



# SHOW CAUSE MEETING

AUGUST 9, 2023

LSGCD

**NOTICE OF HEARINGS AND MEETINGS  
OF THE BOARD OF DIRECTORS OF THE  
LONE STAR GROUNDWATER CONSERVATION DISTRICT**  
*To be held on Wednesday, August 9, 2023*  
**Lone Star GCD – James B. "Jim" Wesley Board Room**  
**655 Conroe Park North Drive**  
**Conroe, Texas 77303**

**NOTICE OF SHOW CAUSE HEARING ON ENFORCEMENT MATTERS  
WEDNESDAY, AUGUST 9, 2023, AT 9:00 A.M.**

***Held In Person with the option for Public Comment***  
***Remotely by Publicly Accessible Videoconference***  
***(The videoconference opens at 8:45 A.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:
5. Show Cause Hearing for **Richard Gysler & Cailean McAlister** pursuant to District Rule 12.5
  - A. Show Cause Hearing directing **Richard Gysler & Cailean McAlister**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:
    - 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) failure to submit 2022 annual water production report and/or fines associated with timely submission;
    - 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorney's fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
    - 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.
  - B. Consider, discuss, and take action on matters raised in the **Richard Gysler & Cailean McAlister**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 4.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 4.A.2. and taking all other enforcement action described in Agenda Item No. 4.A.3.

**DOC# 23-1294**  
**POSTED**  
08/04/2023 04:04PM  
AIRN PREVITI  
L. BRANDON STEINMANN, COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

6. Show Cause Hearing for **City of Shenandoah**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **City of Shenandoah**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **City of Shenandoah** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

7. Show Cause Hearing for **Crystal Springs Water (Ponderosa Pines)**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **Crystal Springs Water (Ponderosa Pines)**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **Crystal Springs Water (Ponderosa Pines)** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

8. Show Cause Hearing for **Crystal Springs Water (Waukegan Way)**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **Crystal Springs Water (Waukegan Way)**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **Crystal Springs Water (Waukegan Way)** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

9. Show Cause Hearing for **Crystal Springs Water (White Oak Hills)**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **Crystal Springs Water (White Oak Hills)**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **Crystal Springs Water (White Oak Hills)** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

10. Show Cause Hearing for **Jo Mark 1 Ltd.**, pursuant to District Rule 12.5

- A. Show Cause Hearing directing **Jo Mark 1 Ltd.**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:
- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
  - 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
  - 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.
- B. Consider, discuss, and take action on matters raised in the **Jo Mark 1 Ltd.** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

11. Show Cause Hearing for **Johnston Water Utility, LLC**, pursuant to District Rule 12.5

- A. Show Cause Hearing directing **Johnston Water Utility, LLC**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:
- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
  - 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
  - 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.
- B. Consider, discuss, and take action on matters raised in the **Johnston Water Utility, LLC** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

12. Show Cause Hearing for **Ernan Puebla (32855 Karen Dr.)**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **Ernan Puebla (32855 Karen Dr.)**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **Ernan Puebla (32855 Karen Dr.)**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

13. Show Cause Hearing for **SCI, Texas Funeral Services, Inc. dba Forest Park The Woodlands Funeral Home and Cemetery**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **SCI, Texas Funeral Services, Inc. dba Forest Park The Woodlands Funeral Home and Cemetery** ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **SCI, Texas Funeral Services, Inc. dba Forest Park The Woodlands Funeral Home and Cemetery** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

14. Show Cause Hearing for **Splendor Pipe Services** pursuant to District Rule 12.5

A. Show Cause Hearing directing **Splendora Pipe Services** ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **Splendora Pipe Services** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

15. Show Cause Hearing for **T & W Water Services (Deer Run) dba Blue Topaz Utilities**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **T & W Water Services (Deer Run) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Deer Run) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

16. Show Cause Hearing for **T & W Water Services (Falls of Wildwood) dba Blue Topaz Utilities**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **T & W Water Services (Falls of Wildwood) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Falls of Wildwood) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

17. Show Cause Hearing for **T & W Water Services (Grand Harbor/Gemstone) dba Blue Topaz Utilities**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **T & W Water Services (Grand Harbor/Gemstone) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Grand Harbor/Gemstone) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

18. Show Cause Hearing for **T & W Water Services (Harbor Side) dba Blue Topaz Utilities**, pursuant to District Rule 12.5



A. Show Cause Hearing directing **T & W Water Services (Harbor Side) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Harbor Side) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

19. Show Cause Hearing for **T & W Water Services (Hidden Springs Ranch) dba Blue Topaz Utilities**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **T & W Water Services (Hidden Springs Ranch) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Hidden Springs Ranch) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

20. Show Cause Hearing for **T & W Water Services (Millers Crossings) dba Blue Topaz Utilities**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **T & W Water Services (Millers Crossings) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Millers Crossings) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

21. Show Cause Hearing for **T & W Water Services (Old Mill Lake) dba Blue Topaz Utilities**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **T & W Water Services (Old Mill Lake) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Old Mill Lake) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3.

22. Show Cause Hearing for **T & W Water Services (Thousand Oaks) dba Blue Topaz Utilities**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **T & W Water Services (Thousand Oaks) dba Blue Topaz Utilities**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **T & W Water Services (Thousand Oaks) dba Blue Topaz Utilities**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3

23. Show Cause Hearing for **Undine Texas, LLC (Hazy Hallow)**, pursuant to District Rule 12.5

A. Show Cause Hearing directing **Undine Texas, LLC (Hazy Hallow)**, ("Respondent"), pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:

- 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2022 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
- 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
- 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.

B. Consider, discuss, and take action on matters raised in the **Undine Texas, LLC (Hazy Hallow)**, show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and Taking all other enforcement action described in Agenda Item No. 6.A.3

24. 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.

*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 August 4, 2023, 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/ Kirstin H. Hein

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Kirstin Hein, Permitting Director  
Lone Star Groundwater Conservation District