

LONE STAR GROUNDWATER CONSERVATION DISTRICT

November 10, 2020

MINUTES OF PUBLIC HEARING ON PERMIT APPLICATIONS

The Board of Directors of the Lone Star Groundwater Conservation District (“District”) met in regular session, open to the public held in person in the Lone Star GCD – James B. “Jim” Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, and remotely via the publicly accessible webinar/telephone conference call within the boundaries of the District on November 10, 2020.

CALL TO ORDER:

President Hardman called to order the Public Hearing on Permit Applications at 6:02 PM announcing the meeting open to the public.

ROLL CALL:

The roll was called of the members of the Board of Directors, to wit:

Jon Paul Bouché
Harry Hardman
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit “A” to the Regular Board of Directors Meeting minutes.*

PRAYER AND PLEDGES OF ALLEGIANCE:

President Hardman called on Director Bouché for the opening prayer and Director Spigener to lead the Pledge of Allegiance and the Pledge of Allegiance to the state flag.

PUBLIC COMMENTS:

No comments were received.

Ms. Reiter briefed the Board on permit applications received for the month. Applications for consideration and recommended for possible approval included the below:

1. Montgomery County E.S.D. #8 (RayfordRd)

Applicant is requesting registration of a new well and production authorization in the amount of 150,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

2. Valerie Kerstenbaum Cooper

Applicant is requesting registration of a new well and production authorization in the amount of 25,000 gallons for 2020 and 150,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

3. Ranchcrest Water System

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 26,633,700 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

4. Popular Investments, LLC

Applicant is requesting registration of a new well and production authorization in the amount of 25,000 gallons for 2020 and 170,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

5. MSEC Enterprises (Montgomery Trace WS/Crown Oaks)

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 80,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

6. McKinley Development, Inc.

Applicant is requesting an amendment to an Operating Permit for drilling authorization only. No additional production authorization is being requested at this time. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

7. Aqua Pure (Peach Creek Plantation)

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 6,001,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

8. Four Oaks R.V. Park

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 650,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

9. City of Cut and Shoot

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 22,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

10. Bailey Grove RV Park/Boxwood Management, LLC

Applicant is requesting registration of a new well and production authorization in the amount of 0 gallons for 2020 and 1,200,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

11. Hixson Lumber Sales of Texas, Inc.

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 5,001,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

12. C & R Water Supply Inc (Rogers Road WS)

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 5,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

13. C & R Water Supply Inc (Bee Creek Estates)

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 5,447,900 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

14. Blair Warehouse Park LLC

Applicant is requesting registration of a new well and production authorization in the amount of 50,000 gallons for 2020 and 500,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

15. East Montgomery County Mud 3

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 23,060,250 gallons for 2020 and 68,000,000 gallons for 2021 and

annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

16. Old Houston Storage

Applicant is requesting registration of a new well and production authorization in the amount of 10,000 gallons for 2020 and 320,000 gallons for 2021 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

17. Texas Landing Utilities (Deerwood subd.)

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 1,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

18. Montgomery County MUD #9

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 81,778,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

19. Montgomery County MUD #18

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 76,413,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

20. Montgomery County UD #3

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 21,856,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

21. Montgomery County UD #4

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 33,405,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

22. Lenert Investments, LLC (Magnolia Forest RV Park)

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 1,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

23. Residence RV

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 5,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

24. Westwood North Water Supply

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 7,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

25. Southern Montgomery County MUD

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 100,000,000 gallons for 2020 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

Ms. Reiter reported that there were twenty-five applications for this month. Following Ms. Reiter's report, Director Spigener motioned to approve item #1-#25, as recommended by the General Manager. Director Prykryl seconded. Motion passed.

President Hardman adjourned the public hearing on permit applications at 6:06 PM.

PASSED, APPROVED, AND ADOPTED THIS 8th DAY OF DECEMBER 2020.


Larry A. Rogers, Board Secretary

LONE STAR GROUNDWATER CONSERVATION DISTRICT

November 10, 2020

MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District (“District”) met in regular session, open to the public, held in person in the Lone Star GCD – James B. “Jim” Wesley Board Room located at 655 Conroe Park North Drive, Conroe, Texas, and remotely via the publicly accessible webinar/telephone conference call within the boundaries of the District on November 10, 2020.

CALL TO ORDER:

President Hardman presided and called to order the regular Board of Directors meeting at 6:07 PM, announcing that it was open to the public.

ROLL CALL:

The roll was called of the members of the Board of Directors, to wit:

Jon Paul Bouché
Harry Hardman
Jonathan Prykryl
Larry A. Rogers
Jim Spigener
Stuart Traylor

All members of the Board were present, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".*

PUBLIC COMMENTS:

Mr. John Yoars, resident of The Woodlands, joined the meeting via ZOOM. He had submitted written comments that he wanted included in the meeting minutes. *A copy of the Yoars public comment is attached hereto as Exhibit "B".*

APPROVAL OF THE MINUTES:

President Hardman stated the Board would consider the meeting minutes as listed for approval on today's agenda. Without further discussion, upon a motion by Director Bouché seconded by Director Spigener, the Board approved the meeting minutes as presented.

- a) October 13, 2020, Public Hearing on Permit Applications
- b) October 13, 2020, Regular Board of Directors Meeting
- c) October 20, 2020, Special Board of Directors Meeting

REVIEW OF UNAUDITED FINANCIALS FOR THE MONTH OF OCTOBER 2020;

Ms. Samantha Reiter reported that for the month of October 2020, income was \$165,189 and expenses were \$74,309 resulting in a net income of \$90,880. Year-to-date net income is \$774,595. Total cash was \$1,512,155.

PRESENTATION FROM SCOTT CARLSON, METROPOLITAN WATER, REGARDING THE VISTA RIDGE PROJECT:

Mr. Scott Carlson, President of Metropolitan Water Company of Texas, L.L.C., gave a presentation to the Board of Directors on the Vista Ridge Project. The Vista Ridge Project is a contract between the City of San Antonio and Anegoa Vista Ridge, LLC, and an agreement for a 142-mile pipeline to deliver 50,000 acre-feet of pumped groundwater annually to the City of San Antonio for 30 years. The basis of the project focused on protecting the Edwards Aquifer, drought preparation, and to support the growing demand for water supply throughout San Antonio due to a flourishing population throughout the area.

Mr. Carlson informed the board that the groundwater is provided from the less densely populated Burleson County and pumped from the Carrizo-Wilcox and Simsboro Aquifers. The water pipeline is an important component of San Antonio Water System's 50-year Water Management Plan and supplying the city with 20 percent more water- enough for 162,000 new households. He also stated that there was little resistance from property owners throughout Burleson County, detailing that over 3,400 leases were signed by local individual landowners throughout the area.

RECEIVE LEGISLATIVE COMMITTEE REPORT:

President Hardman apprised the Board that he had been in contact with the offices of Representative Toth, Senator Creighton, Representative Metcalf, Representative Bell, and Senator Nichols. Letters were drafted and signed by President Hardman requesting a meeting with each Legislator, and are prepared to be mailed out by the end of the week.

RECEIVE INFORMATION FROM DISTRICT'S TECHNICAL CONSULTANTS REGARDING SUBSIDENCE STUDIES AND/OR DISCUSSION REGARDING THE SAME:

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

This item is a placeholder in the agenda.

GROUNDWATER MANAGEMENT AREA 14 - UPDATE THE BOARD ON THE ISSUES RELATED TO JOINT PLANNING ACTIVITIES AND DEVELOPMENT OF DESIRED FUTURE CONDITIONS IN GMA 14:

Ms. Reiter, General Manager, informed the Board of Directors that GMA 14 is scheduled to meet on November 18, 2020.

GENERAL MANAGER'S REPORT:

Ms. Samantha Reiter's communicated to the Board that she had spoken to Jim Stinson regarding The Woodlands CORS invoice from October 27th, and that it was expected to be sent in the near future.

GENERAL COUNSEL'S REPORT:

Ms. Reese had no further updates.

EXECUTIVE SESSION:

After a proper and legally sufficient announcement to the public by President Hardman, the Board of Directors recessed into a Closed Executive Session at 6:47 PM pursuant to Texas Government Code, Sections 551.071, to consult with the District's attorney regarding pending or contemplated litigation, settlement offers, personnel matters (§551.074), 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.

RECONVENE IN OPEN SESSION:

Following Executive Session, the Board reconvened in Open Session and President Hardman declared it open to the public at 8:07 PM.

NEW BUSINESS:

No new business.

ADJOURN:

There being no further business, Director Spigener motioned to adjourn the meeting and Director Bouché seconded. The meeting was adjourned at 8:08 PM.

PASSED, APPROVED, AND ADOPTED THIS 8th DAY OF DECEMBER 2020.



Larry A. Rogers, Board Secretary



SIGN IN SHEET

November 10, 2020
Board Meeting

Do you wish to speak on an agenda item?	NAME	CITY, STATE, ZIP	E-Mail	Would you like to receive LSGCD updates & information?
N	Doug Miller	Pinebluff TX 77362	dfw1234@gmail.com	Y
N	TINIA FELKAI	CONROE TX	ON FILE	
N	Webb Melder	conroe	melderbw@aol.com	Y
N	Scott Carlson	Brenham	wsc@metwater.com	Y
N	Michael Sullivan	Conroe	msullivan@bkyengineering.com	N.

Exhibit "A"

COMMENTS FOR LSGCD

November 10,2020

My name is John Yoars, a resident of The Woodlands.

There have been comments at the GMA-14 meetings that the current compaction factors for the Jasper Aquifer have been set at an unreasonable low level and do not accurately reflect the actual drawdown subsidence. The factors understate the drawdown subsidence occurring as the water table is lowered. LSGCD's phase two subsidence study needs to resolve this issue as it could create a much larger subsidence impact from the Jasper Drawdown that LSGCD has proposed in their plans. This could mean a much larger impact from that strategy with the current INTERA estimate of 3 feet plus for some south county areas in the current run D plan. Before we aggressively permit wells to carry out the production of this groundwater plan, we need a peer review of this Jasper compaction data. If that takes longer than the current GMA-14 DFC process allows then LSGCD needs to wait for the peer reviewed findings.

In LSGCD weighing the Property rights factor of the nine factors being considered more heavily than the other eight, I hope that homeowner surface property rights are considered as heavily as water producers under ground water property rights. Texas Water Code Chapter 36.002 1) d supports this as one cannot damage another's property by over pumping ground water. I think this fact elevates the subsidence factor in importance.

I would like to see in one of your Friday evening educational releases a discussion of MAG and TERS. Their appears to be a complete misunderstanding of the TERS volumes and what is reasonably believed to be recoverable from the TERS estimates.

Thank You.