



FOR IMMEDIATE RELEASE

MARCH 11, 2021

HAS ELECTRO PURIFICATION GONE HOME YET?

On March 9, 2021, the Barton Springs Edwards Aquifer Conservation District (BSEACD) officially returned the 2017 Production Permit Application from Electro Purification LLC (EP) to the EP attorney—thus moving one big step closer to removing this threat of substantial groundwater withdrawal and aquifer drawdown from the Trinity Aquifer in Hays County.

The Trinity Edwards Springs Protection Association (TESPA) is in firm agreement with the action taken by BSEACD General Manager Vanessa Escobar. It was cause for much online celebration and virtual high fiving among landowners near Driftwood and Wimberley whose water wells have been in a serious state of jeopardy since 2015 when EP first announced its intention to pump almost 6,000 acre-feet of groundwater per year from the already over-allocated Trinity Aquifer in one of the fastest growing counties in the country.

TESPA executive director, Patrick Cox, PhD, offers both accolades and a word of caution, “We are so grateful for the actions from the management at the Barton Springs District which ultimately led to EP’s withdrawal from the contested case and the return of EP’s permit. But it’s not over until it’s over – and now we must wait to see if EP returns with another production permit or something stronger. Of course, our hope and solid recommendation is for EP to acknowledge that the Trinity Aquifer in Hays County is not a good place for a water marketer.”

Ultimately, the permit request from EP to BSEACD in 2017 was for 912.5 million gallons per year, or the equivalent of 2,800 acre-feet per year. TESPAs best science in the form of groundwater models still shows a five-mile radius of negative influence on existing wells, and potentially Jacob’s Well, with aquifer drawdown ranging from 150 to 500 feet over the life of the EP project.

“We are all acutely aware of the tremendous pressure on our essential groundwater and the springs that bring it to the surface,” added Jim Blackburn, TESPAs board president, “and that is why TESPAs was formed in 2015 and why our attorneys and geoscientists continue to be vigilant and active. We are landowners too, with a stake in this natural resource and a very strong intention to keep the springs, creeks, rivers and water wells flowing for the people and animals who live here.”

TESPA is here to protect this fragile network of karst geology and water and stands ready for any new threats to springs and aquifers. The organization is still actively engaged in a legal action against another large production permit in Hays County—Needmore, near San Marcos Springs. TESPAs continues to participate in an advanced water modeling project in the Blanco River Valley in partnership with the Meadows Center for Water and the Environment, both local groundwater districts, and Hays County.

More on the history of the EP water grab and the contested case can be found on the BSEACD website (https://bseacd.org/2017/07/ep_productionapp/) and the TESPAs website (<https://www.tespatexas.org/electropurification>).

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Attachment: March 9, 2021 Letter from BSEACD to Ed McCarthy

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**Barton Springs
Edwards Aquifer**
CONSERVATION DISTRICT

March 9, 2021

Via Certified Mail, Return Receipt Requested

Mr. Edmond R. McCarthy, Jr.
McCarthy and McCarthy, LLP
1122 Colorado Street, Suite 2399
Austin, TX 78701

Re: Return of July 17, 2017 Application of Electro Purification LLC

Dear Mr. McCarthy:

The purpose of this letter is to return the July 17, 2017 Application (Application) of Electro Purification LLC (EP). EP's February 4, 2021 nonsuit, dismissal, and remand in SOAH Docket No. 457-18-4589 (contested case) is considered by the General Manager (GM) as a withdrawal of the Application. EP is no longer prosecuting its Application with SOAH and there is no further action that the GM can take in connection with the remand. As a result, the Application is being returned.

The GM is in communication with SOAH to obtain a final billing for the contested case and will promptly refund to EP the balance of its deposit after that determination.

Sincerely,

Vanessa Escobar
General Manager

Enclosure – EP Application Form July 2017

cc: Attached SOAH Docket No. 457-18-4589 Service List