

TCEQ Public Participation Form  
The Golf Club at Circle C  
Public Meeting  
Proposed Water Use Permit No. 5852  
November, 29, 2005

4  
and  
6

2005 NOV - 5 PM 3:48  
CHIEF CLERKS OFFICE

PLEASE PRINT: BACKUS  
Name: ANDREW BACKUS  
Address: 16204 HIDDEN SPRINGS LN  
City/State: AUSTIN TX Zip: 78737  
Phone: (512) 913-3156

Please add me to the mailing list.

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

If yes, which one? HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT  
BOARD PRESIDENT

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 at any time during the meeting.)

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

47813  
wr

**Hays Trinity Groundwater  
Conservation District,  
Hays County, Texas**

Physical: CenterLake Medical Bldg., 14101 Hwy 290 W, Bldg  
100, Ste 212, Austin, TX 78737

Mail: P. O. Box 1648; Dripping Springs, TX 78620

E-mail: [manager@haysgroundwater.com](mailto:manager@haysgroundwater.com)  
Phone: 512-858-9253 Fax: 512-858-2384  
Website: [www.haysgroundwater.com](http://www.haysgroundwater.com)

November 29, 2005

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

OPA  
DEC 14 2005  
BY \_\_\_\_\_

2005 DEC -5 PM 3:48  
CHIEF CLERKS OFFICE  
TCEQ  
OFFICE OF THE CHIEF CLERK

RE: TCEQ SURFACE WATER USE PERMIT APPLICATION PERMIT NO. 5852,  
CIRCLE-C GOLF; PUBLIC MEETING / PUBLIC HEARING 11/29/05.

To Whom It May Concern,

The Hays Trinity Groundwater Conservation District opposes the granting of this permit for following reasons.

- 1) This portion of Travis County was included in the Hill Country Priority Groundwater Management Area, which was designated by the TCEQ predecessor on June 6, 1990. Groundwater production within the Travis County portion of the Hill Country "priority groundwater management area" is required to be regulated according to the rules of a groundwater conservation district not the rule of capture according to TCEQ rule 30 TAC, §293.19, and the Texas Water Code chapters 35 and 36. The TCEQ must grant authority over groundwater production in this permit application to either the BSEACD, the HTGCD, the Blanco GCD or act as a GCD to administer the groundwater resource to conserve, preserve, recharge and prevent waste of groundwater within the Travis County PGMA.. This action would serve the public in Travis County and the hundreds of property owners in nearby portions of adjacent Hays County that depend on Trinity wells for residential water. Alternative LCRA surface water connections for these residential users would cost ~\$25,000 per residence to establish plus ongoing monthly fees. Do not grant the use of groundwater as requested. It is not serving the greater public good.
- 2) Current rates of production from Circle-C have caused home owners in Appaloosa Run, along RR-1826, around Buba's Store and in the Village of Bear Creek to experience declining water levels and the need to deepen wells. Once again, the TCEQ's failure to act to create a GCD in a timely manner has caused the local people they are supposed to protect to be subjected to additional costs while a golf business benefits for satisfy fewer people than are harmed by the action. This situation is directly a result of TCEQs failure to enforce the law.
- 3) Lined surface impoundments of water are a 'wasteful' means of storing water because in this region of central Texas, there is a net average annual evaporation rate of 25-inches. This is a loss of approximately 679,000 gallons of water per year to evaporation per acre of surface impoundment. This is a form of water waste.
- 4) Furthermore if the unevaporated portion of captured surface water that is stored in lined surface impoundments is efficiently irrigated, essentially none of this surface water will recharge the aquifer because it will all be taken up by plants and lost to evapo-transpiration and transpiration. This interference with recharge of surface water will further stress the aquifer, and create problems for other local users of the aquifer and is not a sustainable form of development of the resource. The action will not enhance the public welfare.
- 5) The amount of groundwater production discussed 395gpm is enough to serve 5,171 people per day or maybe 100 golfers per day. In either case it is not a sustainable amount of water to be produced from the Trinity Aquifer. It does not serve the public good and it harms adjoining property owner.

*Handwritten mark*

**HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT**

**RE: TCEQ SURFACE WATER USE PERMIT APPLICATION PERMIT NO. 5852,  
CIRCLE-C GOLF; PUBLIC MEETING / PUBLIC HEARING 11/29/05.**

If any production of groundwater is to be granted the HTGCD request that the applicant be required to document production from the aquifer with totalizing flow meters and by monitoring of water levels in the production wells and other monitoring wells around the property using pressure transducers that record water levels on 5 minute intervals. This request provides much needed data on the aquifer that will serve the public good that will enhance the management practices of the aquifer. The location of surrounding monitoring wells should be agreed upon by the HTGCD, BSEACD and City of Austin and TCEQ.

The HTGCD would be comfortable with allowing the Circle-C Golf Course to produce 4,400 gallons per acre they own per year. This is the average sustainable production from the Upper and Middle Trinity Aquifers are based on published reports. A number for sustainable production from the Trinity Aquifer system can be backed out from published reports by Bluntzer (1992), Mace et al (2000), Mace (2003) and Jones (2004).

These reports document that water balance and modeling studies indicate that that 4.5 to 5.0 percent of annual average precipitation recharges the Upper and Middle Trinity Aquifers. Assuming there is 36 inches of average annual rainfall, that translates into approximately 44,000 gallons per acre per year that recharge the Upper and Middle Trinity from precipitation. Bluntzer notes that "only a very small portion of ...groundwater can be realistically recovered by wells on a sustained basis. This condition is due to the extremely low coefficients of transmissibility of the...Trinity Group aquifers" (pg 92). Furthermore, Bluntzer (1992) notes: "The estimated total annual ground-water sustained yield...amounts to about 10% of the area's estimated annual natural recharge..." (This is the) "... approximate amount of ground water that can be recovered by wells without adversely effecting (sic) baseflow (groundwater discharge) to area effluent streams, and without causing adverse water-level declines and related encroachment of poor quality water, particularly in the Trinity Group aquifers" (pg. 95). Applying this line of reasoning to Jones (2004) analysis of GAM precipitation recharge would imply that only 0.47% of precipitation recharge, or about 4,400 gallons per acre per year, is available for sustainable use from the Upper and Middle Trinity Aquifers.

**References**

Bluntzer, Robert L., 1992, Evaluation of the Ground-Water Resources of the Paleozoic and Cretaceous Aquifers in the Hill Country of Central Texas. Texas Water Development Board, Report 339.  
<http://www.twdb.state.tx.us/publications/reports/GroundWaterReports/GWReports/GWreports.asp>

Jones, Ian C., 2004. "GAM Run 04-18; "What is the recharge rate for the (Upper and Middle) Trinity aquifer within the Hays Trinity Groundwater Conservation District (HTGCD)? ", October 7, 2004. Texas Water Development Board, Austin, TX.  
<http://www.twdb.state.tx.us/Gam/GAMruns/GR04-18.pdf>

Mace, Robert, March 21, 2003. "GAM run 02-01", County by County Water Budget In the Hill Country Trinity GAM, Texas Water Development Board, Austin, TX.  
<http://www.twdb.state.tx.us/Gam/GAMruns/GR02-01.pdf>

Mace, Robert E., Ali H. Chowdhury, Roberto Anaya, Shao Chih (Tec) Way, September 2000. "Groundwater Availability of the Trinity Aquifer, Hill Country Area, Texas: Numerical Simulations through 2050". Texas Water Development Board Report 353.  
[http://www.twdb.state.tx.us/Gam/trmt\\_h/trinity.htm](http://www.twdb.state.tx.us/Gam/trmt_h/trinity.htm)

HAYS TRINITY GROUNDWATER CONSERVATION DISTRICT

RE: TCEQ SURFACE WATER USE PERMIT APPLICATION PERMIT NO. 5852,  
CIRCLE-C GOLF; PUBLIC MEETING / PUBLIC HEARING 11/29/05.

Sincerely,



Andrew Backus  
President  
Board of Directors

Cc: Mary K. Sahs  
General Counsel

Beckie J. Morris  
General Manager  
Hays Trinity GCD

**Hays Trinity Groundwater  
Conservation District,  
Hays County, Texas**

Physical: CenterLake Medical Bldg., 14101 Hwy 290 W, Bldg  
100, Ste 212, Austin, TX 78737  
Mail: P. O. Box 1648; Dripping Springs, TX 78620  
E-mail: [manager@haysgroundwater.com](mailto:manager@haysgroundwater.com)  
Phone: 512-858-9253 Fax: 512-858-2384  
Website: [www.haysgroundwater.com](http://www.haysgroundwater.com)

July 11, 2005

USK / H 7813 PM

OPA

JUL 14 2005

BY DL

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

CHIEF CLERK'S OFFICE  
2005 JUL 13 PM 2:20  
ON DEPARTMENT OF  
CIVILITY

**RE: WATER RIGHTS APPLICATION NO. 5852; REQUEST FOR PUBLIC MEETING**

Dear Sirs/Madams:

The Hays Trinity Groundwater Conservation District ("District") is a Groundwater Conservation District created by Acts of the 76th Legislature, Regular Session, 1999 ("S.B. 1911") and Act of May 27, 2001, 77th Legislature, Regular Session, chapter 966, Part 3, 2001 Texas General Laws 1880 ("S.B. 2") (collectively, "enabling legislation"). The District was established in the western portion of Hays County that is not included in the Barton Springs Edwards Aquifer Conservation District or the Edwards Aquifer Authority. The purpose of the District, as a political subdivision of the State, is to provide for the conservation, preservation, protection, recharging, and the prevention of waste of groundwater and groundwater reservoirs.

The District respectfully requests a Public Meeting in regards to Golf Club at Circle C, LP's ("Circle C") Water Rights Application (No. 5852). It is the District's understanding that Circle C proposes to offset the use of state water with groundwater and that Circle C currently has two (2) groundwater wells capable of producing a combined total of 639 acre-feet of groundwater per year (approximately 400 gpm) from the Trinity Aquifer. The District further understands that Circle C may drill at least one (1) additional groundwater well to withdraw water from the Trinity Aquifer. These wells are located close to the District's western jurisdictional boundary but are not in a Groundwater Conservation District, and, as such, are unregulated for the purposes of groundwater production by any local or state agency. However, the wells are located within the TCEQ designated Hill Country Priority Groundwater Management Area, which is currently and projected to experience significant development stressors and groundwater table declines.

Based on the fact that the TCEQ and its predecessor agencies have not followed through on the State Law requiring them to create a groundwater conservation district in area designated a 'Priority Groundwater Conservation Area', we request that the TCEQ allow our District and Barton Springs Edwards Aquifer Conservation District to act in a decision making role since this area would logically be included in one of our Districts. If this is not possible we request TCEQ consider the impacts to the groundwater regime as they consider this surface water permit that requests the use of groundwater.

The District has several important and substantive concerns with the proposed application. The District has an obligation, to the extent allowed by our statutory authority, to protect water quality and availability required by groundwater users within the District's jurisdiction. There are more than 100 Trinity Aquifer groundwater users located near the proposed wells in the Village of Bear Creek and along RR-1826 in southern Travis and northern Hays County. To our knowledge, Circle C has not conducted any feasibility studies or modeling-runs using the Texas Water Development Board's approved Groundwater Availability Model for the Trinity Aquifer to determine if there will be any adverse water quality or availability impacts on surrounding groundwater users. A significant draw-down of the Trinity Aquifer's piezometric surface will create a substantial impact on groundwater users in our District, as well as, the Barton Springs Edwards Aquifer Conservation District. Additionally, the District has concerns and requests information related to the water quality discharged from the existing irrigation ponds on Danz Creek. The Circle C golf course and Danz Creek are situated on Glenrose Limestone and therefore irrigation on the golf course

MW

**Hays Trinity Groundwater Conservation District**

**RE: WATER RIGHTS APPLICATION NO. 5852; REQUEST FOR PUBLIC MEETING July 11, 2005**

and any pond construction or discharges to creeks will directly recharge the Trinity Aquifer and ultimately contribute to the Edwards Aquifer. The District is unaware of the design standards of the existing and proposed reservoirs and has questions related to Circle C's plans and capabilities to ensure that potentially contaminated stormwater runoff from the Golf Course environs that is captured in the reservoirs does not infiltrate into the Trinity and the Edwards Aquifer.

The District: 1) requests that TCEQ when evaluating the merits of Circle C's application consider the potential negative impacts to groundwater quantity and quality for users located in the Hill Country PGMA, Hays Trinity Groundwater Conservation District and the Barton Springs/Edwards Aquifer Conservation District; 2) require the application to include such studies, measures, and assurances that the issuance of a Water Use Permit will not adversely affect the Trinity or Edwards Aquifers, both being critical water supply groundwater resources for central Texas.

Thanks you for consideration of this request.

Sincerely,



Andrew H. Backus  
Board President

HTCCD  
P.O. Box 1648  
Dripping Springs, TX  
78620

RETURN RECEIPT  
REQUESTED

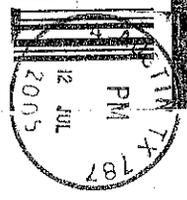
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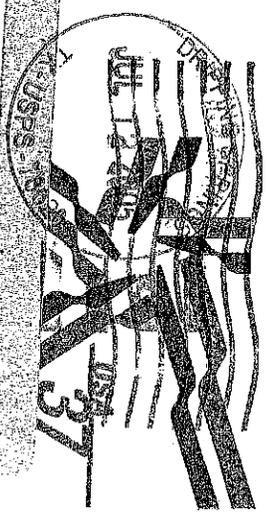
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MC 105  
TCEQ  
P.O. Box 13087  
Austin, TX 78711-3087



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**Hays Trinity Groundwater  
Conservation District,  
Hays County, Texas**

Physical: CenterLake Medical Bldg., 14101 Hwy 290 W, Bldg  
100, Ste 212, Austin, TX 78737

Mail P O Box 1648, Dripping Springs, TX 78620

E-mail [manager@haysgroundwater.com](mailto:manager@haysgroundwater.com)  
Phone: 512-850-9253 Fax: 512-850-2004  
Website: [www.haysgroundwater.com](http://www.haysgroundwater.com)

July 11, 2005

WR  
47813

PM

OPA

JUL 12 2005

BY AL

CHIEF CLERKS OFFICE

2005 JUL 11 PM 2:09

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

**RE: WATER RIGHTS APPLICATION NO. 5852; REQUEST FOR PUBLIC MEETING**

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A.S.

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p. 2

**Hays Trinity Groundwater Conservation District****RE: WATER RIGHTS APPLICATION NO. 5852; REQUEST FOR PUBLIC MEETING July 11, 2005**

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The District: 1) requests that TCEQ when evaluating the merits of Circle C's application consider the potential negative impacts to groundwater quantity and quality for users located in the Hill Country PGMA, Hays Trinity Groundwater Conservation District and the Barton Springs/Edwards Aquifer Conservation District; 2) require the application to include such studies, measures, and assurances that the issuance of a Water Use Permit will not adversely affect the Trinity or Edwards Aquifers, both being critical water supply groundwater resources for central Texas

Thanks you for consideration of this request

Sincerely,



Andrew H. Backus  
Board President

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2005 DEC 13 AM 9:18

CHIEF CLERKS OFFICE

December 11, 2005

Dear Texas Commission on Environmental Quality,

WR  
47813

My Wife and I and other families of the Village of Bear Creek are very concerned about the Golf Club at Circle C's Water Rights Application #5852.

We depend on our well water for survival. I would have to invest thousands of dollars to replace my water source. I don't believe myself or our neighbors should be responsible financially for keeping Circle C's golf course green. The Golf Club at Circle C wants to use millions of gallons of water per year to water a golf course from our same aquifer. Survival is not a game, golf is.

Please decline the Golf Club at Circle C's application #5852.

Thank you for your consideration,



James and Sony Bollmeyer  
13007 S. Madrone Trl.  
Auntin, TX 78737

OPA

DEC 13 2005

BY  \_\_\_\_\_

Please add us to your mailing list.

Cc: State Representative – Patrick Rose  
Village of Bear Creek Mayor - Bruce Upham  
President, Hays Trinity Groundwater Conservation District – Andrew Backus



SKOWRANGE - STANES BOLLMEYER  
13007 S. MADDORE TRL  
AUSTIN, TX, 78737



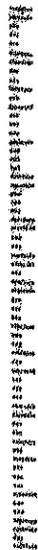
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DEC 13 2005

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

78711-3087



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PM

OPA

JUL 12 2005

BY     

July 8, 2005

Office of the Chief Clerk  
 MC 105  
 Texas Commission on Environmental Quality  
 P.O. Box 13087  
 Austin, Texas 78711-3077

*WR  
47813*

**RE: Comments in opposition to, and request for public meeting on, Water Rights Application No. 5852 - Golf Club at Circle C L.P.**

Dear Sirs and Madams:

The Save Our Springs Alliance files these comments on the above water rights application, which seeks approval for maintaining reservoirs and diverting water for golf course and other landscape irrigation.

We respectfully request that a public meeting be held on this application.

The Save Our Springs Alliance is a non-profit, public interest organization committed to protecting and sustaining the quality and quantity of flows into, through, and discharging from the Edwards Aquifer. We also work more broadly to protect the biological and chemical integrity of all waters in the Hill Country region and to conserve the natural and cultural heritage of the region.

The proposed permit would authorize activities located on top of the recharge zone for the Barton Springs Edwards Aquifer. TCEQ (then TNRCC) recognized in 1990 that the Barton Springs Edwards Aquifer was more vulnerable to pollution than any other major aquifer in Texas. Despite this recognition, TCEQ has done very little to protect the Aquifer from pollution from urban development and other human activities in the recharge and contributing zones. The Aquifer, in the area of the proposed permit, is also an EPA-designated sole source drinking water aquifer.

Generally speaking, our comments and concerns are as follows:

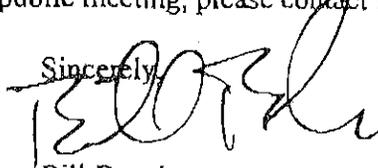
1. Even though the application characterizes the large reservoir as "off channel," it is on a defined water course and, for that reason, was very likely built without a required permit.
2. The proposed permit does nothing to protect water quality in Bear Creek, in tributaries to Bear Creek and Slaughter Creek, or in the Edwards Aquifer. In the hot, dry climate and with thin and low-fertility soils, it is impossible to

*D.S.*

- maintain a golf course such as the Circle C golf course without the massive use of harmful fertilizers, pesticides, herbicides, and fungicides. The water authorized to be diverted for irrigation purposes will necessarily be mixed with these chemicals and will become a vector for discharge of these contaminants into adjacent surface water as well as the underlying Edwards Aquifer. No permit should be issued without strict limits on the use (and reporting of use) of landscape chemicals in the areas to be irrigated.
3. The proposed activities to be permitted include a complicated scheme for moving water from one reservoir to another, and from the "Trinity Aquifer" to the surface, for purposes of substituting recharge to the Edwards Aquifer that would otherwise be provided by surface runoff and surface and instream recharge. This plan seems needlessly complicated and overly ripe for abuse. On its face it seems less than practical to divert natural runoff/recharge flows, and to then seek to replace those waters with groundwater pumped from an aquifer below the Edwards so that water will then recharge to the Edwards.
  4. Large scale pumping of the Trinity can threaten both Trinity and Edwards Aquifer wells in the vicinity. This portion of the Trinity is a TCEQ designated Priority Groundwater Management Area and, as such, should be protected by TCEQ from overpumping. The applicant should present reliable information demonstrating that aquifer drawdown will not occur and the permit should incorporate terms prohibiting pumping during times of drought and/or aquifer drawdown.
  5. The TCEQ is underfunded and understaffed to monitor much of the development and pumping that is threatening the quality and quantity of Edwards Aquifer flows. The requested permit would require extensive monitoring by both the applicant and TCEQ to assure that, as promised, there will be "no net diversion or consumptive use of state water." TCEQ should recognize that this monitoring (and enforcement action, if needed) is simply not going to happen.
  6. The permit should require the applicant to monitor its purported Trinity wells no less than once every three months for both quality and aquifer levels so that (a) the quality testing will assure that water being pumped is Trinity water, not Edwards Aquifer water, and (b) the water level monitoring will establish any drawdown.

Thank you for your consideration. If you have any questions about these comments and request for public meeting, please contact me at 512-477-2320.

Sincerely,



Bill Bunch  
Executive Director  
SOS Alliance.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 12, 2005

2005 DEC 14 AM 9:35

Dear Texas Commission on Environmental Quality Members

I am contacting you regarding a water rights application for The Gold Club at Circle C, LP Water Rights Application #5852. I understand that the application requests rights to pump up to 208 million gallons of water a year. I am assuming this water is to water their golf course. This seems like a huge amount of water to support a non essential recreational activity limited to a select few. I also would like to remind you that Circle C has access to water from the City of Austin that is available for purchase. This is not an all or nothing proposition for the golf club - they possess alternative solutions to obtain the water they desire.

Our well water is not a frivolous nicety; it is essential to our lives. Several of our neighbors are beginning to experience periods of lack of water, due to the high rate already being pumped out. I'm sure that the rich lawyers representing Circle C will do a fine job of showing the benefit to all communities by providing yet another golf course. I urge you to resist the hype; we are low on water, and the millions of gallons a year which they propose to take cannot be spared.

Please vote to slow non-essential sprawl and exclusive playthings, and vote for the protection of our modest yet cherished way of life. We have recently painfully watched the government failing the people after hurricane Katrina. Let's use this opportunity to see how government can benefit the citizens by providing for their basic needs - in this case available household water. Thank you in advance for your understanding,

Cindy M. Burns  
8104 Bear Creek Drive  
Austin, Tx 78737  
512-301-1122



OPA

WR  
47813

DEC 14 2005

BY



MC



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 12, 2005

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

2005 DEC 14 AM 9:35

CHIEF CLERKS OFFICE

WR  
47813

To Whom It May Concern:

I am writing at the eleventh hour in regards to Water Rights Application #5852, submitted by "The Golf Club at Circle C, LP." I absolutely oppose their request to pump millions of gallons of water from our already-burdened aquifer in order to support yet another golf course in this fragile area. Circle C already has a golf course; they pump a tremendous amount of water, and our local wells are going dry as we speak. Adding another enormous water deficit to the already tenuous situation will run many of my neighbors completely dry, without recourse.

Approval of this application means a tremendous hardship on entire communities, in return for what? Another giant tract of manicured chemical monoculture, patronized by a few wealthy individuals? In our little village, we don't play with our water; we cherish it and survive on it. Our wells sustain our families, our gardens, our homes and pets. We need our water. Nobody needs another golf course; we can barely sustain the one they've already burdened us with!

We have no voice in this proceeding, save the one you grant us; indeed, we just recently became aware of this imminent threat to our homes and families through the unpaid work of a few attentive neighbors. We hope that you will think long and hard before backing a destructive and unnecessary playground for the rich over the basic needs of the people who have been here for years. Let them get and pay for their water from LCRA, if they must have it for their frivolities.

Thank you for your time and consideration,



Douglas Burns, Homeowner in Bear Creek Oaks  
8104 Bear Creek Drive  
Austin, TX 78737-4401

OPA

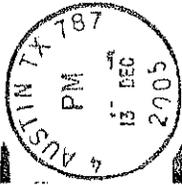
DEC 14 2005

BY gr

ME



8104 Bear Creek Dr.  
Austin, TX 78737



*TX Commission on Environmental Quality  
Office of the Chief Clerk*

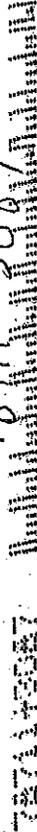
*PO Box 13087*

*Austin TX*

RECEIVED

DEC 14 2005

78711-3087CEQ MAIL CENTER



12 December 2005

2005 DEC 13 AM 9:18

Dear TCEQ Members:

CHIEF CLERKS OFFICE

I am writing to express the concern that my husband and I have regarding Water Rights Application #5852 for the Golf Club at Circle C Ranch. Hays County in general has ongoing water availability issues already and with the number of new homesite permits the county has already approved, ground water resources will continue to be a top concern for residents in the the area. We live in the Village of Bear Creek, which is within a mile of the Circle C development. Many of our neighbors are dependent on well water and even those, like us, who are supplied by the LCRA surface water distribution system, ultimately still depend on rainwater run-off replenishing area waterways. Our neighbors are already experiencing shortages and periods of low- or no-water availability in their wells. Every year more and more new homes are being built that put additional strain on the aquifer and our other water sources. Additionally, we continue to see year after year of below normal rainfall, and our agricultural and ranch lands are increasingly dependent on secondary water resources.

Certainly the area residents, farmers and ranchers should be considered priority users of whatever water resources are available on a continuing basis. Absolutely, under no circumstances, should you consider giving a GOLF COURSE water rights unless you first assure that the needs of families, stock, and food resources are first met.

Thank you for your consideration.

Sincerely,



Miki Cook  
8000 Niles Cove  
Austin, TX 78737

WR  
47813

OPA

DEC 13 2005

BY js

cc: Patrick Rose, State Representative  
Andrew Backus, Hays Trinity Groundwater Conservation District  
Bruce Upham, Mayor of The Village of Bear Creek



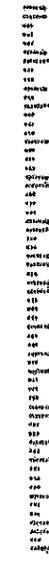
*M. F. Traversen Cook*  
Capital Pacific Homes

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

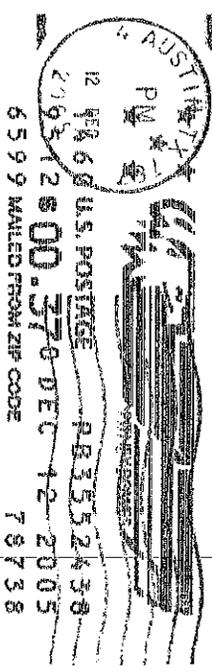
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12 PER 68 U.S. POSTAGE  
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PR 3552438



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 11<sup>th</sup>, 2005

2005 DEC 13 AM 9:14

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

CHIEF CLERKS OFFICE

OPA

DEC 13 2005

BY js

Dear Texas Commission on Environmental Quality (TCEQ) Members:

This is in response to the Circle C Golf Club's LP Water Rights Application #5852. Please decline this Water Rights Application. We live within 2 miles of this Golf Course and only now found out there was a public hearing on Nov. 29<sup>th</sup>, at which some upsetting information came out. They want a permit to pump 208 million gallons of water a year from the Trinity Aquifer, which we feel would endanger this whole area's well water supply. At the meeting, the Circle C representatives estimated their golf course uses about 50 million gallons a year. Their well permits for their 2 wells state their combined pumping maximum to be 568,800 gallons per day (or 207,612,000 gallons per year). I know that they are stating that they will try to fill their new "Southwest Austin Regional Irrigation Storage Pond" (capacity 20 million gallons) with run-off from the Danz Creek. Well, that is amusing, as Danz Creek is a shallow drainage ditch with perhaps a 2 foot culvert running underneath FM 1826. It has significant runoff only about 4-5 times per year, and that is a year with normal rainfall. I am sure you know Austin's rainfall is below normal this year and that we may be in for some even dryer years.

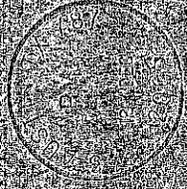
Based on this information, our feeling is that Circle C Golf Course will be relying almost solely on Trinity Aquifer water for their needs. We are also curious why they are requesting a permit that matches their pumps' maximum combined pumping capacities and is 4 times their annual usage. Will they be allowed to sell this water to the new adjacent subdivision being built by Stratus Properties or sell it to the new proposed golf course further down FM 1826?

This is worrisome for all people on wells in our neighborhood, of which there are many. Without water we would not be able to live here or sell it, and many of us do not have the resources for the tap fees to hook up to LCRA. We are happy that LCRA is questioning the legal status of what the Circle C Golf Club is proposing and urge this permit be denied. Please let us know if there will be any other public forum to discuss this problem

Sincerely,  


cc: State Representative Terry Keel  
Andrew Backus – President, Hays Trinity Groundwater Conservation District  
Bruce Upham, Mayor – Village of Bear Creek

JOE ELY  
PO Box 91479  
Austin, TX 78709-1479



TCEQ  
Office of Chief Clerk, MC-105  
PO Box 13087  
Austin TX 78711-3087

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FEB 13 2008  
POSTAL CENTER

POSTNET

*Bear Creek Oaks Property Owners Association*

P.O. Box 91504  
Austin, TX 78709

OPA

June 20, 2005

JUL 25 2005

BY J

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

WR  
47813

CHIEF CLERKS OFFICE

2005 JUL 25 AM 10:21

COMMISSION ON ENVIRONMENTAL QUALITY

Dear Sirs/Madams,

As President of the Bear Creek Oaks Property Owners Association, I am writing to express our deep and valid concern over Water Rights Application No. 5852 recently filed by Circle C for an additional golf course. It is our understanding that Circle C proposes to offset the use of state water with groundwater and that they may drill an additional groundwater well to draw water from the Trinity Aquifer.

Granting this Application may have serious and negative consequences for the 100 plus homes in Bear Creek Oaks that rely on water from the Trinity Aquifer. For these 100 plus residents, their only viable source of water is their existing wells, all of which draw water from the Trinity. Documentation shows that when Circle C drilled the first well for the existing golf course, area wells were seriously affected.

Beyond our immediate personal use and property value issues, are our environmental concerns. Any golf course irrigation and pond construction will allow discharges to creeks and will directly affect the Trinity Aquifer and ultimately contribute to the Edwards Aquifer.

Did Circle C perform any feasibility studies using the Texas Water Development Board's Approved Groundwater Availability Model for the Trinity Aquifer? If so, we would like to see these studies. Are they complying with the terms of the Bradley Settlement Agreement with the City of Austin that pertains to groundwater use affecting area wells? Why wasn't the Village of Bear Creek (a municipality) sent a notice about this application? It seems to me there are a number of unanswered questions surrounding this application that need to be researched before TCEQ even considers Circle C's application.

Please consider this as the Bear Creek Oaks Property Owners Association's formal protest of the pending application by Circle C. Had we been notified, it would have been sent in a timelier manner and reached you prior to the deadline.

Sincerely,

*Fay Evans*

Fay Evans  
President, Bear Creek Oaks Property Owners Association

*dx*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2005 JUL 25 AM 10:31

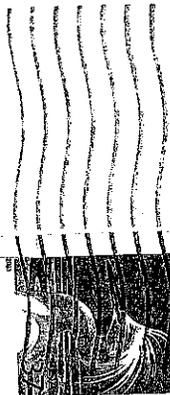
CHIEF CLERKS OFFICE



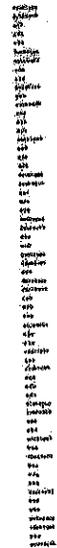
Fay Evans  
9300 N Madrone Trl.  
Austin, TX 78757



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



RECEIVED  
JUL 25 2005  
TCEQ MAIL CENTER



Faint, illegible text from the reverse side of the envelope, possibly a return address or recipient information.

JUL-21-05 12:32P DAVE LESKO or FAY EVANS

512-394-9017

2005 JUL 21 PM 1:33  
CHIEF CLERK'S OFFICE

*Bear Creek Oaks Property Owners Association*  
P.O. Box 91504  
Austin, TX 78709

June 20, 2005

OPA

JUL 22 2005

BY: [Signature]

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

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Sincerely,

Fay Evans

Fay Evans  
President, Bear Creek Oaks Property Owners Association

TCEQ Public Participation Form  
The Golf Club at Circle C  
Public Meeting  
Proposed Water Use Permit No. 5852  
November, 29, 2005

CHIEF CLERKS OFFICE  
2005 DEC -5 PM 3:18  
TARRANT COUNTY  
CLERK

PLEASE PRINT:

Name: ERIN Foster  
Address: 8800 N. Madrone Trail  
City/State: Austin TX Zip: 78737  
Phone: 512 288-7691

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 at any time during the meeting.)

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

2

TO: TCEQ NOV 29, 2005  
RE: Water use Permit No. 5852  
The golf club at Circle C

Questions of how long...

COMMISSIONER  
ON ENVIRONMENTAL  
QUALITY  
DEC 5 5 PM 3 18  
CHIEF CLERKS OFFICE

① This application stipulates that "our solution" will actually save water being pumped out of a quifer —

OPA  
DEC 14 2005  
BY [Signature]

Question: How much water are you currently using? Don't know?

Is it less than the 208 million gallons your application requests?

② TCEQ - are you prepared for the "takings" issue that will occur when our property value or use is zero?

③ Why is it that TCEQ and Travis County have been allowed to violate the Legislative mandate that Underground Conservation Districts

④ This is a PIGMA → of  
whatever you want to call it.

The Reality is: There is not  
~~enough~~ enough groundwater to  
support this application and  
existing residents drinking  
water. (208 million gallon)

Erin Foster

ERIN FOSTER

8800 N. Madrone Trail

Austin, TX 78737

512-288-7691

Village of Bear Creek resident  
depend on a well.

I would like a formal response  
to this letter.

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2005 DEC 13 AM 9:16

CHIEF CLERKS OFFICE

12/12/05

OPA

DEC 13 2005

Dear TCEQ,

2/3/05  
3/17/05

BY JK

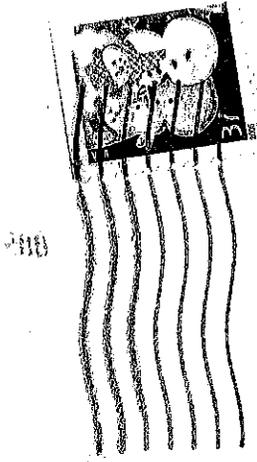
As a homeowner in Bear Creek Oaks I am concerned about our well water supply becoming reduced or non-existent as a result of The Golf Club at Circle C water use plans. I am against granting water rights to Circle C's application #5852.

Thank You Liz Dilloff

8203 cv. Madrox Tr  
Austin TX, 78737

10

Liz Gifford  
8003 N. Madrona Tr  
Austin TX, 78737

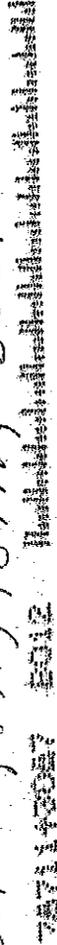


Texas Commission on E. Q.  
Office of the Chief Clerk,  
Mail Code MC-105  
PO BX 13087  
Austin, TX, 78711-3087

RECEIVED

DEC 13 2005

TOEQ MAIL CENTER



November 29, 2005

ATTN: TCEQ

My wife and I wish to protest the permit application permit being made by Circle C Golf Course for storm water capture. We have lived in our home in the Village of Bear Creek for many, many years with absolutely no well problems...until Circle C Golf Course was developed. Since that time, my well requires a yearly maintenance of \$250 to filter out the 'rotten egg smell' that comes out of our faucet. Several in our city have wells that have completely gone dry.

CHIEF CLERKS OFFICE  
NOV 30 PM 3:28  
NOV 29 2005

WR5852

Please consider carefully the request. Homeowners should be considered over commercial interest!

Thank you,

*Donald P. Haynes*  
Donald Haynes  
8300 Cedar Cove  
Austin, Texas 78737  
512/288-0481

*WR  
47813*

OPA  
DEC 01 2005

*cc*

Turkan Haynes  
8300 Cedar Cove  
Austin, Texas 78737  
512/288-0481

*Turkan Haynes*

*A*

OPA

December 11<sup>th</sup>, 2005

DEC 13 2005

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

BY JS

2005 DEC 13 AM 9:13

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

CHIEF CLERKS OFFICE

WR  
47813

Dear Texas Commission on Environmental Quality (TCEQ) Members:

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This is worrisome for all people on wells in our neighborhood, of which there are many. Without water we would not be able to live here or sell it, and many of us do not have the resources for the tap fees to hook up to LCRA. We are happy that LCRA is questioning the legal status of what the Circle C Golf Club is proposing and urge this permit be denied. Please let us know if there will be any other public forum to discuss this problem

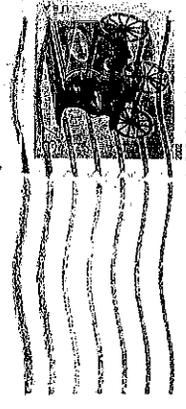
*Sherry Heiden*

The Heiden household  
8924 Appaloosa Run  
Austin, TX 78737

cc: State Representative Terry Keel  
Andrew Backus – President, Hays Trinity Groundwater Conservation District  
Bruce Upham, Mayor – Village of Bear Creek

ad

Sherry Heiden  
8924 Appaloosa Run  
Austin, TX 78737



*Texas Commission on Environmental Quality*

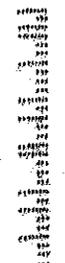
*Office of the Chief Clerk*

*Mail Code MC-105*

*PO Box 13087*

*Austin TX 78737*

RECEIVED  
DEC 13 2005  
TCEQ MAIL CENTER



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2007 SEP -6 AM 9:00

CHIEF CLERKS OFFICE

Texas Commission On Environmental Quality  
Chief Clerk Office  
PO BOX 13087  
Austin, Texas 78711-3087

REF: Application No. 5852, WRPERM 5852 & other  
The Golf Club at Circle C, LP.....( et al.)

Dear Sir or Madam,

I am going to submit further comments on the Golf Club at Circle C, LP with the hope that you will limit the amount of well water that will be used and give your maximum investigation into how surface water will be used. I applaud your rejection of the use of State Water by this facility.

I also hope that some knowledgeable person totally familiar with the use of irrigation will personally investigate on site just what will take place. In my own opinion, those who use groundwater should also provide recharge. The "right of capture" is about to be challenged seriously.

There should also be some investigation as to how runoff from this facility will enter Danz Creek and other connected branches, as this runoff will contain a considerable amount of pesticides and herbicides. What variety of each should be recorded, as this runoff is going to enter the property of those downstream, and it is doubtful if those who apply either pesticide or herbicide will be registered to apply anything.

OPA

SEP 06 2007

BY 

Rob't D. Hejl  
Box 541  
Manchaca, Texas  
78652-0541

*WR*  
*47813*



*MW*

It is obvious that this application is going to be one of the costliest ones that you have come across, and if you do not recognize the hazards involved in allowing this wanton waste of groundwater for a limited recreational use, then there can only be recriminating questions as to WHY and For Whom.

I am 82 years old, and have been associated in business and agriculture with pumps, wells, and irrigation equipment for over 50 years, so no one can put something over on me.

1. The use of this water as stated in the application IS NOT for agricultural purposes, and if called this, will allow the applicant to get the agricultural exemption for farm use. No crop is grown, and NONE is harvested, or SOLD as an agricultural substance.

2. When I was a kid we went to the carnival for entertainment, since it was not an electronic world. There would be all kinds of attractions and stall with shills out to get your money. One of these was the old "shell game" which was conducted on a small table, using three half walnut shells and a pea. The shill would shuffle the shells around, one of which contained the pea. Then for a sum, you bet which shell contained the pea. Of course, the shill knew exactly which shell was occupied, and the sucker could only guess, so he regularly lost, but occasionally, the shill let someone get the right one. ( Like the Texas Lottery).

This proposed system of transferring various sources of water from one reservoir or well to another is exactly like the shell game, and you are not supposed to know which water went where or when. Oh, yes, I am aware of how State Water is pumped into small lakes when there is an abundance of flood water that no one will miss. However, using a properly designed piping system with recorders of hours and time of operation and shutdown of each portion of the system, with record keeping mandatory, some semblance of honest operation could be attained, especially if a bond was required and the threat of immediate cancellation of permit if water was improperly transferred. This is especially important if ANY amount of groundwater is used. With 51 years of undercover/intelligence of civil crimes, I have little trust of any commercial operation.

3. In any application for the use of groundwater, the first and foremost criteria is what does the use of this groundwater represent? Is it a wise use for a useful purpose? Could the purpose be accomplished by use of other means? Will the facility be available for public use by anyone, or only a select few? Will the cost of using the facility be within the financial reach of anyone? Could the use of the land and groundwater be better used for other purposes, or is this just a place for a few affluent people to breathe fresh air and enjoy their drinks? There is going to be a serious shortage of groundwater in twenty years or less, so even if any permit for groundwater is given, the length of permit and amount of water should be conditional. Water for domestic use is definitely more beneficial than watering a playground.

4. All groundwater (well) pumps MUST be fitted with FAIL/SAFE check valves and a POSITIVE open outlet to prevent any backflow from any other source of flow, in order that even a minute amount of outside water should enter the well. You have NO idea of what kind of dim-wits may be employed to operate this complicated transfer of water from one source to another, and special care should be required when more than one pump is operating, whether continuous or intermittent. Backflow into an aquifer can be tragic beyond your imagination, and with electric pumps, all switches should be required to be locked when not in use, and the keys BORNE by the person responsible for the operation, not just hung on a nail or put under a rock. Vandals have NO conscience!

~~See: Page 6 This is a rather large pump @ 8,080 gpm Check this out. Probably portable.~~  
Could move a lot of State Water in a very short length of time.

5. I am absolutely confused and perplexed with applicant's request for groundwater. If from the Edwards Aquifer, the answer MUST be permission DENIED. Edwards is already overpumped by the Creedmore/Mahaw Water Supply, something which MUST be addressed. Applicant seems to want 262.5 acre-feet of water, and has pumps that can provide over twice that amount per year. These pumps should be required to have monitors (recorders like Minneapolis-Honeywell printers or indicators) that record hours of operation, days of operation, and be fitted with flowmeters with recording instruments. This installation should be made in such manner as to be unalterable. Yes, I can design.

Suggest you read your figures carefully before giving ANY groundwater, as I believe that the figure of around 300 acre-feet is going to be requested, and that is just a whole lot of water. The ORIGINAL U.T. campus was FORTY ACRES. It ran from US 81 (Guadalupe or THE DRAG) on the west, San Jacinto on the east, 19th on the South, and about 21st St on the north. I know, because we had to survey this tract in engineering.

Now picture this: Forty acres with 6.55 feet deep water over the whole dang campus! I had to fight tooth and nails for 15 years to get my measly 21 acre-foot of water rights, but IF I do get this water, I find that I can irrigate 18 acres of genuine agriculture at least three times each year, and cut three cuttings of hay. What are they going to raise? RICE ????? 2 1/2" of rain goes a long way if properly and wisely applied. Do they include the surface of the ponds and mini-lakes in their surface figures? Yep, the old ARMY/Navy game. If you need three wrenches, order TEN.

6. Now this SARISP THING. Business owned, of course? Why must groundwater be applied to keep the level up? If the water is lost to evaporation, maybe they should increase the depth and reduce the surface.

7. There are some people not too far from this playground for the rich who have a whole lot of effluent that they believe that they can pump or dump into a small pristine spring fed creek which supplies recharge into the Edwards Aquifer. I happen to own 3/4 mile of this environmentally sensitive creek ( Little Bear Creek ) and I vehemently oppose their plans. It could save a lot of litigation and expense if the golf people just built a pipeline to the development with the excess effluent and the both would be at a point of mutual benefit, and the ground water could be saved for use by the next generation . Of course, then the golf course could not be developed at a later date, which is the name of the game. And of course, if the effluent is SO PURE, then the new development could just build a new filtration plant on-site, and not have to use ground water, a win-win situation as City of Austin would say.

I think you have done some serious investigations, but suggest you go over your findings once more, with a fine tooth comb. Better safe than sorry . A few more whereases and whyfore won't hurt anything and will give the applicant notice that you ARE going to protect the environment and JUDICIOUSLY restrict groundwater use. The generations to come will be grateful for your foresight, not your mistakes.

Respectfully yours,

*Pal 40-77*

Rob't D. Hegel

"I began this essay with my debt of insight to Chief Luther Standing Bear, of the Oglala Sioux, whose remarkable wisdom saw long ago that the human heart away from nature becomes hard and therefore children should be kept close to nature's "softening influence." The sad truth is today we suffer from such profound Nature-Deficit Disorder that our economies of scale willingly pollute the air, willingly harm the elegant creature known as the stmosphere, and by extension, willingly harm all creatures that breathe, ourselves and our children included. We do this desecration because we've taught ourselves Nature is an abstraction, that she has neither voice nor feeling; that all its chemistry and physics are ripe for exploitation. Detached from nature, our modern hearts have become hard.

"Richard Louv coined the phrase 'Nature-Deficit Disorder' in his book LAST CHILD IN THE WOODS: SAVING OUR CHILDREN FROM NATURE-DEFICIT DISORDER (2005). He documents what boomers know personally: not only do we, our children, and our children's children no longer live on farms, we're no longer even related to those who do. Actual food production of eggs, milk, meat, and vegetables are outside our circles of experience; food 'comes from' grocers' shelves and restaurant menus. When I was a kid, vacations to visit relatives meant wonders of slopping pigs, milking cows, and watching chickens mate in the barnyard; summer camp meant time in the woods and the great outdoors, personal time for poison ivy, crawling insects, snakes, starry heavens and wildlife sounds in the night. Today, time with cousins means video games and hanging out at generic shopping malls, and summer camps have turned into task-specific drills in sports, science, math, space or other scademics.

"I'm convinced our dogs play an increasingly important role in modern life by keeping us in touch with a vestige of nature. It's true that our pampered Scotties are a long way from the 'wild kingdom.' But the truth is, during the last five hundred years the ratio of the domestic to the wild has been so altered, especially in the Western Hemisphere, that wilderness itself has become an artifact of civilization. Only civiluzation can save wilderness now. The wild that once produced us and that we were once dependent upon is now our dependent."

--- GREAT SCOTS MAGAZINE, May/June 2007

(a magazine devoted to Scottie dogs)

also:

"A dog's ability to bring meaning to life, both funny and deep, is only limited by the length of their lives and appreciable only to those who take time to observe them."



Mr. Robert D. Hejl  
PO Box 541  
Manhica, TX 78652-0541

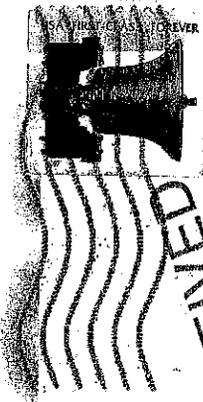


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SUPPORT OUR TROOPS

AUSTIN TX 787

05 SEP 2007 PM 1 L



RECEIVED

SEP 06 2007  
TJCEC MAIL CENTER

TCEQ  
Office of Chief Clerk  
P O Box 13087  
Austin, Texas 78711-3087

REF: WRPERM 5852

Any nation which enters mortal conflict without the thought of victory ultimately suffers the consequences of DEFEAT

Gen. Douglas MacArthur

78711-3087 8012



WR  
47813



JUN 28 AM 10:44  
100 073 160X 1043-45

CHIEF CLERKS OFFICE

Rob't D. Hejl  
Box 541  
Manhaca, Texas  
78652-0541  
June 22, 2007

Ms Cynthia Zapata  
TCEQ  
Office of Chief Clerk  
PO Box 13087 MC 173  
Austin, Texas 78711-3087

REF: The Golf Club at Circle C, LP  
TCEQ Permit No. 5852  
OPA

JUN 29 2007

Dear Ms Zapata,

BY     

Unfortunately, I received the data on this permit this last week after I had already mailed a letter to the TCEQ. This data gives some idea of where some of the erroneous decisions arise.

It is evident that STATE no longer recognizes that with Sovereign Mexican Land Grants in Texas that the Law of the Sovereign supercedes any laws or statutes that may be made in Texas legislation, regarding Water Laws. By treaty and international law, the laws of the Sovereign that existed at the time of the Grant DO apply to the land granted. Yes, STATE does recognize this, and this was used extensively in the adjudication of surface water rights in the 1980's. A lot of expense to State, County, City, and individuals would be avoided if the simple water laws of the sovereign were just applied to each circumstance.

I am aware that the legislature is the wrong place to devise anything concerning water, and especially try to give equitable distribution of this presious substance. Money talks; politicians listen. NOW is the time to take a good look at any wasteful use or claim for water, and deny the use if not qualified, since it is difficult to limit or cancel use after long term permitting.

While there are previous Spanish Water Laws which are referred to in litigation, my references and familiarity would say that our main reference should be to the Recompilation, since we are in Coahuila. There are a lot of good references in the cases regarding water rights on the Rio Grande adjudication that bring out the simple facts on the proper utilization of water for the common use of man, livestock, and the raising of crops of all types, as well as for industry and the mines. An interesting source of education as to what a developing nation had in mind, and how the rules were to be made and enforced, as well as penalties for failure to follow the law.

Comment 1 : Has Water Laws of Mexico been used to determine each and every situation?

Comment 2 : O.K. Comment No: 3 : Lat. & Long should be required.

Comment No. 4 : Right of capture would grossly affect Hejl's legal water rights, and also violate Mexican Water Laws

Comment No. 5 : I believe that this commission is cognizant of the availability of City of Austin Water, and it should absolutely deny any use of water from ANY private water supply, whether commercial, C&Op or whatever.

Comment No. 6 : Another legislative directive to protect the vested interests of certain members of the legislative body.

*Handwritten signature/initials*

Comment No. 7 : We are in agreement

Comment No. 8 : Obviously, meet according to State Rules ????

Comment No. 9 : Sounds like the old "shell game". What if the "other means" is the use of sewage effluent?

Comment No. 10 : I respectfully disagree. Look at the ultimate situation AGAIN.

Comment No. 11 : Any well should be required to have a permanently installed recorder that shows date, time, and monitor amount of flow that is used for the purpose stated in this application. This permit is for a commercial operation for profit, NOT a public service.

Comment No. 12 : Yessir! Creedmore-Maha Water Co. has raped the Edwards Aquifer for 19 years and although this excessive pumpage from an illegitimate commercial well located in a Mexican Land Grant has created an environmental disaster in the Walker Wilson League Survey No. 2 and other areas, as well as to destroy forever an endangered species, the Barton Springs/Edwards Aquifer turns a deaf ear! In 2006 there was a severe tremor caused in my immediate area by a subterranean collapse which has irreparably damaged some springs!!!!

Comment No. 13 : Comment 14 : Wishful thinking

Comment No. 14 : I would be cautious in this. Sewage effluent ?

Comment No. 15 : As before

Comment No. 16 : Try ON SITE investigation.

Comment No. 17 : CORRECT!

Comment No. 18 : Excellent, but again, what about sewage effluent for compensation ?

Comment No. 19 : Again, will sewage effluent be used for alternate source ?

Comment No. 20 : Are you aware that the Edwards is just above Trinity, and that if the Trinity is lowered, Edwards will be affected ? There is NO reason or excuse to take chances!

Comment No. 21 : The problem is simple to solve. Just WHAT BENEFIT do these reservoirs produce ? Under the Water Laws of the Sovereign Mexico, unless they produce a definite benefit to the public, generate food for the public, water large or small livestock.....they have only the water that runs into them from the creek(s), and if they go dry, THAT'S IT.

Comment No. 22 : This is one of the faults of MONEY TALKS and the Law of unregulation of groundwater, due to legislative protected private interests.

Comment 23. As in 22. Under Sovereign Mexican Water Laws, the aforementioned agreeing has occurred, and no one gives a damn because they believe that the right of capture is a correct solution. It is NOT a solution. It is THE PROBLEM. Money talks, politicians-listen.

Comment No. 24 : I believe that TCEQ has the records of Creedmore-Maha Water company. The continuing, ever-extraction of groundwater, has destroyed a pristine eco-system based on springs from the Edwards Aquifer.

- Comment No. 24 : (Continued ) From the day that C-M WC began pumping, the level of the Edwards Aquifer in my area was affected. So badly, that 5 of us began the long and virtually fruitless attempt to get STATE to do something. THEY gave us the ineffective BS/EQ entity which has continually granted MORE water to a COMMERCIAL, PROFIT GENERATING business which is at this time requesting MORE water to sell up to 20 miles distant. This is TOTALLY in defiance of Mexican Water Rules, and is from wells in a Mexican Land Grant which has NO water rights that could justify this water extraction!
- Comment NO. 25.: This answer, while applicable, shows the utter dis-interest of those who make the statutes that you are compelled to follow.
- Comment No. 26 : Unfortunately, studies that should be addressed to your agency are conveniently denied by those who know nothing about the need for comprehensive investigations of the coexistence of aquifers, etc.
- Comment No. 27 : Guess again
- Comment No. 28 : Again, this statute is made by persons who are influenced by MONEY.
- Comment No. 29 : As previous.
- Comment No. 30 : Yes, the legislature intend to tie your hands so that you cannot make the decisions that may deny their advisers economic benefits.
- Comment No. 31 : Unfortunately, it may be true that you are limited, but under the water laws of The Sovereign, you could. MY surface rights to water (An adjudicated claim) have been RAPED . When are you going to help?
- Comment No. 32 : This is, again, a legislative matter and success will depend on who has the most money to offer. Money talks.
- Comment No. 33 : Again, look who makes the Rules and Statutes. It figgers.
- Comment No. 34 : Sounds good, but who, and how often will these measures be checked on ? If violated ( and they will be ), will proper action be taken to impress the violator of the seriousness of the offense? I am in particular objection of continual use of pesticides, herbicides, phosphate and nitrate fertilizers which will entet the streams. At this time Bear Creek is in full bloom with eutrophication from some upstream source of contamination....even with regular freshets.
- Comments 35, 36 No, not a minimum protection. None, nada, nien, nyet. I had a real pure, clear flowing creek until the development began, and I DO NOT need for some monkeys chasing a ball to give me MORE ruined water. Therefore, the limit is NO chemicals, pestivides, or any chemical that may be used on their little playground. Positively NO persistent pesticides, herbicides, or similar.
- Comment No. 37 : But WILL THEY COMPLY ?
- Comment No. 38 : What flow ? If the aquifer is lowered so that the springs no longer flow, where is the water to come from ? When is someone coming out to see the damage that has already been done. Can you revive the salamanders that died in the Siebert Hole last year?

Comment No. 39 : I believe that here you should insist on the definition of what is considered "irrigation" under the Water Laws of The Sovereign, arising under Plan de Pitic and the Recompilation....they Do apply. You will find that the "facility of irrigation" and the granting of it, and it's specific use was one of limited use that benefited the people who lived around it, as well as The Crown. Those using the waters from streams, ponds, acequia or other source were limited to water for garden, vegetables, crops ( in particular corn, wheat, oats, and barley ) as well as domestic water. Water was considered precious and was not wasted under penalty of these Laws.

It is obvious that the people who made the Water Code "Took care of their friends", and this is why all of these applying for water use the term "irrigation". Having been around the practice of irrigation for 65 years and having actively engaged in use of irrigation as well as sales, installation, and repairs of associated equipment, I am fully aware of what constitutes wasteful use of water. The alleged use by GCCC is NOT agricultural. It does NOT produce a crop of anything which will benefit by use or sale. If they want to plant a feed producing grass, let it reach maturity, and then actually harvest the product, Then, and only then can the term "Agricultural Use" be used; otherwise it is subterfuge. If they want to say "for the application of water to water the greens, that would be true...but this is not a beneficial use under the Water Laws of The Sovereign which DO apply, not even if they declare the land as "improved pasture for livestock."

Obviously, there would not be a Watermaster to ascertain how much water was being used for "irrigation" from the ponds.

Comment No. 40 : There are compelling uses which at this time are totally ignored by the agency of State that is supposed to adjudicate them.

Comment No. 41 : A lot of hard work was done on the Water Code by people who were sincerely interested in making changes that would benefit all of those using water. Before passing any legislation, each and every part should have been made public for comment and consideration. Unfortunately, the right of capture and leaving loopholes for the attorneys who would contest issues took precedence. Again, the Water Laws and Rules of the Sovereign Mexican Government does apply to land grants made by the Mexican Government prior to Texas independence, and in some cases, AFTER becoming a Republic. This application is for a water use in either the Walker Wilson League Survey NO. 2, S.V.R. Egglesten League Survey No. 4 (3), or the John G. McGehee League Survey No. 6. Without lat & long, it could be in any of these as it apparently is near the corner intersection of all three. And as I said, the water laws are also applicable to Patents made at dates after 1836 which were under consideration at the time of independence.

Comment No. 42 : Here, again, agricultural use is definitely under suspicion and could be challenged , definitely under the Water Laws of the Sovereign. Recreation ? Pleasure ? These are inserted to placate the people who lobby. This is not a public park. It is a for profit deal. Sovereign Water Laws definitely do not list recreation and pleasure within the many uses for water. Water is to benefit ALL members of the community, and there are certain uses of many things that CAN ONLY ISSUE BY A DIRECT DECREE FROM THE EMPEROR.

Comment No. 43 : The Right of Capture should be revoked or modified by STATE. SOS has paid a terrible price for contesting monied interests. BS/EQ does NOTHING to protect the groundwater levels within it's District, and continually allows for profit water sellers to deplete the Edwards Aquifer, continually granting additional water to them.

Comment No. 44 : In view of what considerations are to be made in this application, and the willingness of the applicant to continue costly evaluation, I feel that it may be of benefit to investigate "How, who, and what." ANYTHING appertaining to this application should be of interest due to what has transpired since the inception of Circle C by Gary Bradley. You may not have the authority to regulate, but under statutes, you do have the authority to investigate any and all things that are to be considered in ANY application.

Comment No. 45 : As suggested by this responding citizen, the definition of agriculture for the actual use detailed in this application is suspect beyond accountability and definitely not valid under the Water Laws of the Sovereign. Recreation and pleasure aren't there, either.

I believe that everyone in your agency is fully aware that the need for water is going to increase at a faster rate than people expect, due to expanding development which should come to an immediate moratorium until needs and infrastructure can at least catch up. There is only so much land that gives recharge, and it is rapidly being removed as recharge and replaced with runoff that cannot be controlled within present confinement.

All of the streams in the Hays-Travis County area cannot take mere runoff. We are about to experience the most devastating 100 year flood on record. Onion Creek CANNOT take any more discharge from impervious development, but this detriment continues. The Travis County records record a flash flood came through the Manchaca area in 1848 with a 60 foot wall of water that obliterated everything in it's path all the way to the Colorado River. There was no development then with impervious cover.

When I bought my farm/ranch in 1949 Big Bear and Little Bear Creeks were beautiful, clear running streams, as were Williamson, Slaughter, Sheal, and Waller, & Walnut. We went swimming and caught fish in all of them, even within the then City Limits. Now all of them no longer flow except in major rainstorms. It would be foolish to swim in the polluted water holes covered with eutrophication. The stream beds are littered with every kind of junk and trash, confirming that people just do not give a damn for the environment. GREEN ? Just a phrase. As long as the profit motive is what fuels all agencies of government whether City, County, or State, everything is going to go down the porcelain tube.

I hope that something said in these comments may assist you in making a reasonable decision in this application. As the wise alcalde says, " In all things, do so in such manner that no one will be offended." Adios.

Respectfully,

Informacion: State v Valmont Plantations  
346 S. W. 2d 853 No. 13583  
Court of Civil Appeals of Texas  
San Antonio March 29, 1961

*Rob't D. Hejl*

Rob't D. Hejl

( A classic reference )

Claim No. 2164

Robert Hejl  
PO Box 541  
Manchaca, TX 78652-0541



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JUN 27 2007

**OFFICE OF LEGAL SERVICES**

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Any nation which enters mortal conflict without the thought of victory ultimately suffers the consequences of DEFEAT

Gen. Douglas MacArthur

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

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AUSTIN TX 787  
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Faint, mostly illegible text from the reverse side of the envelope, appearing as bleed-through. Some words like 'I believe that', 'to increase', 'which should come', 'feels about the', 'been removed', 'with the', 'All of the', 'of experience', 'the more', 'country', 'lost will', 'there was', 'I hope that', 'can', 'The one', 'information', 'one of', 'is' are visible.



2015 JUN 22  
They seem to have considerable groundwater use, or plan to use. Is this Edwards or Trinity or Glen Rose ?

What kind of agricultural use is intended? ~~THEY~~ Is this just a ruse ?

Do the dams, or proposed dams allow the normal runoff to proceed downstream, or do the dams retain ALL water that previously flowed downstream. I have noticed that in most developments, the dams retain ALL that flows into the reservoir, depriving downstream landowners of running water. While they may not have irrigation rights, they do have domestic and livestock use rights. Developers don't give a damn about anyone except their own needs or aesthetic desires.

It is clear that they intend to divert stormwater for their "purposes". This is STATE WATER under statutes, and how will this diversion affect downstream owners, the environment, or wildlife ? Creeks need a flushing out once in a while. Will these people pay for this storm water? How can you be guaranteed that the amount diverted is correct? They propose to use bed and banks for diversion purposes.

They will use groundwater to be stored in one pond and pumped to another. Nice shell game. Which water is which, when co-mingled? These small ponds will have a heavy evaporation rate. These ponds are what I call "puddle-ponds" are for strictly man-made fishing holes and decoration for landscaping, as well as watering the golf course greens in a manner which can avoid paying for State Water. A sheer waste of ground water for non-beneficial purposes.

The final page indicates that applicant is already using State Water, and that these ponds and the SARISP are owned by large development corporations which will eventually develop them, adding more impervious cover and more flooding.

Really, another golf course is NOT needed, and the water wasted on it will put to better use on something else than a playground for the affluent. Just another Bling-Bling for rich Americans, like the Forest Preserves of Europe for the folks of aristocratic lineage. The Justicias and Alcaldes of Spain and Mexico would just throw these guys out the door. I think you should give this application a very deep reaching investigation, keeping in mind what Circle C has done in the past, and then deny the application in totality.

You people hold the dissemination of water rights of future generations in your hands, and if you make the wrong decisions today, while you may not suffer, others will. There is a limited amount of water, and if prudently allocated, will be sufficient for the future. I am fully aware that Texas has the best GOVERNMENT that money can buy. If you dare to protect the environment and the water(s) of this state, you will go down in history as being UN-influenced by any politician.

"Just say NO."

Respectfully yours,

Enc. Copy of Milam's Grant

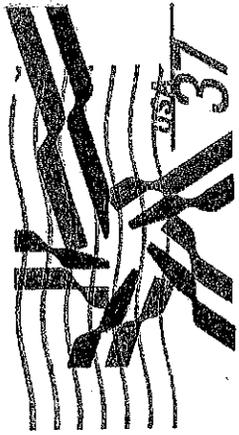
Rob't D. Hejl



P.S. I am 79 1/2 yrs old. Bought my spread in 1949, first Travis Co. Vet. #116 in State

Golf courses are heavy users of pesticides, herbicides, and nitrate fertilizers, usually applied by persons who have no idea of their adverse effects on environment, water quality, recharge, or wildlife. These polluted ponds attract birds, and particularly migratory protected species. These ponds will become a death trap for anything that lands on them or consumes the water. I believe that the water quality of these diversions & storage should be monitored on a regular schedule and if found to be detrimental to wildlife health and safety, Federal action should be taken. RDH





ON ENVIRONMENTAL  
QUALITY  
2:53 JUN 23 AM 13 11  
CHIEF CLERKS OFFICE

Russell D. Hall  
Box 541  
Marathon, Texas  
78652-0541

CHIEF CLERKS OFFICE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087

AUSTIN, TEXAS 78711-3087

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2007 JUN 22 AM 9:53

OPA

June 18, 2007

CHIEF CLERKS OFFICE

JUN 22 2007

BY DM

Rob't D. Hejl  
Box 541  
Manchaca, Texas  
78652-0541

BS/EACD  
1124 Regal Row  
Austin, Texas 78748

Ref: Castletop Independence Ltd.

Dear Sir or Madam,

It is apparent that the Applicant is following the identical course as the Austin City council uses to get the ordinances passed ( even if voters disapprove) by repeatedly bring the measure(s) up for vote.

The location of the described property places it within a Mexican Land Grant, and for this reason, the water Laws of the sovereign government must be closely followed. One of the Water Laws is that water MUST be used for a useful purpose....and NOT wasted.

The land upon which this development is taking place was originally habitat to many species of wildlife and the trees and vegetation were watered for centuries by rainfall, and all species of plants and trees did quite well without irrigation. Unfortunately, the animals, large and small, birds, and vertebrates and invertebrates, have been displaced forever without any consideration or mitigation. Instead, the area is required to have something pleasing to the eyes of those who pass through, even though this can only be accomplished by the use of a considerable amount of water.

There is only a certain amount of water in any aquifer, and this MUST be allocated in a prudent manner, since there MUST be recharge to keep the level of the aquifer in a stable condition. Unfortunately, this has not occurred. It is not too late to begin considering who gets to use underground water and who must obtain surface water or buy the necessary water from OTHER sources. Tragic events have already taken place in the area south of Manchaca, Texas due to the excessive extraction of water from the Edwards Aquifer by a commercial water vendor.

The Applicant can obtain the water that he needs from the City of Austin, Texas . The purpose for which he describes in his application is NOT a beneficial use of water. The extraction of water from the Edwards Aquifer, and the depletion of the amount of flow of Spring Creek ( Barton Springs ) as well as deny flow of fresh water to the Colorado River and to the Gulf and estuaries. While it may seem like a small amount to you, many small extractions add up to great amounts.

Any "testing" at this time would be of no practical value. I have now had 27.4 " of rain on this property since January 1, 2007 but the aquifer still does not show signs of being filled to normal capacity as it once was.

Application should be DENIED.

Respectfully yours,

*Rob't D. Hejl*

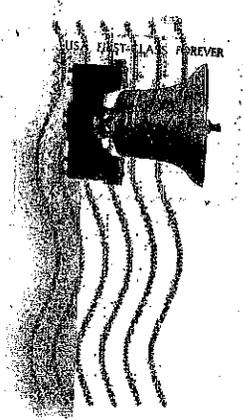
Rob't D. Hejl

Copy Public Notice furnished

*MW*



  
Robert D. Hejl  
PO Box 541  
Manchaca, TX 78652-0541



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Austin, Texas

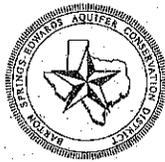
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# BARTON SPRINGS / EDWARDS AQUIFER CONSERVATION DISTRICT

*Celebrating more than 15 years of Aquifer Protection*

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
DEC 13 PM 2:25  
CHIEF CLERKS OFFICE

December 12, 2005

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

WR  
47813  
OPA  
DEC 14 2005  
BY *[Signature]*

Re: TCEQ Surface Water Use Permit Application, Permit No. 5852, for the Circle C Golf Club

Dear Madam or Sir:

The Barton Springs/Edwards Aquifer Conservation District, whose boundary is very close to the proposed well location but does not include it, cannot support the approval of the subject permit. We have serious reservations about the impact of the prospective water use on District constituents and other adjacent landowners, about the wasteful use of groundwater, and also about the artificially circumscribed perspective that TCEQ is taking on the scope of concerns in considering this permit application. Further, we believe that TCEQ has not fulfilled its obligations to create or otherwise provide the inherent protections of a groundwater conservation district (GCD) in this priority groundwater management area (PGMA). Had it done so, the reservations identified above would have become compelling and very likely required a different response from TCEQ.

Previous testimony during a public hearing on this matter has elicited a position from TCEQ that "this isn't about groundwater issues". But that position is in error. The subject permit is most certainly about groundwater, in an area that the State has recognized as needing special protection. Most of the "surface water" for which this permit is sought only became surface water at the wellhead, after it was pumped from one or more groundwater production wells. These were never surface waters of the State until then, and the water should have been regulated by rules appropriate for a PGMA. But the TCEQ has failed to provide a vehicle for such rulemaking, as was intended and required. So statements that this matter isn't about groundwater issues are a little disingenuous, to say the least.

MC

Beyond these institutional considerations, the District questions whether the proposed use is the most prudent, best use of the Trinity Aquifer, which in many geographic areas is not very prolific. As their sole water supply, many people adjacent to the Golf Club consider Trinity groundwater as precious. But the principal function of this new water in the Golf Club's water management scheme seems to be as makeup water for the pond system to provide irrigation of the golf course. In effect, much of this groundwater is simply being evaporated at the land surface; the evaporative and transpiratory losses of such water would not occur otherwise. In our view that represents wasteful use, and that waste will be largest when competing demands from higher, more beneficial uses will likely be at their largest.

Moreover, preliminary groundwater modeling suggests that in the long run, some significant water-level declines could occur over a fairly wide area if the prospective pumping takes place. The lack of comprehensive information about both local area users and aquifer characteristics -- not unrelated to the absence of a GCD -- and the uncertainty introduced in such circumstances simply mean that it isn't now known how much the prospective use will significantly, adversely affect other Trinity groundwater users in the area, including those that are within the boundaries of the District as well as those outside the boundaries of any GCD. But it shouldn't be ignored. A more thorough assessment of the impacts to groundwater resources is needed. TCEQ's failure to assess such effects and impacts more carefully as part of this permit evaluation is not prudent environmental management.

The District stands ready to further discuss with TCEQ these concerns, the statutory basis for them, the technical basis for them, and most especially the alternative means by which protection of groundwater and groundwater users, in this and other areas of the PGMA, might be afforded. If nothing else, this application illustrates well that the groundwater users of Travis County in the PGMA who are not in a groundwater conservation district should have such protections. We believe the subject permit should not be approved until then.

Sincerely,



W F (Kirk) Holland  
General Manager

# FEDEX

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# BARTON SPRINGS / EDWARDS AQUIFER CONSERVATION DISTRICT

*Celebrating more than 15 years of Aquifer Protection*

July 8, 2005

WCP  
47813

PM

OPA

JUL 14 2005

BY ec

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2005 JUL 13 PM 2:22

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

**RE: WATER RIGHTS APPLICATION NO. 5852; REQUEST FOR PUBLIC MEETING**

Dear Sirs/Madams:

The Barton Springs/Edwards Aquifer Conservation District ("District") is a Groundwater Conservation District created by an act of the 70<sup>th</sup> Legislature and was established in portions of Travis, Hays, Caldwell, and Bastrop Counties. The purpose of the District, as a political subdivision of the State, is to provide for the conservation, preservation, protection, recharging, and the prevention of waste of groundwater and groundwater reservoirs.

The District respectfully requests a Public Meeting in regards to Golf Club at Circle C, LP's ("Circle C") Water Rights Application (No. 5852). It is the District's understanding that Circle C proposes to offset the use of state water with groundwater and that Circle C currently has two (2) groundwater wells capable of producing a combined total of 639 acre-feet of groundwater per year (approximately 400 gpm) from the Trinity Aquifer. The District further understands that Circle C may drill at least one (1) additional groundwater well to withdraw water from the Trinity Aquifer. These wells are located close to the District's western jurisdictional boundary but are not in a Groundwater Conservation District, and, as such, are unregulated for the purposes of groundwater production by any local or state agency. However, the wells are located within the TCEQ designated Hill Country Priority Groundwater Management Area, which is currently and projected to experience significant development stressors and groundwater table declines.

The District has several important and substantive concerns with the proposed application. The District has an obligation, to the extent allowed by our statutory authority, to protect water quality and availability required by groundwater users within the District's jurisdiction. There are many Trinity Aquifer groundwater users located near the proposed wells, including users in our District. To our knowledge, Circle C has not conducted any feasibility studies or modeling-runs using the Texas Water

MW

Development Board's approved Groundwater Availability Model for the Trinity Aquifer to determine if there will be any adverse water quality or availability impacts on surrounding groundwater users. A significant draw-down of the Trinity Aquifer's piezometric surface may create a substantial impact on groundwater users in our District, as well as, the Hays-Trinity Groundwater Conservation District. Additionally, the District has concerns and requests information related to the water quality discharged from the existing irrigation ponds on Danz Creek. Danz Creek is an important tributary of Slaughter Creek, which recharges the Barton Springs Segment of the Edwards Aquifer, an Environmental Protection Agency designated Sole Source Aquifer for over 50,000 citizens of Texas. The District is unaware of the design standards of the existing and proposed reservoirs and has questions related to Circle C's plans and capabilities to ensure that potentially contaminated stormwater runoff from the Golf Course environs that is captured in the reservoirs does not infiltrate into the Edwards Aquifer.

The District: 1) requests that TCEQ when evaluating the merits of Circle C's application consider the potential negative impacts to groundwater users located in the Hill Country PGMA and the Barton Springs/Edwards Aquifer Conservation District; 2) require the application to include such studies, measures, and assurances that the issuance of a Water Use Permit will not adversely affect the Trinity or Edwards Aquifers, both being critical water supply groundwater resources for central Texas.

Thanks you for consideration of this request.

Sincerely,



W. F. (Kirk) Holland, P.G.  
General Manager

Cc: Robert D. Larsen, Ph.D., BSEACD Board President  
Andrew Backus, HTGCD, Board President

Toby Futrell, City Manager, City of Austin

Timothy Riley, CFM, BSEACD, Manager of Policy & Development  
John Dupnik, P.G., BSEACD, Environmental Permit Specialist



BARTON SPRINGS / EDWARDS AQUIFER CONSERVATION DISTRICT

1124 Regal Row • Austin, Texas • 78748

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Office of the Chief Clerk

Texas Commission on Environmental Quality

Mc105

P.O. Box 13087

Austin, TX 78711-5087



# BARTON SPRINGS / EDWARDS AQUIFER CONSERVATION DISTRICT

*Celebrating more than 15 years of Aquifer Protection*

July 8, 2005

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BY DL

WR  
/ 47813

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2005 JUL 11 PM 16:16

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MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

**RE: WATER RIGHTS APPLICATION NO. 5852; REQUEST FOR PUBLIC MEETING**

Dear Sirs/Madams:

The Barton Springs/Edwards Aquifer Conservation District ("District") is a Groundwater Conservation District created by an act of the 70<sup>th</sup> Legislature and was established in portions of Travis, Hays, Caldwell, and Bastrop Counties. The purpose of the District, as a political subdivision of the State, is to provide for the conservation, preservation, protection, recharging, and the prevention of waste of groundwater and groundwater reservoirs.

The District respectfully requests a Public Meeting in regards to Golf Club at Circle C, LP's ("Circle C") Water Rights Application (No. 5852). It is the District's understanding that Circle C proposes to offset the use of state water with groundwater and that Circle C currently has two (2) groundwater wells capable of producing a combined total of 639 acre-feet of groundwater per year (approximately 400 gpm) from the Trinity Aquifer. The District further understands that Circle C may drill at least one (1) additional groundwater well to withdraw water from the Trinity Aquifer. These wells are located close to the District's western jurisdictional boundary but are not in a Groundwater Conservation District, and, as such, are unregulated for the purposes of groundwater production by any local or state agency. However, the wells are located within the TCEQ designated Hill Country Priority Groundwater Management Area, which is currently and projected to experience significant development stressors and groundwater table declines.

The District has several important and substantive concerns with the proposed application. The District has an obligation, to the extent allowed by our statutory authority, to protect water quality and availability required by groundwater users within the District's jurisdiction. There are many Trinity Aquifer groundwater users located near the proposed wells, including users in our District. To our knowledge, Circle C has not conducted any feasibility studies or modeling-runs using the Texas Water

A.2

Development Board's approved Groundwater Availability Model for the Trinity Aquifer to determine if there will be any adverse water quality or availability impacts on surrounding groundwater users. A significant draw-down of the Trinity Aquifer's piezometric surface may create a substantial impact on groundwater users in our District, as well as, the Hays-Trinity Groundwater Conservation District. Additionally, the District has concerns and requests information related to the water quality discharged from the existing irrigation ponds on Danz Creek. Danz Creek is an important tributary of Slaughter Creek, which recharges the Barton Springs Segment of the Edwards Aquifer, an Environmental Protection Agency designated Sole Source Aquifer for over 50,000 citizens of Texas. The District is unaware of the design standards of the existing and proposed reservoirs and has questions related to Circle C's plans and capabilities to ensure that potentially contaminated stormwater runoff from the Golf Course environs that is captured in the reservoirs does not infiltrate into the Edwards Aquifer.

The District: 1) requests that TCEQ when evaluating the merits of Circle C's application consider the potential negative impacts to groundwater users located in the Hill Country PGMA and the Barton Springs/Edwards Aquifer Conservation District; 2) require the application to include such studies, measures, and assurances that the issuance of a Water Use Permit will not adversely affect the Trinity or Edwards Aquifers, both being critical water supply groundwater resources for central Texas.

Thanks you for consideration of this request.

Sincerely,



W. F. (Kirk) Holland, P.G.  
General Manager

Cc: Robert D. Larsen, Ph.D., BSEACD Board President  
Andrew Backus, HTGCD, Board President

Toby Futrell, City Manager, City of Austin

Timothy Riley, CFM, BSEACD, Manager of Policy & Development  
John Dupnik, P.G., BSEACD, Environmental Permit Specialist



**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT**  
 1124 Regal Row · Austin, Texas · 78748 · (512) 282-8441 FAX (512) 282-7016

**FAX COVER SHEET**

DATE: 7/11/2005  
 COMPANY: TCEQ  
 ATTENTION: Office of Chief Clerk  
 FAX#: 239-3311  
 FROM: Timothy Riley  
 # PAGES INCLUDING THIS COVER: 2

COMMENTS:

Enclosed one (1) original copy of the District's response to Notice of Water Rights Application No. 5852. An original signed copy has been mailed, post-marked today, July 11, 2005.

Sincerely,

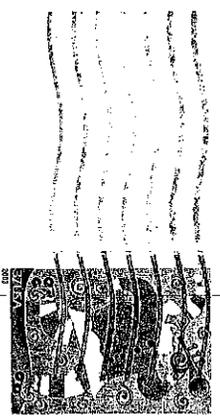
Timothy Riley  
 Manager of Policy & Development  
 BSEACD

2005 JUL 11 PM 4:16  
 CHIEF CLERK'S OFFICE

ON ENVIROMENTAL DISTRICT



Sevas Commissions on Environmental Quality  
TCEQ  
Office of the Chief Clerk, Mail Code MC105  
PO Box 13087  
Austin, Texas 78711-3087



RECEIVED

DEC 13 2005

78711-3087



TCEQ MAIL CENTER

David B. Kumhyr  
IBM Master Inventor  
Peace Place Ranch  
8934 Appaloosa Run  
Austin, Texas, USA 78738  
+1 512 426 8900

2005 DEC 13 AM 9:17

CHIEF CLERKS OFFICE

OPA

DEC 13 2005

December 11<sup>th</sup>, 2005

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

*Handwritten:* 12/13/05  
10:45 AM

BY *[Signature]*

Dear Texas Commission on Environmental Quality (TCEQ) Members:

I am contacting you about my concern over the Circle C Golf Club's Water Rights Application to be allowed to pump over 600,000 gallons per day from the Edwards aquifer.

Any reasonable and prudent person can see that this outrageous request for water simply for the frivolous use of watering a golf course made at the expense of drying up the wells of the local long time residents should be denied.

The covert manner in which this request has been made highlights that the golf club is fully aware of the damaging consequences the permit will have as well as the egregious nature of the request.

It is obvious this pending water rights application should be denied. Any further action on subsequent applications must involve the local community due to the major impact to the surrounding populace.

Many of my neighbors live within two miles of this private golf club and have only recently heard out there was a public hearing on Nov. 29<sup>th</sup>. The information, first divulged only at this late date was extraordinarily revealing of the selfish and superficial nature of the golf course's request.

A permit to pump 208 million gallons of water a year would endanger this whole area's well water supply. At 650 feet to reach the trinity layer my well was a considerable personal investment. This is the same for all of my neighbors. The golf course, if permitted to pump this vast amount of water would lower the local water table creating a

						US and foreign patents held:	
6,711,493	6,646,568	6,580,997	6,493,735	6,411,948	6,389,386	6,311,151	6,262,725
6,681,175	6,631,500	6,574,547	6,469,713	6,408,304	6,388,686	6,295,050	6,141,005
6,668,340	6,611,750	6,567,973	6,460,015	6,407,754	6,339,755	6,275,810	6,111,572
6,650,596	6,609,061	6,496,844	6,421,680	6,396,515	6,334,101	6,275,790	6,745,348
6,782,529	6,839,712	6,859,964	6,885,935	6,904,563	6,917,297		

*Handwritten mark:* 11

gradient toward the golf course and deprive the residents the water necessary to life here in the hill country.

The Circle C application is not a scientific document and is crowded with falsehoods; an example of which is the claim that they fill their lake from Danz creek. Danz creek is a wet weather creek which has water only after a significant rainfall. Logically this isn't sufficient to offset the evaporation from their decorative lake.

Deeper examination shows that the golf course will be relying solely on the pumping water for their needs, and are requesting an overcapacity of four times the highest possible need.

Please consider assisting us in halting this water rights application and helping us include the concerns of the local communities and landowners in any subsequent reapplication.

Regards,

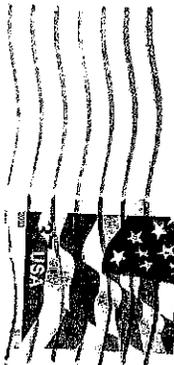


David B. Kumhyr

US and foreign patents held:							
6,711,493	6,646,568	6,580,997	6,493,735	6,411,948	6,389,386	6,311,151	6,262,725
6,681,175	6,631,500	6,574,547	6,469,713	6,408,304	6,388,686	6,295,050	6,141,005
6,668,340	6,611,750	6,567,973	6,460,015	6,407,754	6,339,755	6,275,810	6,111,572
6,650,596	6,609,061	6,496,844	6,421,680	6,396,515	6,334,101	6,275,790	6,745,348
6,782,529	6,839,712	6,859,964	6,885,935	6,904,563	6,917,297		



David Kumbyr  
 Peace Place Ranch  
 8934 Appaloosa Run  
 Austin, TX 78737



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

OFFICE OF CHIEF COUNSEL  
 MAIL CODE MC-105

P.O. BOX 13887

AUSTIN TX 78711-3087

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To whom it may concern

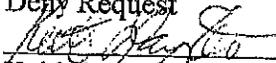
11-29-05

We protest the permit request from Circle C to pump 208 million gallons of water per year for golf course purposes.

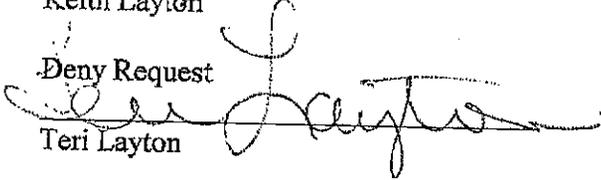
WR 5852

Keith Layton  
Teri Layton  
Village of Bear Creek Oaks  
512-288-5919  
8101 Madrone Tr. 78731

Deny Request

  
\_\_\_\_\_  
Keith Layton

Deny Request

  
\_\_\_\_\_  
Teri Layton

WR  
47813

CHIEF CLERKS OFFICE

2005 NOV 30 PM 3:28

NOV 29 2005  
11:45 AM

OPA

DEC 01 2005

BY 



**TEXAS ORO  
RANCH & FARM**

PM OPA  
MAR 15 2011  
BY DM

2011 MAR 14 PM 2:49  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

March 10, 2011

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

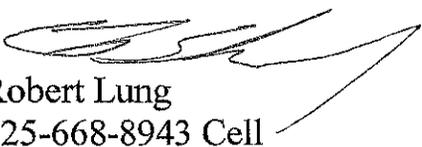
WR  
47813

Reference: Application Number 5852

I request a public meeting and notice of that meeting. I would like to know the projected impacted on our small family farm. It appears on the surface that this just a water grab by The Golf Club at Circle C, LP. We are a small family farm in West Texas and the Colorado River water allows us to water our cattle and pecan trees. Our greatest fear is that water is captures from a non farming interest above our farm.

Please contact me if you need more information or have any questions or concerns.

Thank you,

  
Robert Lung  
325-668-8943 Cell



Handwritten initials or signature in the bottom right corner.

TEXAS ORO  
RANCH & FARM

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2011 MAR 14 PM 2:49

CHIEF CLERKS OFFICE



2402 CR 445, Ballinger, Texas 76821

CHIEF CLERKS OFFICE

11 MAR 2011

ARILENE TX 796

11 MAR 2011 PM 1 L



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
Attention: Office of the Chief Clerk

MC 105, TCEQ

P. O. Box 13087

Austin, TX 78711-3087

MAR 14 2011

TCEQ MAIL CENTER  
NR



December 10, 2005

2005 DEC 13 AM 9:14

Ref: The Golf Club at Circle C, LP Water Rights Application #5852 OFFICE

To: TCEQ members

This is a formal request **NOT** to approve the above water rights application for Circle C. We have lived in Bear Creek Oaks Subdivision since 1981, over 24 years. Our residence at 9200 Madrone Circle is located about ¼ of a mile from the current private water source and there are no plans for extending the service.

Ten years ago our well went dry at a depth of 380'. We had the pump re-set to 480', however it has gone dry every summer. **Currently our well is dry and has been for over three months !!!** Drilling to a deeper depth was not reliable, thus in order to provide our family with water we could depend on, we built a rain water collection system. While constructing the system, we went **8 weeks WITHOUT running water** in the house, having to use coolers at the sinks and for restrooms, heat water in 1 gallon containers in the microwave to take showers & clean dishes and we even resorted to taking showers outside during a rainstorm !! While we do have a 10,000 gallon tank, we are now only ½ full and have to continually conserve due to the drought.

Even in this modern day age, I feel we are just trying to survive from rainstorm to rainstorm, hoping to replenish our residential well and collection tank. As if this testimony isn't enough, just take a look around - almost all the creeks, streams and stock tanks are completely dry. Natural springs dried up years ago and even with the rains, they are not replenishing !! Our water resources are not even sufficient to support the current residences, let alone recreational facilities.

**I adamantly oppose the Circle C application – family residences must be given the priority.**

Sincerely and please keep us on the mailing list for updates,

Jacqueline Magill, resident in the Village of Bear Creek Oaks  
9200 Madrone Circle  
Austin, TX 78737

*Jacqueline Magill*

Cc: Honorable Patrick Rose, State Representative  
Honorable Bruce Upham, Mayor, Village of Bear Creek  
Mr. Andrew Backus, President, Hays Trinity Groundwater Conservation District

OPA

DEC 13 2005

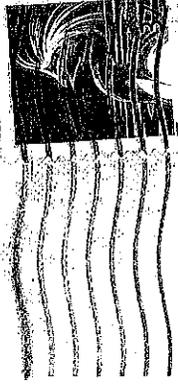
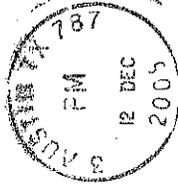
BY

*js*

*WR  
47813*

*AP*

9200 Madrone Ln  
Austin, TX 78737



RECEIVED  
DEC 13 2005  
TCEQ MAIL CENTER

TCEQ  
Office of the Chief Clerk  
Mail Code MC-105  
PO Box 13087  
AUSTIN TX 78711-3087

December 11, 2005

2005 DEC 13 AM 9:18

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

CHIEF CLERKS OFFICE

Re: The Golf Club at Circle C, LP Water Rights Application #5852

*WJP*  
*47813*

Dear TCEQ Members:

We are writing to let you know that we are very concerned about the plan to allow Circle C Golf Club to use 208 million gallons of water annually to water their golf course.

Our family has lived in the Village of Bear Creek Oaks since December of 2001. We built our dream home here so that we could enjoy the country life that Bear Creek offers and to allow our children to attend the Dripping Springs schools. We rely on the water well that we installed when we built our house and are now worried that it will be useless if Circle C is allowed to use the water from the Trinity Aquifer. We spent the extra money to have a deeper well because we were advised that it would be more reliable and that we should not have to worry about the well drying up, as our neighbors' wells have done periodically over the years (especially during years such as 2005 when the rainfall totals are so deficit). This was a substantial investment for us (over \$20,000) and we would be unable to invest another \$25,000 to have LCRA bring surface water to our house if Circle C drains the water from the Trinity. It is difficult enough to find the extra money needed to pay our ever-rising property taxes each year and to add this burden would sink us. We have two small children to provide for and if our well dried up due to the Circle C plan, obviously we would be unable to sell our house and move.

Our parents live in Travis County and each summer they are asked to conserve water and only water their yard every 5 days. Why would anyone allow the waste of 208 million gallons of water annually so that these businessmen can water their golf course? To us this is unconscionable, especially in this day of conservation and recycling.

We urge you to deny this application by the Circle C Golf Club. Please help all of the families who live near Circle C maintain a basic standard of living by having a dependable source of water for their homes. To do otherwise will rain an economic hardship on us all.

Please add our name to your mailing list. Thank you for your consideration of this request.

Sincerely,

*Joseph E. Manzello Susan Manzello*

Joseph & Susan Manzello  
9001 North Madrone Trail  
Austin, Texas 78737  
Resident of Hays County in the Village of Bear Creek Oaks

OPA

DEC 13 2005

BY

*J*

cc: Patrick Rose - State Representative  
Bruce Upham - Village of Bear Creek Oaks Mayor  
Andrew Backus - President, Hays Trinity Groundwater Conservation District

*[Handwritten mark]*

MANZELLO  
4001 N MADRONE TRL  
AUSTIN, TX 78737-4436



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK, MAIL CODE ME-105  
PO BOX 13087  
AUSTIN, TX 78711-3087

RECEIVED  
DEC 13 2005

78711-3087 MAIL CENTER

OPA

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 11th, 2005

DEC 14 2005

2005 DEC 14 AM 9:36

BY J

CHIEF CLERKS OFFICE

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

WR  
47813

Dear Texas Commission on Environmental Quality (TCEQ) Members:

This is in response to the Circle C Golf Club's LP Water Rights Application #5852. Please take into account the impact of this application if approved. My family lives less than 1 mile from the Golf Club's deep wells and the irrigation pond. Our household depends on our water well for ALL of our water needs. In dry years, we have experienced our well pumping dry and we have extended our pump to its maximum possible depth. Allowing the Golf Club at Circle C to increase their water four fold will surely dry my families well and many others in our area as well.

I do know the 900 acre tract with the irrigation pond very well. (I hunted on the property) Six to seven years ago, I know of two LARGE caves that were covered using a pneumatic backhoe ram and loads of rock. You could easily see 12-15' down one of the caves. The covering up of those two caves has bothered me for years. I have no problem with the Golf Club working as they are today, but hearing of the huge increase of water usage causes great concern for my family and many others here that depend on our water wells. I ask you please to thing of the consequences for all of the families in the area.

All of this has come to my attention today, and I heard nothing about the public hearing on Nov. 29<sup>th</sup>. Permitting The Golf Club at Circle C to pump 208 million gallons of water a year from the Trinity Aquifer, WILL endanger this whole area's well water supply. Their well permits for their 2 wells state their combined pumping maximum to be 568,800 gallons per day (or 207,612,000 gallons per year). I know that they are stating that they will try to fill their new "Southwest Austin Regional Irrigation Storage Pond" (capacity 20 million gallons) with run-off from the Danz Creek. Well, that is amusing, as Danz Creek is a shallow drainage ditch with perhaps a 2 foot culvert running underneath FM 1826. If it has significant runoff only about 4-5 times per year, and that is a year with normal rainfall. I am sure you know Austin's rainfall is below normal this year and that we may be in for some even dryer years. The dam on the lower side of the Regional Irrigation Storage Pond also leaks. Once the pond is about 70% full, it begins to leak significantly on the South Western end of the dam. I have witnessed this within the last year. Allowing a leaky pond to be constantly filled is

MC

another horrible misuse of everyone's water resource.

Based on the information, our feeling is that Circle C Golf Course will be relying almost solely on Trinity Aquifer water for their needs. We are also curious why they are requesting a permit that matches their pumps maximum combined pumping capacities and is 4 times their annual usage. Will they be allowed to sell this water to the new adjacent subdivision being built by Stratus Properties or sell it to the new proposed golf course further down FM 1826?

This is worrisome for all people on wells in our neighborhood, of which there are many. Without water we would not be able to live in our homes or be able to sell our property. This will impact our property value. Many of us do not even have an option to hookup to a water line or the resources for the tap fees to hook up to LCRA. We are happy that LCRA is questioning the legal status of what the Circle C Golf Club is proposing and urge this permit be denied. Please let us know if there will be any other public forum to discuss this problem

Please add us to the mailing list for future correspondences and hearings.

**Breck Nolen and Family**

Environmental Compliance Sr. Specialist

8200 Cedar Cove

Austin, TX 78737

cc: State Representative Terry Keel,  
Representative Patrick Rose,  
Andrew Backus President, Hays Trinity Groundwater Conservation  
District  
Bruce Upham, Mayor Village of Bear Creek



DOCS UNLIMITED

Ronald Nolen  
8200 Cedar Cv  
Austin, TX 78737

Beats y



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DEC 14 2005

TCEQ MAIL CENTER

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

7871143087

POSTNET barcode

Vertical text on the left side of the envelope, possibly a return address or tracking information.

1

TCEQ Public Participation Form  
The Golf Club at Circle C  
Public Meeting  
Proposed Water Use Permit No. 5852  
November, 29, 2005

CHIEF CLERK'S OFFICE

PLEASE PRINT:

Name: Charles O'Dell

Address: 14034 Robin's Run

City/State: AUSTIN Zip: 78737

Phone: ( 1288-4817 )

Please add me to the mailing list.

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

If yes, which one? Hays Community Action Network (HaysCAN)

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 at any time during the meeting.)

CHIEF CLERK'S OFFICE

775 CES - 5 21 3 17

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

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

10

13134 South Madrone Trail  
Austin, TX 78737  
December 15, 2005

OPA

IP+

DEC 19 2005

BY



2005 DEC 19 AM 10:16  
CHIEF CLERKS OFFICE  
ON THE RECORD  
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12:00 AM

Texas Com. On Envir. Qual. (TCEQ)  
Office of the Chief Clerk, Mail Code MC-105  
P. O. Box 13087  
Austin, TX 78711-3087

WR  
47813

Dear Commission Members:

RE: Golf Club at Circle C's Water Rights Application #5852

This letter is to urge you to DECLINE the application for Circle C Golf Club to use water from deep wells to water their golf course.

As a resident of Bear Creek Oaks subdivision located within two miles of the course, this type of water usage (for the benefit of a few!) could deplete our water wells source in a short period of time.

Please do not allow one business to operate at the expense of many residents of our community. We would like to be added to your mailing list for updates on this matter. Thank you!

Sincerely,



Terry and Sherilyne Palmer

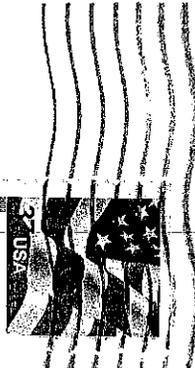
13134 A Madison Dr  
Austin, TX 78737



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DEC 19 2005

TCEQ MAIL CENTER



TEXAS Com. M. Ennis, Pres. (TCEQ)  
Office & Day Care, Mail Code MC-105  
P.O. Box 13087  
Austin, TX 78711-3087

78711-3087



13134 A Madison Dr  
Austin, TX 78737



David & Swan Perkins  
8290 Bear Creek Drive  
Austin TX 78737-4402



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
OFFICE OF THE CHIEF CLERK  
MAIL CODE MC-105  
P. O. BOX 13087  
AUSTIN TX 78711-3087

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TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

December 12, 2005

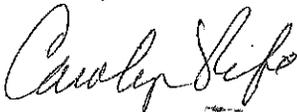
2005 DEC 13 AM 9:13

Dear Texas Commission on Environmental Quality (TCEQ) Members: CLERKS OFFICE

I am writing this letter to let you know that my husband and I are very concerned and worried about our source of water here in the Village of Bear Creek. We just dug a new well and now are concerned we will have no water in the future since the Golf Club at Circle C, LP Water Rights Application #5852 wants to use **millions of gallons of water** per year from our same aquifer to water their golf course. We have no other water source other than our wells. Please do not take this water source away from the homeowners in this area.

I urge you to decline this Golf Club at Circle C application. The quality of our life is dependent on this. The residents of our community need to have enough water to drink, to wash and to maintain a good standard of living. A golf course doesn't have to rely on this water to live on, we do!

Thank you.



Carolyn Rife  
9010 N. Madrone Trail  
Austin, Texas 78737  
Resident of Hays County in the Village of Bear Creek

WR  
4/7/03

OPA

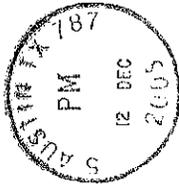
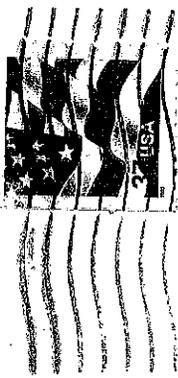
DEC 13 2005

BY gr

Cc: State Representative – Patrick Rose  
Village of Bear Creek Mayor – Bruce Upham  
President, Hays Trinity Groundwater Conservation District – Andrew Backus



Chafe  
9010 W Madeline Road  
Austin, TX 78737



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

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DEC 13 2005  
TOEQ MAIL CENTER



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DEC 01 2005

November 29, 2005

BY     *SK*    

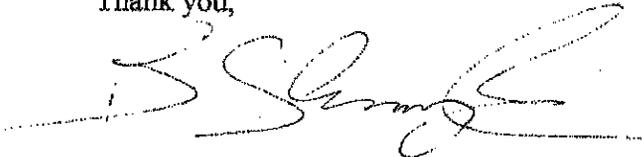
ATTN: TCEQ

WR 5852

My wife and I wish to protest the permit application being made by Circle C Golf Course for storm water capture. We have lived in our home in the Village of Bear Creek for 5 years with absolutely no well problems...until Circle C Golf Course was developed. Several in our city have wells that have completely gone dry.

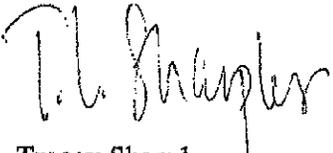
Please consider carefully the request. Homeowners should be considered over commercial interest!

Thank you,



Brian Sharples  
8501 Madrone Trail North  
Austin, Texas 78737  
512/288-0620

*WR*  
*47813*  
*11847*



Tracey Sharples  
8501 Madrone Trail North  
Austin, Texas 78737  
512/288-0620

CHIEF CLERKS OFFICE

2005 NOV 30 PM 3:29

RECEIVED  
OPERATIONS  
DIVISION



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2005 DEC 13 AM 9:15

CHIEF CLERKS OFFICE

OPA

DEC 13 2005

BY gj

WP  
478B

December 12, 2005

It has come to my attention that the Circle C Golf Club has applied to the Texas Commission on Environmental Quality (TCEQ) to remove 208 Million Gallons of water from the Trinity Aquifer each year to water their greens.

I am on the Trinity Aquifer. My showers, laundry and other uses depend on the Aquifer water supply to live a normal life. On several occasions, the water has been low. I am sure that 208 million gallons of water a year to water the plush greens of the private golf course are really necessary. I can always take my laundry to the laundry mat.

Why can't the Private Golf course use city water to water their greens. Because it costs money! So the dues goes up \$5.00. That might be to hard on the wealthy. One less cup of Starbucks coffee. Hope they all can make it!

Really, are we at the point that a large business can possibly empty 100's of peoples water supply, so they can have nice looking greens? If this was a large hospital and it was necessary it would be a little easier to stomach.

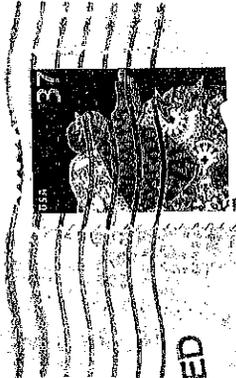
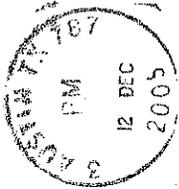
Please take time to explore ALL the options. They CAN use city water. We can keep our water supply, and they can have nice greens. We all need to work together to make this happen. Why should the not so powerful be ruled once again by the money group! Please help us keep our water.

David Wensley(registered voter)  
9325 N Madrone Trail  
Austin, Tx 78737  
Resident of Hays County  
City of Bear Creek Oaks

cc: State Representative- Patrick Rose  
Village of Bear Creek Mayor- Bruce Upham  
President, Hays Trinity Groundwater Conservation District- Andrew Backus

1

Joanie Wensley  
9325 N. Madrone Trail  
Austin, TX 78737-4446

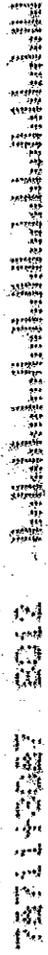


RECEIVED

DEC 13 2005

TCEQ MAIL CENTER

TEXAS COMMISSION ON ENVIRONMENTAL  
QUALITY  
OFFICE OF THE CHIEF CLERK, MAIL CODE  
MC-105  
PO BOX 13087  
AUSTIN TX 78711-3087



2005 DEC 14 AM 9:35

Golf Club at Circle C – Applicant

OPA

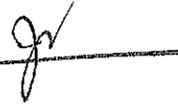
WR  
47813

CHIEF CLERKS OFFICE

DEC 14 2005

December 05, 2005

BY



Dear Texas Commission on Environmental Quality (TCEQ) Members:

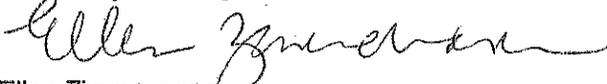
I am writing this letter to let you know that my husband and I are very concerned and worried about our source of water here in the Village of Bear Creek. We have had a well since moving here over 6 years ago. At first it seemed as if we had enough water for our needs (there are only the two of us living here), but a few summers ago we noticed the well starting to run dry. I thought it was due to our heat and the lack of rain. Our well is down 440 feet and we were advised that that is more than adequate for this area.

Unfortunately our water source has lessened each year. This year has been the worst. If I do a load of laundry, I cannot take a shower for over an hour. I feel that the lack of water is largely due to the fact that we are just running out of natural water from the aquifer. I am particularly concerned now with the Golf Club at Circle C's Water Rights Application #5852. They want to use millions of gallons of water per year from our same aquifer to water their golf course. A GOLF COURSE!!! I find that hard to believe when I have my well water run out when I'm in the shower and I have a head full of shampoo.

I urge you to decline this Golf Club at Circle C application. I live within 2 miles of this and I know that if I am already having my well go dry now, in December, then what will happen when the Golf Course is watered? Please do what you can to help the residents of our community be assured that we have enough water to drink, to wash and to maintain a good standard of living.

Thank you for considering my thoughts.

Yours very sincerely,



Ellen Zimmermann  
8803 Bear Creek Drive  
Austin, TX 78737  
Resident of Hays County in the Village of Bear Creek.

cc: State Representative- Patrick Rose  
Village of Bear Creek Mayor- Bruce Upham  
President, Hays Trinity Groundwater Conservation District- Andrew Backus

Mc



TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2005 DEC 13 PM 1:06

CHIEF CLERKS OFFICE

OPA

Golf Club at Circle C – Applicant

DEC 14 2005

BY 

WR  
2/25  
47813

December 05, 2005

Dear Texas Commission on Environmental Quality (TCEQ) Members:

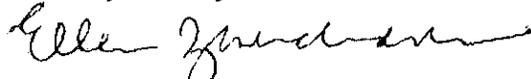
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Yours very sincerely,



Ellen Zimmermann  
8803 Bear Creek Drive  
Austin, TX 78737  
Resident of Hays County in the Village of Bear Creek.

cc: State Representative- Patrick Rose  
Village of Bear Creek Mayor- Bruce Upham  
President, Hays Trinity Groundwater Conservation District- Andrew Backus

ML

Att: Chief Clerk

512-239-3311

from: Ellen Zimmermann

Re: Golf Club at  
Circle C - Applicant

2005 DEC 13 PM 1:06  
CHIEF CLERKS OFFICE

TEXAS  
COMMISSION  
ON EMPLOYMENT  
QUALITY