

**NORTH TEXAS
GROUNDWATER
CONSERVATION
DISTRICT**

PERMIT HEARING AND BOARD MEETING

**PILOT POINT ISD ADMINISTRATION
829 S. HARRISON ST.
PILOT POINT, TEXAS 76258**

**TUESDAY
NOVEMBER 12, 2019
10:00 AM**

NOTICE OF PUBLIC MEETING

OF THE
BOARD OF DIRECTORS of the

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT
at the

Pilot Point ISD Administration Office
829 S. Harrison St.
Pilot Point, TX 76258
Tuesday, November 12, 2019

Permit Hearing

The Permit Hearing will begin at 10:00 a.m.

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. Review the Production Permit Applications of:

Applicant: CADG Erwin Farms LLC; 520 Central Parkway E, Ste 104, Plano, TX 75074

Location of Well: 3533 County Road 164, McKinney, TX 75071; Latitude: 33.244497°N Longitude: 96.655106°W; located approx. 900 feet south of County Road 164 about ½ mile east of the County Road 1006 and County Road 164 intersection

Purpose of Use: Filling Pond(s)/Other Impoundment(s)

Requested Amount of Use: 4,333,818 gallons per year

Production Capacity of Well: 25 gallons per minute

Aquifer: Woodbine Aquifer

Applicant: FAB 5 Management, LLC; 9040 Hawley Drive, Fort Worth, TX 76244

Location of Well: FM 1171, Flower Mound, TX 75022; Latitude: 33.046528°N Longitude: 97.172639°W; located approx. 400 feet north of the Pochontas Drive and FM 1171 intersection

Purpose of Use: Irrigation and Filling Pond(s)/Other Impoundment(s)

Requested Amount of Use: 11,680,000 gallons for 2020; 5,840,000 gallons per year thereafter

Production Capacity of Well: 170 gallons per minute

Aquifer: Trinity (Paluxy) Aquifer

Applicant: Pulte Homes of Texas, LP; 9111 Cypress Waters Blvd. Ste 100, Coppell, TX 75019

Location of Well: Latitude: 33.189955°N Longitude: 97.061329°W; located approx. ½ mile south of the East McKinney Street and South Trinity Road intersection

Purpose of Use: Construction in 2020 and Irrigation thereafter

Requested Amount of Use: 8,970,000 gallons for 2020; 2,970,000 gallons per year thereafter
Production Capacity of Well: 45 gallons per minute
Aquifer: Trinity (Antlers) Aquifer

3. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).
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 meeting open to the public.
3. Public comment.
4. Consider and act upon approval of the minutes from the October 8, 2019, Board meeting.
5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2019-11-12-01.
6. Receive reports from the following Committees*:
 - a. Budget and Finance Committee
 - 1) Receive Monthly Financial Information
 - b. Management Plan Committee
 - 1) Receive Quarterly Report
7. Consider and act upon authorizing WSP to develop a sample Hydrogeological Report.
8. Consider and act upon 2020 Administrative Services Contract with Greater Texoma Utility Authority.
9. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).
10. Consider and act upon compliance and enforcement activities for violations of District rules.
 - a. C Miller Drilling

b. THI Water Well

11. General Manager's Report: The General Manager will update the board on operational, educational and other activities of the District.
 - a. Update on Monitoring Well Equipment
 - b. Update on District Truck
 - c. Update on Well Plugging
 - d. Well Registration Summary
 - e. Update on Rules and Management Plan amendment timeline
12. Open forum / discussion of new business for future meeting agendas.
13. 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 ntgcd@northtexasgcd.org, 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 AND PUBLIC HEARING
NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

TUESDAY OCTOBER 8, 2019

**PILOT POINT ISD ADMINISTRATION OFFICE
829 S. HARRISON ST/
PILOT POINT, TEXAS 76258**

Members Present: Ronny Young, Allen Knight, Ryan Henderson, Lee K. Allison, Thomas Smith, and Ron Sellman

Members Absent: Joe Helmberger, David Flusche, and Evan Groeschel

Staff: Drew Satterwhite, Paul Sigle, Wayne Parkman, Carolyn Bennett, Theda Anderson, and Velma Starks

Visitors: Kristen Fancher, Fancher Legal
Peter M. Schulmeyer, Collier Consulting
Tim Long, Billingsley Water
David Gerka, C. Miller Drilling
Laura Robinson, Barco Well
Michelle Carte, UTRWD

Permit Hearing

Agenda:

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

President Thomas Smith called the permit hearing to order at 10:05 a.m.

2. Review the Production Permit Applications of:

Applicant: AIWR 2017-7, LLP; 2505 N. SH 360, Suite 800, Arlington, TX 75050

Location of Well: Well #1: Latitude: 33.24665°N Longitude: -96.72801°W; located south of County Road 123 between North Custer Road and County Road 124 in the City of McKinney; Well #2: Latitude: 33.24185°N Longitude: -96.72858°W; located south of County Road 123 between North Custer Road and County Road 124 in the City of McKinney.

Purpose of Use: Public Water System, Landscape Irrigation and Pools

Requested Amount of Use: 80,000,000 gallons per year

Production Capacity of Well: 400 gallons per minute (200 gallons per minute per well)

Aquifer: Trinity (Paluxy) Aquifer

Applicant: Mustang Special Utility District; 7985 FM 2931, Aubrey, TX 76227

Location of Well: Latitude: 33.26471°N Longitude: -96.96672°W; approximately 1.5 miles east of Highway 377 and south of Ike Byrom Rd. in the Town of Cross Roads.

Purpose of Use: Public Water System

Requested Amount of Use: 147,744,800 gallons per year

Production Capacity of Well: 750 gallons per minute

Aquifer: Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed both permits with the Board. Both permits had Hydrogeological Reports.

3. Public Comment on the Production Permit Applications.

There were no public comments.

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.

Board Member Allen Knight made the motion to grant both the AIWR 2017-7 and the Mustang SUD Production Permit Applications. Board Member Ryan Henderson seconded the motion. Motion passed unanimously.

5. Adjourn or continue permit hearing.

Board President Thomas Smith adjourned the permit hearing at 10:15 a.m.

Show Cause Hearing

Agenda:

1. Call to Order, declare hearing open to the public, and take roll.
2. Conduct Show Cause hearing under Rule 11.6 on the following for alleged violations of District Rules, discuss, consider, receive testimony, and take appropriate action, including without limitation authorizing the District to initiate a civil lawsuit to enforce compliance with the District Rules, including recovery of civil penalties, costs, and attorney's fees, and all other appropriate legal and equitable relief.

A. DWW Golf Management Company

General Manager Drew Satterwhite informed the Board that DWW Golf Management Company was in compliance at this time having sent in meter readings and payment for fines and fees owed.

3. Adjourn or continue show cause hearing.

Board President adjourned the show cause hearing at 10:16 a.m.

Board Meeting

1. Pledge of Allegiance and Invocation

Vice President Allen Knight led the group in the Pledge of Allegiance and provided the invocation.

2. Call to order, establish quorum; declare meeting open to the public

President Thomas Smith called the meeting to order 10:16 a.m., established a quorum was present, and declared the meeting open to the public.

3. Public Comment

There were no public comments.

4. Consider and act upon approval of the minutes from the August 27, 2019, Board meeting.

Board President Thomas Smith asked for approval of the minutes from the August 27, 2019 meeting. Board Member Allen Knight made the motion to approve the minutes. Board Member Ryan Henderson seconded the motion. Motion passed unanimously.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2019-10-08-01.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Ronny Young made the motion to approve Resolution No. 2019-10-08-01. Board Member Allen Knight seconded the motion. Motion passed unanimously.

6. Receive reports from the following Committees*:

- a. Budget and Finance Committee
 - 1) Receive Monthly Financial Information

General Manager Drew Satterwhite reviewed the monthly financial information with the Board.

- b. Investment Committee
 - 1) Receive Quarterly Investment Report

General Manager Drew Satterwhite reviewed the Quarterly Investment Report with the Board.

7. Review and act upon approval of Investment Policy.

General Drew Satterwhite reviewed the Investment Policy with the Board as required by the Public Funds Investment Act. There were no legislative changes. Board Member Ronny Young made the motion to adopt the Investment Policy as presented. Board Member Ron Sellman seconded the motion. Motion passed unanimously.

8. Consider and act upon authorizing the purchase of Continuous Well Monitoring Equipment.

General Manager Drew Satterwhite informed the Board that Denton County Fresh Water Supply District #10 had contacted the staff that they had three wells they were no longer using which were candidates for the District's monitoring program. Denton County Fresh Water Supply District #10 executed the well monitoring agreement and agreed to pull the pumping equipment from their wells in addition to obtaining a downhole video of the casings to ensure they were in good condition. Two of the wells are in good condition and are Twin Mountain formation wells that are near the boundary of the Trinity Aquifer's Regions 1 & 2. Both wells are 2200'+ deep with a static water levels ranging from 436'-522' at the time of the video contractor was onsite. There are two types of continuous monitoring devices that the District staff has identified for these wells with one being the acoustic monitoring and the other being pressure transducers. The District staff has talked to other Districts who have been pleased with both forms of measurement, but advised that the pressure transducers can be very difficult to install and maintain when depth to water is greater than 300'. The staff recommends purchasing two Well Watch 670s from Eno Scientific. A brief discussion was held. Board Member Ron Sellman made the motion to purchase two Watch 670s from Eno Scientific and purchase additional equipment if necessary. Board Member Ronny Young seconded the motion. Motion passed unanimously.

9. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).

- a. Presentation, discussion and possible action on development of Desired Future Conditions and Modeled Available Groundwater numbers for submission to Groundwater Management Area 8 for the current joint planning cycle

Paul Sigle, Groundwater Technical Lead, provided a presentation on the DFCs, GAM, and MAG explaining how models and data work. James Beach, WSP provided a presentation on the GMA 8 three factors (Environmental Impacts, Subsidence Impacts and Hydrological Conditions) that will be discussed at the GMA 8 meeting in November. Both presentations were given to provide guidance as to whether to change the numbers used or use the same pumping inputs. Board Member Ronny Young made the motion to use the same pumping inputs. Board Member Lee K. Allison seconded the motion. Motion passed unanimously.

10. Consider and act upon compliance and enforcement activities for violations of District's Rules.

- a. DWW Golf Management Company

This item was addressed during the Show Cause Hearing for DWW Golf Management Company. No other violations were discussed.

11. 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

General Manager Drew Satterwhite reviewed the Well Registration Summary for August, 18 new registrations and September, 23 new registrations.

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

Rules package and Management Plan update Public Hearing will need to be on future agenda. Next meeting is scheduled for November 12.

13. Adjourn public meeting

Board President Thomas Smith declared the meeting adjourned at 11:47 a.m.

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Recording Secretary

Secretary-Treasurer

ATTACHMENT 5

RESOLUTION NO. 2019-11-12-01

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

The following liabilities are hereby presented for payment:

<u>Administrative Services</u>	<u>Amount</u>
GTUA - October 2019	32,056.96
<u>Consultant</u>	
WSP - Professional Hydro services through 9/20/19	8,575.50
<u>Direct Costs</u>	
Nextraq - Service call to remove gps from old truck and install in new F150 2019	189.95
United States Postal Service - P.O. Box renewed	100.00
USTI - E-billing fees for 2019	26.96
<u>Dues & Subscriptions</u>	
Texas Alliance of Groundwater Districts - Annual membership dues for 2020	1,720.00
<u>Insurance</u>	
Bayless Hall - Employee Dishonesty Blanket Bond for 2020	219.00
<u>Legal</u>	
Fancher Legal - September	3,120.00
<u>Legal Legislative</u>	
Sledge Law - May	3,000.00
<u>Legal-Injection Well Monitoring</u>	
Sledge Law - May	8,250.00
Sledge Law - July	2,231.00
Sledge law - August	1,266.45
<u>Meetings & Conferences</u>	
Pilot Point ISD - Meeting Room	75.00
<u>Software Maintenance</u>	
Aquaveo - September well database maintenance	500.00
Aquaveo - October well database maintenance	500.00
<u>Well Production</u>	
Ponder Enterprises dba Longhorn Company customer refund closed account	42.60
GRAND TOTAL:	\$ 61,873.42

On motion of _____ and seconded by

the foregoing Resolution was passed and approved on this, the 12th day of November, 2019 by the following vote:

AYE:

NAY:

President

Secretary/Treasurer

ATTACHMENT 6 A-1

Balance Sheet

For General Fund (00)

October 31, 2019

Assets

00-01-10001	Checking Account	29,981.18
00-01-10005	Index Account	6,678.40
00-01-10008	Cash- TexStar	87,330.08
00-01-10010	Investments	1,550,000.00
00-01-10025	Accounts Receivable	311,573.59
00-01-10026	Allowance for Uncollectible Accounts	(15,500.00)
00-01-10050	A/R 440 Ranch	1,500.00
00-01-10070	A/R Liens - Strittmatter Irrigation	14,000.00
00-01-10071	A/R C Miller Drilling	600.00
00-01-12001	PP Expense	3,548.86
	Total	<u>1,989,712.11</u>
	Total Assets	<u>\$ 1,989,712.11</u>

Liabilities and Fund Balance

00-01-23100	Accounts Payable	3,881.60
00-01-23150	Well Drillers Deposits	36,350.00
	Total	<u>40,231.60</u>
	Total Liabilities	<u>40,231.60</u>
00-01-35100	Fund Balance	1,292,708.63
00-01-35110	Current Year Excess of Revenue over Expenses	526,943.69
	Total	<u>1,819,652.32</u>
	Excess of Revenue Over Expenditures	129,828.19
	Total Fund Balances	<u>1,949,480.51</u>
	Total Liabilities and Fund Balances	<u>\$ 1,989,712.11</u>

North Texas Groundwater Conservation District
Statement of Revenue and Expenditures

11/8/2019 9:27am

Page 1

Revised Budget
For General Fund (00)
For the Fiscal Period 2019-10 Ending October 31, 2019

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
Revenues					
00-01-46001 Well Production Fees	\$ 0.00	\$ 0.00	\$ 686,000.00	\$ 549,165.29	19.95%
00-01-46003 Well Registration Fees	1,666.67	3,400.00	20,000.00	11,000.00	45.00%
00-01-46005 Well Drillers Fees	0.00	142.60	0.00	0.00	0.00%
00-01-46010 GMA8 Fees	1,666.67	(173.02)	20,000.00	9,430.18	52.85%
00-01-46015 Late Fees	0.00	(137.64)	0.00	9,722.71	0.00%
00-01-46016 Penalty and Fines	0.00	(500.00)	0.00	1,000.00	0.00%
00-01-46100 Interest Inc	250.00	0.00	3,000.00	24,959.97	(732.00%)
Total General Fund Revenues	\$ 3,583.34	\$ 2,731.94	\$ 729,000.00	\$ 605,278.15	16.97%
Expenditures					
00-01-77012 Admin-Mileage	\$ 250.00	\$ 101.44	\$ 3,000.00	\$ 1,821.58	39.28%
00-01-77013 Admin-Secretarial	2,083.33	2,135.00	25,000.00	15,554.00	37.78%
00-01-77014 Admin-Project Coordinator	1,666.67	530.00	20,000.00	12,627.25	36.86%
00-01-77015 Admin-GM	5,000.00	5,408.00	60,000.00	52,156.00	13.07%
00-01-77016 Admin-Clerical	2,833.33	2,665.00	34,000.00	30,966.00	8.92%
00-01-77025 Accounting	2,083.33	1,824.75	25,000.00	26,343.00	(5.37%)
00-01-77027 Auditing	458.33	0.00	5,500.00	5,400.00	1.82%
00-01-77030 Advertising	166.67	0.00	2,000.00	1,098.20	45.09%
00-01-77050 Banking Fees	0.00	0.00	0.00	35.00	0.00%
00-01-77150 Consulting- Hydrogeoe	5,000.00	8,575.50	60,000.00	30,421.50	49.30%
00-01-77325 Direct Cost	350.00	318.51	4,200.00	4,910.49	(16.92%)
00-01-77450 Dues & Subscription	250.00	1,720.00	3,000.00	2,078.00	30.73%
00-01-77480 Equipment	833.33	0.00	10,000.00	29,180.05	(191.80%)
00-01-77485 Equipment-Database	833.33	0.00	10,000.00	0.00	100.00%
00-01-77500 Fees-GMA8	1,833.33	0.00	22,000.00	14,718.13	33.10%
00-01-77550 Field Tech	10,416.67	11,158.00	125,000.00	101,118.85	19.10%
00-01-77560 Field Permitting/Geologist	5,833.33	4,899.00	70,000.00	49,174.00	29.75%
00-01-77650 Fuel/Maintenance	291.67	367.81	3,500.00	2,364.48	32.44%
00-01-77800 Injection Well Monitoring	58.33	0.00	700.00	430.60	38.49%
00-01-77810 Insurance	385.17	662.61	4,622.00	3,795.62	17.88%
00-01-77970 Legal	4,166.67	0.00	50,000.00	21,513.80	56.97%
00-01-77975 Legal-Injection	1,250.00	0.00	15,000.00	34,862.63	(132.42%)
00-01-77980 Legal-Legislation	1,250.00	0.00	15,000.00	15,000.00	0.00%
00-01-78010 Meetings & Conferences	541.67	336.57	6,500.00	4,792.25	26.27%
00-01-78310 Rent	200.00	200.00	2,400.00	2,000.00	16.67%
00-01-78600 Software Maint	416.67	550.00	5,000.00	8,004.49	(60.09%)
00-01-78610 Telephone	200.00	276.49	2,400.00	2,998.68	(24.95%)
00-01-78780 Well Monitoring/Testing	375.00	2,085.36	4,500.00	2,085.36	53.66%
Total General Fund Expenditures	\$ 49,026.83	\$ 43,814.04	\$ 588,322.00	\$ 475,449.96	19.19%
General Fund Excess of Revenues Over Expenditures	\$ (45,443.49)	\$ (41,082.10)	\$ 140,678.00	\$ 129,828.19	7.71%

ATTACHMENT 6 B-1

NTG NORTH TEXAS GCD GROUNDWATER CD CONSERVATION DISTRICT

COLLIN COUNTY - COOKE COUNTY - DENTON COUNTY

General Manager's Quarterly Report

Date: September 30, 2019

North Texas GCD Management Plan

This quarterly briefing is being provided pursuant to the adopted Management Plan for the quarter ending September 30, 2019.

Well Registration Program:

Current number of wells registered in the District: 2,503

Aquifers in which the wells have been completed: Trinity and Woodbine

Well Inspection/Audit Program:

2019 Well Inspections

Month	Collin	Cooke	Denton	Total
January	2	2	40	44
February	5	11	29	45
March	5	4	27	36
April	1	10	22	33
May	4	2	31	37
June	1	3	25	29
July	1	1	23	25
August	4	8	12	24
September	6	2	12	20
October				
November				
December				
Total	29	43	221	293

ATTACHMENT 7



AGENDA COMMUNICATION

DATE: November 6, 2019

SUBJECT: AGENDA ITEM NO. 7

CONSIDER AND ACT UPON AUTHORIZING WSP TO DEVELOP A SAMPLE HYDROGEOLOGICAL REPORT

ISSUE

The District staff would like the Board to consider authorizing WSP to perform the work necessary to develop a sample/example hydrogeological report.

BACKGROUND

As the District moved into permanent rules, the District now requires a hydrogeological report to be submitted as part of the application process for wells capable of producing 200 gallons per minute or more.

Since the inception of the new rules and requirements the staff has been working with applicants in their development of Hydrogeological Reports. This is a new requirement for applicants, drillers and engineers in our region and there has been some confusion as to exactly what we are requiring.

CONSIDERATIONS

The staff believes that it would be beneficial to have an example or sample report to provide to applicants so that they can more quickly understand what we are requesting. We believe this will reduce the number times the applicants have to amend their reports prior to being declared administratively complete.

This same item was taken to the Red River Groundwater Conservation District Board of Directors, and approved, at their September 19 meeting. By both Districts participating, it will reduce the costs by almost 50%. James Beach with WSP believes a report could be developed for each District at a cost of \$5,000 per District if costs are shared.

Funds are available within our existing budget for Contract Services which is generally allocated to WSP's services to the District.

STAFF RECOMMENDATIONS

The staff recommends that the Board consider authorizing WSP to provide a sample Hydrogeological Report.

ATTACHMENTS

Hydrogeological Report Requirements

PREPARED AND SUBMITTED BY:

Drew Satterwhite, P.E., General Manager



HYDROGEOLOGICAL REPORT REQUIREMENTS

Adopted pursuant to District Rules 3.10(a)(13), 3.10(b) and 3.15(b)

I. Introduction

- A. Hydrogeological Reports that meet the criteria in these guidelines must be included with administratively complete applications for any of the following:
 - 1. requests to drill and operate a proposed new well or well system with a proposed aggregate production capacity of 200 gallons per minute or more;
 - 2. requests to modify or increase an existing well or well system that would result in the existing well(s) being equipped to produce 200 gallons per minute or more; and/or
 - 3. exception to spacing requirements for wells covered by (1) or (2) above.
- B. Purpose of the Hydrogeological Report is to provide the District with hydrogeological information addressing the impacts of the proposed well on existing wells and in relation to the Desired Future Condition (DFC) for the applicable aquifer, as required by Sections 36.113(d) and 36.1132 of the Texas Water Code.
- C. Reports submitted pursuant to District Rules 3.10(a)(13), 3.10(b) and 3.15(b) and these guidelines are required to be sealed by a Professional Geoscientist or Professional Engineer licensed in the State of Texas.
- D. Hydrogeological Reports submitted to the District should follow the chronological order of the criteria set forth in Section II.

II. Required Content of Hydrogeological Reports

- A. Well construction specifics must include the following:
 - 1. Details on all aspects of well.
 - 2. Schematic well construction diagram.
 - 3. Lithologic description of geology anticipated during well drilling.
 - 4. Identify specific location through maps:
 - a. Maps showing location of property relative to county level, location of well relative to property boundaries, and other relevant features

B. Discussion of hydrogeologic setting must include the following:

1. Identification of the aquifer.
2. Discussion of surface and subsurface geology at well site.
 - a. Include whether there is any occurrence of any significant groundwater recharge features such as outcrop, surface water bodies, caves, sinkholes, faults or other geologic features.
3. Include depth interval of proposed water bearing zone and identify target production zone.
4. Provide anticipated thickness of water bearing zone.
5. Identify whether the target production zone is anticipated to be confined or unconfined.
6. Provide estimates of thickness of confining layer at well site location.
7. Provide specific aquifer parameters at the well site, including transmissivity, hydraulic conductivity and storativity based on the Texas Water Development Board (TWDB) approved Groundwater Availability Model for the aquifer.
 - a. Provide a discussion of the variability of wells in the area, if applicable.
8. Identify all registered wells within a 1-mile radius of the proposed well using publicly-available District well database.
 - a. In the event the 1-mile radius does not include any registered wells, the radius will be extended to a 2-mile radius in order to address impacts under Section II(D)(3) of these guidelines.
9. Include identification of streams or springs within 1-mile radius of the proposed well.

C. Water quality analysis must include the following:

1. Include discussion of known quality in the area based on literature and well reports.

D. Interference analysis must include the following:

1. Provide quantitative analysis that shows the projected impacts from 1) the proposed production from the well or well system(if applicable) and 2) the well or well system (if applicable) running 100% of the simulation periods.
NOTE:Applicant is advised to work with District Staff to settle on proposed production volume prior to performing the analysis.
 - a. Simulation results must be included showing drawdown at 24 hours, 30 days, and 1 year (contoured with the smallest contour equal to 1-foot water level decline).
 - i. Include discussion of the methodology used for estimating drawdown, including software that was used, the assumptions and/or solution method employed.

- ii. Include illustration and/or maps showing the estimated cone of depression. If there is more than one well in the group, two maps should be included demonstrating:
 - (1) contours for impacts from pumping the proposed well only; and
 - (2) contours for impacts from all wells in the system.
 - 2. For well systems, include a discussion of the amount or degree of interference that each of the system wells may exert on other same system wells.
 - 3. Include a discussion of the estimated impacts on existing registered wells identified under Section II(B)(8) of these guidelines.
- E. Desired Future Condition (DFC) and Modeled Available Groundwater (MAG) Analysis
 - 1. Discussion of the proposed pumping amount in relation to the MAG, as well as the impact of the proposed pumping on the adopted DFC.
- F. Copies of the modeling files must be submitted with the report.

III. Post-Drilling Requirements

A. Mandatory requirements:

- 1. Geophysical logs required to be submitted upon completion of the well.
 - a. Geophysical logs must consist of a resistivity or induction curve and a spontaneous potential or gamma ray curve at a minimum.
 - b. Geophysical logs performed in the initial open-borehole are required and will consist of resistivity (self potential and gamma ray at a minimum).
 - c. Wells cased with PVC require induction and gamma ray logs.
 - d. All digital log files to be submitted in LAS format as well as printed.
- 2. All public water supply sampling completed in accordance with TCEQ/EPA requirements must be submitted to the District.

B. Must provide if available:

- a. Digital or tabulated data of water levels measured during drawdown, specific capacity, or pumping test;
- b. Field parameters of specific conductivity, temperature and pH of measurements made during the drawdown or pumping test; and/or
- c. Any laboratory analysis completed on samples collected from the well after construction and development.

IV. Additional Construction Requirements

- A. Measuring tube at least one inch in diameter to be installed from the well head to the bottom most screen interval in all new wells with a capacity to produce 200 gpm or more.
 - 1. The measuring tube shall be a separate PVC pipe connected/adjacent to the casing.

ATTACHMENT 8



AGENDA COMMUNICATION

DATE: November 7, 2019

SUBJECT: AGENDA ITEM NO. 8

CONSIDER AND ACT UPON 2020 ADMINISTRATIVE SERVICES CONTRACT WITH GREATER TEXOMA UTILITY AUTHORITY

ISSUE

Renewal of the contract with Greater Texoma Utility Authority ("GTUA") for 2020 Administrative Services.

BACKGROUND

In November 2010, the District and GTUA entered into an agreement for administrative services to be provided by GTUA for the District. The Board of Directors of GTUA has continued to indicate their satisfaction with the outcome of the agreement. This agreement is scheduled to be considered at GTUA's November 18, 2019 Board meeting.

CONSIDERATIONS

This relationship, along with the Board's prudent management of funds, has helped the District operate with some of the lowest production fees in the region.

This scope of services remains the same as the contract executed for 2019. The budgeted amounts identified in the contract are consistent with the 2020 budget adopted by the District.

STAFF RECOMMENDATIONS

The staff recommends that the contract between the District and GTUA be approved.

ATTACHMENTS

2020 Administrative Services Contract with GTUA
2020 Budget

PREPARED AND SUBMITTED BY:

Drew Satterwhite, P.E., General Manager

**ADMINISTRATIVE SERVICES AGREEMENT
BETWEEN THE GREATER TEXOMA UTILITY AUTHORITY AND
THE NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

STATE OF TEXAS	§	STATE OF TEXAS
	§	
GREATER TEXOMA UTILITY AUTHORITY	§	NORTH TEXAS GROUNDWATER
	§	CONSERVATION DISTRICT

This Agreement, made and entered into by and between the Greater Texoma Utility Authority, hereinafter referred to as ("Authority") and the North Texas Groundwater Conservation District in Collin, Cooke, and Denton Counties, Texas, hereinafter referred to as ("District").

WITNESSETH:

WHEREAS, the District is experiencing a need for administrative services in order to achieve the objectives provided in its enabling legislation and Chapter 36 of the Texas Water Code; and

WHEREAS, the Authority has staff experienced in water related activities and has provided administrative services to the District since November 2010; and

WHEREAS, the District has determined that it is in the best interest of the District to engage the Authority to assist in providing administrative assistance in establishing the District's programs and activities; and

WHEREAS, the District has determined that the Scope of Services dated November 12, 2019 from the Authority, is in the best interest of the District and that the Authority is qualified and capable of providing such services;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and of the terms and conditions hereinafter set forth, the parties agree as follows:

1. The Scope of Services. The term "Scope of Services" as used herein refers to the Scope of Services made and submitted by the Authority to the District dated November 12, 2019, as amended, modified, or supplemented herein. (attached hereto as "Exhibit A")

The Proposal is a general guideline for the commencement of administrative activities and related services. Said Proposal is superseded by specific terms of this Agreement, which may be amended in writing from time to time upon agreement of the Authority and the District.

2. Administrative Services. The Authority shall perform administrative services for the District at the direction of the District Board, and the District Board President to the extent that the Board President's direction does not conflict with any District or Authority rule, policy, or order of the District or Authority Board. Such directions from the District Board and Board President regarding the performance of administrative services shall supplement any specific services delineated in this Agreement or the attached

Proposal. Administrative services shall include, but not be limited to recording and communication services, database collection and well registration services, as well as assistance in developing personnel policies, operating procedures, refining of temporary rules and developing a management plan. Administrative services shall also include performance of the duties of the "General Manager" as set forth in the District's Temporary District Rules, Bylaws, rules and orders, subject to the directions and orders of the District Board and Board President. The Authority shall not retain outside professional services to be reimbursed by the District without prior authorization from the District. The District Board shall retain ultimate authority in decision-making under the District's Rules.

3. Charges and Payment. Monthly payments shall be made by the District to the Authority for actual costs incurred including, but not limited to hourly wages and benefits of the Authority employees, extra travel costs to and from the District, and other direct costs, including fees for professional services. The Authority shall invoice the District for any such services performed hereunder during the preceding thirty (30) day period, said invoice to be presented by the 25th day of the following month. Said invoice shall be itemized in such a manner that the District may determine the reasonableness of the charges submitted. The District shall pay the full amount of invoices received from the Authority by the tenth day of the month following receipt of any such invoice unless notice of protest or disagreement is given to the Authority within seven (7) business days after receipt of said invoice. Failure of the Authority and the District to agree upon payment of such invoice within thirty (30) days of protest shall be grounds for termination under Paragraph 4 unless the parties can otherwise agree in writing to a schedule of payment.

4. Terms of Agreement. The Term of this Agreement shall be for a 12-month period commencing as of the effective date of this Agreement, which shall be the later date that the District or the Authority executes this Agreement. This Agreement may be renewed upon expiration of the 12-month term of this Agreement by written agreement between the parties. Either the District or the Authority may terminate this agreement for any reason at any time upon ninety (90) days written notice of termination to the other party. Should the Authority or the District elect to terminate this Agreement, the District shall remain responsible for its share of any costs for which it is obligated that remain existing and unpaid as of the effective date of termination.

5. Indemnity. Neither the District nor the Authority shall be liable to the other for loss, either direct or consequential. All such claims for any and all loss, however caused, are hereby waived. Said absence of liability shall exist whether or not the damage, destruction, injury, or loss of life is caused by the negligence of either party or of any of their respective agents, servants, or employees. It is contemplated that each party shall look to its respective insurance carriers for reimbursement of any such loss. Neither party shall have any interest or claim in the other's insurance policy or policies, or the proceeds thereof, unless it is specifically covered therein as an additional insured. Nothing contained in this Agreement is intended by either party to create a partnership or joint venture, and any implication to the contrary is hereby expressly disavowed. It is understood and agreed that this Agreement does not create a joint enterprise, nor does it appoint any party as an agent of any other party, for any purpose whatsoever. It is understood and agreed that by execution of this Agreement, no governmental powers or immunities are waived or surrendered by either the District or the Authority.

6. Independent Contractor. The Authority is, and shall perform this agreement as, an independent contractor, and as such, shall have and maintain complete control over all of its employees, subcontractors,

agents, and operations. Neither the Authority nor anyone employed by it shall be, represent, act, purport to act or be deemed to be the agent, representative, subcontractor, employee, officer or servant of the District. No employee or agent of the District shall be, represent, act, or purport to act or be deemed to be the agent, representative, subcontractor, employee, officer, or servant of the Authority.

7. Surety Bond. Any officer, employee, or agent of the Authority who collects, pays, or handles any funds of the District shall furnish good and sufficient bond payable to the District in an amount determined by the District Board to safeguard the District. The bond shall be conditioned on the faithful performance of that person's duties and on accounting for all funds and property of the District. The bond shall be signed or endorsed by a surety company authorized to do business in Texas. The District Board hereby determines that the initial amount of each bond shall be set at \$50,000.00, and may alter the amount pursuant to a minute order or resolution adopted at a properly noticed meeting. The District Board shall provide the Authority with notice of any such alternative amount. The District shall reimburse the Authority for costs incurred in connection with providing administrative services to the District. Any such out-of-pocket costs exceeding \$2,500.00 per year shall require prior approval of the District Board. The Authority shall limit the collection, payment, or handling of District funds only to the officers, employees, and agents of the Authority who have been bonded in accordance with this paragraph.

8. No Third Party Rights. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the parties hereto, and all duties and responsibilities undertaken pursuant to this Agreement shall be for the sole and exclusive benefit of the parties hereto, and not for the benefit of any other party. There are no third party beneficiaries to this Agreement.

9. Assignment. This Agreement shall not be assignable except at the written consent of the Authority and the District hereto, and if so assigned, shall extend to and be binding upon the successors and assigns of the Authority and the District thereto.

10. Notices. All notices given under this agreement shall be deemed properly served if delivered in writing personally, or sent by certified mail to Thomas Smith, President, North Texas Groundwater Conservation District, PO Box 508, Gainesville, TX 76241, and to the Authority addressed to the Brad Morgan, President, Greater Texoma Utility Authority, 5100 Airport Drive, Denison, TX 75020-8448. Date of service of notice served by mail shall be the date on which such notice is deposited in a post office of the United States Postal Service. Either party may change their respective addresses for notice by providing notice of such address change in the aforesaid manner with specific reference to this Agreement.

11. Authority Financial Obligations. Nothing in this agreement shall be construed to require the Authority to expend funds from any source other than the revenues received hereunder. All costs required by valid rules, regulations, laws, or orders passed or promulgated by the United States of America, the State of Texas, and regulatory or judicial branches thereof having lawful jurisdiction shall be the responsibility of the District.

12. Entire Agreement. This agreement embodies the entire understanding between the Authority and the District hereto relative to the subject matter hereof and shall not be modified, changed or altered in any respect except in writing signed by the Authority and the District.

13. Governing Law and Severability. This agreement shall be governed by the laws of the State of Texas and the venue in Cooke County, Texas. The provisions of this agreement shall be deemed to be severable and the invalidity of or inability to enforce other provisions hereof. In the event of a conflict between the terms of this Agreement and any exhibit attached hereto, the terms and conditions of this Agreement shall take precedence.

14. Interpretation. Although drawn by the Authority, this contract shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for or against either party. Captions and headings used in this Agreement are for reference purposes only and shall not be deemed a part of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused the signatures of their legally authorized representatives to be affixed hereto, having been duly approved by the respective governing bodies and effective on the last date of execution as set forth below.

GREATER TEXOMA UTILITY AUTHORITY NORTH TEXAS GCD
5100 AIRPORT DRIVE
DENISON TX 75020-8448
PO BOX 508
GAINESVILLE TX 76241

BY: _____
President

BY: _____
President

DATE: _____

DATE: _____

ATTEST: _____

ATTEST: _____

Secretary-Treasurer

Secretary

Exhibit "A"

Scope of Services

- I. **Recording and Communication Services**
 - Act as point of contact for well owners by answering questions regarding rules
 - Provide all postings for meetings
 - Provide notice postings in timely manner
 - Mail notices and rules as needed
 - Prepare agenda after consultation with President
 - Prepare and e-mail draft minutes to Board of Directors
 - Complete minutes after review by Board of Directors
 - Maintain website as needed
 - Establish and maintain paper and electronic filing system
 - Provide written communications to well owners, TWDB and others as needed
 - Draft correspondence for signature by designated persons

- II. **Database Collection for Registered and Non-Registered Wells in the District**
 - Operate and maintain well registration website and map, which depicts wells in each NTGCD county
 - Work with well owners to register wells and collect well registration and water production fees
 - Employ field technicians to locate and verify wells in each NTGCD county

- III. **Development of Personnel and Other Policies**
 - Prepare and present drafts of policies for review by appropriate committee and Board of Directors
 - Prepare and present drafts of operating procedures for future staff to follow
 - Assist Board of Directors in training personnel for District at appropriate time

- IV. **Assistance for Rule Development**
 - Assist Board of Directors in development of permanent rules
 - Assist Board of Directors in the development and implementation of a Management Plan

- V. **Accounting**
 - Provide accounting services including keeping financial records, issuing invoices, paying invoices, etc.
 - Prepare and present monthly financial statements
 - Assist Board of Directors with development of budget
 - Prepare and provide documentation for audit

- VI. **Groundwater Management Area 8**
 - Coordinate Groundwater Management Area 8 (GMA 8) as directed by President and GMA 8 Representative

Exhibit "A"

Approach to Provision of Services

- Staff is able to work diplomatically with well owners and others
- Use 800 number on all letterhead and other communication for calls to make contact easier for well owners
- Well-acquainted with TWDB staff
- Utilize assistance from Texas Alliance of Groundwater District members
- Coordinate District activities with GMA 8 activities
- Develop records and procedures in a manner that will make for easy transition when desired

Estimated Cost of Services

The Authority is a public agency. The Board's approach to provision of services has always been to seek reimbursement for the costs of providing the services requested. These costs include:

- The salary and employer personnel costs (social security, worker's compensation insurance, retirement, and accounting, etc.)
- Mileage for travel required at the rate set annually by IRS
- Any direct expenses required to provide the services requested (telephone charges, copies, postage, and similar expenses directly associated with the project)
- The contract for services will not exceed \$150,000 for administration, \$30,000 for accounting, and \$195,000 for the field technician without prior authorization from the Board of Directors
- Field personnel costs will be an expense of the District, which will include salary, benefits, transportation and other costs directly associated with verification of well and pumping information
- Billing Rates:
 - General Manager – \$113 per hour
 - Project Coordinator - \$56 per hour
 - Administrative Assistant - \$30 per hour
 - Finance Officer - \$72 per hour
 - Accounting Assistant - \$34 per hour
 - Accounting Assistant (2) - \$29 per hour
 - Office Clerk - \$30 per hour
 - Field Technician - \$49 per hour
 - Field Technician (2) - \$40 per hour
 - Technician Lead - \$49 per hour
 - Operation Supervisor - \$62 per hour

NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT
BUDGET 2019

Ordinary Income/Expense	Actual 2017	Actual 2018	Approved 2019	As of 5/31/2019	Approved 2020
Income					
46003 OMA3	(900)	1,730	20,000		50,000.00
*4801 PRODUCTION FEES	624,058	794,716	886,000	108,903	700,000.00
46005 Driller Fees	831	2,700			
46006 WELL REG FEES	23,600	21,500	20,000	3,700	21,000.00
46016 Penalty & Fines	2,600	3,100		500	-
46100 Interest	4,034	20,645	3,000	12,369	20,000.00
46016 LATE FEES	5,141	13,890		3,758	-
Total Income	659,364	868,282	729,000	129,230	791,000.00
Expense					
77012 ADMIN MILEAGE	1,975	2,645	3,000	902	3,000.00
77013 ADMIN-SECRETARIAL	22,393	15,793	25,000	7,497	25,000.00
77014 ADMIN-PROJECT COORD	20,292	15,430	20,000	7,990	20,000.00
77015 ADMIN-OM	51,288	56,120	60,000	25,480	62,000.00
77016 ADMIN-CLERICAL	32,664	32,280	34,000	15,932	40,000.00
77020 ADJ-LEGAL	2,003	1,452	2,000	67	2,000.00
77025 ACCOUNTING	20,190	27,560	25,000	17,004	30,000.00
77027 AUDITING	5,400	5,400	5,500	5,400	5,595.00
77050 BANKING FEES		95		35	100.00
77150 CONSULTING-HYDROGEO	94,660	37,691	60,000	3,294	45,000.00
77550 CONTRACT FIELD TECH	108,931	104,897	125,000	47,980	125,000.00
77600 GW - TECH LEAD	11,692	41,625	70,000	23,069	70,000.00
77325 DIRECT COSTS-REIMS	5,263	6,017	4,200	2,919	7,000.00
77400 DUES & SUBSCRIPTION	3,078	2,022	3,000	358	3,000.00
77480 EQUIPMENT	1,496	835	10,000	968	10,000.00
77485 EQUIPMENT-DATABASE	31,576	47,724	10,000		15,000.00
77500 FEES-OMAS	3,399	3,366	22,000	1,105	55,000.00
77650 FUEL/MAINTENANCE	2,792	3,211	3,500	896	3,500.00
77800 Inject Well Monitoring	684	657	700	156	700.00
77810 INSURANCE & BONDING	4,968	4,829	4,622	1,678	3,950.00
77970 LEGAL	36,748	52,326	50,000	8,432	50,000.00
77980 LEGAL-LEGISLATION	15,000		15,000	9,000	-
77975 LEGAL-INJECTION	17,526	23,803	15,000	7,628	17,000.00
78010 MEETINGS & CONFERENCES	3,598	4,905	6,500	2,370	6,000.00
78310 RENT	2,400	2,400	2,400	1,000	2,400.00
78600 SOFTWARE MAINT	8,268	8,394	5,000	3,740	5,000.00
78610 TELEPHONE	2,073	2,669	2,400	1,538	2,700.00
77780 WELL MONITORING/TESTING			4,500		4,500.00
Total Expense	510,368	504,144	588,322	196,436	615,385.00
Net to Fund Balance	149,006	354,137	140,678		175,615.00

* Designating \$5,000 for Truck Purchase (1/19)

ATTACHMENT 11

North Texas Groundwater Conservation District

Well Registration Summary
As of October-31-2019

Well Type	Total Registered Collin County	Total Registered Cooke County	Total Registered Denton County	Total NTGCD	New Registrations since Sep-30-2019
Agriculture	8	12	40	60	0
Commercial / Small Business	7	8	36	51	2
Domestic Use (household / lawn watering at residence)	80	425	747	1253	22
Filling a pond or other surface impoundment**	49	13	98	161	2
Golf course irrigation	15	2	21	38	0
Industrial / Manufacturing	8	11	8	28	0
Irrigation	90	4	177	271	0
Leachate	0	0	0	0	0
Livestock Watering	7	69	55	131	1
Monitoring	0	0	0	0	0
Municipal / Public Water System	34	75	232	342	2
Other	11	7	35	53	1
Piezometer	0	0	0	0	0
Poultry	0	0	0	0	0
Solely to supply water for rig actively***	1	1	7	9	0
Supplying water for oil or gas production*	0	5	61	66	0
Not Specified	18	9	43	70	0
SUM	328	641	1560	2533	30

ADJOURN