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NOTICE OF HEARINGS AND MEETING OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT

To be held on Tuesday, May 11, 2021
Lone Star GCD – James B. "Jim" Wesley Board Room
655 Conroe Park North Drive
Conroe, Texas 77303

NOTICE OF PUBLIC HEARING ON PERMIT AND PERMIT AMENDMENT APPLICATIONS

TUESDAY, MAY 11, 2021, AT 6:00 P.M.
(TO BEGIN UPON ADJOURNMENT OF THE ABOVE-LISTED SPECIAL HEARING)

Held In Person and/or Remotely via a Publicly Accessible Webinar/Telephone Conference Call (The webinar & conference call line open at 5:45 P.M.)

1. Call to Order and Declare Hearing Open to the Public
2. Roll Call
3. Prayer and Pledges of Allegiance

DOC# 21-0664
POSTED
05/06/2021 02:59PM
Shelby Curry
MARK TURNBULL, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

4. Any Public Comments or Requests to Contest and General Manager Permit Hearing Report and Recommendation on Granting, Denying, or Amending Applications for the following Operating Permits and/or Meter Exemptions:

   i. JMAX, LLC, for a proposed well to be drilled at 14875 FM 1484, Conroe, not to exceed 2.3 mg annually, Commercial and Irrigation use, (Driller of record: Bells Drilling);
   ii. San Jacinto River Authority, for a proposed amendment to OP03-0050, 7508 Gosling Rd., The Woodlands, increase of 90.430 mg for 2020 only, Public Supply (PWS) use;
   iii. Gerardo Calderon, for a proposed well to be drilled at 21986 FM 1314, Porter, not to exceed 5.04 mg annually, Commercial use, (Driller of record: Maral Drilling);
   iv. Alejandra & Jose Garcia, for a proposed well to be drilled at 11152 Meador Rd, Conroe, not to exceed 0.6 mg annually, Public Supply use, (Driller of record: Ballard Water Well);
   v. Felix Carrillo, for a proposed well to be drilled at 17732 FM 1485 Rd, New Caney, not to exceed 0.15 mg annually, Irrigation use, (Driller of record: Ballard Water Well);
   vi. Dos Aguas Water System, for a proposed well to be drilled at Approx 6.5 miles NE of Willis, between FM 1097, Tanyard Road and McCrorey Road, Lat. 30/28/43, Long. 95/23/24, Willis, not to exceed 32 mg annually, Public Supply (PWS) use, (Driller of record: McPike Water Wells);

vii. Mekonnen Sisay, for a proposed well to be drilled at 13815 Walker Rd., Conroe, to exceed 0.4 mg annually, Irrigation and Commercial use, (Driller of record: Ballard Water Well);
viii. Antonio Renilla, for a proposed well to be drilled at 26768 Dobbin Hufsmith, Magnolia, not to exceed 0.3 mg annually, Public Supply use, (Driller of record: Ricky Bonds Water Wells);
ix. Destin Drywall and Paint Inc, for a proposed well to be drilled at 22855 Nichols Sawmill Rd, Hockley, not to exceed 0.1 mg annually, Commercial use, (Driller of record Johnston Water Well);
x. HMW Special Utility District (Hunters Retreat), for a proposed amendment to OP-06122902, 37002 Arlene St., Magnolia, increase of 33 mg annually, Public Supply (PWS) use;
xi. HMW Special Utility District (Pleasant Forest), for a proposed amendment to OP-10011301, 17705 Butera Rd, Magnolia, increase of 10 mg annually, Public Supply (PWS) use;
xii. HMW Special Utility District (Allenwood), for a proposed amendment to OP-06032901, 24819 Brantigum #1, Magnolia, increase of 6 mg annually, Public Supply (PWS) use;
xiii. HMW Special Utility District (Kipling Oaks #2), for a proposed operating permit not to exceed 13 mg annually, 1927 Timber Ranch, Magnolia, Public Supply (PWS) use;
xiv. HMW Special Utility District (Kipling Oaks #1), for a proposed amendment to OP-06052301, 34618 Bernice Dr., Pinehurst, increase of 33.735 mg annually, Public Supply (PWS) use; and
xv. Butera RV Park II, for a proposed amendment to OP-19111901, well to be drilled at 16603 Butera Rd, Magnolia, in aggregate, with a permitted amount of 5 mg, Public Supply (PWS) and Irrigation use, (Driller of record: B&R Water Wells).

5. Discussion, consideration, and possible action on the following Operating Permits and/or Meter Exemptions:

i. JMAX, LLC, for a proposed well to be drilled at 14875 FM 1484, Conroe, not to exceed 2.3 mg annually, Commercial and Irrigation use, (Driller of record: Bells Drilling);
ii. San Jacinto River Authority, for a proposed amendment to OP03-0050, 7508 Gosling Rd., The Woodlands, increase of 90.430 mg for 2020 only, Public Supply (PWS) use;
iii. Gerardo Calderon, for a proposed well to be drilled at 21986 FM 1314, Porter, not to exceed 5.04 mg annually, Commercial use, (Driller of record: Maral Drilling);
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v. Felix Carrillo, for a proposed well to be drilled at 17732 FM 1485 Rd, New Caney, not to exceed 0.15 mg annually, Irrigation use, (Driller of record: Ballard Water Well);
vi. Dos Aguas Water System, for a proposed well to be drilled at Approx 6.5 miles NE of Willis, between FM 1097, Tanyard Road and McCrorey Road, Lat. 30/28/43, Long. 95/23/24, Willis, not to exceed 32 mg annually, Public Supply (PWS) use, (Driller of record: McPike Water Wells);

vii. Mekonnen Sisay, for a proposed well to be drilled at 13815 Walker Rd., Conroe, not to exceed 0.4 mg annually, Irrigation and Commercial use, (Driller of record: Ballard Water Well);

viii. Antonio Renilla, for a proposed well to be drilled at 26768 Dobbin Hufsmith, Magnolia, not to exceed 0.3 mg annually, Public Supply use, (Driller of record: Ricky Bonds Water Wells);

ix. Destin Drywall and Paint Inc, for a proposed well to be drilled at 22855 Nichols Sawmill Rd, Hockley, not to exceed 0.1 mg annually, Commercial use, (Driller of record Johnston Water Well);

x. HMW Special Utility District (Hunters Retreat), for a proposed amendment to OP-06122902, 37002 Arlene St., Magnolia, increase of 33 mg annually, Public Supply (PWS) use;

xi. HMW Special Utility District (Pleasant Forest), for a proposed amendment to OP-10011301, 17705 Butera Rd, Magnolia, increase of 10 mg annually, Public Supply (PWS) use;

xii. HMW Special Utility District (Allenwood), for a proposed amendment to OP-06032901, 24819 Brantigum #1, Magnolia, increase of 6 mg annually, Public Supply (PWS) use;

xiii. HMW Special Utility District (Kipling Oaks #2), for a proposed operating permit not to exceed 13 mg annually, 1927 Timber Ranch, Magnolia, Public Supply (PWS) use;

xiv. HMW Special Utility District (Kipling Oaks #1), for a proposed amendment to OP-06052301, 34618 Bernice Dr., Pinehurst, increase of 33.735 mg annually, Public Supply (PWS) use; and

xv. Butera RV Park II, for a proposed amendment to OP-19111901, well to be drilled at 16603 Butera Rd, Magnolia, in aggregate, with a permitted amount of 5 mg, Public Supply (PWS) and Irrigation use, (Driller of record: B&R Water Wells).

6. Adjourn or continue permit hearing in whole or in part.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS

TUESDAY, MAY 11, 2021, AT 6:00 P.M.
(TO BEGIN UPON ADJOURNMENT OF THE ABOVE-LISTED PUBLIC HEARINGS)

Held In Person and/or Remotely via a Publicly Accessible Webinar/Telephone Conference Call (The webinar & conference call line open at 5:45 P.M.)

The Board of Directors may discuss, consider, and take action, including expenditure of funds, on any item or subject matter posted in this agenda.

1. Call to Order and Declare Regular Meeting Open to the Public

2. Roll Call

3. Public Comment on any agenda item or any other matter (Public comment is limited to a maximum of 3 minutes per speaker); *See Comment Card for Other Guidelines and Procedures*

4. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, §551.071, to consult with the District's attorney regarding pending or contemplated litigation, settlement offers, or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code regarding any agenda item on any of the board meetings or hearings posted for today.

   No action will be taken in Executive Session.

5. Re-convene in Open Session.

6. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:

   a) April 7, 2021, Special Board of Directors Meeting
   b) April 13, Public Hearing on Permit Applications
   c) April 13, 2021, Regular Board of Directors Meeting

7. Committee Reports:

   A. Budget & Finance Committee – Jim Spigener, Chair
      1) Brief the Board on the Committee's activities since the last regular Board meeting
      2) Review of unaudited financials for the month of April 2021 - Samantha

Stried Reiter

B. Communications Committee – Harry Hardman, Chair
   1) Brief the Board on the Committee's activities since the last regular Board meeting

C. DFC & Technical Committee – Stuart Traylor, Chair
   1) Brief the Board on the Committee's activities since the last regular Board meeting

D. Legislative Committee – Harry Hardman, Chair
   1) Brief the Board on the Committee's activities since the last regular Board meeting

E. Rules, Bylaws & Policies Committee – Larry A. Rogers, Chair
   1) Brief the Board on the Committee's activities since the last regular Board meeting

8. Discussion, review, and possible approval of 2020 Annual Report for the Lone Star Groundwater District – Jennifer Thayer.

9. Discuss, consider, and take action as necessary concerning replacement appointment of Assistant Secretary – Samantha Stried Reiter

10. Receive information from District's technical consultants regarding subsidence studies and/or discussion regarding the same –Samantha Stried Reiter and/or District's technical consultant(s).

    a) Discussion, consideration, and possible action to approve Subsidence Study Phase 2 Scope of Work.

11. Groundwater Management Area 14 – update the board on the issues related to joint planning activities and development of desired future conditions in GMA 14 – Samantha Reiter and/or District's technical consultant(s).

    a) Discussion, consideration, and possible action on any items related to Lone Star GCD's proposal(s) to and/or participation in GMA 14.

12. Discussion of possible action to issue a show cause order directing the following permittees, or their designated representative, to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action should not be taken, including without limitation initiating a lawsuit against it for failure to remit 2021 water use fees and/or fines associated with untimely submissions:

    1) Jim (Wanda) Fox – OP-07120501
    2) Magnolia Technology Park – OP-17061401
    3) Maverick Tube – HUP131/OP-08081201
    4) Richard Gysler & Cailean McAlister – HUPAG1500026/OPAG-08010301

13. Discussion and possible action to issue a show cause order directing the following permittees, or their designated representative, to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action should not be taken including without limitation initiating a lawsuit against it for overproduction of 2020 permitted allocation and/or fines associated with untimely submissions:

    1) JJ Business Park – OP-13032001
    2) Magnolia Technology Park – OP-17061401
    3) Ricky Bates – OP-19042902
    4) The Church at Woodforest – OP-19022203

14. Discussion of possible action to issue a show cause order directing the following permittees, or their designated representative, to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action should not be taken, including without limitation initiating a lawsuit against it for failure to submit permit renewal(s), operating without a valid permit, failure to submit annual production report(s), failure to remit past due water use fees and/or fines associated with untimely submissions:

    1) CWE Utilities &/or owner, operator or manager including without limitation Brent Davis and temporary manager, Harrison Williams, associated with permits HUP057A / OP03-0015C
    2) CWE Utilities (Garden West) &/or owner, operator or manager including without limitation Brent Davis and temporary manager, Harrison Williams, associated with permit OP-14081801
    3) Drew T. Spencer d/b/a Cypresswood Estates Water System, Davis Irrigation Services, & or holder of CCN No. 12978 which serves Cypresswood Estates Subdivision associated with permits HUP057A / OP03-0015C.
    4) Drew T. Spencer d/b/a Cypresswood Estates Water System, Davis Irrigation Services, & or holder of CCN No. 12978 which serves Garden West associated with permit OP-14081801.

15. General Manager's Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting. – Samantha Stried Reiter

16. General Counsel's Report – The District's legal counsel will brief the Board on any pertinent legal issues and developments impacting the District since the last regular Board meeting, and legal counsel's activities on behalf of the District, including without limitation: waste injection well monitoring activities and injection well applications filed at the Railroad Commission of Texas or the Texas Commission on Environmental Quality, including District protests or other actions regarding same; District Rules enforcement activities; District Rules and regulations, and District Management Plan development or implementation issues; groundwater-related legislative activities; joint planning and desired future conditions development activities; contemplated and/or pending litigation involving the District; developments in groundwater case law and submission of legal briefs; legislation or legislative activities; contractual issues related to the District; open

government, open records requests, policy, personnel, and financial issues of the Dis and other legal activities on behalf of the District. – Stacey V. Reese.

17. New Business.

18. Adjourn.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

These public hearings and meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting or hearing, please contact the Lone Star GCD at 936/494-3436 at least 24 hours in advance of the meeting.

At any time during one the above meetings or hearings and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Lone Star Groundwater Conservation District Board may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); 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 during an open meeting.

Certification

I, the undersigned authority, do hereby certify that on May 7, 2021, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

/s/ Samantha Stried Reiter

Samantha Stried Reiter, General Manager
Lone Star Groundwater Conservation District