

# PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

JANUARY 27, 2020

## MINUTES OF OPERATING PERMIT HEARING

The Board of Directors of the Prairielands Groundwater Conservation District (“District”) met in special session, open to the public, at 205 S. Caddo Street, Cleburne, TX, within the boundaries of the District on January 27, 2020.

President Charles Beseda presided and called to order the Operating Permit Hearing at 9:07 a.m.

The District’s General Manager, Kathy Turner Jones, administered Mr. John R. Curtis of Somervell County’s oath of office as a member of the Board of Directors.

The roll was called of the members of the Board of Directors, to wit:

Charles Beseda	Maurice Osborn
Dennis Erinakes	John Curtis
Randy Kirk	Kent Smith
Marty McPherson	Paul Tischler

All members of the Board were present, with the exception of Director Erinakes, thus constituting a quorum of the Board of Directors. Also, in attendance at said meeting were Kathy Turner Jones, General Manager; Brian Sledge, General Counsel; District staff; and members of the public. *Copies of the public sign-in sheets and comments cards received are attached hereto as Exhibit “A” to the February 27, 2020 Regular Board Meeting minutes.*

### RECEIVE PERMIT HEARING REPORT FROM GENERAL MANAGER, ANY PUBLIC COMMENT(S), REQUESTS TO CONTEST AND CONSIDER GRANTING, DENYING, OR AMENDING APPLICATIONS FOR THE FOLLOWING OPERATING PERMITS AND/OR EXCEPTIONS:


- 1) W&L Realty, for a proposed well (#2090) to be drilled in Ellis County at 2030 V.V. Jones Road, Venus, Texas, (Lat 32.4658, Long. -97.0780), Industrial/Manufacturing Use, not to exceed 2,339,000 gallons/year. (Driller of record: M5 Drilling); Ms. Jones reported the applicant is requesting registration and authorization to begin construction of a new well which will serve a concrete batch plant on 46.78 acres of land in Ellis County with maximum allowable production being 2.339 million gallons per year. The proposed well site is located within the service area of Mountain Peak Special Utility District. Immediate connect to a water line is not available currently. Based on technical review of the information supplied, it is the

General Manager's recommendation to approve that which is requested. Director Osborn asked if there was a public notice issued and if so, was there any response from the public. Ms. Jones confirmed there had been a public notice properly issued and posted and there had been no public feedback. Following further discussion, motion was made by Director Tischler made to approve the permit application and drilling authorization as recommended by the General Manager. Director McPherson seconded the motion with Director Kirk abstaining. The motion carried.

- 2) W&L Realty, for a Compliance Order for Well ID #2090, to be located in Ellis County at 2030 V.V. Jones Road, Venus, Texas, (Lat 32.4658, Long. -97.0780), Industrial/Manufacturing Use. Amount of annual groundwater production requested under compliance order application: 13,661,000 gallons/year. Ms. Jones said the applicant, as presented earlier, has requested an Operating Permit to produce 2.339 million gallons per year in conjunction with additional production requested under the compliance order to supply sufficient water required for operation of a concrete batch plant facility. Per the application, there is no economically feasible alternative water source available to the applicant within a reasonable time frame to meet the applicants water needs and the purchase of lease of additional contiguous controlled acreage needed to supply the acreage to meet the applicant's needs is not feasible within a reasonable time frame. Mountain Peak SUD estimates water to be available in three to six months at a cost in excess of 1M. Based on information received, Ms. Jones recommended the Board approve issuance of a Compliance Order to authorize applicant to produce 9.661 million gallons for 2020 and 13.661 million gallons per year for 2021 through 2024. Director Tischler made a motion to issue the Compliance Order, which was seconded by Director Smith. Director Kirk abstained from the vote. The motion carried.

There being no further business, Director McPherson made a motion to adjourn the permit hearing. Director Smith seconded the motion. The hearing was adjourned at 9:27 a.m.

**PASSED, APPROVED, AND ADOPTED THIS 27<sup>th</sup> DAY OF JANUARY 2020.**

  
Maurice Osborn, Board Secretary