



**RESCHEDULED (9/14/21 MEETING WAS CANCELLED)
NOTICE OF HEARINGS AND MEETING
OF THE BOARD OF DIRECTORS OF THE
LONE STAR GROUNDWATER CONSERVATION DISTRICT
To be held on Tuesday, September 21, 2021
Lone Star GCD – James B. "Jim" Wesley Board Room
655 Conroe Park North Drive
Conroe, Texas 77303**

**NOTICE OF PUBLIC HEARING POSTED
PERMIT AND PERMIT AMENDMENT APPLICATIONS**
DCC# 21-1444
09/15/2021 03:28PM
MARK TURNBULL, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS
TUESDAY, SEPTEMBER 21, 2021, AT 6:00 P.M.

***In Person Meeting With Option for Public Comment Remotely by
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 and General Manager Permit Hearing Report and Recommendation on Granting, Denying, or Amending Applications for the following Operating Permits and/or Meter Exemptions:
 - i. Willis 830 DTP, LLC, for a proposed well to be drilled at 12140 FM 830, Willis, not to exceed 0.204 mg annually, Commercial use, (Driller of record: Scott Drilling, Inc.);
 - ii. Montgomery County Municipal District No. 100, for 2 proposed wells (previously registered under OP-21070701), to be drilled at 1.25 miles West of I-45/Longstreet intersection, (Lat. 30/26/42 Long. 95/30/39) and North 0.3 miles from Longstreet Rd, (Lat. 30/26/42 Long. -95/30/43), Willis not to exceed 50 mg annually, Irrigation use (Driller of record: To be determined);
 - iii. Sig-Magnolia LP. (future MUD #180), for 2 proposed wells to be drilled at 3200 ft N. from the intersection of FM 1486 & Shady Oaks Blvd., then 160 ft E. from FM 1486, Montgomery, (Lat. 30/17/3 Long. -95/46/13), (Lat. 30/14/4 Long. -95/46/13), not to exceed 190.296984 mg annually, Public Supply (PWS) and Irrigation use, (Driller of record: Bussell and Sons, LLC);
 - iv. Townsend Reserve Ltd. (future MUD #185), for 2 proposed wells to be drilled at 1.3 miles E of FM 2090/Huff Rd. intersection and approximately 1,075 ft due south, Splendora, (Lat. 30/15/1 Long. -95/13/6), (Lat. 30/15/1 Long. -95/13/4), not to exceed 188.667729 mg annually, Public Supply (PWS) and Irrigation use,



- (Driller of record: Bussell and Sons, Inc.);
- v. Conroe WM LLC, for a proposed well to be drilled at 1919 Wood Hollow Dr. Conroe, not to exceed 7 mg annually, Irrigation use, (Driller of record: Ballard Water Well) and
 - vi. Aqua Texas, Inc. (Frontier, Arrowhead), for a proposed amendment to OP-06112801, well to be drilled at approx. 102 feet southwest of intersection of Bill Cody Trail and Wyatt Earp Lane, Willis, (Lat. 30/27/26 Long. -95/28/7), increase of 63.375 mg annually, Public Supply (PWS) use, (Driller of record: Johnston Water Well Service and Drilling).
 - vii. E.F. Early's Bar B Que, for a proposed operating permit not to exceed 0.0351 mg annually, in aggregate to HUP066, 14340 Shepard Hill, Willis, Public Supply use;
 - viii. BHS-Conroe, LLC, for a proposed amendment to OP-16111002, 10670 FM 1484, Conroe, increase of 0.01175 mg annually, Public Supply use;
 - ix. Pat Allison, for a proposed well to be drilled at 14320 FM 1488, Magnolia, not to exceed 0.15 mg annually, Public Supply use, (Driller of record: Ballard Water Well Co LLC);
 - x. Forestar (USA) Real Estate Group Inc. (East Montgomery County MUD 14), for 2 proposed wells to be drilled at 500 ft West of Piney Woods Elementary School on FM 2090 then 330 ft. south, (Lat. 30/15/4, Long -95/12/24) and 350 ft. West of Piney Woods Elementary school entrance on 2090, then 330 foot south, (Lat. 30/15/3, Long -95/12/22), Splendora, not to exceed 191.27 mg annually, Public Supply (PWS) use (Driller of record: Bussell and Sons, LLC); and
 - xi. Montgomery County E.S.D #9 (Station #85), for a proposed Water Meter Exemption well to be drilled at 11015 FM 1485, Conroe, Commercial use, not to exceed 1.0 mg annually, (Driller of record: Weisinger Incorporated).
5. Discussion, consideration, and possible action on the following Operating Permits and/or Meter Exemptions:
- i. Willis 830 DTP, LLC, for a proposed well to be drilled at 12140 FM 830, Willis, not to exceed 0.204 mg annually, Commercial use, (Driller of record: Scott Drilling, Inc.);
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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.



**RESCHEDULED
NOTICE OF HEARING**

TUESDAY, SEPTEMBER 21, 2021, AT 6:00 P.M.

***Held In Person and/or Remotely via a
Publicly Accessible Webinar/Telephone Conference Call
(The webinar & conference call line open at 5:45 P.M.)***

**CONTINUATION OF
SHOW CAUSE HEARING ON ENFORCEMENT MATTERS
(TO BEGIN UPON ADJOURNMENT OF THE ABOVE LISTED HEARING)**

1. Call to Order and Declare Hearing Open to the Public
2. Roll Call
3. Show Cause Hearing for **CWE Utilities** as defined below (collectively, "CWE Utilities" and/or "Respondent"),
 - CWE Utilities &/or owner, operator or manager including without limitation Brent Davis and temporary manager, Harrison Williams, associated with permits HUP057A / OP03-0015C
 - CWE Utilities (Garden West) &/or owner, operator or manager including without limitation Brent Davis and temporary manager, Harrison Williams, associated with permit OP-14081801
 - Drew T. Spencer d/b/a Cypresswood Estates Water System, Davis Irrigation Services, & or holder of CCN No. 12978 which serves Cypresswood Estates Subdivision associated with permits HUP057A / OP03-0015C.
 - Drew T. Spencer d/b/a Cypresswood Estates Water System, Davis Irrigation Services, & or holder of CCN No. 12978 which serves Garden West associated with permit OP-14081801
- A. Show Cause Hearing for CWE Utilities pursuant to District Rule 12.5, to appear before the Lone Star GCD Board of Directors and show cause why the District should not:
 - 1) issue a cease-and-desist order pursuant to District Rule 12.6(c) for failure to remit annual water use fees and/or fines associated with the 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 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 **CWE Utilities** 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. 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.



RESCHEDULED
NOTICE OF REGULAR MEETING OF THE
BOARD OF DIRECTORS

TUESDAY, SEPTEMBER 21, 2021, AT 6:00 P.M.
(TO BEGIN UPON ADJOURNMENT OF THE ABOVE-LISTED PUBLIC HEARINGS)

Held In Person and/or Remotely via a
Publicly Accessible Webinar/Telephone Conference Call
(The webinar & conference call line open 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, §551.071, 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) August 10, 2021, Hearing on Permits Minutes
 - b) August 10, 2021, Show Cause Hearing Minutes
 - c) August 10, 2021, Regular Board of Directors Meeting
7. Committee Reports:
 - A. Budget & Finance Committee – Jim Spigener, 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 August 2021 – Samantha Stried Reiter
- B. Communications Committee – Harry Hardman, Chair
 - 1) Brief the Board on the Committee’s activities since the last regular Board meeting
- C. DFC & Technical Committee – Stuart Traylor, Chair
 - 1) Brief the Board on the Committee’s activities since the last regular Board meeting
- D. Legislative Committee – Harry Hardman, Chair
 - 1) Brief the Board on the Committee’s activities since the last regular Board meeting
- E. Rules, Bylaws & Policies Committee – Larry A. Rogers, Chair
 - 1) Brief the Board on the Committee’s activities since the last regular Board meeting
 - 2) Discuss, consider, and take action on Resolution #21-010 amending the District’s Personnel Policy – Samantha Stried Reiter
8. Presentation by United States Geological Survey (USGS) regarding groundwater studies and programs for Montgomery County – John Ellis/Jason Ramage, USGS
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).
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, and District Management Plan development 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, 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 September 16, 2021, 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