

**NOTICE OF REGULAR MEETING AND PUBLIC HEARING**  
**OF THE**  
**UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT**

**Join Zoom Meeting**  
**<https://us02web.zoom.us/j/84504285889>**  
**1 (346) 248-7799 – US**  
**Meeting ID: 845 0428 5889**

**Monday, January 25, 2021**  
**Public Hearing and Board Meeting begin at 5:00 PM**  
**Regular Meeting begins at conclusion of Public Hearing**

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In order to facilitate social distancing and to slow the spread of COVID-19 (Coronavirus), and in accordance with Section 418.016 of the Texas Government Code and actions taken by the Office of the Governor of Texas on March 16, 2020, suspending various provisions of Chapter 551 of the Texas Government Code, this meeting of the Board of Directors (Board) of the Upper Trinity Groundwater Conservation District (District) will be conducted by online videoconference / teleconference.

For this meeting and hearing, some members of the Board may be physically present at the Board's regular meeting location at the District office in Springtown, Texas. However, members of the public interested in joining the meeting must do so remotely in order to promote social distancing and to slow the spread of COVID-19 (Coronavirus). However, at least a quorum of the Board will attend the meeting and hearing either in person or remotely (online) via the Zoom Remote Conferencing Service.

Persons wanting to join the meeting and hearing remotely to observe the meeting and hearing, hear the communications that occur at the meeting and hearing and the public deliberations of the Board, or to comment item may join the meeting and hearing at no charge online at the following address: <https://us02web.zoom.us/j/84504285889>. Members of the public may also access the meeting and hearing by telephone at the following number: (346) 248-7799. Use Meeting ID: 845 0428 5889. Long distance charges may apply to persons calling in to one of these two numbers, depending upon their phone carrier and plan.

Persons not able to join the meeting and hearing remotely but who wish to comment matter included on this agenda may submit comments or other information via email to the following address: [doug@uppertrinitygcd.com](mailto:doug@uppertrinitygcd.com). Written comments must be received prior to the Board's decision on the application.

Any additional public information concerning this meeting and hearing will be posted on the District's website "Meetings" page prior to or during the meeting and hearing at: <https://uppertrinitygcd.com/meetings/>

Additionally, an audio recording of the meeting and hearing will be made, and can be requested after the conclusion of the meeting and hearing by sending a written request to the District at P.O. Box 1749, Springtown, Texas, 76082, or by email to: [doug@uppertrinitygcd.com](mailto:doug@uppertrinitygcd.com).

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**INTRODUCTORY MATTERS**

The Board may discuss, consider, and take appropriate action, including expenditure of funds as necessary or appropriate, on any item listed on this agenda:

1. Welcome guests and members of the public.
2. Roll call, establish a quorum, call Public Hearing and Board Meeting to order; declare the hearing and board meeting open to the public.
3. Public comment.

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## PUBLIC HEARING

1. Accept public comment and consider the proposed Desired Future Conditions for the groundwater resources (Trinity Aquifer Group) within the District pursuant to Section 36.108(d-2) of the Texas Water Code. The proposed Desired Future Conditions for the District are based on total average feet of drawdown over the course of the planning period (through 2080) and are as follows: District-wide average aquifer drawdown through 2080 of (in feet by aquifer/layer): 47 in the outcrop of the Antlers; 154 in the downdip of the Antlers; 6 in the outcrop of the Paluxy; 2 in the downdip of the Paluxy; 15 in the outcrop of the Glen Rose; 45 in the downdip of the Glen Rose; 10 in the outcrop of the Twin Mountain; 70 in the downdip of the Twin Mountains. County-wide average aquifer drawdown through 2080 of (in feet by aquifer/layer): Hood – 6 in the outcrop of the Paluxy, 9 in the outcrop of the Glen Rose, 39 in the downdip of the Glen Rose, 13 in the outcrop of the Twin Mountains, 72 in the downdip of the Twin Mountains; Montague – 40 in the outcrop of the Antlers; Parker – 42 in the outcrop of the Antlers, 6 in the outcrop of the Paluxy, 2 in the downdip of the Paluxy, 20 in the outcrop of the Glen Rose, 50 in the downdip of the Glen Rose, 7 in the outcrop of the Twin Mountains, 68 in the downdip of the Twin Mountains; Wise – 60 in the outcrop of the Antlers, 154 in the downdip of the Antlers.
2. Adjourn or continue hearing in whole or in part.

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## REGULAR BOARD MEETING

1. **Consent Agenda:** Each of these items is recommended by the Staff and approval thereof will be strictly on the basis of the Staff recommendations. Approval of the Consent Agenda authorizes the General Manager or his designee to implement each item in accordance with the Staff recommendations. The consent agenda will be approved as a block. Any Board member that has questions regarding any item on the consent agenda may have the item pulled and considered as a regular item on the agenda. Any items so pulled for separate discussion will be considered as the first items following approval of the consent agenda.
  - A. Approval of minutes from Regular Board Meeting on December 21, 2020.
  - B. Approval of bank statement ending December 31, 2020, and current financial reports of the District.
  - C. Payment of bills/invoices received through January 25, 2021.
  - D. Reimbursements for expenses incurred on behalf of the District through January 25, 2021.
2. Any items from consent agenda that were pulled for further discussion.
3. Board consideration and possible approval of quarterly Investment Report with recommendations.
4. Continue discussion regarding alleged failure to timely submit accurate water production reports and water use fees to the District for calendar years 2009 through 2014 for wells owned by Land Fund Manager, LP in Hood County, including but not limited to the approval of a Settlement Agreement between the District and Land Fund Manager, LP; take action as necessary.
5. Discussion regarding the following requests for an extension to drill approved water wells, take action as necessary:
  - a) Exempt Well(s):
    - 1) Well ID 13564 for Paul Chavez in Parker County.
  - b) Nonexempt Well(s):
    - 1) Well ID 11570 for Town of Annetta in Parker County.
    - 2) Well ID 11901 for Lackland Fairview LLC/New Fairview MUD in Wise County.
    - 3) Well ID 11992 for Town of Annetta in Parker County.
    - 4) Well ID 11993 for Town of Annetta in Parker County.

- 5) Well ID 12969 for WPS I LLC in Parker County.
- 6) Well ID 12970 for WPS I LLC in Parker County.
- 7) Well ID 12971 for WPS I LLC in Parker County.
- 8) Well ID 12972 for WPS I LLC in Parker County.

- 6. **Management Report on Administrative and Operational Issues:** The General Manager and staff will brief the Board on the following and any other items included in the General Manager's written report, which may be discussed, considered, and acted upon by the Board, including authorizing the initiation of, managing, or resolving enforcement action or litigation where applicable.
  - A. General Manager's report
  - B. Report on delinquent customers of the District and take any necessary action for collection of delinquent fees.
  - C. Report on Education and Outreach activities.
  - D. Report on injection well applications filed with the Railroad Commission
  - E. Well Registration and Groundwater Production reports
- 7. Review line item expenditures and adopt budget amendment(s) as necessary.
- 8. General Counsel's Report: The District's legal counsel will brief the Board on 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; District rules enforcement activities; District Rules and District Management Plan development or implementation issues; groundwaterrelated legislative activities; joint planning and desired future conditions development activities; developments in groundwater case law and submission of legal briefs; contractual issues related to the District; open government, policy, personnel, and financial issues of the District; and other legal activities on behalf of the District, take action as necessary.
- 9. Determine time and place for next meeting.
- 10. New business to be placed on the next meeting agenda.
- 11. Adjourn board meeting.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. These public meetings and hearings are available to all persons regardless of disability. If you require special assistance to attend the meetings or hearings, please call or (817) 523- 5200 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements.

At any time during a work session, meeting or hearing and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Upper Trinity Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful 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); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

**--Please visit the website – [www.uppertrinitygcd.com](http://www.uppertrinitygcd.com)**

This is to certify that I, Doug Shaw, posted this agenda on the bulletin board of the Administrative Offices of the District at 1859 W. Highway 199, Springtown TX 76082, and also provided this agenda to the County Clerk in Parker County with a request that it be posted at or before 4:00 p.m. on the 22 of January.



Doug Shaw, General Manager