

BOARD MEETING

May 14 2024

LSGCD

NOTICE OF HEARINGS AND MEETINGS OF THE BOARD OF DIRECTORS OF THE

LONE STAR GROUNDWATER CONSERVATION DISTRICT

To be held on Tuesday, May 14, 2024 Lone Star GCD – James B. "Jim" Wesley Board Room 655 Conroe Park North Drive Conroe, Texas 77303

NOTICE OF PUBLIC HEARING ON PERMIT AND PERMIT AMENDMENT APPLICATIONS

TUESDAY, MAY 14, 2024, 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 for the Operating Permits and/or Meter Exemptions listed in Item 5.
- 5. Discussion, consideration, and possible action on the following Operating Permits and/or Meter Exemptions:
 - i. Heidelberg Materials Southwest Agg LLC (Lessee Porter Ready Mix), for a proposed new operating permit not to exceed 6.635 mg annually, and for proposed well to be drilled at 17146 N Hwy 75, Willis, Industrial and Commercial Use, District Aquifer: Chico/Evangeline (CHEV), (Driller of record: Scott Drilling Inc.); and
 - ii. DGOGMagnoliatx07122023, LLC, for a proposed new operating permit not to exceed 0.6 mg annually, and for a proposed well to be drilled at 24911 Nichols Sawmill Rd., Magnolia, Commercial Use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: To be determined); and
 - iii. Onsite Diesel, for a proposed amendment to OP-22030701-CHEV for increase of 0.04 for annual allocation not to exceed 0.10 mg annually for well located at 12110 FM 2432, Willis, Commercial Use, District Aquifer: Chicot/Evangeline (CHEV); and
 - iv. King Ranch Ag & Turf, for a proposed amendment to OP03-0008C-CHEV for increase of 0.02 for annual allocation not to exceed 0.1075 mg annually for well located at 1650 North Loop 336 East, Conroe, Commercial Use, District Aquifer: Chicot/Evangeline (CHEV); and
 - v. Lennar Homes of Texas Land and Construction, Ltd. dba Friendswood Development Co. (East Montgomery County MUD 13A), for a proposed new operating permit not to exceed 208.7 mg annually, and for 2 proposed wells to be drilled at ½ mile east of intersection of Harrington Dr and SH 242, Conroe, (Lat 30/13/8 Long -95/13/58), and ½ mile east of intersection of Harrington Dr and SH 242, Conroe (Lat 30/13/9 Long -95/13/57), hydrogeological report submitted with application, Public Water Supply (PWS) and Irrigation Use, District Aquifer: Chicot/Evangeline



(CHEV), (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 10, 2024, 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/ Sarah Kouba

Sarah Kouba, General Manager Lone Star Groundwater Conservation District



NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS

TUESDAY, MAY 14, 2024, 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, §551.074 (personnel matters- compensation for General Manager), 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. April 9, 2024, Special Meeting of the Board of Directors
 - B. April 9, 2024, Public Hearing on Permit and Permit Amendment Applications
 - C. April 9, 2024, Regular Meeting of the Board of Directors
- 7. Committee Reports:
 - A. Executive Committee Jim Spigener, Chair
 - 1) Brief the Board on the Committee's activities since the last regular board meeting.
 - B. 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 April 2024 Sarah Kouba, General Manager.

- C. External Affairs Committee Jim Spigener, Chair
 - 1) Brief the Board on the Committee's activities since the last regular board meeting.
- D. DFC & Technical Committee
 - 1) Brief the Board on the Committee's activities since the last regular board meeting Stuart Traylor, Chair
 - 2) Technical Consultants Update Receive updates from Technical Consultants on ongoing projects and/or applicable information Sarah Kouba, General Manager, and/or District's technical consultant(s).
 - 3) Groundwater Management Area 14 update the Board on the issues related to joint planning activities and development of desired future conditions in GMA 14 Sarah Kouba, General Manager, and/or District's technical consultant(s).
 - 4) Discuss, consider and possible action concerning GULF 2023 model update.
- E. Rules, Bylaws & Policies Committee Jim Spigener, Chair
 - 1) Brief the Board on the Committee's activities since the last regular board meeting
- 8. 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. Sarah Kouba, General Manager.
- 9. Discuss, consider and possible action on software contract agreement.
- 10. Discuss, consider and possible action on one-time relocation package for General Manager.
- 11. 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.
- 12. New Business.
- 13. Adjourn.

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/s/ Sarah Kouba

Sarah Kouba, General Manager Lone Star Groundwater Conservation District

May 14th, 2024, Permit Hearing General Manager Recommendations:

1. Heidelberg Materials Southwest Agg LLC (Lessee Porter Ready Mix)

Requesting: Authorization to drill a <u>new Chicot/Evangeline Well</u> under a <u>new Operating Permit</u> (Well system includes 1 proposed well to be located at 17146 N. Hwy 75, Willis)

• Total Permitted if Approved: 6,635,000 gallons from CHEV

Hydro Report: NOT REQUIRED

- Proposed well system to be permitted at 50 GPM (under the 700 GPM hydrogeological report requirement)
- Proposed well follow District Spacing Rules.

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

2. DGOGMagnoliatx07122023, LLC

Requesting: Authorization to drill a <u>new Chicot/Evangeline Well</u> under a <u>new Operating Permit</u> (Well system includes 1 proposed well to be located at 24911 Nichols Sawmill Rd., Magnolia)

• Total Permitted if Approved: 600,000 gallons from CHEV

Hydro Report: NOT REQUIRED

- Proposed well system to be permitted at 22 GPM (under the 700 GPM hydrogeological report requirement)
- Proposed wells follow District Spacing Rules.

<u>Recommendation:</u> Based on a technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

3. Onsite Diesel

<u>Requesting: Amendment</u> to existing CHEV permit for <u>increase in allocation</u> (Well system includes 1 well located at 12110 FM 2432 Willis)

Currently Permitted: 60,000 gallons from CHEV
 Requesting Allocation Change: 40,000 gallons from CHEV
 Total Permitted if Approved: 100,000 gallons from CHEV

Hydro Report: NOT REQUIRED

- Proposed well system to be permitted at 30 GPM (under the 700 GPM hydrogeological report requirement)
- Proposed wells follow District Spacing Rules.

<u>Recommendation:</u> Based on a technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

4. King Ranch Ag & Turf

<u>Requesting</u>: <u>Amendment</u> to existing CHEV permit for <u>increase in allocation</u>
(Well system includes 1 well located at 1650 North Loop 336 East, Conroe)

Currently Permitted: 20,000 gallons from CHEV
 Requesting Allocation Change: 87,500 gallons from CHEV
 Total Permitted if Approved: 107,500 gallons from CHEV

Hydro Report: NOT REQUIRED

- Proposed well system to be permitted at 25 GPM (under the 700 GPM hydrogeological report requirement)
- Proposed wells follow District Spacing Rules.

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

For Board Consideration:

5. Lennar Homes of Texas Land and Construction, Ldt. Dba Friendswood Development Co. (East Montgomery County MUD 13A)

<u>Requesting</u>: Authorization to drill two new Chicot/Evangeline Wells under a new Operating

<u>Permit</u> (Well system includes 2 proposed wells to be located at ½ mile east of intersection of Harrington Dr. and SH242, Conroe)

• Total Permitted if Approved: 208,700,000 gallons from CHEV

Hydro Report: REQUIRED

- Proposed well system to be permitted at 1000 GPM (over the 700 GPM hydrogeological report requirement)
- Proposed well follows District Spacing Rules.

Heidelberg Materials Southwest Agg LLC (Lessee Porter Ready Mix)

Attn: Visham Seunarie 16155 Park Row, Suite 120 Houston, TX 77084 Permit No. OP-24041001-JSPR

Operating Permit

Date of Hearing: 5/14/2024

Request (MG): 6.635

GM Recommendation (MG): 6.635

Water use: Industrial & Commercial

Location: 17146 N Hwy 75, Willis

Well Registration: 2024041005

Depth (ft): 325.0

Diameter (in): 4.0

Recommendation

- 1. **New Permit** Issue a new permit with an allocation of 6,635,000 gallons commencing May 14, 2024 in perpetuity (unless amended or revoked).
- 2. No written opposition was received regarding the proposed permit.
- 3. The permit application is administratively complete.
- 4. Applicant provides water for the concrete ready mix facility.
- 5. Applicant requests 6,635,000 gallons for 2024 and annually thereafter.
- 6. **District Staff Technical Review and Recommendation:** Applicant is requesting registration of and authorization to begin construction on one new Jasper aquifer well which will provide water for lessee Porter Ready Mix. To provide water for a concrete ready mix facility. Applicant is further requesting the issuance of OP-24041001-JSPR with an allocation of 6,635,000 gallons in the Jasper based on 2 connections and approximately 14 employees, trucking staff, 6 days a week. Applicant's batch plant washes down each truck after each load per state requirement. The concrete batch plant has 12 concrete trucks with approximately 14,583 loads a month. District staff has reviewed the information supplied by the applicant. Staff recommends to the General Manager that she recommend the Board approve the request for registration and construction of the new Jasper well, as well as an allocation of 6,635,000 gallons in the Jasper aquifer annually as requested.
- 7. Based on technical review, staff recommends to the General Manager that she recommend approval of that

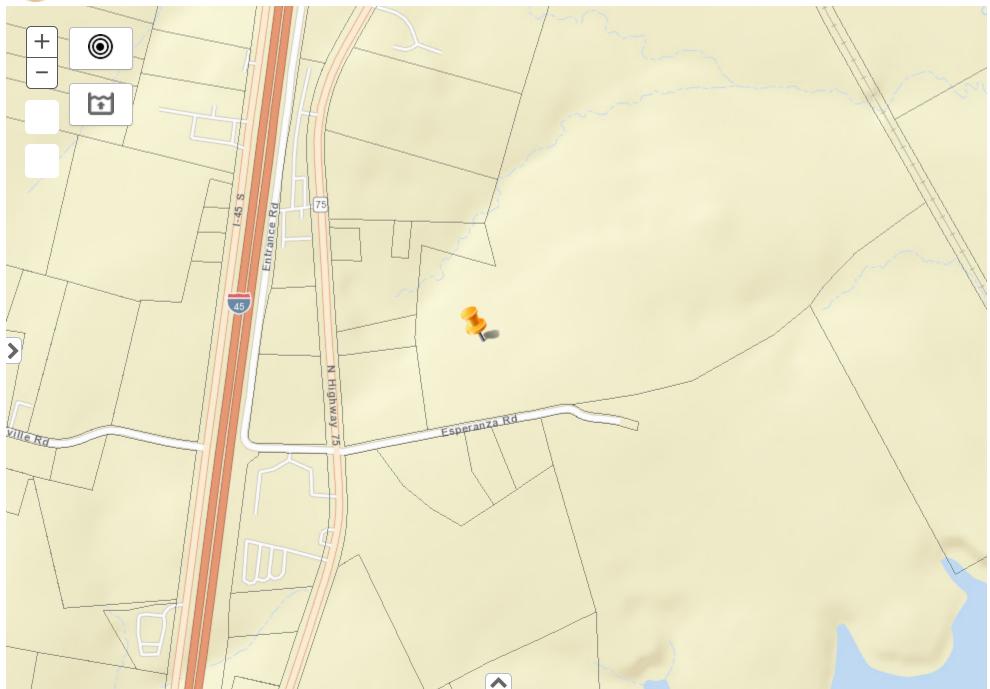
4/11/24, 1:41 PM Lonestar GCD



Lone Star Groundwater Conservation District 655 Conroe Park North Drive, Conroe, TX 77303

Heidelberg Materials Southwest Agg LLC (Lessee Porter Ready Mix) OP-24041001-JSPR 17146 N. Hwy 75, Willis

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DGOGMagnoliatx07122023, LLC

Attn: RB Grisham 1598 Imperial Center, Suite 2001 West Plains, MO 65775 Permit No. OP-24030801-CHEV

Operating Permit

Date of Hearing:

5/14/2024

Request (MG):

0.600

GM Recommendation (MG):

0.600

Water use:

Commercial

Location:

24911 Nichols Sawmill Rd, Magnolia

Well Registration:

2024030802

Depth (ft):

240.0

Diameter (in):

5.0

- 1. **New permit** Issue a new permit with an allocation of 600,000 gallons annually, commencing May 14, 2024 in perpetuity (unless amended or revoked).
- 2. No written opposition was received regarding the proposed permit.
- 3. The permit application is administratively complete.
- 4. Applicant requests 600,000 gallons for 2024 and annually thereafter.
- Applicant will provide water for a Dollar General store.
- 6. **District Staff Technical Review and Recommendation:** Applicant is requesting registration of and authorization to being construction of a new well which will provide water for DGOGMagnoliatx07122023, LLC. Well will provide water for the operation of a Dollar General Store. Applicant is also requesting an allocation of 600,000 gallons in the Evangeline aquifer for 2024 annually based on 1 connection and approximately 100 customers and 4 employees per day, based on 365 operating days a year. Applicant also notes that there will be a 45,400 gallons fire tank on premises, along with one quarter acre of irrigated landscaped area with grass, an ice machine and a kitchen for the employees. District staff has reviewed the information supplied by the applicant. Staff recommends to the General Manager that she recommend the Board approve the request for registration and construction of the new well, as well as an allocation of 600,000 gallons in the Evangeline aquifer annually as requested.
- 7. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

Onsite Diesel

Attn: Brent Nestor 12110 FM 2432 Rd Willis, TX 77378 Permit No. OP-22030701A-CHEV

Amend Operating Permit

Date of Hearing:

5/14/2024

Request (MG):

0.040

GM Recommendation (MG):

0.040

Water use:

Commercial

Location:

12110 FM 2432, Willis

Well Registration:

N/A

Depth (ft):

N/A

Diameter (in):

N/A

- 1. **Amend permit** increase allocation. Permit Terms: commencing May 14, 2024 in perpetuity (unless amended or revoked).
- 2. No written opposition was received regarding the proposed permit.
- 3. The permit application is administratively complete.
- Applicant requests to increase allocation by 40,000 gallons.
- 5. Applicant currently has an OP in the amount of 60,000 gallons. Amount available pending approval of this application equals 100,000 gallons.
- 6. Applicant's reported pumpage for 2024 equals 35,790 gallons.
- 7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-22030701-CHEV with an allocation of 60,000 gallons and one well in the Evangeline aquifer. Applicant currently uses the water to serve 10 employees, washing of 5 vehicles and 5 pieces of heavy equipment on a monthly basis. The usage for 2024 thus far is 35,790 gallons. Applicant is requesting an additional 40,000 gallons annually due to the increasing number of pieces of heavy equipment and the increase in number of times the equipment is required to be washed for proper maintenance. District staff have reviewed the information supplied by applicant. Staff recommends to the General Manager that she recommend the Board approve the allocation increase of 40,000 gallons annually as requested.
- 8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

King Ranch Ag & Turf

Attn: Christopher Maher 3715 S Sam Houston Pkwy E Houston, TX 77047 Permit No. OP03-0008D-CHEV

Amend Operating Permit

Date of Hearing:

5/14/2024

Request (MG):

0.020

GM Recommendation (MG):

0.020

Water use:

Commercial

Location:

1650 North Loop 336 East, Conroe

Well Registration:

N/A

Depth (ft):

N/A

Diameter (in):

N/A

- 1. **Amend permit** increase allocation. Permit Terms: commencing May 14, 2024 in perpetuity (unless amended or revoked).
- 2. No written opposition was received regarding the proposed permit.
- 3. The permit application is administratively complete.
- Applicant requests to increase allocation by 20,000 gallons.
- 5. Applicant currently has an OP in the amount of 87,500 gallons. Amount available pending approval of this application equals 107,500 gallons.
- Applicant's reported pumpage for 2024 equals 24,840 gallons.
- 7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP03-0008C-CHEV with an allocation of 87,500 gallons and one well in the Evangeline aquifer. Applicant currently uses the water to serve 20 employees, washing of 150 pieces of equipment twice a month. The usage for 2024 thus far is 24,840 gallons. Applicant is requesting an additional 20,000 gallons annually due to the increasing number of pieces of equipment to wash on a regular basis and an increase in the number of customers and employees. District staff have reviewed the information supplied by applicant. Staff recommends to the General Manager that she recommend the Board approve the allocation increase of 20,000 gallons annually as requested.
- 8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

Lennar Homes of Texas Land and Construction, Ltd. dba Friendswood Development Co. (East Montgomery County MUD 13A)

Attn: Dan Hayden

3200 Southwest Freeway, Suite 2600

Houston, TX 77027

Permit No. OP-24022001-CHEV

Operating Permit

Date of Hearing:

5/14/2024

Request (MG):

208.700

GM Recommendation (MG):

208.700

Water use:

Location:

Public Water Supply (PWS) / Irrigation

1/2 mile east

1/2 mile east of intersection of Harrington Dr 1/2 mile east of intersection of

and SH 242, Conroe

Harrington Dr and SH 242, Conroe

Lat. 30/13/8 Long. -95/13/58

Lat. 30/13/9 Long. -95/13/57

Well Registration:

2024022001

2024022002

Depth (ft):

500

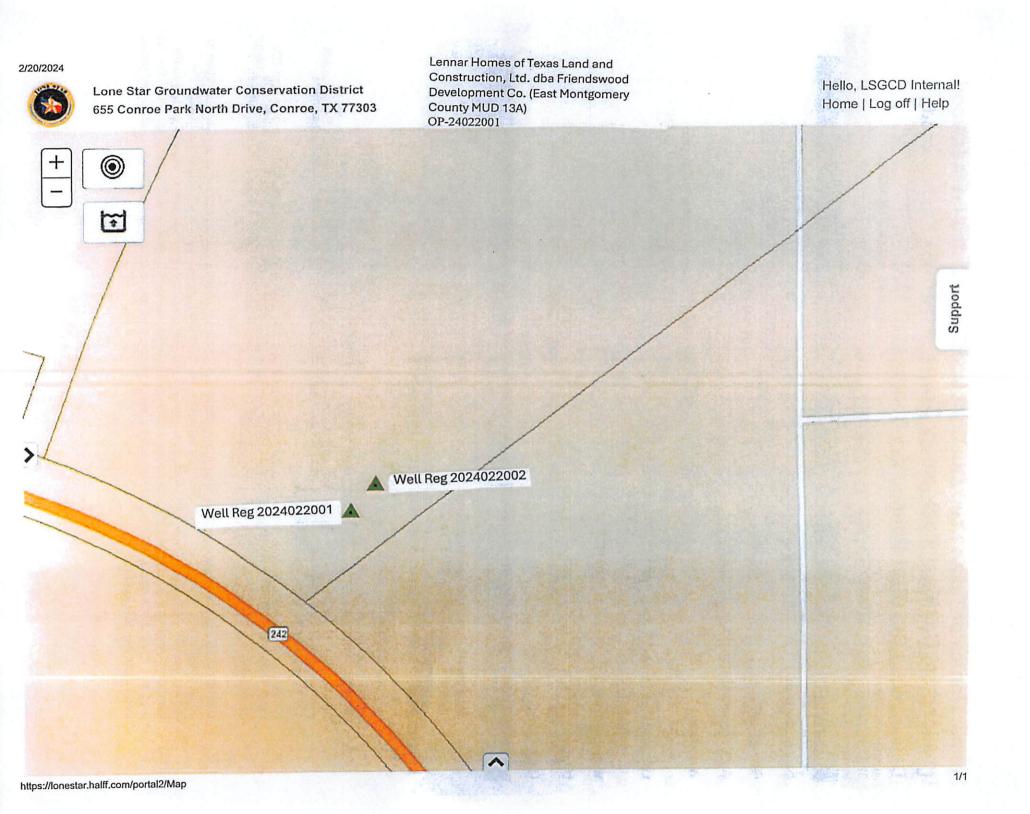
500

Diameter (in):

10

10

- New permit Issue a new permit with an allocation of 208,700,000 gallons annually, commencing May 14, 2024 in perpetuity (unless amended or revoked).
- No written opposition was received regarding the proposed permit.
- The permit application is administratively complete.
- 4. Applicant requests 208,700,000 gallons for 2024 and annually thereafter.
- 5. Applicant will provide water for Lennar Homes of Texas Land and Construction, Ltd dba Friendswood Development Co., (East Montgomery County MUD 13A)
- 6. A hydrogeological report is required due to the maximum GPM of the proposed well system will be greater than 700 GPM. District consultants have reviewed the submitted hydrogeological report and found it to meet the requirements as detailed in the Hydrogeological Report Guidelines.
- 7. District Staff Technical Review and Recommendation: Applicant is requesting registration of and authorization to begin construction on two new wells which will serve a newly developing area. Applicant is further requesting the issuance of OP-24022001-CHEV with an allocation of 208,700,000 gallons in the Evangeline for 2024 and annually thereafter. Applicant is estimating buildout construction of 1069 homes and 60 commercial connections within the next 5 years. Applicant is also estimating and irrigated area of 18.88 acres for newly planted grass and landscaped areas throughout the development.





Memorandum

TO: Ms. Sarah Kouba and Ms. Kirstin Hein, P.G.

Lone Star Groundwater Conservation District

FROM: Mr. Christopher Drabek, P.G. and Mr. James Beach, P.G.

SUBJECT: Lennar Homes of Texas Land and Construction, Ltd. / East Montgomery County

MUD 13A Well 1 and Well 2 Hydrogeological Report Review

DATE: April 24, 2024

Executive Summary

AGS concludes that the modeling approach, parameters and results are reasonable and that the submitted Lennar Homes of Texas Land and Construction, Ltd. / East Montgomery County MUD 13A Well 1 and Well 2 Hydrogeological Report addresses the requirements defined by the Hydrogeological Report Guidelines.

Introduction

On behalf of the Lone Star Groundwater Conservation District (LSGCD, District), Advanced Groundwater Solutions, LLC (AGS) has reviewed the January 9, 2024 Hydrogeological Report prepared by Wet Rock Geological Services, LLC (WRGS) in support of an operating permit for two new proposed public supply wells (Well 1 and Well 2) for Lennar Homes of Texas Land and Construction, Ltd. / East Montgomery County MUD 13A (EMCMUD 13A). The wells are planned to be constructed in the Evangeline Aquifer with a maximum instantaneous pumping rate of 500 gallons per minute (gpm) per well. The proposed annual permitted production from the wells is 208,700,000 gallons (640 acre-feet).

AGS has evaluated the well construction details, hydrogeologic setting, water quality and interference analysis presented in the Hydrogeological Report.

East Montgomery County MUD 13A Water System Wells

Proposed Wells 1 and 2 are anticipated to be constructed screening sands of the Evangeline Aquifer in the depth interval of about 360 to 500 feet. The wells are planned to each have a maximum production rate of 500 gpm.

Well Spacing

LSGCD Rule 3.2(a) states that all new wells (Exempt and Non-Exempt) for which a registration or permit application is filed after the Effective Date may not be drilled within 50 feet of the nearest adjacent property line. The proposed wells are not planned to be located within 50 feet of the nearest property line.



LSGCD Rule 3.3(a)(1) states that for the Chicot/Evangeline Aquifer, new, non-exempt wells shall be spaced from all registered and permitted wells a distance not less than 2 feet multiplied by the maximum allowable pumping rate. The proposed well applications include a maximum instantaneous pumping rate of 500 gpm for each well, which requires a well spacing of 1,000 feet from all LSGCD Chicot / Evangeline registered and permitted wells. The LSGCD database had plotted well 201102002 within 1,000 feet of the proposed wells, however LSGCD staff inspected the well location and determined that the well is not located within the spacing limits of the proposed wells. There are no additional LSGCD permitted or registered wells within 1,000 feet of proposed EMCMUD 13A Well 1 and Well 2.

Hydrogeology

AGS has evaluated the well construction details, hydrogeologic setting and water quality presented in the Hydrogeological Report and generally agrees with the information included within the report.

The WRGS Hydrogeologic Report defines the hydrogeologic sequence of the Gulf Coast Aquifer and states that the Burkeville Confining system acts as the confining zone for the Chicot and Evangeline Aquifers. The target production zone of the proposed wells is confined and based on the estimated lithology presented on Figure 4 of the Hydrogeological Report, there is at about 270 feet of clay between the anticipated top of the first well screen (360 feet) and land surface.

For clarification, the first paragraph of the Site-Specific Hydrogeology discussion on page 9 of 25 in the Hydrogeological Report WRGS references Version 3.01 of the groundwater availability model (GAM) for the northern portion of the Gulf Coast Aquifer System. The GAM version should be Version 1.1 of the Houston Area Groundwater Model (HAGM) (Kasmarek, 2012).

Impact Analysis

WRGS used a groundwater model constructed in Aqtesolv to estimate projected pumping impacts of the proposed wells. Proposed Wells 1 and 2 were simulated at a pumping rate of 500 gpm each for the 24-hour and maximum production scenarios. The length of the WRGS individual proposed well maximum production scenario was 289.8 days, which is based on an allocation of 208,700,000 gallons and a proposed well production rate of 500 gpm. The length of the WRGS water system well simulation was 144.9 days, which is based on an allocation of 208,700,000 gallons and a combined proposed well production rate of 1,000 gpm.

WRGS used aquifer parameter data from the 2012 Houston Area Groundwater Model (HAGM) in the analytical modeling scenarios.

The 2012 Houston Area Groundwater Model (HAGM) includes an Evangeline Aquifer (Layer 2) transmissivity value of about 13,555 gallons per day per foot (gpd/ft)) at the proposed well locations (HAGM Row 52, Column 126). The HAGM Layer 2 storage value is 0.00036 at the proposed well locations in the HAGM model grid.



AGS utilized a Theis based tool to verify impact analysis results provided by WRGS and was able to generally recreate the simulated pumping impacts.

Estimated Long-term Impacts at Proposed East Montgomery County 13A Well 1 and Well 2 Based on the GMA 14 2021 DFC Run

As a way of evaluating potential long-term estimated water level decline at the proposed wells, AGS plotted the simulated water level decline at the proposed well location based on results from the 2021 Groundwater Management Area (GMA) 14 Desired Future Conditions (DFC) water level projections for the Evangeline Aquifer. The water level projections shown on Figure 1 below are from the TWDB approved DFC run. The DFC run includes projected pumping estimates in GMA 14 used by the TWDB to estimate the Modeled Available Groundwater (MAG). The requested EMCMUD 13A production of 208,700,000 gallons (640 acre-feet) is not included in the approved DFC run. The detailed assumptions for the DFC simulation can be found in the GMA 14 Explanatory Report (GMA 14 and Oliver, 2022) and documentation of the TWDB MAG run can be found in GAM Run 21-019 MAG: Modeled Available Groundwater for the Aquifers in Groundwater Management Area 14 (Wade, 2022).

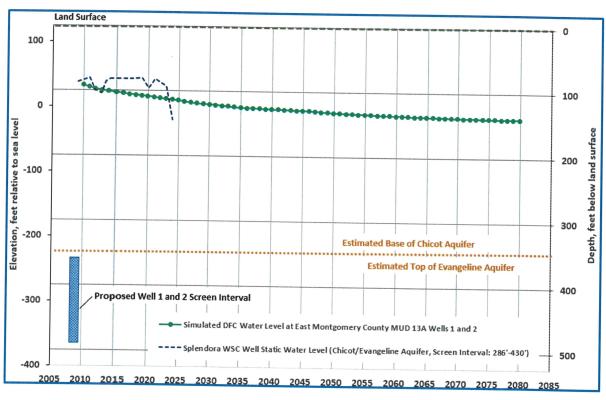


Figure 1. Projected DFC Water Level Change at Proposed East Montgomery County MUD 13A Well 1 and Well 2



The graph illustrates the relationship between the land surface, DFC estimated static water levels through time, approximate proposed well screened interval, and an estimate of the bottom of the Chicot Aquifer / top of the Evangeline Aquifer at the general location of the proposed wells. Available drawdown in the Evangeline Aquifer will generally decline with time based on the DFC projections.

The United States Geological Survey (USGS) measured a static water level in a Splendora Water Supply Corporation (WSC) Well (State Well Number: 60-55-315) at a depth of 145.29 feet on January 11, 2024. This well is located about 4.5 miles to the northeast of the EMCMUD 13A wells and screens sands of the Chicot Aquifer and the upper part of the Evangeline Aquifer in the approximate depth interval of about 286 to 430 feet. Figure 1 includes a plot of the historical static water levels measured by the USGS in the Splendora WSC well.

Conclusions

AGS concludes that the modeling approach, parameters and results are reasonable and that the submitted Hydrogeological Report addresses the requirements defined by the Hydrogeological Report Guidelines.



References

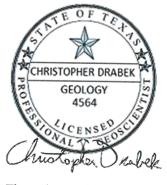
Groundwater Conservation Districts in Groundwater Management Area 14 (GMA 14), and Oliver, W., 2022, INTERA Inc., 2022, Desired Future Conditions Explanatory Report (Groundwater Management Area 14), March 2022, 98+ p.

Kasmarek, M.C., 2012, Hydrogeology and simulation of groundwater flow and land-surface subsidence in the northern part of the Gulf Coast aquifer system, Texas, 1891–2009 (ver. 1.1, December 2013): U.S. Geological Survey Scientific Investigations Report 2012–5154, 55 p.

United States Geological Survey, 2023, Groundwater Levels for Texas, https://nwis.waterdata.usgs.gov/tx/nwis/gwlevels

Wade, S., 2022, GAM RUN 21-019 MAG: Modeled Available Groundwater for the Aquifers in Groundwater Management Area 14, 30 p.

Geoscientist's Seal:



The seal appearing on this document was authorized by Christopher Drabek, P.G. 4564 on 4/24/2024. Advanced Groundwater Solutions, LLC (TBPG Firm Registration No. 50639)

LONE STAR GROUNDWATER CONSERVATION DISTRICT

April 9, 2024

MINUTES THE SPECIAL BOARD OF DIRCTORS MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in a Special Meeting, open to the public and 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 April 9, 2024.

CALL TO ORDER:

President Spigener called to order the Public Hearing on Permit Applications at 4:04 PM announcing the meeting open to the public.

ROLL CALL:

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

Jim Spigener Janice Thigpen Jonathan Prykryl (Virtual) Jon Paul Bouché Garry Dent Stuart Traylor

Six members of the Board were present, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Sarah Kouba, General Manager; Tiffany White, Director of Operations; Kirstin Hein, Permitting Director; Justin Saenz, Education & Conservation Coordinator; Stacey Reese, District General Counsel, and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A"*.

Director Bouché led prayer and Secretary Thigpen lead the United States and Texas pledges.

PUBLIC COMMENTS:

No comments were received.

EXECUTIVE SESSION:

The Board recessed at 4:08 PM into a closed Executive Session pursuant to Texas Government Code, Sections 551.074 to discuss personnel matters and annual review of the General Manager, and 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 hearing posted for today. Vice President Traylor joined the meeting during Executive

Session.

RECONVENE IN OPEN SESSION:

Following Executive Session, the Board reconvened in Open Session and President Spigener declared it open to the public at 5:07PM

DISCUSS, CONSIDER AND POSSIBLE ACTION ON SOFTWARE CONTRACT

President Spigner moved the Board of Directors to authorize general counsel full authority send a response and negotiate a resolution software company consistent with discussion they had in Executive Session. Director Bouché seconded the motion. President Spigner asked if there were any questions from the members of the Board of Directors. There were no questions. President Spigner called for a voice vote, motion passed.

ADJOURN:

There being no further business Vice President Traylor moved to adjourn the meeting and Treasurer Prykryl seconded the motion. President Spigner called for a voice vote, motion carried. The meeting was adjourned at 5:09 PM.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF May 2024.

Janice Th	igpen, Board	Secretary	

LONE STAR GROUNDWATER CONSERVATION DISTRICT

April 9, 2024

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 and 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 April 9, 2024.

CALL TO ORDER:

President Spigener called to order the Public Hearing on Permit Applications at 6:00 PM announcing the meeting open to the public.

ROLL CALL:

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

Jim Spigener Stuart Traylor Janice Thigpen Jon Paul Bouché Kenneth Earnest Garry Dent

Six members of the Board were present, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Sarah Kouba, General Manager; Tiffany White, Director of Operations; Kirstin Hein, Permitting Director; Justin Saenz, Education & Conservation Coordinator; Stacey Reese, District Counsel; Chris Drabek, District Technical Consultant, (virtual); James Beach, District Technical Consultant (virtual); and members of the public. Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".

Vice President Traylor led prayer and Director Dent lead the United States and Texas pledges.

PUBLIC COMMENTS:

No comments were received.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON THE FOLLOWING OPERATING PERMITS and/or METER EXEMPTIONS:

Ms. Hein provided an overview of the six applications listed. Items 1-4 included applications that are considered administratively complete and have been reviewed by District Staff. No hydrogeological reports were required for those items and they comply with District's Spacing Rules. The General Manager has reviewed these applications, and it is her recommendation that the Board grant that which is requested for Items 1-4.

Ms. Kouba provided an overview of Item 5 as the application for a new permit was requesting 93,414,944 gallons annually. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the permit or permit conditions upon approval. A hydrogeological report was not required with the application as the proposed well system to be permitted at 600gpm and follows District Spacing Rules.

Ms. Kouba provided an overview of Item 6 as the application to increase the existing allocation required a hydrogeological report due to the well system capable of producing 700 GPM or greater. AGS reviewed the hydrogeological report and found that the modeling approach and assumptions are reasonable and the submitted hydrogeological report and supplemental materials generally address the requirements defined by the Hydrogeological Report Guidelines.

Director Bouché confirmed if there were any recommendations for Item 5 and 6. Sarah Kouba stated that they had met the requirements of the District Rules, and, while she was recommending Items 1-4, Ms. Kouba was bringing Items 5 and 6 to the attention of the Board.

- i. Lineage Properties, LLC, for a proposed new operating permit not to exceed 0.075 mg annually, and for a proposed well to be drilled at 4010 Pinehurst Meadow, Magnolia, Commercial use, District Aquifer: Evangeline (CHEV), (Driller of record: Ricky Bonds Water Wells); and
- ii. Thriving Botanicals, LLC, for a proposed new operating permit not to exceed 0.548 mg annually for 1 existing well not permitted with the District located at 15195 Willis Waukegan Rd., Cut & Shoot, and 1 proposed well to be drilled at 15195 Willis Waukegan Rd., Cut & Shoot, Irrigation and Commercial use, District Aquifer: Evangeline (CHEV), (Driller of record: Ricky Bonds Water Wells); and
- iii. T.N.M. Corporation, for a proposed amendment to OPAG-22092701-CHEV, increase of 2.253897 mg annually, 18810 Turtle Creek, Magnolia, Irrigation (Agriculture) use, District Aquifer: Evangeline (CHEV); and
- iv. BHOLD Investments, LP, for a proposed amendment to OP-24010802-CHEV for 1 well to be drilled at 3619 Honea Egypt Rd, Montgomery, Irrigation and Commercial use, District Aquifer: Evangeline (CHEV), (Driller of Record: Hildebrandt Drilling, LLC); and
- v. Magnolia Woods MUD 1, for a proposed new operating permit not to exceed 93.414944 mg annually and for 1 proposed Evangeline well to be drilled at 2285 FM 1486, Montgomery, Public Water Supply (PWS) use, District Aquifer: Evangeline (CHEV), (Driller of record: TBD); and

vi. Westwood North Water Supply, for a proposed amendment to OP-05110102G-CHEV, increase of 63.85 mg annually, 406 Macintosh Dr., and 6311 Palmer Court, Magnolia, hydrogeological report submitted with application, Public Water Supply (PWS) and Commercial use, District Aquifer: Chicot (CHEV).

Director Bouché moved to approve Items 1-6 in as much as all items listed have complied with District Rules and Director Dent seconded the motion. No additional discussion, President Spigner called for a voice vote, motion passed.

ADJOURN:

Vice President Traylor moved to adjourn the April 9th, 2024 Public Hearing on Permit Applications and Director Earnest seconded the motion. Motion passed. The meeting was adjourned at 6:06 pm.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF MAY 2024.

Janice Thigpen,	, Board Secretar	y

LONE STAR GROUNDWATER CONSERVATION DISTRICT

April 9, 2024

MINUTES OF REGULAR MEETING

The Board of Directors of the Lone Star Groundwater Conservation District ("District") met in regular session, open to the public and 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 April 9, 2024.

CALL TO ORDER:

President Spigener presided and called to order the regular Board of Directors meeting at 6:06 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:

Jim Spigener Stuart Traylor Janice Thigpen Jon Paul Bouché Kenneth Earnest Garry Dent

Six members of the Board were present, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Sarah Kouba, General Manager; Tiffany White, Director of Operations; Kirstin Hein, Permitting Director; Justin Saenz, Education & Conservation Coordinator; Stacey V. Reese, District Counsel; Chris Drabek, District Technical Consultant (virtual); James Beach, District Technical Consultant (virtual); 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. Bill Beran expressed confusion regarding a statement made by the District in the current Lone Star District Management Plan, questioning its validity based on his interpretation of a TWDB funded study. He referenced the Statewide Survey of Aquifer Suitability for Aquifer Storage and Recovery Projects or Aquifer Recharge Projects from September 2020, suggesting that they contradicted the District's statement on aquifer recharge enhancement included in the Districts Management Plan. He highlighted the importance of considering TWDB and TCEQ's perspectives and inquired about the possibility of the district reconsidering its stance. Mr. Beran advocated for a different approach,

suggesting the conversion of surface water into groundwater.

APPROVAL OF THE MINUTES:

President Spigener stated the Board would consider the meeting minutes as listed for approval on today's agenda. Without further discussion, Vice President Traylor moved to approve the minutes as presented, Director Earnest seconded the motion. President Spigner called for a voice vote, motion passed to approve the meeting minutes as presented.

- March 12, 2024, Public Hearing on Permit and Permit Amendment Applications
- March 12, 2024, Regular Meeting of the Board of Directors

Director Earnest moved to accept the minutes as presented, Vice President Traylor seconded the motion. President Spigner called for a voice vote. Motion passed.

COMMITTEE REPORTS:

A. Executive Committee

1) <u>Brief the Board on the Committee's activities since the last regular board meeting.</u> President Spigner mentioned that the executive committee had not yet met and emphasized the need for a meeting.

A. Budget & Finance Committee

- 1) <u>Brief the Board on the Committee's activities since the last regular board</u> meeting. No updates since the last Board of Directors meeting.
- 2) Review of unaudited financials for the month of March 2024

 Ms. Kouba presented the financial review for March 2024. The income for the month was \$300,547.99, with expenses totaling \$236,087.00, resulting in a net income of \$64,460.99. The year-to-date net income as of March 31st, 2024, amounted to \$319,449.98. Additionally, the total cash on hand as of March 31st, 2024, was \$7,415,189.68.
- 3) Review of 1st Quarter Investment Report 2024 Ms. Kouba provided an update on the district's money market text pull accounts for the first quarter. At the beginning of the quarter, the accounts totaled \$6,883,898.27, and by the end of the quarter, they amounted to \$7,358,034.02. Deposits exceeded withdrawals by \$472,327.60, and the interest earned was \$2,421.15. First Financial Bank has provided safekeeping reports, indicating that all district deposits are adequately covered by their pledged securities.

B. External Affairs Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting President Spigner mentioned that there hasn't been significant activity recently. However, the District did receive a report from its legislative consultants regarding the election. There is uncertainty due to runoff elections in key places, but as of now, there is no clear insight into how these developments might affect the district.

C. DFC & Technical Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting Vice President Traylor mentioned that weekly meetings are ongoing for updates on Phase III. Recently, President Spigener and Vice President Traylor visited the drill site, where Core #17 was completed. Ms. Kouba added that they have now officially completed Core #18 and are proceeding with the next steps for plugging and coordinating with labs.

Additionally, the DFC committee, along with Ms. Kouba and the technical team, continues to discuss Site 1 and plan for Site 2. They are also prepared to advance with the environmental study for the potential Site 2 at SJRA's property.

D. Rules, Bylaws & Policies Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting Ms. Kouba mentioned that they are internally working on potential rule revisions and are in the process of sharpening processes to ensure compliance with current rules by permit holders. This ongoing process is expected to continue throughout 2024, including audits of current permits.

RECEIVE INFORMATION FROM DISTRICT'S TECHNICAL CONSULTANTS REGARDING WATER LEVELS IN GMA 14– JAMES BEACH, P.G., AND CHRIS DRABEK P.G. (ADVANCED GROUNDWATER SOLUTIONS, LLC) DISTRICT'S TECHNICL CONSULTANT(S).

Mr. Drabek explained the process following the completion of the coring at Site 1. Currently, they are conducting geophysical logging and alignment surveys, which is estimated to take a day or two. After receiving the geophysical logs, they will provide them to the laboratory to start coordinating the core analysis. Once this is completed, they will work on plugging the well. President Spigner inquired about the timeframe for completing the plugging, to which Mr. Drabek mentioned they are awaiting confirmation from contractors but anticipate it to be done by the weekend.

DISCUSS, CONSIDER AND POSSIBLE ACTION ON REQUEST TO SUPPORT THE CITY OF CONROE'S REQUEST FOR FEDERAL FUNDING.

President Spigner explained to the Board of Directors the request from the City of Conroe for a letter of support for their federal funding application to replace an aging well. He clarified that there are no strings attached to the letter, and it does not preapprove any actions. Ms. Reese confirmed that the letter simply supports Conroe's application for funding but does not commit the district to anything beyond that. Director Bouché expressed concerns about potential ripple effects, but Ms. Reese assured that there were no commitments beyond the letter of support. President Spigner emphasized that helping Conroe seemed reasonable as long as there are no attached obligations. Ms. Reese acknowledged that she did not specifically research potential implications but offered to look into it further. Director Bouché proposed tabling the discussion until after an executive session to allow for discussion with legal counsel, which was seconded by Director Earnest. Director Dent inquired about the timeframe for Conroe, and Ms. Kouba mentioned a time crunch for their funding application. President Spigner called for a voice vote, and the motion to table passed unanimously until after the executive session.

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

Discuss, consider, and possible action regarding authorization for GMA 14 representative to sign Resolution #24-001 adopting Development of Alternative Groundwater Availability Model. — Sarah Kouba, General Manager, and/or District's technical consultant(s). Ms. Kouba mentioned upcoming meetings, including one on April 27th where the technical consultants will present a timeline for updates related to the Groundwater Management Area (GMA). This timeline will address concerns raised by other GMAs and will be presented to the GMA for consideration. Another potential meeting is on May 14th, coinciding with the district's board meeting day, but the location is yet to be confirmed by the GMA chair, Mr. Martin.

GENERAL MANAGER'S REPORT:

Ms. Kouba provided operational updates, including progress on the full audit of open and active permits, ongoing work on the district website, and efforts in public relations strategy sessions. She also mentioned the completion of the 18th interval at a site and the upcoming appointment of a GRP Committee member representing a Water Supply Corporation. Weekly meetings with technical consultants, legal counsel, and public relation sessions were noted, along with scheduled events such as meetings with SJRA GRP and GMA 14 Technical Consultants. Ms. Kouba also shared upcoming travel plans and a compliment received by the district for outstanding customer service.

GENERAL COUNSEL'S REPORT:

Ms. Reese stated she had nothing to report at this time.

EXECUTIVE SESSION:

The Board recessed at 6:39 PM into a closed Executive Session pursuant to Texas Government Code, Sections 551.074 to discuss personnel matters and annual review of the General Manager, and 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 hearing posted for today.

RECONVENE IN OPEN SESSION:

Following Executive Session, the Board reconvened in Open Session and President Spigener declared it open to the public at 7:32 PM

DISCUSS, CONSIDER AND POSSIBLE ACTION ON REQUEST TO SUPPORT THE CITY OF CONROE'S REQUEST FOR FEDERAL FUNDING.

Director Bouché moved to approve the revised letter of support for the City of Conroe, Vice President Traylor seconded the motion. No discussion. President Spigner called for a voice 04.09.2024 Regular Page 4 of 5

NEW BUSINESS:
No new business

ADJOURN:

There being no further business Vice President Traylor moved to adjourn the meeting and Director Dent seconded the motion. President Spigner called for a voice vote, motion carried. The meeting was adjourned at 7:34 PM.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF May 2024.

Janice Thigpen, Board Secretary

vote, motion passed.

May 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1 Region H Meeting	2 Office closed for safety due to flooding event	3 Office closed for safety due to flooding event	4
5	6	7	8 MUC 19 Meeting 5 PM	9	10	11
12 Mother's Day	13	14 GMA 14 1PM— Brenham. LSGCD Board of Directors Meeting 6PM	15	16	17	18
19	20	21	22	23	24	25
26	27 Memorial Day Office Closed	28	29	30	31	

June 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6 MUD 89 4 PM	7	8
9	10	11 LSGCD Board of Directors Meeting 6PM	12	13	14	15
16 Father's Day	17	18	19 Juneteenth	20	21	22
23	24	25	26	27	28	29
30						