

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

July 19, 2021

MINUTES OF PUBLIC HEARING ON APPLICATION FOR SPACING EXCEPTION AND APPLICATION FOR OPERATING PERMIT

The Board of Directors of the Prairielands Groundwater Conservation District (“District”) met in special session, open to the public, within the boundaries of the District at 208 Kimberly Dr, Cleburne, TX, and remotely via the publicly accessible audio and video conference call on July 19, 2021.

In the absence of President Charles Beseda, 2nd Vice-President Randy Kirk presided and called the public hearing to order at 9:01 a.m., announcing the meeting open to the public.

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

Charles Beseda	Maurice Osborn
John Curtis	Kent Smith
Randy Kirk	Marty McPherson
Paul Tischler	Barney McClure

All members of the Board were in attendance, with the exception of Director(s) Beseda, McPherson, and Curtis, thus constituting a quorum of the Board of Directors. Attending virtually, Director McClure. Also attending 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 video conference attendee list are attached hereto as Exhibit “A” to the July 19, 2021 Regular Board Meeting minutes.*

RECEIVE PUBLIC HEARING REPORT FROM GENERAL MANAGER, ANY PUBLIC COMMENT(S), REQUESTS TO CONTEST AND CONSIDER GRANTING, DENYING, OR AMENDING APPLICATIONS FOR THE FOLLOWING APPLICATION FOR EXCEPTION TO MINIMUM SPACING REQUIREMENTS:

- 1) Wave Wash XI LP; 301 Village Park Dr, Alvarado, Texas 76009; to operate a new water well for commercial use at a car wash. Ms. Jones stated the well was inadvertently drilled in the incorrect location and therefore would no longer meet minimum spacing requirements listed under the District Rules. As required by District’s Rules, the adjoining landowner(s) were provided notice of today’s hearing on applicant’s request for exception to minimum spacing requirements from the property line, but Ms. Jones confirmed no comments were received from those landowners. She added that District staff had reviewed the well’s drilling completion

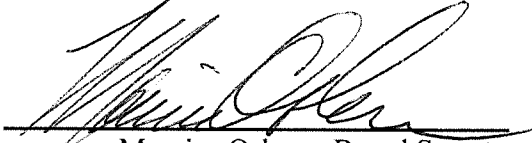
report and the annual seal is more than adequate per Texas Department of Licensing and Regulation rules to minimize impact to adjoining properties. Ms. Jones stated based on their being no written or public opposition, as well as the completion information provided in the drilling report, it would be her recommendation to approve the spacing exception as requested. After brief discussion, Director Tischler made a motion to approve the application for minimum spacing requirements. Director Smith seconded the motion and the motion carried unanimously.

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

- 1) Corky Underwood, for a proposed Operating Permit for an existing well (#1328) located in South East Johnson County at 9549 County Road 1238, Cleburne, Texas 76033; not to exceed 1.2 million gallons in 2021, and 2,541,350 gallons annually (→2026) thereafter; dust control associated with road construction. Ms. Jones reported the applicant is requesting an Operating Permit not to 1.2 million gallons for 2021 and then increase to 2,541,350 gallons annually through 2026. She added the permit would be for an existing non-exempt well originally drilled in 2015 but has not been in operation since 2018. She stated the well would have been eligible for a Historic Use Permit but no paperwork was submitted prior to the application deadline, therefore the applicant is seeking an Operating Permit. Based on her review of the application, Ms. Jones reported it would be her recommendation to approve the permit application. Director Tischler made a motion to approve the application for an Operating Permit and Director Smith seconded the motion. The motion carried among all who were present.

There being no further discussion, Director Osborn made a motion to adjourn the public hearing. Director Smith seconded the motion and the motion carried unanimously. The public hearing was adjourned at 9:14 a.m.

PASSED, APPROVED, AND ADOPTED THIS 19th DAY OF JULY 2021.


Maurice Osborn, Board Secretary