

**NORTH TEXAS  
GROUNDWATER  
CONSERVATION  
DISTRICT**

**PERMIT HEARING AND BOARD MEETING**

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

**TUESDAY  
JANUARY 14, 2020  
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, January 14, 2020**

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 Application:

Agenda:

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.
2. Review the Production Permit Application of:

**Applicant:** Aqua Texas, Inc.; 9450 Silver Creek Road, Fort Worth, Texas 76108

**Location of Well:** 13720 George Foster Road, Ponder, Texas 76259; Latitude: 33.2376717°N, Longitude: 97.3705189°W

**Purpose of Use:** Public Water System

**Requested Amount of Use:** 25,242,000 gallons per year (Historic Use Permit: 6,956,000 gallons per year and Production Permit: 18,286,000 gallons per year)

**Production Capacity of Well:** 230 gallons per minute (Amended from 130 gallons per minute)

**Aquifer:** Trinity (Antlers) Aquifer

**Applicant:** Big Sky Municipal Utility District; 1980 Post Oak Boulevard, Suite 1380, Houston Texas 77056

**Location of Well:** Well 1: South Branch Road, Krum, Texas 76248; Latitude: 33.25135°N, Longitude: -97.360591°W; Well 1A: South Branch Road, Krum, Texas 76248; Latitude: 33.2511556°N, Longitude: -97.366936°W

**Purpose of Use:** Public Water System

**Requested Amount of Use:** 58,860,000 gallons per year

**Production Capacity of Well:** 180 gallons per minute per well (total of 360 gallons per minute system wide)

**Aquifer:** Trinity (Antlers) Aquifer

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

**Location of Well:** Temple Dane Well: 3900 FM 720, Aubrey, Texas 76227; Latitude: 33.20996°N Longitude: -96.97434°W; Located approximately 150 feet east of FM 720 about 1 mile south of the

intersection of FM 720 and Highway 380; Houlihan Well: 17900 FM 428, Celina, Texas 75009; Latitude: 33.29970°N Longitude: -96.84693°W; Located 0.3 miles north of FM 428 about 0.65 miles west of the intersection of FM 428 and Legacy Drive

**Purpose of Use:** Public Water System

**Requested Amount of Use:** 295,489,600 gallons per year

**Production Capacity of Well:** 750 gallons per minute per well (total of 1,500 gallons per minute system wide)

**Aquifer:** Trinity (Antlers) Aquifer

3. Public Comment on the Production Permit Application (verbal comments limited to three (3) minutes each).
4. Consider and act upon the Production Permit Application, including designation of parties and/or granting or denying the Production Permit Application 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 December 10, 2019, Board meeting.
5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2020-01-14-01.
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).

8. Discuss potential amendments to the District's Rules
9. Discuss potential amendments to the District's Management Plan
10. Consider and act upon compliance and enforcement activities for violations of District rules.
  - a. Shenandoah Estates Water System
  - b. C. Miller Drilling
11. General Manager's Report: The General Manager will update the board on operational, educational and other activities of the District.
  - a. Bonding Summary
  - b. UIC Program
  - c. Well Registration Summary
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](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 DECEMBER 10, 2019

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

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

Members Absent: Joe Helmberger and David Flusche,

Staff: Drew Satterwhite, Paul Sigle, Allen Burks, Carolyn Bennett, and Velma Starks

Visitors: Kristen Fancher, Fancher Legal  
Peter M. Schulmeyer, Collier Consulting  
Dale Chepulis, Double D Drilling  
Michelle Carte, UTRWD  
Tim Long, Billingsley Water Manager

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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:** Diamond A Hickory Creek LP, 200 Crescent Circle #1350, Dallas, TX 75201

**Location of Well:** 121 Harbor Lane, Hickory Creek, TX 76065; Latitude: 33.118645°N Longitude: 97.050415°W; located 700 feet south of the intersection of Thoroughbred Drive and Harbor Lane and 600 feet east of Harbor Lane

**Purpose of Use:** Domestic and Lawn Irrigation

**Requested Amount of Use:** 5,157,000 gallons per year

**Production Capacity of Well:** 50 gallons per minute

**Aquifer:** Trinity (Paluxy) Aquifer

General Manager Drew Satterwhite introduced Dale Chepulis, Double D Drilling, as the driller for this well permit. As a result of the well situation, water is being trucked in for irrigation and

homes usage. The Permit was reviewed and discussed.

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 Ronny Young made the motion to grant the Permit as requested. 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 10:12 a.m.

**Board Meeting**

1. **Pledge of Allegiance and Invocation**

Board President Thomas Smith led the group in the Pledge of Allegiance and Board Member Ronny Young provided the invocation.

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

President Thomas Smith called the meeting to order 10:13 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 November 12, 2019, Board meeting.**

Board President Thomas Smith asked for approval of the minutes from the November 12, 2019 meeting. Board Member Evan Groeschel made the motion to approve the minutes. Board Member Lee K. Allison seconded the motion. Board Member Ronny Young abstained. Motion passed with a vote of 6 Aye, 0 Nay and 1 Abstain.

5. **Consider and act upon approval of invoices and reimbursements, Resolution No. 2019-11-12-01.**

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Allen Knight made the motion to approve Resolution No. 2019-12-10-01. Board Member Ronny Young 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.

7. Discussion and possible action on assisting the Texas Department of Licensing and Regulation with fulfilling their duties consistent with their Memorandum of Understanding with the Texas Commission on Environmental Quality.

General Manager Drew provided background information for the Board. On November 22, 2019 the District received a letter from the TDLR requesting that the District adopt a resolution to memorialize the District's willingness to coordinate with the TDLR on abandoned well complaints. The Memorandum of Understanding was executed in 2005 and following its execution, the TDLR sent a similar letter to all Groundwater Conservation Districts that existed at that time. The TDLR water well division only has 2 staff members who perform field work. As a statewide regulatory agency, they have a very large area to cover with only 2 field staff members. Since the District began operation, a good working relationship has been maintained with the TDLR and the District already works with the TDLR on many issues including abandoned wells. Board Member Evan Groeschel made the motion to adopt a resolution expressing our intent to cooperate with the TDLR and TCEQ Memorandum of Understanding. Board Member Allen Knight 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 James Beach, WSP, provided a similar presentation to the GMA 8 representatives that he had presented to the District. The GMA 8 District had been asked to complete a Similar Rules Survey. Paul Sigle compiled the results and reported that about half of the questions were answered the same. A second survey was sent to individual Districts who answered questions differently asking them to explain the reason for their answers. The second survey results will be presented at the next GMA 8 meeting on Wednesday, February 26, 2020.

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

General Manager Drew Satterwhite reported that there were no violations to be discussed at this meeting that perhaps there will be discussion at the next meeting.

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 Drew Satterwhite informed the Board that the injection well had been protested and expressed hope that the railroad rules would be followed.

- b. Monitoring Well Equipment



The Monitoring Well Equipment was discussed.

c. Bonding Summary

General Manager Drew Satterwhite provided the Board with an overview of bonding and insurance provided by the District on their behalf.

d. Setting aside funds for District Vehicle

Setting aside funds for District Vehicle was discussed. It was suggested that it be listed as an expense when a truck is purchased.

e. Well Registration Summary

General Manager Drew Satterwhite informed the Board that there are 16 new registered wells and a total of 2549 registered wells in the District.

Paul Sigle, Groundwater Technical Lead, has been working on updating historic use permits. He reported that there are 304 permits. First quarter letters will be sent out, a small group at a time. The letters are to make the public water supplies aware of their usage and if they need to file permits for more future water usage.

A discussion was held regarding when a teleconference could be used in an emergency situation Board Meeting and what defined an emergency condition.

- 11. Review and discuss permitting criteria required for determination of permitted production volumes.

The Board requested that this item be tabled for the next meeting.

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

Board President Thomas Smith thanked the School District for providing the meeting location and wished everyone a "Merry Christmas". The next scheduled meeting is January 14.

- 13. Adjourn public meeting

Board President Thomas Smith declared the meeting adjourned at 10:50 a.m.

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

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

**ATTACHMENT 5**

RESOLUTION NO. 2020-01-14-01

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

The following liabilities are hereby presented for payment:

<u>Administrative Services</u>	<u>Amount</u>
GTUA - December 2019	25,009.44
<u>Consultant</u>	
WSP - Hydro-Geo Services through November 2019	1,800.50
<u>Direct Costs</u>	
USTI - electronic billing fees	8.00
NexTraq - December 2019 GPS tracking	39.95
<u>GMA-8</u>	
Fancher Legal - December 2019	532.00
<u>Injection Well Monitoring</u>	
Statewide Plat Service - Search charges Sept-Nov 2019	156.40
<u>Legal</u>	
Fancher Legal - November 2019 General Legal Services	3,458.00
Fancher Legal - December 2019 General Legal Services	1,884.00
<u>Meetings &amp; Conferences</u>	
Pilot Point ISD - BOD Room Rental	75.00
<b>GRAND TOTAL:</b>	<b>\$ <u>32,963.29</u></b>

On motion of \_\_\_\_\_ and seconded by

\_\_\_\_\_

the foregoing Resolution was passed and approved on this, the 14th day of January, 2020 by the following vote:

AYE:

NAY:

\_\_\_\_\_  
President

\_\_\_\_\_  
Secretary/Treasurer

ATTACHMENT 6 A-1

## North Texas Groundwater Conservation District

**Balance Sheet**

For General Fund (00)

December 31, 2019

**Assets**

00-01-10001	Checking Account	264,704.12
00-01-10005	Index Account	6,695.15
00-01-10008	Cash- TexStar	87,700.06
00-01-10010	Investments	1,550,000.00
00-01-10025	Accounts Receivable	31,682.35
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	2,661.64
	<b>Total</b>	<u>1,944,043.32</u>
	<b>Total Assets</b>	<u>\$ 1,944,043.32</u>

**Liabilities and Fund Balance**

00-01-23100	Accounts Payable	57,786.20
00-01-23150	Well Drillers Deposits	37,050.00
	<b>Total</b>	<u>94,836.20</u>
	<b>Total Liabilities</b>	<u>94,836.20</u>
00-01-35100	Fund Balance	1,292,708.63
00-01-35110	Current Year Excess of Revenue over Expenses	526,943.69
	<b>Total</b>	<u>1,819,652.32</u>
	Excess of Revenue Over Expenditures	29,554.80
	<b>Total Fund Balances</b>	<u>1,849,207.12</u>
	<b>Total Liabilities and Fund Balances</b>	<u>\$ 1,944,043.32</u>

**North Texas Groundwater Conservation District**

**Statement of Revenue and Expenditures**

1/10/2020 11:37am

Revised Budget

For General Fund (00)

For the Fiscal Period 2019-12 Ending December 31, 2019

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
00-01-46001 Well Production Fees	\$ 171,500.00	\$ 277.82	\$ 686,000.00	\$ 545,892.71	20.42%
00-01-46003 Well Registration Fees	1,666.63	700.00	20,000.00	12,300.00	38.50%
00-01-46010 GMA8 Fees	1,666.63	0.00	20,000.00	9,430.18	52.85%
00-01-46015 Late Fees	0.00	0.00	0.00	9,719.81	0.00%
00-01-46016 Penalty and Fines	0.00	0.00	0.00	1,000.00	0.00%
00-01-46050 Sale of Asset	0.00	0.00	0.00	8,010.50	0.00%
00-01-46100 Interest Inc	250.00	471.74	3,000.00	25,981.00	(766.03%)
<b>Total General Fund Revenues</b>	<b>\$ 175,083.26</b>	<b>\$ 1,449.56</b>	<b>\$ 729,000.00</b>	<b>\$ 612,334.20</b>	<b>16.00%</b>
<b>Expenditures</b>					
00-01-77012 Admin-Mileage	\$ 250.00	\$ 113.01	\$ 3,000.00	\$ 2,269.56	24.35%
00-01-77013 Admin-Secretarial	2,083.37	1,120.00	25,000.00	17,892.00	28.43%
00-01-77014 Admin-Project Coordinator	1,666.63	530.00	20,000.00	13,952.25	30.24%
00-01-77015 Admin-GM	5,000.00	4,316.00	60,000.00	61,984.00	(3.31%)
00-01-77016 Admin-Clerical	2,833.37	1,898.00	34,000.00	33,904.00	0.28%
00-01-77025 Accounting	2,083.37	1,539.00	25,000.00	32,580.00	(30.32%)
00-01-77027 Auditing	458.37	0.00	5,500.00	5,400.00	1.82%
00-01-77030 Advertising	166.63	4.00	2,000.00	1,102.20	44.89%
00-01-77050 Banking Fees	0.00	0.00	0.00	35.00	0.00%
00-01-77150 Consulting- Hydrogeo	5,000.00	0.00	60,000.00	66,703.79	(11.17%)
00-01-77325 Direct Cost	350.00	351.57	4,200.00	6,250.14	(48.81%)
00-01-77450 Dues & Subscription	250.00	358.00	3,000.00	2,436.00	18.80%
00-01-77480 Equipment	833.37	0.00	10,000.00	29,180.05	(191.80%)
00-01-77485 Equipment-Database	833.37	0.00	10,000.00	0.00	100.00%
00-01-77500 Fees-GMA8	1,833.37	0.00	22,000.00	18,359.69	16.55%
00-01-77550 Field Tech	10,416.63	8,715.00	125,000.00	118,949.85	4.84%
00-01-77560 Field Permitting/Geologist	5,833.37	5,428.00	70,000.00	60,421.00	13.68%
00-01-77650 Fuel/Maintenance	291.63	258.59	3,500.00	3,000.55	14.27%
00-01-77800 Injection Well Monitoring	58.37	0.00	700.00	587.00	16.14%
00-01-77810 Insurance	385.13	443.61	4,622.00	4,682.84	(1.32%)
00-01-77970 Legal	4,166.63	2,416.00	50,000.00	30,355.80	39.29%
00-01-77975 Legal-Injection	1,250.00	0.00	15,000.00	35,413.08	(136.09%)
00-01-77980 Legal-Legislation	1,250.00	0.00	15,000.00	15,000.00	0.00%
00-01-78010 Meetings & Conferences	541.63	485.79	6,500.00	5,723.57	11.95%
00-01-78310 Rent	200.00	200.00	2,400.00	2,400.00	0.00%
00-01-78600 Software Maint	416.63	53.30	5,000.00	8,607.79	(72.16%)
00-01-78610 Telephone	200.00	229.70	2,400.00	3,503.88	(46.00%)
00-01-78780 Well Monitoring/Testing	375.00	0.00	4,500.00	2,085.36	53.66%
<b>Total General Fund Expenditures</b>	<b>\$ 49,026.87</b>	<b>\$ 28,459.57</b>	<b>\$ 588,322.00</b>	<b>\$ 582,779.40</b>	<b>0.94%</b>
<b>General Fund Excess of Revenues Over Expenditures</b>	<b>\$ 126,056.39</b>	<b>\$ (27,010.01)</b>	<b>\$ 140,678.00</b>	<b>\$ 29,554.80</b>	

ATTACHMENT 8



## AGENDA COMMUNICATION

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**DATE:** January 9, 2020

**SUBJECT:** AGENDA ITEM NO. 8

### DISCUSS POTENTIAL AMENDMENTS TO THE DISTRICT'S RULES

#### ISSUE

The District needs to amend rules to comply with law adopted at the 2019 State Legislative Session.

#### BACKGROUND

The District first adopted permanent rules in late 2018 which became effective January 1, 2019. Permanent rule adoption was significant because it ushered in the District's permitting program in addition to well spacing.

During the last legislative session, there were changes to Chapter 36 of the Texas Water Code which require the District to make amendments to the rules. In addition, the staff has some items that they would like the Board to consider during the amendment process.

#### CONSIDERATIONS

The staff plans to meet with the rules committee on Monday, January 13<sup>th</sup> to discuss potential amendments. After a draft is finalized with the Committee, the staff will email a copy of the draft to the Board and will bring a hard copy for each of the Board Members to review to the Board Meeting. The staff will plan to go through these items line-by-line with the Board.

Also, the staff is not asking the Board to adopt any changes at this meeting. Following discussions with the Board a public hearing will be scheduled for February or March to consider adopting amendments to the rules.

#### **PREPARED AND SUBMITTED BY:**

Drew Satterwhite, P.E., General Manager



ATTACHMENT 9



## AGENDA COMMUNICATION

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**DATE:** January 9, 2020

**SUBJECT:** AGENDA ITEM NO. 9

### DISCUSS POTENTIAL AMENDMENTS TO THE DISTRICT'S MANAGEMENT PLAN

#### ISSUE

The District needs to amend our current Management Plan to include our upcoming rule changes in addition to including the Modeled Available Groundwater numbers from the last round of joint planning.

#### BACKGROUND

The District's initial Management Plan became effective on April 19, 2012. The Texas Water Development Board ("TWDB") requires each district's management plans to be renewed every 5 years. The current plan was adopted on March 14, 2017. The current plan was largely developed by LBG Guyton prior to the expiration of our previous plan.

The staff has been working on some minor amendments to the plan primarily to include the MAG estimates from the last round of joint planning. There are several other minor changes that we will plan to discuss with the Board at the meeting.

#### CONSIDERATIONS

The staff will plan to display the proposed amendments on the projector at the meeting to go through these items line-by-line with the Board. The staff is not asking the Board to adopt any changes at this meeting. Following discussions with the Board a public hearing will be scheduled for February or March to consider adopting amendments to the management plan.

#### **PREPARED AND SUBMITTED BY:**

Drew Satterwhite, P.E., General Manager

ATTACHMENT 11 c.

**North Texas Groundwater Conservation District**

**Well Registration Summary  
As of December-31-2019**

Well Type	Total Registered			Total Registered Denton County	Total NTGCD	New Registrations since Nov-30-2019
	Collin County	Cooke County				
Agriculture	8	12	40	60	0	
Commercial / Small Business	7	8	36	51	0	
Domestic Use (household / lawn watering at residence)	81	429	760	1271	4	
Filling a pond or other surface impoundment**	48	13	98	160	0	
Golf course irrigation	15	2	21	38	0	
Industrial / Manufacturing	8	11	8	28	0	
Irrigation	91	4	178	273	1	
Leachate	0	0	0	0	0	
Livestock Watering	7	68	56	131	0	
Monitoring	0	0	0	0	0	
Municipal / Public Water System	34	75	235	345	3	
Other	12	7	35	54	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	6	60	66	0	
Not Specified	18	9	44	71	0	
<b>SUM</b>	<b>330</b>	<b>645</b>	<b>1578</b>	<b>2557</b>	<b>9</b>	

ADJOURN