

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

August 9, 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 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 August 9, 2022.

### CALL TO ORDER:

President Spigener called to order the Public Hearing on Permit Applications at 6:03 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  
Larry Rogers  
Jonathan Prykryl  
Janice Thigpen  
Stuart Traylor  
Jim Spigener  
Kenneth Earnest

Seven 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.*

### PRAYER AND PLEDGES OF ALLEGIANCE:

President Spigener called on Director Bouche for the opening prayer and Secretary Rogers to lead the Pledge of Allegiance and the Pledge of Allegiance to the state flag.

## **PUBLIC COMMENTS:**

No comments were received.

Ms. Hein briefed the Board on permit applications received for the month and reported that there were eight applications received for this month. Applications for consideration and recommended for possible approval included the below:

### **1. SP Utility Co., Inc. (Cypresswood Subdivision)**

Applicant is requesting registration of a new well and production authorization in the amount of 30,000,000 gallons for 2022 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

### **2. Hidden Arbor RV Park**

Applicant is requesting registration of a new well and production authorization in the amount of 3,000,000 gallons for 2022 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

### **3. Porter Special Utility District**

Applicant is requesting an amendment to an Operating Permit for an increase in production authorization in the amount of 469,143,999 gallons for 2022 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

### **4. Deer Trail Water District LLC (Lexington Heights)**

Applicant is requesting registration of two new wells and production authorization in the amount of 9,250,000 gallons for 2022 and annually thereafter. Based on technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

### **5. City of Magnolia**

Applicant is requesting an amendment to an Operating Permit for registration of a new well and an increase in production authorization in the amount of 162,364,000 gallons for 2022 and annually thereafter. Due to the combined max gpm of the well system for HUP039/OP-04041601, 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 technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

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

Applicant is requesting an amendment to an Operating Permit for registration of a new well and an increase in production authorization in the amount of 353,862,200 gallons for 2022 and annually thereafter. Due to the combined max gpm of the well system for HUP294/OP02-0011, 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 technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

**7. Quadvest, LP (Lake Windcrest WS)**

Applicant is requesting an amendment to an Operating Permit for registration of a new well and an increase in production authorization in the amount of 176,650,000 gallons for 2022 and annually thereafter. Due to the combined max gpm of the well system for HUP178/OP03-0025K 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 technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

Ms. Hein brought to the Boards attention item #7 - Quadvest, LP (Lake Windcrest WS). Quadvest is requesting an amendment to their Operating Permit to add a well to the permitted aggregate system. This is different from the amendment request from Lake Windcrest that was received during the July board meeting. This request is for a new well at a different water plant that also serves the Lake Windcrest subdivision. However, the request is similar to the July permit amendment in that it is in a proposed location that triggered the need for a hydrogeological report as a variance for the District's spacing rules. The District's technical consultants and staff have reviewed the application and report and confirm they match the requirements set forth.


**8. Ranchcrest Water System**

Applicant is requesting an amendment to an Operating Permit for registration of a new well and an increase in production authorization in the amount of 39,590,900 gallons for 2022 and annually thereafter. Due to the combined max gpm of the well system for OP-05112901, 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 technical review of the information supplied, it is the General Manager's recommendation to approve that which is requested.

Following Ms. Hein's report, Secretary Rogers motioned to approve items #1-8, as recommended by the General Manager. Director Bouche seconded. Motion passed.

President Spigener adjourned the public hearing on permit applications at 6:11 PM.

**PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF September 2022.**

  
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Larry Rogers, Board Secretary



# LONE STAR GROUNDWATER CONSERVATION DISTRICT

August 9, 2022

## MINUTES TO CALL FOR THE NOVEMBER 8, 2022, GENERAL AND SPECIAL ELECTION OF DIRECTORS

The Board of Directors of the Lone Star Groundwater Conservation District (“District”) met in regular session, open to the public, 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 August 9, 2022.

### CALL TO ORDER:

President Spigener presided and called to order the Call for the November 8, 2022, General and Special Election of Directors meeting at 6:13 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  
Jonathan Prykryl  
Larry A. Rogers  
Janice Thigpen  
Stuart Traylor  
Jim Spigener  
Kenneth R. Earnest

Seven 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; Kristin Fancher, District Attorney (virtually), District staff; and members of the public. *Copies of the public sign-in sheets are attached hereto as Exhibit “A” to the Regular Board of Directors Meeting minutes.*

President Spigener stated this was a meeting to call for the November 8, 2022, General and Special Election of Directors.



Discuss, consider, and adopt Resolution Calling November 8, 2022, General and Special Election of Directors - Order of Election.

Upon a motion by Secretary Rogers, seconded by Director Prykryl and unanimously approved by those present, the Board authorized Resolution #22-005 ordering the general election of directors to be held on November 8, 2022, in accordance with the laws of the State of Texas. ***Copy of Resolution #22-005 is attached hereto as Exhibit "B".***

Upon a motion by Director Prykryl, seconded by Vice President Traylor and unanimously approved by those present, the Board authorized Resolution #22-006 ordering the special election of directors to be held on November 8, 2022, in accordance with the laws of the State of Texas. ***Copy of Resolution #22-006 is attached hereto as Exhibit "C".***

Discuss, consider and take action as necessary to authorize Election Services Agreement with Montgomery County to hold November 8, 2022, Joint Election and authorize General Manager to execute.

Upon a motion by Director Bouche, seconded by Vice President Traylor and unanimously carried, the Board approved authorizing the General Manager to execute the Election Services Agreement with Montgomery County to hold the November 8, 2022, Joint Election.

Discuss, consider, and take action as necessary to authorize Joint Election Agreement with Montgomery County and all participating entities and authorize General Manager to execute.

Upon a motion by Secretary Rogers, seconded by Director Prykryl and unanimously carried, the Board approved authorizing the General Manager to execute the Joint Election Agreement with Montgomery County and all participating entities.

There being no further business, President Spigener adjourned the meeting at 6:26 PM.

**PASSED, APPROVED, AND ADOPTED THIS 13<sup>th</sup> DAY OF SEPTEMBER 2022.**

  
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Larry Rogers, Board Secretary

**RESOLUTION NO. #22-005**

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

**RESOLUTION CALLING NOVEMBER 8, 2022, GENERAL ELECTION  
OF DIRECTORS – ORDER OF ELECTION**

**WHEREAS**, the Lone Star Groundwater Conservation District (“District”) is a political subdivision of the State of Texas and a conservation district organized and existing under and by virtue of Article XVI, Section 59, of the Texas Constitution, and operates pursuant to Chapter 36 of the Texas Water Code and the District’s enabling legislation (Chapter 1321, Acts of the 77th Texas Legislature, Regular Session, 2001, as amended) (“Enabling Act”);

**WHEREAS**, the Texas Legislature enacted House Bill 1982 (“HB 1982”) to be effective on September 1, 2017, which amends the District’s Enabling Act to provide that the District will be governed by a board of seven (7) elected directors; and

**WHEREAS**, the District Board of Directors (“Board”) desires to order the general election of directors to be held on November 8, 2022, in accordance with HB 1982 and the laws of the State of Texas.

**NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE  
LONE STAR GROUNDWATER CONSERVATION DISTRICT THAT:**

Section 1. The above recitals are true and correct and are incorporated herein for all purposes.

Section 2. The District Board hereby orders a general election to be held on November 8, 2022, to elect four (4) director positions with terms expiring on December 1, 2026. The four (4) directors shall be elected pursuant to HB 1982, Section 7A(b) as follows:

- Place 2: One director elected by the voters of Montgomery County Commissioners Precinct 2;
- Place 3: One director elected by the voters of Montgomery County Commissioners Precinct 3;
- Place 4: One director elected by the voters of Montgomery County Commissioners Precinct 4;
- Place 7: One director elected by the voters of The Woodlands Township within the District.

Section 3. The District will contract with Montgomery County in order for Montgomery County to provide election services on behalf of the District. The District will also enter into a Joint Election Agreement with other political subdivisions holding elections on November 8, 2022, for the purpose of resource and cost sharing. All November 8, 2022, Election Day voting shall occur at the times and polling places designated by Montgomery County, as those locations may be amended as deemed necessary by Montgomery County. The Montgomery County voting precincts shall be the applicable voting precincts for the District directors’ election. The election officials appointed by Montgomery County shall be the duly appointed election officials for the District directors’ election.

Section 4. Early voting will be conducted at the main and other early voting polling locations designated by Montgomery County, as those locations may be amended as deemed necessary by Montgomery County. The dates, hours, and main and other locations for early voting are those set forth in "Exhibit A" to this Order, which is incorporated herein for all purposes. The hours for voting on Election Day, November 8, 2022, are from 7:00 a.m. to 7:00 p.m. at the polling places designated by Montgomery County. The information for Election Day voting is set forth in "Exhibit B" to this Order, which is incorporated herein for all purposes.

Section 5. Ms. Suzie Harvey, the Montgomery County Elections Administrator, is hereby designated as the Early Voting Clerk for the District directors' election. Applications for ballot by mail should be mailed to the Early Voting Clerk at the following address:

Ms. Suzie Harvey  
Elections Administrator  
P.O. Box 2646  
Conroe, TX 77305-2646


Section 6. Qualified persons may file as candidates for a place on the ballot by filing an application with the District. Pursuant to the Texas Election Code, the deadline for filing an application for a place on the ballot is 5:00 p.m. on Monday, August 22, 2022.

Section 7. The Board hereby designates the District's General Manager, Ms. Samantha Stried Reiter, as the District's agent for the election, who is hereby authorized to take all actions necessary for conducting the election in accordance with the laws of the State of Texas.


**AND IT IS SO ORDERED.**

**PASSED AND ADOPTED** by a quorum of the Board of Directors on this 9<sup>th</sup> day of August, 2022.

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

By:   
Jim Spigener, Board President

ATTEST:

  
Larry Rogers, Board Secretary



**RESOLUTION NO. #22-006**

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

**RESOLUTION CALLING NOVEMBER 8, 2022, SPECIAL ELECTION  
OF DIRECTORS - ORDER OF ELECTION**

**WHEREAS**, the Lone Star Groundwater Conservation District (“District”) is a political subdivision of the State of Texas and a conservation district organized and existing under and by virtue of Article XVI, Section 59, of the Texas Constitution, and operates pursuant to Chapter 36 of the Texas Water Code and the District’s enabling legislation (Chapter 1321, Acts of the 77th Texas Legislature, Regular Session, 2001, as amended) (“Enabling Act”);

**WHEREAS**, the Texas Legislature enacted House Bill 1982 (“HB 1982”) to be effective on September 1, 2017, which amends the District’s Enabling Act to provide that the District will be governed by a board of seven (7) elected directors; and

**WHEREAS**, the District Board of Directors (“Board”) desires to order a special election of directors to be held on November 8, 2022, in accordance with HB 1982, Section 36.051(c) of the Texas Water Code, and the laws of the State of Texas.

**NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT THAT:**

Section 1. The above recitals are true and correct and are incorporated herein for all purposes.

Section 2. The District Board hereby orders a special election to fill a vacancy pursuant to Section 36.051(c) of the Texas Water Code to elect (1) director position to fill the unexpired term of the position through December 1, 2024, as follows:

Place 6: One director elected by the voters of the City of Conroe.

Section 3. The District will contract with Montgomery County in order for Montgomery County to provide election services on behalf of the District. The District will also enter into a Joint Election Agreement with other political subdivisions holding elections on November 8, 2022, for the purpose of resource and cost sharing. All November 8, 2022, Election Day voting shall occur at the times and polling places designated by Montgomery County, as those locations may be amended as deemed necessary by Montgomery County. The Montgomery County voting precincts shall be the applicable voting precincts for the District directors’ election. The election officials appointed by Montgomery County shall be the duly appointed election officials for the District directors’ election.

Section 4. Early voting will be conducted at the main and other early voting polling locations designated by Montgomery County, as those locations may be amended as deemed

necessary by Montgomery County. The dates, hours, and main and other locations for early voting are those set forth in "Exhibit A" to this Order, which is incorporated herein for all purposes. The hours for voting on Election Day, November 8, 2022, are from 7:00 a.m. to 7:00 p.m. at the polling places designated by Montgomery County. The information for Election Day voting is set forth in "Exhibit B" to this Order, which is incorporated herein for all purposes.

Section 5. Ms. Suzie Harvey, the Montgomery County Elections Administrator, is hereby designated as the Early Voting Clerk for the District directors' election. Applications for ballot by mail should be mailed to the Early Voting Clerk at the following address:

Ms. Suzie Harvey  
Elections Administrator  
P.O. Box 2646  
Conroe, TX 77305-2646


Section 6. Qualified persons may file as candidates for a place on the ballot for the special election by filing an application with the District. Pursuant to the Texas Election Code, the deadline for filing an application for a place on the ballot for the special election is 6:00 p.m. on Thursday, August 25, 2022.

Section 7. The Board hereby designates the District's General Manager, Ms. Samantha Stried Reiter, as the District's agent for the election, who is hereby authorized to take all actions necessary for conducting the election in accordance with the laws of the State of Texas.

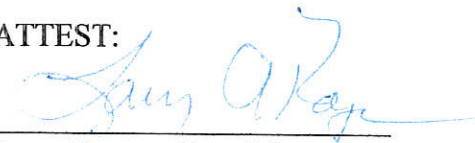
**AND IT IS SO ORDERED.**

**PASSED AND ADOPTED** by a quorum of the Board of Directors on this 9<sup>th</sup> day of August, 2022.

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

By:   
Jim Spigener, Board President

ATTEST:

  
Larry Rogers, Board Secretary

# LONE STAR GROUNDWATER CONSERVATION DISTRICT

August 9, 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, 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 August 9, 2022.

### CALL TO ORDER:

President Spigener presided and called to order the regular Board of Directors meeting at 6:26 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  
Jonathan Prykryl  
Larry A. Rogers  
Janice Thigpen  
Stuart Traylor  
Jim Spigener  
Kenneth Earnest

Seven 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 Earnest, the Board approved the meeting minutes as presented.

- a) July 12, 2022, Public Hearing on Permit Applications
- b) July 12, 2022, Regular Board of Directors Meeting

## **COMMITTEE REPORTS:**

### **A. Budget & Finance Committee –**

- 1) Brief the Board on the Committee's activities since the last regular Board meeting — Director Prykryl stated that the committee has not met. Ms. Reiter stated that the committee is working on setting up meetings and a doodle poll was sent out. Those on the committee are requested to review the dates and respond so that a meeting can be set up.
- 2) Review of unaudited financials for the month of July 2022 – Ms. Reiter reported that for the month of July 2022, income was \$224,117.48 and expenses were \$99,383.20 resulting in a net income of \$124,734.28. Year-to-date net income is \$957,531.51. Total cash on hand was \$4,183,700.81

### **B. Communications Committee –**

- 1) Brief the Board on the Committee's activities since the last regular Board meeting - The Communication Committee continues to work diligently and has nothing to report at this time.

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

- 1) Brief the Board on the Committee's activities since the last regular Board meeting - The DFC Committee has nothing to report but will have a meeting before the next board meeting.

### **D. Legislative Committee –**

- 1) Brief the Board on the Committee's activities since the last regular Board meeting – President Spigener stated the committee had a good meeting today with the consultant and the new members of the committee. Nothing further to report.

### **E. Rules, Bylaws & Policies Committee – Larry A. Rogers, Chair**

- 1) Brief the Board on the Committee's activities since the last regular Board meeting – The committee has future meetings planned but nothing to report at this time.



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

Subsidence Study Phase 3 -- Ms. Reiter stated there is no update as we are awaiting committee meetings to take place. The consultants are still reviewing options and trying to tighten up their preliminary draft scope.

**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. Reese shared that per Chapter 36, after the executive administrator determines that the Explanatory Report is administratively complete, GCDs are required to adopt the DFC that is applicable to their District. The hope was to handle this during today's board meeting but as you know at the July board meeting, there were 2 vacancies on the board which required the committee's to be reconstituted. The DFC and Technical Studies Committee now has a new director on the committee, and we want to ensure they have an opportunity to convene the DFC committee before this board votes on adopting and approving the DFC that was approved by GMA 14 earlier this year. The plan is to conduct a committee meeting soon so that during the September board meeting the board will be able to adopt the DFC applicable to the District at a special-called meeting. The notice for that special meeting has been posted with the county clerk and on the website and it includes the link to the Explanatory Report. The notice also includes instructions on how the public can make comments on the DFC. A DFC meeting will hopefully take place within the next week or two and they will be reviewing the approved DFC, the DFC process, what that means, how the District will be tracking and achieving it.

**GENERAL MANAGER'S REPORT:**

Ms. Reiter stated that her report is included in the packets. Ms. Reiter reminded the board and the public that the District has upcoming committee meetings and important election dates. She stated that the District is still accepting applications for place on the ballot. The deadline is August 22<sup>nd</sup> at 5 PM for the general election. Ms. Reiter shared that next month's meeting she is anticipating the proposed agenda to include a presentation from our education curriculum program, Tinker, on how the program fared this past school year. Ms. Reiter had a conversation with Joe Thrasher earlier in the day and the feedback was positive. Many students were reached, and the teachers really enjoyed the program. Through the program we reached over 1700 5<sup>th</sup> grade students and 33 schools. Tinker reaches out to all the school in Montgomery County and solicits interest from the schools including private schools and home schools. This year was a little different from last year because Tinker is tailored to be able to be utilized both online and in person. I am excited to get the report to present to the board. Finally, Ms. Reiter is anticipating having some discussion and possible action on budget items as well at the next meeting.

**GENERAL COUNSEL'S REPORT:**

Ms. Reese gave an update that we have officially resolved all enforcement matters. There were three and two were resolved. The third one was a matter of getting the paperwork in with the new owner and that has all been submitted and approved Ms. Reiter also made mention that this is the District's first year performing the permit review audits, these are the 5-year audits which took the place of annual renewals. Ms. Reiter stated that out of the 347 audits sent out over the last three months we have received 235 that have been finalized. Kirstin and her permitting department are working hard and making great strides. Samantha praised Kirstin and added that she has been an amazing asset to the District.

**NEW BUSINESS:**

No new business.

**EXECUTIVE SESSION:**

The Board recessed at 6:48 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.

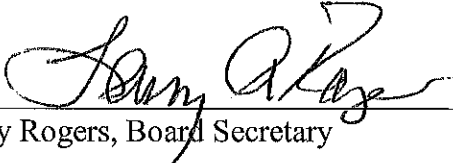
**RECONVENE IN OPEN SESSION:**

Following Executive Session, the Board reconvened in Open Session and President Spigener declared it open to the public at 7:00 PM

**ADJOURN:**

There being no further business, Vice-President Traylor motioned to adjourn the meeting and Secretary Rogers seconded. The meeting was adjourned at 7:05 PM.

**PASSED, APPROVED, AND ADOPTED THIS 13th DAY OF SEPTEMBER 2022.**

  
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Larry Rogers, Board Secretary