

**NORTH TEXAS  
GROUNDWATER  
CONSERVATION  
DISTRICT**

**PERMIT HEARING AND BOARD MEETING**

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

**TUESDAY  
APRIL 13, 2021  
10:00 AM**

NOTICE OF PUBLIC MEETING

OF THE  
BOARD OF DIRECTORS of the

**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

**Tuesday, April 13, 2021 at 10:00 a.m.**

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

Notice is hereby given that a quorum of the Board of Directors of the North Texas Groundwater Conservation District ("District") will hold public hearings and a Board meeting in-person beginning at 10:00 a.m. on Tuesday, April 13, 2021 at the Pilot Point ISD Administration Office located at 829 S. Harrison St., Pilot Point, Texas 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:** Nor Tex Properties, LLC; 322 N. Mill St., Lewisville, TX 75057

**Location of Well:** 3100 E. FM 922, Valley View, TX 76272; Latitude: 33.489850° N, Longitude: -97.107294° W; About 550 feet east on FM 922 from the intersection of FM 922 and FM 2071 and about 120 feet south of FM 922

**Purpose of Use:** Public Water Supply

**Requested Amount of Use:** 1,825,000 gallons per year

**Production Capacity of Well:** 80 gallons per minute

**Aquifer:** Trinity (Antlers) Aquifer

**2. Applicant:** Alma Robertson Graham Irrevocable Trust; 1278 Munden Dr., Denton, TX 76207

**Location of Well:** 1509 Alma Ave, Anna, TX 75409; Latitude: 33.35485° N, Longitude: 96.45445° W; About 1,400 feet north on E. Houston Street from the intersection of E. Houston Street and Sam Rayburn Hwy and about 130 feet west of E. Houston Street

**Purpose of Use:** Industrial; Construction water for TXDOT State Highway 121 project  
**Requested Amount of Use:** 31,666,666 gallons per year (95,000,000 gallons over 3 years)  
**Production Capacity of Well:** 175 gallons per minute  
**Aquifer:** Woodbine Aquifer

**3. Applicant:** Tex Mix Land Dba Sunrise Redi Mix LLC; PO Box 1299, Springtown, TX 76082  
**Location of Well:** 8922 Blair Road, Justin, TX 76247; Latitude: 33.148541° N, Longitude: 97.289173° W; About 750 feet south on FM 156 from the intersection of FM 156 and Blair Road and about 175 feet east of FM 156  
**Purpose of Use:** Industrial; Construction Plant  
**Requested Amount of Use:** 13,000,000 gallons per year  
**Production Capacity of Well:** 40 gallons per minute  
**Aquifer:** Trinity (Antlers) Aquifer

#### **Permit Amendments**

**4. Applicant:** City of Gainesville; 200 S Rusk, Gainesville, TX 76240  
**Location of Well:** 1601 FM 1201. Gainesville, TX 76240; Latitude: 33.641705° N, Longitude: 97.181163° W; Northwest of the intersection of State Highway 82 and FM 1201  
**Purpose of Use:** Public Water Supply  
**Historic Use Permit Amount:** 672,191,000 gallons per year  
**Production Capacity of Well:** 820 gallons per minute (Increased from 620 gallons per minute)  
**Aquifer:** Trinity (Antlers) Aquifer

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 February 9, 2021, Board meeting.
5. Consider and act upon approval of invoices and reimbursements, Resolution No. 2021-4-13-01.

6. Receive reports from the following Committees\*:
  - a. Budget and Finance Committee
    - 1) Receive Monthly Financial Information
  - b. Investment Committee
    - 1) Receive Quarterly Investment Report
  - c. Management Plan Committee
    - 1) Receive Quarterly Report
7. Update and possible action regarding the process for the development of Desired Future Conditions (DFCs).
  - a. Consider and act upon Resolution No. 2021-4-13-02 approving and submitting the District's Desired Future Conditions Summary Report for GMA 8
8. Consider and act upon compliance and enforcement activities for violations of District rules.
  - a. Discussion and possible action on the process for processing non-registered non-exempt wells
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
  - d. Board Appointment Updates
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 [ntqcd@northtexasgqcd.org](mailto:ntqcd@northtexasgqcd.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, February 9, 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: Thomas Smith, Ronny Young, Allen Knight, Lee K. Allison, Ron Sellman, and Joe Helmberger

Members Absent: David Flusche

Staff: Drew Satterwhite, Paul Sigle

Visitors: Kristen Fancher, Legal Counsel  
Michelle Carte, Upper Trinity Regional Water District  
James Beach, Advanced Groundwater Solutions  
Peter Schulmeyer, Collier Consulting, Inc.  
Jason Flynt, Barco Well Service  
Amanda Rodriguez, Barco Well Service  
Matt Hesse, CoServ Property Holdings  
Tim Long, Billingsley Company

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**Permit Hearing**

**Agenda:**

1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board.  
Board President Thomas Smith called the permit hearing to order at 10:00 a.m.
2. Review the Production Permit Applications of:

**Request for Exception to Spacing Requirements**

**1. Applicant:** CoServ Property Holdings, LLC; 7701 S. Stemmons, Corinth, TX 76210

**Location of Well:** West US 380, Krum, TX 76259 (Denton County); Latitude: 33.232667°N, Longitude: 97.284833°W; About one half-mile east on US 380 from the intersection of George Owens Rd and US 380, and about 1400 feet south of US 380 near Westfield Lane.

**Purpose of Use:** Fire Suppression System

**Requested Amount of Use:** 100,000 gallons per year

**Production Capacity of Well:** 175 gallons per minute

**Aquifer:** Trinity (Antlers) Aquifer

**Request for Exception to Spacing Requirements:** CoServ is requesting an exception to the spacing requirements for an existing well located about 675 feet to the east of the proposed well. The spacing requirement for a 175 gallon per minute well is 1,385 feet.

General Manager Drew Satterwhite reviewed the permit application with the Board. Discussion was held. Board Member Ronny Young made the motion to approve the permit application and Conserve the request for exception to spacing requirements. Board Member Joe Helmberger seconded the motion. Motion passed unanimously.

**New Production Permit Applications**

**2. Applicant:** CADG Hurricane Creek LLC; 1800 Valley View Ln., #300, Farmer Branch, TX 75234

**Location of Well:** Hurricane Creek South Development, Anna, TX; South shore of Collin Co. SWCD Pond #45; Latitude: 33.351506°N, Longitude: 96.598092°W; About 2,000 feet west on FM 455 from the intersection of FM 455 and County Road 368 and about 2,175 feet north of FM 455.

**Purpose of Use:** Landscape Irrigation and Pond(s)/Surface Impoundment(s)

**Requested Amount of Use:** 28,122,455 gallons for 2021, 42,180,182 gallons for 2022, and 35,692,000 gallons per year after 2022

**Production Capacity of Well:** 180 gallons per minute

**Aquifer:** Trinity (Paluxy) Aquifer

General Manager Drew Satterwhite reviewed the permit application with the Board. Discussion was held. Board Member Joe Helmberger made the motion to approve the permit application. Board Member Ron Sellman seconded the motion. Motion failed upon vote. The item was tabled.

**Permit Amendment Applications**

**3. Applicant:** City of Krum, 410 N. First Street, Krum, TX 76249

**Location of Well:** 4910 Masch Branch RD, Krum, TX 76249; Latitude: 33.257833°N, Longitude: 97.208028°W; About 125 feet west of Masch Branch Road and 900 feet south of the intersection of Masch Branch Road and FM 1173

**Purpose of Use:** Public Water Supply

**Requested Amount of Use:** 35,011,000 gallons per year

**Production Capacity of Well:** 425 gallons per minute (Increased from 200 gallons per minute); request to increase production capacity only

**Aquifer:** Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit application with the Board. Board Member Ronny Young made the motion to approve the permit application. Board Member Lee Allison seconded

the motion. Motion passed unanimously.

**4. Applicant:** City of Gainesville; 200 S Rusk, Gainesville, TX 76240

**Location of Well:** 1511 Rice Ave. Gainesville, TX 76240; Latitude: 33.6083°N, Longitude: 97.13961°W;  
About 225 feet west of the Rice Ave and Anthony Street

**Purpose of Use:** Public Water Supply

**Historic Use Permit Amount:** 672,191,000 gallons per year

**Production Capacity of Well:** 650 gallons per minute (Increased from 500 gallons per minute); request to increase production capacity only

**Aquifer:** Trinity (Antlers) Aquifer

General Manager Drew Satterwhite reviewed the permit application with the Board. Board Member Ron Sellman was required to abstain from participation in any discussion of the permit application due to a conflict of interest. Attorney Kristen Fancher updated the Board that Board Member Sellman had followed all of the procedures required by law regarding abstention. Board Member Ronny Young made the motion to approve the permit application. Board Member Joe Helmberger seconded the motion. Motion passed.

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.

Applications were voted on individually.

5. Adjourn or continue permit hearing.

President Thomas Smith adjourned the permit hearing at 10:38 a.m.

### **Public Meeting on Proposed Desired Future Conditions**

#### **Agenda**

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

President Thomas Smith called the public meeting to order at 10:38 a.m.

2. Review of Desired Future Conditions applicable to the District.

James Beach provided an in-depth presentation on the proposed DFC which was proposed by GMA 8.

3. Public Comment on District's proposed Desired Future Conditions (verbal comments limited to three (3) minutes each).



There were no public comments.

4. Consider and act upon moving forward with the proposed Desired Future Conditions applicable to the District, including preparing the summary report and coordinating with Groundwater Management Area 8 as required by the Chapter 36 of the Texas Water Code.

Board Member Ronny Young made the motion to move forward with the proposed DFCs, including preparing the summary report and coordinating with GMA 8 as required by Chapter 36 of the Texas Water Code. Board Member Allen Knight seconded the motion. Motion passed unanimously.

### **Board Meeting**

#### **Agenda:**

1. Pledge of Allegiance and Invocation

Board Member 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 Thomas Smith called the meeting to order at 11:13 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 January 12, 2021, Board meeting.

Board President Thomas Smith asked for approval of the minutes from the January 12, 2021 meeting. Board Member Joe Helmberger 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. 2021-02-09-01.

General Manager Drew Satterwhite reviewed the liabilities with the Board. Board Member Joe Helmberger made the motion to approve Resolution No. 2021-02-09-01. 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 Financial Report.

- b. Management Plan Committee
  - 1) Receive Quarterly Report

General Manager Drew Satterwhite reviewed the quarterly report.

7. Discussion and possible action on District's Drought Contingency Plan.

General Manager Drew Satterwhite provided background information for the Board. Section 6.2 of the District's Rules call for the District to adopt a Drought Contingency Plan. This plan is consistent with the District rules and uses/references the Texas Water Development Board's publishing of the U.S. Drought Monitor. The plan lays out the process for how the District's Board would declare drought and notify permit holders. If a drought is declared, it is in effect for the entire year. The plan provides the District's Board with flexibility to implement a drought stage on a county-by-county basis. If the District were to declare a drought, permittees are then allowed a 15% increase in their permitted volumes for that year. Discussion was held. Board Member Ronny Young made the motion to adopt the plan. Board Member Ron Sellman seconded the motion. Board President Thomas Smith abstained. Motion passed.

8. Discussion and possible action on authorizing the execution of a Master Technical Services Agreement with INTERA for continued maintenance and development of the District's database.

General Manager Drew Satterwhite provided background information for the Board. The database is complete and now we need to enter into a service contract to continue to maintain and make improvements to the system. North Texas GCD and Red River GCD have budgeted for improvements and the staff intends to manage these funds prudently by continuously evaluating priority improvements to the system. Discussion was held. Board Member Joe Helmberger made the motion to authorize the execution of the agreement with INTERA. 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).

General Manager Drew Satterwhite informed the Board that GMA 8 will be meeting in June. With James Beach leaving WSP, GMA 8 may want to discuss how to proceed. If the GMA 8 decides to amend or change consultants, a pre-approval from the Board would be beneficial for Ronny and Drew at the upcoming GMA 8 meeting. General Manager Drew Satterwhite's signature would be on contract on behalf of NTGCD. Ronny Young will vote at GMA 8 meeting. Board Member Joe Helmberger made the motion to approve the General manager Drew Satterwhite's signature on a new or amended contract, contingent upon Ronny Young's vote at GMA 8 to approve any such action. Board Member Ron Sellman seconded the motion. Motion passed.

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

- a. Madewell

General Manager Drew Satterwhite provided background information for the Board.

Numerous attempts were made to get Madewell to send in the Well Completion Reports, however; they were sent in late. The Board decided to assess a major violation in the amount of \$500. Board Member Joe Helmsberger made the motion to assess the major violation in the amount of \$500. Board Member Ronny Young seconded the motion. Motion passed unanimously.

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
  - b. Well Registration Summary
  - c. Legislative Update
  - d. Update on Texas Water Development Board draft rules and District comments
  - e. Staff's permit review procedures and criteria for consideration of permits
  - f. Conflict of interest requirements

Pursuant to Texas Open Meetings Act, Chapter 551.071, Government Code, Vernon's Texas Codes, Annotated, the Board convened into Executive Session at 11:46 a.m. for discussion concerning attorney-client matters (§551.071).

The Board reconvened into regular session at 12:04 p.m. The Board reconvened the permit hearing under item No. 2. Board Member Joe Helmsberger made the motion to approve the CADG Hurricane Creek permit application. Board Member Ronny Young seconded the motion. Motion passed unanimously. The Board adjourned the permit hearing at 12:05 p.m.

Pursuant to Texas Open Meetings Act, Chapter 551.071, Government Code, Vernon's Texas Codes, Annotated, the Board convened into Executive Session at 12:05 p.m. for discussion concerning attorney-client matters (§551.071).

The Board reconvened into regular session at 1:03 p.m. No action was taken.

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

Board President Thomas Smith declared the meeting adjourned at 1:04 p.m.

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Recording Secretary

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Secretary-Treasurer

ATTACHMENT 5

RESOLUTION NO. 2021-04-13-01

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

The following liabilities are hereby presented for payment:	<u>Amount</u>
<b><u>Administrative Services</u></b>	
GTUA - February 2021	30,296.14
GTUA - March 2021	27,547.48
<b><u>Advertisement</u></b>	
Denton Record Chronicle - Public Hearing Notice for DFC	92.00
Herald Banner Classified - Public Hearing Notice for DFC	343.40
<b><u>Consultant</u></b>	
Advanced Groundwater Solutions - Hydro-Geo Services through February	2,740.52
Advanced Groundwater Solutions - Hydro-Geo Services through March	1,745.00
WSP - Hydro-Geo Services through November	137.50
<b><u>Direct Costs</u></b>	
NexTraq - April	39.95
<b><u>Legal</u></b>	
Fancher Legal - February-March 2021	5,120.00
<b><u>Legal-Injection Well Monitoring</u></b>	
Sledge Law Group LLC - Services through December 2020	447.45
<b><u>Meetings &amp; Conferences</u></b>	
Pilot Point ISD - BOD Room Rental	75.00
<b><u>Software Maintenance</u></b>	
Aquaveo - Old Well Database Maintenance for January	500.00
Aquaveo - Old Well Database Maintenance for February 2021	500.00
Aquaveo - Old Well Database Maintenance for March 2021	500.00
<b><u>Well Injection Monitoring</u></b>	
State Plat Services - January	50.00
State Plat Services - February	56.40
<b>GRAND TOTAL:</b>	<b><u>\$ 70,190.84</u></b>

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

\_\_\_\_\_

the foregoing Resolution was passed and approved on this, the 13th day of April, 2021 by the

AYE:

NAY:

\_\_\_\_\_  
President

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

ATTACHMENT 6 A-1

# NORTH TEXAS GROUNDWATER

## Balance Sheet

As of March 31, 2021

### ASSETS

#### Current Assets

##### Checking/Savings

10001 Checking Account	1,477,149.25
10005 Cash-Index Account	717,796.82
10008 Cash - Tex Star	88,125.07
10025 Accounts Receivable	68,070.79
10033 A/R Penalties	1,500.00
10035 A/R GMA8 Members	121.33
10070 Liens	14,000.00
10010 INVESTMENT	0.00
10026 Allowance for Uncollectib	-27,500.00
12000 Undeposited Funds	500.00
12001 Prepaid Expenses	946.02

**TOTAL ASSETS** 2,340,709.28

### LIABILITIES & EQUITY

#### Liabilities

##### Current Liabilities

##### Accounts Payable

23100 Accounts Payable	39,021.98
23150 Well Drillers Deposits	37,200.60

**Total Liabilities** 76,222.58

#### Equity

35100 Retained Earnings	2,371,481.77
Net Income	-106,995.07

**Total Equity** 2,264,486.70

**TOTAL LIABILITIES & EQUITY** 2,340,709.28

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

	TOTAL				
	Mar 2021	1 mo. Budget	YTD Actual	Total Budget	% of Budget remaining
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
46003 - Registration Fees	3,400.00	1,750.00	6,700.00	21,000.00	68.1%
46004 - Well Driller Fees	0.00	0.00	0.00	0.00	0.0%
46005 - PRODUCTION FEES	93.97	0.00	93.97	700,000.00	99.99%
46006 Income GMA8	0.00	0.00	0.00	31,820.00	100.0%
46007 - Penalties	0.00	0.00	1,000.00	0.00	0.0%
46015 Late Fees	0.00	0.00	0.00	0.00	0.0%
<b>Total Income</b>	<u>3,493.97</u>	<u>1,750.00</u>	<u>7,793.97</u>	<u>752,820.00</u>	<u>98.96%</u>
<b>Gross Profit</b>	3,493.97	1,750.00	7,793.97	752,820.00	98.96%
<b>Expense</b>					
<b>77010 ADMINISTRATIVE</b>					
77013 Admin-Secretarial	1,032.00	1,833.34	4,248.00	22,000.00	80.69%
77014 Admin-Project Coordinator	1,102.50	1,666.67	4,038.75	20,000.00	79.81%
77015 Admin-GM	5,175.00	5,416.67	14,720.00	65,000.00	77.35%
77016 Admin-Clerical	0.00	3,500.00	7,046.50	42,000.00	83.22%
77040 ADMIN-MILEAGE	49.24	250.00	68.95	3,000.00	97.7%
<b>77025 ACCOUNTING</b>	3,129.00	2,708.34	9,109.25	32,500.00	71.97%
77027 AUDITING	0.00	0.00	0.00	5,665.00	0.0%
77030 ADVERTISING	0.00	167.00	851.65	2,000.00	57.42%
77050 BANKING FEES	0.00	0.00	72.98	100.00	0.0%
77150 CONSULTING-HYDROGEO SVC	1,745.00	3,750.00	4,485.52	45,000.00	90.03%
77325 DIRECT COSTS-REIMB	337.21	583.00	1,224.63	7,000.00	82.51%
77450 DUES & SUBSCRIPTION	0.00	250.00	0.00	3,000.00	100.0%
77480 EQUIPMENT	0.00	0.00	1,230.47	2,000.00	38.48%
77485 Equipment Database	0.00	1,250.00	4,170.47	15,000.00	72.2%
77500 FEES-GMA8	8.00	2,917.00	1,047.10	35,000.00	97.01%
77550 FIELD TECH	10,247.00	10,417.00	29,918.00	125,000.00	76.07%
77560 Field Permitting/Geologis	5,408.00	5,833.00	15,548.00	70,000.00	77.79%
77650 FUEL/MAINTENANCE	97.64	292.00	1,038.55	3,500.00	70.33%
77800 INJECTION WELL MONITORING	0.00	0.00	106.40	700.00	84.8%
77810 INSURANCE & BONDING	371.00	600.00	1,332.00	7,205.00	81.51%
<b>77970 LEGAL</b>					
77975 Legal-Injection	0.00	833.00	3,000.00	10,000.00	70.0%
77980 Legal-Legislation	0.00	1,250.00	0.00	15,000.00	100.0%
77970 LEGAL - Other	5,120.00	3,750.00	8,750.00	45,000.00	80.56%
78010 MEETINGS & CONFERENCES	228.63	667.00	510.33	8,000.00	93.62%
78310 Rent	200.00	200.00	600.00	2,400.00	75.0%
78600-SOFTWARE MAINT	679.68	83.00	3,626.36	1,000.00	-262.64%
78610 TELEPHONE	273.68	250.00	819.09	3,000.00	72.7%
78780 Well Monitoring/Testing	79.90	375.00	79.90	4,500.00	98.22%
<b>Total Expense</b>	<u>35,283.48</u>	<u>48,842.02</u>	<u>117,642.90</u>	<u>594,570.00</u>	<u>80.21%</u>
<b>Other Income/Expense</b>					
<b>Other Income</b>					
46100 INTEREST INC		417.00	2,853.86	5,000.00	
<b>Total Other Income</b>	<u>0.00</u>	<u>417.00</u>	<u>2,853.86</u>	<u>5,000.00</u>	
<b>Net Other Income</b>	0.00	417.00	2,853.86	5,000.00	
<b>Net Income</b>	<u><u>-31,789.51</u></u>	<u><u>-46,675.02</u></u>	<u><u>-106,995.07</u></u>	<u><u>163,250.00</u></u>	





ATTACHMENT 6 B-1

North Texas Groundwater Conservation District  
Quarterly Investment Report  
For the Quarter Ended  
March 31, 2021

The investment portfolio of the North Texas Groundwater Conservation District is in compliance with the Public Funds Investment Act and the Investment Policy and Strategies.

Presented by North Texas Groundwater Conservation District Investment Officers:

	
Drew Satterwhite General Manager	Debi Atkins Finance Officer

Book/Market Value Comparison

Description	Coupon/ Discount	Maturity Date	December 31, 2020			March 31, 2021		
			Face Amount/ Par Value	Book/Market Value	Purchases/ Adjustments	Sales/Adjust/ Call Maturity	Face Amount/ Par Value	Book/Market Value
Independent (DDA)	0.50%	12/31/2020	\$ 1,418,976.13	\$ 1,418,976.13	848,956.01	790,782.89	\$ 1,477,149.25	\$ 1,477,149.25
Independent (ISS)	0.50%	1/1/2021	6,749.58	6,749.58	711,047.24		\$ 717,796.82	\$ 717,796.82
TexStar	0.957%	1/1/2021	88,113.38	88,113.38	11.69		\$ 88,125.07	\$ 88,125.07
East West	1.58%	2/22/2021	700,000.00	700,000.00		700,000.00	\$ -	\$ -
			\$ 2,213,839.09	\$ 2,213,839.09	\$ 1,560,014.94	\$ 1,490,782.89	\$ 2,283,071.14	\$ 2,283,071.14

Investment Holdings  
3/31/2021

Description	Ratings	Coupon/ Discount	Maturity Date	Settlement Date	Face Amount/Par Value	Book Value	Market Price	Market Value	Life (Day)	Yield
Independent (DDA)		0.50%	4/1/2021	3/31/2021	\$ 1,477,149.25	\$ 1,477,149.25	1.00	\$ 1,477,149.25	1	0.50%
Independent (ISS)		0.50%	4/1/2021	3/31/2021	717,796.82	717,796.82	1.00	717,796.82	1	0.50%
TexStar		0.2160%	4/1/2021	3/31/2021	88,125.07	88,125.07	1.00	88,125.07	1	0.2160%
					<u>\$ 2,283,071.14</u>	<u>\$ 2,283,071.14</u>		<u>\$ 2,283,071.14</u>	<u>1</u>	
									(1)	

(1) Weighted average life - For purposes of calculating weighted average life, bank accounts, pools and money market funds are assumed to have an one day maturity.

ATTACHMENT 6 C-1



**COLLIN COUNTY - COOKE COUNTY - DENTON COUNTY**

**General Manager’s Quarterly Report**

**Date: March 31, 2021**

**North Texas GCD Management Plan**

This quarterly briefing is being provided pursuant to the adopted Management Plan for the quarter ending March 31, 2021.

**Well Registration Program:**

Current number of wells registered in the District: 2,674

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

**Well Inspection/Audit Program:**

**2021  
Well Inspections**

Month	Collin	Cooke	Denton	Total
January	1	3	8	12
February	0	3	1	4
March	8	24	12	44
April				
May				
June				
July				
August				
September				
October				
November				
December				
<b>Total</b>	<b>9</b>	<b>30</b>	<b>21</b>	<b>60</b>

ATTACHMENT 7 a.



## AGENDA COMMUNICATION

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**DATE:** April 6, 2021

**SUBJECT:** AGENDA ITEM NO. 7.a

**CONSIDER AND ACT UPON RESOLUTION NO. 2021-4-13-02 APPROVING AND SUBMITTING THE DISTRICT'S DESIRED FUTURE CONDITIONS SUMMARY REPORT FOR GMA8**

**ISSUE**

Consider and act upon Resolution No. 2021-4-13-02 approving and submitting the District's Desired Future Conditions Summary Report for Groundwater Management Area ("GMA") 8

**BACKGROUND**

The GMA8 proposed for adoption Desired Future Conditions ("DFCs") at the October 27, 2020 GMA8 meeting.

The District Board of Directors held a public hearing to present and summarize the DFCs relevant to the District for interested parties. This public hearing was held on February 9, 2021. Notice of the public hearing was provided in accordance with Section 36.063 of the Texas Water Code. At the hearing, the District provided a comprehensive presentation and discussion related to the proposed DFCs that apply within the District's boundaries.

**CONSIDERATIONS**

As of 5:00 p.m. on February 14, 2021 which was the close of the 90-day public comment period, the District received no verbal or written comments in regards to the proposed DFCs. Therefore, the staff does not see any reason to recommend changes to the DFCs relevant to the District.

The District is required to have a Summary Report approved by the Board for submission to the GMA8 prior to the next GMA8 meeting.

**STAFF RECOMMENDATIONS**

The staff is recommending the Board authorize a resolution to approve the Summary Report for submission to GMA8.

**ATTACHMENTS**

Resolution

**PREPARED AND SUBMITTED BY:**

---

Drew Satterwhite, P.E., General Manager



**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**  
**Summary Report Submitted to Groundwater Management Area 8 Pursuant**  
**to Texas Water Code § 36.108(d-2)**

The North Texas Groundwater Conservation District (“District”) Board of Directors held a public hearing on the proposed desired future conditions (“DFCs”) relevant to the District pursuant to Texas Water Code § 36.108(d-2) on February 9, 2021. The public hearing was noticed and held in compliance with Texas Water Code § 36.063. The District provided a detailed review of the proposed DFCs relevant to the District during the public hearing, and allowed both verbal and written comment to be provided both before and after the public hearing.

The District did not receive any verbal or written comments before or after the public hearing. The District therefore does not have a “summary of relevant comments received” as set forth in Texas Water Code § 36.108(d-2). The District Board of Directors does not recommend any changes to the proposed DFCs for the District, and requests that Groundwater Management Area 8 proceed with final adoption of the DFCs for the District as those proposed for adoption by Groundwater Management Area 8 on October 27, 2020.

**RESOLUTION NO. 2021-04-13-02**

**A RESOLUTION AND ORDER OF THE BOARD OF DIRECTORS OF THE  
NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT  
ADOPTING SUMMARY REPORT PURSUANT TO  
TEXAS WATER CODE § 36.108(d-2)**

WHEREAS, the North Texas Groundwater Conservation District (the “District”) is a political subdivision of the State of Texas organized and existing under and by virtue of Article XVI, Section 59, of the Texas Constitution as a groundwater conservation district, acting pursuant to and in conformity with Chapter 36, Texas Water Code and Act of May 19, 2009, 81st Leg., R.S., ch. 248, 2009 Tex. Gen. Laws 686, codified at Chapter 8856 of the Texas Special District Local Laws Code (the “District Act”);

WHEREAS, the groundwater conservation districts in Groundwater Management Area 8 (“GMA 8”) proposed Desired Future Conditions (“DFCs”) for adoption on October 27, 2020, in accordance with Texas Water Code § 36.108(d);

WHEREAS, pursuant to Texas Water Code § 36.108(d-2), the District subsequently held a public hearing on February 9, 2021, on the proposed DFCs relevant to the District, and has prepared a summary of relevant comments received (“Summary Report”);

WHEREAS, the District completed all statutory conditions precedent prior to consideration for adoption of the Summary Report by the District Board of Directors (“Board”); and

WHEREAS, the District Board intends to adopt and submit the Summary Report to GMA 8, as required by Texas Water Code § 36.108(d-2).

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE  
NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:**

1. The above recitals are true and correct;
2. The Board of Directors hereby approves and adopts the Summary Report prepared pursuant to Texas Water Code § 36.108(d-2), attached to this Resolution as “Attachment A” and incorporated herein for all purposes; and
3. The District’s GMA 8 voting representative, District staff, and District legal counsel are further authorized to take any and all actions necessary to implement this Resolution, including but not limited to submitting the Summary Report to GMA 8.

**AND IT IS SO ORDERED.**

**PASSED AND ADOPTED** on this 13th day of April, 2021.

**NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT**

\_\_\_\_\_  
Thomas Smith, Board President

ATTEST:

\_\_\_\_\_  
Ron Sellman, Board Secretary/Treasurer

ATTACHMENT 8 a.



## 2021 Fee Schedule

Well Registration Fee - (<17.36 gpm)	\$100
New Well Registration & Production Permit Application Fee - (>17.36gpm and <200 gpm), <i>also applies to permit amendments</i>	\$600
Additional fee for Production Permit Applications which require a Hydrogeological Report - (≥200 gpm)	\$1,100
Well Driller Log Deposit Fee (refundable if log submitted within 60 days)	\$100
Agricultural Water Use Fee acre-foot	\$1 per
Non-Exempt Water use Fee 1,000 gallons	\$0.10 per
Failure to Pay Water Use Fee within 30-days	15%
Failure to Pay Water Use Fee within 60-days	Major Violation – See Appendix A of the Rules for schedule of Violations

## **APPENDIX A. Enforcement Policy and Civil Penalty Schedule.**

### **North Texas Groundwater Conservation District ENFORCEMENT POLICY AND CIVIL PENALTY SCHEDULE**

#### **General Guidelines**

When the General Manager discovers a violation of the District Rules that either (1) constitutes a Major Violation, or (2) constitutes a Minor Violation that the General Manager is unable to resolve within 60 days of discovering the Minor Violation, the General Manager shall bring the Major Violation or the unresolved Minor Violation and the pertinent facts surrounding it to the attention of the Board. Violations related to water well construction and completion requirements shall also be brought to the attention of the Board.

The General Manager shall recommend to the Board of Directors an appropriate settlement offer to settle the violation in lieu of litigation based upon the Civil Penalty Schedule set forth below. The Board may instruct the General Manager to tender an offer to settle the violation or to institute a civil suit in the appropriate court to seek civil penalties, injunctive relief, and costs of court and expert witnesses, damages, and attorneys' fees.

#### **I. Minor Violations**

The following acts each constitute a minor violation:

1. Failure to conduct a meter reading within the required period.
2. Failure to timely submit a Transfer of Ownership.
3. Failure to timely file a Well Report.
4. Failure to timely submit required documentation reflecting alterations or increased production.
5. Operating a meter that is not accurately calibrated.

**CIVIL PENALTY SCHEDULE FOR MINOR VIOLATIONS**

<b>First Violation:</b>	<b>\$100.00</b>
<b>Second Violation:</b>	<b>\$200.00</b>
<b>Third Violation:</b>	<b>Major Violation</b>

A second violation shall be any minor violation within 3 years of the first minor violation. A third violation shall be any minor violation following the second minor violation within 5 years of the first minor violation. Each day of a continuing violation constitutes a separate violation.

**II. Major Violations**

The following acts each constitute a major violation:

1. Failure to register or permit a well or amend the registration of a well where mandated by rules, including drilling, equipping, completing, altering, or operating a well without an approved registration, as evidenced through a Notice to Proceed or permit issued by the District.
2. Drilling an exempt or non-exempt well with an expired well registration.
3. Failure to timely meter or blind flange a well when required.
4. Failure to submit accurate Water Production report within 60 days of the date the report is due.
5. Failure to submit accurate Groundwater Transport report within the required period.
6. Drilling a well at a different location than authorized or in violation of spacing requirements.\*
7. Failure to close or cap an open or uncovered well.
8. Failure to submit Water Use Fees within 60 days of the date the fees are due.\*\*
9. Failure to timely submit Groundwater Transport Fees within 60 days of the date the fees are due.\*\*
10. Committing waste.
11. Tampering with or disabling a required meter or tampering with a District seal.
12. Failure to make a well available within 60 days for a required flow test.

**CIVIL PENALTY SCHEDULE FOR MAJOR VIOLATIONS**

<b>First Violation:</b>	<b>\$500.00</b>
<b>Second Violation:</b>	<b>\$1000.00</b>
<b>Third Violation:</b>	<b>Civil Suit for injunction and damages, and escalated penalties</b>

A second violation shall be any major violation within 3 years of the first major violation. A third violation shall be any major violation following the second major violation within 5 years of the first major violation. Each day of a continuing violation constitutes a separate violation. Multiple violations by the same person or entity shall result in escalated fines assessed in order to deter such continued noncompliance.

\* In addition to the applicable penalty provided for in the Civil Penalty Schedule for Major Violations, persons who drill a well in violation of applicable spacing requirements may be required to plug the well.

\*\* In addition to the applicable penalty provided for in the Civil Penalty Schedule for Major Violations, persons who do not submit all Water Use Fees and Groundwater Transport Fees due and owing within 60 days of the date the fees are due pursuant to Rule 9.4(a) will be assessed a civil penalty equal to three times the total amount of outstanding Water Use Fees, Groundwater Transport Fees, or both, that are due and owing.

**III. Water Well Construction and Completion Requirements**

Failure to use approved construction materials: **\$250 + total costs of remediation**

Failure to properly cement annular space: **\$500 + total costs of remediation**

In addition to the civil penalties provided for in this schedule, persons who drill a well in violation of applicable spacing or completion requirements may be required to re-drill, re-complete or reconstruct the well in accordance with the District's rules, or may be ordered to plug the well.

**IV. Production in Excess of Maximum Amount Authorized in Permit**

In accordance with Rule 9.8, an automatic penalty of three (3) times the applicable water use fee rate for a calendar year shall be applied in addition to the standard water use fee rate owed for those persons that produce groundwater in excess of the maximum amount authorized in a District-issued permit. A second occurrence of production in excess of the maximum amount authorized within three (3) calendar years of the first occurrence shall result in an automatic penalty of ten (10) times the applicable water use fee rate, which shall be applied in addition to the standard water use fee rate owed for the production.



## **V. Other Violations of District Rules Not Specifically Listed Herein**

Any violation of a District Rule not specifically set forth herein shall be presented to the Board of Directors for a determination of whether the violation is Minor or Major, based upon the severity of the violation and the particular facts and issues involved, whereupon the procedures and the appropriate civil penalty amount set forth herein for Minor and Major Violations shall apply to the violation.

ATTACHMENT 9 b.

# NORTH TEXAS GROUNDWATER CONSERVATION DISTRICT

## Well Registration Summary

(as of 2/28/2021)

Well Type	Collin	Cooke	Denton	Total NTGCD	New Registrations February 2021
Domestic	83	500	863	1446	9
Public Water System	31	74	222	327	0
Irrigation	94	4	181	279	0
Surface Impoundment	52	16	110	178	1
Livestock	7	77	60	144	1
Oil / Gas	1	6	68	75	0
Agriculture	8	13	41	62	0
Commercial	6	9	38	53	0
Golf Course Irrigation	15	2	21	38	0
Other	8	5	17	30	0
Industrial / Manufacturing	7	13	8	28	0
Monitoring	0	0	1	1	0
<b>TOTALS</b>	<b>312</b>	<b>719</b>	<b>1630</b>	<b>2661</b>	<b>11</b>

**NOTE: Plugged wells have been excluded**

ADJOURN