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MARK TURNBULL, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

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

***To be held on Tuesday, October 11, 2022***
***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, OCTOBER 11, 2022, AT 6:00 P.M.**

***Held In Person with the option for Public Comment***
***Remotely by Publicly Accessible Videoconference***
***(The videoconference opens 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

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. Ricky Pierce (BET Holdings), for a proposed well to be drilled at 12461 FM 1314, Conroe not to exceed 0.14 mg annually, Commercial and Irrigation use, (Driller of record: Eastex Well Service);
   ii. Sherwood Sporthorses Inc., for a proposed amendment to OP-20032601, increase of 0.8 mg annually, 20502 Forest View Dr., Magnolia, Commercial and Irrigation use;
   iii. RAC Materials, for a proposed operating permit for 1 existing well not permitted, not to exceed 0.025 mg annually, 31350 Highway 249, Pinehurst, Commercial use;
   iv. LGI Homes Texas, LLC (future MUD #125), for a proposed well to be drilled at Approx. 0.5 miles SW of intersection of Jackson Rd and FM 149, (Lat. 30/15/53 Long. -95/42/45), Magnolia, not to exceed 0.588235 mg annually, Public Supply (PWS) use and Commercial, hydrogeological report submitted with application, (Driller of record: TBD);
   v. Empire Canopy Sign & Construction, for a proposed well to be drilled at 3111 Lone Star Lane, Pinehurst, not to exceed 0.150 mg annually, Commercial use (Driller of record: Ricky Bonds Water Wells).

vi. City of Cut and Shoot, for a proposed amendment to OP03-0077, well to be drilled at 13906 Willis Waukegan Road, Conroe, increase of 158 mg annually, Public Supply (PWS) use, hydrogeological report submitted with application, (Driller of record: TBD);
vii. Ranchcrest Water System, for a proposed amendment to OP-05112901, increase of 20 mg annually, 24063 Wilde Dr., Magnolia, Public Supply (PWS);
viii. Utilities Investment Co. Inc. (Timberswitch), for a proposed amendment to OP-06041301, increase of 4 mg annually, 300' SW of the intersection of Timberswitch Rd. and Hanna Bell Dr, (Lat. 30/18/37 Long. 95/16/40), Cleveland, Public Supply (PWS) use;
ix. Conroe ISD (Moorehead Jr. High), for a proposed amendment to OP-11061602, well to be drilled at 16840 FM 2090, Conroe, increase of 4 mg annually, Public Supply (PWS) use (Driller of record: O'Day Drilling Company, Inc);
x. Aqua Pure (Peach Creek Plantation), for a proposed amendment to OP-07042601, increase of 10 mg annually, 3601 N. Duck Creek Rd., Cleveland, Public Supply (PWS) use; and
xi. Freedom Isn't Free Properties, for a proposed amendment to OP-21120901, increase of 0.1 mg annually, 18436 FM 1314, Conroe, Commercial use.

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

i. Ricky Pierce (BET Holdings), for a proposed well to be drilled at 12461 FM 1314, Conroe not to exceed 0.14 mg annually, Commercial and Irrigation use, (Driller of record: Eastex Well Service);
ii. Sherwood Sporthorses Inc., for a proposed amendment to OP-20032601, increase of 0.8 mg annually, 20502 Forest View Dr., Magnolia, Commercial and Irrigation use;
iii. RAC Materials, for a proposed operating permit for 1 existing well not permitted, not to exceed 0.025 mg annually, 31350 Highway 249, Pinehurst, Commercial use;
iv. LGI Homes Texas, LLC (future MUD #125), for a proposed well to be drilled at Approx. 0.5 miles SW of intersection of Jackson Rd and FM 149, (Lat. 30/15/53 Long. -95/42/45), Magnolia, not to exceed 0.588235 mg annually, Public Supply (PWS) use and Commercial, hydrogeological report submitted with application, (Driller of record: TBD);
v. Empire Canopy Sign & Construction, for a proposed well to be drilled at 3111 Lone Star Lane, Pinehurst, not to exceed 0.150 mg annually, Commercial use (Driller of record: Ricky Bonds Water Wells).
vi. City of Cut and Shoot, for a proposed amendment to OP03-0077, well to be drilled at 13906 Willis Waukegan Road, Conroe, increase of 158 mg annually, Public Supply (PWS) use, hydrogeological report submitted with application, (Driller of record: TBD);
vii. Ranchcrest Water System, for a proposed amendment to OP-05112901, increase of 20 mg annually, 24063 Wilde Dr., Magnolia, Public Supply (PWS);

viii. Utilities Investment Co. Inc. (Timberswitch), for a proposed amendment to OP-06041301, increase of 4 mg annually, 300' SW of the intersection of Timberswitch Rd. and Hanna Bell Dr, (Lat. 30/18/37 Long. 95/16/40), Cleveland, Public Supply (PWS) use;

ix. Conroe ISD (Moorehead Jr. High), for a proposed amendment to OP-11061602, well to be drilled at 16840 FM 2090, Conroe, increase of 4 mg annually, Public Supply (PWS) use (Driller of record: O'Day Drilling Company, Inc);

x. Aqua Pure (Peach Creek Plantation), for a proposed amendment to OP-07042601, increase of 10 mg annually, 3601 N. Duck Creek Rd., Cleveland, Public Supply (PWS) use; and

xi. Freedom Isn't Free Properties, for a proposed amendment to OP-21120901, increase of 0.1 mg annually, 18436 FM 1314, Conroe, Commercial use.

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, OCTOBER 11, 2022, AT 6:00 P.M.
## (TO BEGIN UPON ADJOURNMENT OF THE ABOVE-LISTED PUBLIC HEARINGS)

***Held In Person with the option for Public Comment***
***Remotely by Publicly Accessible Videoconference***
***(The videoconference opens 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 and section §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) September 13, 2022, Public Hearing on Permit Applications
   b) September 13, 2022, Special-Called Public Meeting to Adopt the Desired Future Conditions ("DFCs") for the Gulf Coast Aquifer that Apply to the Lone Star Groundwater Conservation District
   c) September 13, 2022, Regular Board of Directors Meeting

7. Election Matters – update and action as necessary:
   (*Asuntos Electorales – actualización y acción según sea necesario:*)

a) Receive Certification of Unopposed Status from Election Agent.
(*Recibir la Certificación de Estatus No Opositor de Agente Electoral.*)
b) Discussion, consideration, and action to approve Order of Cancellation for Uncontested Positions
(*Discusión, consideración y acción para aprobar la Orden de Cancelación de Posiciones No Impugnadas.*)
c) Update on November 8, 2022, election action items.
(*Actualización sobre los elementos de acción electoral del 8 de noviembre de 2022.*)

8. Committee Reports:

A. Budget & Finance Committee – Jonathan Prykryl, 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 September 2022 – Samantha Stried Reiter
3) Review of 3rd quarter Investment Report – Samantha Stried Reiter

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

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

9. 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 3 Scope of Work

10. 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.

11. 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

12. 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; election matters, legislation or legislative activities; contractual issues related to the District; open government, open records requests, policy, personnel, and financial issues of the District; and other legal activities on behalf of the District. – Stacey V. Reese.

13. New Business.

14. 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 October 7 2022, 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