Board Meeting

August 13, 2024

LSGCD

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

To be held on Tuesday, August 13, 2024
Lone Star GCD – James B. "Jim" Wesley Board Room
655 Conroe Park North Drive
Conroe, Texas 77303

NOTICE OF PUBLIC HEARING ON
PERMIT AND PERMIT AMENDMENT APPLICATIONS

TUESDAY, AUGUST 13, 2024, AT 6:00 P.M.

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

1. Call to Order and Declare Hearing Open to the Public
2. Roll Call
3. Prayer and Pledges of Allegiance
4. Any Public Comments or Requests to Contest for the Operating Permits and/or Exemptions listed in Item 5.
5. Discussion, consideration, and possible action on the following Operating Permits and/or Exemptions:
    i. Royal Aesthetics Laser Clinic & Wellness Retreat, LLC, for a proposed new operating permit not to exceed 0.4 mg annually, to include for an existing well located at 15295 Lake Lamond, Conroe, not previously registered or permitted with the District, and a proposed well to be drilled at 15295 Lake Lamond, Conroe, Commercial and Irrigation use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: AAA Water Well and Services, LLC); and
    ii. La Estrella Celeste, for a proposed amendment to OP-21061001-CHEV, for an increase of 0.2454 mg allocation not to exceed 0.5454 mg annually for well located at 16224 Creighton Rd., Conroe, Commercial use, District Aquifer: Chicot/Evangeline (CHEV); and
    iii. The Magnolia Woods Assisted Living LLC, for a proposed new operating permit not to exceed 0.75 mg annually, and for a proposed well to be drilled at 14135 Old Smith Rd, Conroe, Public Supply and Irrigation use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: R&D Water Wells); and
    iv. Chaparral RE Inc., for a proposed new operating permit not to exceed 1.0 mg annually, and for a proposed well to be drilled at 9921 Sleepy Hollow Rd, Conroe, Public Water Supply (PWS) use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of Record: Scott Drilling Inc.); and
    v. Conroe 1485, LLC (James Construction Group), for a proposed new operating permit not to exceed 3 mg annually, and for a proposed well to be drilled at 4000 FM 1485, Conroe, Commercial use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of Record: Ballard Water Well Company LLC); and
    vi. Knapheide Houston, LLC, for a proposed new operating permit not to exceed 0.2 mg annually,

and for a proposed well to be drilled at 17015 I-45 N, Willis, Commercial use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of Record: Ballard Water Well Company LLC); and

vii. City of Magnolia, for a proposed amendment to OP-04041601E-CHEV, for a proposed well to be located at 38449 Mill Creek Rd., Magnolia, and for an increase of 16.925 mg, not to exceed 500 mg annually for wells located at (a) proposed well to be drilled at 38449 Mill Creek Rd., Magnolia, (b) 105 Elm Street, Magnolia (c) Near 623 1/2 Kelly Dr. (Lat. 30/13/6, Long. -95/45/28), Magnolia (d) 0.30 miles south of FM 1488 and 0.45 miles west of FM 149 (Lat. 30/13/27, Long. -95/41/53), Magnolia, hydrogeological report submitted with application, Public Water Supply (PWS) and Commercial Use, request for spacing exception from District Rule 3.3, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: To be determined); and

viii. Ma Natividad Gomez for a proposed exempt well to be drilled at 11119 Baylor Dr., Conroe, Single-family Residential Use, requesting spacing exception from District Rule 3.2, District Aquifer: Chicot/Evangeline (CHEV), (Driller on record: Gilbert's Water Well).

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 August 9, 2024, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

/s/ Sarah Kouba

Sarah Kouba, General Manager

Lone Star Groundwater Conservation District

NOTICE OF REGULAR MEETING OF THE BOARD OF DIRECTORS

TUESDAY, AUGUST 13, 2024, AT 6:00 P.M.

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

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

The Board of Directors may discuss, consider, and take action, including expenditure of funds, on any item or subject matter posted in this agenda.

1. Call to Order and Declare Regular Meeting Open to the Public
2. Roll Call
3. Public Comment on any agenda item or any other matter (Public comment is limited to a maximum of 3 minutes per speaker); *See Comment Card for Other Guidelines and Procedures.*
4. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, §551.071, 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. July 23, 2024, Public Hearing on Permit and Permit Amendment Applications
   B. July 23, 2024, Regular Meeting of the Board of Directors
7. Committee Reports:
   A. Executive Committee – Jim Spigener, Chair
      1) Brief the Board on the Committee's activities since the last regular board meeting.
   B. Budget & Finance Committee – Jonathan Prykryl, Chair
      1) Brief the Board on the Committee's activities since the last regular board meeting.
      2) Review of unaudited financials for the month of July 2024 – Sarah Kouba, General Manager.
      3) Discuss, consider, and take possible action on Resolution #24-005 authorizing water use fee rate schedule for 2025 – 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. Brief the Board concerning a petition filed with the Texas Commission on Environmental Quality. – Sarah Kouba, General Manager and Stacey V. Reese, General Counsel

9. Discussion and possible action to issue a show cause order directing the following permittees, or their designated representative, listed in Attachment A to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action should not be taken, including without limitation, initiating a lawsuit for failure to submit 2023 production report and/or fines associated with untimely submissions.

10. Discussion and possible action to issue a show cause order directing the following permittees, or their designated representative, listed in Attachment B to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action should not be taken, including without limitation, initiating a lawsuit for overproduction of permitted allocation during the 2023 calendar year and/or fines associated with untimely submissions.

11. Discussion and possible action to issue a show cause order directing the following permittees, or their designated representative, listed in Attachment C to appear at a show cause hearing for that purpose and show cause why appropriate enforcement action should not be taken, including without limitation, initiating a lawsuit for failure to submit payment for 2024 Water Use Fees and/or fines associated with untimely submissions.

12. 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.

13. 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.

14. New Business.

15. Adjourn.

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Certification

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/s/ Sarah Kouba

Sarah Kouba, General Manager
Lone Star Groundwater Conservation District

Royal Aesthetics Laser Clinic & Wellness Retreat, LLC

Attn: Leslie Dickenson
15317 Lake Lamond
Conroe, TX 77384

Permit No. OP-24070101-CHEV

Operating Permit

Date of Hearing:	8/13/2024	
Request (MG):	0.400	
GM Recommendation (MG):	0.400	
Water use:	Commercial and Irrigation	
Location:	15295 Lake Lamond, Conroe	15295 Lake Lamond, Conroe
Well Registration:	2024070102	2024072502
Depth (ft):	250.0	180.0
Diameter (in):	4.0	2.0

Information

1. **New permit** - Issue a new permit with an allocation. Permit Terms: commencing August 13, 2024 in perpetuity (unless amended or revoked).

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

3. The permit application is administratively complete.

4. Applicant provides water for a laser clinic and wellness retreat facility.

5. Applicant requests 400,000 gallons for 2024 and annually thereafter.

6. **District Staff Technical Review and Recommendation:** Applicant is requesting registration of and authorization to begin construction on one new Chicot/Evangeline aquifer well and an existing Chicot/Evangeline well not previously registered with the District. Well will provide water for daily operations. Applicant is further requesting the issuance of OP-24070101-CHEV with an allocation of 400,000 gallons for the Chicot/Evangeline annually. Applicants existing well previously served a single family residence and is to be plugged once new well is drilled. Applicants new well is to serve irrigation to a 8x10 flower bed, a laser clinic and wellness retreat facility with 3 stations and approximately 1 client per hour per station, 238 days per year. Staff recommends to the General Manager that she recommend the Board approve the registration of and authorization to begin construction on one new Chicot/Evangeline aquifer well, approval of registration for existing Chicot/Evangeline well and the requested allocation of 400,000 gallons for the Chicot/Evangeline annually.

7. Meter has already been properly installed and inspected on the existing well.

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

Hello, LSGCD Internal!
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Royal Aesthetics Laser Clinic & Wellness Retreat, LLC
OP-24070101- CHEV_ 15295 Lake Lamond, Conroe

La Estrella Celeste

Attn: Alfredo Martinez
310 Crest Hill Dr.
Conroe, TX 77301

Permit No. OP-21061001A-CHEV

Operating Permit

Date of Hearing:	8/13/2024
Request (MG):	0.2454
GM Recommendation (MG):	0.2454
Water use:	Commercial
Location:	16224 Creighton Rd., Conroe
Well Registration:	N/A
Depth (ft):	N/A
Diameter (in):	N/A

Information

1. **Amend permit** - increase allocation. Permit Terms: commencing August 13, 2024 in perpetuity (unless amended or revoked).
2. No written opposition was received regarding the proposed permit.
3. The permit application is administratively complete.
4. Applicant requests to increase allocation by 245,400 gallons.
5. Applicant currently OP-21061001-CHEV in the amount of 300,000 gallons. Amount available pending approval of this application equals 545,400 gallons.
6. Applicant's reported pumpage for 2024 equals 325,600 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-21061001-CHEV with an allocation of 300,000 gallons for the Chicot/Evangeline. Applicant uses the water from this allocation to provide sanitary needs for a wedding venue. Applicant is requesting an additional 245,400 gallons for the Chicot/Evangeline annually. If approved the allocation will be 545,400 gallons for the Chicot/Evangeline annually. Applicant provides for the sanitary needs of a wedding with a maximum capacity of 299 patrons, 4 staff members and estimates 156 events a year. Patrons bring in their own food and drinks, but a kitchen and ice machine are available. District staff have reviewed the information supplied and recommended to the General Manager that she recommend the Board approve the requested increase of 245,400 gallons for the Chicot/Evangeline annually

The Magnolia Woods Assisted Living LLC

Attn: Bibek Das
2061 Green Terrace Lane
Pinehurst, TX 77362

Permit No. OP-24061701-CHEV

Operating Permit

Date of Hearing:	8/13/2024
Request (MG):	0.750
GM Recommendation (MG):	0.750
Water use:	Public Supply/Irrigation
Location:	14135 Old Smith Rd, Conroe
Well Registration:	2024062401
Depth (ft):	300.0
Diameter (in):	5.0

Information

1. New permit - Issue a new permit with an allocation. Permit Terms: commencing August 13, 2024 in perpetuity (unless amended or revoked).

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

3. The permit application is administratively complete.

4. Applicant requests 750,000 gallons for 2024 and annually thereafter.

5. Applicant will provide water for an assisted living facility.

6. **District Staff Technical Review and Recommendation:** Applicant is requesting registration of and authorization to being construction of a new well in the Chicot/Evangeline aquifer which will provide water for an assisted living center. Well will provide water for the operation of an assisted living facility. Applicant is also requesting an allocation of 750,000 gallons in the Chicot/Evangeline aquifer for 2024 annually, based on 365 operating days a year Applicant states the allocation will serve 14 individuals, in addition to a 30,000 gallon fire tank on premises and 15,000 square feet of irrigation for flower beds and grass. District staff has reviewed the information supplied by the applicant. Staff recommends to the General Manager that she recommend the Board approve the request for registration and construction of the new well, as well as an allocation of 750,000 gallons in the Chicot/Evangeline aquifer annually as requested.

7. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

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

The Magnolia Woods Assisted Living LLC
OP-24061701-CHEV
Well Reg 2024062401
14135 Old Smith Rd, Conroe

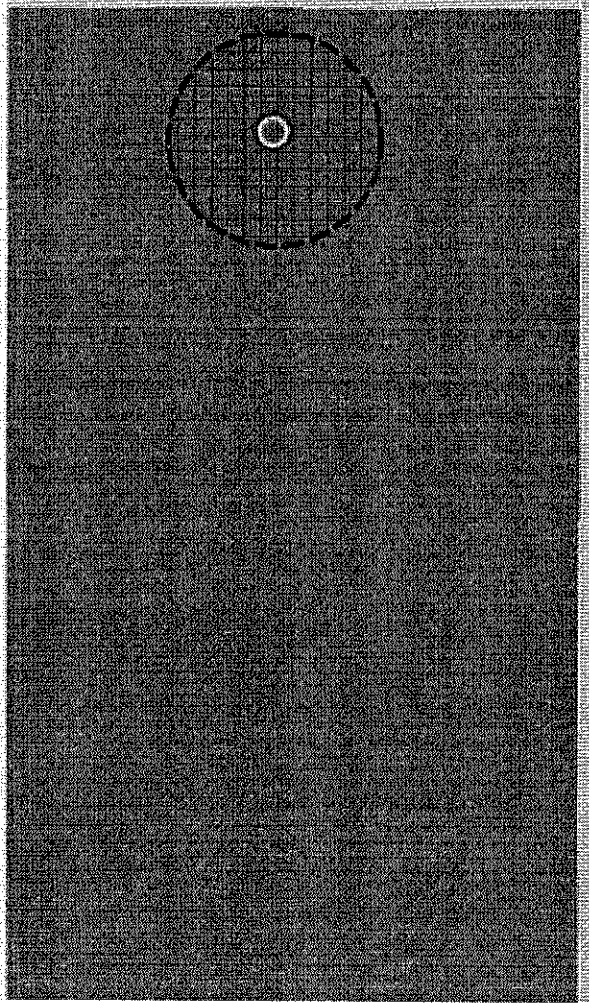
Location Filter

Distance

50

Units

Feet



Chaparral RE Inc.

Attn: Enrico Cusi
9921 Sleepy Hollow Rd
Conroe, TX 77385

Permit No. OP-24072201-CHEV

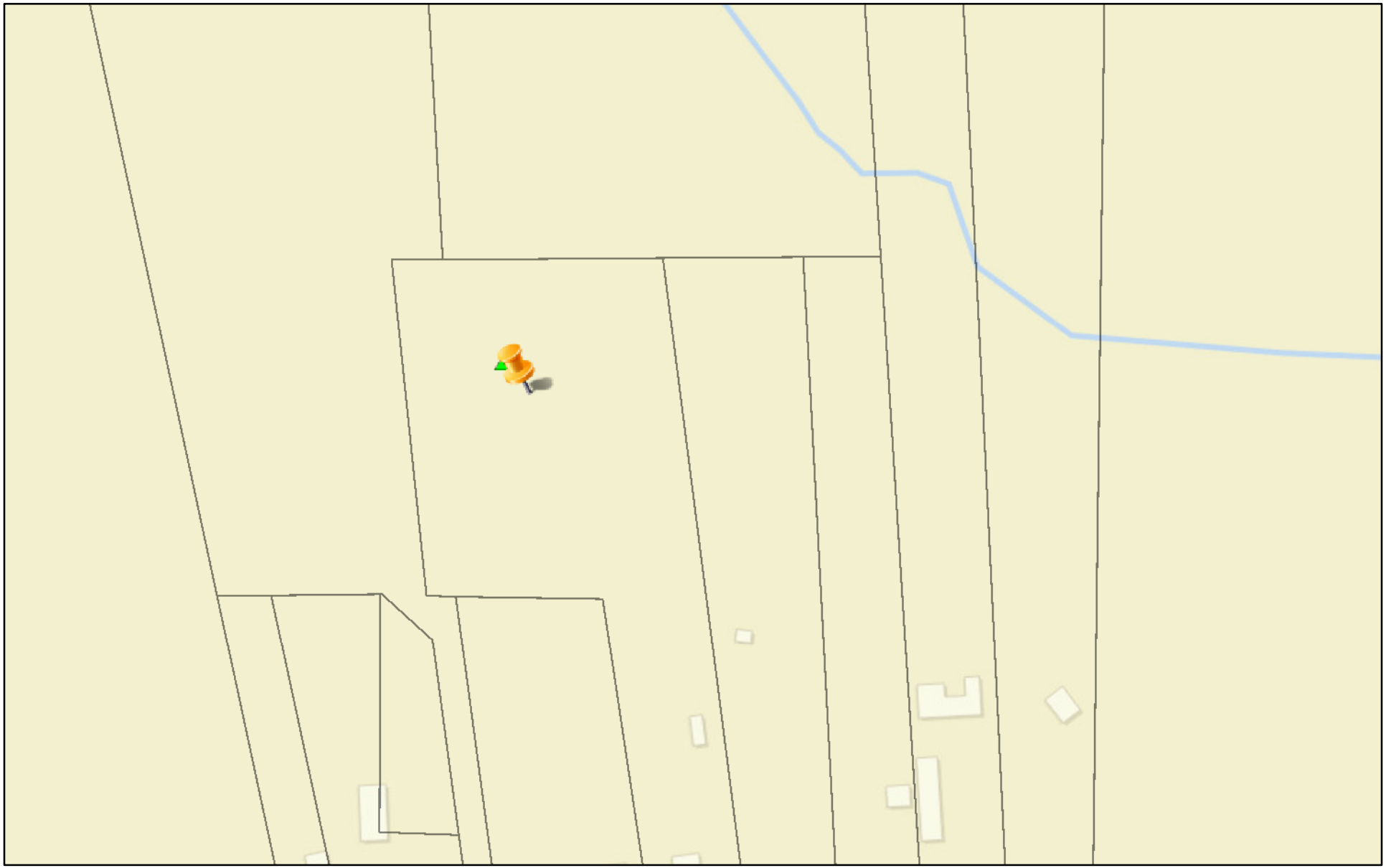
New Operating Permit

Date of Hearing:	8/13/2024
Request (MG):	1.000
GM Recommendation (MG):	1.000
Water use:	Public Water Supply (PWS)
Location:	9921 Sleepy Hollow Rd, Conroe
Well Registration:	2024072204
Depth (ft):	350.0
Diameter (in):	5.0

Information

1. **New permit** - Issue a new permit with an allocation. Permit Terms: commencing August 13, 2024 in perpetuity (unless amended or revoked).
2. No written opposition was received regarding the proposed permit.
3. The permit application is administratively complete.
4. Applicant will serve as a Public Water Supply to 4 warehouses for restroom and breakroom facilities for an average of 200 employees, light irrigation and washdowns of 6 trucks weekly for a Concrete Pumping facility.
5. Applicant requests 1,000,000 gallons for 2024 and annually thereafter.
6. District Staff Technical Review and Recommendation: Applicant is requesting registration of and authorization to begin construction on one new Chicot/Evangeline well. Applicant is further requesting the issuance of OP-24072201-CHEV with an allocation of 1,000,000 gallons in the Chicot/Evangeline annually. Applicant will serve as a Public Water Supply to 4 warehouses for restroom and breakroom facilities for an average of 200 employees, light irrigation, and washdown of 6 trucks weekly for a Concrete Pumping facility. District staff has reviewed the information supplied and recommended 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 1,000,000 gallons for the Chicot/Evangeline annually.

Chaparral RE Inc. - OP-24072201-CHEV



July 31, 2024

Coordinate Markers

1:2,257

0 0.0175 0.035 0.07 mi

0 0.03 0.06 0.12 km

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

Conroe 1485, LLC (James Construction Group)

Attn: Michael Rodman
4000 FM 1485
Conroe, TX 77306

Permit No. OP-24072402-CHEV

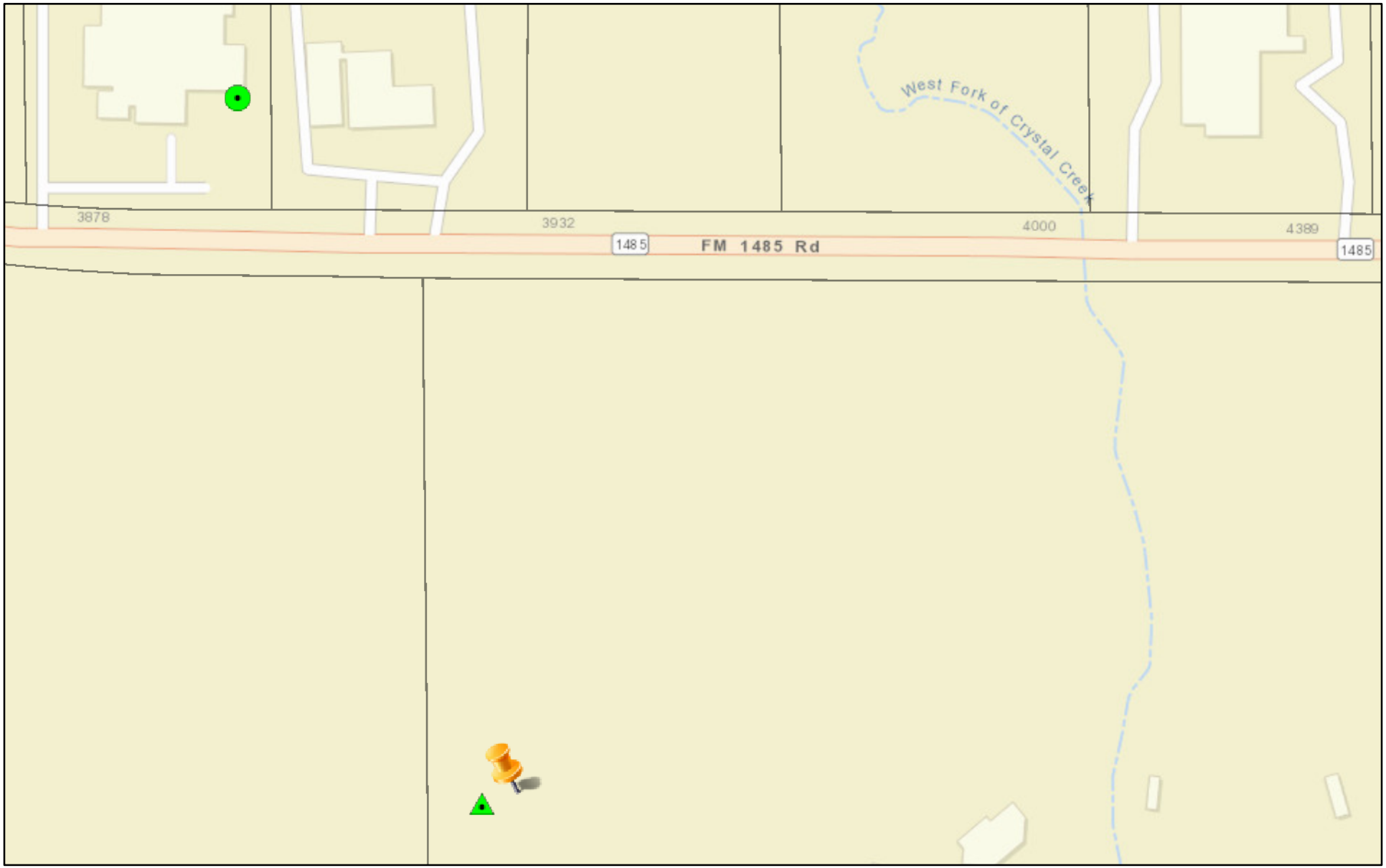
New Operating Permit

Date of Hearing:	8/13/2024
Request (MG):	3.000
GM Recommendation (MG):	3.000
Water use:	Commercial
Location:	4000 FM 1485, Conroe
Well Registration:	2024072405
Depth (ft):	170.0
Diameter (in):	4.0

Information

1. **New permit** - Issue a new permit with an allocation. Permit Terms: commencing August 13, 2024 in perpetuity (unless amended or revoked).
2. No written opposition was received regarding the proposed permit.
3. The permit application is administratively complete.
4. Applicant provides water to mix concrete at a Concrete Batch Plant.
5. Applicant requests 3,000,000 gallons for 2024 and annually thereafter.
6. District Staff Technical Review and Recommendation: Applicant is requesting registration of and authorization to begin construction on one new Chicot/Evangeline well. Applicant is further requesting the issuance of OP-24072402-CHEV with an allocation of 3,000,000 gallons in the Chicot/Evangeline annually. Applicant will provide commercial water for a Concrete Batch Plant to mix up to 2,000 yards of concrete per day for up to 100 days a year. District staff has reviewed the information supplied and recommended 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 3,000,000 gallons for the Chicot/Evangeline annually.

Conroe 1485, LLC (James Construction Group) - OP-24072402-CHEV



July 31, 2024

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0 0.03 0.06 0.12 km

Coordinate Markers

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

Knapheide Houston, LLC

Attn: Nick Weiman
1848 Westphalia Strasse
Quincy, IL 623057140

Permit No. OP-24072502-CHEV

New Operating Permit

Date of Hearing:	8/13/2024
Request (MG):	0.200
GM Recommendation (MG):	0.200
Water use:	Commercial
Location:	17015 I-45 N, Willis
Well Registration:	2024072901
Depth (ft):	263.0
Diameter (in):	5.0

Information

1. **New permit** - Issue a new permit with an allocation. Permit Terms: commencing August 13, 2024 in perpetuity (unless amended or revoked).

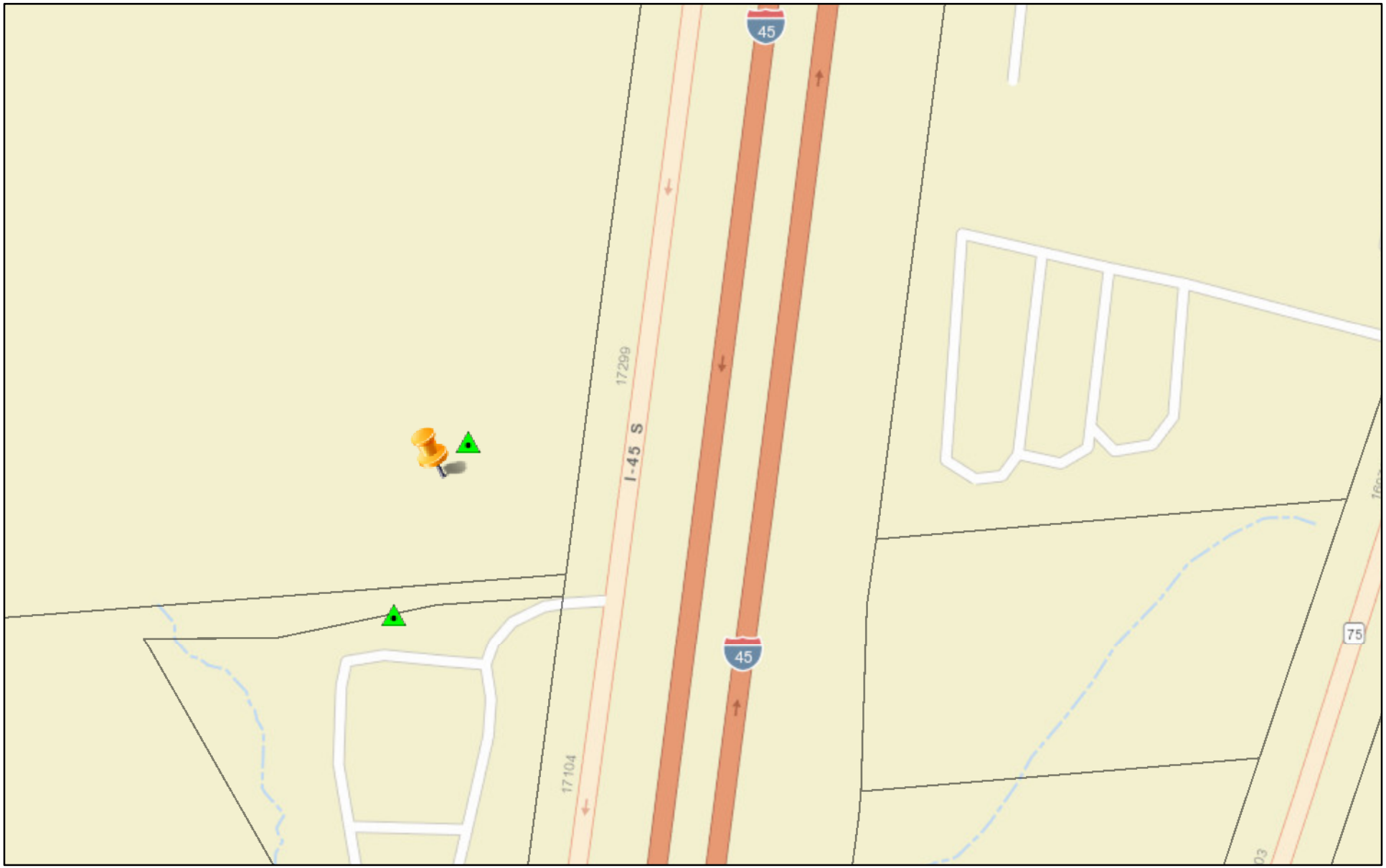
2. No written opposition was received regarding the proposed permit.

3. Applicant provides water to bathroom and breakroom facilities for an average of 20 employees at a manufacturing facility.

4. Applicant requests 200,000 gallons for 2024 and annually thereafter.

5. District Staff Technical Review and Recommendation: Applicant is requesting registration of and authorization to begin construction on one new Chicot/Evangeline well. Applicant is further requesting the issuance of OP-24072502-CHEV with an allocation of 200,000 gallons in the Chicot/Evangeline annually. Applicant will provide commercial water for restrooms and breakrooms to an average of 20 employees daily and occasional guests for an average of 250 days annually. District staff has reviewed the information supplied and recommended 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 200,000 gallons for the Chicot/Evangeline annually.

Knapheide Houston, LLC - OP-24072502-CHEV-CHEV



July 31, 2024

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Coordinate Markers

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

City of Magnolia

Attn: Burt Smith - Public Works Director
18111 Buddy Riley Blvd.
Magnolia, TX 77354

Permit No. OP-04041601F-CHEV

Amend Operating Permit

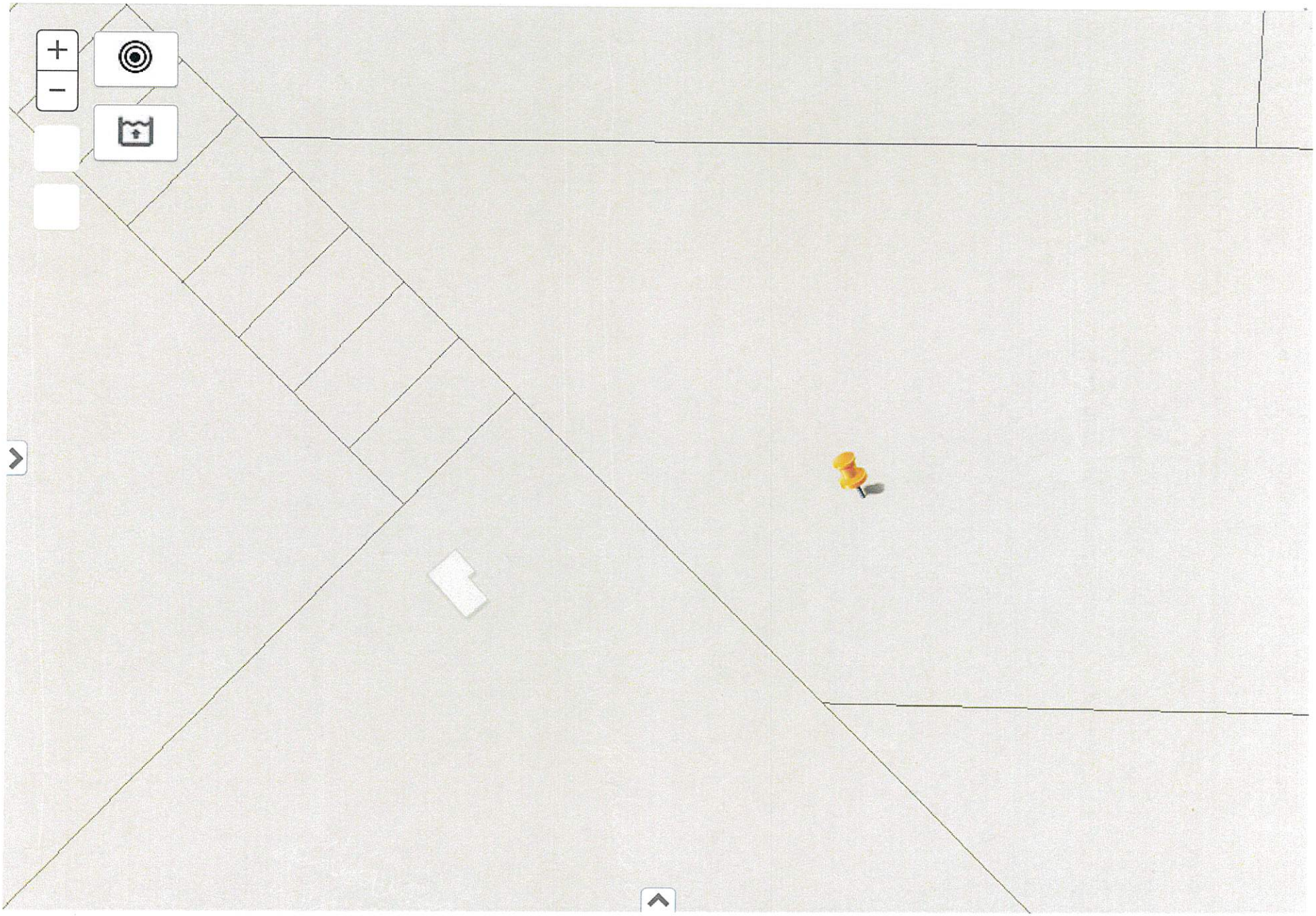
Date of Hearing:	8/13/2024
Request (MG):	16.925
GM Recommendation (MG):	16.925
Water use:	Public Water Supply (PWS) & Commercial
Location:	38449 Mill Creek Rd, Magnolia
Well Registration:	2024041705
Depth (ft):	970.0
Diameter (in):	20.0

Information

1. **Amend permit** - add Evangeline well to aggregate system and increase allocation. Permit Term: commencing August 13, 2024 in perpetuity (unless amended or revoked).
2. The permit application is administratively complete.
3. Applicant requests to increase allocation by 16,925,000 gallons.
4. Applicant currently has an HUP039-CHEV in the amount of 128,267,000 gallons in the Chicot/Evangeline and an OP-04041601E-CHEV in the amount of 354,808,000 gallons in the Evangeline. Amount available pending approval of this application equals 500,000,000 gallons in the Chicot/Evangeline.
5. Applicant's reported pumpage for 2024 equals 227,754,529 gallons.
6. A hydrogeological report is required due to the maximum GPM of the proposed well system will be greater than 700 GPM. District consultants have reviewed the submitted hydrogeological report and found it to meet the requirements as detailed in the Hydrogeological Report Guidelines.
7. A hydrogeological report is required due to requesting exemption as stated in District Rule 3.3: "Non-exempt wells will be spaced from all registered and permitted wells a distance not less than 2.0 feet multiplied by the Maximum Allowable Pumping Rate in the Chicot/Evangeline aquifers". 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 currently holds HUP039-CHEV and OP-04041601E-CHEV with an aggregate allocation of 483,075,000 gallons for the Chicot/Evangeline. Applicant also holds OP-04041601G-JSPR in the amount of 400,000,000 gallons in the Jasper. Applicant is requesting registration and authorization to drill one new Chicot/Evangeline aquifer well. Applicant is also requesting an increase in the permit allocation of 16,925,000 gallons for the Chicot/Evangeline. If approved the revised aggregate allocation will be of 500,000,000 gallons for the Chicot/Evangeline and 400,000,000 gallons in the Jasper annually. Applicant serves as a public supply for a residential area with an estimated 3,148 single family dwellings, 552 multi-family dwellings and 225 commercial, 47 irrigation and 25 industrial connections. Applicant states the increase in allocation is to meet projected demand. Service area with an estimated build out of 18,468 single family dwelling, 2,288 multi-family dwellings and 2,957 commercial connections. District staff have reviewed the information submitted by applicant. Staff recommends to the General Manager that she recommend the Board authorize the registration and construction of the new well Chicot/Evangeline aquifer well and the requested increase of 16,925,000 gallons for the Chlot/Evangeline annually.

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

City of Magnolia (Evangline) OP-04041601F-CHEV
38449 Mill Creek Rd., Magnolia



Ma Natividad Gomez

11119 Baylor Dr.
Conroe, TX 77303

Exempt Well Registration
#2024042602

Exempt Well Registration

Date of Hearing:	7/9/2024
Water use:	Exempt - Single-Family Residence
Location:	11119 Baylor Dr.
Well Registration:	2024042602
Depth (ft):	150.0
Diameter (in):	2.0

Information

1. **New Exempt Well Registration** - Issue an Exempt Well Registration approval, pending approval of spacing exception by Board of Directors.

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

3. The well application is administratively complete.

4. Applicant provides water for a Single-Family residence.

5. A **Supplemental Application** is required due to requesting exception as stated in District Rule 3.4: “All new wells may not be drilled within 50 feet of the nearest adjacent property line”. District staff have reviewed the submitted **Exempt** well supplemental application request for exception to well spacing and found to meet the requirements as detailed in the Supplemental Application.

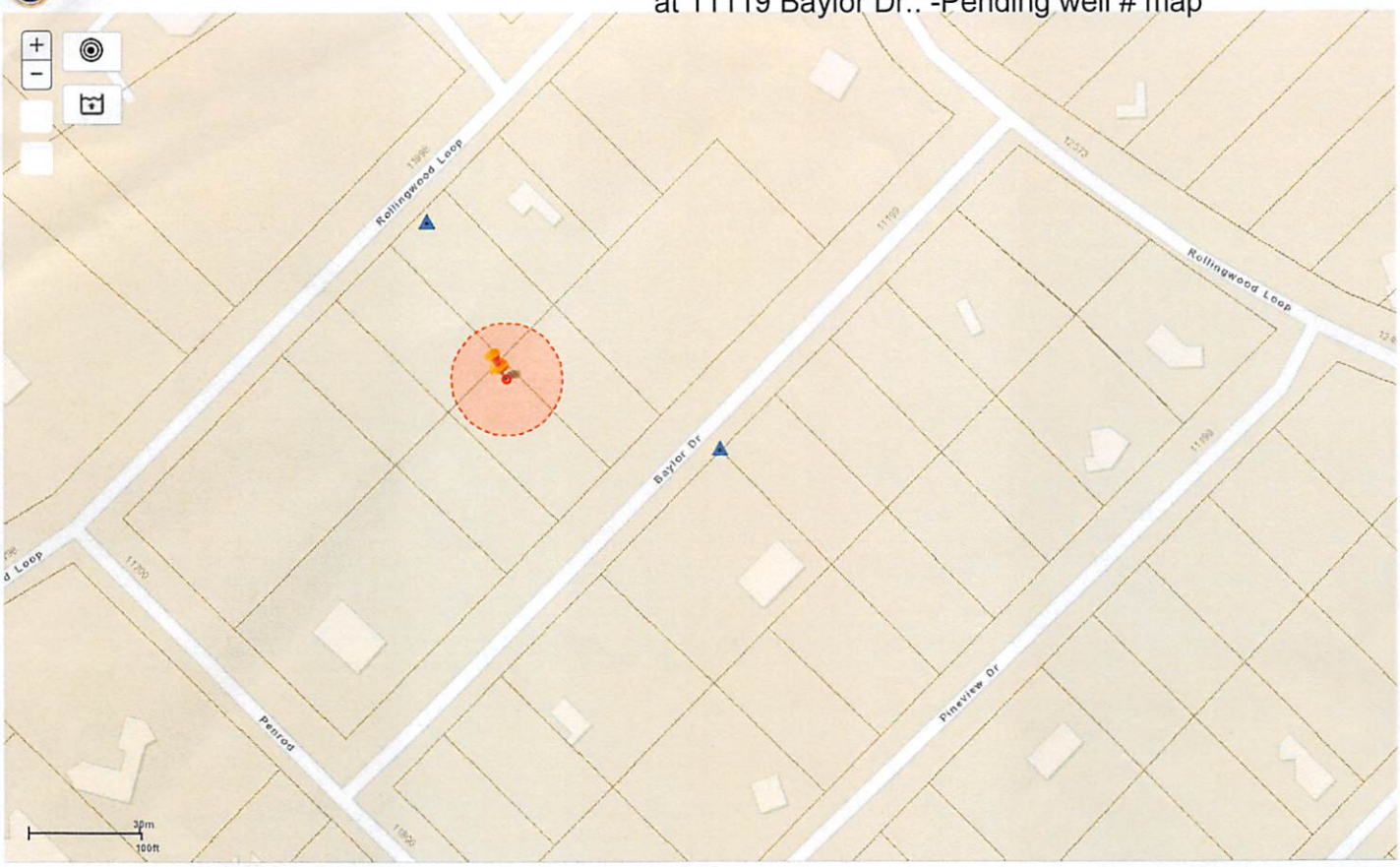
6. Applicants well will be an Exempt well which does not require a meter. As an Exempt well, applicants well will not be equipped to produce more than 25,000 gallons a day or 9,125,000 gallons on an annualized basis.

7. **District Staff Technical Review and Recommendation:** Applicant is requesting registration of and authorization to begin construction on one new Exempt Evangeline aquifer well to serve a solely one single-family residence. Applicant is further requesting for exception to well spacing Rule 3.2 .Applicant has attempted to contact three adjacent property owners for a wavier to District Spacing Rule 3.2. Applicant has provided two signed waivers but has been unable to contact the third adjacent property owner. Third adjacent property owners are deceased. Applicant included required documentation along with proof of the attempt to contact the responsible party by mail and a statement of attempt to contact by phone. Applicant has also stated they went to the Montgomery County offices and reached out to their relator for updated contact information but were unsuccessful. District staff have reviewed the information supplied by the applicant. Staff recommends to the General Manager that she recommend the Board approve the registration and construction of the proposed Exempt Evangeline aquifer well.

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

Enter an address or place

Exempt Well Reg - Ma Natividad Gomez at 11119 Baylor Dr.. -Pending well # map



LONE STAR
GROUNDWATER CONSERVATION DISTRICT

July 23, 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 July 23, 2024.

CALL TO ORDER:

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

ROLL CALL:

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

Jim Spigener
Stuart Traylor
Janice Thigpen
Jonathan Prykryl
Jon Paul Bouché
Kenneth Earnest (*Virtual*)
Gary Dent

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

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

PUBLIC COMMENTS:

No comments were received.

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

Ms. Kouba provided an overview of the 13 applications listed. Applications numbered 1-3 included applications that are considered administratively complete and have been reviewed by District Staff. No hydrogeological reports were required for those items and they comply with the District's Spacing Rules. The General Manager reviewed the applications, and she recommended that the Board grant those which is requested for Items 1 - 3.

Director Bouché moved to approve that which is requested for Items 1-3. Treasurer Prykryl seconded the motion. President Spigener called for a voice vote. Motion passed.

i. Allaudin Maknojia, for a proposed new operating permit not to exceed 1.5 mg annually, and for a proposed well to be drilled at 17470 State Highway 242, Conroe, Public Supply Use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: To Be Determined); and

ii. Steven J. Gibson, for a proposed amendment to OPAG-23101701-CHEV, well to be drilled at 597 ft north of FM1488 and 50 ft west of Community Road Magnolia, (Lat. 30/13/30 Long. -95/40/19) not to exceed 5.5 mg annually, Irrigation (Agriculture) Use, District Aquifer: Chicot/Evangline (CHEV), (Driller of record: Hildebrandt Drilling LLC); and

iii. Fuel Maxx 104, for a proposed new operating permit not to exceed 3 mg annually, and for a proposed well to be drilled at 11900 Seven Coves Rd., Willis, Public Supply Use, District Aquifer: Chicot/Evangeline (CHEV), (Driller of record: To Be Determined); and

Ms. Kouba provided an overview of application number 4 – EG21, LLC (Emory Glen). Ms. Kouba requested the Board's consideration of the item presented.

Ms. Kouba provided an overview of application numbered 5 – Quadvest (Colony at Pinehurst). Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented.

Ms. Kouba provided an overview of application numbered 6 – City of Magnolia. Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented. Director Thigpen asked if this was the same application that was heard in June. Ms. Kouba confirmed that it was for a different aquifer and therefore a different permit.

Ms. Kouba provided an overview of application numbered 7 – Wood Trace MUD 1 (CHEV). Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented.

Ms. Kouba provided an overview of application numbered 8 - Wood Trace MUD 1 (JSPR). Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented. President Spigener noted for the Board, Wood Trace MUD 1 had the same requested increase for both the Chicot/Evangeline and the Jasper.

Ms. Kouba provided an overview of application numbered 9 – Ranchcrest Water System. Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented.

Ms. Kouba provided an overview of application numbered 10 – Montgomery County MUD No. 157 (JSPR). Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented.

Ms. Kouba provided an overview of application numbered 11 – Montgomery County MUD No. 157 (CHEV). Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented.

Ms. Kouba provided an overview of application numbered 12 – City of Shenandoah. Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented. Secretary Thigpen asked for clarification if the permit included a new well, Ms. Kouba confirmed a new well included.

Ms. Kouba provided an overview of application numbered 13 – Magnolia Woods MUD No. 1. Hydrogeological Report was submitted with the application. Due to the volume of water requested, Ms. Kouba requested the Board's consideration of the item presented.

Treasurer Prykryl moved to approve that which is requested for application numbered 4 - 13 and Secretary Thigpen seconded. President Spigener asked for discussion, Vice President Traylor inquired about the total gallons being requested, Ms. Kouba confirmed 1,107,932,387 gallons. President Spigener called for a voice vote. Motion passed.

ADJOURN:

Vice President Traylor moved to adjourn the July 23rd, 2024, Public Hearing on Permit Applications and Treasurer Prykryl seconded the motion. Motion passed. The meeting was adjourned at 6:17 pm.

PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF AUGUST 2024.

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Janice Thigpen, Board Secretary

LONE STAR
GROUNDWATER CONSERVATION DISTRICT

July 23, 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 July 23, 2024.

CALL TO ORDER:

President Spigener presided and called to order the regular Board of Directors meeting at 6:18 PM, announcing that it was open to the public.

ROLL CALL:

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

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

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

PUBLIC COMMENTS:

No public comments were received.

APPROVAL OF THE MINUTES:

President Spigener stated the Board would consider the meeting minutes as listed for approval on the agenda. Without further discussion, Vice President Traylor moved to accept the minutes as presented, and Treasure Prykryl seconded the motion. President Spigener called for

a voice vote. Motion passed to approve the meeting minutes as presented.

- June 11, 2024, Public Hearing on Permit and Permit Amendment Applications
- June 11, 2024, Regular Meeting of the Board of Directors

COMMITTEE REPORTS:

A. Executive Committee

1) Brief the Board on the Committee's activities since the last regular board meeting. President Spigener reported that the Executive Committee met on June 26th, 2024. The District is continuing to working on both the new database and website.

B. Budget & Finance Committee

1) Brief the Board on the Committee's activities since the last regular board meeting. Treasure Prykryl reported that the Budget Committee had not met and no updates since the last Board of Directors meeting.

2) Review of unaudited financials for the month of June 2024
Ms. Kouba presented the financial review for June 2024. The income for the month was $304,367.06, with expenses totaling $167,760.20, resulting in a net income of $136,606.86. The year-to-date net income as of June 30th, 2024, amounted to -$856,897.93. Additionally, the total cash on hand as of June 30th, 2024, was $5,857,177.20.

3) Summary of the 2nd Quarter Summary. Ms. Kouba presented the financial review for 2nd Quarter 2024. At the beginning of the 2nd Quarter, the Money Market and TexPool accounts totaled 7,358,647.02. At the end of the 2nd quarter those accounts totaled $5,645,760.07. Expenses exceeded income by -$1,715,160.87. Interest earned was $2,273.92. First Financial Bank has provided safekeeping reports that indicate all District deposits are adequately covered by their pledge securities.

4) Receive Audit Presentation for Fiscal Year 2023 Jon Watson, CPA provided a summary to the Board of the results of the Fiscal Year 2023 audit. Mr. Watson provided a summary of the audit process for the report. The District received an unmodified report for the 2023 Fiscal Year. Mr. Watson then provided the board with highlights of findings for the previous year.

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 on weekly regarding public relations. Working on external processes and materials for public education. President Spigener and Mrs. Kouba also presented during a scheduled MUD 89 Board Meeting on July 11th, 2024. Ms. Kouba also provided a summary of the discussions during the San Jacinto River Authority (SJRA) GRP committee meeting discussion concerning MUD 89.

D) DFC & Technical Committee

1) Brief the Board on the Committee's activities since the last regular Board meeting. Vice President Traylor provided a report of the ongoing weekly DFC and Technical Committee meetings. The next steps for Site 1 are waiting on the lab results. For Site 2, the SJRA PAM 13 location, the Environmental Study conducted on site is finalized and are now moving on to the next steps. Ms. Kouba added that the environmental study was given to SJRA and that she is working on a meeting with SJRA to discuss the site.

2) Discuss consider and action the addition study for Phase III. Ms. Kouba indicated that there was no action required at this time.

3) Technical Consultants Update – Receive updates from Technical Consultants on ongoing projects and development of desired future conditions in GMA 14. Mr. Keester updated the Board that the model update is on track with deadlines. Mr. Drabek indicated that there were no additional updates at this time.

4) 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 provided the update from Groundwater Management Area 14 the planned area at the time. Ms. Reese provide an update that the Board President received a letter from Senator Perry regarding the inclusion of counties not represented by a GCD in GMA 14.

5) Discussion, Consider, and take action as necessary for GMA 14 items. Ms. Reese indicated that no action was required at this time.

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 internally working on potential rule revisions in preparation for a management plan update later this year.

Discuss, consider, and take action as necessary concerning approval of Resolution #24-003 Order of Election for the General Election positions that are up for election.

Ms. Kouba specified that there are three positions up for election based upon their regular election cycles, which include Place 1 (Montgomery County Precinct 1), Place 5 (County At-Large), and Place 6 (City of Conroe). The Board is required by law to order the election and this resolution meets the statutory requirements for ordering the election for the three general election positions that will be on the November election ballot. Treasurer Prykryl moved to approve Resolution #24-003 Order of Election for the General Election. Director Earnest seconded the motion. President Spigener called for voice vote; motion passed.

Discuss, consider, and take action as necessary concerning approval of Resolution #24-004 Order of Election for the Special Election position that is up for election.

Ms. Kouba specified that the special election position that must be ordered to be on the November election ballot. Place 7 (The Woodlands) is up for election due to Section 36.051(c) of the Water Code, which requires a special election to fill the remainder of the unexpired term due a vacancy that was filled by an appointment by the board with more than 2 years left in the term. The term for this special election position will end December 1, 2026. The Board is required by law to order the special election and this resolution meets the statutory requirements for ordering the election for the one special election position that will be on the November election ballot. Treasurer Prykryl moved to approve Resolution #24-004 Order of Election for the Special Election. Vice Preisdent Traylor seconded the motion. President Spigener called for voice vote; motion passed.

GENERAL MANAGER'S REPORT:

Ms. Kouba provided operational updates, including progress on enforcement, permit audits, system efficiencies within the District, application updates, and database upgrades. Ms. Kouba provided an update on the election procedure for elections 1, 5 6, and 7. Ms. Kouba provided an update of items that occurred since the last meeting. Mr. Seanz provided a summary of the 4-H Water Ambassadors tour and presentation of the District held on June 25, 2024 . Ms. Kouba also provided an update on field and permitting operations.

GENERAL COUNSEL'S REPORT:

Ms. Reese stated that she had no updates for the Board.

EXECUTIVE SESSION:

The Board recessed at 6:54 PM into a closed Executive Session pursuant to Texas Government Code, Sections 551.074 to discuss personnel matters and annual review of the General Manager, and 551.071 to consult with the District's attorney regarding pending or contemplated litigation, settlement offers, or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code regarding any agenda item on any of the Board meetings or hearing posted for today.

RECONVENE IN OPEN SESSION:

Following Executive Session, the Board reconvened in Open Session and President Spigener declared it open to the public at 7:37 PM

NEW BUSINESS:

No new business

ADJOURN:

There being no further business Vice President Traylor moved to adjourn the meeting and Director Dent seconded the motion. President Spigener called for a voice vote, motion carried. The meeting was adjourned at 7:38 PM.

PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF August 2024.

_____

Janice Thigpen, Board Secretary

RESOLUTION NO. #24-005

LONE STAR GROUNDWATER CONSERVATION DISTRICT

RESOLUTION ADOPTING 2025 WATER USE FEES FOR THE LONE STAR GROUNDWATER CONSERVATION DISTRICT PURSUANT TO THE RULES OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT

THE STATE OF TEXAS §

COUNTY OF MONTGOMERY §

WHEREAS, the Lone Star Groundwater Conservation District ("District") was created by the Legislature of the State of Texas in Acts 2001, 77th Leg., R.S., ch. 1321, p. 3246, § 1(a), as amended (the "Enabling Act"), as a groundwater conservation district operating under Chapter 36, Texas Water Code, and the Enabling Act; and

WHEREAS, pursuant to said Act, § 5(a), the District Board of Directors of the District (the "Board") has the permitting and general management powers granted under Chapter 36 of the Texas Water Code;

WHEREAS, § 36.101 of the Texas Water Code authorizes a groundwater conservation district to make and enforce rules to provide for conserving, preserving, protecting, and recharging of the groundwater or of a groundwater reservoir or its subdivisions in order to control subsidence or prevent waste of groundwater and to carry out the powers and duties provided by Chapter 36 of the Texas Water Code;

WHEREAS, §§ 36.205 and 36.122 of the Texas Water Code and the Act authorize the District to assess fees on the production of groundwater within its jurisdiction and for the transfer of such water for use outside of the District;

WHEREAS, the assessment of such fees serves a legitimate regulatory purpose;

WHEREAS, the rules of the District authorize the Board of Directors of the District to establish by resolution a regulatory water use fee to accomplish the purposes of the District;

WHEREAS, the rules of the District authorize the Board of Directors of the District to establish by resolution a groundwater transport fee for the transportation of groundwater out of the District;

WHEREAS, the District staff have worked diligently to forecast all reasonably anticipated revenues, expenses, and activities; and after giving much consideration to these important factors, the Board of Directors recommends a regulatory water use fee of $0.085 per 1,000 gallons for all groundwater permitted in the Chicot, Evangeline, and Jasper Aquifers, other than agricultural use for the calendar year 2025;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

1. The following fees are hereby adopted as the regulatory water use fees of the District for calendar year 2025.

    - A regulatory water use fee of $1 per acre-foot of groundwater permitted in any aquifer for "agricultural use" as that term is defined by § 36.001(20), TEX. WATER CODE ANN. (Vernon Supp. 2004);

    - a regulatory water use fee of $0.085 per 1,000 gallons for all uses, other than "agricultural use", of groundwater permitted in the Chicot, Evangeline, and Jasper Aquifers; and

    - a regulatory water use fee of $0.06 per 1,000 gallons for all uses, other than "agricultural use", of groundwater permitted in the Catahoula Aquifer,

2. Notwithstanding subsection(1), in the event that the application of these adopted rates results in a total annual regulatory water use fee payment of less than ($10.00) for an individual permit issued by the District, the regulatory water use fee payment to be assessed to such a permit shall be the Minimum Regulatory Water Use Fee, which is hereby established as ($10.00) and so adopted.

3. The District shall impose a 50 percent export surcharge in addition to the District's regulatory water use fee for in-District use for transportation of groundwater for use outside of the District, subject to the Act and District Rules. Such fees set forth above shall be assessed as set forth in the Rules of the District for the time period of January 1, 2025, through December 31, 2025;

4. The regulatory water use and groundwater transport fees so adopted shall be effective January 1, 2025, and continue in effect until modified by the Board of Directors;

5. The regulatory water use and groundwater transport fees so adopted shall supersede any and all such fees previously adopted by Resolution or other action of the Board of Directors; and

6. The General Manager is further authorized to take any and all reasonable action necessary for the implementation of this resolution.

7. The Board of Directors of the District reserves the right to review these fees as needed and make changes by resolution at any time.

AND IT IS SO ORDERED.

PASSED AND ADOPTED this 13th day of August 2024.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
James Spigener, President

ATTEST:

_____
Janice Thigpen, Board Secretary