



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

**To be held on Tuesday, May 9, 2023
Lone Star GCD – James B. "Jim" Wesley Board Room
655 Conroe Park North Drive
Conroe, Texas 77303**

NOTICE OF PUBLIC HEARING

TUESDAY, MAY 9, 2023 AT 6:00 P.M.

**PUBLIC HEARING ON PROPOSED ADOPTION OF GROUNDWATER
MANAGEMENT PLAN**

***Held In Person with the option for Public Comment
Remotely by Publicly Accessible Videoconference
(The videoconference opens at 5:45 P.M.)***

DOC# 23-0717
POSTED
05/05/2023 10:28AM
AIRN PREVITI
L. BRANDON STEINMANN, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS
POSTED
05/05/2023 10:28AM
AIRN PREVITI
L. BRANDON STEINMANN, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Presentation and discussion of the District Groundwater Management Plan proposed for re-adoption as required by Chapter 36 of the Texas Water Code and Chapter 356 of the Texas Water Development Board's ("TWDB's") rules contained in Title 30 of the Texas Administrative Code.
4. Public comment on the Groundwater Management Plan proposed for re-adoption.
5. Discussion, consideration, and possible action approving Resolution #23-002 readopting District Groundwater Management Plan.
6. Adjourn.

At the conclusion of the hearing or any time or date thereafter, the proposed Management Plan may be adopted in the form presented or as amended based upon comments received from the public, the TWDB, District staff, attorneys, consultants, or members of the Board of Directors without any additional notice.

The above agenda schedule for the public hearing of the District represent an estimated 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 936/494-3430 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); and deliberation regarding security devices (§551.076). 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 5, 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/ Samantha Stried Reiter

Samantha Stried Reiter, General Manager
Lone Star Groundwater Conservation District



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

*To be held on Tuesday, May 9, 2023
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
(TO BEGIN UPON ADJOURNMENT OF THE ABOVE-LISTED PUBLIC HEARINGS)**

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. T & W Water Services (Falls of Wildwood) dba Blue Topaz Utilities, for a proposed amendment to OP-07092801-CHEV, increase of 0.4 mg annually, 14619 Majestic Oaks, Pinehurst, Public Supply (PWS) use;
 - ii. T & W Water Services (Millers Crossing) dba Blue Topaz Utilities, for a proposed amendment to OP-07092804-CHEV, increase of 2.5 mg annually, 9030 Miller Rd, Magnolia, Public Supply (PWS) use;
 - iii. T & W Water Services (Old Mill Lake) dba Blue Topaz Utilities, for a proposed amendment to OP-07092805-CHEV, increase of 6.2 mg annually, 14614 Fisher Cove, Pinehurst, Public Supply (PWS) use;
 - iv. T & W Water Services (Thousand Oaks) dba Blue Topaz Utilities, for a proposed amendment to OP07092806-CHEV, increase of 10 mg annually, 33301 Acorn Ct, Magnolia, Public Supply (PWS) and Commercial use;
 - v. T & W Water Services (Grand Harbor/Gemstone) dba Blue Topaz Utilities, for a proposed amendment to OP-07092802-JSPR, increase of 15 mg annually, 11814 Grand Harbor Blvd, Montgomery, Public Supply (PWS) use;
 - vi. Woodland Oaks Utility Co. Inc., for a proposed amendment to OP02-0004-CHEV, increase of 35 mg annually, 33193 Wedgwood Dr., Magnolia, Public Supply (PWS) and Commercial use;
 - vii. Kim Hoang Tran, for a proposed amendment to OP-11012402-CHEV, increase of 0.45 mg annually, 18270 FM 2090, Conroe, Public Supply and Commercial use;



- viii. Montgomery County MUD #83, for a proposed amendment to OP-04042802-CHEV, increase of 40 mg annually, 20806 Sausalito Lane, Porter, Public Supply (PWS) and Irrigation use;
- ix. Old Mill Lake Subdivision, for a proposed amendment to OP-04040101-CHEV, Evangeline aquifer well to be drilled at 14756 Anglers Cove, Pinehurst, Irrigation (Pond/Lake Replenishment) use, (Driller of Record: Hildebrandt Drilling LLC);
- x. MJ Pathway Properties LLC, for a proposed amendment to OP-19091801-CHEV, increase of 0.2965 mg annually, 32702 Karen Dr, Magnolia, Public Supply use;
- xi. MHC Lake Conroe West RV, LLC, for a proposed amendment to HUP080-JSPR, 19785 Hwy 105W, Montgomery, change in water use type from Public Supply (PWS) to Irrigation (Pond/Lake Replenishment) use;
- xii. MHC Lake Conroe West RV, LLC, for a proposed amendment to OP-05110402-JSPR, 19785 Hwy 105W, Montgomery, change in water use type from Public Supply (PWS) to Irrigation (Pond/Lake Replenishment) use;
- xiii. THD LLC, for a proposed amendment to OP-19072402-JSPR, increase of 0.3 mg annually, 16781 Old Danville Rd, Willis, Commercial and Irrigation use;
- xiv. TRCH Moore Road (Moore Landing), for a proposed Evangeline aquifer well to be drilled at Approx. 0.28 miles north and 0.28 miles west of the intersection of Moore Rd and Dobbin-Huffsmith Rd., Magnolia, (Lat. 30/11/38 Long 95/38/19), hydrogeological report submitted with application, not to exceed 10.40878 mg annually, Public Supply (PWS) and Irrigation use, (Driller of Record: To Be Determined), and
- xv. Texas Water Utilities Texas Water Utilities, L.P. (Decker Hills/Park Place/Champions Glen), for a proposed amendment to OP03-0018-CHEV, Evangeline aquifer well in aggregate, to be drilled at 28965 FM 2854, Magnolia, hydrogeological report submitted with application, increase of 11 mg annually, Public Supply (PWS) and Commercial use, (Driller of Record: To Be Determined).

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

- i. T & W Water Services (Falls of Wildwood) dba Blue Topaz Utilities, for a proposed amendment to OP-07092801-CHEV, increase of 0.4 mg annually, 14619 Majestic Oaks, Pinehurst, Public Supply (PWS) use;
- ii. T & W Water Services (Millers Crossing) dba Blue Topaz Utilities, for a proposed amendment to OP-07092804-CHEV, increase of 2.5 mg annually, 9030 Miller Rd, Magnolia, Public Supply (PWS) use;
- iii. T & W Water Services (Old Mill Lake) dba Blue Topaz Utilities, for a proposed amendment to OP-07092805-CHEV, increase of 6.2 mg annually, 14614 Fisher Cove, Pinehurst, Public Supply (PWS) use;
- iv. T & W Water Services (Thousand Oaks) dba Blue Topaz Utilities, for a proposed amendment to OP07092806-CHEV, increase of 10 mg annually, 33301 Acorn Ct, Magnolia, Public Supply (PWS) and Commercial use;
- v. T & W Water Services (Grand Harbor/Gemstone) dba Blue Topaz Utilities, for a proposed amendment to OP-07092802-JSPR, increase of 15 mg annually, 11814 Grand Harbor Blvd, Montgomery, Public Supply (PWS) use;
- vi. Woodland Oaks Utility Co. Inc., for a proposed amendment to OP02-0004-CHEV, increase of 35 mg annually, 33193 Wedgwood Dr., Magnolia, Public Supply (PWS) and Commercial use;
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- xii. MHC Lake Conroe West RV, LLC, for a proposed amendment to OP-05110402-JSPR, 19785 Hwy 105W, Montgomery, change in water use type from Public Supply (PWS) to Irrigation (Pond/Lake Replenishment) use;
- xiii. THD LLC, for a proposed amendment to OP-19072402-JSPR, increase of 0.3 mg annually, 16781 Old Danville Rd, Willis, Commercial and Irrigation use;
- xiv. TRCH Moore Road (Moore Landing), for a proposed Evangeline aquifer well to be drilled at Approx. 0.28 miles north and 0.28 miles west of the intersection of Moore Rd and Dobbin-Huffsmith Rd., Magnolia, (Lat. 30/11/38 Long 95/38/19), hydrogeological report submitted with application, not to exceed 10.40878 mg annually, Public Supply (PWS) and Irrigation use, (Driller of Record: To Be Determined), and
- xv. Texas Water Utilities Texas Water Utilities, L.P. (Decker Hills/Park Place/Champions Glen), for a proposed amendment to OP03-0018-CHEV, Evangeline aquifer well in aggregate, to be drilled at 28965 FM 2854, Magnolia, hydrogeological report submitted with application, increase of 11 mg annually, Public Supply (PWS) and Commercial use, (Driller of Record: To Be Determined).

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.

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 5, 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/ Samantha Stried Reiter

Samantha Stried Reiter, General Manager
Lone Star Groundwater Conservation District



NOTICE OF HEARING

TUESDAY, MAY 9, 2023 AT 6:00 P.M.

SHOW CAUSE HEARING ON ENFORCEMENT MATTERS (TO BEGIN UPON ADJOURNMENT OF THE ABOVE-LISTED PUBLIC HEARINGS)

1. Call to Order and Declare Hearing Open to the Public
2. Roll Call
3. Show Cause Hearing for **Angel Texaco**, pursuant to District Rule 12.5
 - A. Show Cause Hearing directing, **Angel Texaco** ("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 remit 2023 annual water use fees 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 **Angel Texaco** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 5.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 5.A.2., and taking all other enforcement action described in Agenda Item No. 5.A.3.
4. Show Cause Hearing for **Chuck Cauthorn**, pursuant to District Rule 12.5
 - A. Show Cause Hearing directing, **Chuck Cauthorn** ("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 remit 2023 annual water use fees 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 **Chuck Cauthorn** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 5.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 5.A.2., and taking all other enforcement action described in Agenda Item No. 5.A.3.

5. Show Cause Hearing for **CKG Services LLC**, pursuant to District Rule 12.5

A. Show Cause Hearing directing, **CKG Services 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) failure to remit 2023 annual water use fees and/or fines associated with timely submission and failure to submit the 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 **CKG Services LLC** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 5.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 5.A.2., and taking all other enforcement action described in Agenda Item No. 5.A.3.

6. Show Cause Hearing for **Dioselina Medina** pursuant to District Rule 12.5

A. Show Cause Hearing directing **Dioselina Medina**, ("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 remit 2022 annual water use fees and/or fines associated with timely submission and failure to submit the 2021 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 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 **Dioselina Medina** 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 **Estate of Rita Biespiel** ("Respondent"), pursuant to District Rule 12.5
- A. Show Cause Hearing for **Estate of Rita Biespiel** 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 remit 2023 annual water use fees and/or fines associated with timely submission and failure to submit the 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 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 **Estate of Rita Biespiel** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 8.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 8.A.2., and Taking all other enforcement action described in Agenda Item No. 8.A.3.
8. Show Cause Hearing for **Falls at Borough Park** ("Respondent"), pursuant to District Rule 12.5
- A. Show Cause Hearing for **Falls at Borough Park** 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 the 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 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 **Falls at Borough Park** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 9.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 9.A.2., and Taking all other enforcement action described in Agenda Item No. 9.A.3.
9. Show Cause Hearing for **Flor Fuentes** ("Respondent"), pursuant to District Rule 12.5
- A. Show Cause Hearing for **Flor Fuentes** 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 the 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 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 **Flor Fuentes** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 10.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 10.A.2., and Taking all other enforcement action described in Agenda Item No. 10.A.3.
10. Show Cause Hearing for **Forest Shadows Pet Resort** ("Respondent"), pursuant to District Rule 12.5
- A. Show Cause Hearing for **Forest Shadows Pet Resort** 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 the 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 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 **Forest Shadows Pet Resort** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 10.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 10.A.2., and Taking all other enforcement action described in Agenda Item No. 10.A.3.

11. Show Cause Hearing for **Jim Fox** ("Respondent"), pursuant to District Rule 12.5

- A. Show Cause Hearing for **Jim Fox** 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 remit 2023 annual water use fees 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 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 **Jim Fox** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 10.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 10.A.2., and Taking all other enforcement action described in Agenda Item No. 10.A.3.

12. Show Cause Hearing for **Popular Investments** ("Respondent"), pursuant to District Rule 12.5

- A. Show Cause Hearing for **Popular Investments** 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 remit 2023 annual water use fees 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 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 **Popular Investments** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 10.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 10.A.2., and Taking all other enforcement action described in Agenda Item No. 10.A.3.
13. Show Cause Hearing for **Sir Kingwood Villas/Villas of Kingwood** ("Respondent"), pursuant to District Rule 12.5
- A. Show Cause Hearing for **Sir Kingwood Villas/Villas of Kingwood** 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 remit 2023 annual water use fees 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 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 **Sir Kingwood Villas/Villas of Kingwood** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 10.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 10.A.2., and Taking all other enforcement action described in Agenda Item No. 10.A.3.
14. Show Cause Hearing for **TDC-DS Company/Valero** ("Respondent"), pursuant to District Rule 12.5
- A. Show Cause Hearing for **TDC-DS Company/Valero** 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 remit 2023 annual water use fees 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 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 **TDC-DS Company/Valero** show cause hearing, including, but not limited to, issuing a cease-and-desist order described in Agenda Item No. 10.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 10.A.2., and Taking all other enforcement action described in Agenda Item No. 10.A.3.

15. Adjourn Show Cause Hearing on Enforcement Matters.

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.



NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS

TUESDAY, MAY 9, 2023 AT 6:00 P.M.

(TO BEGIN UPON ADJOURNMENT OF THE ABOVE LISTED PUBLIC HEARINGS)

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, §551.074 (personnel matters – annual review of General Manager); §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. Discussion, consideration, and possible action approving Resolution #23-003 supporting H.B. 1540, as amended by Representative Will Metcalf.
7. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:
 - a) April 11, 2023, Hearing on Permits
 - b) April 11, 2023, Regular Meeting
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 May 2023 – Samantha Stried Reiter
- B. External Affairs Committee – Jim Spigener, Chair
- 1) Brief the Board on the Committee’s activities since the last regular Board meeting.
 - 2) Discussion, consideration, and possible action on any items related to communications and/or legislative matters pertaining to Lone Star GCD
- C. DFC & Technical Committee – Stuart Traylor, Chair
- 1) Brief the Board on the Committee’s activities since the last regular Board meeting.
 - 2) Discussion, consideration and action regarding the Phase 3 Coring and Monitoring Program.
- D. Rules, Bylaws & Policies Committee – Jim Spigener, 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 regarding the authority of the General Manager to solicit funds for the Subsidence Study
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, permitting 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, election matters 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 May 5, 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/ Samantha Stried Reiter

Samantha Stried Reiter, General Manager
Lone Star Groundwater Conservation District