Kathleen Hartnett White, *Chairman*
Larry R. Soward, *Commissioner*
H. S. Buddy Garcia, *Commissioner*

Blas J. Coy, Jr., *Public Interest Counsel*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 13, 2007

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2007 JUN 13 PM 4:57
CHIEF CLERKS OFFICE

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

RE: **BOOT RANCH DEVELOPMENT, L.P.**
TCEQ DOCKET NO. 2006-1890-WR

Dear Ms. Castañuela:

Enclosed for filing is the Public Interest Counsel's Clarification to Response to Requests for Hearing in the above-entitled matter.

Sincerely,

Mary Alice C. McKaughan

Mary Alice C. McKaughan, Attorney
Public Interest Counsel

cc: Mailing List

Enclosure

TCEQ DOCKET NO. 2006-1890-WR

APPLICATION OF BOOT RANCH DEVELOPMENT L.P. TO AMEND CERTIFICATE OF ADJUDICATION NO. 14-1441	§ § § §	BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

THE OFFICE OF PUBLIC INTEREST COUNSEL'S CLARIFICATION TO RESPONSE TO REQUESTS FOR HEARING

TO THE HONORABLE MEMBERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

COMES NOW, the Office of Public Interest Counsel (OPIC) of the Texas Commission on Environmental Quality (Commission or TCEQ) and files this clarification to its Response to Requests for Hearing in the above-referenced matter.

In its response, OPIC inadvertently stated that there were 46 timely hearing requests. As reflected in the body of OPIC's brief, there were forty-six (46) hearing requests and forty-one (41) requesters. Of the 41 Requesters the following 16 requesters filed untimely hearing requests after March 10, 2006: (1) Morey M. Weldon, (2) William F. Weldon, (3) Michael Hartman, (4) Clark A. Kibler, (5) Patricia Kibler, (5) Chris Brown, (6) Bill Brown, (7) Louis E. Buehn, (8) James Schonaerts, (9) Margaret Meyers, (10) Ronald W. Johns, (11) Kirby L. Brown and (12) David K. Langford on behalf of the Texas Wildlife Association ("TWA"), (13) Robert Brandes, (14) Calvin Ransleben, Commissioner, Precinct No. 3, (15) Bruce McNabb and (16) David Peake III. Moreover, due to the untimeliness of certain requests, there are only four impacted ranchers and homeowners as discussed in section IIIA3 of OPIC's brief not eight. OPIC's conclusion and recommendation remains the same.

Respectfully submitted,

Blas J. Coy, Jr.
Public Interest Counsel

Mary Alice Boehm-McKaughan
Assistant Public Interest Counsel
P.O. Box 13087 MC 103
Austin, Texas 78711
(512)239-6363 PHONE
(512)239-6377 FAX

CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2007, the original and eleven true and correct copies of the Office of the Public Counsel's Clarification to Response to Requests for Hearing were filed with the Chief Clerk of the TCEQ and a copy was served to all persons listed on the attached mailing list via hand delivery, facsimile transmission, Inter-Agency Mail or by deposit in the U.S. Mail.

Mary Alice Boehm-McKaughan

MAILING LIST
BOOT RANCH DEVELOPMENT, L.P.
TCEQ DOCKET NO. 2006-1890-WR

FOR THE APPLICANT:
Gilbert Little
Boot Ranch Development, L.P.
36 Fares Ranch Rd.
Fredericksburg, Texas 78624-6710

Robert J. Brandes, P.E., Ph.D.
R.J. Brandes Company
4900 Spicewood Springs Rd.
Austin, Texas 78759-8422
Tel: (512) 343-1070
Fax: (512) 343-1083

FOR THE EXECUTIVE DIRECTOR:
Robin Smith, Staff Attorney
Texas Commission on Environmental Quality
Environmental Law Division, MC-173
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-0600
Fax: (512) 239-0606

Iliana Marie Delgado
Texas Commission on Environmental Quality
Water Supply Division, MC-160
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3678
Fax: (512) 239-2214

FOR OFFICE OF PUBLIC ASSISTANCE:
Bridget Bohac, Director
Texas Commission on Environmental Quality
Office of Public Assistance, MC-108
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4000
Fax: (512) 239-4007

FOR ALTERNATIVE DISPUTE RESOLUTION:
Kyle Lucas
Texas Commission on Environmental Quality
Alternative Dispute Resolution, MC-222
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-4010
Fax: (512) 239-4015

FOR THE CHIEF CLERK:
LaDonna Castañuela
Texas Commission on Environmental Quality
Office of Chief Clerk, MC-105
P.O. Box 13087
Austin, Texas 78711-3087
Tel: (512) 239-3300
Fax: (512) 239-3311

REQUESTERS:
Laura Bailey
9110 Old Georgetown Rd.
Bethesda, Maryland 20814-1652

Charles A. & Meta Kathleen Bendele
P.O. Box 187
Hye, Texas 78635-0187

Edwin & Lila Mae Beyer
760 Beyer Rd.
Fredericksburg, Texas 78624-3805

Robert Brandes
312 W. Austin St.
Fredericksburg, Texas 78624-3805

Bill & Chris Brown
280 Bell Ottmers Rd.
Fredericksburg, Texas 78624-7404

David K. Langford & Kirby L. Brown
2800 NE Loop 410
San Antonio, Texas 78218-1512

Louis E. Buehn
576 Durst Maurer Rd
Fredericksburg, Texas 78624-5805

Curtis Cameron
County of Gillespie
101 W. Main St., Room 9
Fredericksburg, Texas 78624-3745

Archie D. Crenwelge
PO Box 911
Sonora, Texas 76950-0911

Cecil J. Crenwelge
2701 Crenwelge Rd.
Fredericksburg, Texas 78624-6475

Sidney E. Crenwelge
10518 N. US Highway 87
Fredericksburg, Texas 78624-6202

Stanley E. Crenwelge
3877 Old San Antonio Rd.
Fredericksburg, Texas 78624-6125

Irene Mae Fritz
2571 US Highway 90 E
Castroville, Texas 78009-5406

Michael Hartman
739 Lonesome Trail
Fredericksburg, Texas 78624-6060

Mary Jane Henrich
191 Henrich Ln.
Mason, Texas 76856-3449

Eugenia A. Jenschke
231 Ronald Ln.
San Antonio, Texas 78201-6812

Ronald W. Johns
743 Lonesome Trail
Fredericksburg, Texas 78624-6060

Darlyn Jung
101 Thomas Jung Rd.
Fredericksburg, Texas 78624-6062

Clark A. & Patricia P. Kibler
285 Triple Creek Rd.
Fredericksburg, Texas 78624-5854

Patrick H. Klein
1895 Lower Crabapple Rd.
Fredericksburg, Texas 78624-6719

Bruce McNabb
7414 Scintilla Ln.
Fair Oaks, Texas 78015

Margaret Meyers
PO Box 1176
Fredericksburg, Texas 78624-1176

Donna Oehler
217 E. Creek St.
Fredericksburg, Texas 78624-4129

Gregory Oehler
217 E. Creek St.
Fredericksburg, Texas 78624-4129

David Peake
309 Luckenbach Rd.
Fredericksburg, Texas 78624-7457

David Peake, III
309 Luckenbach Rd.
Fredericksburg, Texas 78624-7457

Katherine F. Peake
309 Luckenbach Rd.
Fredericksburg, Texas 78624-7457

Shirley A. Preece
4804 Eilers Ave.
Austin, Texas 78751-2627

Calvin Ransleben
101 W. Main St., Unit 9
Fredericksburg, Texas 78624-3745

Carter T. Schildknecht
PO Box 1268
Lamesa, Texas 79331-1268

James Schonaerts
1064 Triple Creek Rd.
Fredericksburg, Texas 78624-5860

Dora Lee Sewell
707 W. Schubert St.
Fredericksburg, Texas 78624-2516

Elizabeth Ida Terry
6953 Old Highway Rd.
Inez, Texas 77968-3673

John E. Thompson
Commissioner, County of Gillespie 101 W.
Main St., Unit 9
Fredericksburg, Texas 78624-3745

Morey M. Weldon
377 Lonesome Trail
Fredericksburg, Texas 78624-6060

William F. Weldon
377 Lonesome Trail
Fredericksburg, Texas 78624-6060