

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

**District Office**  
**1859 W. Highway 199**  
**Springtown, TX 76082**  
**Zoom Remote Conferencing Service**  
<https://us02web.zoom.us/j/86334329704>  
**1 (346) 248-7799 – US**  
**Meeting ID: 863 3432 9704**

**Thursday, March 16, 2023**  
**Hearing begins at 5:00 PM**  
**Regular Meeting begins at conclusion of Public Hearing**

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For this hearing and meeting, at least a quorum of the Board will 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 may do so in-person at the District office or remotely via the Zoom Remote Conferencing Service.

Persons wanting to join the meeting remotely to observe the meeting, hear the communications that occur at the meeting and the public deliberations of the Board, or to comment on a permit application, or any other item on the agenda, may join the hearing at no charge online at the following address: <https://us02web.zoom.us/j/86334329704> of the public may also access the hearing by telephone at the following number: (346) 248-7799. Use Meeting ID: 863 3432 9704. Long distance charges may apply to persons calling in to the number, depending upon their phone carrier and plan.

Persons not able to join the hearing remotely but who wish to comment on a permit application 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.

Persons may make comments for or against a permit application without the need to request a contested case hearing on the application. However, persons wanting to protest a permit application by requesting a contested case hearing must do so either in writing or by appearing at the public hearing on the date specified in this notice and opposing the application. Written requests for a contested case hearing must be received by the District on or before the date of the public hearing as it appears on this notice, and before Board action on the application. Written requests for a contested case hearing may be mailed to the District at P.O. Box 1749, Springtown, Texas, 76082, or submitted by email to: [doug@uppertrinitygcd.com](mailto:doug@uppertrinitygcd.com).

Additional requirements for requesting a contested case hearing on this application, including the information that must be included in such a request, may be found in Appendix E, Rule E.6, of the District Rules: <https://uppertrinitygcd.com/pdf/UTGCD-RULES.pdf>

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

Additionally, an audio recording of the hearing will be made, and can be requested after the conclusion of the 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).

Persons wanting to comment on an agenda item but otherwise not wishing to join the meeting may email comments to the following address: [doug@uppertrinitygcd.com](mailto:doug@uppertrinitygcd.com). Additionally, an audiorecording of the meeting will be made, and can be requested after the conclusion of the meeting 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 Hearings and Board Meeting to order; declare the hearings and board meeting open to the public.
3. Pledges of allegiance to the flags.
4. Public comment.

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## PUBLIC HEARING

1. Discussion and public comment on the District's 2023 Management Plan Update, including the adoption of Resolution 23-001 Adopting a Management Plan; take action as necessary – During the hearing, at the conclusion of the hearing, or any time or date thereafter, the proposed Management Plan may be adopted in the form presented or as amended based upon comments received from the public, the TWDB, District staff, attorneys, consultants, or members of the Board of Directors without any additional notice.
2. Receive any public comments, requests to contest, and the General Manager's report and recommendations regarding the following applications for permits, permit amendments, and/or requests for exceptions to the District's water well spacing or minimum tract size requirements:
  - A. **Applicant/Owner:** Store Master Funding XVI, LLC — 640 N Lasalle St, Ste 670, Chicago, IL 60654  
**Type of Application:** Operating Permit and Exception to Minimum Well Spacing Requirements  
**Permit ID:** 197-W-OP  
**Well ID(s):** 19284  
**Location of well or proposed well:** 2188 E Hwy 380, Decatur, TX 76234  
**Requested Permit Volume:** 300,000 gallons/year  
**General Manager's Recommendation:** 300,000 gallons/year  
**Description of Request:** Store Master Funding XVI, LLC is seeking an operating permit and an exception to the District's water well spacing requirements under District Rule 4.7, in order to drill and operate one new commercial well to supply water for fire suppression on the property.
  - B. **Applicant/Owner:** Autodrome, LLC — 7629 FM 51 N, Decatur, TX 76234  
**Type of Application:** Operating Permit  
**Permit ID:** 198-W-OP  
**Well ID(s):** NA  
**Location of well or proposed well:** 7629 FM 51 N, Decatur, TX 76234  
**Requested Permit Volume:** 1,500,000 gallons/year  
**General Manager's Recommendation:** 1,500,000 gallons/year  
**Description of Request:** Autodrome, LLC is seeking an operating permit in order to drill and operate one new commercial water well to supply water for bathrooms, showers, and car washing on the property.
3. Adjourn or continue Public Hearing(s) in whole or in part.

## REGULAR BOARD MEETING

1. Discuss and consider appointment of person to fill vacancy on Board of Directors for an unexpired term representing Hood county created by the resignation of Mr. Richard English, including but not limited to the adoption of Resolution 23-002 and consultation with the District's Attorney in executive session, in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, concerning personnel matters (§551.074); any action will be taken during the open meeting.
2. **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 the Regular Board Meeting and Public Hearing on January 26, 2023.
  - B. Approval of bank statements ending January 31, 2023 and February 28, 2023, and current financial reports of the District.
  - C. Approval of Investment Report.
  - D. Payment of bills/invoices received through March 16, 2023.
  - E. Reimbursements for expenses incurred on behalf of the District through March 16, 2023.
  - F. Approval of Request for an Extension Applications submitted through March 16, 2023.
3. Any items from consent agenda that were pulled for further discussion.
4. Discussion regarding proposed Interlocal Agreement related to Groundwater Management Area 8 (GMA 8) Funding for Update to Groundwater Availability Model, including by not limited to authorizing the District Representative to GMA 8 to execute the Agreement on behalf of the District; take action as necessary.
5. Discussion regarding the following potential violations of District Rules; take action as necessary.
  - A. Exempt Wells
    1. Water Well Drilled without an approved Registration by Gap Drilling Water Well Service at 9538 Evergreen Cemetery Rd, Lipan, Hood Co., TX.
    2. Well ID 16606 in Wise Co owned by Crosswire Properties, LLC.
  - B. Non-Exempt Wells
    1. Pumping in Excess of Authorized Amount
      - a. Aqua Texas, Inc.
        - i. System ID 004-H
        - ii. System ID 005-H
        - iii. System ID 017-H
        - iv. System ID 024-H
        - v. System ID 025-H
        - vi. System ID 009-P
        - vii. System ID 010-P
        - viii. System ID 011-P
        - ix. System ID 014-P
        - x. System ID 018-P
        - xi. System ID 002-W
        - xii. System ID 005-W
        - xiii. System ID 008-W

- b. Texas Water Utilites, L.P.
    - i. System ID 046-H
    - ii. System ID 050-H
    - iii. System ID 058-P
    - iv. System ID 059-P
    - v. System ID 018-W
    - vi. System ID 019-W
    - vii. System ID 028-W
  - c. System ID 030-H – City of Tolar
  - d. System ID 011-M – Red River Authority of Texas
  - e. System ID 001-P – 3D Mobile Home and RV Park, Inc.
  - f. System ID 046-P – New Progress Water
  - g. System ID 064-P – CSWR Texas Utility Operating Company, LLC
  - h. System ID 183-P – Homestead Weatherford, LLC
  - i. System ID 116-W – Sage Natural Resources
6. Discussion regarding a request to locate a replacement well (Well ID 19182) further than 100 ft. from the well being replaced; take action as necessary.
  7. **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
  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; groundwater related 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 10<sup>th</sup> of March 2023.



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Doug Shaw, General Manager