

**NORTH TEXAS  
GROUNDWATER  
CONSERVATION  
DISTRICT**

**PERMIT HEARING AND BOARD MEETING**

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

**TUESDAY  
NOVEMBER 9, 2021  
10:00 AM**

NOTICE OF PUBLIC MEETING

OF THE  
BOARD OF DIRECTORS of the

**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**  
**Tuesday, November 9, 2021 at 10:00 a.m.**

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

**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. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).
3. Review the Production Permit Applications of:

**New Production Permits**

1. **Applicant:** I C Resources; 410 N. Carroll Ave, Suite 180, Southlake, TX 76092  
**Location of Well:** 13088 CR 106; Latitude: 33.388739°N, Longitude: 96.754628°W; About 3,300 feet east of the Highway 289 and County Road 106 intersection and about 2,300 feet north of County Road 106 in Celina, TX.  
**Purpose of Use:** Landscape Irrigation and Surface Impoundment  
**Requested Amount of Use:** 7,740,000 gallons per year  
**Production Capacity of Well:** 40 gallons/minute  
**Aquifer:** Woodbine
2. **Applicant:** Independence Water; 3000 Turtle Creek Blvd, Dallas, TX 75219  
**Location of Well:** 1301 Homestead Way, Argyle, TX 76226; Latitude: 33.118956°N, Longitude: 97.244544°W; About 1,600 feet east of the Old Justin Road and Schober Road intersection and about 120 feet north of Old Justin Road.  
**Purpose of Use:** Landscaping Irrigation and Surface Impoundment  
**Requested Amount of Use:** 46,570,000 gallons per year  
**Production Capacity of Well:** 165 gallons/minute

**Aquifer:** Trinity (Antlers)

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 12, 2021, Board meeting.
5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2021-11-9-1.
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).
8. Consider and act upon compliance and enforcement activities for violations of District rules.
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
  - c. Legislative Update
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 [ntgcd@northtexasgcd.org](mailto: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 12, 2021 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 in order 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.

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Members Present: Lee K. Allison, Joe Helmberger, Greg Peters, Allen Knight, Jimmy Arthur, and Ron Sellman

Members Absent: David Flusche, Thomas Smith, and Ronny Young

Staff: Drew Satterwhite, Paul Sigle, and Velma Starks

Visitors: Kristen Fancher, Legal Counsel

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**Permit Hearing**

**Agenda:**

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.  
  
Board President Joe Helmberger 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 comment.
3. Review the Production Permit Applications of:

**New Production Permit Applications:**

- a. **Applicant:** Elemental Management; 15443 Knoll Trail Dr., Suite 130, Dallas, TX 75248  
**Location of Well:** State Highway 78 and FM 6 in Lavon, TX; Latitude: 33.037058°N, Longitude: 96.420217°W; About 1,500 feet east of the State Highway 78 and FM 6 intersection and about 2,300 feet south of FM 6.  
**Purpose of Use:** Landscape Irrigation and Surface Impoundment  
**Requested Amount of Use:** 15,950,000 gallons per year  
**Production Capacity of Well:** 100 gallons/minute  
**Aquifer:** Woodbine

General Manager Drew Satterwhite reviewed the application with the Board.  
Discussion was held.

- b. **Applicant:** Tim Sutton, 3983 S. Bonnie Brae St., Argyle, TX 76226  
**Location of Well:** Hovenkamp Ln and Eakin Cemetery Rd, Justin, TX 76247; Latitude: 33.138467°N, Longitude: 97.311138°W; About 800 feet north of the Hovenkamp Ln and Eakin Cemetery Rd intersection.  
**Purpose of Use:** Agriculture (Irrigating Fruit Trees/Plants)  
**Requested Amount of Use:** 1,500,000 gallons per year  
**Production Capacity of Well:** 40 gallons/minute  
**Aquifer:** Trinity (Paluxy)

General Manager Drew Satterwhite reviewed the application with the Board.  
Discussion was held.

**Request for Exception to Spacing Requirements:**

**Applicant:** Lawrence & Lorene Autrey; 916 Cove Trail, Little Elm, TX 75068  
**Location of Well:** 916 Cove Trail, Little Elm, TX 75068; Latitude: 33.174030°N, Longitude: 96.95394°W; About 400 feet southeast of the Cove Trail and Carter Road intersection and about 20 feet northeast of Cove Trail.  
**Purpose of Use:** Domestic  
**Requested Amount of Use:** Exempt Well  
**Production Capacity of Well:** 17 gallons/minute  
**Aquifer:** Woodbine

**Request for Exception to Spacing Requirements:** Applicant requests an exception to the property line spacing requirement. The proposed well location is approximately 20 feet from the property line and the spacing requirement is 50 feet from the property line.

General Manager Drew Satterwhite reviewed the request for exception to spacing requirements with the Board. Discussion was held.

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 approve all three as discussed. Board Member Lee Allison seconded motion. Discussion was held. Allen Knight made an amendment to the motion that Elemental Management could decide to move well to the north. Board Member

Ron Sellman seconded the amendment to the motion. Motion with amendment passed unanimously.

5. Adjourn or continue permit hearing.

Board President Joe Helmberger adjourned the permit hearing at 10:23 a.m.

### **Board Meeting**

#### **Agenda:**

1. Pledge of Allegiance and Invocation

Board President Joe Helmberger led the Pledge of Allegiance and Board Member Greg Peters provided the invocation.

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

Board President Joe Helmberger called the meeting to order at 10:24 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 10, 2021, Board meeting.

Board President Joe Helmberger asked for approval of the minutes from the August 10, 2021, meeting. Board Member Allen Knight made the motion to approve the minutes. Board Member Greg Peters seconded the motion. Board Member Ron Sellman abstained. Motion passed.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2021-10-12-1.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Discussion was held. Board Member Greg Peters made the motion to approve Resolution No. 2021-10-12-1. 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 Financial Report with the Board. .

- b. Management Plan Committee

- 1) Receive Quarterly Report



General Manager Drew Satterwhite reviewed the Quarterly Report.

2) Discuss the District's Proposed Management plan

General Manager Drew Satterwhite reviewed the plan with the Board. The Board agreed that the Management Plan is ready to be sent to TWDB after Kristen Fancher, legal counsel, updates the plan as discussed.

c. 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 the District's Investment Policy.

General Manager Drew Satterwhite reviewed the policy with the Board. Discussion was held. Board Member Allen Knight made the motion to approve the Investment Policy and Resolution as presented. Board Member Ron Sellman seconded the motion. Motion passed unanimously.

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

General Manager Drew Satterwhite informed the Board that we have the draft Explanatory Report. The DFC resolution was created by Kristen Fancher, legal counsel. The GMA 8 meeting will be held November 4 in Cleburne.

9. Consider and act upon compliance and enforcement activities for violations of District rules.

a. Lone Star Water Well Drilling & Service Company

General Manager Drew Satterwhite provided background information for the Board. The application that was submitted was for a 17 gpm well and the actual well was 30 gpm which required a production permit. The well was moved away from original coordinates by 80 feet. This well is a public water service well. The Board decided that two major violations; drilling without production permit and spacing violation occurred resulting in a fine in the amount of \$1000. Board Member Allen Knight made the motion to fine the driller in the amount of \$1000 for two major violations including the conditions that the well cannot be placed online until they obtain a production permit and all fees have been paid. Board Member Greg Peters seconded the motion. Board Member Lee Allison abstained. Motion passed.

10. 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

No report at this time.

b. Well Registration Summary

General Manager Drew Satterwhite reviewed the well registration summary.

c. Monitoring Well Update

General Manager Drew Satterwhite informed the Board on recent activities.

d. No legislative update.

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

Nothing at this time.

12. Adjourn public meeting

Board President Joe Helmberger declared the meeting adjourned at 11:26 a.m.

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\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
Secretary-Treasurer

ATTACHMENT 5

RESOLUTION NO. 2021-11-09-1

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   | 29,594.99                         |
| <u>Advertising</u>   |                                   |
| Denton Record Chronicle - September water conservation tips. | 120.00                            |
| <u>Consultant</u>  |                                   |
| Advanced Groundwater Solutions LLC - July Hydro-Geo services | 1,495.00                          |
| <u>Direct Costs</u>  |                                   |
| Nextraq - November   | 39.95                             |
| <u>Dues &amp; Subscriptions</u>                              |                                   |
| TAGD - 2022 membership renewal                               | 1,980.00                          |
| <u>GMA-8</u>   |                                   |
| WSP - Joint groundwater planning efforts through September   | 174.00                            |
| <u>Legal</u>   |                                   |
| Kristen Fancher PLLC - services through 10/31/21             | 2,040.00                          |
| <u>Meetings &amp; Conferences</u>                            |                                   |
| Pilot Point ISD - Meeting Room                               | 75.00                             |
| <u>Refunds</u>   |                                   |
| Prestonwood Owner LLC - closed account. Refunded money.      | 548.12                            |
| <u>Well Injection Monitoring</u>                             |                                   |
| Statewide Plat Service - Sept & October                      | 117.00                            |
| <b>GRAND TOTAL:</b>  | <b>\$ <u><u>36,184.06</u></u></b> |

On motion of \_\_\_\_\_ and seconded by \_\_\_\_\_ the  
foregoing Resolution was passed and approved on this, the 9th day of November, 2021 by the following  
vote:

AYE:

NAY:

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President

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Secretary/Treasurer

ATTACHMENT 6 A-1

# NORTH TEXAS GROUNDWATER

## Balance Sheet

As of October 31, 2021

### ASSETS

#### Current Assets

##### Checking/Savings

|                                 |              |
|---------------------------------|--------------|
| 10001 Checking Account          | 1,541,051.77 |
| 10005 Cash-Index Account        | 719,539.22   |
| 10008 Cash - Tex Star           | 88,130.79    |
| 10025 Accounts Receivable       | 5,872.70     |
| 10033 A/R Penalties             | 4,750.00     |
| 10035 A/R GMA8 Members          | 4,951.99     |
| 10070 A/R Liens                 | 14,000.00    |
| 10026 Allowance for Uncollectib | -22,900.00   |
| 12001 Prepaid Expenses          | 3,253.64     |

**TOTAL ASSETS** 2,358,650.11

### LIABILITIES & EQUITY

#### Liabilities

##### Current Liabilities

##### Accounts Payable

|                              |           |
|------------------------------|-----------|
| 23100 Accounts Payable       | 0.00      |
| 23150 Well Drillers Deposits | 37,750.00 |

**Total Liabilities** 37,750.00

#### Equity

|                         |              |
|-------------------------|--------------|
| 35100 Retained Earnings | 2,379,839.41 |
| Net Income              | -58,939.30   |

**Total Equity** 2,320,900.11

**TOTAL LIABILITIES & EQUITY** 2,358,650.11

**NORTH TEXAS GROUNDWATER**  
**Profit & Loss Budget vs. Actual**  
**October 31, 2021**

|                                 | TOTAL             |                   |                   |                   |                          |
|---------------------------------|-------------------|-------------------|-------------------|-------------------|--------------------------|
|                                 | Oct 21            | 1 mo.<br>Budget   | YTD Actual        | Total Budget      | % of Budget<br>remaining |
| <b>Ordinary Income/Expense</b>  |                   |                   |                   |                   |                          |
| <b>Income</b>                   |                   |                   |                   |                   |                          |
| 46003 - Registration Fees       | 4,200.00          | 1,750.00          | 31,000.00         | 21,000.00         | -47.62%                  |
| 46004 - Well Driller Fees       | 0.00              | 0.00              | 0.00              | 0.00              | 0.0%                     |
| 48005 - PRODUCTION FEES         | 0.00              | 0.00              | 312,775.41        | 700,000.00        | 55.32%                   |
| 46006 Income GMA8               | 1,608.94          | 0.00              | 17,491.65         | 31,820.00         | 45.03%                   |
| 46007 - Penalties               | 1,000.00          | 0.00              | 4,500.00          | 0.00              | 0.0%                     |
| 48008 - Online Pay Fees         | 17.40             | 0.00              | 137.49            |                   |                          |
| 46015 Late Fees                 | 0.00              | 0.00              | 27,511.53         | 0.00              | 0.0%                     |
| <b>Total Income</b>             | <u>6,826.34</u>   | <u>1,750.00</u>   | <u>393,416.08</u> | <u>752,820.00</u> | <u>47.74%</u>            |
| <b>Gross Profit</b>             | 6,826.34          | 1,750.00          | 393,416.08        | 752,820.00        | 47.74%                   |
| <b>Expense</b>                  |                   |                   |                   |                   |                          |
| <b>77010 ADMINISTRATIVE</b>     |                   |                   |                   |                   |                          |
| 77013 Admin-Secretarial         | 1,288.00          | 1,833.34          | 13,160.00         | 22,000.00         | 40.18%                   |
| 77014 Admin-Project Coordinator | 237.50            | 1,666.67          | 7,651.25          | 20,000.00         | 61.74%                   |
| 77015 Admin-GM                  | 5,700.00          | 5,416.67          | 55,322.50         | 65,000.00         | 14.89%                   |
| 77016 Admin-Clerical            | 4,394.50          | 3,500.00          | 36,898.50         | 42,000.00         | 12.15%                   |
| 77040 ADMIN-MILEAGE             | 269.34            | 250.00            | 1,025.96          | 3,000.00          | 65.8%                    |
| <b>77025 ACCOUNTING</b>         | 1,140.00          | 2,708.34          | 28,770.25         | 32,500.00         | 11.48%                   |
| 77027 AUDITING                  | 0.00              | 0.00              | 8,150.00          | 5,665.00          | 0.0%                     |
| 77030 ADVERTISING               | 0.00              | 167.00            | 1,120.25          | 2,000.00          | 43.99%                   |
| 77050 BANKING FEES              | 58.55             | 0.00              | 264.47            | 100.00            | 0.0%                     |
| 77160 CONSULTING-HYDROGEO SVC   | 0.00              | 3,750.00          | 14,093.02         | 45,000.00         | 68.68%                   |
| 77325 DIRECT COSTS-REIMB        | 226.21            | 583.00            | 3,577.28          | 7,000.00          | 48.9%                    |
| 77460 DUES & SUBSCRIPTION       | 1,980.00          | 250.00            | 6,980.00          | 3,000.00          | -132.67%                 |
| 77480 EQUIPMENT                 | 0.00              | 0.00              | 29,305.48         | 2,000.00          | -1,365.27%               |
| 77485 Equipment Database        | 0.00              | 1,250.00          | 0.00              | 15,000.00         | 100.0%                   |
| 77500 FEES-GMA8                 | 508.55            | 2,917.00          | 19,818.50         | 35,000.00         | 43.38%                   |
| 77560 FIELD TECH                | 10,093.50         | 10,417.00         | 107,909.00        | 125,000.00        | 13.67%                   |
| 77560 Field Permittng/Geologis  | 4,732.00          | 5,833.00          | 60,268.00         | 70,000.00         | 13.9%                    |
| 77660 FUEL/MAINTENANCE          | 214.27            | 292.00            | 3,093.42          | 3,500.00          | 11.62%                   |
| 77800 INJECTION WELL MONITORING | 57.80             | 0.00              | 551.80            | 700.00            | 21.17%                   |
| 77810 INSURANCE & BONDING       | 358.84            | 600.00            | 4,210.36          | 7,205.00          | 41.56%                   |
| <b>77970 LEGAL</b>              |                   |                   |                   |                   |                          |
| 77975 Legal-Injection           |                   | 833.00            | 5,881.15          | 10,000.00         | 43.19%                   |
| 77980 Legal-Legislation         |                   | 1,250.00          | 15,000.00         | 15,000.00         | 0.0%                     |
| 77970 LEGAL - Other             | 2,040.00          | 3,750.00          | 25,496.00         | 45,000.00         | 43.34%                   |
| 78010 MEETINGS & CONFERENCES    | 206.67            | 667.00            | 3,656.53          | 8,000.00          | 54.29%                   |
| 78310 Rent                      | 200.00            | 200.00            | 2,000.00          | 2,400.00          | 16.67%                   |
| 78800-SOFTWARE MAINT            | 154.00            | 83.00             | 4,470.71          | 1,000.00          | -347.07%                 |
| 78610 TELEPHONE                 | 385.35            | 250.00            | 2,765.31          | 3,000.00          | 7.82%                    |
| 78780 Well Monitoring/Testing   | 0.00              | 375.00            | 203.76            | 4,500.00          | 95.47%                   |
| <b>Total Expense</b>            | <u>34,245.08</u>  | <u>48,842.02</u>  | <u>461,443.50</u> | <u>594,570.00</u> | <u>22.39%</u>            |
| <b>Other Income/Expense</b>     |                   |                   |                   |                   |                          |
| <b>Other Income</b>             |                   |                   |                   |                   |                          |
| 46100 INTEREST INC              | 0.00              | 417.00            | 9,088.12          | 5,000.00          |                          |
| <b>Total Other Income</b>       | <u>0.00</u>       | <u>417.00</u>     | <u>9,088.12</u>   | <u>5,000.00</u>   |                          |
| <b>Net Other Income</b>         | 0.00              | 417.00            | 9,088.12          | 5,000.00          |                          |
| <b>Net Income</b>               | <u>-27,418.74</u> | <u>-46,675.02</u> | <u>-58,939.30</u> | <u>163,250.00</u> |                          |



ATTACHMENT 9 b.

# NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

## Well Registration Summary

(as of 10/31/2021)

| Well Type                  | Collin     | Cooke      | Denton      | Total NTGCD | New Registrations October 2021 |
|----------------------------|------------|------------|-------------|-------------|--------------------------------|
| Domestic                   | 84         | 557        | 941         | 1582        | 32                             |
| Public Water System        | 34         | 75         | 224         | 333         | 0                              |
| Irrigation                 | 95         | 4          | 187         | 286         | 1                              |
| Surface Impoundment        | 57         | 17         | 116         | 190         | 1                              |
| Livestock                  | 7          | 81         | 63          | 151         | 0                              |
| Oil / Gas                  | 1          | 6          | 67          | 74          | 1                              |
| Agriculture                | 10         | 13         | 42          | 65          | 0                              |
| Commercial                 | 6          | 8          | 39          | 53          | 0                              |
| Golf Course Irrigation     | 15         | 2          | 21          | 38          | 0                              |
| Other                      | 9          | 6          | 19          | 34          | 1                              |
| Industrial / Manufacturing | 8          | 13         | 9           | 30          | 1                              |
| Monitoring                 | 0          | 0          | 3           | 3           | 0                              |
| <b>TOTALS</b>              | <b>326</b> | <b>782</b> | <b>1731</b> | <b>2839</b> | <b>37</b>                      |

**NOTE: Plugged wells have been excluded**

ADJOURN