

NOTICE OF PUBLIC HEARING
OF THE
UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT

District Office
1859 W. Highway 199
Springtown, TX 76082

Join Zoom Meeting

<https://us02web.zoom.us/j/87872668625>

1 (346) 248 7799 US
Meeting ID: 878 7266 8625

Thursday, March 21, 2024
Hearing begins at 5:00 PM

PRELIMINARY HEARING ON PROPOSED HISTORIC USE PERMITS

NOTICE IS HEREBY GIVEN to all interested persons in Hood, Montague, Parker, and Wise Counties, Texas:

That the Board of Directors (“Board”) of the Upper Trinity Groundwater Conservation District (“District”) will hold a preliminary public hearing to consider the applications for Historic Use Permits and the proposed Historic Use Permits prepared by the General Manager in response to those applications that are listed in this notice, and to accept public comment and any requests for contested case hearings related to those applications and proposed permits. District Rule F.3 authorizes the District General Manager to process technical reviews and schedule applications for Historic Use Permits for hearing by groups of applications. If an application for a proposed Historic Use Permit is uncontested, the Board may make a decision on the proposed Historic Use Permit at the hearing. Historic Use Permits approved by the Board will authorize the permit holder to pump a specific amount of groundwater each year from a well or well system for a specific purpose of use in compliance with the District’s Rules based on the applicant’s maximum past pumping and beneficial use without waste in a single year during the existing and historic use period, as explained in detail in the District’s Rules.

In accordance with District Rule 2.8, the General Manager has conducted an initial review for administrative completeness of each application for a Historic Use Permit listed in this notice and has determined that each application is administratively complete. The General Manager has also completed a technical review of each application for a Historic Use Permit listed in this notice and has prepared a recommendation for Board action on each application in accordance with the applicable criteria set forth in District Rule F.3(a), including the General Manager’s recommendation for each application’s amount of Maximum Historic Use.

The General Manager’s recommendation on each application has been incorporated into a proposed Historic Use Permit and provided to each applicant by regular mail, along with an advisory on how to protest the recommendation, and notice of the date, time, and place of the preliminary hearing. The General Manager recommends that the Board approve each listed permit as proposed at the March 21, 2024, preliminary hearing. If the Board disagrees with a proposed permit, the applicant and General Manager shall be given an opportunity to present additional argument and evidence to address the Board’s concerns.

The Board may continue the hearing to grant additional time to the applicant to file supplemental evidence with the District.

Persons wanting to request a contested case hearing on a Historic Use Permit application or proposed permit listed in this notice must submit a written request for a contested case hearing that is received by the District on or before the date of the preliminary hearing as it appears on this notice, as well as before Board action on the application. Such written requests for a contested case hearing must contain the information required in District Rule E.6(d). A separate contested case hearing request must be submitted for each permit application or proposed permit for which a person desires a contested case hearing. Persons seeking a contested case hearing should participate in the hearing. Additional requirements for requesting a contested case hearing on an application may be found in Appendix E, Rule E.6, of the District Rules:

<https://uppertrinitygcd.com/wp-content/uploads/2021/02/UTGCD-RULES.pdf>

The preliminary hearing will be held on Thursday, March 21, 2024, at 5:00 p.m. and will be conducted at the District Office located at 1859 W HWY 199 in Springtown, TX. The District Board of Directors will also hold a regular Board meeting at the same time and place as the preliminary hearing on the applications for a Historic Use Permit. The regular Board meeting will have a separate notice and agenda.

Questions or requests for additional information, including copies of a permit application or proposed permit being considered by the Board, should be directed to the District's General Manager, Doug Shaw, by phone at (817) 523-5200, by email at doug@uppertrinitygcd.com, or by mail at P.O. Box 1749, Springtown, TX 76082. Contested case hearing requests and written comments must be emailed or mailed to the General Manager at the same email address and mailing address, or by delivering the request to the District office at 1859 West Highway 199, Springtown, Texas 76082.

Notice of this hearing has been provided to any person who has requested such notice as required by the District Rules.

Persons wanting to join the hearing remotely to observe the hearing, hear the communications that occur at the hearing and the public deliberations of the Board, make verbal comments on an application for a Historic Use Permit, or provide verbal comments in support of their written request for a contested case hearing may join the hearing at no charge online at the following address: <https://us02web.zoom.us/j/87872668625> Members of the public may also access the hearing by telephone at the following number: 1 (346) 248 7799 US. Use Meeting ID: 878 7266 8625. Long distance charges may apply to persons calling in to one of these two numbers, depending upon their phone carrier and plan.

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.

PROPOSED HISTORIC USE PERMITS RECOMMENDED FOR APPROVAL

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 037-W

Approximate location of wells included in permit application: Approximately 0.67 miles northeast of the intersection of Capital Lane and Hwy 114 east of Rhome, TX.

Maximum Historic Use: 4,747,000 gallons/year

Requested Permit Volume: 4,747,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 4,747,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 038-W

Approximate location of wells included in permit application: Approximately 0.5 miles southwest of the intersection of CR 4717 and Illinois Street east of New Fairview, TX

Maximum Historic Use: 28,297,416 gallons/year

Requested Permit Volume: 25,200,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 25,200,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 043-W

Approximate location of wells included in permit application: Approximately 0.5 miles southwest of the intersection of CR 4010 and Private Road 4221 southeast of Decatur, TX.

Maximum Historic Use: 22,279,700 gallons/year

Requested Permit Volume: 22,279,700 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 22,279,700 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 047-W

Approximate location of wells included in permit application: Approximately 0.86 miles northwest of the intersection of Private Road 4726 and Hwy 287 northwest of New Fairview, TX.

Maximum Historic Use: 14,737,422 gallons/year

Requested Permit Volume: 14,737,400 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 14,737,400 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 048-W

Approximate location of wells included in permit application: Approximately 0.9 miles north of the intersection of CR 4522 and CR 4511 north of New Fairview, TX.

Maximum Historic Use: 10,755,000 gallons/year

Requested Permit Volume: 10,755,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 10,755,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 049-W

Approximate location of wells included in permit application: Approximately 0.37 miles east of the intersection of CR 2090 and N Business 287 north of Decatur, TX.

Maximum Historic Use: 3,331,650 gallons/year

Requested Permit Volume: 3,331,600 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 3,331,600 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 050-W

Approximate location of wells included in permit application: Approximately 0.2 miles northeast of the intersection of Private Road 4726 and Hwy 287 in New Fairview, TX.

Maximum Historic Use: 25,517,100 gallons/year

Requested Permit Volume: 25,000,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 25,000,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 051-W

Approximate location of wells included in permit application: Approximately 0.29 miles southwest of the intersection of FM 2264 and Lange Way in New Fairview, TX.

Maximum Historic Use: 27,932,520 gallons/year

Requested Permit Volume: 25,200,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 25,200,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 053-W

Approximate location of wells included in permit application: Approximately 0.5 miles northwest of the intersection of CR 4280 and CR 4191, south of Decatur, TX.

Maximum Historic Use: 6,760,100 gallons/year

Requested Permit Volume: 6,760,100 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 6,760,100 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 061-W

Approximate location of wells included in permit application: Approximately 0.3 miles west of FM 1810 and Private Road 1262 northwest of Decatur, TX.

Maximum Historic Use: 25,921,500 gallons/year

Requested Permit Volume: 25,921,500 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 25,921,500 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 063-W

Approximate location of wells included in permit application: Approximately 1.27 miles northeast of the intersection of FM 2264 and CR 4430 north of New Fairview, TX.

Maximum Historic Use: 30,707,800 gallons/year

Requested Permit Volume: 30,707,800 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 30,707,800 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 064-W

Approximate location of wells included in permit application: Approximately 0.25 miles southeast of the intersection of W Bell Avenue and CR 4280 south of Decatur, TX.

Maximum Historic Use: 30,314,000 gallons/year

Requested Permit Volume: 30,314,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 30,314,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 065-W

Approximate location of wells included in permit application: Approximately 0.38 miles west of the intersection of CR 4480 and CR 4481 northeast of Boyd, TX.

Maximum Historic Use: 20,868,200 gallons/year

Requested Permit Volume: 20,868,200 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 20,868,200 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 067-W

Approximate location of wells included in permit application: Approximately 1.29 miles northwest of the intersection of Hwy 114 and Hall-Nance Lane east of Rhome, TX.

Maximum Historic Use: 43,381,000 gallons/year

Requested Permit Volume: 43,381,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 43,381,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 069-W

Approximate location of wells included in permit application: Approximately 1.45 miles northeast of the intersection of CR 4460 and S Deep Creek Road northwest of New Fairview, TX.

Maximum Historic Use: 56,203,500 gallons/year

Requested Permit Volume: 56,203,500 gallons/year

Purpose of use: The wells in this system are used to supply water for oil and gas operations.

General Manager's Recommendation: 56,203,500 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 071-W

Approximate location of wells included in permit application: Approximately 0.3 miles northeast of the intersection of CR 3386 and CR 3381 south of Paradise, TX.

Maximum Historic Use: 19,841,700 gallons/year

Requested Permit Volume: 19,841,700 gallons/year

Purpose of use: The wells in this system are used to supply water for oil and gas operations.

General Manager's Recommendation: 19,841,700 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 072-W

Approximate location of wells included in permit application: Approximately 0.78 miles north of the intersection of CR 2474 and 2475 east of Alvord, TX.

Maximum Historic Use: 17,749,400 gallons/year

Requested Permit Volume: 17,749,400 gallons/year

Purpose of use: The wells in this system are used to supply water for oil and gas operations.

General Manager's Recommendation: 17,749,400 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 074-W

Approximate location of wells included in permit application: Approximately 0.45 miles south of the intersection of CR 4421 and S Hwy 287 northeast of New Fairview, TX.

Maximum Historic Use: 29,787,000 gallons/year

Requested Permit Volume: 29,787,000 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 29,787,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 077-P

Approximate location of wells included in permit application: Approximately 0.54 southeast of Bear Creek Road and Bear Creek Ranch Road west of Wheatland, TX.

Maximum Historic Use: 12,292,476 gallons/year

Requested Permit Volume: 12,292,400 gallons/year

Purpose of use: The well in this system is used to supply water for oil and gas operations.

General Manager's Recommendation: 12,292,400 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 078-W

Approximate location of wells included in permit application: Approximately 0.05 miles east of the intersection of Timber Oaks Land and CR 4698 southwest of Boyd, TX.

Maximum Historic Use: 18,841,000 gallons/year

Requested Permit Volume: 18,841,000 gallons/year

Purpose of use: The wells in this system are used to supply water for oil and gas operations.

General Manager's Recommendation: 18,841,000 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 079-W

Approximate location of wells included in permit application: Approximately 0.3 miles south of the intersection of Private Road 3395 and CR 3390 southeast of Paradise, TX.

Maximum Historic Use: 46,999,500 gallons/year

Requested Permit Volume: 46,999,500 gallons/year

Purpose of use: The wells in this system are used to supply water for oil and gas operations.

General Manager's Recommendation: 46,999,500 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 081-P

Approximate location of wells included in permit application: Approximately 0.43 miles southwest of Lucky Kirk Lane and McVoid Road northeast of Springtown, TX.

Maximum Historic Use: 32,344,700 gallons/year

Requested Permit Volume: 32,344,700 gallons/year

Purpose of use: The wells in this system are used to supply water for oil and gas operations.

General Manager's Recommendation: 32,344,700 gallons/year

Applicant/Permittee: BKV Barnett, LLC — 1209 CR 1304, Bridgeport, TX 76426

System ID: 084-P

Approximate location of wells included in permit application: Approximately 0.65 miles southeast of the intersection of Constellation Drive and Hwy 377 north of Cresson, TX.

Maximum Historic Use: 8,753,700 gallons/year

Requested Permit Volume: 8,753,700 gallons/year

Purpose of use: The well in the system is used to supply water for oil and gas operations.

General Manager's Recommendation: 8,753,700 gallons/year

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 Clerks in Hood, Montague, Parker, and Wise Counties with a request that it be posted at or before 4:00 p.m. on or before the 19th of February 2024.



Doug Shaw, General Manager