



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

To be held on Tuesday, May 10, 2016

**Lone Star GCD – James B. "Jim" Wesley Board Room 16-0615
655 Conroe Park North Drive
Conroe, Texas 77303**

POSTED
05/05/2016 12:06PM
Rhonda Robey
MARK TURNBULL, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

NOTICE OF MEETING

TUESDAY, MAY 10, 2016, AT 9:00 A.M.

SPECIAL MEETING OF THE DISTRICT BOARD

1. Call to Order and Declare Meeting Open to the Public
2. Roll Call
3. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, 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.

No action will be taken in Executive Session.

4. Re-convene in Open Session
5. Adjourn Special Board Meeting



**NOTICE OF PUBLIC HEARING
OF THE BOARD OF DIRECTORS OF THE
LONE STAR GROUNDWATER CONSERVATION DISTRICT**

NOTICE OF PUBLIC HEARING

TUESDAY, MAY 10, 2016, AT 10:00 A.M.

PUBLIC HEARING ON PERMIT AND PERMIT AMENDMENT APPLICATIONS

1. Call to Order and Declare Hearing Open to the Public
2. Roll Call
3. Receive Permit Hearing Report from General Manager, Any Public Comments or Requests to Contest, and Consider Granting, Denying, or Amending Applications for the following Operating Permits and/or Meter Exemptions – Samantha Reiter
 1. Joy Ride Center Inc., for a proposed well to be drilled at 29550 Tudor Way, Magnolia, not to exceed 0.5 mg annually, Commercial use, (Driller of record: Hildebrandt's Water Wells);
 2. S&W Motors Inc. (Warren Spillers), for a proposed Operating Permit for an unpermitted existing well, at 15328 I-45 South, Conroe, and for 1 proposed well to be drilled at 15328 I-45 South, Conroe, not to exceed 0.156 mg annually, Commercial use, (Driller of record: Ricky Bonds Septic Systems);
 3. Benders Landing Estates POA, for 3 proposed wells to be drilled in aggregate, at 5108 Pine Wood Meadows Ln, 6356 Rayford Rd., and 6111 N. Ossineke Dr., Spring, not to exceed 1.8 mg annually, Irrigation use, (Driller of record: Aqua Star LLC); and
 4. High Meadow Estates POA, for a proposed well to be drilled at 6915 Texas Trace Way, Montgomery, not to exceed 1.44 mg annually, Irrigation use, (Driller of record: Ricky Bonds Septic Systems).
4. Adjourn or continue permit hearing in whole or in part.



NOTICE OF HEARING

TUESDAY, MAY 10, 2016, AT 10:00 A.M.

SHOW CAUSE HEARING ON ENFORCEMENT MATTERS

1. Call to Order and Declare Hearing Open to the Public
2. Roll Call
3. Show Cause Hearing for **Kingscrossing Partners**, pursuant to District Rule 2.5
 - A. Show Cause Hearing directing **Kingscrossing Partners**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) failure to remit 2016 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 the **Kingscrossing Partners** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 3.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 3.A.2., and taking all other enforcement action described in Agenda Item No. 3.A.3.
4. Show Cause Hearing for **Kingwood Propane**, pursuant to District Rule 2.5
 - A. Show Cause Hearing directing **Kingwood Propane**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) failure to remit 2016 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 the **Kingwood Propane** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 4.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 4.A.2., and taking all other enforcement action described in Agenda Item No. 4.A.3.
5. Show Cause Hearing for **James Knowles**, pursuant to District Rule 2.5
- A. Show Cause Hearing directing **James Knowles**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) failure to remit 2016 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 the **James Knowles** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 3.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 3.A.2., and taking all other enforcement action described in Agenda Item No. 3.A.3.
6. Show Cause Hearing for **Magnolia Mobile Home Park**, pursuant to District Rule 2.5
- A. Show Cause Hearing directing **Magnolia Mobile Home Park**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) failure to pay 2016 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 the **Magnolia Mobile Home Park** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 3.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 3.A.2., and taking all other enforcement action described in Agenda Item No. 3.A.3.
7. **Show Cause Hearing for Clayton Homes, pursuant to District Rule 2.5**
- A. **Show Cause Hearing directing Clayton Homes, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to remit 2015 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 **Clayton Homes** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 3.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 3.A.2., and taking all other enforcement action described in Agenda Item No. 3.A.3.
8. **Show Cause Hearing for Houston Grass pursuant to District Rule 2.5**



- A. Show Cause Hearing directing **Houston Grass**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to submit 2015 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 **Houston Grass** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 4.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 4.A.2., and taking all other enforcement action described in Agenda Item No. 4.A.3.
9. Show Cause Hearing for **Juan E. & Gabina Jimenez**, pursuant to District Rule 2.5
- A. Show Cause Hearing directing **Juan E. & Gabina Jimenez**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to submit 2015 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 **Juan E. & Gabina Jimenez** 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.



10. Show Cause Hearing for **Kingwood Propane**, pursuant to District Rule 2.5
- A. Show Cause Hearing directing **Kingwood Propane**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to submit 2015 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 **Kingwood Propane** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and taking all other enforcement action described in Agenda Item No. 6.A.3.
11. Show Cause Hearing for **Magnolia Mobile Home Park**, pursuant to District Rule 2.5
- A. Show Cause Hearing directing **Magnolia Mobile Home Park**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to submit 2015 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 **Magnolia Mobile Home Park** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit



against Respondent in State District Court as described in Agenda Item No. 6.A.2., and taking all other enforcement action described in Agenda Item No. 6.A.3.

12. Show Cause Hearing for **Houston Grass**, pursuant to District Rule 2.5
 - A. Show Cause Hearing directing **Houston Grass**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2015 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
 - 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys' fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
 - 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.
 - B. Consider, discuss, and take action on matters raised in the **Houston Grass** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 3.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 3.A.2., and taking all other enforcement action described in Agenda Item No. 3.A.3.
13. Show Cause Hearing for **Joe Worthy** pursuant to District Rule 2.5
 - A. Show Cause Hearing directing **Joe Worthy**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2015 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
 - 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys fees and court costs



incurred by the District in the prosecution of claims against Respondent for 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 **Joe Worthy** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 4.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 4.A.2., and taking all other enforcement action described in Agenda Item No. 4.A.3.
14. Show Cause Hearing for **RediDrill Energy**, pursuant to District Rule 2.5
- A. Show Cause Hearing directing **RediDrill Energy**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failure to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2015 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
 - 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
 - 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.
- B. Consider, discuss, and take action on matters raised in the **RediDrill Energy** 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.
15. Show Cause Hearing for **Raul Ramirez**, pursuant to District Rule 2.5
- A. Show Cause Hearing directing **Raul Ramirez**, ("Respondent"), pursuant to District Rule 2.5, 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 2.6(c) for failing to submit the Consent Order and/or remit the overproduction fees and fines associated with the 2015 withdrawal of groundwater in an amount which exceeded the specific amount authorized for withdrawal by ten percent (10%) or greater than the authorized amount;
 - 2) file a civil suit against Respondent in State District Court seeking enforcement of District rules and the collection of all due and owing water use fees, late payment penalties, other civil penalties, and attorneys fees and court costs incurred by the District in the prosecution of claims against Respondent for its violations of District Rules; and
 - 3) take all other enforcement action that is necessary and appropriate under the laws of the State of Texas.
- B. Consider, discuss, and take action on matters raised in the **Raul Ramirez** show cause hearing, including, but not limited to, issuing a cease and desist order described in Agenda Item No. 6.A.1., authorizing filing of a civil suit against Respondent in State District Court as described in Agenda Item No. 6.A.2., and taking all other enforcement action described in Agenda Item No. 6.A.3.
16. Adjourn Show Cause Hearing on Enforcement Matters.



**NOTICE OF PUBLIC MEETING
OF THE BOARD OF DIRECTORS OF THE
LONE STAR GROUNDWATER CONSERVATION DISTRICT**

NOTICE OF MEETING

TUESDAY, MAY 10, 2016, AT 10:00 A.M.

REGULAR MEETING OF THE DISTRICT BOARD

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. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:
 - a) March 8, 2016, Regular Board of Directors Meeting
 - b) April 12, 2016, Special Board Meeting
 - c) April 12, 2016, Public Hearing on Permit Applications
 - d) April 12, 2016, Regular Board of Directors Meeting
4. Committee Reports:
 - A. Executive Committee – Richard J. Tramm, Board President
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
 - 2) Defense of the following lawsuit: City of Conroe et al. v. Lone Star Groundwater Conservation District (and the District's directors and general manager in their official capacities)
 - B. Budget and Finance Development Committee – Billy Wood, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
 - 2) Review of monthly financial reports
 - 3) Receive audit presentation for fiscal year 2015 – Jon Watson, CPA; BrooksCardiel, PLLC
 - 4) Discuss, consider, and take action to amend Funds and Assets Management Policy by Resolution #16-005.
 - C. Water Awareness and Conservation Committee – Billy Wood, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
 - 2) Update on water efficiency, conservation efforts – Paul R. Nelson



- 3) Briefing on public outreach activities – James Ridgway
- D. Rules and Regulatory Planning Committee – Jim Stinson, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
- E. Policy and Personnel Development Committee – Richard J. Tramm, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
- F. Findings and Review Committee – Rick Moffatt, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting – Richard J. Tramm
 - 2) Status report on Task 2 and progress update on Task 3 of the Strategic Water Resources Planning Study – John Seifert; LBG Guyton
 - 3) Groundwater Management Area 14 – Update the board on the status of the current desired future conditions development process in GMA 14 – Kathy Turner Jones
- G. Professional Services Review Committee – Rick Moffatt, Chair
 - 1) Brief the Board on the Committee's activities since the last regular Board meeting
5. Engineering Report – Mark V. Lowry
 - 1) Review of monthly engineering status reports
6. 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. – Kathy Turner Jones
7. General Counsel's Report – The District's legal counsel will brief the Board on 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 Regulatory Plan, District Rules, and District Management Plan development or implementation issues; groundwater-related legislative activities; joint planning and desired future conditions development activities; pending litigation involving the District; developments in groundwater case law and submission of legal briefs; contractual issues related to the District; open government, policy, personnel, and financial issues of the District; and other legal activities on behalf of the District. – Brian L. Sledge.
8. Public Comment (Public comment is limited to a maximum of 5 minutes per speaker)
9. New Business



10. 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); 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, 2016, 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.

A handwritten signature in black ink, appearing to read "Kathy Turner Jones", is written over a horizontal line.

Kathy Turner Jones, General Manager
Lone Star Groundwater Conservation District