



# BOARD MEETING

JANUARY 10, 2023

LSGCD



***NOTICE OF PUBLIC HEARING ON  
PERMIT AND PERMIT AMENDMENT  
APPLICATIONS***

***TUESDAY, JANUARY 10, 2023, 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 and General Manager Permit Hearing Report and Recommendation on Granting, Denying, or Amending Applications for the following Operating Permits and/or Meter Exemptions:
  - i. NextEra Water Texas, LLC (Lakewood Trails), for a proposed amendment to OP-19022502-CHEV, increase of 2 mg annually, 2,000 ft SW of the intersection of FM 1485 & Lakewood Dr., Conroe, Public Supply (PWS) and Irrigation use;
  - ii. Sanctuary Ministries, for a proposed amendment to OP14042301-CHEV, re-equip Chicot Aquifer well at 13927 FM 134, Conroe, increase of 0.35 mg annually, Commercial use;
  - iii. Jack McClanahan (Stryker Building), for a proposed amendment to OP-12032801-CHEV, increase of 0.2 mg annually, 1212 Old Hwy 105, Conroe, Commercial and Irrigation use;
  - iv. T & W Water Services (Deer Run) dba Blue Topaz Utilities, for a proposed amendment to OP-07092807-CHEV, increase of 1 mg annually, 10589 Fawnmist, Conroe, Public Supply (PWS) use;
  - v. Conroe 1097 Investments, Ltd, for 2 proposed Jasper Aquifer wells to be drilled at 19695 W FM 1097, Montgomery, hydrogeological report submitted with application, not to exceed 0.1 mg annually, Public Supply (PWS) use, (Driller of record: To be determined);
  - vi. BFS Real Estate LLC, for a proposed Evangeline Aquifer well to be drilled at 8600 Waukegan Rd., Conroe, not to exceed .600 mg annually, Commercial/Irrigation use;
  - vii. Farrell Road Development, for a proposed amendment to OP-14051901-CHEV, increase of 0.15 mg annually, 29089 Robinson Rd., Conroe, Industrial use;.
  - viii. HMW Special Utility District (Kipling Oaks #2), for a proposed amendment to OP-21041402-CHEV, increase of 0.673100 mg annually, 1927 Timber Ranch, Magnolia, Public Supply (PWS) use;
  - ix. HMW Special Utility District (Sendera), for a proposed operating permit not to exceed 4.372300 mg annually in aggregate with HUP095-CHEV, 9222 Diamante Dr., Magnolia, Public Supply (PWS) use;
  - x. Crystal Springs Water (Lillie Put Farms), for a proposed amendment to OP-15121001-CHEV, increase of 1 mg annually, 18459 Railroad Ave., New Caney, Public Supply (PWS) use;
  - xi. Iffi Stop Food Mart, for a proposed amendment to OP-09031301-CHEV, increase of 0.5 mg annually, 9146 Hwy 242, Conroe, Public Supply (PWS) use; and



- xii. Aqua Texas, Inc. (Westwood 1&2/Old Egypt), for a proposed amendment to OP-05072103I-CHEV, increase of 125.200 mg annually and add aggregate Evangeline Aquifer well, 329 Gotland Russ Ln, Spring, Public Supply (PWS) use, hydrogeological report submitted with application, (Driller of record: To be determined).
5. Discussion, consideration, and possible action on the following Operating Permits and/or Meter Exemptions:
- i. NextEra Water Texas, LLC (Lakewood Trails), for a proposed amendment to OP-19022502-CHEV, increase of 2 mg annually, 2,000 ft SW of the intersection of FM 1485 & Lakewood Dr., Conroe, Public Supply (PWS) and Irrigation use;
  - ii. Sanctuary Ministries, for a proposed amendment to OP14042301-CHEV, re-equip Chicot Aquifer well at 13927 FM 134, Conroe, increase of 0.35 mg annually, Commercial use;
  - iii. Jack McClanahan (Stryker Building), for a proposed amendment to OP-12032801-CHEV, increase of 0.2 mg annually, 1212 Old Hwy 105, Conroe, Commercial and Irrigation use;
  - iv. T & W Water Services (Deer Run) dba Blue Topaz Utilities, for a proposed amendment to OP-07092807-CHEV, increase of 1 mg annually, 10589 Fawnmist, Conroe, Public Supply (PWS) use;
  - v. Conroe 1097 Investments, Ltd, for 2 proposed Jasper Aquifer wells to be drilled at 19695 W FM 1097, Montgomery, hydrogeological report submitted with application, not to exceed 0.1 mg annually, Public Supply (PWS) use, (Driller of record: To be determined);
  - vi. BFS Real Estate LLC, for a proposed Evangeline Aquifer well to be drilled at 8600 Waukegan Rd., Conroe, not to exceed .600 mg annually, Commercial/Irrigation use;
  - vii. Farrell Road Development, for a proposed amendment to OP-14051901-CHEV, increase of 0.15 mg annually, 29089 Robinson Rd., Conroe, Industrial use;.
  - viii. HMW Special Utility District (Kipling Oaks #2), for a proposed amendment to OP-21041402-CHEV, increase of 0.673100 mg annually, 1927 Timber Ranch, Magnolia, Public Supply (PWS) use;
  - ix. HMW Special Utility District (Sendera), for a proposed operating permit not to exceed 4.372300 mg annually in aggregate with HUP095-CHEV, 9222 Diamante Dr., Magnolia, Public Supply (PWS) use;
  - x. Crystal Springs Water (Lillie Put Farms), for a proposed amendment to OP-15121001-CHEV, increase of 1 mg annually, 18459 Railroad Ave., New Caney, Public Supply (PWS) use;
  - xi. Iffi Stop Food Mart, for a proposed amendment to OP-09031301-CHEV, increase of 0.5 mg annually, 9146 Hwy 242, Conroe, Public Supply (PWS) use; and
  - xii. Aqua Texas, Inc. (Westwood 1&2/Old Egypt), for a proposed amendment to OP-05072103I-CHEV, increase of 125.200 mg annually and add aggregate Evangeline Aquifer well, 329 Gotland Russ Ln, Spring, Public Supply (PWS) use, hydrogeological report submitted with application, (Driller of record: To be determined).
6. Adjourn or continue permit hearing in whole or in part.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

*These public hearings and meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting or hearing, please contact the Lone Star GCD at 936/494-3436 at least 24 hours in advance of the meeting.*



At any time during one the above meetings or hearings and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Lone Star Groundwater Conservation District Board may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); deliberation regarding security devices (§551.076); and deliberation regarding cybersecurity (§551.089). Any subject discussed in executive session may be subject to action during an open meeting.

### **Certification**

I, the undersigned authority, do hereby certify that on January 5, 2023, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

*/s/ Samantha Stried Reiter*

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Samantha Stried Reiter, General Manager Lone  
Star Groundwater Conservation District



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

**To be held on Tuesday, January 10, 2023  
Lone Star GCD – James B. "Jim" Wesley Board Room  
655 Conroe Park North Drive  
Conroe, Texas 77303**

**NOTICE OF REGULAR MEETING OF THE  
BOARD OF DIRECTORS**

**TUESDAY, JANUARY 10, 2023, 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.)***

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, section §551.071, to consult with the District's attorney regarding pending or contemplated litigation, settlement offers; or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code regarding any agenda item on any of the board meetings or hearings posted for today.

No action will be taken in Executive Session.

5. Re-convene in Open Session.
6. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:
  - a) December 13, 2022, Special Hearing
  - b) December 13, 2022, Hearing on Permits
  - c) December 13, 2022, Regular Meeting



7. Committee Reports:
  - A. 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 2022 – Samantha Stried Reiter
    - 3) Review of 4<sup>th</sup> Quarterly Investment Report 2022.
  - B. External Affairs Committee – Jim Spigener, Chair
    - 1) Brief the Board on the Committee’s activities since the last regular Board meeting
    - 2) Discussion, consideration, and possible action on any items related to communications and/or legislative matters pertaining to Lone Star GCD
  - C. DFC & Technical Committee – Stuart Traylor, Chair
    - 1) Brief the Board on the Committee’s activities since the last regular Board meeting
  - D. Rules, Bylaws & Policies Committee – Jim Spigener, Chair
    - 1) Brief the Board on the Committee’s activities since the last regular Board meeting
8. Receive information from District’s technical consultants regarding subsidence studies and/or discussion regarding the same – Samantha Stried Reiter and/or District’s technical consultant(s).
9. Groundwater Management Area 14 – update the board on the issues related to joint planning activities and development of desired future conditions in GMA 14 – Samantha Reiter and/or District’s technical consultant(s).
  - a) Discussion, consideration, and possible action on any items related to Lone Star GCD’s proposal(s) to and/or participation in GMA 14.
10. General Manager’s Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting. – Samantha Stried Reiter
11. General Counsel’s Report – The District's legal counsel will brief the Board on any pertinent legal issues and developments impacting the District since the last regular Board meeting, and legal counsel's activities on behalf of the District, including without limitation: waste injection well monitoring activities and injection well applications filed at the Railroad Commission of Texas or the Texas Commission on Environmental Quality, including District protests or other actions regarding same; District Rules enforcement activities; District Rules and regulations, permitting and District Management Plan development or implementation issues; groundwater-related



legislative activities; joint planning and desired future conditions development activities; contemplated and/or pending litigation involving the District; developments in groundwater case law and submission of legal briefs; legislation or legislative activities; contractual issues related to the District; open government, open records requests, public personnel, election matters and financial issues of the District; and other legal activities on behalf of the District. – Stacey V. Reese.

12. New Business.

13. Adjourn.

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*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.*

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/s/ Samantha Stried Reiter

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Samantha Stried Reiter, General Manager  
Lone Star Groundwater Conservation District

# NextEra Water Texas, LLC (Lakewood Trails)

Attn: Christina Akly  
6710 Spring Stubner Rd, Ste 709 PMB 1051  
Spring, TX 77389

Permit No. OP-19022502A

## Amend Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	2.000
<b>GM Recommendation (MG):</b>	2.000
<b>Water use:</b>	Public Supply (PWS) & Irrigation
<b>Location:</b>	2,000 ft SW of the intersection of FM 1485 & Lakewood Dr., Conroe (Lat. 30/18/27 & Long. 95/21/53)
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 10, 2023 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 2,000,000 gallons for the Evangeline.
5. Applicant currently has an OP in the amount of 5,000,000 gallons for the Evangeline. Amount available pending approval of this application equals 7,000,000 gallons for the Evangeline.
6. Applicant's reported pumpage for 2022 equals 6,044,000 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-19022502 with an allocation of 5,000,000 gallons for the Evangeline. Applicant is requesting an increase in the permit allocation of 2,000,000 gallons for the Evangeline. If approved the revised allocation will be 7,000,000 gallons for the Evangeline annually. Applicant serves as a public supply for 71 single family dwellings and residential irrigation. Applicant states they are increasing due to demand in the service area. District staff have reviewed the information submitted by applicant. Staff recommends to the General Manager that she recommend the Board authorize the requested increase of 2,000,000 gallons for the Evangeline annually.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.



# Sanctuary Ministries

Attn: Wayne Hutson  
625 Atlanta Park  
Conroe, TX 77302

Permit No. OP-14042301A

## Amend Operating Permit

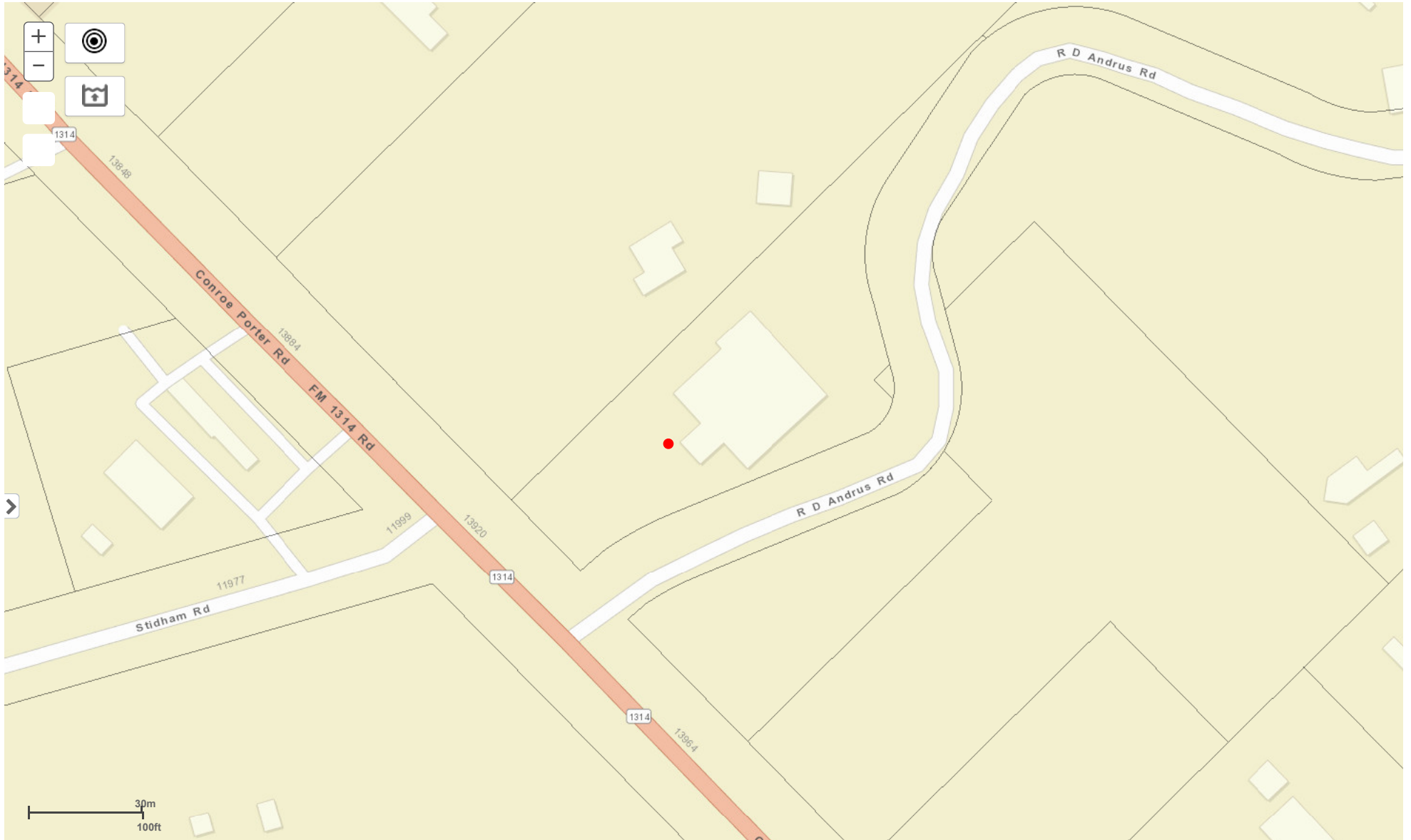
<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	0.350
<b>GM Recommendation (MG):</b>	0.350
<b>Water use:</b>	Commercial
<b>Location:</b>	13927 FM 1314, Conroe
<b>Well Registration:</b>	2014042302
<b>Depth (ft):</b>	240.0
<b>Diameter (in):</b>	4.0

## Information

1. **Amend permit** - increase allocation and re-equipment well: max gpm. Permit Terms: commencing January 10, 2023 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 350,000 gallons for the Chicot.
5. Applicant currently has an OP in the amount of 150,000 gallons for the Chicot. Amount available pending approval of this application equals 500,000 gallons for the Chicot.
6. Applicant's reported pumpage for 2022 equals 211,478 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-14042301 with one existing well and 150,000 gallons for the Chicot annually. Application is requesting an increase of 350,000 gallons for the Chicot annually. Applicant also request approval of the change of permitted characteristics of well #2014042302. Applicant's well serves a ministry facility with services and adult classes. Applicant states their parishioners are increasing, and their building has a maximum capacity of 500. Application also has irrigation to a 5 x 5 flower bed. District staff recommends to the General Manager that she recommend the Board approve the requested allocation increase of 350,000 gallons for the Chicot annually, and the change of permitted characteristics of well.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.



# Sanctuary Ministries OP-14042301A 13927 FM 1314, Conroe



# Jack McClanahan (Stryker Building)

Attn: Darrell May  
13921 Hwy 105 West  
Conroe, TX 77304

Permit No. OP-12032801D

## Amend Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	0.200
<b>GM Recommendation (MG):</b>	0.200
<b>Water use:</b>	Commercial & Irrigation
<b>Location:</b>	1212 Old Hwy 105, Conroe
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 10, 2023 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 200,000 gallons for the Evangeline.
5. Applicant currently has an OP in the amount of 1,400,000 gallons for the Evangeline. Amount available pending approval of this application equals 1,600,000 gallons for the Evangeline.
6. Applicant's reported pumpage for 2022 equals 1,504,200 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-12032801C with one existing well and 1,400,000 gallons for the Evangeline. Application is requesting an increase of 200,000 gallons for the Evangeline annually. Applicant's well serves a warehouse business park with 12 buildings and 23 tenants. Applicant's well also irrigates 1.748 acres of landscaping and grass. Applicant states there has been an increase in tenants and their demand. District staff recommends to the General Manager that she recommend the Board approve the requested allocation increase of 200,000 gallons for the Evangeline annually.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

# T & W Water Services (Deer Run) dba Blue Topaz Utilities

Attn: Ron Payne  
P. O. Box 2927  
Conroe, TX 77305

Permit No. OP-07092807E

## Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	1.000
<b>GM Recommendation (MG):</b>	1.000
<b>Water use:</b>	Public Supply (PWS)
<b>Location:</b>	10589 Fawnmist, Conroe
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 10, 2023 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 1,000,000 gallons for the Evangeline.
5. Applicant currently has an OP in the amount of 10,000,000 gallons for the Evangeline. Amount available pending approval of this application equals 11,000,000 gallons for the Evangeline.
6. Applicant's reported pumpage for 2022 equals 9,843,000 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-07092807D with an allocation of 10,000,000 gallons for the Evangeline which serves the Deer Run subdivision. Applicant is requesting an increase of 1,000,000 gallons for the Evangeline annually. If approved the revised allocation will be 11,000,000 gallons for the Evangeline annually. Applicant further notes they have had an increase in customer demand. Staff recommends to the General Manager that she recommend the Board approve the requested increase of 1,000,000 gallons for the Evangeline annually.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

# Conroe 1097 Investments, Ltd

Attn: Frank Liu  
2410 Polk Street, Ste 200  
Houston, TX 77303

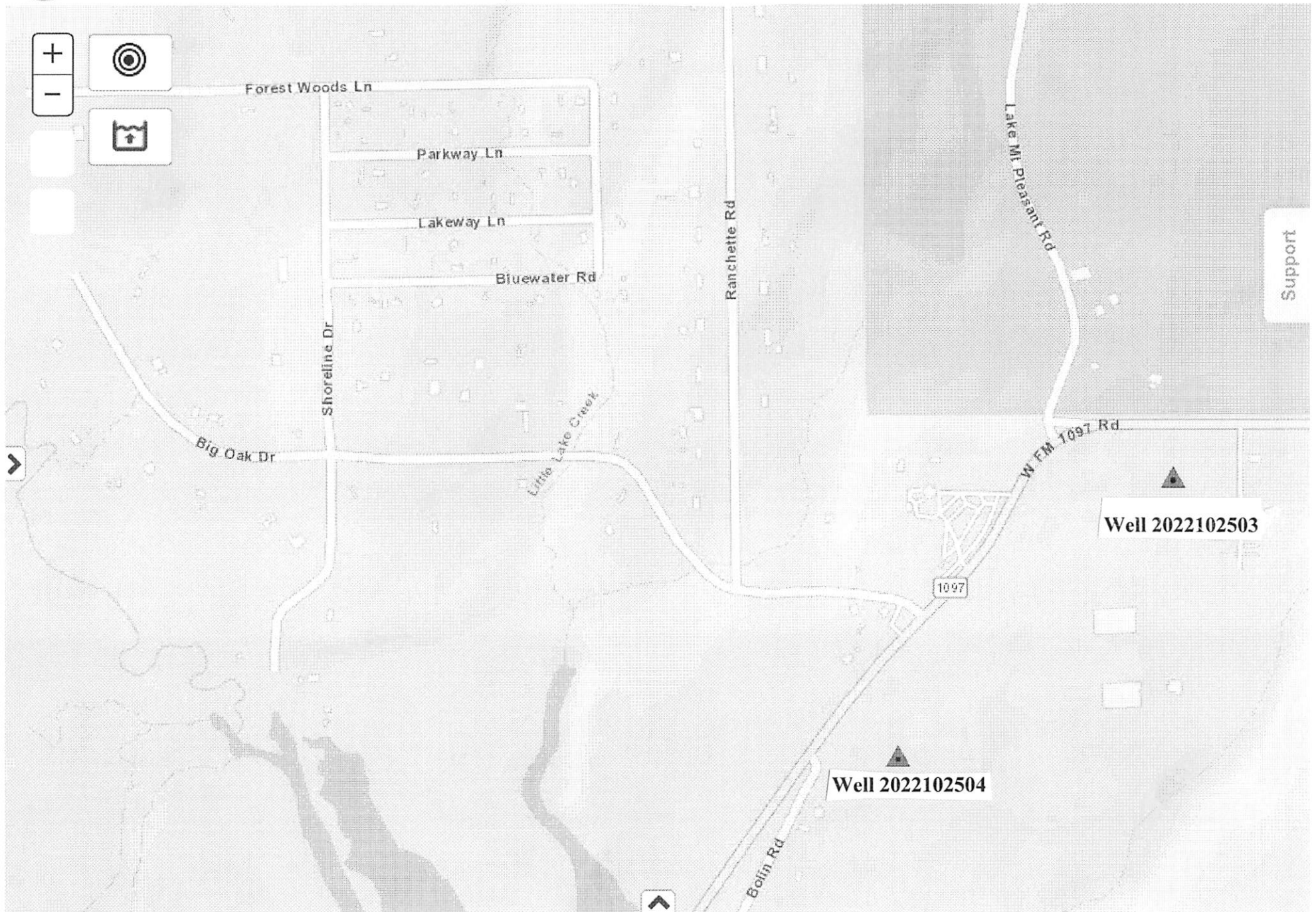
Permit No. OP-22102501

## Operating Permit

<b>Date of Hearing:</b>	1/10/2023	
<b>Request (MG):</b>	0.100	
<b>GM Recommendation (MG):</b>	0.100	
<b>Water use:</b>	Public Supply (PWS)	
<b>Location:</b>	19695 W FM 1097, Montgomery	20131 W FM 1097, Montgomery
<b>Well Registration:</b>	2022102503	2022102504
<b>Depth (ft):</b>	1000	1000
<b>Diameter (in):</b>	18	18

## Information

1. Issue a permit commencing January 10, 2023 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 100,000 gallons for 2023 and annually thereafter for the Jasper aquifer.
5. Applicant will provides water for a mixed use development, including residential homes, office buildings and irrigation.
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 states in District Rule 3.3. "Non-exempt wells will be spaced from all registered and permitted wells a distance not less than 1.5 feet multiplied by the Maximum Allowable Pumping Rate in the Jasper aquifer. A Supplemental Application for Request for Exception to Well Spacing was also submitted. District consultants have reviewed the submitted Supplemental Application for Request for Exception to Well Spacing and found it to meet the requirements as detailed in the Hydrogeological Report Guidelines.
8. **District Staff Technical Review and Recommendation:** Applicant is requesting registration and of two wells and authorization to begin construction on the two new wells which will serve a new residential development. Applicant is further requesting the issuance of OP-22102501 with an allocation of 100,000 gallons for 2023 and beyond for the initial drilling of the two new wells. Applicant states the wells will eventually provide water for approximately 1000 single family homes, 6 office buildings and 1 1/2 acres of irrigation, including new grass and trees. District staff recommends to the General Manager that she recommend the Board approve the registration and construction of the two proposed wells, and the requested allocation of 100,000 gallons for 2023 and beyond.
10. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.



# BFS Real Estate LLC

Attn: Mark Berthold  
2001 Bryan Street, Suite 1600  
Dallas, TX 75201

Permit No. OP-22110901

## Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	0.600
<b>GM Recommendation (MG):</b>	0.600
<b>Water use:</b>	Commercial
<b>Location:</b>	8600 Waukegan Rd, Conroe
<b>Well Registration:</b>	2022110901
<b>Depth (ft):</b>	680.0
<b>Diameter (in):</b>	6.0

## Information

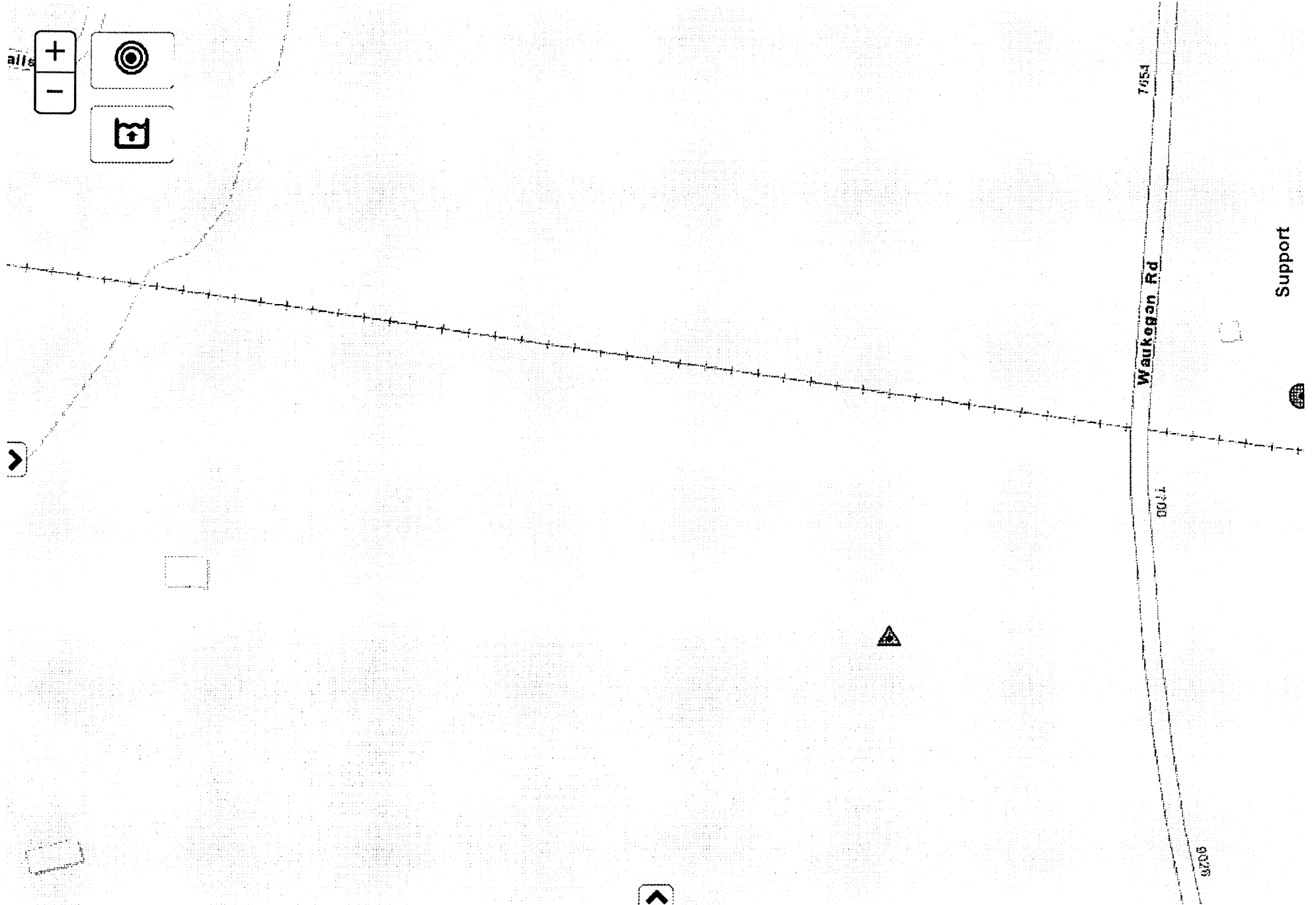
1. Issue a permit commencing January 10, 2023 in perpetuity (unless amended or revoked).
2. No written opposition was received regarding the proposed permit.
3. The permit application is administratively complete.
4. Applicant requests 600,000 gallons for 2023 and annually thereafter for the Chicot/Evangeline aquifer.
5. Applicant will provide water for a truss manufacturing plant.
6. **District Staff Technical Review and Recommendation:** Applicant is requesting registration and authorization to begin construction on one new well which will serve a truss manufacturing plant. Applicant is further requesting the issuance of OP-22101901 with an allocation of 600,000 gallons for 2023 and beyond. Applicant states the allocation will be used for approximately 70 employees and a 180,000 gallon tank for fire prevention. District staff recommends to the General Manager that she recommend the Board approve the registration and construction of the proposed new well for the Evangeline aquifer, and the requested allocation 600,000 gallons for 2023 and beyond.
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

**BFS Real Estate**  
**OP-22110901 Well Reg 2022110901**  
**8600 Waukegan Rd, Conroe**

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Map navigation controls including zoom in (+), zoom out (-), a target icon, and a house icon.



# Farrell Road Development

Attn: Steve Danton  
29089 Robinson Rd  
Conroe, TX 77385

Permit No. OP-14051901B

## Amend Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	0.150
<b>GM Recommendation (MG):</b>	0.150
<b>Water use:</b>	Industrial
<b>Location:</b>	29089 Robinson Rd, Conroe
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 10, 2023 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 150,000 gallons for the Evangeline aquifer.
5. Applicant currently has an OP in the amount of 150,000 gallons. Amount available pending approval of this application equals 300,000 gallons for the Evangeline aquifer.
6. Applicant's reported pumpage for 2022 equals 206,600 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-14051901A with an annual allocation of 150,000 gallons. Water from this well provides water for the sanitary needs and breakroom of 20 employees of a plastics manufacturing plant. Applicant is requesting an additional 150,000 gallons annually due an increase in the number of employees and the irrigation area of 30,000 square feet of established plants/trees that are watered through an irrigation system. District staff have reviewed the information provided by the applicant. Staff recommends to the General Manager that she recommend the Board approve the allocation increase of 150,000 gallons annually as requested.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

# HMW Special Utility District (Kipling Oaks #2)

Attn: Alison Harding, Compliance Coordinator  
P. O. Box 837  
Pinehurst, TX 77362

Permit No. OP-21041402A

## Amend Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	0.6731
<b>GM Recommendation (MG):</b>	0.6731
<b>Water use:</b>	Public Supply (PWS)
<b>Location:</b>	1927 Timber Ranch, Magnolia
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 10, 2023 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 673,100 gallons for the Evangeline aquifer.
5. Applicant currently has an HUP in the amount of 43,176,900 gallons and an OP in the amount of 13,000,000 gallons in the Evangeline aquifer. Amount available pending approval of this application equals 56,850,000 gallons for the Evangeline aquifer.
6. Applicant's reported pumpage for 2022 equals 49,039,300 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant current holds HUP090A and OP-21041402 with an annual combined allocation of 56,176,900 gallons for the Evangeline aquifer. Applicant supplies water for a Public Water Supply to Kipling Oaks 2 and Timbergreen subdivisions. Applicant has an estimated 379 connections. Applicant states they have experienced growth within the system. District staff have reviewed the information submitted by applicant and recommends to the General Manager that she recommend the Board approve the requested allocation increase of 673,100 gallons for the Evangeline aquifer for 2023 and beyond.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

# HMW Special Utility District (Sendera)

Attn: Alison Harding, Compliance Coordinator  
P. O. Box 837  
Magnolia, TX 77362

Permit No. OP-22122103

## Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	4.372
<b>GM Recommendation (MG):</b>	4.372
<b>Water use:</b>	Public Supply (PWS)
<b>Location:</b>	9222 Diamante Dr., Magnolia
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. Issue a permit commencing January 10, 2023 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 4,372,300 gallons for 2023 and annually thereafter for the Evangeline aquifer.
5. Applicant currently has an HUP in the amount of 15,877,700 gallons. Amount available pending approval of this application equals 20,250,000 gallons for the Evangeline aquifer.
6. Applicant's reported pumpage for 2022 equals 14,735,000 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant current holds HUP095A with an annual allocation of 15,877,700 gallons for the Evangeline aquifer. Applicant supplies water for a Public Water Supply to Sendera Lakes subdivision. Applicant has an estimated 138 connections. Applicant states they have experienced growth within the system. District staff have reviewed the information submitted by applicant and recommends to the General Manager that she recommend the Board approve the requested allocation increase of 4,372,300 gallons for the Evangeline aquifer for 2023 and beyond.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

# Crystal Springs Water (Lillie Put Farms)

Attn: Julie Dubros, C.F.O.  
P.O. Box 603  
Porter, TX 77365

Permit No. OP-15121001A

## Amend Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	1.000
<b>GM Recommendation (MG):</b>	1.000
<b>Water use:</b>	Public Supply (PWS)
<b>Location:</b>	18459 Railroad Ave., New Caney
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 10, 2023 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 1,000,000 gallons for the Chicot aquifer.
5. Applicant currently has an OP in the amount of 9,500,000 gallons. Amount available pending approval of this application equals 10,500,000 gallons for the Chicot aquifer.
6. Applicant's reported pumpage for 2022 equals 8,374,500 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant current holds OP-15121001 with an annual allocation of 9,500,000 gallons. Applicant supplies water to a Public Water System with a total buildout of 137 connections. Applicant states there was an increase in homes being constructed, resulting in additional connections. District staff have reviewed the information provided by the applicant. Staff recommends to the General Manager that she recommend the Board approve the allocation increase of 1,000,000 gallons annually as requested.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

# Iffi Stop Food Mart

Attn: Ron Ghani  
9146 Hwy 242  
Conroe, TX 77385

Permit No. OP-09031301A

## Amend Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	0.500
<b>GM Recommendation (MG):</b>	0.500
<b>Water use:</b>	Commercial
<b>Location:</b>	9146 Hwy 242, Conroe
<b>Well Registration:</b>	N/A
<b>Depth (ft):</b>	N/A
<b>Diameter (in):</b>	N/A

## Information

1. **Amend permit** - increase allocation. Permit Terms: commencing January 10, 2023 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 500,000 gallons for the Evangeline aquifer.
5. Applicant currently has an OP in the amount of 500,000 gallons. Amount available pending approval of this application equals 1,000,000 gallons in the Evangeline aquifer.
6. Applicant's reported pumpage for 2022 equals 742,240 gallons.
7. **District Staff Technical Review and Recommendation:** Applicant currently holds OP-09031301 with and annual allocation of 500,000 gallons. Applicant supplies water to a convenience store, serving approximately 150 customers and 5 employees a day for 365 days a year. Applicant states that usage has increased due to the store staying open 24 hours a day, 7 days a week. District staff have reviewed the information provided by the applicant. Staff recommends to the General Manager that she recommend the Board approve the allocation increase of 500,000 gallons as requested for the Evangeline aquifer as requested.
8. Based on technical review, staff recommends to the General Manager that she recommend approval of that which is being requested.

# Aqua Texas, Inc. (Westwood 1&2/Old Egypt)

Attn: Ashley M McCaffrey  
2211 Louetta Rd.  
Spring, TX 77388

Permit No. OP-05072103I

## Amend Operating Permit

<b>Date of Hearing:</b>	1/10/2023
<b>Request (MG):</b>	125.200
<b>GM Recommendation (MG):</b>	125.200
<b>Water use:</b>	Public Supply (PWS)
<b>Location:</b>	329 Gotland Russ Ln, Spring
<b>Well Registration:</b>	2022122701
<b>Depth (ft):</b>	775.0
<b>Diameter (in):</b>	14.0

## Information

1. **Amend permit** - add well to aggregate system and increase allocation. Permit Term: commencing January 10, 2023, 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 125,200,000 gallons for the Evangeline aquifer.
4. Applicant currently has an aggregate HUP-CHEV in the amount of 38,645,000 gallons, aggregate OP-CHEV in the amount of 111,355,000. Amount available pending approval of this application equals aggregate Chicot/Evangeline in the amount of 275,200,000 gallons.
5. A hydrogeological report is required due to the maximum GPM of the proposed well is 700 GPM or greater. District consultants have reviewed the submitted hydrogeological report and found it to meet the requirements as detailed in the Hydrogeological Report Guidelines.
6. **District Staff Technical Review and Recommendation:** Applicant current holds HUP023 and OP-05072103H with an aggregated allocation of 150,000,000 for the Chicot/Evangeline aquifer. Applicant is requested the construction of a new well in the Evangeline along with an allocation increase of 125,200,000 gallons. If approved, the revised aggregate allocation for Chicot/Evnagline in the amount of 275,200,000 gallons. Applicant uses the water for Public Water Supply to Westwood 1&2 and Old Egypt Subdivisions. Application has an estimated 2,832 single family dwellings. District staff have reviewed the information submitted by application and recommends to the General Manager that she recommend the Board approve the construction of the new well and the requested allocation increase of 125,200,000 gallons for the Chicot/Evangeline aquifer for 2023 and beyond.
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

**Aqua Texas, Inc (Westwood 1&2/Old Egypt)**  
**OP-05072103I Well Reg. 2022122701**  
**329 Gotland Russ Ln, Spring**

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# LONE STAR GROUNDWATER CONSERVATION DISTRICT

**December 13, 2022**

## **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 13, 2022.

### **CALL TO ORDER:**

President Spigener called to order the Public Hearing on Permit Applications at 6:01 PM announcing the meeting open to the public.

### **ROLL CALL:**

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

Jon Paul Bouché  
Jonathan Prykryl  
Janice Thigpen  
Stuart Traylor  
Jim Spigener  
Kenneth Earnest

Six members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; James Beach, District Consultant; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit “A” to the Regular Board of Directors Meeting minutes.*

### **PRAYER AND PLEDGES OF ALLEGIANCE:**

President Spigener called on Treasurer Prykryl for the opening prayer. Director Earnest led the Pledge of Allegiance and the Pledge of Allegiance to the state flag.

President Spigener stated this is the last meeting of the year and there a few items to take note on. The board has done a great job this year given some difficult circumstances. There is a great



management plan in place and the District is fine-tuning the rules and the board has worked extremely hard on them. A majority of the board members came into office in 2018 under the values of first, protecting private property rights. Second, being transparent. Third, they will continue to obey the law, stick to the letter of the law, and stick to science. The board has and will continue to do that. President Spigener would also like to acknowledge staff. The permitting director has done a great job and the legal counsel has as well. The technical consultants have also delivered on the science and tonight you will see that in the Phase 3 Subsidence Study presentation.

**PUBLIC COMMENTS:**

No comments were received.

**ADMINISTER OATHS OF OFFICE:**

Samantha Reiter, General Manager, presided and administered the constitutional Oath of Office to the following directors-elect present: Place 2 – Janice Thigpen; Place 3 – Kenneth Earnest; Place 4 – Jonathan Prykryl; and Place 6 – Jon Paul Bouche. *Copies of the executed documents are attached hereto as Exhibit "B".*

**DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING THE APPOINTMENT OF COMMITTEE CHAIRS:**

Kristen Fancher, election counsel for the District, addressed the board. This year's election (2022) was the District's third election cycle. The District accepted all applications pursuant to the Texas Election Code. After the election and the canvass of the 2022 election, the District became aware that Mr. Yoars serves on the board of another political subdivision, Montgomery County MUD #36. This fact was confirmed in writing by Mr. Yoars on December 1<sup>st</sup> and is supported by MUD #36 public records. The District provided Mr. Yoars with notice and an overview of the issue as soon as possible after learning of the legal issue. Texas Election Code Section 145.003 requires the District to review and declare a candidate ineligible upon finding that a public record establishes that ineligibility. This provision specifically applies when eligibility is raised after an election. Texas Election Code 141.001(a)(7) and Texas Water Code Section 36.051(b) are eligibility provisions that apply to the election of a Groundwater Conservation District. The section 36.051(b) provision states that a member of the governing body of another political subdivision is ineligible for appointment or election as a director to the GCD (Groundwater Conservation District) board. The MUD is a disqualifying political subdivision according to the definition of that term in Texas Water Code Section 36.001. The presiding officer of the canvassing authority, or the board president, has provided notice of this ineligibility pursuant to Texas Election Code Section 145.003(d). Texas Election Code Section 201.028 provides that if an ineligible candidate is elected, a vacancy in the office occurs on the date of the final canvass. The District has been advised that a person cannot qualify for the office that he or she is ineligible by law to hold. The law also makes the declaration of this ineligibility mandatory.

Ms. Fancher stated that she was able to connect with Mr. Yoars by phone today. Ms. Fancher stated that it was her understanding from that conversation is that Mr. Yoars understands the issue and is on the same page as the District. This was intended to be the overview and the

update. The declaration of ineligibility has been provided in accordance with the Texas Election Code and Ms. Fancher's recommendation is that the District proceed with that vacancy in the office based on the facts that were presented today.

**DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING THE ELECTION OF OFFICERS:**

Ms. Reese stated that the bylaws require the board in December of every even numbered years to review officer positions. We currently have a vacancy in the Secretary position since Director Rogers' term expired on December 1<sup>st</sup>.

President Spigener made a motion to keep all the positions the same and appoint Director Janice Thigpen as Secretary. Director Earnest seconded, and the motion carried.

**DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY REGARDING BOARD COMMITTEES AND APPOINTMENT OF COMMITTEE CHAIRS:**

President Spigener stated that he included a copy of the new committee appointments and chairs at the director's seats. If there are any questions, it can be discussed with him individually after the meeting.

**ADJOURN:**

There being no further business, upon a motion made by President Spigener, the meeting was adjourned at 6:16 PM.

**PASSED, APPROVED, AND ADOPTED THIS 10<sup>th</sup> DAY OF JANUARY 2023.**

---

Board Secretary, Janice Thigpen



# SIGN IN SHEET

December 13, 2009

Do you wish to speak on an agenda item?	NAME	CITY, STATE, ZIP	E-Mail	Would you like to receive LSGCD updates & information?
N	Doug Miller	Pinehurst TX 77362	dfwash@gmail.com	Y
N	Webb Melder	Conroe	melderbw@aol.com	Y
N	Simon Seubert	Magnolia	simon@quadvest.com	
N	Mike Stoeker	Conroe, TX	mike@StoekerCorp.com	N
N	Staci Earnest	The Woodlands, TX	—	N
N	Kyle Earnest	" "	—	
	Jessica Shorten	Splendora	jshorten@communityimpact.com	



In the name and by the authority of

# The State of Texas

THIS IS TO CERTIFY, that at a general election held on

November 8, 2022

**JON BOUCHE**

was duly elected

to the Lone Star Groundwater  
Conservation District Board of Directors



In testimony whereof, I have hereunto signed my name and caused the Seal of Lone Star Groundwater Conservation District to be affixed this the 13th day of December, 2022.

James Spigener, Board President/Presiding  
Officer of Canvassing Authority

Submit to:  
SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334  
FAX 512-463-5569  
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Jon Paul Bouche, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Director, Place 6 of the Lone Star Groundwater Conservation District of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

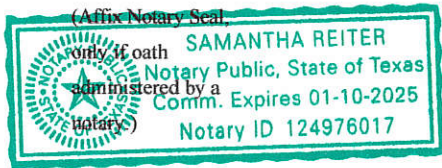
Jon P. Bouche  
Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas

County of Montgomery

Sworn to and subscribed before me on this 13th day of December 2022



Samantha Reiter

Signature of Notary Public or  
Signature of Other Person Authorized to Administer An  
Oath

Samantha Stried Reiter

Printed or Typed Name

Form #2201 Rev. 05/2020  
Submit to:  
**SECRETARY OF STATE**  
Government Filings  
Section P O Box 12887  
Austin, TX 78711-2887  
512-463-6334  
512-463-5569 - Fax  
Filing Fee: None



**STATEMENT OF OFFICER**

**Statement**

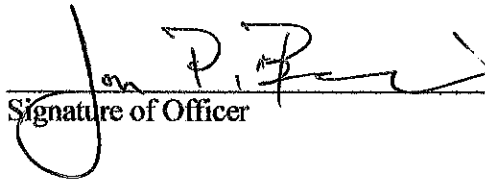
I, Jon Paul Bouche, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Director, Place 6 of the Lone Star Groundwater Conservation District

**Execution**

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: December 13, 2022

  
\_\_\_\_\_  
Signature of Officer

## Form 2201 - Statement of Officer (General Information)

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

### **Execution and Delivery Instructions**

A Statement of Officer required to be filed with the Office of the Secretary of State is considered filed once it has been received by this office.

**Mail:** P.O. Box 12887, Austin, Texas 78711-2887.

**Overnight mail or hand deliveries:** James Earl Rudder Officer Building, 1019 Brazos, Austin, Texas 78701.

**Fax:** (512) 463-5569.

**Email:** Scanned copies of the executed Statement may be sent to [register@sos.texas.gov](mailto:register@sos.texas.gov)

*NOTE: The Statement of Officer form, commonly referred to as the "Anti-Bribery Statement," must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).*

### **Commentary**

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. For more information, see Op. Tex. Att'y Gen. No. JC-0575 (2002) (determining the meaning of "state officer" as it is used in Article XVI).

Effective September 1, 2017, Senate Bill 1329, which was enacted by the 85<sup>th</sup> Legislature, Regular Session, amended chapter 602 of the Government Code to require the following judicial officers and judicial appointees to file their oath and statement of officer with the secretary of state:

Officers appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas; and Associate judges appointed under Subchapter B or C, Chapter 201, Family Code.

Local officers must retain the signed anti-bribery statement with the official records of the office. *As a general rule, city and county officials do not file their oath of office with the Secretary of State— these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office. **The Office of the Secretary of State does NOT file Statements or Oaths from the following persons:** Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges, County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD's).*

***Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or [register@sos.texas.gov](mailto:register@sos.texas.gov)***

Revised 05/2020



In the name and by the authority of

## The State of Texas

THIS IS TO CERTIFY, that at a general election held on

November 8, 2022

**KENNETH EARNEST**

was duly elected

to the Lone Star Groundwater  
Conservation District Board of Directors



In testimony whereof, I have hereunto signed my name and caused the Seal of Lone Star Groundwater Conservation District to be affixed this the 13th day of December, 2022.

James Spigener, Board President/Presiding  
Officer of Canvassing Authority



Form #2201 Rev. 05/2020

Submit to:  
SECRETARY OF STATE  
Government Filings  
Section P O Box 12887  
Austin, TX 78711-2887  
512-463-6334  
512-463-5569 - Fax  
Filing Fee: None



STATEMENT OF OFFICER

**Statement**

I, Kenneth Earnest, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Director, Place 3 of the Lone Star Groundwater Conservation District

**Execution**

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: December 13, 2022

  
\_\_\_\_\_  
Signature of Officer

## Form 2201 - Statement of Officer (General Information)

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### Execution and Delivery Instructions

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**Mail:** P.O. Box 12887, Austin, Texas 78711-2887.

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**Fax:** (512) 463-5569.

**Email:** Scanned copies of the executed Statement may be sent to [register@sos.texas.gov](mailto:register@sos.texas.gov)

*NOTE: The Statement of Officer form, commonly referred to as the "Anti-Bribery Statement," must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).*

### Commentary

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. For more information, see Op. Tex. Att'y Gen. No. JC-0575 (2002) (determining the meaning of "state officer" as it is used in Article XVI).

Effective September 1, 2017, Senate Bill 1329, which was enacted by the 85<sup>th</sup> Legislature, Regular Session, amended chapter 602 of the Government Code to require the following judicial officers and judicial appointees to file their oath and statement of officer with the secretary of state:

Officers appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas; and  
Associate judges appointed under Subchapter B or C, Chapter 201, Family Code.

Local officers must retain the signed anti-bribery statement with the official records of the office. *As a general rule, city and county officials do not file their oath of office with the Secretary of State— these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office. **The Office of the Secretary of State does NOT file Statements or Oaths from the following persons:*** Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges, County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD's).

*Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or [register@sos.texas.gov](mailto:register@sos.texas.gov)*

Revised 05/2020

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SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334  
FAX 512-463-5569  
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Kenneth Earnest, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Director, Place 3 of the Lone Star Groundwater Conservation District of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

Signature of Officer

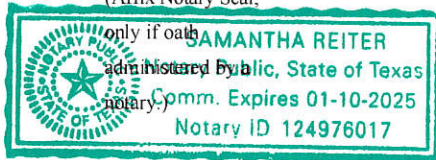
Certification of Person Authorized to Administer Oath

State of Texas

County of Montgomery

Sworn to and subscribed before me on this 13th day of December 2022

(Affix Notary Seal,



Signature of Notary Public or  
Signature of Other Person Authorized to Administer An  
Oath

Samantha Stried Reiter

Printed or Typed Name



In the name and by the authority of

# The State of Texas

THIS IS TO CERTIFY, that at a general election held on

November 8, 2022

**JONATHAN PRYKRYL**

was duly elected

to the Lone Star Groundwater  
Conservation District Board of Directors



In testimony whereof, I have hereunto signed my name and caused the Seal of Lone Star Groundwater Conservation District to be affixed this the 13th day of December, 2022.

A handwritten signature in blue ink, appearing to read 'James Spigener', is written over a horizontal line.

James Spigener, Board President/Presiding  
Officer of Canvassing Authority

Form #2201 Rev. 05/2020

Submit to:

SECRETARY OF STATE

Government Filings

Section P O Box 12887

Austin, TX 78711-2887

512-463-6334

512-463-5569 - Fax

Filing Fee: None



STATEMENT OF OFFICER

Statement

I, Jonathan Prykryl, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Director, Place 4 of the Lone Star Groundwater Conservation District

Execution

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: December 13, 2022

Jonathan Prykryl  
Signature of Officer

## Form 2201 - Statement of Officer (General Information)

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*NOTE: The Statement of Officer form, commonly referred to as the "Anti-Bribery Statement," must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).*

### **Commentary**

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. For more information, see Op. Tex. Att'y Gen. No. JC-0575 (2002) (determining the meaning of "state officer" as it is used in Article XVI).

Effective September 1, 2017, Senate Bill 1329, which was enacted by the 85<sup>th</sup> Legislature, Regular Session, amended chapter 602 of the Government Code to require the following judicial officers and judicial appointees to file their oath and statement of officer with the secretary of state:

Officers appointed by the supreme court, the court of criminal appeals, or the State Bar of Texas; and Associate judges appointed under Subchapter B or C, Chapter 201, Family Code.

Local officers must retain the signed anti-bribery statement with the official records of the office. *As a general rule, city and county officials do not file their oath of office with the Secretary of State— these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office. **The Office of the Secretary of State does NOT file Statements or Oaths from the following persons:** Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges, County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD's).*

*Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or [register@sos.texas.gov](mailto:register@sos.texas.gov)*

Revised 05/2020

Submit to:  
SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334  
FAX 512-463-5569  
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Jonathan Prykryl, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Director, Place 4 of the Lone Star Groundwater Conservation District of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

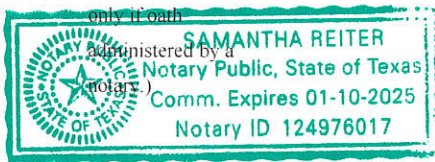
Jonathan Prykryl  
Signature of Officer

Certification of Person Authorized to Administer Oath

State of Texas  
County of Montgomery

Sworn to and subscribed before me on this 13th day of December, 2022.

(Affix Notary Seal,



Samantha Reiter

Signature of Notary Public or

Signature of Other Person Authorized to Administer An  
Oath

Samantha Stried Reiter

Printed or Typed Name



In the name and by the authority of

## The State of Texas

THIS IS TO CERTIFY, that at a general election held on

November 8, 2022

**JANICE THIGPEN**

was duly elected

to the Lone Star Groundwater  
Conservation District Board of Directors



In testimony whereof, I have hereunto signed my name and caused the Seal of Lone Star Groundwater Conservation District to be affixed this the 13th day of December, 2022.

A handwritten signature in blue ink, appearing to read 'James Spigener', is written over a horizontal line.

James Spigener, Board President/Presiding  
Officer of Canvassing Authority



Form #2201 Rev. 05/2020

Submit to:  
SECRETARY OF STATE  
Government Filings  
Section P O Box 12887  
Austin, TX 78711-2887  
512-463-6334  
512-463-5569 - Fax  
Filing Fee: None



STATEMENT OF OFFICER

**Statement**

I, Janice Thigpen, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God.

Title of Position to Which Elected/Appointed: Director, Place 2 of the Lone Star Groundwater Conservation District

**Execution**

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated therein are true.

Date: December 13, 2022

  
\_\_\_\_\_  
Signature of Officer

## Form 2201 - Statement of Officer (General Information)

The attached form is designed to meet minimal constitutional filing requirements pursuant to the relevant provisions. *This form and the information provided are not substitutes for the advice and services of an attorney.*

### **Execution and Delivery Instructions**

A Statement of Officer required to be filed with the Office of the Secretary of State is considered filed once it has been received by this office.

**Mail:** P.O. Box 12887, Austin, Texas 78711-2887.

**Overnight mail or hand deliveries:** James Earl Rudder Officer Building, 1019 Brazos, Austin, Texas 78701.

**Fax:** (512) 463-5569.

**Email:** Scanned copies of the executed Statement may be sent to [register@sos.texas.gov](mailto:register@sos.texas.gov)

*NOTE: The Statement of Officer form, commonly referred to as the "Anti-Bribery Statement," must be executed and filed with the Office of the Secretary of State before taking the Oath of Office (Form 2204).*

### **Commentary**

Article XVI, section 1 of the Texas Constitution requires all elected or appointed state and local officers to take the official oath of office found in section 1(a) and to subscribe to the anti-bribery statement found in section 1(b) before entering upon the duties of their offices.

Elected and appointed state-level officers required to file the anti-bribery statement with the Office of the Secretary of State include members of the Legislature, the Secretary of State, and all other officers whose jurisdiction is coextensive with the boundaries of the state or who immediately belong to one of the three branches of state government. Questions about whether a particular officer is a state-level officer may be resolved by consulting relevant statutes, constitutional provisions, judicial decisions, and attorney general opinions. For more information, see Op. Tex. Att'y Gen. No. JC-0575 (2002) (determining the meaning of "state officer" as it is used in Article XVI).

Effective September 1, 2017, Senate Bill 1329, which was enacted by the 85<sup>th</sup> Legislature, Regular Session, amended chapter 602 of the Government Code to require the following judicial officers and judicial appointees to file their oath and statement of officer with the secretary of state:

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Associate judges appointed under Subchapter B or C, Chapter 201, Family Code.

Local officers must retain the signed anti-bribery statement with the official records of the office. *As a general rule, city and county officials do not file their oath of office with the Secretary of State— these officials file at the local level. The Legislature amended the Texas Constitution, Article 16, Section 1, in November 2001 to no longer require local level elected officials to file with our office. **The Office of the Secretary of State does NOT file Statements or Oaths from the following persons:** Assistant District Attorneys; City Officials, including City Clerks, City Council Members, Municipal Judges, Justices of the Peace, and Police/Peace Officers; Zoning/Planning Commission Members; County Officials, including County Clerks, County Commissioners, County Judges, County Tax Assessors, and District Clerks; and Officials of Regional Entities, such as, Appraisal Review Districts, Emergency Service Districts, and School Districts (ISD's).*

*Questions about this form should be directed to the Government Filings Section at (512) 463-6334 or [register@sos.texas.gov](mailto:register@sos.texas.gov)*

Revised 05/2020

Form #2204 Rev 9/2017

This space reserved for office use

Submit to:  
SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334  
FAX 512-463-5569  
Filing Fee: None



OATH OF OFFICE

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Janice Thigpen, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Director, Place 2 of the Lone Star Groundwater Conservation District of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

Janice Thigpen  
Signature of Officer

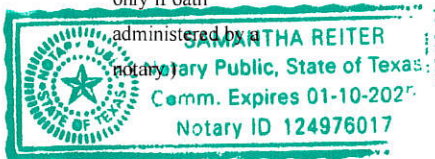
Certification of Person Authorized to Administer Oath

State of Texas

County of Montgomery

Sworn to and subscribed before me on this 13th day of December 2022

(Affix Notary Seal,  
only if oath



Samantha Reiter

Signature of Notary Public or  
Signature of Other Person Authorized to Administer An  
Oath

Samantha Stried Reiter

Printed or Typed Name

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

**December 13, 2022**

## 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 13, 2022.

### CALL TO ORDER:

President Spigener called to order the Public Hearing on Permit Applications at 6:23 PM announcing the meeting open to the public.

### ROLL CALL:

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

Jon Paul Bouché  
Jonathan Prykryl  
Janice Thigpen  
Stuart Traylor  
Jim Spigener  
Kenneth Earnest

All members of the Board were present, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; and members of the public. *Copies of the public sign-in sheets and comment cards received are attached hereto as Exhibit “A” to the Regular Board of Directors Meeting minutes.*

### PUBLIC COMMENTS:

No comments were received.

Ms. Hein reported that five applications were received for the Permit Hearing. Ms. Hein made a special note of item #2 which required the submittal of a Hydrogeological Report due to the system

being able to produce more than 750 gallons as well as a spacing exemption request for that permit. Applications for consideration and recommended for possible approval included the below:

**1. MSEC Enterprises (Montgomery Trace WS/Crown Oaks)**

Applicant is requesting an amendment to an Operating Permits OP02-0011-CHEV and OP02-0011-JSPR for an increase in production authorization in the amount of 52,300,000 from the Chicot/Evangeline gallons and 470,700,000 gallons from the Jasper for 2022 and annually thereafter. Based on a technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**2. Walnut Cove Water Supply Corp.,**

Applicant is requesting an amendment to an Operating Permit for registration of an existing well in the Jasper Aquifer. Due to the combined max gpm of the well system for HUP237-JSPR and required documentation to request exemption from spacing rules, a hydrogeological report was required for the proposed amendment. LSGCD technical consultants have reviewed the submitted hydrogeological report and found it meets the requirements as detailed in District Rules and guidance documents. Based on a technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**3. Kelly Eberly**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 390,000 gallons from the Chicot/Evangeline for 2022 and annually thereafter. Based on a technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**4. Greysun Centrifuge**

Applicant is requesting registration of a new Evangeline Aquifer well and production authorization in the amount of 500,000 gallons from the Chicot/Evangeline for 2022 and annually thereafter. Based on a technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**5. Louis and Sandra Duplantis**

Applicant is requesting registration of an existing Evangeline Aquifer well, a new Evangeline Aquifer well and production authorization in the amount of 200,000 gallons from the Chicot/Evangeline for 2022 and annually thereafter. Based on a technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

Treasurer Prykryl motioned to approve items #1-5, as recommended by the General Manager. Vice President Traylor seconded. Motion passed.

**ADJOURN:**

There being no further business, President Spigener motioned to adjourn the public hearing on permit applications. The meeting was adjourned at 6:25pm.

**PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF JANUARY 2023.**

---

Janice Thigpen, Board Secretary

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

**December 13, 2022**

## **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 13, 2022.

### **CALL TO ORDER:**

President Spigener presided and called to order the regular Board of Directors meeting at 6:25 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:

Jon Paul Bouché  
Janice Thigpen  
Stuart Traylor  
Jonathan Prykryl  
Jim Spigener  
Kenneth Earnest

All members of the Board were present, thus constituting a quorum of the Board of Directors. In attendance at said meeting were Samantha Reiter, General Manager; Stacey V. Reese, District Counsel; 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.

### **EXECUTIVE SESSION:**

President Spigener announced Executive Session would be held at the end of the board meeting.

## APPROVAL OF THE MINUTES:

President Spigener stated the Board would consider the meeting minutes as listed for approval on today's agenda. Without further discussion, upon a motion by Vice-President Traylor to approve as amended and seconded by Director Prykryl, the Board approved the meeting minutes as presented.

- a) November 15, 2022, Public Hearing on Permit Applications
- b) November 15, 2022, Regular Board of Directors Meeting
- c) November 15, 2022, Special Meeting to Canvass Results of General Election

## COMMITTEE REPORTS:

### A. Budget & Finance Committee – Jonathan Prykryl, Chair

- 1) Brief the Board on the Committee's activities since the last regular Board meeting — Director Prykryl stated that the committee met last week and discussed changes to the administrative fee schedule as well as the 2022 and 2023 budget numbers. Action will be taken on the committee's recommendations in the next few months.
- 2) Review of unaudited financials for the month of November 2022 – Ms. Reiter reported that for the month of November 2022, income was \$1,688,350.46 and expenses were \$120,237.57 resulting in a net income of \$1,568,112.89 Year-to-date net income is \$2,758,610.04. Total cash as of November 30, 2022, was \$4,642,111.33
- 3) Discuss, Consider, and take action on Resolution #22-008 re-establishing administrative fee schedule – Ms. Reiter indicated that the budget committee and staff have reviewed the administrative fee schedule and the only recommended change was to remove the publication fee language, as we no longer have to publish notification in the newspaper per legislative changes. While we are no longer publishing notice in the newspaper, given the amount of staff time that is required for permit reviews we are leaving the \$70 as part of the application fee but removing the language that ties it to the publication fee. We discussed this with the committee, and it is their recommendation to approve as presented in your packet. Upon a motion by Treasurer Prykryl to approve and seconded by Vice President Traylor, the Board approved the Resolution #22-008 as presented. *A copy of Resolution #22-008 is attached hereto as Exhibit "B".*
- 4) Discuss, Consider, and take action on Resolution #22-009 adopting Amended FY 2022 Operating and Capital Outlay Budgets – Ms. Reiter stated that a few amendments were needed to 2022 Budget. A summary of those changes is included at the directors' seats. The changes were minor. If a reduction was possible, we did so. Upon a motion by Treasurer Prykryl to approve and seconded by Vice President Traylor, the Board approved the Resolution #22-009 as presented. *A copy of Resolution #22-009 is attached hereto as Exhibit "C".*
- 5) Discuss, Consider, and take action on Resolution #22-010 adopting FY 2023 Operating and Capital Outlay Budgets – Ms. Reiter explained that a copy of the proposed 2023 budget was included in the directors' packets. It took a bit of work waiting on some big-ticket estimates. A summary of the changes to the 2023



budget is included for your consideration. The biggest item is the Subsidence study phase three which includes coring samples and the installation of an extensometer. The estimate for this is 1.9 million dollars. Upon a motion by Director Bouche to approve and seconded by Director Earnest, the Board approved the Resolution #22-010 as presented. *A copy of Resolution #22-010 is attached hereto as Exhibit "D".*

**B. Communications Committee – Jim Spigener, Chair**

- 1) Brief the Board on the Committee’s activities since the last regular Board meeting – President Spigener stated that the communication committee continues to meet and work on District messaging. We are looking at new communications consultants and the committee will keep the board updated.

**C. DFC & Technical Committee – Stuart Traylor, Chair**

- 1) Brief the Board on the Committee’s activities since the last regular Board meeting – Vice President Traylor stated that the DFC Committee met a couple of times since the last board meeting and discussed the USGS Interlocal Agreement for 2023 as well as heard a report from the technical consultants on the status of Phase 3 of the Subsidence Study and prepared for yesterday’s stakeholder meeting. The stakeholder meeting went well, and we received a lot of really good feedback and interest from many MUDs in the southern portion of Montgomery County. The takeaway was that the district will send letters to Montgomery County stakeholders and folks in attendance agreed that they will take the information and ask back to their boards. Later tonight we will see the same presentation given at yesterday’s meeting and it will be posted to the district’s website and available as a resource for interested stakeholders. President Spigener agreed it was a good meeting. It was the second biggest meeting that he has attended since being on the board. He saw a coming together of people who are wanting to help the district with this compaction study. Many people left excited about being able to help get this done. The consultants did a fabulous job presenting and fielding questions.

- 2) Discuss, consider, and take action as necessary concerning approval of joint-funding agreement with USGS for the period of 01.01.23 through 12.31.23 - Ms. Reiter stated that the committee discussed the current Interlocal Agreement with the district technical consultants, and it was the consensus of the consultants and committee members to recommend that the district continue with USGS and make no changes to our 2023 Interlocal Agreement. Upon a motion by Director Earnest to approve and seconded by Director Bouche, the Board approved the USGS funding agreement.

**D. Legislative Committee – Jim Spigener, Chair**

- 1) Brief the Board on the Committee’s activities since the last regular Board meeting – Ms. Reese communicated that the legislative consultants have been tracking Bills that have been filed by the filing deadline. There has been some additional legislation filed. Senate Bill 156 which is very similar to Senate Bill 152 which is a groundwater Bill that Senator Perry sponsored. There have been some changes

since the last Bill was filed in the prior session. The main areas change attorneys' fees from mandatory to a GCD in the event they prevail over litigation to the may so its permissive for the court to award fees if the district prevails. This is under proposed legislation. There is a notice to effected persons with respect to districts that have well spacing rules. There is a provision with some changes that are proposed that allow a person to petition a GCD to adopt or change rules. The next item in Senate Bill 156 is what to do when your DFCs been declared no longer reasonable or has been petitioned and what should you include in your management plan because as you know we experienced that very issue and ended up getting into litigation over it. That has since been resolved and everyone has come to the conclusion that you should use the most recently approved DFC even if it is being challenged because reverting back to an old DFC, there is no authority to do that. In order to reinstate a DFC that has already been superseded, when the next one is adopted, The GMA has to approve that. Of course, science gets old. In our case if we had been forced to move back to the 2010, we would have been using science that is outdated and a model that is two times old now. It did not make sense to do a look back on that for a number of reasons so that piece is in the Bill again and we are supportive of that change in the event that another GCD is faced with that situation. It provides clarity to the GCD and TWDB on what to do. President Spigener inquired if these changes would mean that the district would have a lot of rule changes to make. Ms. Reese stated that all the district would need to do is adopt the rules related to petitioning to change the rule. With regard to well spacing Ms. Reese thinks the district would just need to post the information on its website. It would not affect our rule changes. It would be a practice thing. If the part about how to adopt a GCD gets passed Ms. Reese thinks we would have to adopt a protocol to notify the public of how the process is for you to petition the district. We have also been having a lot of meetings with legislators. Some are local and some are not. It has all been very positive.

**E. Rules, Bylaws & Policies Committee –**

- 1) Brief the Board on the Committee's activities since the last regular Board meeting – Ms. Reiter informed the board that Bills are continuing to be filed and the District's Legislative Consultants continue to monitor and if there are any that warrant changes to district rules, the committee will convene at that time.

**DISCUSS, CONSIDER AND TAKE ACTION AS NECESSARY REGARDING THE PERFORMANCE EVALUATION OF THE GENERAL MANAGER:**

President Spigener stated that the board is going to skip this agenda item for now and will plan to discuss during closed Executive Session at the end of the meeting.

**DISCUSS, CONSIDER AND TAKE ACTION AS NECESSARY ON YEAR-END PROFESSIONAL SERVICES REVIEW:**

Ms. Reiter has reviewed all contracts for the current consultants. There are no changes being made to the terms of the contracts other than slight increases to consultants' rates as indicated

in your packets. Upon a motion by Director Bouche to approve and seconded by Vice President Traylor, the Board approved the year-end professional services.

**RECEIVE INFORMATION FROM DISTRICT'S TECHNICAL CONSULTANTS REGARDING SUBSIDENCE STUDIES AND/OR DISCUSSION REGARDING THE SAME:**

Ms. Reiter introduced Mike Keester of RW Harden and James Beach of Advanced Groundwater Solutions. They are here to present to the board the same presentation that was given at yesterday's stakeholder meeting. The presentation will be uploaded to the District's website following tonight's meeting. *A copy of the presentation is attached hereto as Exhibit "E".*

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

Ms. Reiter stated there is nothing new to report on GMA 14. We are still awaiting the release of the GULF 2023 model for review by the GMA representatives.

- 1) Discussion, consideration, and possible action on any items related to Lone Star GCD's proposal(s) to and/or participation in GMA14 – no action will be taken on this item.

**GENERAL MANAGER'S REPORT:**

Ms. Reiter provided a quick education update. We hope to have our sponsored 4H Water Ambassador at our January meeting and he will also be helping us with some of our upcoming school visits, one of which is schedule for this week and one that will occur in January. Other than that, my packet is included in your packets, and I am happy to answer any questions.

**GENERAL COUNSEL'S REPORT:**

Ms. Reese has nothing new to report.

**EXECUTIVE SESSION:**

The Board recessed at 7:22 PM into a closed Executive Session pursuant to Texas Government Code, Sections 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 8:47 PM

**NEW BUSINESS:**

No new business to report

**ADJOURN:**

There being no further business, President Spigener motioned to adjourn the meeting and Director Bouche seconded. The meeting was adjourned at 8:48 PM.

**PASSED, APPROVED, AND ADOPTED THIS 10th DAY OF JANUARY 2023.**

---

Janice Thigpen, Board Secretary

**Lone Star Groundwater Conservation District**

**Balance Sheet**

As of December 31, 2022

Accrual Basis

	Dec 31, 22
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
First Bank (Money Market)	5,024,560.13
First Bank (Operating)	46,241.00
TexPool	47,511.48
<b>Total Checking/Savings</b>	5,118,312.61
<b>Accounts Receivable</b>	
Accounts Receivable	323,394.19
<b>Total Accounts Receivable</b>	323,394.19
<b>Other Current Assets</b>	
Allow for Bad Debts	-30,819.89
<b>Other Receivable</b>	
Allowance for Doubiful Accounts	20,602.80
<b>Total Other Receivable</b>	20,602.80
<b>Prepaid Insurance</b>	
TWCA premium	5,574.49
Prepaid Dishonesty & Public Bond	-170.23
<b>Total Prepaid Insurance</b>	5,404.26
<b>Total Other Current Assets</b>	-4,812.83
<b>Total Current Assets</b>	5,436,893.97
<b>Fixed Assets</b>	
<b>Bldg &amp; Land</b>	
Conroe Park - Land	260,187.00
Conroe Park - Building & Design	1,593,552.27
Accumulated Depr - Bldg	-423,236.04
<b>Total Bldg &amp; Land</b>	1,430,503.23
<b>Furniture &amp; Equipment</b>	
Furniture/Fixture/Equipment	350,516.94
Accumulated Depreciation	-264,509.70
<b>Total Furniture &amp; Equipment</b>	86,007.24
<b>Total Fixed Assets</b>	1,516,510.47
<b>TOTAL ASSETS</b>	6,953,404.44
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Other Current Liabilities</b>	
Deposits Payable	54.00
<b>Accrued Expenses</b>	
Accrued Expenses	67,171.53
Accrued Expenses - Other	-67,171.53
<b>Total Accrued Expenses</b>	0.00

Lone Star Groundwater Conservation District

Balance Sheet

As of December 31, 2022

Accrual Basis

---

	Dec 31, 22
Accrued Vacation Time	19,426.32
Deferred Revenue	23.93
Payroll Liabilities	1,927.81
<b>Total Other Current Liabilities</b>	<b>21,432.06</b>
<b>Total Current Liabilities</b>	<b>21,432.06</b>
<b>Total Liabilities</b>	<b>21,432.06</b>
<b>Equity</b>	
Invested in Capital Assets, net	1,518,850.65
Retained Earnings	2,758,157.69
Net Income	2,654,964.04
<b>Total Equity</b>	<b>6,931,972.38</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>6,953,404.44</b>

---

**Lone Star Groundwater Conservation District**  
**Statement of Revenues and Expenditures - Budget vs. Actual**  
**December 2022**

	<u>Dec 22</u>	<u>Budget</u>	<u>Jan - Dec 22</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
Returned Check Charges	0.00		50.00		
<b>Administrative Fee</b>					
Application Fee					
Application Fee-Other	0.00	412.50	0.00	4,950.00	4,950.00
AWS Production Permit	0.00	250.00	0.00	3,000.00	3,000.00
AWS Groundwater Test Well	0.00	125.00	0.00	1,500.00	1,500.00
Emergency Permit	0.00		1,775.00		
Existing Well Application	0.00	125.00	3,125.00	1,500.00	1,500.00
Operating Permit	2,150.00	1,833.37	16,949.64	22,000.00	22,000.00
Temporary Permit	750.00		750.00		
<b>Total Application Fee</b>	<b>2,900.00</b>	<b>2,745.87</b>	<b>22,599.64</b>	<b>32,950.00</b>	<b>32,950.00</b>
Change of Ownership/Type	150.00	333.37	7,750.00	4,000.00	4,000.00
Publication Fees	150.00	416.74	5,797.49	5,000.00	5,000.00
Record Request	0.00	125.00	0.00	1,500.00	1,500.00
Returned Check Fee	0.00	4.24	162.00	50.00	50.00
Well/Meter Re-inspection Fees	0.00	166.74	-250.00	2,000.00	2,000.00
<b>Total Administrative Fee</b>	<b>3,200.00</b>	<b>3,791.96</b>	<b>36,059.13</b>	<b>45,500.00</b>	<b>45,500.00</b>
Interest Income	562.16	416.74	4,830.47	5,000.00	5,000.00
<b>Lone Star GCD Fees</b>					
Agricultural Permits					
Agricultural HUP 2023	0.00		651.57		
Agricultural OP 2023	0.00		916.25		
Agricultural OP 2022	73.57	114.49	888.36	1,373.00	1,373.00
Agricultural HUP 2022	65.46	93.99	744.61	1,127.00	1,127.00
<b>Total Agricultural Permits</b>	<b>139.03</b>	<b>208.48</b>	<b>3,200.79</b>	<b>2,500.00</b>	<b>2,500.00</b>
Export Fees	0.00	50.00	0.00	600.00	600.00
Historic Use Fee					
Historic Use Fee 2023	0.00		533,545.31		
Historic Use Fee 2022	96,403.26	125,000.00	1,158,959.87	1,500,000.00	1,500,000.00
<b>Total Historic Use Fee</b>	<b>96,403.26</b>	<b>125,000.00</b>	<b>1,692,505.18</b>	<b>1,500,000.00</b>	<b>1,500,000.00</b>

**Lone Star Groundwater Conservation District**  
**Statement of Revenues and Expenditures - Budget vs. Actual**  
**December 2022**

	Dec 22	Budget	Jan - Dec 22	YTD Budget	Annual Budget
<b>Operating Permit Fees</b>					
Operating Permit 2023	11,206.40		864,064.25		
Operating Permit 2022	151,878.13	116,666.74	1,440,966.72	1,400,000.00	1,400,000.00
Operating Permit 2021	0.00		16,443.57		
Operating Permit 2020	0.00		72.80		
Operating Permit 2019	0.00		87.58		
Operating Permit 2018	0.00		18.74		
<b>Total Operating Permit Fees</b>	163,084.53	116,666.74	2,321,653.66	1,400,000.00	1,400,000.00
<b>AWS Production fees</b>					
AWS Production Fees - 2023	0.00		83,199.60		
AWS Production Fees - 2022	14,473.20	16,666.74	173,678.40	200,000.00	200,000.00
<b>Total AWS Production fees</b>	14,473.20	16,666.74	256,878.00	200,000.00	200,000.00
<b>Overpumpage of a Permit</b>	0.00	4,166.74	147,893.25	50,000.00	50,000.00
<b>Penalty/ Interest</b>	0.00	833.37	9,346.21	10,000.00	10,000.00
<b>Total Lone Star GCD Fees</b>	274,100.02	263,592.07	4,431,477.09	3,163,100.00	3,163,100.00
<b>Total Income</b>	277,862.18	267,800.77	4,472,416.69	3,213,600.00	3,213,600.00
<b>Gross Profit</b>	277,862.18	267,800.77	4,472,416.69	3,213,600.00	3,213,600.00
<b>Expense</b>					
Election Expense	0.00	8,333.37	4,854.00	100,000.00	100,000.00
<b>Educate/Public Aware Coordinate</b>					
<b>Community Aware/Public Relation</b>					
Scholarship/Sponsorship	0.00	208.37	2,500.00	2,500.00	2,500.00
Mach 1 Strategic Communications	3,822.10	8,166.74	92,922.10	98,000.00	98,000.00
PAM Units	0.00	1,250.00	4,942.00	15,000.00	15,000.00
Educational Curriculum Schools	0.00	4,166.74	50,719.60	50,000.00	50,000.00
Rainwater Collection Expansion	0.00	62.50	106.50	750.00	750.00
ET Weather Station Network	880.00	208.37	1,281.30	2,500.00	2,500.00
Communication/Public Awareness	0.00	833.37	375.00	10,000.00	10,000.00
Conservation Products	0.00	416.74	1,190.79	5,000.00	5,000.00
<b>Total Community Aware/Public Relation</b>	4,702.10	15,312.83	154,037.29	183,750.00	183,750.00
<b>Total Educate/Public Aware Coordinate</b>	4,702.10	15,312.83	154,037.29	183,750.00	183,750.00



**Lone Star Groundwater Conservation District**  
**Statement of Revenues and Expenditures - Budget vs. Actual**  
**December 2022**

	Dec 22	Budget	Jan - Dec 22	YTD Budget	Annual Budget
<b>Attorney Fees</b>					
Legislative Consulting	9,000.00	6,750.00	81,000.00	81,000.00	81,000.00
PIA Legal Work	0.00	416.74	0.00	5,000.00	5,000.00
General Counsel Work	15,341.30	30,000.00	261,722.62	360,000.00	360,000.00
Legal Work - Additional	0.00	2,916.74	22,096.00	35,000.00	35,000.00
<b>Total Attorney Fees</b>	<b>24,341.30</b>	<b>40,083.48</b>	<b>364,818.62</b>	<b>481,000.00</b>	<b>481,000.00</b>
<b>Board Expense</b>					
Meeting/Conference	53.15	125.00	1,123.03	1,500.00	1,500.00
Per Diem	1,250.00	5,250.00	49,000.00	63,000.00	63,000.00
Payroll Tax Liability - Board	95.63	458.37	3,724.27	5,500.00	5,500.00
Board Meeting Expense	415.11	500.00	6,487.41	6,000.00	6,000.00
<b>Total Board Expense</b>	<b>1,813.89</b>	<b>6,333.37</b>	<b>60,334.71</b>	<b>76,000.00</b>	<b>76,000.00</b>
<b>Advertising/Public Notices</b>	0.00	500.00	5,684.85	6,000.00	6,000.00
<b>Audit Fees</b>	0.00	791.74	9,500.00	9,500.00	9,500.00
<b>Building Expense</b>					
Building Maintenance	7,825.00	2,916.74	18,388.22	35,000.00	35,000.00
Utilities & Housekeeping	3,551.73	4,333.37	49,960.85	52,000.00	52,000.00
<b>Total Building Expense</b>	<b>11,376.73</b>	<b>7,250.11</b>	<b>68,349.07</b>	<b>87,000.00</b>	<b>87,000.00</b>
<b>Computer Support</b>					
Hosting/Internet/Backup	610.00	2,333.37	17,220.00	28,000.00	28,000.00
Repair & Support	1,894.00	2,166.74	24,129.59	26,000.00	26,000.00
Software	184.00	416.74	2,714.00	5,000.00	5,000.00
<b>Total Computer Support</b>	<b>2,688.00</b>	<b>4,916.85</b>	<b>44,063.59</b>	<b>59,000.00</b>	<b>59,000.00</b>
<b>Engineering</b>					
District Engineer	8,435.50	5,833.37	81,406.50	70,000.00	70,000.00
Engineering Consult Svcs	17,242.15	16,666.74	142,163.57	200,000.00	200,000.00
GMA 14 Planning	0.00	4,166.74	22,007.00	50,000.00	50,000.00
Well Permit Database Management	500.00	833.37	500.00	10,000.00	10,000.00
<b>Total Engineering</b>	<b>26,177.65</b>	<b>27,500.22</b>	<b>246,077.07</b>	<b>330,000.00</b>	<b>330,000.00</b>
<b>Field/Technical Expense</b>					
Field Supplies	540.14	291.74	540.14	3,500.00	3,500.00
Vehicle Fuel Expense	253.35	541.74	5,130.95	6,500.00	6,500.00
Vehicle/MobileLab Repair & Maint	495.00	250.00	2,003.33	3,000.00	3,000.00
Vehicle -Capital expense	0.00	416.74	0.00	5,000.00	5,000.00
<b>Total Field/Technical Expense</b>	<b>1,288.49</b>	<b>1,500.22</b>	<b>7,674.42</b>	<b>18,000.00</b>	<b>18,000.00</b>

**Lone Star Groundwater Conservation District**  
**Statement of Revenues and Expenditures - Budget vs. Actual**  
**December 2022**

	Dec 22	Budget	Jan - Dec 22	YTD Budget	Annual Budget
<b>Insurance</b>					
Bonds	83.26	83.37	999.08	1,000.00	1,000.00
Building & Property Insurance	444.00	416.74	4,959.48	5,000.00	5,000.00
Errors and Omissions	173.00	216.75	2,229.00	2,601.00	2,601.00
Liability	87.50	98.24	1,050.00	1,178.00	1,178.00
Vehicle Insurance	219.50	259.62	2,715.48	3,115.00	3,115.00
<b>Total Insurance</b>	1,007.26	1,074.72	11,953.04	12,894.00	12,894.00
<b>Manager</b>					
Travel/Edu/Training	0.00	333.37	3,319.86	4,000.00	4,000.00
Vehicle Allowance	600.00	600.00	7,200.00	7,200.00	7,200.00
<b>Total Manager</b>	600.00	933.37	10,519.86	11,200.00	11,200.00
<b>Memberships Dues /Subscriptions</b>	2,500.00	833.37	8,355.00	10,000.00	10,000.00
<b>Miscellaneous</b>					
Miscellaneous Expense	100.00	416.74	2,216.96	5,000.00	5,000.00
Miscellaneous - Other	1,083.38		1,083.38		
<b>Total Miscellaneous</b>	1,183.38	416.74	3,300.34	5,000.00	5,000.00
<b>Office Expenses</b>					
Office Equipment	0.00	541.74	3,176.48	6,500.00	6,500.00
Office Supplies	0.00	500.00	4,536.72	6,000.00	6,000.00
<b>Total Office Expenses</b>	0.00	1,041.74	7,713.20	12,500.00	12,500.00
<b>Payroll Expenses</b>					
Salaries	45,900.68	62,500.00	531,055.44	750,000.00	750,000.00
Payroll Tax Liability	3,439.18	3,875.00	39,758.68	46,500.00	46,500.00
Retirement	2,754.04	3,750.00	31,863.22	45,000.00	45,000.00
Medical/Life	4,258.74	5,833.37	55,032.59	70,000.00	70,000.00
SUI	0.00	208.37	2,016.00	2,500.00	2,500.00
Workman's Comp	108.08	183.37	1,699.50	2,200.00	2,200.00
Payroll Service Fees	560.00	83.37	1,451.00	1,000.00	1,000.00
<b>Total Payroll Expenses</b>	57,020.72	76,433.48	662,876.43	917,200.00	917,200.00
<b>Postage Expense</b>					
Postage Meter & Supplies	0.00	83.37	837.07	1,000.00	1,000.00
Postage/Shipping/Delivery Ser	0.00	750.00	8,628.70	9,000.00	9,000.00
<b>Total Postage Expense</b>	0.00	833.37	9,465.77	10,000.00	10,000.00
<b>Printing</b>	234.37	750.00	6,737.23	9,000.00	9,000.00

**Lone Star Groundwater Conservation District**  
**Statement of Revenues and Expenditures - Budget vs. Actual**  
**December 2022**

	Dec 22	Budget	Jan - Dec 22	YTD Budget	Annual Budget
<b>Programs</b>					
Subsidence Study - Phase III	5,669.25	12,500.00	19,200.50	150,000.00	150,000.00
Additional Scientific Programs	0.00	2,083.37	0.00	25,000.00	25,000.00
Subsidence Study - Phase II	0.00	3,750.00	39,699.35	45,000.00	45,000.00
Hydrogeological Modeling/Protec	0.00	83.37	519.20	1,000.00	1,000.00
USGS Joint Funding Agreement					
USGS - Groundwater Level Data	0.00	1,279.24	11,512.50	15,350.00	15,350.00
USGS - Water Level chg/subside	0.00	4,738.00	42,642.02	56,856.00	56,856.00
<b>Total USGS Joint Funding Agreement</b>	<b>0.00</b>	<b>6,017.24</b>	<b>54,154.52</b>	<b>72,206.00</b>	<b>72,206.00</b>
<b>Total Programs</b>	<b>5,669.25</b>	<b>24,433.98</b>	<b>113,573.57</b>	<b>293,206.00</b>	<b>293,206.00</b>
Rebate Water Use Fees	0.00	1,250.00	13,438.54	15,000.00	15,000.00
Travel/Training Staff	105.52	375.00	4,126.05	4,500.00	4,500.00
Depreciation	0.00	4,166.74	0.00	50,000.00	50,000.00
<b>Total Expense</b>	<b>140,708.66</b>	<b>225,064.70</b>	<b>1,817,452.65</b>	<b>2,700,750.00</b>	<b>2,700,750.00</b>
<b>Net Ordinary Income</b>	<b>137,153.52</b>	<b>42,736.07</b>	<b>2,654,964.04</b>	<b>512,850.00</b>	<b>512,850.00</b>
<b>Net Income</b>	<b>137,153.52</b>	<b>42,736.07</b>	<b>2,654,964.04</b>	<b>512,850.00</b>	<b>512,850.00</b>

**LONE STAR GROUNDWATER DISTRICT  
INVESTMENT REPORT, AUTHORIZATION AND REVIEW  
OPERATING FUND**

**PREPARED FOR THE REPORTING PERIOD FROM OCTOBER 1, TO DECEMBER 30, 2022**

BEGINNING VALUE FOR PERIOD					ENDING VALUE FOR PERIOD					
INVESTMENT POOLS	RATE	BOOK	N.A.V.	MARKET	GAIN (LOSS) TO MARKET VALUE	DEPOSITS	WITHDRAWALS	BOOK	N.A.V.	MARKET
FBOC MM *	0.100%	\$ 4,117,988.27	100%	\$ 4,117,988.27	\$ 1,080.75	\$ 1,391,723.61	\$ (486,232.50)	\$ 5,024,560.13	100%	\$ 5,024,560.13
TEX POOL	0.342%	\$ 47,093.99	100%	\$ 47,093.99	\$ 417.49			\$ 47,511.48	100%	\$ 47,511.48
		\$ 4,165,082.26		\$ 4,165,082.26	\$ 1,498.24	\$ 1,391,723.61	\$ (486,232.50)	\$ 5,072,071.61		\$ 5,072,071.61

\* Rate for FBOC MM IS 0.100000%

FEDERAL	SIMPLE	PURCHASE	FACE	TERMS IN DAYS	BEGIN PERIOD	YIELD	DEPOSITS OR	ENDING PERIOD	DATE	DATE OF
OBLIGATIONS	APR/COUPON	VALUE/PRINCIPAL PAID (MINUS INT)	VALUE	(Purch to Curr)	MARKET VALUE	THIS PERIOD	WITHDRAWALS	MARKET VALUE	PURCHASED	MATURITY
613681J71	4.350%	\$ 250,000.00	\$ 250,000.00	4484	\$ 250,087.50	\$ (67.50)		\$ 250,020.00	9/21/2010	3/1/2024
912828YE4	1.250%	\$ 500,946.40	\$ 500,000.00	339	\$ 474,140.65	\$ (703.15)		\$ 473,437.50	1/26/2022	8/31/2024
9128283D0	2.250%	\$ 494,849.21	\$ 500,000.00	268	\$ 482,266.65	\$ (2,031.25)		\$ 480,234.40	4/7/2022	10/31/2024
8419RHP1	4.000%	\$ 552,985.37	\$ 545,000.00	2620	\$ -	\$ -	\$ 552,985.37	\$ 558,586.85	10/29/2015	9/1/2031
427128EH2	4.000%	\$ 533,698.33	\$ 500,000.00	1376	\$ 510,630.00	\$ 8,140.00		\$ 518,770.00	3/26/2019	2/15/2034
9128284Z0	2.750%	\$ 1,000,000.00	\$ 1,000,000.00	366	\$ 966,406.30	\$ -	\$ -	\$ 961,718.80	12/30/2021	8/31/2025
9698876K9	5.000%	\$ 353,310.13	\$ 250,000.00	1018	\$ 275,315.00	\$ 5,332.50		\$ 280,647.50	3/18/2020	2/15/2032
035707YR3	4.000%	\$ 591,500.00	\$ 500,000.00	773	\$ 474,550.00	\$ 11,995.00	\$ -	\$ 486,545.00	11/18/2020	2/15/2043
346766WR5	5.000%	\$ 1,724,933.64	\$ 1,500,000.00	395	\$ 1,547,040.00	\$ (33,135.00)		\$ 1,513,905.00	12/1/2021	3/1/2027
<b>TOTALS</b>		<b>\$ 6,002,223.08</b>	<b>\$ 5,545,000.00</b>		<b>\$ 4,980,436.10</b>	<b>\$ (10,469.40)</b>	<b>\$ 552,985.37</b>	<b>\$ 5,523,865.05</b>		

Must change date below to end of the quarter  
9/30/2022

\_\_\_\_\_  
Samantha Reiter, General Manager

\_\_\_\_\_  
Jonathan Prykryl, Treasurer

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HOUSTON / THE WOODLANDS / CITY & COUNTY

## Lone Star Groundwater Conservation District position for The Woodlands left vacant after John Yoars deemed ineligible to hold office



By **Jessica Shorten** | 9:11 PM Dec 13, 2022 CST  
Updated 3:34 PM Dec 14, 2022 CST



*Kristen Fancher, legal counsel for the LSGCD, joined the meeting via Zoom to discuss the issue with allowing John Yoars to take his position on the board. (Jessica Shorten/Community Impact)*



[The Lone Star Groundwater Conservation District](#) swore in members of the board Dec. 13 whose terms expired as of the last election with one notable absence—John Yoars.

Despite [winning his Nov. 8 election](#) for Position 7, Yoars was prevented from taking his position due to a conflict involving also being a municipal utility district board member.

The LSGCD board called a special meeting Dec. 13 ahead of its regular meeting to swear in new

board members before the new year starts.

Yoars won the Nov. 8 election to Position 7, serving voters within The Woodlands Township. After winning with 51.56% of the vote on Nov. 8, Yoars received a letter from the district's legal counsel Dec. 9 claiming he was not eligible to be sworn in.

He has served as a member of [Municipal Utility District No. 36](#) for Grogan's Mill since 2018, most recently re-elected in May 2022. According to Kristen Fancher, of Fancher Legal, holding that position while running for the LSGCD board of directors is not allowed.

"Chapter 36 of the Texas Water Code governs the district and has a very unique provision that prevents a person already on another board of a political subdivision from being elected or appointed to a [groundwater conservation district] board," Fancher said.

This fact was not noticed until the final canvassing of the votes to prepare for the swearing in. Fancher said the district made contact with Yoars and claims Yoars stated he was "on the same page" regarding his ineligibility.

Because of this, the board will now move forward with treating Position 7 as a vacant position on the board. Since Larry Rogers, the incumbent, was secretary, the board voted to make new director Janice Thigpen secretary.

Neither Yoars nor Rogers were present at the meeting. Yoars could not be reached for comment prior to the Dec. 13 meeting.

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By [Jessica Shorten](#) 

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ENVIRONMENT

# Sinking Houston suburbs: How groundwater extraction is causing neighborhoods to sink



By [Chaz Miller](#) via

Monday, December 19, 2022  
10:51PM



EMBED <>

MORE VIDEOS

Baytown's old Brownwood subdivision is one extreme example of the effects subsidence can have on a community.

## Environment



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## WATCH LIVE



ON NOW

Brownwood subdivision still exist at the present-day [Baytown Nature Center](#).

There are old remnants of roads and driveways, an old bathroom floor and even an exposed pool that was once below ground.

"This was actually referred to as the River Oaks of Baytown," Christina Butcher, who is a naturalist at the Baytown Nature Center, said. "This was a neighborhood that had oil executives, doctors and lawyers, upper-middle class families."

The neighborhood, which was built in the late 1930s, received its knockout punch courtesy of Hurricane Alicia in 1983, but years of sinking are what led to the subdivision's ultimate demise.

"Baytown experienced a population boom, and until 1976, the City of Baytown got its water from the ground," Butcher explained. "When you're pumping out groundwater, and you have a population boom, that caused the land to subside."



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daughter, docs say

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pet rescues in Texas

41 minutes ago

The National Oceanic and Atmospheric Administration defines subsidence as "[the sinking of ground because of underground material movement](#)," and experts emphasize the story of Brownwood is an extreme example of the effects subsidence can have on a community.

"We're still studying it today," Butcher said on subsidence and the impact it had on Brownwood.

In fact, the [University of Houston released a survey in August](#) examining subsidence across the Houston area from May 2016 through December 2020.

"I got to the University of Houston in 2003, and we saw this problem," geology professor Dr. Shubab Khan said.

A member of Khan's team said their work used cutting-edge technology to investigate subsidence in the area at "unprecedented detail."

"What we are doing is we are using all these new tools," Khan said. "We did this for a larger area - Harris and all surrounding counties.

It found large parts of Katy, Spring, Fresno, Channelview, and Mont Belvieu experienced subsidence anywhere from about three to nine centimeters over that four-year timespan. The Woodlands also saw sinking at that level, but not as widespread.

Overall, the study found an average subsidence rate of about two centimeters a year for communities who experienced sinking.

"Subsidence exacerbates flooding," San Jacinto River Authority General Manager Jace Houston said. "We're already in a low-lying flat coastal area, so if you begin to lower areas that are susceptible to periodic flooding, that's dangerous."

The San Jacinto River Authority provides water to areas like Conroe and The Woodlands.

They say their yearly goal is to get half of their water from underground, and the other half from sources such as lakes and rivers - or surface water.

The study done by UH found that most subsidence in the area resulted from overreliance on groundwater, with areas like Mont Belvieu experiencing more subsidence due to oil-and-gas extraction.

"When you see subsidence, we know what it's caused by," Houston said. "It's caused by pumping too much groundwater too quickly in that area."

On the contrary, Dr. Khan's study showed areas like Spring Branch, as well as places around downtown Houston, have been able to slow subsidence down to nearly non-existent levels over the years by regulating the use of

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The survey found most examples of subsidence took place in suburbs outside of the City of Houston.

"Since (1975), where regulations by the Subsidence District have been in place now for decades, those are areas that are now stable," said [Harris-Galveston Subsidence District](#) General Manager Mike Turco. "Subsidence rates are down near zero."

It's an issue everyone involved in this story will continue to tackle, as population growth and the soil in Southeast Texas mean subsidence is a constant threat to this area.

A threat they know all too well at the Baytown Nature Center.

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earliest years. "We've learned from it."

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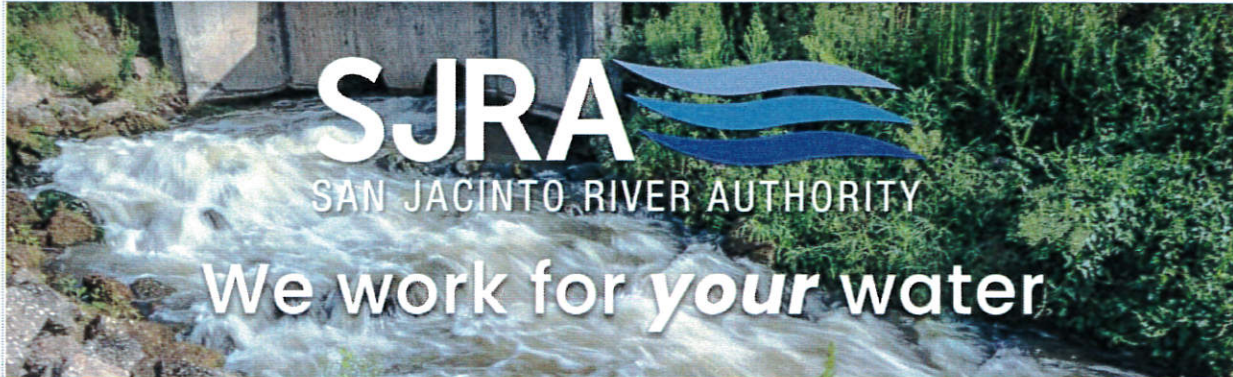
ENVIRONMENT

WATER

**Robbie Martin**

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**From:** San Jacinto River Authority <msimpson+sjra.net@ccsend.com>  
**Sent:** Monday, December 19, 2022 3:02 PM  
**To:** Samantha Reiter  
**Subject:** Court Rules in Favor of SJRA in Long-Standing Dispute



**COURT RULES IN FAVOR OF SJRA  
IN LONG-STANDING DISPUTE**  
*Groundwater Reduction Plan contracts are valid  
and enforceable*

Conroe, Texas—A court in Montgomery County sided with the San Jacinto River Authority (SJRA) in its long-standing dispute with Quadvest Water and Sewer Utility and Woodland Oaks Utility over the validity of existing Groundwater Reduction Plan (GRP) contracts.

In its ruling, the court declared that contracts between SJRA and these participants in their GRP Program are valid. The court also recognized that current state law makes those contracts incontestable and enforceable.

This ruling is the first decision to finally reach the merits of a dispute that began in 2016 when Quadvest and Woodlands Oaks joined the cities of Conroe and Magnolia claiming the GRP contracts were not valid.

“Quadvest and others have tried for years to cloud the issues and confuse the public about the GRP Contracts, and today all of that has been put to rest,” said SJRA General Manager Jace Houston. “Decisions up to this point have been on pre-trial matters such as jurisdiction and venue. We are pleased to have a ruling on the merits that declares the GRP contracts valid and incontestable in any court.”

“Any further proceedings in Montgomery County should only be to verify that the rates are reasonable,” said Houston. “We look forward to presenting to the court how SJRA takes great care to prepare a very conservative and reasonable budget and rate that is ultimately voted on by our customers.”

Quadvest and Woodlands Oaks are two of more than 80 participants in the SJRA Groundwater Reduction Plan that provides treated water from Lake Conroe to large volume users throughout Montgomery County.

Houston continued, “In the proceeding, SJRA counsel pointed out that there are at least 27 different Texas laws that make contracts like these incontestable, so this is not a new or unexpected ruling. Many contracts supporting bonds, such as those for higher education, state highways, and sports centers, are all protected by these laws. When 80-plus utilities join together to implement a regional project, it’s critical that everyone participates as agreed to in the contract, otherwise it puts at risk the entire legal apparatus protecting Texas public bonds for regional projects. This decision supports public entities who step up to the plate to provide regional large-scale water and infrastructure solutions.”

#### Background:

In 2010, more than 80 public and private water utilities in Montgomery County entered into a contract with SJRA to implement a joint, countywide Groundwater Reduction Plan in direct response to requirements set by Lone Star Groundwater Conservation District (LSGCD) to conserve groundwater supply. Texas public bonds were used to finance the \$500 million GRP Water Treatment Plant at Lake Conroe and pipeline system throughout Montgomery County.

The GRP contract specified that SJRA would deliver treated surface water from Lake Conroe to supplement existing aquifer supplies and meet growing demands. The GRP contracts also included provisions for periodic rate increases, which would be reviewed and approved by a committee comprised of GRP Participants prior to adoption by SJRA’s board of directors.

Since 2020, Quadvest and Woodlands Oaks have refused to pay the rate due under the contract but have continued to charge their customers as if they are abiding by the contracted amount. This refusal to pay has forced other GRP Participants to make up over \$10 million in unpaid rates. Their decision not to pay left other GRP participants—including area cities, municipal utility districts, and ultimately citizens—to make up the shortfall.

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One of the major river authorities in Texas, SJRA's mission is to develop, conserve, and protect the water resources of the San Jacinto River basin. Covering all or part of seven counties, the organization’s jurisdiction includes the entire San Jacinto River watershed, excluding Harris County. SJRA does not levy taxes, nor does it receive funding from the Texas Legislature. For additional information on SJRA

visit our website at [www.sjra.net](http://www.sjra.net), like SJRA on Facebook [@SanJacintoRiverAuthority](https://www.facebook.com/SanJacintoRiverAuthority), follow us on Twitter [@SJRA\\_1937](https://twitter.com/SJRA_1937), find us on Instagram [@sanjacintoriverauthoritysjsra](https://www.instagram.com/sanjacintoriverauthoritysjsra), or connect with us on LinkedIn [@San Jacinto River Authority](https://www.linkedin.com/company/SanJacintoRiverAuthority).

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San Jacinto River Authority | PO Box 329, Conroe, TX 77305

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# Lone Star Groundwater Conservation District Board of Directors met Nov. 22

GOVERNMENT

By Angelica Saylo Pilo  
Dec 24, 2022

Lone Star Groundwater Conservation District Board of Directors met Nov. 22.

Here is the agenda provided by the board:

1. Call to Order and Declare Meeting Open to the Public

2. Roll Call

3. Prayer and Pledges of Allegiance

4. Public Comment

5. Canvass November 8, 2022, Election of Board of Directors.

(Lienzos 8 de noviembre de 2022, Elección del Consejo de Administración)

6. Take action as necessary approving execution of the Order Canvassing Returns and Declaring Results.

(Tomar medidas según sea necesario para aprobar la ejecución de las devoluciones de búsqueda de órdenes y declarar resultados)

7. Adjourn Special Board Meeting

<https://static1.squarespace.com/static/58347802cd0f6854e2f90e45/t/6377e371758e5362011f10ab/1668801393464/11.22.22+Special+Meeting+to+C>



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HOUSTON / THE WOODLANDS / GOVERNMENT

## SJRA groundwater reduction plans declared valid, enforceable in court ruling



By **Jessica Shorten** | 12:04 PM Dec 21, 2022 CST  
Updated 12:04 PM Dec 21, 2022 CST



The San Jacinto River Authority's surface water treatment plant was built as part of its groundwater reduction plan, an effort to make Montgomery County use more surface water. (Community Impact staff)

A new ruling in a six-year legal contest among the [San Jacinto River Authority](#), [Quadvest Water & Sewer](#) and [Woodland Oak Utility](#) declared the groundwater reduction plan, or GRP, contracts between the organizations as valid and enforceable.

The Dec. 16 ruling from the 284th District Court with Judge John Delaney presiding states the contracts between the SJRA and utility companies are "incontestable, valid, and enforceable according to their terms."

A [similar ruling](#) was handed down in 2020 by the Texas Supreme Court in the lawsuit between the SJRA and the cities of Conroe and Magnolia regarding their GRP agreements.

However, *Community Impact* [previously reported](#) this spring that a state court ruled the SJRA had not effectively mediated with the cities of Conroe and Magnolia before claiming they had violated

contracts, and the SJRA planned to appeal to the Texas Supreme Court, a separate case from the Dec. 16 ruling.

"Any further proceedings in Montgomery County should only be to verify that the rates are reasonable," SJRA General Manager Jace Houston said in a Dec. 19 news release. "We look forward to presenting to the court how SJRA takes great care to prepare a very conservative and reasonable budget and rate that is ultimately voted on by our customers."

The SJRA is one of 10 river authorities created by the state Legislature to develop water supply and wastewater management in the San Jacinto River Basin, excluding Harris County, according to [previous reporting](#).

The GRP contracts in question were enacted in 2015 following restrictions from the Lone Star Groundwater Conservation District on groundwater usage in 2008. Just over 80 public and private water utility districts joined into a GRP contract with the SJRA in 2010 to implement a joint, countywide GRP to conserve groundwater, according to the release. The lawsuits that ensued stemmed from allegations that [water use fees were excessive](#) on the utility companies and municipalities.

In protest of the rates, Quadvest and Woodland Oaks have not paid their fees under the GRP contract since 2020, according to the release. According to the SJRA, this has caused other GRP participants to make up over \$10 million in unpaid rates.

Quadvest did not return requests for comment before publication.

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By [Jessica Shorten](#) 

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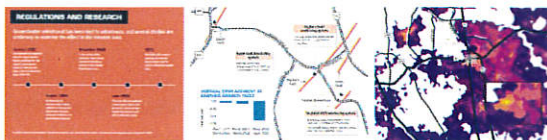
## Water agencies debate ground subsidence amid new studies



By **Vanessa Holt** | 10:42 AM Dec 15, 2022 CST  
Updated 10:45 AM Dec 15, 2022 CST



Laura Norton, president of Montgomery County MUD No. 47, points out a crack in the asphalt in the area of the Panther Branch fault that runs through The Woodlands.



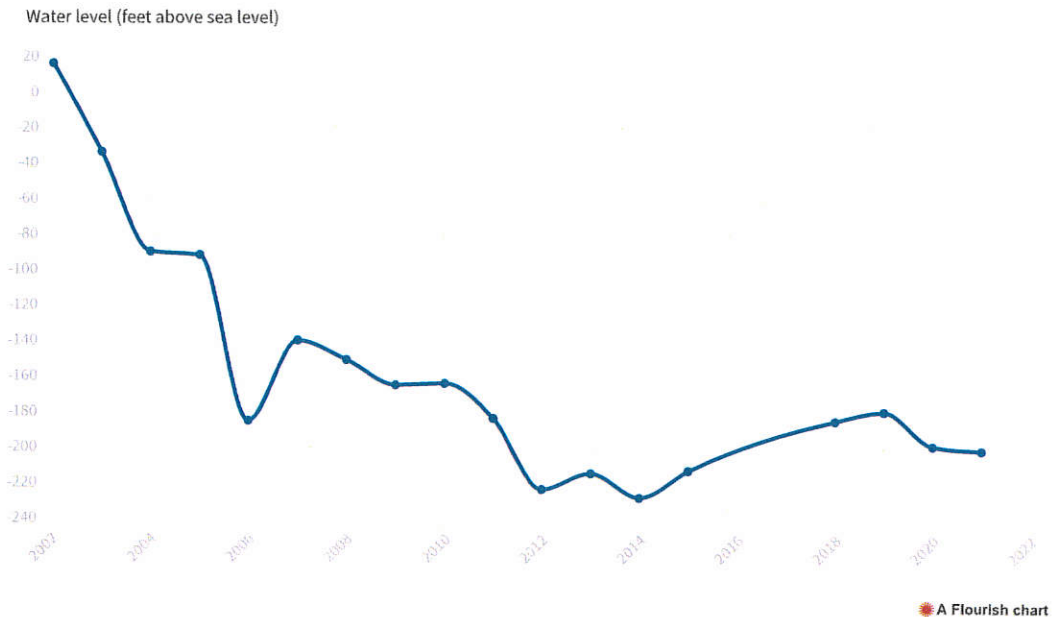
A University of Houston geological study released in August tracking land deformation in Houston's growing suburbs from 2016-20 showed portions of South Montgomery County have experienced land displacement, sinking up to 1.3 centimeters per year around most of The Woodlands area.

This gradual, vertical decline is known as subsidence, or the sinking of the land due to compaction beneath the earth's surface. The UH study stated the sinking in the Greater Houston area is chiefly caused by pumping water from underground reserves, which compacts sublayers of clay and silt in aquifers beneath the Earth's surface.

## Water level below surface at Research Forest well

### TS-60-52-604 Jasper Aquifer

Information from the U.S. Geological Survey shows a decline in the water level in wells, such as one located in the Jasper aquifer on Research Forest Boulevard. The decline began to reverse when surface water was introduced in 2015, but it dipped again after groundwater demand increased.



The Woodlands switched to a blend of groundwater and surface water in 2016, using water from San Jacinto River Authority's surface water treatment plant on Lake Conroe, due to concerns about extracting groundwater, according to The Woodlands Water Agency, which oversees 10 municipal utility districts.

However, officials with the entity that regulates groundwater usage in Montgomery County—the Lone Star Groundwater Conservation District—disagree groundwater extraction is responsible for subsidence in the area. Officials said the district launched a study in 2019 to better determine the underlying causes.

"We believe that some of the data has been presented in a way that is misleading," said Jim Spigener, president of the LSGCD board of directors, regarding remote sensing data used in subsidence studies.

He said satellite data does not provide adequate information about which aquifers are affected, nor does it provide certainty regarding the cause of subsidence.

Groundwater is an affordable and clean source of water, said Shuhab Khan, a geology professor at the University of Houston and one of the report's authors. He said there is a balance to using groundwater.

"Groundwater is the cleanest water all over the world," Khan said. "It is a means for drinking, for agriculture, for industry, and when we start pumping more water than the amount of water that is replenishing [aquifers], that balance is gone."

Over time, subsidence can cause damage to property, pipes and roads, Khan said. It also makes an area more susceptible to flooding.

Although the conditions that cause subsidence can be lessened by cities using alternative sources, such as surface and potable water, the effects of subsidence are permanent, said Robert Mace, water policy director at Texas State University.

"If you reduce your pumping, you can then decrease the maximum subsidence that would have occurred," he said. "But for the most part, land subsidence is a one-way trip. Once it's compressed, it's not coming back up."

### **Study findings**

The UH report found the biggest contributor to subsidence was the use of groundwater.

Wells can be drilled into an aquifer, which consists of layers of underground, water-bearing rock, and water can be pumped out for use by residents. Since property owners own the rights to water produced from wells on their properties, pumping groundwater is also a property-rights issue,

which officials with the LSGCD have said they want to defend.

"The law in Texas says that the people own the water below them," Spigener said. "And ... you can't just go take people's property away from them."

However, SJRA General Manager Jace Houston said the relationship between subsidence and groundwater withdrawal has been established, and the UH report offers proof of the impact of groundwater withdrawal.

"This is not something you can just ignore," Houston said. "You cannot stick your head in the sand and keep pumping all the groundwater you want."

While The Woodlands has increased its use of surface water from 35% of the total to an annual 50/50 average mix with groundwater as of Sept. 1, Houston said that is not the case in most of Montgomery County, where there are no requirements to use surface water.

Groundwater Management Area 14, which includes the Greater Houston area, adopted a set of desired future conditions Jan. 5 stating there should not be subsidence of more than 1 additional foot between 2009-80, but the metric is optional for groundwater conservation districts.

LSGCD officials have said they are not restricting groundwater pumping because they believe more data is needed to prove that it causes substantial subsidence, and the district is in the process of obtaining that data with its study evaluating existing subsidence data and obtaining new aquifer data.

"The best science we've got right now tells us ... we can expect less than a foot average subsidence in the next 50 years," Spigener said, referring to models of available groundwater in the Gulf Coast Aquifer System.

Spigener said he believes the rate of subsidence is not at a level that should be considered alarming in Montgomery County.

"Subsidence is important, but the forest is not on fire," he said.

However, Houston said he sees the problem as more urgent as subsidence leads to more active fault lines and increases flooding effects in the region.

"Water levels will continue to decline; subsidence will continue to occur until someday enough people get upset enough to go and convince the LSGCD to begin regulating groundwater again," Houston said.

### **Ongoing research**

The UH study pinpointed new hot spots of subsidence in areas including The Woodlands and Spring, citing south Montgomery County as an area of "manifest substantial negative displacement" that will worsen as the population grows.

One indicator of the expected population growth can be seen in a Population and Survey Analysts demographic study presented to Conroe ISD on Dec. 6, which projected growth in the region could lead the district to see as many as 98,000 students by 2032, up from its current enrollment estimate of around 73,000.

To pinpoint which aquifers are seeing the greatest effect from groundwater extraction, Spigener said Phase 3 of the district's ongoing study into subsidence involves putting an extensometer in place in The Woodlands area to measure the extent of subsidence in the ground by determining changes in soil due to compaction.

However, each device costs \$1 million-\$1.5 million, and six devices are needed, Spigener said. The process of installing the device takes six to nine months, and prebidding meetings were held in late November for the first device. It would likely take up to two years for the first data to be collected, he said.

"Our [annual] budget is \$2 million for the whole district, so it really is a long-term [project]; we're not going to do this overnight," Spigener said.

While the district has funds set aside for the first extensometer, Spigener said funding from water stakeholders will be needed for subsequent devices. That would include entities such as the SJRA, the Harris-Galveston Subsidence District, the city of Conroe and others, he said.

Despite the doubts expressed by the LSGCD, other water entities in the region said they believe groundwater withdrawal should be regulated.

"Subsidence in Montgomery County is driven by groundwater withdrawal and is well-documented

over the past 20-plus years," said John Geiger, water awareness and education coordinator for The Woodlands Water Agency. "We expect further Woodlands-area improvements in 2023 by using a 50% blend of surface and groundwater."

Spigener said he will wait for extensometer data results before drawing conclusions about the specific causes of subsidence.

"People take that remote sensing data, radar sensing data, and put it out there and say, 'Oh my god, we're pumping too much groundwater.' And my question is—are you absolutely certain that's what it is?" Spigener said.

## **Potential effects**

### **Average vertical displacement of downthrown side at Panther Branch fault relative to upthrown**

A San Jacinto River Authority report from November shows relative downward movement at several water line points along Research Forest Boulevard with the largest decrease occurring at the Panther Branch fault.

Average vertical displacement (in inches) of downthrown side of suspected Panther Branch fault relative to upthrown side since March 2015

Source: San Jacinto River Authority

✱ A Flourish chart

Among the effects of subsidence can be increased flooding and increased fault activity.

H-GSD General Manager Mike Turco said subsidence has also contributed to flooding across the Houston area.

"These [flooding events] are in the same areas where we are seeing subsidence rates at 1 1/2 to 3 centimeters per year," he said.

In The Woodlands area, one area that has historically been affected by flooding is off Research Forest Drive near The Woodlands High School, said Laura Norton, president of Montgomery County Municipal Utility District No. 47, which serves an area around Research Forest.

She said the area is also a location where faults run through The Woodlands. The Jones and Panther Branch faults are located near Research Forest, and a November report by the SJRA shows an increase in subsidence in the area where the Panther Branch fault is suspected to cross a water pipeline.



Norton said damage to homes and dips in the road can be seen in the area in the form of cracks in the road, in driveways and foundations.

The UH study states its findings also imply subsidence may be responsible for fault movement in the Greater Houston area based on analysis of land displacement.

"If current ground pumping trends continue, faults in ... The Woodlands will likely become reactivated and/or increase in activity over time," according to the report.

Norton said she believes that is happening, noting that faulting and subsidence lessens when less groundwater is extracted.

A semiannual SJRA report issued in November showed a marked increase in subsidence at a monitoring system near the suspected Panther Branch fault compared to six months earlier. Vertical displacement increased from 0.008 feet per year to 0.051 feet per year at the site, according to a report.

SJRA Director of Operations Ed Shackelford said a study underway by the SJRA is looking to confirm the fault location, which could mean additional protection is needed for the water line there.

Meanwhile, Houston said the \$500 million SJRA plant, which became operational in 2015, is being used at minimum capacity because of the lack of incentives to use surface water. It is not in danger of being shut down, he said, but it is not being used for the purpose for which it was built.

"There's no regulation so they have no incentive to use any more than necessary," Houston said. "As it sits unused, some of the equipment can deteriorate. And it can be expensive to start it back up."

*Editor's note: In the print edition of this story the line chart on Page 44 should read "Water level below surface by feet at Research Forest well."*

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By [Vanessa Holt](#) 

A resident of the Houston area since 2011, Vanessa began working in community journalism in her home state of New Jersey in 1996. She joined *Community Impact Newspaper* in 2016 as a reporter for the Spring/Klein edition and became editor of that paper in March 2017 and editor of The Woodlands edition in January 2019.

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