CONFIDENTIAL

Board Meeting

January 14, 2025

LSGCD

DOC# 25-0028
POSTED
01/03/2025 03:47PM
AIRN PREVITI
I, BRANDON STEINHAGEN, COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

LONE STAR GROUNDWATER CONSERVATION DISTRICT
NOTICE OF HEARINGS
1/14/2025

NOTICE IS HEREBY GIVEN to all interested persons within Montgomery County, Texas:
That the Board of Directors of the Lone Star Groundwater Conservation District (LSGCD) will hold hearings on applications for Operating Permits (OP) by the below listed parties, on January 14, 2025 at 6:00 p.m., at the District's office located at 655 Conroe Park North Dr., Conroe, TX 77303.

NOTICE is hereby specifically given to:

1. Jen Texas 35, LLC. (Corolla Road), for a proposed new operating permit OP-24083002-CHEV, not to exceed 12,600,000 gallons annually, and for a proposed well to be drilled at 2968 Corolla Road, Magnolia, Irrigation, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: Bussell & Sons, LLC); and

2. Alfredo Albiter (Old Humble Pipeline Rd.), for a proposed new operating permit OP-24101501-CHEV, not to exceed 3,500,000 gallons annually, and for a proposed well to be drilled at 15491 Old Humble Pipeline Rd., Conroe, Irrigation (Impoundment), District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: Ballard Water Well Co. LLC); and

3. RA Properties, LLC, for a proposed new operating permit OP-24122001-CHEV not to exceed 50,400 gallons annually, to include an existing well located at 13070 S.H 242, Conroe, not previously registered or permitted with the District, Commercial use, District Aquifer: Chicot/Evangeline (CHEV); and

4. T.N.M. Corporation, for a proposed amendment to OPAG-22092701A-CHEV, for an increase of 803,600 gallons, not to exceed 6,003,600 gallons annually, for 2 wells located at 18810 Turtle Creek Ln., Magnolia, Irrigation(Agriculture) use, District Aquifer: Chicot/Evangeline (CHEV); and

5. Montgomery County MUD #170, for a proposed amendment to OP-21070701A-JSPR, for an increase of 50,000,000 gallons annually, not to exceed 100,000,000 gallons annually, for well located at 1.25 miles West of I-45/Longstreet intersection, North 0.3 miles from Longstreet Rd, Willis, (Lat. 30/26/58, Long. -95/30/36), Hydrogeological Report submitted with application , Irrigation and Irrigation (Impoundment), District Aquifer: Jasper (JSPR); and

If granted, the permits requested in the applications above would authorize the permit holder to drill and/or withdraw groundwater from a water well according to the terms and conditions set forth in the permit. If you would like to contest an application for a permit, you must comply with District Rule 12.5 and either appear at the hearing or submit a written Request for Contested Case Hearing that complies with District Rule 12.5 and that must be received by the District prior to the date of the hearing. A person who submits a written Request for Contested Case Hearing who is unable to appear at the hearing on the date and time set forth above must also timely file a motion for continuance with LSGCD demonstrating good cause for the inability to appear. For additional information about a particular permit application or the permitting process, or to obtain a Request for Contested Case Hearing form, please contact the LSGCD at 655 Conroe Park North Dr., Conroe, Texas 77303, or call (936) 494-3436. Blind persons who wish to have this notice read to them may call (936) 494-3436.

END OF AD

Sarah Kouba, General Manager
Lone Star Groundwater Conservation District
655 Conroe Park North Dr., Conroe, TX 77303
(936) 494-3436
(936) 494-3438 (fax)

DOC# 25-0088
POSTED
01/10/2025 01:01PM
Maraena Durrenberger
L. BRANDON STEINMANN
MONTGOMERY COUNTY, T

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

To be held on Tuesday, January 14th, 2025
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, JANUARY 14, 2025, 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 Exemptions listed in Item 5.
5. Discussion, consideration, and possible action on the following Operating Permits and/or Exemptions:

   i. Jen Texas 35, LLC. (Corolla Road), for a proposed new operating permit OP-24083002-CHEV, not to exceed 12,600,000 gallons annually, and for a proposed well to be drilled at 2968 Corolla Road, Magnolia, Irrigation, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: Bussell & Sons, LLC); and

   ii. Alfredo Albiter (Old Humble Pipeline Rd.), for a proposed new operating permit OP-24101501-CHEV, not to exceed 3,500,000 gallons annually and for a proposed well to be drilled at 15491 Old Humble Pipeline Rd., Conroe, Irrigation (Impoundment), District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: Ballard Water Well Co. LLC); and,

   iii. RA Properties, LLC, for a proposed new operating permit OP-24122001-CHEV not to exceed 50,400 gallons annually, to include an existing well located at 13070 S.H 242, Conroe, not previously registered or permitted with the District, Commercial use, District Aquifer: Chicot/Evangeline (CHEV); and

   iv. T.N.M. Corporation, for a proposed amendment to OPAG-22092701A-CHEV, for an increase of 803,600 gallons, not to exceed 6,003,600 gallons annually, for 2 wells located at 18810 Turtle Creek Ln., Magnolia, Irrigation (Agriculture) use, District Aquifer: Chicot/Evangeline (CHEV); and

v. Montgomery County MUD # 170, for a proposed amendment to OP-21070701A-JSPR, for an increase of 50,000,000 gallons annually, not to exceed 100,000,000 gallons annually, for well located at 1.25 miles West of I-45/Longstreet intersection, North 0.3 miles from Longstreet Rd, Willis, (Lat. 30/26/58, Long. -95/30/36), Hydrogeological Report submitted with application , Irrigation and Irrigation (Impoundment), District Aquifer: Jasper (JSPR); and

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 January 10th, 2025 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

DOC# 25-0087
POSTED
01/10/2025 01:01PM
Maraena Durrenberger
L. BRANDON STEINMAN
MONTGOMERY COUNTY,

NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS

TUESDAY, JANUARY 14, 2025, 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, §551.071, 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. December 10, 2024, Special Meeting of the Board of Directors
   B. December 10, 2024, Public Hearing on Permit and Permit Amendment Applications
   C. December 10, 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.
      2) Board President will assign committees and committee chairs.
   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 December in 2024 – Sarah Kouba, General Manager.

3) Review of 4th Quarter Investment Report 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).

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. 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.

10. New Business.

11. Adjourn.

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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 the executive session may be subject to action during an open meeting.

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/s/ Sarah Kouba

Sarah Kouba, General Manager
Lone Star Groundwater Conservation District

Jen Texas 35, LLC. (Corolla Road)

Attn: Tom Woliver
1401 Lake Plaza Dr., Suite 200-158
Sping, TX 77389

Permit No. OP-24083002-CHEV

Operating Permit

Date of Hearing:	1/14/2025
Request:	12,600,000 gallons
GM Recommendation:	12,600,000 gallons
Water use:	Irrigation
Location:	2968 Corolla Road, Magnolia
Well Registration:	2024083002
Depth (ft):	240.0
Diameter (in):	6.0

Recommendation

1. New permit - Issue a new permit with an allocation and authorization to drill one new well in the Chicot/Evangeline aquifer. Permit Terms: commencing January 14, 2025 in perpetuity (unless amended or revoked).

2. No written opposition was received regarding the proposed permit.

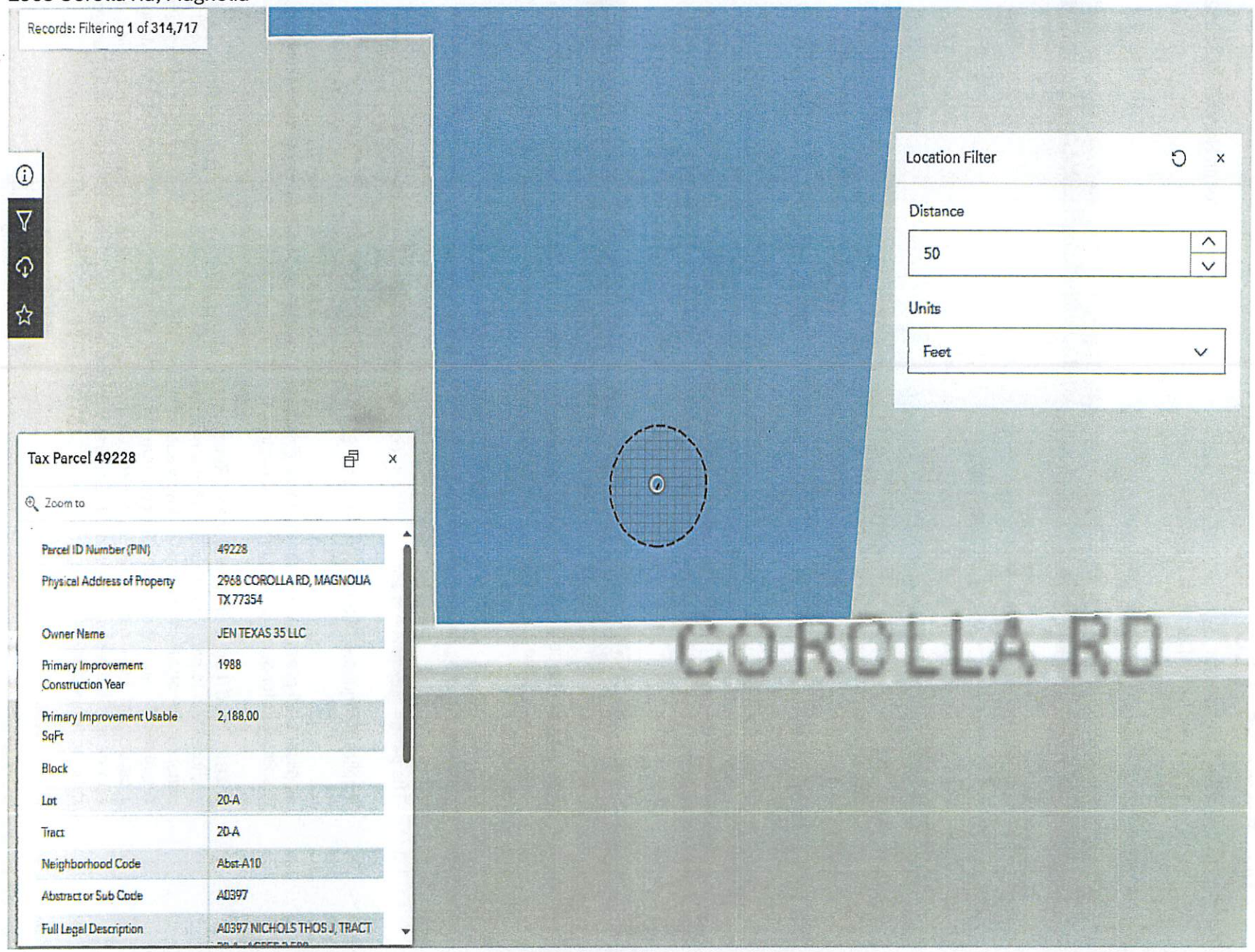
3. The permit application is administratively complete.

4. Applicant requests 12,600,000 gallons for 2025 and annually thereafter.

5. Applicant will provide water for the initial construction stages of Two Step Farm subdivision, including lime stabilization for street paving and dust control.

6. **District Staff Technical Review and Recommendation:** Applicant is requesting registration of and authorization to begin construction of one new well in the Chicot/Evangeline aquifer which will provide water for the beginning stages of a new subdivision of 882 acres. Applicant states the allocation is being requested for lime stabilization for concrete streets and dust control, consisting of 30 truckloads a day, with a capacity of 2,000 gallons per truckload. District staff has reviewed the information supplied by the applicant. Staff recommends to the General Manager that she recommend the Board approve that which is being requested.

Jen Texas 35, LLC. (Corolla Road)
OP-24083002-CHEV
Well Reg 2024083002
2968 Corolla Rd, Magnolia



Alfredo Albiter (Old Humble Pipeline Rd.)

Attn: Alfredo Albiter
15054 Creighton Rd
Conroe, TX 77302

Permit No. OP-24101501-CHEV

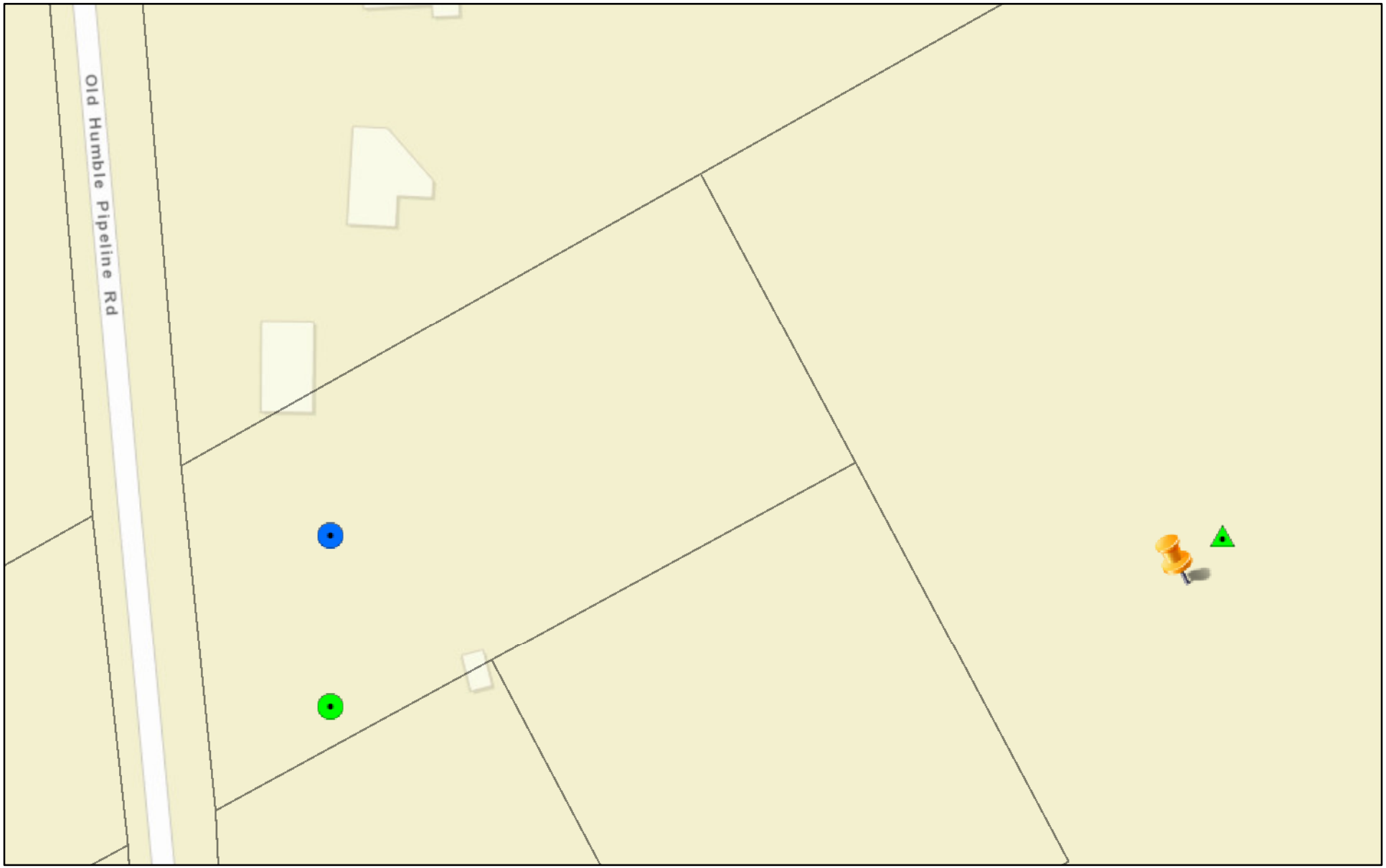
Operating Permit

Date of Hearing:	1/14/2025
Request:	3,500,000 gallons
GM Recommendation:	3,500,000 gallons
Water use:	Irrigation (Impoundment)
Location:	15491 Old Humble Pipeline Rd., Conroe
Well Registration:	2024101501
Depth (ft):	180.0
Diameter (in):	4.0

Information

1. New permit - Issue a new permit with an allocation and authorization to drill one new Chicot/Evangeline well. Permit Terms: commencing January 14, 2025 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 pond fill and pond refill.
5. Applicant requests 3,500,000 gallons for 2025 and annually thereafter.
6. **District Staff Technical Review and Recommendation:** Applicant states that allocation will be utilized to initially fill a pond and to replenish the pond as needed. Applicant further states that the pond will be connected to a drip system to irrigate a 15-acre tree farm. District staff has reviewed the information supplied and recommends to the General Manager that she recommend the Board approve the registration and construction of the new Chicot/Evangeline well, and the requested allocation of 3,500,000 gallons for the Chicot/Evangeline annually.

Alfredo Albiter - Proposed Well 2024101501 @ 15491 Old Humble Pipeline Rd.



December 19, 2024

1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

Coordinate Markers

Halff Associates, Inc.
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Montgomery County MUD #170

Attn: c/o The Muller Law Group/ Attn. Amanda Galvan (MUD Board President)
202 Century Square Blvd.
Sugar Land, TX 77478

Permit No. OP-21070701B-JSPR

Amend Operating Permit

Date of Hearing:	1/14/2025
Request (MG):	50,000,000
GM Recommendation (MG):	50,000,000
Water use:	Irrigation and Irrigation (Impoundment)
Location:	1.25 miles West of I-45/Longstreet intersection, North 0.3 miles from Longstreet Rd, Willis (30/26/58 & -95/30/36)
Well Registration:	N/A
Depth (ft):	N/A
Diameter (in):	N/A

Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 14, 2025 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 to increase allocation by 50,000,000 gallons.
5. Applicant currently has OP-21070701A-JSPR in the amount of 50,000,000 gallons in the Jasper. Amount available pending approval of this application equals 100,000,000 gallons in the Jasper.
6. Applicant's reported pumpage for 2024 equals 42,732,000 gallons.
7. 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.
8. **District Staff Technical Review and Recommendation:** Applicant is requesting an increase in allocation. Applicant uses this allocation for pond make up of three ponds totaling 15 acres, irrigation to a 100-acre golf course and currently irrigating 124.7 acres of the landscaping and grass for phase 1. District staff has reviewed the information supplied by the applicant. District staff have reviewed the information submitted by applicant.

T.N.M. Corporation

Attn: Antonio Garza
1980 Bowler Rd.
Waller, TX 77484

Permit No. OPAG-22092701B-CHEV

Amend Operating Permit

Date of Hearing:	1/14/2025
Request:	803,600 gallons
GM Recommendation:	803,600 gallons
Water use:	Irrigation (Agriculture)
Location:	18810 Turtle Creek Ln., Magnolia
Well Registration:	N/A
Depth (ft):	N/A
Diameter (in):	N/A

Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 14, 2025 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 to increase allocation by 803,600 gallons.

5. Applicant currently has OPAG-22092701A-CHEV in the amount of 5,200,000 gallons. Amount available pending approval of this application equals 6,003,600 gallons.

6. Applicant's reported pumpage for 2024 equals 5,270,600 gallons.

7. **District Staff Technical Review and Recommendation:** Applicant states that this is a developing Nursery and they underestimated the annual allocation necessary to maintain the Nursery during the warmer seasons. Further, 4 greenhouses were added to the property due to business growth. District staff has reviewed the information supplied and recommends to the General Manager that she recommend the Board approve the requested increase of 803,600 gallons in the Chicot/Evangeline aquifer annually.

RA Properties, LLC

Attn: Rob Vantil
111 Gateway Park Place
The Woodlands, TX 77380

Permit No. OP-24122001-CHEV

Operating Permit

Date of Hearing:	1/14/2025
Request:	50,400 gallons
GM Recommendation:	50,400 gallons
Water use:	Commercial
Location:	13070 S. H. 242, Conroe
Well Registration:	2024122001
Depth (ft):	200.0
Diameter (in):	3.0

Recommendation

1. **Existing Well** - Issue a permit commencing January 14, 2025 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 small office.

5. Applicant requests 50,400 gallons for 2025 and annually thereafter.

6. **District Staff Technical Review and Recommendation:** Applicant is requesting registration of an existing Chicot/Evangeline well not previously registered with the District. Well provides water for an office with 2 employees. Staff recommends to the General Manager that she recommend the Board approve the registration of the existing Chicot/Evangeline well and the requested allocation of 50,400 gallons with the condition: Applicant remits water use fees from 2021 to present as specified by District.

7. Meter has already been properly installed.

RA Properties OP-24122001-CHEV

13070 S.H. 242, Conroe

AGS
Advanced Groundwater Solutions, LLC

Memorandum

TO: Ms. Sarah Kouba and Ms. Samantha Branham
Lone Star Groundwater Conservation District

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

SUBJECT: Montgomery County MUD 170 Allocation Increase Hydrogeological Report Review

DATE: January 3, 2025

Executive Summary

The modeling approach and assumptions discussed in the Montgomery County MUD 170 Jasper Aquifer allocation increase Hydrogeological Report are reasonable. The submitted 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 November 14, 2024 Hydrogeological Report prepared by WaterEngineers, Inc. (WEI) in support of an application to amend an operating permit for the Montgomery County MUD 170 (MCMUD 170) – Irrigation Well 1 (Well 1) by increasing the total annual Jasper Aquifer allocation to 100,000,000 gallons (307 acre-feet). Increasing the total annual permitted Jasper Aquifer production from 50,000,000 gallons (153 acre-feet) to 100,000,000 gallons is a 100 percent increase in production.

AGS has evaluated the modeling approach, assumptions, and results discussed presented in the Hydrogeological Report.

Montgomery County MUD 170 Water System Wells

MCMUD 170 Well 1 (LSGCD ID: 2019122003) is constructed with a screened interval of about 580 to 765 feet below ground level (bgl) in the Jasper Aquifer and has a maximum instantaneous pumping rate of about 750 gpm.

A second MCMUD 170 well was permitted (LSGCD ID: 2019122301) and has never been drilled. It is our understanding that drilling approval for Well 2019122301 has expired and that the approval of Well 2019122301 will be removed from the permit.

Impact Analysis

WEI used a groundwater model constructed in Aqtesolv to estimate projected pumping impacts of the proposed allocation increase. The MCMUD 170 well was simulated pumping at the wells maximum instantaneous pumping rate of 750 gpm for the 24-hour and maximum production scenarios. The length of the WEI maximum production scenario is about 93 days, which is based on a proposed allocation of 100,000,000 gallons and a well production rate of 750 gpm.

Aquifer Parameters

WEI used a transmissivity value of about 990 feet squared per day (ft2/day) (7,405 gallons per day per foot (gpd/ft)) and a storage value of 0.025 for the impact analysis.

The 2012 Houston Area Groundwater Model (HAGM) includes a transmissivity value of about 44,857 gpd/ft and a storage value of 0.000347 at the well location within the HAGM model grid (HAGM Row 30, Column 121). AGS plotted the 8-hour pumping test from the time of construction of Montgomery County MUD 170 Well 1 provided by WEI and estimated an aquifer transmissivity value of about 53,300 gpd/ft. The estimated transmissivity based on the well pumping test is close to the HAGM transmissivity of 44,857 gpd/ft found at the well location within the HAGM model grid (HAGM Row 30, Column 121).

The HAGM storage value of 0.000347 found in the proposed well grid cell is most likely closer to the actual Jasper Aquifer storage value in the vicinity of the MCMUD 170 well than the estimated storage value of 0.025 used by WEI. The storage value of 0.000347 is a more conservative estimate than 0.025 and simulations using this value would result in greater drawdown estimates.

Simulation Verification

AGS utilized a Theis drawdown solution to verify the water system well impact analysis results provided by WEI using the aquifer parameters outlined in the Hydrogeological Report (transmissivity of 7,405 gpd/ft and storage value of 0.025). AGS used the parameters outlined above and obtained estimated drawdown values of about 132 feet after 24-hours of pumping and about 185 feet after 93 days of pumping at a distance of 1-foot from the pumping well. There are various methods used to estimate the simulated drawdown at a pumping well and AGS uses a distance of 1-foot from the pumping well.

AGS performed simulations using the WEI transmissivity estimate (7,405 gpd/ft) and the HAGM storage value of 0.000347. Simulated drawdown results for the well simulations increased by about 37 percent in the 24-hour scenario and about 26 percent in the maximum production scenario using a storage value of 0.000347 compared to the simulated drawdown values obtained with a storage value of 0.025.

The AGS simulations competed using the pumping test transmissivity value of about 53,300 gpd/ft and the HAGM storage value of 0.000347 resulted in estimated simulated drawdown values of about 28 feet after 24-hours of pumping and about 36 feet after 93 days of pumping at a distance of 1-foot from the pumping well.

Simulated Long-term Impacts near Montgomery County MUD 170 Well 1 Based on the GMA 14 2021 DFC Run

As a way of evaluating potential long-term estimated water level decline near the proposed well, 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 estimates for the Jasper Aquifer. 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). The simulated water level shown on Figure 1 is from the TWDB approved DFC run for the model gridblock containing the well and associated proposed allocation increase. The DFC run includes simulated pumping estimates in GMA 14 used by the TWDB to estimate the Modeled Available Groundwater (MAG). The requested Montgomery County MUD 170 allocation increase to 100,000,000 gallons is not included in the approved DFC run. This figure is included to provide perspective regarding simulated and actual water levels and available drawdown in the vicinity of the proposed wells and should not be considered as a statement or projection of Desired Future Conditions for LSGCD or GMA 14.

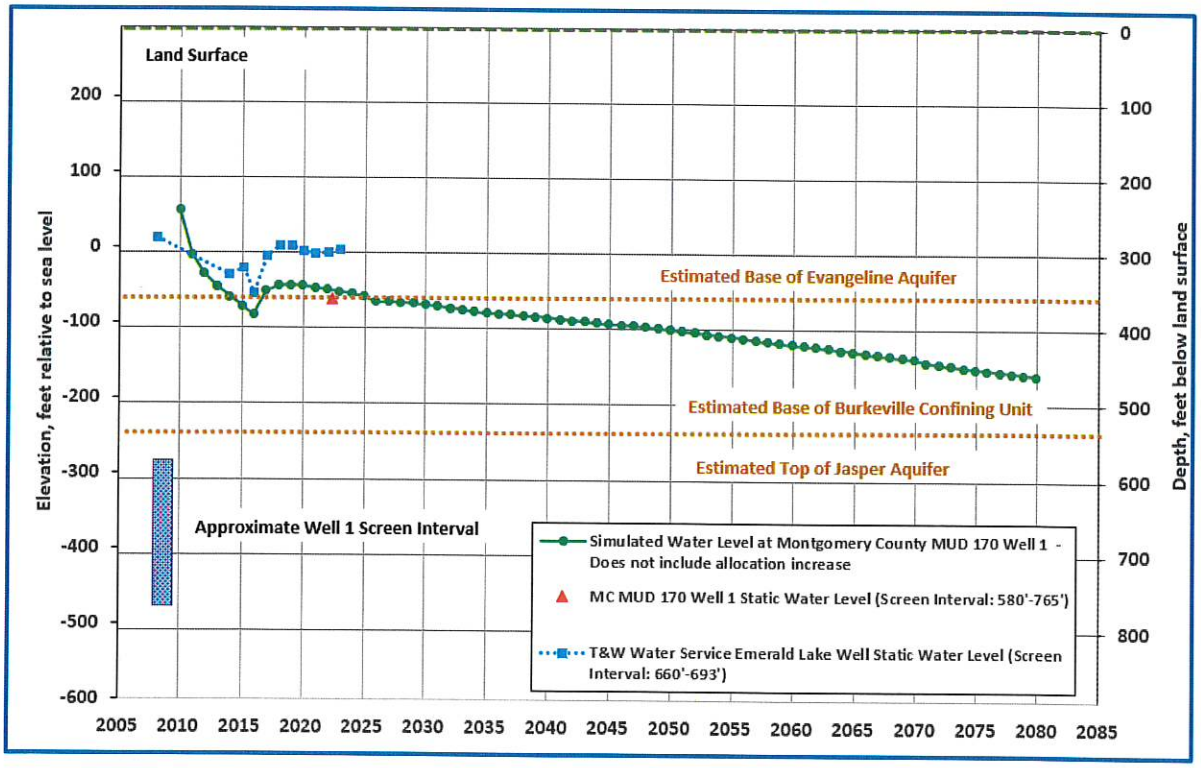


Figure 1. Simulated Water Level Change near Montgomery County MUD 170 Well 1 based on GAM Run 21-019 MAG.

Figure 1 illustrates the relationship between the land surface, simulated water levels through time, approximate well screened interval, and an estimate of the top / bottom of the hydrogeologic units in the general vicinity of MCMUD 170 Well 1. Available drawdown in the Jasper Aquifer is simulated to decline with time in the vicinity of MCMUD 170 Well 1 based on the GAM Run 21-019 MAG.

MCMUD 170 Well 1 had a measured static water level of about 361 feet at the time of construction in June 2022.

The United States Geological Survey (USGS) measured a static water level in the T&W Emerald Lake well (60-37-417, LSGCD ID: 2004072949) at a depth of 295.38 feet on January 17, 2023. The T&W Emerald Lake well is located about 1 mile to the east-northeast of the MCMUD 170 well and screens the Jasper Aquifer in the depth interval of about 660 to 693 feet. Figure 1 includes a plot of the historical static and pumping water levels measured by the USGS in T&W Emerald Lake well.

Conclusions

The modeling approach and assumptions discussed in the MCMUD 170 Jasper Aquifer allocation increase Hydrogeological Report are reasonable. The submitted Hydrogeological Report addresses the requirements defined by the Hydrogeological Report Guidelines.

References

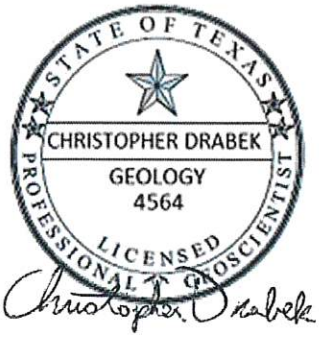
Groundwater Conservation Districts in Groundwater Management Area 14 (GMA 14), and Oliver, W., 2022, INTERA Inc., 2022, Desired Future Conditions Explanatory Report (Groundwater Management Area 14), March 2022, 98+ p.

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, 2024, 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 1/3/2025.
Advanced Groundwater Solutions, LLC (TBPG Firm Registration No. 50639)

Outlook

Re: Request: Clarification on Hydrogeologic Reports

From Info <info@lonestargcd.org>
Date Wed 12/18/2024 12:19 PM
To Joe Higgs <joe@higgs-tx.com>

Good day,

Thank you. Your request for clarification has been received.

Samantha Branham
Permitting Manager

Lone Star Groundwater Conservation District
655 Conroe Park North
Drive
Conroe, Texas 77303
Phone 936.494.3436
Fax 936.494.3438
www.lonestargcd.org

"Some people feel the rain and others just get wet."

From: Joe Higgs <joe@higgs-tx.com>
Sent: Wednesday, December 18, 2024 8:16 AM
To: Info <info@lonestargcd.org>
Subject: Re: Request: Clarification on Hydrogeologic Reports

I appreciate your response. And, welcome to your new position - I'm sure you are buried coming up to speed.

This concerns me as one of the Board's principles is to use the best science. As principles are to be immutable, this leaves the perception that this is not a principle but something else.

There are other concerns with this choice.

I have viewed most of the available Board meetings and do not recall seeing this topic, choosing the older HAGM, reviewed with the Board.

I would be interested if you can identify the Board meeting and provide a copy of the presentation materials.

--

Thanks!

"Regarding general business processes and software development: Don't recreate the wheel. Take someone else's wheel and innovate around it." - Higgs

"Egoism: quoting yourself in public" -- J.A Higgs

On 12/16/24 16:45, Info wrote:

> Good day Joe,
>
> Thank you for your inquiry regarding our use of the 2012 Houston AGM for our hydrogeological reports.
>
> The Lone Star Groundwater Conservation District (LSGCD) Hydrogeological Report Guidelines continue to reference the 2012 Houston Area Groundwater Model (HAGM) as the hydrogeologic structure and aquifer properties within the HAGM continue to be reasonable approximations of these values within Montgomery County.
>
> The Gulf23 model implements a new approach to the delineation of the water bearing units of the Gulf Coast Aquifer System that differs from the historical approach that is based on practical hydrogeology and has been used by groundwater professionals for decades in Montgomery and surrounding counties. LSGCD's well registration and permitted groundwater production is classified by aquifer and is based on the historical hydrogeologic aquifer structure. The aquifer structure of the Gulf23 model can place a well in an aquifer that is different from the LSGCD permitted aquifer.
>
> Gulf23 aquifer properties, such as transmissivity, can differ greatly from values obtained during aquifer field testing. This can be a common occurrence with the Gulf23 Jasper Aquifer transmissivity values within

Montgomery County. While the HAGM is not perfect in this regard, the aquifer transmissivity values adequately approximate the values obtained during aquifer field testing.

Should you have any additional questions, please advise and I will get with Tiffany White in scheduling a meeting with Sarah Kouba if needed.

Samantha Branham
Permitting Manager

Lone Star Groundwater Conservation District
655 Conroe Park North Drive
Conroe, Texas 77303
Phone 936.494.3436
Fax 936.494.3438
www.lonestargcd.org

"Some people feel the rain and others just get wet."

From: Joe Higgs <joe@higgs-tx.com>
Sent: Wednesday, December 11, 2024 7:14 AM
To: Info <info@lonestargcd.org>
Subject: Request: Clarification on Hydrogeologic Reports

I have noticed that AGS is using the 2012 Houston Area Groundwater Model rather than the more recent 2023 Gulf Coast Groundwater Availability Model.
Is there a reason for this?
--

--

Thanks!

"Regarding general business processes and software development: Don't recreate the wheel. Take someone else's wheel and innovate around it." - Higgs

"Egoism: quoting yourself in public" -- J.A Higgs

Outlook

Re: Petition for Rulemaking: Recommended Changes to the District Rules, Section 3 Spacing and Location of Wells

---

From Info <info@lonestargcd.org>
Date Wed 12/18/2024 12:22 PM
To Joe Higgs <joe@higgs-tx.com>

Good day,

Mr. Higgs,

Your comment submissions have been received and will be presented to the Board members per District protocol.

Have a Merry Christmas!

Samantha Branham
Permitting Manager

Lone Star Groundwater Conservation District
655 Conroe Park North Drive
Conroe, Texas 77303
Phone 936.494.3436
Fax 936.494.3438
www.lonestargcd.org

"Some people feel the rain and others just get wet."

From: Joe Higgs <joe@higgs-tx.com>
Sent: Saturday, December 14, 2024 10:22 AM
To: Info <info@lonestargcd.org>
Subject: Petition for Rulemaking: Recommended Changes to the District Rules, Section 3 Spacing and Location of Wells

Not really a petition so much as recommended changes per request from the Board chair.
Please forward to the appropriate parties and particularly to Jim Spigener at his request.
SpacingRulesFinal.docx: final copy
SpacingRulesTracked.docx: original version with markup and explanation
MiscAdjustmentsFinal.docx: final copy

MiscAdjustmentsTracked: original version with markup to ensure the balance of the Rules are consistent with the changes

Joe Higgs
3226 Canterbury Lane
Montgomery tx 77356
joe@higgs-tx.com
--

Thanks!

"Regarding general business processes and software development: Don't recreate the wheel. Take someone else's wheel and innovate around it." - Higgs

"Egoism: quoting yourself in public" -- J.A Higgs

Reviewed “Rules of the Lone Star Groundwater Conservation District”, adopted 8 Sep 2020, amended 8 Jun 2022.

This document contains miscellaneous adjustments necessary for proposed Section 3 to be consistent with the balance of the District Rules.

It also contains additions to cover a requirement for SJRA denial of surface water in advance of submitting for a permit from the LSGCD. This complies with the TWDB bias for surface water usage.

SECTION 2 WELL REGISTRATIONS AND PERMITTING

Rule 2.1 General Provisions Applicable to Registrations and Permits

(a) No person ~~may~~shall:

Added to ensure compliance with TWDB bias for using surface water first. Require every request for wells and well work to go through the SJRA as a request for surface water. If denied, then proved that denial as part of a permit request..

(7) submit a permit for approval, whether new well, workover, recompletion or replacement, unless a request for surface water from the San Jacinto River Authority has been denied to that person for the same use.

The following element is covered in Section 3.

~~(p) After authorization to drill a well has been granted under the District's registration Rules or a permit, the well, if drilled, must be drilled within thirty (30) feet of the location specified in the permit, and not elsewhere. If the drilling of the well is commenced at any other location than what is provided for in this Rule, the Board may take action to enjoin the drilling activity or operation of the well pursuant to Chapter 36, and these Rules, and the Board may, pursuant to Rules 12.6 and 12.9, order that the well be plugged.~~

Rule 2.6 Application Requirements for Operating Permits

Consider removing the enumerated list of elements required and either refer to an appendix or the web site. This will enable the document to remain current without excessive changes.

(a) ~~Each a~~Applications for an Operating Permit or an Amended Operating Permit ~~must~~shall contain all of the information as ~~set forth below~~depicted on the appropriate District form or web site application. ~~Application forms will be provided on the District's website and can be furnished to the applicant upon request.~~

(1) Applications may be submitted to the District in person, by mail, by fax, or by internet submission.

(2) For well systems, the applicant shall provide the information required in this subsection for each well that is part of the well system.

Added to ensure compliance with TWDB bias for using surface water first. Require every request for wells and well work to go through the SJRA for denial.

-(b) Applications for Operating Permits shall be accompanied by a request for surface water from the San Jacinto River Authority that has been denied to that person for the same use.

Rule 2.13 _____Replacement Wells and Substantial Alteration of Existing Wells

(a) No person ~~may~~shall substantially alter a well or pump, or replace an existing well, without first having authorization granted from the District~~obtained auth~~.~~orization for such work from the District. Authorization for substantial alterations or replacement wells may only be granted following the submission of an application for such authorization to the District.~~

(b) For replacement wells, all requirements included in Section 2 and Section 3 shall be met and, ~~information submitted in the application must demonstrate to the satisfaction of the General Manager each of the following:~~

(1) the~~ ~~location ~~of the replacement well will~~shall be within fifty feet of the location of the well being replaced; and,

Ensure clarity that replacement is replacement in all respects.

(2) ~~and~~ the well shall be drilled and completed into the same Aquifer at the same depth and screen interval ~~of the District~~ as the well being replaced; and,

(3) the~~The~~ application for registration of a replacement well shall include a diagram of the property that depicts both the proposed replacement well and the well being replaced, and any other structures on the property; and, ~~-~~

Part of the requirements in Sections 2 and 3, not necessary to repeat.

~~(deleted) the replacement well will not be located any closer to any other registered or permitted well or authorized well site than the well being replaced, unless the new location complies with the minimum spacing and location requirements of these Rules;~~

(4) the replacement well and pump ~~will~~shall not be larger in size or designed capacity than the well and pump being replaced; and,

(5) immediately upon commencing operation of the replacement well, the well owner ~~will~~shall cease all production from the well being replaced and ~~will~~shall begin efforts to plug the well being replaced within ninety (90) days from the date that the replacement well is completed.

Rule 5.3 Standards of Completion for All New Wells

Location requirements are covered in Section 3, no need to repeat.

(c) After the Notice to Proceed or permit has been issued by the District, the well ~~may only be drilled at a location that is within 30 feet of the location specified in the registration and must~~shall be drilled within 120 days following issuance of the Notice to Proceed or permit.

Extension of the time period to drill a well ~~may~~shall be granted at the sole discretion of the General Manager.

Rule 5.5 Sealing or Plugging of Wells

Adjusted for better readability.

(a) The District ~~may~~shall seal wells that are prohibited from withdrawing groundwater by District rules or Board order when the District determines that such action is:

(1) reasonably necessary to assure that a well is not operated in violation of District rules or Board orders, and

(2) the owner has failed to take corrective action following notice from the district.

A well ~~may~~shall be sealed when

(1) no application has been made for a permit to drill a new well;

(2) misrepresentations have been made by the owner, orally or in writing, regarding the well;

(3) the owner has violated any provision of the state law or these Rules;

(4) it is operated at a higher rate of production than the maximum allowable production granted for the well; or,

Same as violation of Rules.

~~(5) deletedthe well was not drilled within thirty feet of the proposed well site specified in the permit; or~~

(5) the Board has denied, ~~cancelled~~canceled, or revoked a permit.

Reviewed “Rules of the Lone Star Groundwater Conservation District”, adopted 8 Sep 2020, amended 8 Jun 2022.

This document contains a recommended replacement for Section 3 with all changes to the original tracked and with explanatory comments.

Section 3 SPACING AND LOCATION OF WELLS

Rule 3.1 Spacing and Location of Existing and Planned Wells

Adjusted for readability.

~~(a) Existing Wells shall be drilled in accordance with state law and the District rules in effect on the date such drilling commenced or the Administratively Complete registration or permit application was filed, are exempt from the spacing, location and completion requirements of these Rules to the extent they were drilled lawfully. The owner of a well or well system for which significant plans or funding related to the drilling thereof have been developed prior to the Effective Date may submit evidence to the District in order for the District to consider whether the well or well system qualifies under Rule 3.1 for spacing purposes only.~~

(a) Existing Wells: All are exempt from Section 2 and Section 3 Rules to the extent they were lawfully drilled prior to the Effective Date of these Rules and shall have been drilled in accordance with state law and District rules in effect, if any, on the date:

(1) such drilling commenced, or

(2) the permit to drill was Administratively Complete, or

(3) the permit application was filed.

Moved here from 3.3

(b) Existing Wells that may or may not comply with the spacing requirements set forth in Rule 3.3, and for which a request to replace the well per Rule 2.13 and/or for which a permit amendment is requested that would result in an increase in the Maximum Allowable Pumping Rate, the well spacing regulation in Rule 3.3(a) will be applied. If a requested increase in Maximum Allowable Pumping Rate cannot be granted without violating the applicable well spacing rule, then exceptions per Rule 3.4shall be requested and considered.

(c) Planned Wells or Well Systems: Where significant plans or funding have been developed prior to the Effective Date the owner shall submit evidence to the District for consideration whether the planned well or well system will satisfy Rules 3.2 and 3.3 for spacing purposes only.

Rule 3.2 Spacing Requirement for All New Wells (Exempt and Non-Exempt)

Adjusted for readability and clarity.

(a) Wells ~~for whichAll New Wells (Exempt and Non-Exempt)registration or permit application is filed after the Effective Date may~~shall not be drilled at a surface location within 50 feet of the nearest adjacent property line.

(b) ~~After authorization to drill a well has been granted under the District's registration rules or a permit, t~~The well~~, if drilled, must~~ shall be:

There are other considerations that must be met as well, such as distance from sources of contamination, etc. The way this is phrased may not make that obvious. Perhaps reference Title 16, Part 4, Chapter 76, etc.

(1) drilled within thirty feet of the surface location specified in the permit while still ensuring compliance with 3.2.(a).~~the well is not drilled within 50 feet of the nearest adjacent property line, and not elsewhere~~; and,~~.~~

Ensure that the implied vertical hole drilling is explicit. This may be altered by exception.

(2) drilled such that any completion interval is not within 50 feet of the nearest adjacent property line.

This is all covered in Section 12

~~If the drilling of the well is commenced at any other location than what is provided for in this Rule, the Board may (1) take action to enjoin the drilling activity or operation of the well pursuant to Chapter 36, and these Rules, (2) and the Board may, pursuant to Rules 12.6(c) and 12.9, order that the well be plugged.~~

~~(c) A person who drills a well in violation of the applicable spacing requirements of this Rule may be required to recomplete or reconstruct the well in accordance with the Rules, and may be ordered to plug the well deemed to be in violation.~~

Rule 3.3 Spacing Requirements for All New Non-Exempt Wells

Adjusted for readability, clarity and conciseness.

(a) New~~,~~ non-exempt wells~~-~~ shall be spaced from all registered and permitted wells, whether exempt or non-exempt, completed in the same Aquifer ~~of the District~~ based upon the ~~capacity~~Maximum Allowable Pumping Rate of the proposed ~~new, non-exempt~~ well~~. New, non-exempt wells will be spaced from registered and permitted wells completed in the same Aquifer of the District~~ as follows:

(1) For the Chicot/Evangeline aquifer – ~~new, non-exempt~~ wells shall be spaced ~~from all registered and permitted wells~~ a distance not less than 2.0 feet multiplied by the Maximum Allowable Pumping Rate;

(2) For the Jasper aquifer – ~~new, non-exempt~~ wells shall be spaced ~~from all registered and permitted wells~~ a distance not less than 1.5 feet multiplied by the Maximum Allowable Pumping Rate;

(3) For the Catahoula aquifer – ~~new, non-exempt~~ wells shall be spaced ~~from all registered and permitted wells~~ a distance not less than 1.0 foot multiplied by the Maximum Allowable Pumping Rate;

Handled in 3.2.

~~(b)After authorization to drill a well has been granted under the District's registration rules or a permit, the well, if drilled, must be drilled within thirty (30) feet of the location specified in the permit, and not elsewhere. If the drilling of the well is commenced at any other location than what is provided for in this Rule, the Board may take action to enjoin the drilling activity or operation of the well pursuant to Chapter 36, and these Rules, and the Board may, pursuant to Rules 12.6 and 12.9, order that the well be plugged.~~

Redundant

~~(c) A person who drills a well in violation of the applicable spacing requirements of this Rule may be required to recomplete or reconstruct the well in accordance with the Rules, and may be ordered to plug the well deemed to be in violation.~~

Moved to 3.1

~~(d) Existing Wells that may or may not comply with the spacing requirements set forth in Rule 3.3, and for which a request to replace the well per Rule 2.13 and/or for which a permit amendment is requested that would result in an increase in the Maximum Allowable Pumping Rate, the well spacing regulation in Rule 3.3(a) will be applied. If a requested increase in Maximum Allowable Pumping Rate cannot be granted without violating the applicable well spacing rule, then exceptions per Rule 3.4 may be requested and considered.~~

Rule 3.4 Exceptions to Spacing Requirements

Adjusted for clarity. Consider having the form as an Amendment or reference the web site.

(a) If an exception to the spacing requirements in Rules 3.2 or 3.3 ~~of the District~~ is desired, the well owner ~~a person~~ shall submit an application for Exception.~~on a form provided by the District.~~ The application will include all the information specified in Rule 2.6 and

(1) ~~In the application, the applicant must~~ explain the circumstances justifying an exception to the spacing requirements of the District including certifying that there is no place on the property where the proposed well can be placed that complies with these Rules; and,

(2) ~~, and~~ a boundary survey or sketch, drawn to scale, one inch equaling two-hundred (200) feet. The boundary survey or sketch ~~must~~shall show the property lines in the immediate area and show accurately, to scale, all the registered and permitted wells within the applicable spacing distance under Rule 3.2 or 3.3 of the proposed well site.

Such boundary survey or sketch ~~must~~shall be certified by a person acquainted with the facts who shall state that the facts contained in the application are true and correct.

Not required, handled in 3.4(a)

~~If the proposed well is non-exempt and a person is requesting an exception to the spacing requirements in Rule 3.2 or Rule 3.3, the applicant shall also provide a Hydrogeological Report that meets the requirements of Rule 2.6(b)(15) and the District's Hydrogeological Report Guidelines.~~

Still requires a hydrogeologic report. A review from the perspective of reservoir damage is required. It is not just about interference, though wells that interfere do cause more reservoir damage.

~~(3) deletedIf the well is exemptand a person is requesting an exception to the spacing requirement in Rule 3.2, the applicant is not required to provide a Hydrogeological Report.~~

LSGCD is accountable for the reservoir. Regardless of who owns the wells, a review from the perspective of reservoir damage is required. It is not just about interference, though wells that interfere do cause more reservoir damage. So, no free pass.

(a) ~~(b)deletedAn exception to the applicable spacing requirement shall be automatically granted upon receipt of an application under Subsection (a) that includes evidence and a sworn statement by the owner or well owner, as applicable, that the abutting land or registered and permitted well(s) to which a spacing exception is requested is owned or controlled by the same person as the proposed well.~~

While necessary, it is not sufficient for surrounding owners to waiver a well. LSGCD is accountable for the reservoir. Regardless of surrounding well owner opinions, a review from the perspective of reservoir damage is required. It is not just about interference, though wells that interfere do cause more reservoir damage. So, no free pass.

Rewritten to be more concise and clear.

(b)~~If a~~ All registered and permitted well owners and/or property owners within the applicable spacing distance for which an exception is sought ~~must~~shall:

(1) ~~-~~execute a certified waiver in writing, stating that they do not object to the granting of the exception; or, ~~, the District may proceed, upon notice to the applicant only and without hearing, and take action to grant or deny the exception in full or in part.~~

(2) applicant will notify by mailing notice of the exception request by certified mail, return receipt requested, to all well owners and/or property owners as described.

a. Proof of the mailed notice shall be given to the District by the applicant no less than twenty (20) days prior to the date of the public hearing.

(c) The District shall hold a public hearing for each request of an exception to the spacing requirements.

(1) The District may require any interested person that appears or submits information protesting the spacing exception request to provide additional information for the Board to evaluate the interested person's protest including whether the interested person is within the applicable spacing distance.

~~(d) deleted If an applicant cannot provide signed and notarized waivers from all registered and permitted well owners or all adjacent property owners, as applicable, within the applicable spacing distance, then the applicant must notify all registered and permitted well owners and adjacent property owners, as applicable, within the applicable spacing distance and the District will hold a public hearing for each request of an exception to the spacing requirements.~~

~~An exception may be granted by the Board after written notice has been given by the applicant by mailing notice by certified mail, return receipt requested, to all registered and permitted wells and/or all adjacent property owners, as applicable, located within the minimum required distance from the proposed well site, after a public hearing at which all interested parties may appear and be heard, except as provided in Subsections (b) and (c).~~

~~Proof of the mailed notice shall be given to the General Manager by the applicant no less than twenty (20) days prior to the date of the public hearing on the spacing exception request. If, at any time prior to the public hearing, all registered and permitted well owners and/or adjacent property owners, as applicable, within the applicable spacing distance sign waivers, then the exception will be granted without a public hearing.~~

~~The District may require any interested person that appears or submits information protesting the spacing exception request to provide additional information in order for the Board to further evaluate the interested person's protest including whether the interested person is within the applicable spacing distance.~~

(d) Grounds for granting a spacing exception ~~from a registered or permitted well~~ may include

(1) ~~e~~Evidence that the well proposed in the application will produce groundwater from a different aquifer subdivision than the registered and permitted well(s) within the minimum required distance from the proposed well.

(2) ~~Grounds for granting a spacing exception may include e~~Evidence that the exception is necessary to provide the applicant an opportunity to produce groundwater.

(e) The Board may grant the ~~variance~~exception, deny the ~~variance~~exception, or approve the ~~variance~~exception with terms other than those requested at the noticed Board meeting or any subsequent and appropriately noticed Board meeting.

(1) ~~If the Board approves a spacing exception for a non-exempt well, t~~The Board may grant the exception while limiting the production of the well ~~under the permit to prevent or limit injury to existing well owners or the applicable aquifer or subdivision~~

~~thereof~~. This right to limit production is in addition to the proportional adjustment authority in Rule 6.3.

Ensure an exceptioned well is handled as such for any future changes.

(f) Once a well receives an exception it will be subject to the exception process thereafter.

Outlook

Re: District Rules Recommendations

From Info <info@lonestargcd.org>
Date Tue 2024-12-31 1:45 PM
To Joe Higgs <joe@higgs-tx.com>

Good Afternoon Mr. Higgs,

We would like to thank you for taking the time to reach out and sending in your suggestions for changes or additions to the District Rules. We have received your email and will present it to the Board of Directors as a public comment.

Thank you,

Tiffany White
Director of Operations

Lone Star Groundwater Conservation District
655 Conroe Park North Drive
Conroe, Texas 77303
Phone 936.494.3436
Fax 936.494.3438
www.lonestargcd.org

From: Joe Higgs <joe@higgs-tx.com>
Sent: Tuesday, December 31, 2024 12:49 PM
To: Info <info@lonestargcd.org>
Subject: District Rules Recommendations

Attached find information related to suggestions for changes or additions to the District Rules.
--

--

Thanks!

Joe Higgs
M: 281.236.6737

Go Army! Beat Navy!

"Most folks are as happy as they make up their minds to be." - Lincoln

Additional Comments and Recommendations on LSGCD District Rules for Consideration

See the attached Select District Rules Information.

LSGCD is accountable for stewardship of groundwater resources including such things as drought planning and subsidence management as groundwater-adjacent elements.

Recognizing that this is not just about the recoverable water in the aquifers but equally about preserving the storage and flow properties in those aquifers, there may be some opportunities for improvement in the District Rules.

Here are some possibilities.

Spacing

Scanning across other GCDs and SDs producing from the same aquifers, there should be much less variation in spacing rules than there is. While LSGCD is not accountable for other GCD's Rules, GMA 14 might provide an opportunity to at least align nearby GCDs to a common set of requirements.

LSGCD rules result in substantially smaller spacing for low volume wells than others. This may make sense but none of the other GCDs reviewed save Colorado County allows such close spacing.

While not visible to us now, there may be a future where such tight spacing is discovered to be damaging to the aquifers. It may be preferable to establish some minimum spacing for all wells and then increase that spacing by some geophysical based calculation for higher volume wells.

The worst that would happen under this change is that there may be a few more requests for a spacing exception. That is not a bad thing in that it requires more diligence about the spacing which is warranted due to the damage close spacing can cause.

The multipliers (e.g., MAPRx1, -x1.5, -x2) have no apparent basis in the physical characteristics of the aquifers. It is entirely possible that this arbitrary set of numbers may allow closer spacing than the geophysical characteristics of the aquifers can support.

This deserves some review, using the same geophysical characteristics in the model the GMA will use. In particular, peer reviews with other GCD's geo-scientists to better define a common approach in the aquifers would be a useful course of action. See Interference Testing for more detail.

Interference Testing

There is no provision for well interference testing in LSGCD Rules or any other district reviewed.

Interference between wells will affect producing performance of the affected wells. That is not the issue LSGCD should focus on.

Interference can also lower water levels further than non-interfering wells and can physically damage the aquifer storage and flow characteristics.

This is a critical missing element as the only way to tell if closely spaced wells interfere is to test them. While hydro-geological reports are required to get a spacing waiver, those reports are based on assumptions, estimates and theoretical modeling. Only a test will confirm whether the modeling matches reality for a given well.

Consider adding a rule such that any well where spacing rules are waived be required to perform annual testing for interference at the well owner's expense.

LSGCD will need to define testing parameters, etc.

Other Well Tests

There are no well test requirements at all in the Rules. Some tests to consider:

- mechanical integrity testing after completion, after any well work and periodically
- integrity testing of plugged and abandoned wells
- inter-zone communication testing

Downhole Location Limits

None of the GCDs reviewed defined any limits on downhole location relative to the surface location. Without that any management of the aquifers is assuming the wells are straight holes while there is no data on how far off the surface location the completion intervals may be.

This may not have been an issue to date although there is no date to prove that. Establishing a rule would ensure that slant hole or directional drilling is not done without the District's knowledge and consent.

Said differently, lack of awareness whether wells have been drilled straight does not mean they have been nor does it mean that they will be in the future.

We cannot foresee the future but we can anticipate and attempt to manage it.

Water Export

There was only one GCD among those reviewed that denied any bottled water export using groundwater. Only renewable water supplies should be used for such purposes.

There are numerous examples in recent years where companies have drained and damaged aquifers for this purpose.

Consider adopting a rule that no product containing more than 10% groundwater may be exported from Montgomery County.

Industrial Use

Consider a rule that requires industrial water to come from surface water or reclaimed waste water. Renewable sources are better suited for this purpose leaving groundwater for potable water use.

Subsidence

Consider adopting a clear subsidence goal that aligns with other GCDs producing from the same aquifers or at least with the GMA 14 participants.

While subsidence may arguably not be an issue today in Montgomery County it is a concern when drawing large volumes of fluids from subsurface reservoirs. Just monitoring and participating without a measurable trigger may not meet fiduciary accountabilities.

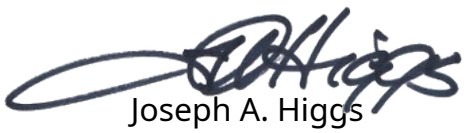
Online Permitting

LSGCD has a $200k project running to develop software for online permitting. That might be not be the best use of rate payer funds for a number of reasons:

- Software development is not a core competency at LSGCD
- Initial investment is never the end of the story
    - Annual adaptive, corrective and perfective investments will be made, generally 25-50% of the initial investment for the first few years after go-live.
    - Hosting costs will continue to increase. If locally hosted, costs for disaster recovery, hardware refresh and third-party software updates will need to be covered.
    - New features will be in constant demand, incurring both more cost and more leadership time to manage

Consider stealing shamelessly from other GCDs, evaluate whatever the Railroad Commission is using and any of the several commercially available software packages that are available. While this may to deliver on the entire wish list, it may certainly deliver more than 50%.

Don’t reinvent the wheel: take an existing wheel and innovate around it.



Joseph A. Higgs
3226 Canterbury Lane
Montgomery, Tx 77494
281.236.6737
joe@higgs-tx.com

Select District Rules Information 12/2024

	Surface Location, ft				Max Allowable Pumping Rate (MAPR)[12]			Spacing, ft			Miscellaneous					
Entity	Allowed Variance from Permit	Distance from Property Line	Distance from Contamination	Distanced from Septic System	Gallons per Minute	Acre feet per year	Million Gallons per Year	Evangeline Chicot	Jasper	Catahoula	Downhole Location Limits[16]	Drought Conditions Rules	Bottled Water Export	Subsidence Rules	Online Permitting	
Tex. Admin. Code 76.100	300	5-1000[1]	50-150[2]	50-100[3]							No	TAC 288[14]	Allowed	TAC 12.565[15]	N/A	
		50			**< 17.36**	<28	<9	150			No					
		200			**17.36 – 50**	28-80	9-26	300			No					
		1000			**> 50**	>80	>26	3000			No					
Lonestar GCD	30	50	TAC 76.100[4]		< 17.36	<28	<9	<35[5]	<26[6]	<17[7]	No	Yes	Allowed	TAC 12.565[15]	No	GMA 14
					17.36 – 50	28-80	9-26	36-100[5]	36-75[6]	36-50[7]	No					
					> 50	>80	>26	>100[5]	>75[6]	>50[7]	No					
Bluebonnet GCD	30	TAC 76.100[4]			TAC 76.100[4]			TAC 76.100[4]			No	TAC 288[14]	Allowed	TAC 12.565[15]	No	
Lower Trinity GCD	50	50	150	50-100	TAC 76.100[4]			TAC 76.100[4]			No	TAC 288[14]	Denied	TAC 12.565[15]	No	
Southeast Texas GCD	50	TAC 76.100[4]			TAC 76.100[4]			TAC 76.100[4]			No	TAC 288[14]	N/A[9]	Yes	No	
Brazoria GCD	30	TAC 76.100[4]			TAC 76.100[4]			TAC 76.100[4]			No	TAC 288[14]	Allowed	TAC 12.565[15]	Yes	
Fort Bend SD	not specified[10]				not specified[10]			undifferentiated			No	TAC 288[14]	Allowed	Yes	Yes	
Harris-Galveston SD	not specified[11]				not specified[10]			undifferentiated			No	TAC 288[14]	Allowed	Yes	Yes	
Colorado County GCD	100	50	150	100	**<=1000**	<=1612	<=526	<1000[13]			No	Yes[17]	Allowed	TAC 12.565[15]	No	
					> 1000	> 1612	>526	>1500[14]								
Coastal Bend GCD	50	TAC 76.100[4]			9-31	**15-50**	5-16	750			No	Yes[17]	Allowed	Yes	No	
					32-62	**51-100**	17-33	1000								
					63-155	**101-250**	34-81	1250								
					>155	**>250**	>81	1500								
Coastal Plains GCD	50	100	TAC 76.100[4]		TAC 76.100[4]			TAC 76.100			No	Yes[17]	Allowed	Yes	No	
Louisiana	not specified		100	50	not specified			undifferentiated			No	No	Denied	Yes		

[1] Adherence not required if located in a GCD
[2] 150’ unless Tex. Admin. Code 76.100(b) procedures are used, then 50’
[3] 100’ unless Tex. Admin. Code 76.100(b) procedures are used, then 50’
[4] Not specified, defaults to 76.100
[5] 2 * MAPR
[6] 1.5 * MAPR
[7] 1 * MAPR
[8] Has no exceptions to spacing rules
[9] Noted as ‘No Longer Applicable’
[10] Defers to Title 6 Subtitle H Chapter 8834 but no specifications there
[11] Defers to Title 6 Subtitle H Chapter 8801 but no specifications there
[12] Bold is actual rule stipulation, others are inferred or calculated
[13] 1 * MAPR
[14] Refers to Regional Water Planning Groups for accountability, Region H has nothing in 2021 plan
[15] Very limited and ineffective
[16] Is the completion interval location limited relative to the surface location
[17] Refers to Regional Water Planning Groups for accountability, Region K 2021 is very complete

Nb: This data has not been fact checked by others

Non-Exempt Wells Spacing Rules

	Surface Location, ft					Spacing, ft									
Entity	Allowed Variance from Permit	Distance from Property Line	Distance from Contamination	Distanced from Septic System	Maximum Flow Rate, gpm	Evangeline Chicot	Jasper	Catahoula	Drought Conditions Buffer	Bottled Water Export Rules	Surface Spacing, ft	Example	Radius, ft		
Tex. Admin. Code 76.100	300	5-50[1]	50-150[2]	50-100[3]		undifferentiated									
		50			< 17.36	undifferentiated					150		150		
		200			17.36 – 50	undifferentiated					300		300		
		1000			> 50	undifferentiated					3000		3000		
Lonestar GCD	30	50	TAC 76.100[4]	TAC 76.100[4]		2 * MAPR[5]	2 * MAPR[5]	2 * MAPR[5]	Yes	No					GMA 14 all should be the same
Bluebonnet GCD	30	TAC 76.100[4]	TAC 76.100[4]	TAC 76.100[4]	TAC 76.100[4]	undifferentiated			No	Allowed					
Lower Trinity GCD	50	50	150	50-100	TAC 76.100[4]	undifferentiated			No	Denied					
Southeast Texas GCD	50	TAC 76.100[4]	TAC 76.100[4]	TAC 76.100[4]	TAC 76.100[4]	undifferentiated			No	N/A[7]					
Brazoria GCD	30	TAC 76.100[4]	TAC 76.100[4]	TAC 76.100[4]	TAC 76.100[4]	undifferentiated			No	Allowed					
Fort Bend SD															
Harris-Galveston SD															

[1] Adherence not required if located in a GCD

[2] 150’ unless Tex. Admin. Code 76.100(b) procedures are used, then 50’

[3] 100’ unless Tex. Admin. Code 76.100(b) procedures are used, then 50’

[4] Not specified, defaults to 76.100

[5] Maximum Allowable Pumping Rate

[6] Has no exceptions to spacing rules

[7] Noted as ‘No Longer Applicable’

1. Introduction and background

For perspective, the first version of Chapter 36 (1995) specifically stated that GCDs had to process permits for wells within 2 weeks of submission date.

The rules/ application forms need to specifically state the requirements so remote office folks, well contractors, city administrators, engineers, homeowners can read the rules/ applications and respond accordingly. It should not be "policy" subject to employee consultant or lawyer changes and I am unaware of a continuing education program for submitting an application.

Well spacing rules should apply between non-exempt wells only and not between nonexempt and exempt wells. The reason is exempt wells are exempt from spacing regulations and are typically constructed in separate shallower zones than adjoining nonexempt wells that are constructed deeper and likely have cement seals across the exempt well's production zones. The aquifers are more "laminated" than homogeneous – so typically the sands of the shallower exempt wells are hydraulically isolated due to clay layers present between shallow exempt wells and deeper non-exempt wells.

2. Replacement Wells & Rig Supply Wells

I think simplifying the permitting process is one of the main things. Also, as mentioned below on a replacement well they should allow for the well design to be changed some so as long as it is not requesting an increase in capacity. Many old wells were installed with smaller casing and screen ... the industry has changed to install a larger diameter to allow for a longer life of the well {re-lining casing and screen) as well as allowing pumps to be installed deeper. For example, in the 70s most 1000 GPM wells were 16x10 and now they are 20x14 or 24x18. As 10" screen/liner can be relined with a 6" screen/liner which will likely decrease the capacity of the well from 1000 to 400-500 GPM or so. A 14" screen/liner can be relined with a 10" screen/liner and still maintain the 1000 GPM and also extend the life of the well maybe another 20 years or so. Long story short as long as you aren't increasing the capacity {there is already a process for this in place by an amendment request which can be done separately) or a different aquifer the casing or screen size doesn't matter. I don't know of any other G.C.D. that doesn't allow this.

Why 50' from property lines, if TCEQ allows 5' for pressure cemented wells. Then a variance/affidavit is needed, more paperwork.

Rig supply wells : As long they are within job site boundaries, the 50' rule from original location shouldn't apply. Waste of time to amend a rig supply well permit.

Replacement wells: Should be allowed to make upgrades to the original design/construction without considering a new well.

Spacing requirements need to be as TCEQ has for the State. TCEQ allows 5' for pressure cemented wells, If not that the rule is fifty feet. Most G.C.D.'s follow the TCEQ rule. lSGCD rule states fifty feet or a variance/affidavit is needed, more paperwork and time.

3. Notes/Comments about Rules

- The new rules for the temporary exempt rig supply wells from the state say that rig supply wells are exempt from Chapter 36. The temporary $50,000.00 Bond is not part of Chapter 36, so therefore, you cannot require this.

- A District cannot require a permit for a rig supply well.

- A district shall provide an exemption (from needing to obtain a permit from the District) for drilling a rig supply well to supply water for a production well that is permitted by the District.

- Said another way – the District cannot require a permit for a rig supply well to be used to drill a production well already permitted by the District.

- The rationale is – the landowner was given a permit to produce 300-3000 gpm, but this well is not producing yet.

- The well driller is going to drill a shallow temporary well, adjacent the production well, to produce 15-50 gpm for a couple of months while the production well is constructed.

- The landowner already has a permit to produce groundwater on his property.

- The District needs to issue these rig supply well exemptions administratively by action of the general manager.

- Then the well driller can go to work.

- Also, if an existing homeowner who has an exempt existing well and needs to replace the well because the General Manager should be able to approve this to (in my opinion).

- It is recommended to create a standardized online form for applications for xempt wells. If all the criteria are met, then the application should be automatically approved. This would reduce the work load for the GM and district staff.

4. Rule / Reference

From Chapter 36:

Sec. 36.117. EXEMPTIONS; EXCEPTION; LIMITATIONS.

(a) A district by rule may provide an exemption from the district's requirement to obtain any permit required by this chapter or the district's rules.

(b) **Except as provided by this section, a district shall provide an exemption from the district requirement to obtain a permit for:**

(1) drilling or operating a well-used solely for domestic use or for providing water for livestock or poultry if the well is:

(A) located or to be located on a tract of land larger than 10 acres; and

(B) drilled, completed, or equipped so that it is incapable of producing more than 25,000 gallons of groundwater a day;

(2) drilling a water well used solely to supply water for a rig that is actively engaged in drilling or exploration operations for an oil or gas well permitted by the Railroad Commission of Texas provided that the person holding the permit is responsible for drilling and operating the water well and the water well is located on the same lease or field associated with the drilling rig;

(3) drilling a water well authorized under a permit issued by the Railroad Commission of Texas under Chapter 134, Natural Resources Code, or for production from the well to the extent the withdrawals are required for mining activities regardless of any subsequent use of the water; or

(4) **drilling a water well for temporary use to supply water for a rig that is actively engaged in drilling a groundwater production well permitted by the district.**

NOTES/COMMENTS

LONE STAR

GROUNDWATER CONSERVATION DISTRICT

December 10, 2024

MINUTES OF SPECIAL MEETING OF NEWLY ELECTED BOARD OF DIRECTORS

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 December 10, 2024.

1. EXECUTION OF STATEMENT OF ELECTED OFFICER FORMS

The Directors were notified they could begin completing the Statement of Elected Officer Form. This form was required before the Oath of Office could take place.

2. ADMINISTER OATHS OF OFFICE AND EXECUTION OF OATH OF OFFICE FORMS.

President Spigener introduced Judge Kristen Bays of the 284th District Court for Montgomery County as the Administrator of the Oath of Office. Judge Bays has extensive experience and President Spigener expressed it was a great honor having her here to swear in the elected officers. Judge Kristen Bays expressed her appreciation and proceeded to begin the swearing in of the elected officers.

3. CALL TO ORDER:

President Spigener called to order the Special Meeting of Board of Directors at 5:25 PM announcing the meeting open to the public.

4. ROLL CALL:

Roll call for participating members of the Board of Directors, to wit:

Jim Spigener
Stuart Traylor
Janice Thigpen
Jon Paul Bouché
Kenneth Earnest
John Wertz

Also present:

Name:	Title:
Sarah Kouba	General Manager
Tiffany White	Director of Operations
Samantha Branham	Permitting Manager
Stacey Reese	District Counsel
James Beach	District Technical Consultant
Mike Keester	District Technical Consultant
Chris Drabek	District Technical Consultant
and members of the public	

Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".

5. PRAYER AND PLEDGES OF ALLEGIANCE:

President Spigener called on Vice-President Traylor for the opening prayer. Director Earnest led the Pledge of Allegiance and the Pledge of Allegiance to the state flag.

6. PUBLIC COMMENTS:

No comments were received.

7. DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY CONCERNING ELECTION OF OFFICERS

Nomination for officer positions commenced. Director Janice Thigpen joined the meeting. Stacey Reese, District Counsel recommended that the board move Item 7 and Item 8 to the Regular Meeting and make a motion to redraw the actions that were just accepted to allow all board members a vote on officer positions.
President Spigener asked for a motion to redraw actions that were accepted.
Vice-President Traylor motioned to redraw. Director Bouché seconded the motion.

8. DISCUSS, CONSIDER, AND POSSIBLE ACTION TO REVIEW AND/OR FORM BOARD COMMITTEES AND APPOINTMENT OF COMMITTEE CHAIRS:

President Spigener moved Item 8 to the Regular Meeting.

9. ADJOURN:

There being no further business, Vice-President Traylor moved to adjourn the meeting and Director Earnest seconded the motion. President Spigener called for a voice vote, motion carried.
The meeting was adjourned at 5:34 PM.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF JANUARY 2025.

_____
Board Secretary, Janice Thigpen

LONE STAR
GROUNDWATER CONSERVATION DISTRICT

DECEMBER 10, 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 December 10, 2024.

1. 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.

2. ROLL CALL:

Roll call for participating members of the Board of Directors, to wit:

Jim Spigener
Stuart Traylor
Jonathan Prykryl (Virtual)
Janice Thigpen
Jon Paul Bouché
Kenneth Earnest
John Wertz

Also present:

Name:	Title:
Sarah Kouba	General Manager
Tiffany White	Director of Operations
Samantha Branham	Permitting Manager
Stacey Reese	District Counsel
James Beach	District Technical Consultant
Mike Keester	District Technical Consultant
Chris Drabek	District Technical Consultant
and members of the public	

Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".

3. PRAYER AND PLEDGES OF ALLEGIANCE:

Vice-President Traylor led the prayer and Secretary Thigpen lead the United States and Texas pledges.

4. PUBLIC COMMENTS:

No comments were received.

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

Ms. Kouba provided an overview of the 23 applications listed. Applications numbered 1-17 included applications that have been reviewed by District Staff and are considered administratively complete. No hydrogeological reports were required for those applications, and they comply with the District's Spacing Rules. Ms. Kouba has reviewed the applications, and she recommended that the Board grant those which is requested for applications 1 - 17.

Ms. Kouba provided an overview of application number 1 – Crystal Springs Water (White Rock Acres). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application numbered 2 – Crystal Springs Water (Waukegan Way). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 3 – Crystal Springs Water (Tower Woods). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 4 – Crystal Sprins Water (Country West/Western Hills). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 5 – Clary Holdings, LLC. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 6 – CPF Living Communities II – Woodhaven LLC. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 7 – Jenny Sue's Pet Grooming. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 8 – D R Horton Texas LTD (Future MUD #199). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 9 – Montgomery County MUD #24. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 10 – Chambers Telge, LLC. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 11 – The Carriage House. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 12 – KSW Holdings, L.P. (Big Sky Barn). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 13 – Jerry Gregurek. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 14 – Hope's Path. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 15 – Mena Francios (Old Humble Pipeline). Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 16 – Timber Solutions. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Ms. Kouba provided an overview of application number 17 – Pine Forest Ventures, LLC. Ms. Kouba provided a summary and her recommendation for the Board's consideration of the permit or permit conditions upon approval.

Vice-President Traylor moved to approve that which is requested for applications 1 - 17. Director Earnest seconded the motion. President Spigener called for a voice vote. Motion passed.

Ms. Kouba provided an overview of application numbered 18 – Montgomery County MUD #172. Due to the total production capacity of the well, Ms. Kouba requested the Board's consideration of the permit and permit conditions upon approval. A Hydrogeological Report was submitted with the application and was found to meet the requirements of the District.

Ms. Kouba provided an overview of application numbered 19 – Shea Homes Houston, LLC (Wildtree Water Supply). Due to the total production capacity of the well, Ms. Kouba requested the Board's consideration of the permit and permit conditions upon approval. A Hydrogeological Report was submitted with the application and was found to meet the requirements of the District.

Ms. Kouba provided an overview of application numbered 20 – Montgomery County MUD #144. Due to the total production capacity of the well, Ms. Kouba requested the Board's consideration of the permit and permit conditions upon approval. A Hydrogeological Report was submitted with the application and was found to meet the requirements of the District.

Ms. Kouba provided an overview of application numbered 21 – Montgomery County MUD #150. Due to a request for spacing exception from adjacent property boundaries as determined under District Rule 3.2. Ms. Kouba requested the Board's consideration of the permit and permit conditions upon approval. A Hydrogeological Report was submitted with the application and was found to meet the requirements of the District.

Ms. Kouba provided an overview of application numbered 22 – Andy Gomez. Due to a request for spacing exception from adjacent property boundaries as determined under District Rule 3.2. Ms. Kouba requested the Board's consideration of the exempt well. A Hydrogeological Report was not required due to District Rule 3.4 which allows exempt wells to request a spacing exception without submitting a hydrogeological report.

Ms. Kouba provided an overview of application numbered 23 – Wendy Herrera. Due to a request for spacing exception from adjacent property boundaries as determined under District Rule 3.2. Ms. Kouba requested the Board's consideration of the exempt well. A Hydrogeological Report was not required due to District Rule 3.4 which allows exempt wells to request a spacing exception without submitting a hydrogeological report.

Director Earnest moved to approve that which is requested for applications numbered 18 - 23. Vice-President Traylor seconded the motion. President Spigener called for a voice vote. Motion passed.

6. ADJOURN:

Vice-President Traylor moved to adjourn the December 10th, 2024, Public Hearing on Permit Applications and Secretary Thigpen seconded the motion. Motion passed. The meeting was adjourned at 6:31 pm.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF JANUARY 2025.

_____

Janice Thigpen, Board Secretary

LONE STAR
GROUNDWATER CONSERVATION DISTRICT
December 10, 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 December 10, 2024.

1. CALL TO ORDER:

The meeting was called to order at 6:13PM

2. ROLL CALL:

Roll call for participating members of the Board of Directors, to wit:

Jim Spigener
Stuart Traylor
Jonathan Prykryl (Virtual)
Janice Thigpen
Jon Paul Bouché
Kenneth Earnest
John Wertz

Also present:

Name:	Title:
Sarah Kouba	General Manager
Tiffany White	Director of Operations
Samantha Branham	Permitting Manager
Stacey Reese	District Counsel
James Beach	District Technical Consultant
Mike Keester	District Technical Consultant
Chris Drabek	District Technical Consultant
and members of the public	

Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit "A".

3. PUBLIC COMMENTS:

Mr. Joe Higgs addressed the board via email before the meeting. He is requesting clarification on the hydrogeologic report, recommended changes to the District Rules -Section 3 Spacing and Location of Wells- and District Rule recommendations. No public comments were received during the meeting.

For Item 4 and Item 5, there will be no executive session in this meeting.

AGENDA ITEMS 7 AND 8 MOVED FROM THE SPECIAL MEETING OF BOARD OF DIRECTORS:

7. DISCUSS CONSIDER, AND TAKE ACTION AS NECESSARY CONCERNING ELECTION OF OFFICERS:

The following positions were nominated and approved:

Name:	Title:
Kenneth Earnest	Treasurer
Janice Thigpen	Secretary
Jon Paul Bouché	Vice-President
Jim Spigener	President

8. DISCUSS CONSIDER, AND POSSIBLE ACTION TO REVIEW AND/OR FORM BOARD COMMITTEES AND APPOINTMENT OF COMMITTEE CHAIRS:

Stacey Reese informed the Board under the bylaws the President can assign Directors to committees and that Board action is not required.
President Spigener stated that all seats will stay the same. The only change will be newly elected Director Wertz, who will be joining the DFC Committee and the Rules Committee upon completion of the onboarding process.
President Spigener will address the details of the committee chair for the Budget and Finance Committee at the next Board of Directors meeting.

6. APPROVAL OF THE MINUTES:

President Spigener stated the Board would consider the meeting minutes for approval on the agenda. Without further discussion, Vice-President Bouche moved to accept the minutes presented, and Director Traylor seconded the motion. President Spigener called for a voice vote. Motion passed to approve the meeting minutes as presented:

- November 12, 2024, Public Hearing on Permit and Permit Amendment Applications
- November 12, 2024, Regular Meeting of the Board of Directors
- November 19, 2024, Special Meeting of the Board of Directors

7: COMMITTEE REPORTS:

A. Executive Committee

1) President Spigener did not have any updates for the Board at this time.

B. Budget & Finance Committee

1) Brief the Board on the Committee's activities since the last regular board meeting.
Director Thigpen reported that the Budget Committee met on December 3rd, 2024, to discuss the proposed 2025 budget. The meeting included a review of the current year budget and determined the budget is on track of where it needs to be and the District actually came below the budget in some areas.

2) Review of unaudited financials for the month of November 2024
Ms. Kouba presented the financial review for November 2024

3) Discuss, consider and possible action on Resolution #24-008 re-establishing administrative fee schedule.
Ms. Kouba had no recommended revisions to the 2024 fee schedule and is bringing the 2025 fee schedule to the board as is for review and consideration by the board.
President Spigener called for a motion approving Resolution #24-008 re-establishing the administrative fee schedule. Director Traylor motioned to approve, and Secretary Thigpen seconded the motion. The motion to approve carried.

4) Discuss, consider and possible action on Resolution #24-009 adopting FY 2025 Operating and Capital Outlay Budget.
Ms. Kouba provided a revised 2025 budget for review and consideration by the board. President Spigener called for a motion to accept and approve the Resolution #24-009 adopting FY 2025 Operating and Capital Outlay Budget. Director Traylor motioned to approve, and Secretary Thigpen seconded the motion. The motion to approve carried.

C. External Affairs Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting.
President Spigener reported the committee has met weekly regarding improvements on external communication strategies.

Also provided was a summary on the outside events the Committee has attended. These included a mayor meeting, GMA 14 meeting and chamber events.

D. DFC & Technical Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting.
Director Traylor provided a report on the ongoing weekly DFC and Technical Committee meetings. Director Traylor provided an update for Site 1. The lab analysis for 1D consolidation and vertical permeability testing are completed along with stress path testing and additional pertinent testing. The lab team will likely not provide their formal report until all labs have been completed. Texas A&M University is working through the last samples in the lower Jasper Aquifer. The formulas for use in the modeling are currently being updated by our technical consultants utilizing what data has been completed. The technical consultants are working toward an explanatory report that will be public once published.

2) Technical Consultants Update – Receive updates from Technical Consultants on ongoing projects and development of desired future conditions in GMA 14.
Mike Keester stated that there were no updates at this time.

3) Groundwater Management Area 14 Update – update the Board on the Issues related to joint planning activities and development of desired future conditions in GMA 14.
Ms. Kouba confirmed the date has been set for February 6th to be hosted at the LSGCD office. The anticipated time has not been set yet. It was also stated that attendance and participation is encouraged during this joint planning cycle and critical for Montgomery County.

E. Rules, Bylaws & Policies Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting
Ms. Kouba reported the District is sharpening rule revisions. There are no additional updates at this time.

8. DISCUSS, CONSIDER, AND POSSIBLE ACTION AS NECESSARY REGARDING YEAR-END PROFESSIONAL SERVICES REVIEW.

Ms. Kouba stated there are no changes in the contract terms. President Spigener made a motion to approve the renewal of the consultant contracts. Director Earnest seconded the motion. The motion to approve was carried.

9. GENERAL MANAGER'S REPORT:

Ms. Kouba provided updates related to various meetings attended and commented on the importance of improved efforts within the district. Also mentioned was updates to the LSGCD website to help with easier navigation for finding information, livestreaming and accessing previous meeting information. This includes forms that are on our website to be utilized. Older forms will no longer be accepted.

10. GENERAL COUNSEL'S REPORT:

Ms. Reese had no updates for the board at this time.

11. NEW BUSINESS:

No new business

12. ADJOURN:

There being no further business Director Traylor moved to adjourn the meeting and Secretary Thigpen seconded the motion. President Spigener called for a voice vote, motion passed, Meeting adjourned at 7:02 PM.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF JANUARY 2025.

_____

Janice Thigpen, Board Secretary