

NOTICE OF PUBLIC HEARING
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/86335882763>
1 (346) 248 7799 US
Meeting ID: 863 3588 2763

Thursday, February 19, 2026
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 February 19, 2026, 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, February 19, 2026, 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/86335882763> Members of the public may also access the hearing by telephone at the following number: 1 (346) 248 7799 US. Use Meeting ID: 863 3588 2763. 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: Marshel Blake Fortenberry — 748 CR 2622, Decatur, TX, 76234

System ID: 139-W

Approximate location of wells included in permit application: 1.5 miles southwest of W FM 455.

Maximum Historic Use: 29,807,000 gallons/year

Requested Permit Volume: 50,000,000 gallons/year

Purpose of use: The wells on the property supply water for oil and gas drilling and fracking.

General Manager's Recommendation: 29,807,000 gallons/year

Applicant/Permittee: Decatur Golf Club, Inc — PO Box 881, Decatur, TX 76234

System ID: 190-W

Approximate location of wells included in permit application: 1.2 miles northwest of N FM 51.

Maximum Historic Use: 2,201,110 gallons/year

Requested Permit Volume: 15,667,200 gallons/year

Purpose of use: The wells in the system are used to pump water into an existing pond used for irrigating the golf course.

General Manager's Recommendation: 2,201,110 gallons/year

--Please visit the website – 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 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 January, 2026.



Doug Shaw, General Manager