

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

Tuesday, November 14, 2023, 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 (arrived 10:19), Allen Knight, Allen McDonald, Everette Newland, David Flusche, and Thomas Smith

Members Absent: Greg Peters and Joe Helmberger,

Staff: Paul Sigle, Allen Burks, Kenneth Elliott, and Velma Starks

Visitors: Kristen Fancher, Law Offices of Kristen Fancher, PLLC

Public Hearing to Adopt Amendments to District Rules for Water Wells in Collin, Cooke, and Denton Counties, Texas

Agenda

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.
Board President Ronny Young called the Public Hearing to order at 10:02 a.m.
2. Review of Rules Amendments for Water Wells applicable to the District.
General Manager Paul Sigle reminded the Board that the House Bill 2443 required districts to amend their rules by December 1, 2023. Rule 1.14 is the rule amendment for the District.
3. Public Comment on District's Rules Amendments for Water Wells (verbal comments limited to three (3) minutes each).
No public comment.
4. Consider and act upon adoption of the Rules Amendments for Water Wells applicable to the District.
Board Member Allen Knight made the motion to adopt the Rule Amendment for the District. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

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 10:03 a.m.
2. Public Comment on the Production Permit Applications (verbal comments limited to three (3) minutes each).

Scott Shipp provided details about permit applicant 183 Land Corporation.
3. Review the Production Permit Applications of:

New Production Permits

- a. **Applicant:** North Collin Special Utility District; 2333 Sam Rayburn Hwy, Melissa, TX 75454
Location of Well: CR 206, Celina, TX; Latitude: 33.310711°N, Longitude: 96.635648°W; About 137 feet east of CR 206 and about 1,623 feet north of CR 281 in Collin County.
Purpose of Use: Public Water Supply
Requested Amount of Use: 81,462,570 gallons per year
Production Capacity of Well(s): 569 gallons/minute
Aquifer: Woodbine

General Manager Paul Sigle reviewed the permit with the Board. Board Member Thomas Smith made the motion to approve the permit. Board Member Allen McDonald seconded the motion. Board Member Allen Knight abstained. Motion passed.

- b. **Applicant:** 183 Land Corporation; 8000 Warren PKWY STE 100, Frisco, TX 75034
Location of Well: S Coleman St, Prosper, TX; Latitude: 33.228544°N, Longitude: 96.806887°W; About 3,530 feet north of HWY 380 and about 3,675 feet west of HWY 289 in Collin County.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 35,730,000 gallons per year
Production Capacity of Well(s): 195 gallons/minute
Aquifer: Trinity (Paluxy)

General Manager Paul Sigle reviewed the permit with the Board.

- c. **Applicant:** Prosper ISD; 605 E 7th Street, Prosper, Texas 75075
Location of Well: 1451 N Teel Parkway, Prosper, Texas 75078; Latitude: 33.253480°N, Longitude: 96.866505°W; About 1.6 miles north of Fishtrap Rd, and about 1.6 miles east of FM 1385 in Denton County.
Purpose of Use: Landscape Irrigation and Surface Impoundment(s)
Requested Amount of Use: 5,489,474 gallons per year
Production Capacity of Well(s): 175 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board.

- d. **Applicant:** 4C Blue Angel Ranch PK LLC; 5905 Giverny, Flower Mound, Texas 75022
Location of Well: 400 Skyline Dr, Argyle, Texas 76266; Latitude: 33.121294 °N, Longitude: 97.198314 °W; About 3,908 feet west of HWY 377 N, and about 1,115 feet north of Old Justin Rd in Denton County.
Purpose of Use: Landscape Irrigation; Filling of Surface Impoundment(s); Livestock/Poultry
Requested Amount of Use: 23,830,455 gallons per year
Production Capacity of Well(s): 120 gallons/minute
Aquifer: Trinity (Antlers)

General Manger Paul Sigle reviewed the permit with the Board.

- e. **Applicant:** JDYCMY Holdings LLC; 7970 Cross Timbers Rd, Flower Mound, TX 75022
Location of Well: 7970 Cross Timbers Rd, Flower Mound, TX 75022; Latitude: 33.048889°N, Longitude: 97.153611°W; About 610 feet east of Freeman Rd, and about 1,970 feet north of Cross Timbers Rd in Denton County.
Purpose of Use: Irrigation (Hay); Filling of Surface Impoundment(s); Livestock/Poultry
Requested Amount of Use: 800,000 gallons per year
Production Capacity of Well(s): 50 gallons/minute
Aquifer: Trinity (Paluxy)

General Manager Paul Sigle reviewed the permit with the Board.

- f. **Applicant:** Kirk Boyd; PO Box 606, Lewisville, TX 75067
Location of Well: 12484 Strittmatter Rd, Pilot Point, TX 76258; Latitude: 33.373333°N, Longitude: 96.923056°W; About 1.2 miles west of FM 1385, and about 2,665 feet south of Strittmatter Rd in Denton County.
Purpose of Use: Irrigation (Hay); Filling of Surface Impoundment(s); Livestock/Poultry
Requested Amount of Use: 800,000 gallons per year
Production Capacity of Well(s): 100 gallons/minute
Aquifer: Trinity (Antlers)

General Manager Paul Sigle reviewed the permit with the Board.

- g. **Applicant:** Trinity Turf Nursery Inc; 10815 Foutch Road, Pilot Point, TX 76528
Location of Wells:
Well I-3: 10824 Stiles Rd, Pilot Point, TX 76258; Latitude: 33.365283°N, Longitude: 96.942085°W; About 1,200 feet east of Stiles Rd, and about 1,960 feet south of Foutch Rd in Denton County.
Well I-4: 10824 Stiles Rd, Pilot Point, TX 76258; Latitude: 33.368364°N, Longitude: 96.941875°W; About 1,200 feet east of Stiles Rd, and about 800 feet south of Foutch Rd in Denton County.
Well I-6: 17115 Zipper Rd, Pilot Point, TX 76258; Latitude: 33.36621°N, Longitude: 96.95923°W; About 1,675 feet east of HWY 377, and about 1,780 feet south of Foutch Rd in Denton County.
Well I-9: 11039 Stiles Rd, Pilot Point, TX 76258; Latitude: 33.36402°N, Longitude: 96.95012°W; About 4,625 feet east of HWY 377, and about 2,485 feet south of Foutch Rd in Denton County.
Well I-10: 10815 Foutch Rd, Pilot Point, TX 76258; Latitude: 33.37186°N, Longitude: 96.94656°W; About 5,190 feet east of HWY 377, and about 400 feet north of Foutch Rd in

Denton County.

Well I-15: 10815 Foutch Rd, Pilot Point, TX 76258; Latitude: 33.37730°N, Longitude: 96.93877°W; About 1.36 miles east of HWY 377, and about 1,335 feet south of Strittmatter Rd in Denton County.

Well I-19: 10663 Stiles Rd, Pilot Point, TX 76258; Latitude: 33.35841°N, Longitude: 96.94247°W; About 1,165 west of Stiles Rd, and about 3,650 feet north of Friendship Rd in Denton County.

Well I-22: 10663 Stiles Rd, Pilot Point, TX 76258; Latitude: 33.36085°N, Longitude: 96.94386°W; About 965 feet west of Stiles Rd, and about 4,575 feet north of Friendship Rd in Denton County.

Well I-24: 10815 Foutch Rd, Pilot Point, TX 76258; Latitude: 33.37762°N, Longitude: 96.94327°W; About 1.1 miles east of HWY 377, and about 1,230 feet south of Strittmatter Rd in Denton County.

Well I-25: 11132 FM 455, Pilot Point, TX 76258; Latitude: 33.39071°N, Longitude: 96.93795°W; About 3,550 feet east of HWY 377, and about 1,300 feet south of FM 455 E in Denton County.

Well I-26: Stiles Road, Pilot Point, TX 76258; Latitude: 33.363979°N, Longitude: 96.948851°W; About 4,970 feet east of HWY 377, and about 2,525 feet south of Foutch Rd in Denton County.

Purpose of Use: Agriculture (Turf Grass Irrigation)

Requested Amount of Use: 34,831,296 gallons per year

Production Capacity of Well I-3: 180 gallons/minute

Production Capacity of Well I-4: 400 gallons/minute

Production Capacity of Well I-6: 350 gallons/minute

Production Capacity of Well I-9: 200 gallons/minute

Production Capacity of Well I-10: 650 gallons/minute

Production Capacity of Well I-15: 400 gallons/minute

Production Capacity of Well I-19: 150 gallons/minute

Production Capacity of Well I-22: 200 gallons/minute

Production Capacity of Well I-24: 300 gallons/minute

Production Capacity of Well I-25: 350 gallons/minute

Production Capacity of Well I-26: 195 gallons/minute

Aquifer: Woodbine

General Manager Paul Sigle reviewed the permit with the Board. Discussion was held.

3. 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 b. through g. were approved by group vote. Board Member Allen Knight made the motion to approve permits b. through g. Board Member David Flusche seconded the motion. Motion passed unanimously.

5. Adjourn or continue permit hearing.

Board President Ronny Young adjourned the permit hearing at 10:21 a.m.

Board Meeting

Agenda:

1. Pledge of Allegiance and Invocation

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

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

Board President Ronny Young called the meeting to order at 10:22 a.m.

3. Public Comment

There were no public comments at this time.

4. Consider and act upon approval of the minutes from the October 10, 2023, Board meeting.

Board President Ronny Young asked for approval of the minutes from the October 10, 2023, meeting. Board Member Allen McDonald made the motion to approve the minutes. Board Member Allen Knight seconded the motion. Motion passed unanimously.

5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2023-11-14-01.

General Manager Paul Sigle reviewed the liabilities with the Board. Discussion was held. Board Member Thomas Smith made the motion to approve Resolution No. 2023-11-14-01. Board Member Everette Newland 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 Paul Sigle reviewed the Financial Report with the Board.

7. Consider and act upon a recommendation from the Legislative Committee for a firm to provide legislative services.

General Manager Paul Sigle provided information. The Selection Committee consisting of Greg Peters, Allen McDonald and Ronny Young reviewed the RFQs. Lloyd Gosselink was recommended by the Selection Committee to provide legislative services. Kristen Fancher, legal counsel, advised the Board (1) to give authority to General Manager to sign an engagement letter with Lloyd Gosselink, (2) not to exceed \$10,000 per month during out of session interim and (3) subject to firm completing necessary paperwork. Board Member Allen McDonald made the motion to approve Lloyd Gosselink as the firm to provide legislative services with the three conditions advised by Kristen Fancher, legal counsel. Board Member Thomas Smith seconded the motion. Motion passed unanimously.

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

General Manager Paul Sigle informed the Board work is continuing DFCs.

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

- a. Action Water Well Inc.

General Manager Paul Sigle informed the Board that Action Water Well Inc. drilled a well in violation of the District Rules without a Notice to Proceed. Board Member Allen Knight made the motion to enforce violation against Action Water Well Inc. for drilling without a Notice to Proceed. Board Member David Flusche seconded the motion. Motion passed unanimously.

General Manager Paul Sigle updated the Board on the 440 Ranch situation.

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

General Manager Paul Sigle reported protest on BBL Production Co., Inc., no Railroad Commission report. Kristen Fancher informed the Board that this applicant has been cooperative in the past.

- b. Well Registration Summary

General Manager Paul Sigle reviewed the well registration summary with the Board. Twenty-two wells were registered in October.

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

If there is no permit for December, the meeting may be canceled.

Board Member suggested that the District thank the School District for allowing us the use of their facilities.

After agreement have meeting with Lloyd Gosselink.

14. Adjourn public meeting

Board President Ronny Young declared the meeting adjourned at 10:40 a.m.

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Velma Starks
Recording Secretary

[Signature]
Secretary-Treasurer