 COMMISSION
 ON ENVIRONMENTAL
 QUALITY
 2006 FEB 27 AM 10:16
 CHIEF CLERKS OFFICE

1175

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: NORMAN MICHALK

Address: 586 EMERALD LOOP

City/State: FREDERICKSBURG Zip: 78629

Phone: 830-990-8496

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Handwritten mark

February 22, 2006

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, Texas 78711-3087

Re: Application No. 14-1441A

Dear Chief Clerk:

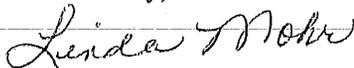
This letter is in reference to the application stated above for Boot Ranch Development located in Fredericksburg, Texas.

As ranchers along the Palo Alto Creek, we are concerned about the water level of the creek. The creek provides water for our cattle and with the drought we have been in, we are deeply concerned that any additional diversions/pumping/irrigation from the creek will cause it to go dry. In the past five years we did experience just that and had to have heavy equipment in to dig holes for our cattle to have water. As life long members of this community, this is much more important to us than irrigating golf courses (or whatever they intend to use it for) so people can "play". We do not object to people having fun; however, not at the expense of others.

Our address and telephone number is: Wayne and Linda Mohr
914 Mohr Ranch Road
Fredericksburg, Texas 78624
(830) 997-0327
water right no: 1445

Thank you for your consideration in this matter and we hope this will not be approved.

Sincerely,



Linda Mohr

OPA

FEB 28 2006

BY



ADD
50857

CHIEF CLERK'S OFFICE
FEB 27 11 24 AM
ON FILE

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Linda Mohr

Address: 914 Mohr Ranch Rd.

City/State: Fbg, TX. Zip: 78624

Phone: (830) 997-0327

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? POWER (Protect our Water Equity Rights)

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

50857
WR

June 6, 2006

Office of the Chief Clerk, MC 105
TCEQ
P.O. Box 13087
Austin, Texas 78711-3087

OPA RECEIVED

JUN 06 2006 *Jr*

AT PUBLIC MEETING

Re: Application No. 14-1441A

Dear Chief Clerk:

As ranchers along the Palo Alto Creek, we are concerned about the water level of the creek if the above referenced application for Boot Ranch Development is approved.

We currently run 47 head of cattle on our property and we depend on the creek to provide water for them to drink. Also, the wildlife are dependent on the creek as well for their sustenance. During times of drought any extra pumping/irrigation/diversions, etc. could cause the water level of the creek to be drastically reduced, even go dry.

We know that Boot Ranch Development has another option for watering their golf course that would be better for everyone concerned. Please do not approve their request, as it could not only endanger a way of life for many people in this community, but it could be far reaching in the surrounding areas as well.

Our address and telephone number is: Wayne and Linda Mohr
914 Mohr Ranch Road
Fredericksburg, Texas 78624
(830) 997-0327
water right no: 1445

Thank you for your consideration in this matter and we hope this will not be approved.

Sincerely,

Linda Mohr

Linda Mohr

1

Name: Michelle Zee Montemayor

Mailing Address: 105 Caladium San Antonio, TX 78213

Daytime Phone: 210-341-1445

Applicants Name: Permit #:

Boot Ranch Development

Permit # 14-1441 and/or 14-1440

CHIEF CLERKS OFFICE

OPA

MAR 01 2006

BY KY

To Whom it May Concern:

February 28, 2006

I am writing you regarding the possible loss of our stream. My parents, Ann & Rod Lee, 3880 No. Hwy 16, Fred, Tx 78624 are currently building a cottage for us on their property. My children are usually there every weekend and our activities always include playing in the stream. For over six years we have gone swimming in it, looked for frogs and fish in it and explored in it. It is a crucial and valuable part of our weekly visits. Without it, the summer,

of those of us downstream who benefit from it regularly. My children would be heartbroken. When I told my 9 year old son what might happen, he was visibly upset and asked, "How can they just take away our stream?"

Please reconsider. Our stream is a beautiful, highly utilized part of our property.

Thank you for taking the time to read this.

Michelle L. Montemayor

Jeffery & Vicki Morin

1605 East Main St.

FREDERICKSBURG, TX 78624

PHONE: 830-997-7105 and 997-6044, FAX: 830-997-9730

jpmorin@austin.rr.com

OPA

23 Feb. 2006

ADJ
50857

FEB 27 2006

BY 

Attn: Office of the Chief Clerk - MC 105,
TCEQ, Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Tx. 78711-3087

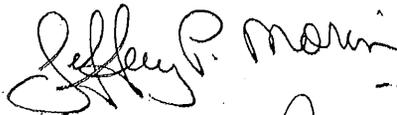
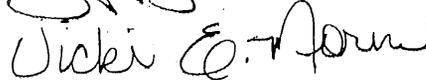
**REF: Request Denial of Boot Ranch Applications,
Certificate of Adjudication No. 14-1441**

This letter is to protest and request the application cited above be denied. We are, Jeffery and Vicki Morin, residing at 597 Achtzehn Road, Fredericksburg, Tx. 78624. (Ph: 830-997-6044). We reside here and three of my brothers own this property with us. Our 36.6 acres adjoin the Boot Ranch property on their North side with the Palo Alto Creek between us. Although we wish our neighbors all the success in their venture, we cannot see them taking any more water out of the Palo Alto Creek. We are the first property downstream the Palo Alto, below Boot Ranch. Sometimes this creek barely flows and in dry times almost dries up. This condition is even worse further downstream. Taking any more water out of this creek will kill it downstream.

We have had our property since 1978, and very concerned for our well water also. We have two wells on our property, one windmill well at 115 feet for livestock use and our home well at 310 feet. The 115 feet well Has Gone Dry, just in the last three months. We believe this has occurred because of water usage at the Boot Ranch property. Our concern is, what happens if our home well goes dry also. Will Boot Ranch pay for us to drill a deeper well? Who would be responsible if this might happen. It already has on one of our wells!! What is our property worth with no water?

Your help in this matter will be greatly appreciated.
Thank you,

Jeffery P. Morin
Vicki E. Morin

CC: Hill Country Underground Water Cons. District
508 S. Washington St. , Fredericksburg, Tx. 78624

CHIEF CLERKS OFFICE
2006 FEB 27 AM 10:16

COMMISSIONER
ON ENVIRONMENTAL
QUALITY

MAR 06 11:32
CHIEF CLERK'S OFFICE

Ronald T. Morin
P.O. Box 582
Fredericksburg, TX 78624
Phone: 830-997-4319 and 997-6044
Tigert@Austin.rr.com

OPA

MAR 06 2006

BY gs

ADD
5/5/05
50857

March 3, 2006

Attn: Office of the Chief Clerk- MC 105,

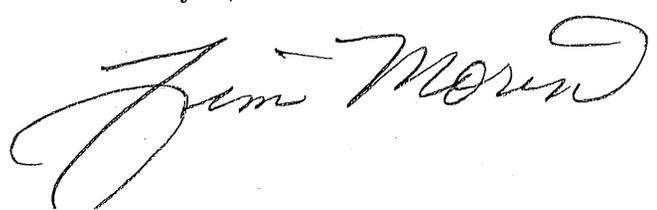
TCEQ, Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

**REF: Request Denial of Boot Ranch Applications,
Certificate of Adjudication No. 14-1441**

This letter is to protest and request the application cited above be denied. I, Tim Morin, own property at 597 Achtzehn Road, Fredericksburg, TX. 78624. I own 1/4 undivided interest with three of my brothers who own this property with me. Our 36.6 acres adjoin the Boot Ranch property on their North side with the Palo Alto Creek between us. Although we wish our neighbors all the success in their venture, we cannot see them taking any more water out of the Palo Alto Creek. We are the first property downstream the Palo Alto, below Boot Ranch. Sometimes this creek barely flows and in dry times almost dries up. This condition is even worse further downstream. Taking any more water out of this creek will kill it downstream.

We have had our property since 1978, and very concerned for our well water also. We have two wells on our property, one windmill well at 115 feet for livestock use and our home well at 310 feet. The 115 feet well Has Gone Dry, just in the last three months. We believe this has occurred because of water usage at the Boot Ranch property. Our concern is, what happens if our home well goes dry also. Will Boot Ranch pay for us to drill a deeper well? Who would be responsible if this might happen. It already has on one of our wells!! What is our property worth with no water?

Your help in this matter will be greatly appreciated.
Thank you,



OPA

MAR 16 2006

BY JM

RECEIVED
MAR 16 2006
OFFICE OF THE CHIEF CLERK

March 14, 2006

Chief Clerk
Texas Commission on Environmental Quality

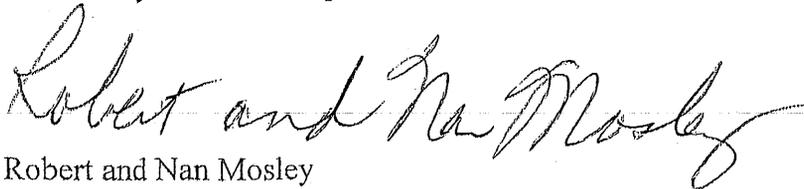
AOS
50857

Dear Sir,

We are writing to protest an amendment to a Certificate of Adjudication No. 14-1440 by Boot Ranch Developers. Their request to increase their use of Palo Alto Creek water for their new development and golf course would greatly affect the water supply to the general area as well as the aquifers. This water is needed for the quality of life of many residents who depend on well water, as well as of livestock and wildlife. We live one mile north of Palo Alto Creek and are dependent on this water. We do not believe that this water source which is needed by the general public should be diverted for use by this exclusive development and its private golf course.

Conserving water by installing rain water collection systems and planting native drought resistant plants are both automatic procedures for those of us who live in this area. Diverting water to Boot Hill negates these conservation efforts.

Boot Hill Development should be prohibited from consuming a critical water resource for a small number of people, because of their poor planning. Boot Hill developers could use recycled water from the Fredericksburg Waste Water Treatment Plant just like the local Lady Bird Johnson Golf Course does. Please consider the needs of the whole community above the requests of a small exclusive group



Robert and Nan Mosley
801 Triple Creek Rd.
Fredericksburg, TX 78624
830.997.8279

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: GARY Nettendorf City Manager

Address: 126 W. MAIN ST.

City/State: FREDERICKSBURG, TX Zip: 78624

Phone: (830) 997-7521

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? Municipality

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

ON REVERSE SIDE

Please give this to the person at the information table. Thank you.

20857
LSS
WCP

IN THE LAST TWO YEARS, DURING DISCUSSIONS WITH BOOT
RANCH REPRESENTATIVES, ^{THREE} CITY STAFF AND/OR COUNCIL
MEMBERS HAVE OFFERED CITY EFFLUENT
WATER TO BOOT RANCH.

... ..
... ..
... ..
... ..

OPA RECEIVED
JUN 06 2006
AT PUBLIC MEETING
PHILIPPE ...

... ..

...

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN 14 AM 8:12

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: MARIA PALMER

Address: 493 MEUSEBACH CREEK RD

City/State: FIBURG TX Zip: 781024

Phone: (820) 990-1632

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

It is totally unethical to waste precious water on a golf course. ~~to the detriment~~

Also, since there is no current gauge on the Palo Alto creek to measure flow, how can there be a valid measurement?

50857
WR

OPA RECEIVED
JUN 06 2006
AT PUBLIC MEETING

J

14

476

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:07

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: ELGIN PAPE

Address: 2180 Firdler RD

City/State: HARPER Zip: 78631

Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Handwritten initials

5085
WR

David Peake, Jr.
309 Luckenbach Rd.
Fredericksburg, TX 78624
(830) 644-2767
Peake@ctesc.net

Office of the Chief Clerk
Texas Commission on Environmental Quality
Mail Code MC-105
P.O. Box 13087
Austin, TX 78711-3087

OPA RECEIVED *g*
JUN 06 2006
AT PUBLIC MEETING

RE: APPLICATION TO
AMEND A CERTIFICATE OF ADJUDICATION
APPLICATION NO. 14-1441A

Formal Comment in Response to Application:

I have owned approximately 5 acres on the Pedernales River in Gillespie County, East of Jung Road for about 20 years.

I am currently opposed to granting the above application. My opposition is based on information posted on the TCEQ Website concerning availability of water, drought conditions and climate predictions. (attached)

I believe that the Boot Ranch Amendment Request affects recreational use, not agricultural use. The Boot Ranch Golf Development has been characterized as an "upscale development outside of Fredericksburg, the centerpiece of which is supposed to be an ultra-exclusive golf club with membership limited to 300." I oppose using scarce water resources for such recreational use.

On May 16, 2006, the Texas Railroad Commission took formal action in GUD No. 9652 against Atmos Energy on Boot Ranch for an alleged violation of 16 TAC § 8.115 (attached). Without further information, I do not feel confident that Boot Ranch will comply with all rules and regulations concerning water usage.

Please send me a copy of the Executive Director's written response to formal comments to be considered by the Commissioners before they reach a decision.

Respectfully submitted,

David Peake Jr

David Peake, Jr.

h

**Texas Drought Conditions Summary
for May 17, 2006 is posted on the TCEQ Website**

- 5/13/2006 - The South Central, Southern, and Lower Valley regions are experiencing "Extreme Drought" conditions and the East and Upper coast regions are under "Severely Drought" Drought Conditions. In addition, the High Plains, North Central, Trans Pecos, and Edwards Plateau regions are experiencing "Moderately Drought" conditions, according to the Palmer Drought Severity Index (PDSI). The PDSI varies from moderately wet, to slightly wet, incipient wet spell, near normal, incipient dry spell, mild drought, moderate drought, severe drought, and extreme drought in order of increasing severity.
- 5/13/2006 - The Crop Moisture Index (CMI) indicates "Extremely Dry" conditions in the Lower Valley region. The Southern region is under "Severely Dry" conditions and the Trans Pecos region is experiencing "Excessively Dry" conditions. While the High Plains, Low Rolling Plains, Trans Pecos, Edwards Plateau, South Central and Upper Coast regions are experiencing "Mildly Dry" Conditions. The other regions are in "Abnormally Dry" to "Moisture Adequate" conditions. The CMI varies from flooding, to standing water, moisture adequate, mildly dry, abnormally dry, excessively dry, severely dry, and extremely dry in order of increasing severity.

Hydrologic and Municipal Conditions

Reservoirs

- 5/1/2006 - Statewide storage in major reservoirs was at 28.2 million acre-feet (81.8% of conservation storage capacity), below normal for this time of year. During April, storage decreased 0.75 million acre-feet (-0.2% of conservation storage capacity). Compared to April of 2005, storage was down 3.26 million acre-feet (-9.4%) statewide. The each of the nine regions had decrease in storage over the year, with the South Central Region having the largest percentage decline (-22.5%), followed by the Edwards Plateau Region (-14.9%), the Upper Coast Region (-11.5%), the Southern Region (-10.9%), the East Texas Region (-8.7%), the High Plains Region (-8.0%), the North Central Region (-6.7%), the Trans-Pecos Region (-1.9%), and the Low Rolling

Plains Region (-0.9%). Storage is at 100% of capacity in 8 reservoirs, 1 less than in last month.

Wells

- 5/1/2006 - Water level measurements were available for six of the seven key monitoring wells. Water levels declined in three of the monitoring wells since the beginning of April, ranging from 5.92 feet in the Coryell Co. Hosston/Trinity well to 13.88 feet in the Atascosa Co. Carrizo well. Water levels rose in the remaining three monitoring wells, ranging from 0.23 feet in the El Paso Co. (Bolson Deposits) well to 1.71 feet in the Harris Co. Evangeline well. The J-17 well recorded a water level of 66.90 feet below land surface. This water level is approximately thirteen (13) feet above the Stage 1 critical management level.

Affected Water Supplies

- 5/1/2006 - Forty-four water supply systems are under water use restrictions according to the Texas Commission on Environmental Quality's (TCEQ) list of Public Water Supplies Affected by Drought. Another sixty-seven community water supply systems are under voluntary water use restrictions.

Climate Prediction Center (CPC) Forecasts

- 4/20/2006 - The CPC predicts all of Texas will experience below normal precipitation from May 2006 to July 2006. During the same period, the CPC predicts above normal temperatures for all of the state.
- 4/20/2006 - The CPC predicts that most of the state will experience equal changes of above normal, normal, or below normal precipitation from June 2006 to August 2006. During the same period, the CPC predicts above normal temperatures for all of the state.
- 4/20/2006 - The National Oceanic and Atmospheric Administration's (NOAA's) Seasonal U.S. Drought Outlook indicates drought conditions persist in the western 2/3 of the state, while conditions improve in the eastern 1/3 of Texas.

Texas Administrative Code

Next Rule>>

<u>TITLE 16</u>	ECONOMIC REGULATION
<u>PART 1</u>	RAILROAD COMMISSION OF TEXAS
<u>CHAPTER 8</u>	PIPELINE SAFETY REGULATIONS
<u>SUBCHAPTER B</u>	REQUIREMENTS FOR ALL PIPELINES
<u>RULE §8.115</u>	New Construction Commencement Report

Except as set forth below, at least 30 days prior to commencement of construction of any installation totaling one mile or more of pipe, each operator shall file with the Commission a report stating the proposed originating and terminating points for the pipeline, counties to be traversed, size and type of pipe to be used, type of service, design pressure, and length of the proposed line. New construction on natural gas distribution or master meter systems of less than five miles is excepted from this reporting requirement.

Source Note: The provisions of this §8.115 adopted to be effective November 24, 2004, 29 TexReg 10733

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 9:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Katherine, David, Zoe, David Peake

Address: 309 Lickerbach

City/State: Flora Zip: 78629

Phone: () 830 644-2767

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Zoe Peake
309 Luckenbach Rd.
Fredericksburg, TX 78624
(830) 644-2767
Peake@ctesc.net

50057
WPC

Office of the Chief Clerk
Texas Commission on Environmental Quality
Mail Code MC-105
P.O. Box 13087
Austin, TX 78711-3087

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

RE: APPLICATION TO
AMEND A CERTIFICATE OF ADJUDICATION
APPLICATION NO. 14-1441A

Formal Comment in Response to Application:

I am 18 years old, born and raised in Fredericksburg, Texas. My parents have owned approximately 5 acres on the Pedernales River in Gillespie County, East of Jung Road for about 20 years.

I am currently opposed to granting the above application. My opposition is based on availability of water, drought conditions and climate predictions in the Texas Hill Country and the entire State of Texas.

I believe that the Boot Ranch Amendment Request affects recreational use, not agricultural use. The Boot Ranch Golf Development has been characterized as an "upscale development outside of Fredericksburg, the centerpiece of which is supposed to be an ultra-exclusive golf club with membership limited to 300." I oppose using scarce water resources for such recreational use.

Please send me a copy of the Executive Director's written response to formal comments to be considered by the Commissioners before they reach a decision.

Respectfully submitted,



Zoe Peake

A

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: John Ramsay

Address: 1235 Durst Maurer Rd

City/State: FREDERICKSBURG, TX Zip: 78624

Phone: () 830 997-5911

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.



8-6-06

50851
WR

Re: Boot Ranch Development
Permit 144A

John Ramsay
1285 Ducrest M Aured Rd
Pdhs, Tx 78624

TO WHOM IT MAY CONCERN.

I have lived on the Palo Alto crease for 19 years.

I have 1/4 mile frontage approximately 1/4 mile from
where Palo Alto Creek is joined by Middle Creek.

The creek has not gone dry on my property in
the last 19 years.

In the last year there has been a substantially easily
visible decrease in flow at my location to near dry
levels ^{at times}. I have in the past had fish in the
creek there are few to no fish left in the
creek now.

Hundreds of deer, turkey, and other wild life depend on
the creek for water in our area.

Please deny this permit request

Thank you for your consideration,

John Ramsay
John Ramsay

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

11

1345

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN 14 AM 8:09

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: Steve Rawls

Address: 1002 Ave. B

City/State: Fredericksburg TX Zip: 78624

Phone: (830) 990-4696

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? FREDERICKSBURG FLY FISHERS

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

RA

I'm attending this hearing to represent myself as well as members of the Fredericksburg Fly Fishers, a local fly fishing club consisting of 70 plus members. I make my living in the Hill Country as an Orvis Fly Fishing guide and because I spend 200-250 days a year on our local waters as well as guiding in Colorado, I believe I have a better understanding of the local water conditions than the average citizen of Fredericksburg. I and the members of the Fly Fishing Club are extremely concerned with the consideration of the proposed permit. Palo Alto creek is a small creek with limited flow, to see this all you have to do is drive by it. Although our club does not fish this creek due to limited access, we are concerned for the land owners down stream of Boot Ranch. To increase the amount diverted from Palo Alto from 150 or so acre feet to 350 acre feet is absurd! We, those of us who have spent time on the waters in Colorado, Montana & Wyoming, have seen this type of water theft before. My concern is that once it's started it can't be stopped. For a developer to ask to upgrade their original permit in such a short time since construction of the project began should be a clue as to what we can expect in the future. I'm opposed to the permit.

Gene Kowals

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

1245

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERK'S OFFICE

2006 JUN 14 AM 8:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Edward N. Rees

Address: 4634 Lower Crabapple Rd

City/State: Fredericksburg Tx Zip: 78624

Phone: (830) 997-5541

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE CHECK BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Handwritten mark

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: FOREST J. REES

Address: 4486 LOWER CRABAPPLE RD

City/State: Flg, TX Zip: 78624-6722

Phone: (830) 997-5694

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

50857
WR

4486 LOWER CRABAPPLE ROAD
FREDERICKSBURG, TX 78624-6722

JUNE 3, 2006

OFFICE OF CHIEF CLERK TCEQ
MAIL CODE MC-105
P.O. BOX 13087
AUSTIN, TX 78711-3087

OPA RECEIVED

JUN 06 2006 *J*

AT PUBLIC MEETING

DEAR SIR,

I HAVE LIVED A MILE FROM THE PALO ALTO CREEK FOR ABOUT 30 YEARS.

THE ONLY TIME I HAVE SEEN AN AMPLE FLOW IN THE PALO ALTO IS AFTER A ½ TO ONE INCH RAIN OVER THE AREA NOW CALLED BOOT RANCH DEVELOPMENT.

I AM NOT A HYDROLOGIST, AFTER CROSSING THE CREEK TODAY, I DOUBT THE FLOW WOULD BE 1,000 CFM. I THINK THIS SHOULD BE OFFICIALLY MEASURED.

I BELIEVE IF THE APPLICANTS RECEIVE PERMISSION AS REQUESTED, THERE WILL BE ZERO FLOW AT THE MENTIONED CROSSING.

I URGE REFUSAL OF THE APPLICATION AND A REVIEW OF THE ORIGINAL APPLICATION.

IF THIS APPLICATION IS GRANTED, THE PALO ALTO WILL HAVE ZERO FLOW EXCEPT UNDER FLASH FLOOD CONDITIONS.

RESPECTFULLY,

Forest J. Rees
FOREST J. REES

X

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:11

TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: M. L. ROHRER

Address: 279 ROCKY HILL CANE

City/State: FREDERICKS BURG Zip: 78624

Phone: () 997-6352

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(AM (Written comments may be submitted any time during the meeting.)

→ VERY DISAPPOINTED THAT THE PUBLIC HEARING

WAS Please give this to the person at the information table. Thank you.

HELD ON THE LAST DAY OF RECEIPT OF

COMMENTS. ~~WHAT~~ NEW "PROJECT MANAGEMENT"

SHOULD BE CONSIDERED FOR THIS PROCESS

SEE
ADDIT on 1/17

~ TYPICAL USE 100 G / DAY PER PERSON

2.5 PEOPLE PER HOUSE

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

250 GAL PER DAY = 90,000 G PER YEAR
PER HOUSEHOLD

A. WHAT IS BOOT

= RANCH'S REQUESTS IN "EQUIVALENT DWELLING UNITS"
FOR A GOLF COURSE /

HOUSEHOLD OR

B. NEED "REAL TIME" (DAILY) DATA COLLECTED ON ANY

WATER TAKEN BY BOOT RANCH WITH RESPECT TO:

1. WATER VOLUME

REPORTED TO "PERMIT HOLDER" - TCEQ
HCUWD

2. WATER QUALITY -

WHAT WILL THE CHEMICALS DO TO OUR STREAMS
(IN LAKE)

3. AQUATIC LIFE

4. SPRING FLOW (STREAMS ARE OFTEN

RECHARGE FEATURES TO OUR AQUIFERS)
AND GROUNDWATER LEVELS
IN DRAINAGE AREA.

PERFORMANCE MATRICES NEED TO BE ESTABLISHED

~~THAT~~

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:11

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Bob Sagebiel

Address: PB Box 1934

City/State: Fredericksburg TX Zip: 78624

Phone: (713) 504-7385

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

See on back

Please give this to the person at the information table. Thank you.

5085
32

- ① Absent gauge meters on the Palo Alto, how can the TCEQ make qualified judgments on the flow and allow excess water to be diverted to Boot Ranch, my opinion is^a that a qualified answer cannot be given and substantiated by TCEQ.
- ② Does not irrigate for a non-ag use, ~~flow~~ fall lower on the priority pecking order to other higher needs, not to mention the needs of livestock, wildlife, and ~~not~~ live water eco-systems.
- ③ ~~Does not water allowed to be diverted here to be in excess flow.~~

OPA RECEIVED
JUN 06 2006
AT PUBLIC MEETING

171

TCEQ Public Participation Form
Boot Ranch Development, L.P.

Public Meeting

Application No. 14-1441A

Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:12

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Helen Seraggs

Address: 2735 Ranch Rd 965

City/State: FB6 TX Zip: 78624

Phone: (830) 990-2523

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Over

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

50851
WR

We all know that in order to maintain a green lush golf course, a lot of chemicals are needed.

Has anyone done a study of the impact all of these ^{chemicals} have on the quality of the water downstream? If so, what did the study find? The water is necessary to maintain wild life

and livestock. Also plants that are consumed by these animals may be harmed by chemicals.

Why were the water requirements not realized ie why did Boot Ranch ask for a 155 and now need 353 acres. It seems that once they got their foot in the door, they ask for more. What's next and will Boot Ranch be monitored to insure that they don't increase their water retention.

Aileen Suggs

Arch 2006

Reference Adjudication #14-1441 Texas Commission on Environmental Quality

Submitted by Frederick M. Smith, II

OPA

78 Rancho Palo Alto Road

APR 04 2006

Fredericksburg, TX 78624

BY KY

Phone # 830 997 8140

ADJ
50857

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHIEF CLERKS OFFICE
APR -4 M 9:57

Our property has approximately five hundred and fifty feet on the Palo Alto Creek which is a major asset for our quality of life. We own both sides of the creek starting at the East Side of the Palo Alto Creek Bridge in an easterly direction for at least five hundred fifty feet. The wildlife along the creek is abundant because of the running water which sustains a natural habitat.

We are naturally concerned about maintaining the existing flow of water. The current drought conditions have reduced the water level in the creek to a mere trickle. It's difficult to imagine what impact the Boot Ranch irrigation plans will have on the existing water flow. I can only conclude that the current flow will be reduced measurably.

When the Boot Ranch plans were permitted originally, I can't believe that the irrigation for the development wasn't carefully studied. Normally, a development of this quality would be required to submit an "environmental impact study" that would focus on water and availability especially in an area where water is of major concern.

Being a developer myself, I toured Boot Ranch with one the employees and I enquired about the water supply for the golf course. He quickly advised me that they had adequate water resources for the homes and the golf course. Now we find out that their needs are inadequate and that now they are asking for water rights which impact us. This request must be given the highest level of scrutiny before it's acted upon.

Sincerely, Frederick and Jerrie Smith

Frederick M. Smith
Jerrie M. Smith

COUNTY OF GILLESPIE

COMMISSIONERS:

MARK STROEHER
County Judge



CURTIS CAMERON
Precinct No. 1

CALVIN RANSLEBEN
Precinct No. 3

MARY LYNN RUSCHE
County Clerk

W.A. (BILLY) ROEDER
Precinct No. 2

J.E. (CORKY) THOMPSON
Precinct No. 4

FREDERICKSBURG, TEXAS 78624
101 W. Main, Unit #9
830-997-7502
Fax: 830-992-2608

March 9, 2006

Office of the Chief Clerk
MC 105
TCEQ
P.O. Box 13087
Austin, Texas 78711-3087

*ADD
50857*

PM
OPA
MAR 10 2006
BY *JS*

2006 MAR 10 AM 9:35
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

RE: Application No. 14-1441A;
Applicant – Boot Ranch Development, L.P.

To Whom It May Concern:

This letter is written concerning the above-referenced Application by Boot Ranch Development, L.P. for an amendment to a Certificate of Adjudication. I, along with several of our county commissioners, have received a number of telephone calls and letters from our constituents who are concerned about this application.

The purpose of this letter is to request that the TCEQ hold a public meeting on the application in order to provide potentially affected property owners with more information concerning the impact that an approval of this application would have. There are a lot of downstream property owners who are concerned, and rightfully so, with how the flow of the Palo Alto Creek will be affected if the TCEQ approves this application. I do not believe that the property owners in our area have been given enough information on this issue to make an informed decision as to whether or not they would oppose this application. Hopefully, a public meeting would serve to get them the information they deserve concerning this application.

Thank you for your consideration of this request, and any assistance or information you could provide to our affected property owners.

Sincerely,

Mark Stroehner
County Judge

6th

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

PLEASE PRINT:

Name: Dick Stuewe

Address: 2818 ~~Auto~~ Kneese Rd, P.O. Box

City/State: Fredericksburg TX Zip: 78624

Phone: 1830 / 997-3752

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHIEF CLERKS OFFICE
JUN 14 AM 8:39

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

50857
WR

PROTEST TO: Boot Ranch Development, LP/Water Rights Permit #14-1441

Meeting : 6-6-06, 7 p.m., Turner Hall, Fredericksburg, TX

My wife, the former Chrissy Hansen, and I live on Chrissy's family farm and ranch at 2818 Kneese Rd (purchased in the mid-1930's), on the Palo Alto Creek, approximately 3-5 miles downstream from the Boot Ranch Development.

Early land grants provided **EQUAL ACCESS** to the Palo Alto Creek for all adjoining land owners. Since the creek was the only form of continuous water supply for landowners and their livestock. We still own and use two pastures and lease a third that have the Palo Alto as the only water supply for livestock use. The permit requested by Boot Ranch Development is neither **EQUAL or FAIR** since it will remove our water right downstream by decreasing, or even stopping completely, the water flow of the creek. When the flow slows down substantially or even stops, good livestock drinking water would be further compromised with moss, algae and pollutants, which are stimulated to grow more with fertilizer and other detrimental run-off from up stream.

It is **WRONG** when those with power and substantial financial resources can take away and pollute water rights that have been **EQUALLY** accessible for all from past generations. We protest approval of the Boot Ranch Development as requested. **PLEASE** take in consideration those of us who have had family members who made their livelihood on this creek as important as those who want to hoard **ALL** of our available water rights for the sole purpose of **RECREATION** for a very few rich elite. This is **NOT** the American way or a positive precedent to set for our county and state!

Sincerely,

Dick Stuewe
Chrissy Stuewe

DICK & CHRISSY STUEWE
2818 Kneese Rd.
P.O. Box 734
Fredericksburg, TX 78624

OPA RECEIVED

JUN 06 2006 *JK*

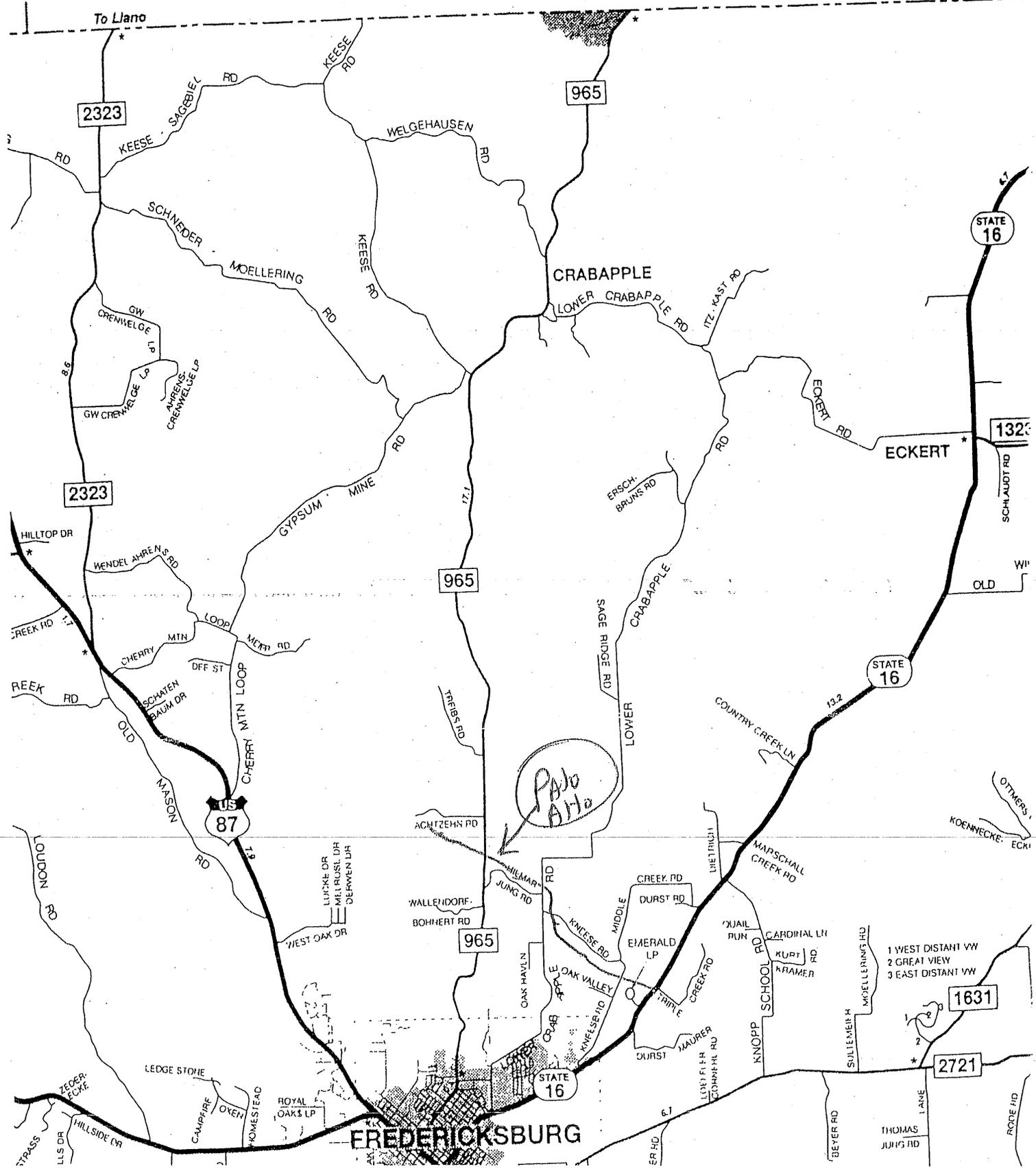
AT PUBLIC MEETING

TELE. - 830-997-3752

HA

L L A N O

C O



Crabapple Brangus Ranch

Bill Teague
895 Teague Road

Fredericksburg, Tx. 78624
Phone (830) 685-3263

Dec 8, 2006

ADS
50851

Mrs Shiana Delgado,

I strongly protest the amending of
an agricultural water rights permit to
include recreational uses.

Very strongly oppose

Sincerely,

Bill Teague

CHIEF'S OFFICE

207 MAR 27 AM 9:44

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

206 DEC 12 PM 1:03

RECEIVED
TCEQ WATER SUPPLY

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 9:11

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Mary Ellen Terrell

Address: 4957 Morris Ranch Rd.

City/State: Fredericksburg Tx Zip: 78624

Phone: (830) 990-0705

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.



50851
WR

The subject request raises troubling questions about water use, quality and availability for downstream water users. The issues within the jurisdiction of TCEQ are as follows:

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

The TCEQ apparently has no current statistics about flow levels in Palo Alto creek (as per the answer of the agency hydrologist at tonight's meeting). If they have no idea what the current levels are, how can they represent that no deleterious effects will result in diverting more water? How can this be consistent with the state water plan.

Is a golf course a beneficial use of water?
How many people will have access to this course?
How many gallons of water per year will it cost to make this resource available to the small number of people who will benefit?

If, as has been published in the local newspaper, the City of Fredericksburg is willing to provide gray water for Boot Ranch Irrigation needs, how can this request be seen as a conservative rather than wasteful use of Palo Alto creek or upstream water?

What will protect those downstream from run off of chemicals used on the golf course?

Thank you.

ADD
ES805
50805

DEAR MEMBER 3-2-86

REF: BOOT RANCH DEVELOPMENT
CERTIFICATE # 14-1440
14-1441

THIS REQUEST BY BOOT RANCH TO
DRAW WATER FROM POLOBITO CREEK
IS ABSURD

AS A RANCHER, WE USE THIS
WATER FOR OUR LIVESTOCK, AND WHAT
ABOUT THE DEER AND TURKEYS THAT
DEPEND ON THIS HABITAT

IF YOU GO TO THIS REQUEST TO
DRAW WATER FROM POLOBITO CREEK
ALONG WITH ALL THE OTHER LANDOWNERS
THE CITY OF FREDERICKSBURG HAS
OFFERED TO SUPPLY WATER TO THIS
PROJECT

IF BOOT RANCH NEEDS MORE
WATER, LET THEM DRILL WELLS
LIKE WE DO

PLEASE DON'T LET THIS REQUEST
PASS

MY PROPERTY IS LOCATED ABOUT
1/4 MILES FROM THE ED VAUGHAN
HEADWATER 2868 KNEESE ROAD
FREDERICKSBURG, TX 78624

THANKS
ED VAUGHAN PHONE # 830 997-3339

WR
50857

ADS-1441

JUN 01 2006

5-3109

TEXAS
COMMISSION
ENVIRONMENTAL
QUALITY

BYER CLERK

2006 JUN -1 AM 9:59

IF 5 SNAIL DORTERS CAN
STOP THE CONSTRUCTION OF
A DAM, THEN HUNDREDS
OF HESD OF LIVESTOCK AND
WILDLIFE CAN SURLEY
STOP THIS PROJECT !!

I GAVE 1 MILLION DOLLARS
FOR MY PROPERTY ON THE
POLO RIB CREEK, AND
WITH A DDH CREEK (PALO BITE)
HAPPENS IT WOULD DEVALUE
MY PROPERTY 150-200 THOUSAND
OF DOLLARS

I SEE A TERRMENDOOS
CLASS ACTION

Ed Vaughan

ED VAUGHAN
2888 KNEESE ROAD
FREDERICKSBURG, TX 78624

June 6, 2006
2619 S. Hwy 349
Lamesa, TX 79331

Dear Commission:

My husband and I have 64 acres that the Palo Alto passes through. We would rather have plain rangeland than land with a depressing dry creekbed. However, with water the Palo Alto is wonderful for wildlife and important for ranchers such as ourselves.

The creek is a ribbon of life through much of this county. It helps the Pedernales, the Colorado, and finally the estuaries.

Please do what you can to preserve our fish and other wildlife.
Besides, we don't have a well for our cows.

Sincerely,
Darlene Vogler

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN 14 AM 8:11

CHIEF CLERKS OFFICE

OPA RECEIVED

JUN 06 2006 J

AT PUBLIC MEETING

7

fax 512
239
3311

To: Texas Commission on Environmental
Quality

I am faxing my letter to you, but
I will also put that letter in
the mail today.

Jerry Vogler

19th

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:09

TEXAS COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: Jerry Vogler

Address: 2619 S. Hwy 349

City/State: Lamesa, TX Zip: 79331

Phone: (806) 462 7428

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No

If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

[Handwritten mark]

OPA RECEIVED *g*

JUN 06 2006

AT PUBLIC MEETING

June 6, 2006

2619 S. Hwy. 349
Lamesa, TX 79331

Dear Texas Commission on Environmental Quality:

I am a landowner along the Palo Alto Creek, and I feel that granting Boot Ranch the privilege of increasing their water usage is a gross injustice to landowners downstream who may lose their creek and have their property devalued for the sake of a golf course. What good is a creek if it is dry? Imagine the predicament facing old timers who rely on the creek to supply water to their cattle. Are they supposed to have to drill wells, set pumps and then pay a monthly electric meter bill because newcomers want to have a pretty lake and to swat little white balls?

I realize that population growth and commercial development is inevitable in the Fredericksburg area. That means there will be growing water needs in the future. To accept wasteful consumption now would be irresponsible. The amount of water already approved by the TCEQ will serve to operate a golf course, but with a lot more water usage a bigger part or even all of the golf course can be irrigated. Is that necessary? Do the rest of us want to see the nitrates show up in our water because all that water use is accompanied by more fertilizer use?

It is my opinion that a reasonable solution exists. If the city of Fredericksburg has a surplus of effluent water, it would be beneficial to both the city and Boot Ranch to utilize that surplus. My understanding of this matter is that the effluent water from the city has been available to Boot Ranch all along. Why has Boot Ranch not taken advantage of this environmentally friendly and neighbor friendly approach? Installing a pipeline to carry the water would be costly to Boot Ranch developers, but I believe those dollars would be much better spent than by spending them on legal fees to challenge concerned Palo Alto Creek property owners.

Thank you for your careful consideration on this important issue.

Sincerely,

Jerry Vogler

Jerry Vogler

CHIEF CLERK'S OFFICE

JUN 06 11 31 AM '06

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

7

TEXAS
COMMISSION ON ENVIRONMENTAL QUALITY

2006 MAR -9 AM 8:13

CHIEF CLERKS OFFICE

OPA PM

MAR 09 2006

BY

gs

*ADD
508054*

March 9, 2006

2619 S. Hwy 349

Lamesa, TX

79331
phone # 806-462-7428

Dear Texas Comm. on Env. Quality:
Regarding Cert. of Adjudication No. 14-1440

I am writing in reference to a new golf course that is going into development northeast of Fredericksburg. I happen to have land along Palo Alto Creek about 8 miles downstream.

I don't know many of the facts about that new golf course, but I want to say that I think the use of precious fresh water on a golf course is an abominable waste.

Sincerely,

Jerry Vogler

p.s. I would like to see a public meeting be held on the above issue.

[Handwritten mark]

To: Texas Commission on Environmental
Quality

I am faxing my letter to you, but
I will also put that letter in
the mail today.

Jerry Vogler

2006 MAR -9 AM 8:13
CHIEF CLERKS OFFICE

TEXAS
COMMISSION ON
ENVIRONMENTAL
QUALITY

ADD
50857
758025

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PNY OPA
MAR 13 2003

2006 MAR 13 AM 9:50

BY *Jerry* March 9, 2006

CHIEF CLERKS OFFICE

2619 S. Hwy 349

Lamesa, TX

7933/
phone# 806-462-7428

Dear Texas Comm. on Env. Quality:

Regarding Cert. of Adjudication No. 14-1440

I am writing in reference to a new golf course that is going into development northeast of Fredericksburg. I happen to have land along Palo Alto Creek about 8 miles downstream.

I don't know many of the facts about that new golf course, but I want to say that I think the use of precious fresh water on a golf course is an abominable waste.

Sincerely,

Jerry Vogler

p.s. I would like to see a public meeting be held on the above issue.

50357
WR

Arthur L. Watson
3120 Lower Crabapple Road
Fredericksburg, Texas 78624
(833)-917-4787

OPA RECEIVED

JUN 06 2006 J

AT PUBLIC MEETING

Office of the Chief Clerk
MC 105
Texas Commission of Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Date: June 6, 2006

To Whom It May Concern:

I am writing to oppose the application of Boot Ranch to increase their diversion amount and rate from the Palo Alto Creek. I am also writing to protest the current diversion amount and rate that Boot Ranch have been allowed under the pretense of irrigation, because it is actually being used to water a golf course.

The three main reasons for my protests are related to environmental impact, historic water rights and property values.

The environment of Palo Alto creek is an important and balanced eco-system. The balance with small farming and ranching has been stable for many years. The untilled creek bottom provides cover and more importantly water for a host of wild life, while the small farms and ranches provide food for many of them, directly or indirectly. Mammal species that are seen along the creek include whitetail deer, axis deer, cottontail rabbit, jack rabbit, red squirrel, grey squirrel, ground squirrel, gopher, fox, raccoon, armadillo, opossum, muskrat, nutria and even an elusive mountain lion. Bird species include turkey, mourning dove, white wing dove, quail, road runner, cardinal, blue or western jay, blue bird, herons, various ducks, and a host of other song birds. Water life includes bass, catfish, sunfish, carp, snapping turtle, softshell turtle, leeches and many other small creatures that support the larger species. Let us not forget that wildlife was the attraction that first brought visitors to Fredericksburg for hunting.

The flow of the Palo Alto has already diminished significantly over the years, evidently due to increased pumping from it as well as diminished rainfall in recent years. The wild life also used to enjoy numerous springs that were seen flowing or dripping from bluffs or road cuts. These springs have all but disappeared in recent years, again evidently due to pumping from the aquifer as well as diminished rainfall to replenish it. This makes the wildlife more dependent than ever on the Palo Alto for survival. It is therefore imperative that the flow of the Palo Alto not be further harmed by such non-ecological purposes as watering a golf course and that an allotment used by Boot Ranch for watering their golf course be discontinued.

The historic significance of the Palo Alto creek is evidenced by the many pioneer houses in the valley. The creek is still the only water available for many grazing lands including much our own ranch. Our family has ranched on Palo Alto Creek for thirty years, and the old homestead is the real home to four generations of Watsons. When we first came here, this was small farm and ranch country, like it has been for over a hundred years. The old limestone main house has a corner stone inscribed in German indicating that it was built in 1875 as a pioneer trading post. It is situated at the old ford across the Palo Alto, making it a historic landmark for settlement of the

AF

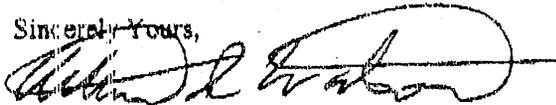
Palo Alto valley. The old limestone barn and dugout appear to predate the main house by many years. This historic site and working ranch, along with many others along the Palo Alto, will be irreparably harmed if the flow of the creek is further reduced to water the golf course of Boot Ranch, which has no historic claim to this water. Furthermore, the allotment already taken by Boot Ranch from the historic water flow for these other ranches should be restored.

Of course the Palo Alto valley is gradually being developed from small farms and ranches to rural subdivisions. The value of the property along the creek for either use is dependent on the existence of a healthy flow of water in the creek. Everyone wants a country home along a bubbling creek; no one wants to look out on a dry ditch. It is unfair for Boot Ranch, with no historic rights to pumping this amount of water, to harm the historic water rights and property values of all other property owners along the creek. These other property owners are not asking for rights to pump water, which would obviously dry up the creek, but just to continue the historic right of the natural flow through our land.

To put the issue in a different perspective, suppose in the future an even richer tax source developed upstream from Boot Ranch and applied to take the water Boot Ranch depended on from the creek. Would Boot Ranch think it was fair to have done to them what they are now trying to do to a whole community? Would TCEQ just give the water to the richest show in town without regard for the historic rights of others?

Let it be known therefore that as an heir of James A. Watson Jr. and his wife Margaret Q. Watson (owners of a 60 acre contiguous tract of property located along Palo Alto Creek, and whose residence is located on that property at the address of 3120 Lower Crabapple Road, Fredericksburg, Texas 78624), I strongly object to the application of an amendment to a Certificate of Adjudication No. 14-1441 with the Texas Commission of Environmental Quality filed by Boot Ranch Development, L.P. I furthermore request that their previous pumping allotment from the creek be revoked.

Sincerely Yours,



Arthur L. Watson

James A. Watson Jr.
Margaret Q. Watson
3120 Lower Crabapple Road
Fredericksburg, Texas 78624
(830)-997-4787

OPA

MAR 03 2006

BY

Office of the Chief Clerk
MC 105
Texas Commission of Environmental Quality
P.O.Box 13087
Austin, Texas 78711-3087

ADD
50857

CHIEF CLERK'S OFFICE

Date: March 1, 2006

To Whom It May Concern:

James A. Watson Jr. and his wife Margaret Q. Watson, as the owners of a 60 acre contiguous tract of property located along Palo Alto Creek, and whose residence is located on that property at the address of 3120 Lower Crabapple Road, Fredericksburg, Texas 78624, strongly object to the application of an amendment to a Certificate of Adjudication No. 14-1441 with the Texas Commission of Environmental Quality filed by Boot Ranch Development, L.P.

The Boot Ranch Development, L.P. proposal for additional water usage will significantly reduce the downstream water flow of Palo Alto Creek and have an adverse effect on the Palo Alto Creek Ecosystem, the surrounding wildlife habitat, the agricultural utilization and the overall real estate value of properties located downstream along and in the vicinity of the Palo Alto Creek.

The James A. Watson Jr. 60 acre property is situated along the south side of Palo Alto Creek, approximately two to three miles southeast and downstream of the Boot Ranch Development. The Palo Alto Creek has a thriving ecosystem with a variety of plants and animals, and is home to various fish, frogs, insects and other related water species. The surrounding property has a healthy wildlife population with an abundance of deer, rabbits, squirrels, armadillos, rodents, and foxes etc., all of which rely on the creek for water, food and shelter. The James A. Watson Jr. 60 acre property is also used for agricultural purposes and the Palo Alto Creek serves as the water supply for livestock, in particular cattle, which graze the land. Finally, the creek provides a natural scenic beauty so characteristic of the Fredericksburg Hill Country, which greatly increases the intrinsic value and appeal of the property. A permanent reduction or possible total elimination of the water flow in the Palo Alto Creek would be devastating.

In summary, the Boot Ranch Development, L.P. should not be granted the proposed amendment to the Certificate of Adjudication No. 14-1441 to increase the water usage of Palo Alto Creek. This valuable water resource is vital to the quality and health of the downstream Palo Alto Ecosystem and to the overall value and prosperity of the surrounding properties.

Sincerely Yours,

James A. Watson Jr.

James A. Watson Jr.

Margaret Q. Watson

Margaret Q. Watson

Letters To The Editor.

Dear Property Owners along the Palo Alto Creek and the Pedernales River.

In the Feb. 8 *Fredericksburg Standard Radio Post*, Boot Ranch Development, L.P. placed a legal notice advising that they have applied for an amendment to a Certificate of Adjudication No. 14-1441 with the Texas Commission on Environmental Quality to:

- Increase the storage capacity of the reservoir on Upper Palo Alto Creek from 6 acre-feet to 93 acre-feet.

- Increase the annual diversion amount from 34 acre-feet to 232 acre-feet of water per year.

- Increase the diversion rate from 1.89 cfs (800 gpm) to 5.79

cfs (2,550 gpm).

- Add an existing off-channel reservoir as part of the irrigation system.

- Add recreational use to both reservoirs, and

- Increase the lands to be irrigated from 29 acres to a maximum of 100 acres of land out of a 1,921.5-acre tract in Gillespie County, being the same tract as authorized in Certificate of Adjudication No. 14-1440.

Property owners along Palo Alto Creek & Pedernales River need to be made aware of potential consequences of the above request.

Boot Ranch Developers should have done a better job planning for their water needs.

Property owners can send

their written comments to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087.

Written submissions must include (1) your name, mailing address, daytime phone #; (2) applicant's name & permit #; (3) brief & specific description of how you would be affected; (4) location & distance of your property relative to the proposed activity; and must be filed within 30 days from the date of newspaper publication of this notice.

Barbara Mann

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:11

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: James + Margaret Watson
Address: 3120 Lower Crabapple Rd
City/State: Fredericksburg TX Zip: 78624
Phone: (830) 997-4787

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? POWER

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

50851
WR

James A. Watson Jr.
Margaret Q. Watson
3120 Lower Crabapple Road
Fredericksburg, Texas 78624
(830)-997-4787

Office of the Chief Clerk
MC 105
Texas Commission of Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Date: June 6, 2006

To Whom It May Concern:

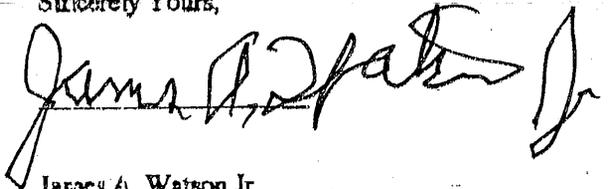
As the owners of a 60 acre contiguous tract of property located along Palo Alto Creek, and whose residence is located on that property at the address of 3120 Lower Crabapple Road, Fredericksburg, Texas 78624, we strongly object to the application of an amendment to a Certificate of Adjudication No. 14-1441 with the Texas Commission of Environmental Quality filed by Boot Ranch Development, L.P.

The Boot Ranch Development, L.P. proposal for additional water usage will significantly reduce the downstream water flow of Palo Alto Creek and have an adverse effect on the Palo Alto Creek Ecosystem, the surrounding wildlife habitat, the agricultural utilization and the overall real estate value of properties located downstream along and in the vicinity of the Palo Alto Creek.

Our 60 acre property is situated along the south side of Palo Alto Creek, approximately two to three miles southeast and downstream of the Boot Ranch Development. The Palo Alto Creek has a thriving ecosystem with a variety of plants and animals, and is home to various fish, frogs, insects and other related water species. The surrounding property has a healthy wildlife population with an abundance of deer, rabbits, squirrels, armadillos, rodents, and foxes etc., all of which rely on the creek for water, food and shelter. The 60 acre property is also used for agricultural purposes and the Palo Alto Creek serves as the water supply for livestock, in particular cattle, which graze the land. Finally, the creek provides a natural scenic beauty so characteristic of the Fredericksburg Hill Country, which greatly increases the intrinsic value and appeal of the property. A permanent reduction or possible total elimination of the water flow in the Palo Alto Creek would be devastating.

In summary, the Boot Ranch Development, L.P. should not be granted the proposed amendment to the Certificate of Adjudication No. 14-1441 to increase the water usage of Palo Alto Creek. The flow of the Palo Alto Creek has already diminished significantly over the years due in part from over water usage, and its flow rate would further decrease if the proposed amendment was approved. The Palo Alto Creek is a valuable water resource, and is vital to the quality and health of the downstream Palo Alto Ecosystem and to the overall value of the surrounding properties.

Sincerely Yours,



James A. Watson Jr.



Margaret Q. Watson

61

16th

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 JUN 14 AM 8:09

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: SAM WATSON
Address: 14197 Hwy 290 E
City/State: STANWELL, TX Zip: 78621
Phone: (830) 644-2614

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE CHECK BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

I would like to see TCEQ REQUIRE
BOOT RANCH TO MAXIMIZE THE USE OF
Please give this to the person at the information table. Thank you.

FREDERICKSBURG'S EFFLUENT DISCHARGE
WATER AS A CONDITION PRECEDENT
BEFORE GRANTING ANY ADDITIONAL PERMITS.

3KQ

TCEQ Public Participation Form
Boot Ranch Development, L.P.
Public Meeting
Application No. 14-1441A
Tuesday, June 6, 2006

CHIEF CLERKS OFFICE

2006 JUN 14 AM 8:06

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

PLEASE PRINT:

Name: AI WEINZIERL
Address: 18211 FM 2093
City/State: HARPER Zip: 78631
Phone: () _____

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group? Yes No
If yes, which one? _____

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Handwritten mark