NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

PERMIT HEARING AND BOARD MEETING

Pilot Point ISD Administration Office 829 S. Harrison St. Pilot Point, TX 76258

> TUESDAY MARCH 19, 2024 10:00 AM

NOTICE OF PUBLIC MEETING

OF THE BOARD OF DIRECTORS of the

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT Tuesday, March 19, 2024, at 10:00 a.m.

MEETING LOCATION: Pilot Point ISD Administration Office 829 S. Harrison St. Pilot Point, TX 76258

Board Member Qualification for Office

Board Member qualification for office will begin at 10:00 a.m.

- 1. Administer Oath of Office to new Board Member.
- 2. Receive signature on Oath of Office and Statement of Appointed Officer forms.

Permit Hearing

The Permit Hearing will begin upon completion of the Board Member Qualification for Office.

Notice is hereby given that the Board of Directors of the North Texas Groundwater Conservation District ("District") will conduct a permit hearing on the following Production Permit Applications:

Agenda:

- 1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.
- 2. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).
- 3. Review the Production Permit Applications of:

Permit Amendment

a. Applicant: North Texas Municipal Water District; 505 East Brown St, Wylie, TX 75098 Location of Well: 3360 FM 2933, McKinney, TX 75071; Latitude: 33.233814°N Longitude: 96.555881°W; About one mile west of the intersection of CR 988 and CR 1827 in Collin County. Purpose of Use: Construction; dust control; leak and pipe testing. Requested Amount of Use: 62,300,000 gallons through September 15, 2023. Production Capacity of Well: 199 gallons/minute Aquifer: Woodbine Amendment: Extend the permitted use period through December 2025.

New Production Permits

- a. Applicant: Prosper ISD; 605 E 7th Street, Prosper, TX 75075
 Location of Well: 3450 Prairie Drive, Prosper, TX; Latitude: 33.228759°N, Longitude: 96.857554°W; About 900 feet east of S Teel Parkway and about 393 feet south of Fishtrap Road Denton County.
 Purpose of Use: Irrigation/Landscape
 Requested Amount of Use: 21,896,376 gallons per year
 Production Capacity of Well(s): 175 gallons/minute
 Aquifer: Trinity (Paluxy)
- b. Applicant: Astra Investments I, LLC.; 3625 Hall St, Suite 700, Dallas, TX 75219 Location of Wells:
 - Well T3: 3668 Hwy 156, Ponder, TX 76259; Latitude: 33.209780°N, Longitude: 97.277760°W; About 3,150 feet west of Hwy 156 and about 3,900 feet south of Old Stoney Rd in Denton County.
 - Well P3: 3668 Hwy 156, Ponder, TX 76259; Latitude: 33.209780°N, Longitude: -97.277690°W; About 3,130 feet west of Hwy 156 and about 3,900 feet south of Old Stoney Rd in Denton County.
 - Well T4: 3668 Hwy 156, Ponder, TX 76259; Latitude: 33.210670°N, Longitude: 97.271120°W; About 1,356 feet west of Hwy 156 and about 3,537 feet south of Old Stoney Rd in Denton County.
 - Well P4: 3668 Hwy 156, Ponder, TX 76259; Latitude: 33.210630°N, Longitude: 97.271150°W; About 1,370 feet west of Hwy 156 and about 3,550 feet south of Old Stoney Rd in Denton County.

Purpose of Use: Municipal/Public Water System; Irrigation/Landscape **Requested Amount of Use:** 84,288,816 gallons per year

Production Capacity of Wells:

- Well T3: 200 gallons/minute
- Well P3: 80 gallons/minute
- Well T4: 200 gallons/minute
- Well P4: 80 gallons/minute

Aquifer: Trinity (Antlers)

- c. Applicant: Ponder 159 Land LLC.; 3625 Hall St, Suite 700, Dallas, TX 75219 Location of Wells:
 - Well T1: Old Stoney Rd, Ponder, TX 76259; Latitude: 33.215830°N, Longitude: 97.288370°W; About 1,467 feet east of George Owens Rd and about 1,716 feet south of Old Stoney Rd in Denton County.
 - Well P1: Old Stoney Rd, Ponder, TX 76259; Latitude: 33.215830°N, Longitude: 97.288440°W; About 1,450 feet east of George Owens Rd and about 1,716 feet south of Old Stoney Rd in Denton County.
 - Well T2: Old Stoney Rd, Ponder, TX 76259; Latitude: 33.213800°N, Longitude: 97.285170°W; About 2,450 feet east of George Owens Rd and about 2,445 feet south of Old Stoney Rd in Denton County.
 - Well P2: Old Stoney Rd, Ponder, TX 76259; Latitude: 33.213800°N, Longitude: -97.285110°W; About 2,465 feet east of George Owens Rd and about 2,445 feet south of Old Stoney Rd in Denton County.

Purpose of Use: Municipal/Public Water System; Irrigation/Landscape

Requested Amount of Use: 84,288,817 gallons per year

Production Capacity of Wells:

- Well T1: 200 gallons/minute
- Well P1: 80 gallons/minute
- Well T2: 200 gallons/minute

- Well P2: 80 gallons/minute **Aquifer:** Trinity (Antlers)
- d. Applicant: Salmons Commercial Properties, LLC; PO Box 1037, Boyd, TX 76023 Location of Wells:
 - North Well: TBD Stewart Rs, Krugerville, TX 76227; Latitude: 33.2608°N Longitude: 96.9832°W; About 1,230 feet east of Hwy 377 and about 130 feet south of Stewart Rd
 - South Well: TBD Stewart Rs, Krugerville, TX 76227; Latitude: 33.2599°N Longitude: 96.9824°W; About 1,485 feet east of Hwy 377 and about 445 feet south of Stewart Rd

Purpose of Use: Concrete Production **Requested Amount of Use:** 10,080,000 gallons through December 2024; 20,160,00 gallons/year starting January 2025.

Production Capacity of Wells:

- North Well: 30 gallons/minute
- South Well: 30 gallons/minute

Aquifer: Woodbine

- 4. Consider and act upon the Production Permit Applications, including designation of parties and/or granting or denying the Production Permit Applications in whole or in part, as applicable.
- 5. Adjourn or continue permit hearing.

Board Meeting

The regular Board Meeting will begin upon adjournment of the above noticed Permit Hearing.

Notice is hereby given that the Board of Directors of the North Texas Groundwater Conservation District ("District") may discuss, consider, and take all necessary action, including expenditure of funds, regarding each of the agenda items below:

Agenda:

- 1. Pledge of Allegiance and Invocation.
- 2. Call to order, establish quorum, declare the meeting open to the public.
- 3. Public comment.
- 4. Consider and act upon approval of the minutes from the February 13, 2024, Board meeting.
- 5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2024-3-19-01.
- 6. Receive reports from the following Committees*:
 - a. Budget and Finance Committee
 - 1. Receive Monthly Financial Information
- 7. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).
- Consider and act upon compliance and enforcement activities for violations of District rules.
 a. Barco Well Service
- 9. General Manager's Report: The General Manager will update the board on operational, educational and other activities of the District.
 - a. District's Disposal/Injection Well Program
 - b. Well Registration Summary

10. Open forum / discussion of new business for future meeting agendas.

11. Adjourn public meeting.

* Reports from District standing committees will include a briefing by each committee for the Board on the activities of the committee, if any, since the last regular Board meeting.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

These public meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting, please call (855) 426-4433 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.

For questions regarding this notice, please contact Velma Starks at (855) 426-4433, at <u>ntgcd@northtexasgcd.org</u>, or at 5100 Airport Drive, Denison, TX 75020.

At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the North Texas Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§551.073); deliberation regarding personnel matters (§551.074); deliberation regarding security devices (§551.076); and deliberation regarding cybersecurity (§551.089). Any subject discussed in executive session may be subject to action.

ATTACHMENT 4

MINUTES OF THE BOARD OF DIRECTORS' BOARD MEETING NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

Tuesday, February 13, 2024, at 10:00 a.m.

Pilot Point ISD Administration Office 829 S. Harrison St. Pilot Point, TX 76258

Please note for in-person attendance that the Board meeting location can only accommodate a limited number of attendees to comply with state requirements related to in-person gatherings. In the event in-person attendance exceeds any state or local requirements, the District may provide an option for virtual participation for any overflow attendees as necessary and authorized by law.

Members Present:	Ronny Young, Jimmy Arthur, Greg Peters, Allen Knight, David Flusche, Thomas Smith, Allen McDonald and Everette Newland
Members Absent:	
Staff:	Paul Sigle, Allen Burks, and Velma Starks
Visitors:	Kristen Fancher, Law Offices of Kristen Fancher, PLLC

Permit Hearing

Agenda:

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.

Board President Ronny Young called the Permit Hearing to order at 10:00 a.m.

2. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).

No public comments.

3. Review the Production Permit Applications of:

New Production Permit and Request for Exception to Spacing Requirements

- a. Applicant: Aqua Texas, Inc.; 9450 Silver Creek Rd, Fort Worth, TX 76108 Location of Wells:
 - **Dove Hollow (Existing)**: 25343 Williams Dr, Justin, TX 76247; Latitude: 33.06597°N, Longitude: 97.37904°W; About 400 feet west of Brookfield Dr. and about 475 feet south of Williams Dr in Denton County.
 - Dove Hollow Well 2 (new): 25343 Williams Dr, Justin, TX 76247; Latitude:

33.0659044°N, Longitude: 97.3788225°W; About 340 feet west of Brookfield Dr and about 490 feet south of Williams Dr in Denton County.

Purpose of Use: Municipal/Public Water System

Requested Amount of Use: 33,063,750 gallons per year

Production Capacity of Wells:

- Dove Hollow Well 1: 90 gallons/minute
- Dove Hollow Well 2: 220 gallons/minute
- Aquifer: Trinity (Antlers)

Request for Exception to Spacing Requirements: Aqua Texas, Inc. is requesting an exception to the spacing requirements for the following wells:

- NT-2032 located about 797 feet to the north.
- NT-3139 located about 870 feet to the north.

The spacing requirement for a 220 gallons/minute well is 1,439 feet.

General Manager Paul Sigle provided background for the Board. Aaron Collier, Collier Consulting, Inc. provided presentation.

Board went into Executive Session at 10:20 a.m.

Reconvened into regular session at 10:52 a.m.

Board Member Greg Peters made the motion to approve with special conditions suggested by legal. Board Member Allen Knight seconded the motion. The motion was approved by a vote of 6 to 2. Board Member Thomas Smith and David Flusche voted against the motion.

New Production Permits

- a. Applicant: Honeycreek Venetian LLC; 2101 Cedar Springs Rd Suite 700, Dallas, TX 75201 Location of Wells:
 - **Remote Well East Trinity:** 1656 Barnwood Trace, Celina, TX 75009; Latitude: 33.324238°N, Longitude: 96.648936°W; About 1,310 feet west of Bourland Bnd and about 1,710 feet north of CR 206 in Collin County.
 - **Remote Well West Trinity:** 1656 Barnwood Trace, Celina, TX 75009; Latitude: 33.327083°N, Longitude: 96.658820°W; About 900 feet east of FM 543 and about 2,725 feet north of CR 206 in Collin County.
 - Water Plant Trinity Well: 1001 Weston Rd, Celina, TX 75009; Latitude: 33.332480°N, Longitude: 96.659730°W; About 685 feet south of Rigsby Ln and about 605 feet east of FM 543 in Collin County.

Purpose of Use: Municipal/Public Water System **Requested Amount of Use:** 97,761,600 gallons per year **Production Capacity of Wells:**

- Remote Well East Trinity: 275 gallons/minute
- **Remote Well West Trinity:** 275 gallons/minute
- Water Plant Trinity Well: 250 gallons/minute

Aquifer: Trinity (Antlers)

Location of Well (Existing): 1001 Weston Rd, Celina, TX 75009; Latitude: 33.332770°N, Longitude: 96.659730°W; About 570 feet south of Rigsby Ln and about 600 feet east of FM 543 in Collin County.
Purpose of Use: Municipal/Public Water System
Requested Amount of Use: 36,792,000 gallons per year
Production Capacity of Well: 300 gallons/minute

Aquifer: Woodbine

General Manager Paul Sigle provided background information for the Board. Honeycreek Venetian LLC Permits a. and b. were reviewed together. Board Member Greg Peters made the motion to approve the permits. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

 c. Applicant: JMS Signature Properties LLC; 4381 S Hwy 377, Aubrey, TX 76227 Location of Well (Existing): 4381 S Hwy 377, Aubrey, TX 76227; Latitude: 33.260356°N, Longitude: 96.990709°W; Arvin Hill Rd, about 1,031 feet west of Hwy 377 in Denton County. Purpose of Use: Irrigation; Livestock Requested Amount of Use: 7,626,437 gallons per year Production Capacity of Well: 110 gallons/minute Aquifer: Trinity (Antlers)

General Manger Paul Sigle provided background information for the Board. Board Member Allen McDonald made the motion to approve. Board Member Allen Knight seconded the motion. Motion passed unanimously.

4. Consider and act upon the Production Permit Applications, including designation of parties and/or granting or denying the Production Permit Applications in whole or in part, as applicable.

Permits were reviewed and then voted on.

5. Adjourn or continue permit hearing.

Board President Ronny Young adjourned the permit hearing at 10:57 a.m.

Board Meeting

Agenda:

1. <u>Pledge of Allegiance and Invocation</u>

Board President Ronny Young led the Pledge of Allegiance and provided the invocation.

2. <u>Call to order, establish quorum; declare meeting open to the public.</u>

Board President Ronny Young called the meeting to order at 11:00 a.m.

3. <u>Public Comment</u>

There were no public comments at this time.

4. Consider and act upon approval of the minutes from the January 9, 2024, Board meeting.

Board President Ronny Young asked for approval of the minutes from the January 9, 2024, meeting. Board Member Allen Knight made the motion to approve the minutes. Board Member Thomas Smith seconded the motion. Board Member Everette Newland abstained. Motion passed.

5. <u>Consider and act upon approval of invoices and reimbursements, Resolution No. 2024-2-13-01.</u>

General Manager Paul Sigle reviewed the liabilities with the Board. Board Member Allen Knight made the motion to approve Resolution No. 2024-2-13-01. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

- 6. <u>Receive reports from the following Committees*:</u>
 - a. Budget and Finance Committee
 - 1. Receive Monthly Financial Information

General Manager Paul Sigle reviewed the Financial Report with the Board.

7. <u>Update and possible action regarding the process for the development of Desired Future</u> <u>Condition (DFCs).</u>

General Manager Paul Sigle discussed the GAM Update project process and the next Technical meeting is scheduled for March 1st.

8. <u>Consider and act upon the selection of a consultant for database services to maintain and improve the District's database.</u>

General Manager Paul Sigle informed the Board that one response was received from LRE to provide services to the District's database. Board Member Greg Peters made the motion to select LRE and move forward to a contract. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

9. Consider and act upon appointing an alternate representative for GMA 8.

Board President Ronny Young, GMA 8 representative, provided information on what the representative does Board Member Greg Peters volunteered to be an alternate representative for GMA 8. Board Member Allen Knight made the motion to appoint Board Member Greg Peters alternate representative for GMA 8. Board Member Everette Newland seconded the motion. Motion passed.

10. <u>Consider and act upon compliance and enforcement activities for violations of District rules.</u>

No issues

11. Discussion and possible action for March Board Meeting Date.

The regular March 12th Board meeting is during Spring Break and the school offices will be

closed. The meeting has been rescheduled for March 19, 2024

- 12. <u>General Manager's Report: The General Manager will update the board on operational,</u> educational and other activities of the District.
 - a. District's Disposal/Injection Well Program

General Manager Paul Sigle informed the Board the protest for the injection well has been remove.

b. Well Registration Summary

General Manager Paul Sigle reviewed the well registration summary with the Board. Thirteen wells were registered in January.

c. Update on District Staff

General Manager Paul Sigle informed the Board that Stacy Patrick will be moved to GTUA full time to help Nichole. A replacement will be hired for the Groundwater Districts.

- 13. <u>Open forum/discussion of new business for future meeting agendas.</u>
- 14. <u>Adjourn public meeting</u>

Board President Ronny Young declared the meeting adjourned at 11:19 a.m.

Recording Secretary

Secretary-Treasurer

ATTACHMENT 5

RESOLUTION NO. 2024-03-19-1

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT AUTHORIZING PAYMENT OF ACCRUED LIABILITIES FOR THE MONTH OF FEBRUARY

The following liabilities are hereby presented for payment:

Administrative Services	<u>Amount</u>
GTUA - February	29,096.21
<u>Direct Costs</u> Nextraq - March	36.95
David Flusche - mileage, February Ronny Young - mileage, February	70.35 27.47
Legal	
Kristen Fancher PLLC - services through 10/31/21	4,032.00
Legal- Injection Sledge Law - January 2024	2,046.00
Legal-Legislative Lloyd Gosselink - Legislative Law service through 1/31/24	799.77
Meetings & Conferences Pilot Point ISD - Meeting Room	75.00
Well Injection Monitoring Statewide Plat Service - January & February	112.80
GRAND TOTAL: <u>\$</u>	36,296.55

On motion of ______ and seconded by ______ the foregoing Resolution was passed and approved on this, the 19th day of March, 2024 by the following vote:

AYE: NAY:

President

Secretary/Treasurer

ATTACHMENT 6 a. – i.

NORTH TEXAS GROUNDWATER Balance Sheet

As of February 29, 2024

ASSETS

Current Assets					
Checking/Savings					
10001 Checking Account	900,480.24				
10005 Cash-Index Account	20,192.12				
10006 Cash - CDARS OZK	412,820.91				
10008 Cash - Tex Star	645,640.34				
10010 Investment	2,109,831.35				
10025 Accounts Receivable	314,366.09				
10030 A/R Well Applications	14,580.68				
10033 A/R Penalties	3,787.37				
10035 A/R GMA8 Members	8,642.07				
10070 A/R Liens	14,000.00				
10026 Allowance for Uncollectib	-21,300.00				
12001 Prepaid Expenses	2,013.00				
TOTAL ASSETS	4,425,054.17				
LIABILITIES & EQUITY					
Liabilities					
Current Liabilities					
Accounts Payable					
23100 Accounts Payable	7,088.39				
23150 Well Drillers Deposits	56,189.57				
Total Liabilities	63,277.96				
Equity					
35100 Retained Earnings	4,372,844.96				
Net Income	-11,068.75				
Total Equity	4,361,776.21				
TOTAL LIABILITIES & EQUITY	4,425,054.17				

NORTH TEXAS GROUNDWATER Profit Loss Budget vs. Actual February 29, 2024

	TOTAL				
	February 2024	1 mo. Budget	YTD Actual	Total Budget	% of Budget remaining
Ordinary Income/Expense					
Income					
46003 - Registration Fees	6,300.00	2,916.00	7,700.00	35,000.00	78.09
46004 - Well Driller Fees	0.00	0.00	0.00	0.00	0.09
46005 - PRODUCTION FEES	0.00	0.00	0.00	870,000.00	100.09
46006 Income GMA8	0.00	0.00	39,972.00	281,735.00	85.81
46007 - Penalties	0.00	0.00	0.00	0.00	0.0
46008 - Online Pay Fees	85.05	0.00	144.90	1,000.00	85.51
46015 Late Fees	0.00	0.00	0.00	0.00	0.0
Total Income	6,385.05	2,916.00	47,816.90	1,187,735.00	95.97
Gross Profit	6,385.05	2,916.00	47,816.90	1,187,735.00	95.97
Expense					
77010 ADMINISTRATIVE					
77013 Admin-Secretarial	735.00	1,250.00	1,370.25	15,000.00	90.87
77014 Admin-Project Coordinator	142.50	417.00	142.50	5,000.00	97.15
77015 Admin-GM	4,047.00	5,500.00	8,003.00	66,000.00	87.87
77016 Admin-Clerical	1,306.80	3,917.00	3,384.00	47,000.00	92.8
77040 ADMIN-MILEAGE	313.80	333.00	335.99	4,000.00	91.6
77025 ACCOUNTING	2,386.10	2,750.00	3,928.40	33,000.00	88.1
77027 AUDITING	0.00	0.00	0.00	6,206.00	100.0
77050 BANKING FEES	225.44	167.00	319.26	2,000.00	84.04
77150 CONSULTING-HYDROGEO SVC	0.00	4,392.00	0.00	52,700.00	100.0
77325 DIRECT COSTS-REIMB	460.51	500.00	683.94	6,000.00	88.6
77450 DUES & SUBSCRIPTION	0.00	650.00	0.00	7,800.00	100.0
77480 EQUIPMENT	0.00	167.00	0.00	2,000.00	100.0
77485 Equipment Database	0.00	4,167.00	0.00	50,000.00	100.0
77500 FEES-GMA8	8.00	0.00	8.00	2,000.00	99.6
77550 FIELD TECH	12,220.00	15,833.00	21,134.00	190,000.00	88.88
77560 Field Permitting/Geologis	5,642.00	5,417.00	10,436.00	65,000.00	83.94
77650 FUEL/MAINTENANCE	383.30	417.00	752.67	5,000.00	84.95
77800 INJECTION WELL MONITORING	62.80	58.00	112.80	700.00	83.89
77810 INSURANCE & BONDING	503.25	581.00	1,225.50	6,975.00	82.43
77970 LEGAL	505.25	301.00	1,220.00	0,373.00	02.40
77975 Legal-Injection	0.00	833.00	2,046.00	10,000.00	79.54
77980 Legal-Legislation	0.00	2,500.00	799.77	30,000.00	0.0
77970 LEGAL - Other	4,032.00	5,000.00	7.252.00	60,000.00	87.91
78010 MEETINGS & CONFERENCES	1,003.76	583.00	1.324.71		81.08
			,-	7,000.00	
78310 Rent 78600-SOFTWARE MAINT	200.00 423.88	200.00 208.00	400.00 423.88	2,400.00 2,500.00	83.33 83.04
78610 TELEPHONE					
	33.33	317.00	368.33	3,800.00	90.31
78780 Well Monitoring/Testing	0.00	1,350.00	0.00	16,200.00	100.0
Total Expense	34,129.47	57,507.00	64,451.00	698,281.00	90.77
Other Income/Expense					
Other Income					
46100 INTEREST INC	0.00	8,333.00	5,565.35	100,000.00	94.43
Total Other Income	0.00	8,333.00	5,565.35	100,000.00	
Net Other Income	0.00	8,333.00	5,565.35	100,000.00	



ATTACHMENT 9 b.

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT Well Registration Summary (as of 2/29/2024)

Well Type	Collin	Cooke	Denton	Total NTGCD	New Registrations February 2024
Domestic	95	714	1135	1944	15
Public Water System	40	77	237	354	2
Irrigation	108	6	226	340	2
Surface Impoundment	66	19	140	225	0
Livestock	7	97	73	177	1
Oil / Gas	1	6	64	71	0
Agriculture	11	13	47	71	0
Commercial	7	9	53	69	0
Golf Course Irrigation	15	2	21	38	0
Industrial / Manufacturing	11	11	9	31	0
*Other	6	5	12	23	0
Monitoring	0	0	6	6	0

NOTE: Plugged wells have been excluded

TOTALS

*Examples of "Other" uses: Closed Loop Geothermal, Construction, and Fire Suppression

959

2023

3349

20

367

ADJOURN