

**UPPER TRINITY GROUNDWATER CONSERVATION DISTRICT**  
**THURSDAY, JUNE 26, 2025**  
**MINUTES OF MEETINGS**  
**OF THE**  
**BOARD OF DIRECTORS**

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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. The meeting convened at 5:01 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: Jarrod Reynolds, Bob Lusk, Shannon Nave, Justin Bradley, Mike Berkley, and Tracy Mesler

Directors Absent: Jason Flynt and Don Majka

3. Pledges of allegiance to the flags.
4. Comments were made where noted below.

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**REGULAR BOARD MEETING**

President Mesler took agenda item 1 out of order.

1. President Mesler announced the appointment, to the District's Board of Directors, of Mr. Justin Bradley, by the Parker County Commissioners Court, and Mr. Jason Flynt, by the Wise County Commissioners Court. The Board President swore in Justin Bradley.

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**PRELIMINARY HEARING ON PROPOSED HISTORIC USE PERMITS**

1. Receive any public comments, requests to contest, and the General Manager's report and recommendations regarding the applications for Historic Use Permits, submitted for the systems described in the notice of the Preliminary Hearing on Proposed Historic Use Permits for today's hearing ("the Preliminary Hearing Notice"), which was posted separately prior to May 23, 2025, in accordance with the District Rules and which is incorporated herein by reference.
2. Director Berkley moved to approve the General Manager's recommendation related to all the applications for Historic Use Permits set forth in the Preliminary Hearing Notice. Director Nave seconded the motion. Motion passed unanimously.

The entire packet of information provided to the Board on these applications prepared by the General Manager, including the Preliminary Hearing Notice, applications, technical review, recommendations, proposed permits, and all other supporting information, shall be included with these minutes as part of the administrative record for this hearing.

3. President Mesler adjourned the hearing at 5:16 p.m.

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## 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:** City of Boyd — P.O. Box 216, Boyd, TX 76023  
**Type of Application:** Operating Permit  
**System ID:** 012-W  
**Location of well or proposed well:**  
**Requested Permit Volume:** 111,690,000 gallons/year  
**General Manager's Recommendation:**  
**Description of Request:** The City of Boyd is seeking an Operating Permit in order to drill and operate three new public water supply wells.
  - B. **Applicant/Owner:** Aqua Texas Inc. — 3201 Curtis Dr., Fort Worth, TX 76116  
**Type of Application:** Operating Permit Amendment  
**System ID:** 014-H  
**Location of well or proposed well:**  
**Requested Permit Volume:** 22,500,000 gallons/year  
**General Manager's Recommendation:**  
**Description of Request:** Aqua Texas Inc. is seeking an Operating Permit in order to provide additional water for the River Country water system.
  - C. **Applicant/Owner:** Cresson Crossroads MUD #2 — 9843 E. Bankhead Hwy., Aledo, TX 76008  
**Type of Application:** Operating Permit Amendment  
**System ID:** 199-P  
**Location of well or proposed well:**  
**Requested Permit Volume:** 21,000,000 gallons/year  
**General Manager's Recommendation:** 0 gallons/year  
**Description of Request:** Cresson Crossroads MUD #2 is seeking an Operating Permit amendment in order to drill a new replacement well for the system. The applicant is also seeking to add commercial use to the permit. The applicant's justification of the requested volume was based on the irrigation of a golf course on the property. However, based on another permit obtained by the golf course and the underutilization of the current permitted volume, the District feels the request falls under a speculative demand and is recommending zero additional volume.
  - D. **Applicant/Owner:** Kelly Ranch Estates, LLC. — 1800 Lone Oak Rd. Ste.8., Weatherford, TX 76086  
**Type of Application:** Operating Permit Amendment  
**System ID:** 211-P  
**Location of well or proposed well:**  
**Requested Permit Volume:** 67,539,000 gallons/year  
**General Manager's Recommendation:** 0 gallons/year  
**Description of Request:** Kelly Ranch Estates, LLC is seeking an Operating Permit amendment in order to add three existing wells to the system. The applicant is also seeking to add commercial use to the permit. The applicant's justification of the requested volume was based on the irrigation of a golf course on the property. However, based on another permit obtained by the golf course and the underutilization of the current permitted volume, the District feels the request falls under a speculative demand and is recommending zero additional volume.
  - E. **Applicant/Owner:** Upper Denton Interests LLC — 1620 Tidwell Road, Weatherford, TX 76087



**Type of Application:** Operating Permit Amendment

**System ID:** 205-P

**Location of well or proposed well:**

**Requested Permit Volume:** 0 gallons/year

**General Manager's Recommendation:** 0 gallons/year

**Description of Request:** Upper Denton Interests LLC is seeking an Operating Permit Amendment and an exception to the District's water well spacing requirements, under District Rule 4.7, in order to substantially alter a previously approved well registration to a higher capacity. This alteration would cause the well to be too close to another well owned and operated by the applicant.

2. General Manager Shaw presented background information and his recommendations for the water wells related to the permit applications:
  - A. Director Nave made a motion to approve the General Manager's recommendation, as presented, for the Application for an Operating Permit for system 012-W in the amount of 111,690,000 gallons per year. Director Reynolds seconded the motion. Motion passed unanimously.
  - B. Director Lusk made a motion to approve the General Manager's recommendation, as presented, for the Application for an Operating Permit Amendment for system 014-H in the amount of 12,085,300 gallons per year. Director Berkley seconded the motion. Motion passed unanimously.
  - C. Director Lusk made a motion to approve the General Manager's recommendation, as presented, for the Application for an Operating Permit Amendment for system 199-P in the amount of 0 gallons per year, add well ID 22749, and add commercial use to the permit. Director Bradley seconded the motion. Motion passed unanimously.
  - D. Director Bradley made a motion to approve the General Manager's recommendation, as presented, for the Application for an Operating Permit Amendment for system 211-P in the amount of 0 gallons per year, and add commercial use to the permit. Director Reynolds seconded the motion. Motion passed unanimously.
  - E. Director Nave made a motion to approve the General Manager's recommendation, as presented, for the Application for an Operating Permit Amendment for system 205-P in the amount of 0 gallons per year, in order to complete a substantial alteration of Well ID 20917 and approval of the Application for Exception to Spacing Requirements related to Well ID 20917. The motion included a provision that mandated reconsideration of the exception related to Well ID 20917 if the applicant, at any time, pursues the use of the shallower Paluxy formation, for the system. Director Bradley seconded the motion. Motion passed unanimously.
3. President Mesler adjourned the Public Hearing at 5:44 p.m.

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#### **REGULAR BOARD MEETING**

2. Director Nave moved to approve the Consent Agenda, including:
    - A. Approval of minutes from the Regular Board Meeting and Public Hearing on May 15, 2025.
    - B. Approval of bank statement ending May 30, 2025, and current financial reports of the District.
    - C. Approval of Investment Report.
    - D. Payment of bills/invoices received through June 26, 2025, with the addition of an invoice from TWCA Risk Management Fund for \$21,922.00.
    - E. Reimbursements for expenses incurred on behalf of the District through June 26, 2025.
    - F. Approval of Request for an Extension Applications submitted through June 26, 2025.
- Director Berkley seconded the motion. Motion passed unanimously.

3. No items were pulled from the consent agenda for further discussion.
4. Director Nave made a motion to elect District officers to serve two-year terms ending in July 2027. He nominated Tracy Mesler to serve as President, Shannon Nave to serve as Vice President, and Bob Lusk to serve as Secretary/Treasurer. Directors Jason Flynt, Jarrod Reynolds, Mike Berkley, Donald Majka, and Justin Bradley will serve as Assistant Secretaries. Director Berkley seconded the motion. Motion passed unanimously.
5. Director Nave made a motion to adopt Resolution 25-002 Designating Persons Authorized to Disburse Funds by Check, Draft Order, or Other Instrument on Behalf of the District. Director Reynolds seconded the motion. Motion passed unanimously.
6. Director Reynolds made a motion to authorize the General Manager to execute any necessary documents and expend the District's funds not to exceed \$400,000.00 to drill multiple water-level monitoring wells on the city of New Fairview's property in Wise County. Director Lusk seconded the motion. Motion passed unanimously.
7. Director Nave made a motion to approve the Application for a Compliance Order for System ID 209-P, submitted by Smyrna Ready Mix Concrete LLC in the amount of 2,920,937 gallons per year through December 31, 2026. Director Berkley seconded the motion. Motion passed unanimously.

At 6:27 p.m., the Board went into executive session, in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, concerning attorney-client matters (§551.071).

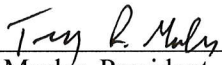
President Mesler called the Public Hearing back into open session at 7:04 p.m. No decision was made as a result of the executive session.

8. Discussion regarding the following potential violations of District Rules; take action as necessary.
  - A. April Jastrzab participated in the discussion regarding an unregistered water well located at 148 Arbor Ter., Weatherford, TX (Parker Co.). Director Lusk made a motion for the property owners to work with GM Shaw to find a solution that brings the property to compliance with District rules. If no solution is agreed upon by September 30, 2025, this discussion will be added to the Regular Board meeting agenda for October 16, 2025. Director Berkley seconded the motion. Motion passed unanimously.
  - B. Director Berkley made a motion to offer a settlement to CC Capital Holdings LLC, in lieu of litigation, which includes 1) a first major violation of District rule 4.3; 2) \$1,000 penalty associated with the first major violation; 3) the requirement to either plug Well ID 10405 or bring the well into compliance with both District and TDLR Rules, by no later than September 30, 2025. Director Nave seconded the motion. 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. No budget amendments were necessary.
11. District General Counsel from SledgeLaw Group gave updates regarding legislative activities related to the District.
12. The next Public Hearing and Regular Board meeting are scheduled for Thursday, July 17, 2025, at 5:00 p.m. at the District's office.
13. The next meeting agenda will include a Public Hearing regarding applications for an Operating Permit Amendment and an Operating Permit. The Regular Board meeting agenda will include discussion regarding the Annual Financial Report for the year ended December 31, 2024 and presentation of the District's 2024 Annual Report.
14. President Mesler adjourned the meeting at 7:58 p.m.

PASSED, APPROVED, AND ADOPTED BY THE BOARD OF DIRECTORS this 17 day of July 2025.

Attest:

  
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Tracy Mesler, President

  
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Secretary/Assistant Secretary

The entire packet of information provided to the Board on the Historic Use Permit Applications prepared by the General Manager, applications, technical review, recommendations, proposed permits, and all other supporting information, can be found at the link below:

<https://uppertrinitygcd-my.sharepoint.com/:f/p/kyle/EvYmYXchU-9LkFadbKKxwIQBDHMwtebT8eV2EAxJgnrd8A?e=eASyBi>

Hard copies of this information will be maintained at the District Office as part of the permanent record and are available for review upon request.