

**UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT**  
**THURSDAY, JUNE 29, 2023**  
**MINUTES OF MEETINGS**  
**OF THE**  
**BOARD OF DIRECTORS**

---

**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. The meeting convened at 2:27 p.m.
2. Roll call, establish a quorum, call Public Hearing and Regular Board Meeting to order; declare the Hearing and Meeting open to the public.  
  
Directors Present: Tracy Mesler, Shannon Nave (left at 4:15 p.m.), Tim Watts, Jarrod Reynolds, Bob Lusk, and Don Majka  
  
Directors Absent: Brent Wilson and Mike Berkley
3. Pledges of allegiance to the flags.
4. Public comments were made where noted below.

---

**REGULAR BOARD MEETING**

President Mesler took agenda item 6, from the Regular Board Meeting, out of order.

6. Director Nave moved to offer Scott Mauldin, Las Brisas Realty, LLC, a settlement offer, in lieu of litigation to include 1) a first major violation of District Rules for altering a well without a compliant and approved registration as required by District Rules; 2) a \$250 penalty fee associated with the first major violation; 3) a second major violation of District Rules for failure to timely meter a well when required; 4) a \$500 penalty associated with the second major violation; 5) a third major violation of District Rules for failure to maintain the minimum tract size and spacing requirements as set forth in District Rules; 6) a \$500 penalty for the third major violation and a requirement to plug well ID 1916 by September 1, 2023; 7) a fourth major violation of District Rules failure to permit a well that does not qualify for an exemption under Rule 3.1; 8) a \$1,000 penalty associated with the fourth major violation; and 9) requirement to submit an estimate of all water produced from Well IDs 1916 and 11374 since the time Well ID 1916 came online, to the satisfaction of the GM, and pay the associated water use fees by September 1, 2023. Director Watts seconded the motion. Motion passed unanimously.

---

**PUBLIC HEARING**

1. 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:** Blessed to Bless Investments, LLC — 769 Glade Park Ct, Azle, TX 76020  
**Type of Application:** Exception to spacing requirements  
**Location of well or proposed well:** 769 Glade Park Ct, Azle, TX 76020  
**Description of Request:** Blessed to Bless Investments, LLC is seeking an exception to the District's water well spacing requirements under District Rule 4.7, in order to drill and operate one new domestic water well, closer to a property line than what District Rules allow, on the property.
  - B. **Applicant/Owner:** Aqua Texas, Inc — 9450 Silver Creek Rd, Ft. Worth, TX 76108

**1. Type of Application:** Operating Permit

**System ID:** 008-W

**Location of well or proposed well:** Mesa Ridge subdivision approximately 3 miles east of the City of Decatur

**Requested Permit Volume:** 22,101,000 gallons/year

**General Manager's Recommendation:** 16,310,750 gallons/year

**Description of Request:** Aqua Texas, Inc. is seeking an operating permit in order to provide additional water to the Mesa Ridge and Hill Crest Meadows subdivisions in Wise County.

**2. Type of Application:** Operating Permit

**System ID:** 009-W

**Location of well or proposed well:** 124 Hawk Ridge Rd, Decatur, TX 76234

**Requested Permit Volume:** 4,108,000 gallons/year

**General Manager's Recommendation:** 3,778,696 gallons/year

**Description of Request:** Aqua Texas, Inc. is seeking an operating permit in order to provide additional water to the Hawk Ridge subdivision in Wise County.

**C. Applicant/Owner:** Weatherford College — 225 College Park Drive, Weatherford, TX 76086

**Type of Application:** Operating Permit

**System ID:** 142-P

**Location of well or proposed well:** 225 College Park Drive, Weatherford, TX 76086

**Requested Permit Volume:** 10,000,000 gallons/year

**General Manager's Recommendation:** 10,000,000 gallons/year

**Description of Request:** Weatherford College is seeking an operating permit in order to drill and operate one new commercial well to irrigate areas on the campus.

**D. Applicant/Owner:** Homestead Weatherford, LLC — 5750 Claude Dr. Ste 2101, Plano, TX 75024

**Type of Application:** Operating Permit Amendment

**System ID:** 183-P

**Location of well or proposed well:** 3052 Tin Top Road, Weatherford, TX 76087

**Requested Permit Volume:** 1,066,820 gallons/year

**General Manager's Recommendation:** 1,066,820 gallons/year

**Description of Request:** Homestead Weatherford, LLC is seeking to amend an operating permit in order to provide additional water for an RV park located on the property.

**E. Applicant/Owner:** Cresson Crossroads Municipal Utility District #2 — 5189 E. IH-20 Service Rd, Willow Park, TX 76087

**Type of Application:** Operating Permit

**System ID:** 199-P

**Location of well or proposed well:** Rio Vista and Avanzada subdivisions near the intersection of Kelly Rd and Hwy 377

**Requested Permit Volume:** 53,800,000 gallons/year

**General Manager's Recommendation:** 53,800,000 gallons/year

**Description of Request:** Cresson Crossroads MUD #2 is seeking an operating permit in order to drill and operate 6 new public water supply wells to supply water for the Avanzada and Rio Vista subdivisions.

**2. GM Shaw presented background information and his recommendations for the related to the permit application:**

**A. President Mesler made a motion to continue the Hearing, if necessary, for Blessed to Bless Investments, LLC after District staff meets with the applicant. Director Reynolds seconded the motion. Motion passed unanimously.**

**B. Matt Van Hatten of Collier Consulting spoke on behalf of Aqua Texas, Inc.**

1. Director Majka made a motion to approve Operating Permit 008-W-OP in the amount of 16,310,750 gallons per year. Director Watts seconded the motion. Motion passed unanimously.



2. Director Majka made a motion to approve Operating Permit 009-W-OP in the amount of 3,778,696 gallons per year. Director Watts seconded the motion. Motion passed unanimously.
  - C. Director Reynolds made a motion to approve Operating Permit 142-P-OP in the amount of 10,000,000 gallons per year. Director Nave seconded the motion. Motion passed unanimously.
  - D. Director Reynolds made a motion to approve Operating Permit 183-P-OP in the amount of 1,066,820 gallons per year. Director Watts seconded the motion. Motion passed unanimously.
  - E. Director Watts made a motion to approve Operating Permit 199-P-OP in the amount of 53,800,000 gallons per year, after GM Shaw reviews related documents. Director Majka seconded the motion. Director Reynolds abstained. Aye-5 Nay-0 Abstention-1. Motion passed.
3. President Mesler adjourned the Public Hearing at 3:32 p.m.

---

### REGULAR BOARD MEETING

1. Director Majka moved to approve the Consent Agenda, including:
  - A. Approval of minutes from the Regular Board Meeting and Public Hearing on May 18, 2023.
  - B. Approval of bank statement ending May 31, 2023, and current financial reports of the District.
  - C. Approval of Investment Report.
  - D. Payment of bills/invoices received through June 29, 2023.
  - E. Reimbursements for expenses incurred on behalf of the District through June 29, 2023.
  - F. Approval of Request for an Extension Applications submitted through June 29, 2023.

Director Reynolds seconded the motion. Motion passed unanimously.

2. No items were pulled from the consent agenda for further discussion.

President Mesler took agenda items 4 and 5, from the Regular Board Meeting, out of order.

4. Board took the following action to elect District officers to serve two-year terms ending in July 2025:

Director Nave moved to nominate Tracy Mesler to serve as President. Director Reynolds seconded the motion. President Mesler called for additional nominations; no additional nominations were made. Motion carried unanimously.

Director Watts moved to nominate Shannon Nave to serve as Vice President. Director Reynolds seconded the motion. President Mesler called for additional nominations; no additional nominations were made. Motion carried unanimously.

Director Nave moved to nominate Tim Watts to serve as Secretary/Treasurer. Director Reynolds seconded the motion. President Mesler called for additional nominations; no additional nominations were made. Motion carried unanimously.


Director Watts moved to elect Directors Bob Lusk, Jarrod Reynolds, Mike Berkley, Donald Majka, and Brent Wilson to serve as Assistant Secretaries. Director Nave seconded the motion. Motion carried unanimously.

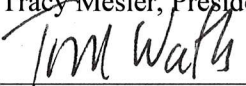
5. Director Reynolds moved to adopt Resolution 23-004 Designating Persons Authorized to Disburse Funds by Check, Draft Order, or Other Instrument on Behalf of the District. Director Nave seconded the motion. The motion passed unanimously.
3. Kimberly Knox-Lewis of Boucher, Morgan and Young presented the District's 2022 Financial Report. Director Majka moved to approve the Annual Financial Report for the year ended December 31, 2022. Director Nave seconded the motion. The motion passed unanimously.

7. There was no further discussion regarding the District's investments and recommendations from the Investment Officer.
8. Director Watts moved to transfer \$140,615.45 from Assigned Funds: "Monitoring Well Drilling Fund" to Capital Expenses: "Monitor Well Drilling" in the 2023 Budget. Director Nave seconded the motion. The motion passed unanimously.
9. **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 was submitted to the Board of Directors in advance of the Regular Board meeting.
  - B. Discussion regarding delinquent customers of the District; no action was taken.
  - C. Report on Education and Outreach activities; no action was taken.
  - D. Report on injection well applications filed with the Railroad Commission; no action was taken.
  - E. Well Registration and Groundwater Production reports; no action was taken.
10. District General Counsel from SledgeLaw Group gave brief updates regarding groundwater-related legislative activities related to the District.
11. The next Hearing and Regular Board meeting are scheduled for Thursday, July 20, 2023, at 5:00 p.m. at the District's office.
12. In the next Regular Board meeting, the Board may discuss committee appointments.
13. President Mesler adjourned the meeting at 4:23 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 20 day of July 2023.

Attest:

  
\_\_\_\_\_  
Tracy Mesler, President

  
\_\_\_\_\_  
Tim Watts, Secretary