

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

July 18, 2022

MINUTES OF PUBLIC HEARING ON AMENDMENTS TO THE DISTRICT RULES

The Board of Directors of the Prairielands Groundwater Conservation District (“District”) met in special session, open to the public, at 208 Kimberly Dr, Cleburne, TX 76031, within the boundaries of the District on July 18, 2022.

President Charles Beseda presided and called to order the Public Hearing on Amendments to the District Rules at 9:23 AM.

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

Charles Beseda
John Curtis
Randy Kirk
Paul Tischler

Maurice Osborn
Brad Daniels
Marty McPherson
Barney McClure

All members of the Board were in attendance, with the exception of Director McPherson, thus constituting a quorum. 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 video conference attendee list are attached hereto as Exhibit “A” to the July 18, 2022 Regular Board Meeting minutes.*

President Beseda called on the District’s legal counsel, Brian Sledge, to explain the proposed amendments to the District Rules.

PRESENTATION BY DISTRICT’ LEGAL COUNSEL, SLEDGELAW GROUP, PLLC ON PROPOSED AMENDMENTS TO THE DISTRICT’S RULES

Mr. Sledge stated the notice of this public hearing on amendments to the District Rules and the proposed amendments themselves had been published, posted, and made available to the public as required by Chapter 36 of the Texas Water Code and as required in the District Rules no less than 20 days before the public hearing. *Copies of the published and posted public notices are attached as Exhibit “B” hereto.* He announced that no written comments were received and confirmed there would be an opportunity for verbal comments from the public or following the presentation of proposed amendments.

Mr. Sledge explained the District's Management Plan calls for the District to develop information to understand the relationships between drought conditions, increased pumping, and the impacts of both on water levels and shallow wells in the outcrops and subcrops of the aquifer subdivisions in the District, and to determine areas where it may be suitable for the District to implement pumping restrictions or to allow overpumping during drought periods, in order to protect public safety and welfare and to promote conjunctive management when surface water supplies become unavailable to water user groups due to drought conditions.

The District authorized a Drought Study to examine, monitor, and assess drought impacts on aquifer outcrops and subcrops, including effects of increased pumping. Study findings reported in June 2022 concluded that all aquifers in all areas of the District appear able to tolerate short-term periods of increased authorized pumping without severe long- or short-term ramifications, with a cautionary note that increases in authorized pumping should not exceed the amount of groundwater that had been conserved as compared to the applicable modeled available groundwater amount over the previous 5 years, so as to promote achievement of desired future conditions for the aquifer. Therefore, it is the Rules and Bylaws Committee's recommendation the Board adopt a rule giving the Board permissive authority, on a year-by-year basis, to authorize by resolution an increase in pumping by a certain percentage for all permittees in cases of extreme drought.

Mr. Sledge stated the amendments proposed would give the Board permissive authority to increase groundwater production by Board resolution during periods of extreme drought by authorizing permittees to overproduce their permits by a certain percentage designated by the Board in any calendar year in a collective total amount that will still promote achievement of the desired future conditions for the aquifers; (2) requiring permittees that are required by law to have drought contingency plans to implement those plans in order to be eligible for the increased groundwater production; (3) granting the Board similar permissive authority to increase production for a calendar year by resolution for a specific public water system or other permittee that is experiencing an emergency or other unforeseen event that could cause imminent public health or safety risks; and (4) other minor clarifying or non-substantiative changes.

PUBLIC COMMENT ON PROPOSED AMENDMENTS TO DISTRICT RULES


None.

DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ADOPTING RESOLUTION #22-002 APPROVING AMENDMENTS TO THE DISTRICT'S RULES FOR GROUNDWATER WELLS IN ELLIS, HILL, JOHNSON, AND SOMERVELL COUNTIES, TEXAS, IN THE FORM ORIGINALLY PUBLISHED OR WITH CHANGES BASED UPON COMMENTS RECEIVED. *Copy of Resolution #22-002 attached hereto as Exhibit "C"*

Director Kirk made a motion to approve Resolution #22-002, approving amendments to the District Rules. Director Curtis seconded the motion. The motion passed unanimously.

There being no further discussion, Director Tischler made a motion to adjourn the public hearing. Director Curtis seconded the motion. The motion passed unanimously, and the public hearing to adopt amendments to the District Rules was adjourned at 9:33 a.m.

PASSED, APPROVED, AND ADOPTED THIS 15th DAY OF AUGUST 2022.



Maurice Osborn, Board Secretary

Exhibit "B"



PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

NOTICE OF PUBLIC HEARING July 18, 2022

POSTED
8:15 A.M. P.M.

JUN 28 2022

Becky Ivey, County Clerk
Johnson County Texas

By JP Deputy

NOTICE IS HEREBY GIVEN to all interested persons in Ellis, Hill, Johnson, and Somervell Counties, Texas:

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This hearing will be held on Monday, July 18, 2022, beginning at 9:00 a.m., at the District office located at 208 Kimberly Drive, Cleburne, TX 76031. Any person who desires to appear at the hearing and present comment or other information on the proposed adoption of amendments to the District Rules may do so in person, by legal representative, or both. Comments may be presented verbally or in written form. Limits may be placed on the amount of time that each person is allowed to present verbal comments. Persons interested in submitting written comments on the proposed amendments may do so by sending any such comments to the District office at 208 Kimberly Drive, Cleburne, TX 76031. The Board may act to adopt the amendments to the rules as proposed or with additional changes based upon comments and discussion at the hearing. The hearing posted in this notice may be recessed from day to day or continued where appropriate. At any time during the hearing, the Board may recess into a closed session under Section 551.071, Government Code, to receive legal advice regarding the rules amendments.

The public hearing is available to all persons regardless of disability. If you require special assistance to attend the hearing, please contact the Prairielands Groundwater Conservation District at (817) 556-2299 at least 24 hours in advance of the hearing.

A copy of the proposed amendments to the District Rules may be requested by email at kjones@prairielandsgcd.org, is available for reviewing or downloading at www.prairielandsgcd.org, and may be reviewed, inspected, or obtained in person at the District office located at 208 Kimberly Drive, Cleburne, TX 76031. For more information, contact the District's General Manager, Kathy Turner Jones, at (817) 556-2299.

POSTED
DATE 6-28-22 P.M.
11:05 A.M.
BY Michelle Reynolds
MK



**PRAIRIELANDS GROUNDWATER
CONSERVATION DISTRICT**

**NOTICE OF PUBLIC HEARING
July 18, 2022**

FILED
MICHELLE REYNOLDS
COUNTY CLERK
SOMERVELL CO., TEXAS

2022 JUN 28 AM 11:01

~~DEPUTY~~

BY MK

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**PRAIRIELANDS GROUNDWATER
CONSERVATION DISTRICT**

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS
2022 JUN 28 PM 3:05

**NOTICE OF PUBLIC HEARING
July 18, 2022**

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2022 JUN 28 AM 9:01

FILED FOR RECORD
KRYSTAL VALDEZ
ELLIS COUNTY CLERK

**PRAIRIELANDS GROUNDWATER
CONSERVATION DISTRICT**

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Ellis County, Texas
Krystal Valdez, County Clerk

P. O. Box 250
Waxahachie, Texas 75165
(972) 825-5070

DATE: 06/28/2022

TIME: 09:48am

REGISTER NO: 38

RECEIVED FROM: Prairielands Groundwater Conservation District

CASHIER: DRIEPER

ITEM DESCRIPTION	CLERK/CAUSE #	QTY	FEES PAID
POSTING FEE		1	\$3.00
TOTAL FEES PAID			\$3.00

ACCOUNT CHARGED

ACCT NO: 131

NAME: Prairielands Groundwater Conservation

TOTAL CHARGED: \$3.00

NEW ACCT BALANCE: -\$15.00

Thank You,
Krystal Valdez
County Clerk

See Proof on Next Page

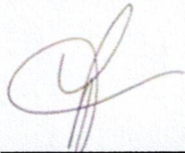
Waxahachie Daily Light
PO Box 877
(972) 937-3310

I, Lisa Drafall, of lawful age, being duly sworn upon oath, deposes and says that I am the Regional VP of Sales of Waxahachie Daily Light, a publication that is a "legal newspaper" as that phrase is defined for the city of Waxahachie, for the County of Ellis, in the state of Texas, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
26 Jun 2022

Notice ID: siruca4QIJAmYMdmjLSK
Publisher ID: 242490
Notice Name: Notice of Public hearing PGCD Sinclair N.

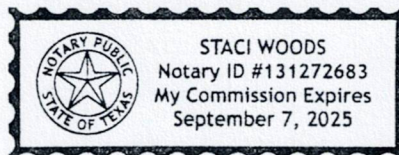
PUBLICATION FEE: \$99.00



Regional VP of Sales

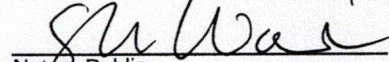
VERIFICATION

STATE OF TEXAS
COUNTY OF ELLIS



Signed or attested before me on this

12th day of July, A.D. 20 22


Notary Public

**PRAIRIELANDS
GROUNDWATER
CONSERVATION DISTRICT**

**NOTICE OF PUBLIC
HEARING
July 18, 2022**

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AFFIDAVIT OF PUBLICATION:

STATE OF TEXAS

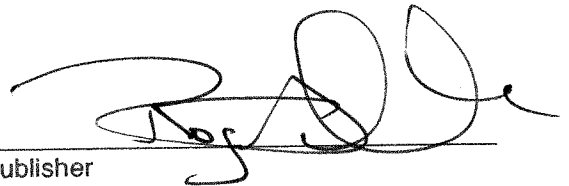
COUNTY OF HILL

The undersigned having been duly sworn, deposes and says that he is publisher of The Reporter Newspaper which has general circulation in Hill County, Texas. He further states that the attached legal notice appeared in The Reporter Newspaper on the following dates:

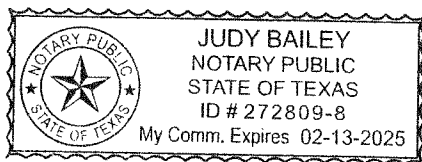
June 27, 2022

By

Publisher



Subscribed and sworn to before me, this 28th day of June, 2022.



Judy Bailey
Notary Public, Hill County, Texas
My commission expires 02-13-2025

Cleburne Times
108 South Anglin
Cleburne, Texas 76031
817-645-72441

PUBLISHER'S AFFIDAVIT

**STATE OF TEXAS
COUNTY OF JOHNSON**

Before me on this day personally appeared Becky Dahn, the Major Accounts Sales Manager of the Cleburne Times Review, which is a newspaper of general circulation in the town of Cleburne, Texas and throughout Johnson County, Texas.

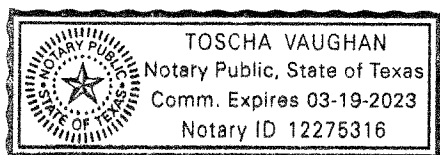
The said ad or notice was printed and published 1 time(s) in the Cleburne Times-Review on the following date(s):

06-28-2022, and the Cost of ad is \$ 326.50

Becky Dahn
Becky Dahn, Major Accounts Sales Manager

Subscribed and sworn to before me on this 11th day of July, 2022.

Toscha Vaughan
Notary Public in and
for Johnson County, Texas



See Proof on Next Page

Glen Rose Reporter
005 N.E. Big Bend Trail #1
(254) 965-3124

I, Lisa Drafall, of lawful age, being duly sworn upon oath, deposes and says that I am the Regional VP of Sales of Glen Rose Reporter, a publication that is a "legal newspaper" as that phrase is defined for the city of Glen Rose, for the County of Somervell, in the state of Texas, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
24 Jun 2022

Notice ID: B1I6EScVPa6qoM9CnOI0
Publisher ID: 242180
Notice Name: Notice of Hearing PGCD

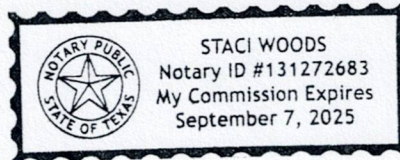
PUBLICATION FEE: \$99.00



Regional VP of Sales

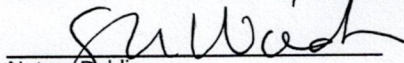
VERIFICATION

STATE OF TEXAS
COUNTY OF SOMERVELL



Signed or attested before me on this

12th day of July, A.D. 2022


Notary Public

**PRAIRIELANDS
GROUNDWATER
CONSERVATION DISTRICT**

**NOTICE OF PUBLIC
HEARING**
July 18, 2022

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PRAIRIE LANDS GROUNDWATER CONSERVATION DISTRICT

NOTICE OF PUBLIC HEARING

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hauling • site work
ad construction

1-582-2553

FOR SALE: 2001 Ford
F-250 with 7.3 Diesel. Runs
Well. \$7,500. Call 254-717-
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PUBLIC SALE

The following customers contain-
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SENTMENT OF CLAIMS
original letters testamentary
gimon were issued to Amber
ecutrix, on May 25, 2022, in
County Court of Hill County,
persons having claims against
ent the same within the time
is in care of:

Knas
th & Lee, PLLC
1470
'03-1470
of June, 2022.
inas
ie Estate

NEEDED: Experienced of-
ce help, Hillsboro, TX. 888-
07-7538.



1013 N. Reagan St.
West, TX 76691

**PRAIRIELANDS GROUNDWATER
CONSERVATION DISTRICT
NOTICE OF PUBLIC HEARING**

July 18, 2022

NOTICE IS HEREBY GIVEN to all interested persons in
Ellis, Hill, Johnson, and Somervell Counties, Texas:

That the Board of Directors ("Board") of the Prairielands
Groundwater Conservation District ("District") will hold a
public hearing, accept public comment, and may act to adopt
amendments to the District Rules regulating water wells within
the boundaries of the District, including Ellis, Hill, Johnson,
and Somervell Counties, Texas. Prior to its adoption of these
amendments, the Board adopted permanent District Rules on
December 17, 2018, and has subsequently amended them. The
proposed amendments to the District Rules include: (1) giving
the Board permissive authority to increase groundwater produc-
tion by Board resolution during periods of extreme drought by
authorizing permittees to overproduce their permits by a certain
percentage designated by the Board in any calendar year in a
collective total amount that will still promote achievement of
the desired future conditions for the aquifers; (2) requiring
permittees that are required by law to have drought contingency
plans to implement those plans in order to be eligible for the
increased groundwater production; (3) granting the Board sim-
ilar permissive authority to increase production for a calendar
year by resolution for a specific public water system or other
permittee that is experiencing an emergency or other unforeseen
event that could cause imminent public health or safety risks;
and (4) other minor clarifying or non-substantive changes.

This hearing will be held on Monday, July 18, 2022, begin-
ning at 9:00 a.m., at the District office located at 208 Kimberly
Drive, Cleburne, TX 76031. Any person who desires to appear
at the hearing and present comment or other information on the
proposed adoption of amendments to the District Rules may
do so in person, by legal representative, or both. Comments
may be presented verbally or in written form. Limits may be
placed on the amount of time that each person is allowed to
present verbal comments. Persons interested in submitting
written comments on the proposed amendments may do so by
sending any such comments to the District office at 208 Kim-
berly Drive, Cleburne, TX 76031. The Board may act to adopt
the amendments to the rules as proposed or with additional
changes based upon comments and discussion at the hearing.
The hearing posted in this notice may be recessed from day
to day or continued where appropriate. At any time during
the hearing, the Board may recess into a closed session under
Section 551.071, Government Code, to receive legal advice
regarding the rules amendments.

The public hearing is available to all persons regardless of
disability. If you require special assistance to attend the hear-
ing, please contact the Prairielands Groundwater Conservation
District at (817) 556-2299 at least 24 hours in advance of the
hearing.

A copy of the proposed amendments to the District Rules may
be requested by email at kjones@prairielandsgcd.org, is avail-
able for reviewing or downloading at www.prairielandsgcd.org,
and may be reviewed, inspected, or obtained in person at the
District office located at 208 Kimberly Drive, Cleburne, TX
76031. For more information, contact the District's General
Manager, Kathy Turner Jones, at (817) 556-2299.

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147

Legals

NOTICE OF PUBLIC HEARING JULY 18, 2022

NOTICE IS HEREBY GIVEN to all interested persons in Ellis, Hill, Johnson, and Somervell Counties, Texas:

That the Board of Directors ("Board") of the Prairielands Groundwater Conservation District ("District") will hold a public hearing, accept public comment, and may act to adopt amendments to the District Rules regulating water wells within the boundaries of the District, including Ellis, Hill, Johnson, and Somervell Counties, Texas. Prior to its adoption of these amendments, the Board adopted permanent District Rules on December 17, 2018, and has subsequently amended them. The proposed amendments to the District Rules include: (1) giving the Board permissive authority to increase groundwater production by Board resolution during periods of extreme drought by authorizing permittees to overproduce their permits by a certain percentage designated by the Board in any calendar year in a collective total amount that will still promote achievement of the desired future conditions for the aquifers; (2) requiring permittees that are required by law to have drought contingency plans to implement those plans in order to be eligible for the increased groundwater production; (3) granting the Board similar permissive authority to increase production for a calendar year by resolution for a specific public water system or other permittee that is experiencing an emergency or other unforeseen event that could cause imminent public health or safety risks; and (4) other minor clarifying or non-substantive changes.

This hearing will be held on Monday, July 18, 2022, beginning at 9:00 a.m., at the District office located at 208 Kimberly Drive, Cleburne, TX 76031. Any person who desires to appear at the hearing and present comment or other information on the proposed adoption of

147

Legals

CITATION BY

To: Unknown Heirs to the Holman:

On 06/01/2022, Kathleen Application to Determine CC-P202224822 in the Johnson County, Texas.

Said Application to Determine heard and acted upon at 10 o'clock a.m. on the first expiration of ten days after publication of this citation. All unknown heirs in said case to appear before said court to answer stating their intent they desire to do so.

Given under my hand and seal of said County, Texas, on 6/2/2022, BECKY IVEY, Clerk of said County Court at Law 2, Guinn Justice Center - South, 204 S. Buffalo Ave., PO Box 662

Cleburne, Texas 76033

RETURN TO: Constable, 3390 F Street, Cleburne, Texas 76033

By: /s/ Judy Pyles, Deputy

NOTICE T

NOTICE is hereby given to the Independent Administrator, B. Tabor, Deceased, 2022, in Cause No. C-2022-0001, County Court At Law No. 2, Johnson County, Texas, to the Independent Administrator, who resides at 228 N.E. Wilshire Blvd., Suite 200, Dallas, Texas 75208.

All persons having knowledge of the whereabouts of the decedent, which is currently required to present to the court.

amendments to the District Rules may do so in person, by legal representative, or both. Comments may be presented verbally or in written form. Limits may be placed on the amount of time that each person is allowed to present verbal comments. Persons interested in submitting written comments on the proposed amendments may do so by sending any such comments to the District office at 208 Kimberly Drive, Cleburne, TX 76031. The Board may act to adopt the amendments to the rules as proposed or with additional changes based upon comments and discussion at the hearing. The hearing posted in this notice may be recessed from day to day or continued where appropriate. At any time during the hearing, the Board may recess into a closed session under Section 551.071, Government Code, to receive legal advice regarding the rules amendments.

The public hearing is available to all persons regardless of disability. If you require special assistance to attend the hearing, please contact the Prairielands Groundwater Conservation District at (817) 556-2299 at least 24 hours in advance of the hearing.

A copy of the proposed amendments to the District Rules may be requested by email at kjones@prairielandsgcd.org, is available for reviewing or downloading at www.prairielandsgcd.org, and may be reviewed, inspected, or obtained in person at the District office located at 208 Kimberly Drive, Cleburne, TX 76031. For more information, contact the District's General Manager, Kathy Turner Jones, at (817) 556-2299.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN, that original Letters Testamentary for the Estate of Margie N Bolling Deceased, were issued on May 19, 2022, in Cause No. CC-P202224776 pending in the County Court at Law No. One, Johnson County, Texas, to: Jackie Bolling. All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

GORDON & SYKES, LLP

/s/ Brett J. Wyatt
Brett J. Wyatt
Texas Bar No. 22089800
1320 S. University Dr., Ste 806
Fort Worth Texas 76107
Tel: 817-338-0724
Fax: 817-338-0769
Email: bwyatt@gordonsvkes.com

the manner prescribed by law.

DATED the 16th day of June, 2022.
/s/ Royle M. Cox

NOTICE OF PUBLIC SALE

Of property to satisfy landlord's lien under Chapter 59 of the Texas Property Code Law. Sale will take place for Burleson Self Storage, 272 Exchange St., Burleson, TX 76028, Online on www.selfstorageauction.com. The Auction will start on June 28, 2022 and end at 11:00 am on July 14, 2022 or thereafter. Property will be sold as-is to highest bidder for cash. Cleanup & removal deposit is required. Seller reserves the right to withdraw property from sale. All units include household items & misc. items unless otherwise noted:

Dana Zarr; Julie Gee; Dan Hockemeyer; Joshua Keef; Karen Hames; Domingo Rangel. Tenants have the right to redeem the contents at any time prior to the Sale. The public is invited to attend.

Contact:

7

**GARAGE
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390 Garage

703 Hill Ln. E
8-4PM, 7/2 e
aids, antique
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Employment

DON'T JUST WORK. WORK HARD

As an advertising director in our company, you'll enjoy an exciting industry, fast growing enthusiastic team members and the ability to grow professionally within our organization.

We are searching for a self-starter that excels at efficiently developing business, with people and strives for excellence in customer service.

Qualifications

- Excellent verbal and interpersonal skills
- Professional management experience
- Proficient in MS office (Word, Excel and Outlook)
- Familiar with digital marketing and analyzing data.
- 2+ years of management experience.

Responsibilities

- Provides leadership and direction for advertising staff
- Develops, implements and manages operational goals and monitors achievements of performance and profit objectives.
- Enthusiastically supports, actively promotes, and demonstrates superior customer service at all times.

Benefits

- Competitive salary plus monthly commissions, paid vacation and holiday healthcare including dental and vision and 401K.

If this position interests you, please email your resume, cover letter and salary expectations to Publisher Lisa Chappell, lchappell@cnhi.com.

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Kaylin Garcia

From: Annette Kinney
Sent: Tuesday, June 28, 2022 8:22 AM
To: Kaylin Garcia
Subject: FW: S.O.S. Acknowledgment of Receipt

-----Original Message-----

From: TexReg@sos.texas.gov <TexReg@sos.texas.gov>
Sent: Tuesday, June 28, 2022 8:13 AM
To: Annette Kinney <annette@prairielandsgcd.org>
Subject: S.O.S. Acknowledgment of Receipt

Acknowledgment of Receipt

Agency: Prairielands Groundwater Conservation District

Liaison: Annette Kinney

The Office of the Secretary of State has posted

notice of the following meeting:

Board: Prairielands Groundwater Conservation District

Committee: Board of Directors

Date: 07/18/2022 09:00 AM "TRD# 2022003848"

Notice posted: 06/28/22 08:13 AM

Proofread your current open meeting notice at:

[http://texreg.sos.state.tx.us/public/pub_om_lookup\\$.startup?Z_TRD=2022003848](http://texreg.sos.state.tx.us/public/pub_om_lookup$.startup?Z_TRD=2022003848)



Open Meeting Information

Agency Name: Prairielands Groundwater Conservation District

Date of Meeting: 07/18/2022

Time of Meeting: 09:00 AM (Local Time)

Board: Prairielands Groundwater Conservation District

Committee: Board of Directors

Status: Accepted

Street Location: 208 Kimberly Dr.

City Location: Cleburne

Meeting State: TX

TRD: 2022003848

Submit Date: 06/28/2022

Emergency Mtg: No

Additional Information Obtained From: District staff at (817)556-2299

Agenda: PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

NOTICE OF PUBLIC HEARING
July 18, 2022

NOTICE IS HEREBY GIVEN to all interested persons in Ellis, Hill, Johnson, and Somervell Counties, Texas:

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This hearing will be held on Monday, July 18, 2022, beginning at 9:00 a.m., at the District office located at 208 Kimberly Drive, Cleburne, TX 76031. Any person who desires to appear at the hearing and present comment or other information on the proposed adoption of amendments to the District Rules may do so in person, by legal representative, or both. Comments may be presented verbally or in written form. Limits may be placed on the amount of time that each person is allowed to present verbal comments. Persons interested in submitting written comments on the proposed amendments may do so by sending any such comments to the District office at 208 Kimberly Drive, Cleburne, TX 76031. The Board may act to adopt the amendments to the rules as proposed or with additional changes based upon comments and discussion at the hearing. The hearing posted in this notice may be recessed from day to day or continued where appropriate. At any time during the hearing, the Board may recess into a closed session under Section 551.071, Government Code, to receive legal advice regarding the rules amendments.

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[TEXAS REGISTER](#)

[TEXAS ADMINISTRATIVE CODE](#)

[OPEN MEETINGS](#)

PRAIRIE LANDS GROUNDWATER CONSERVATION DISTRICT

NOTICE OF PUBLIC HEARING

July 18, 2022

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RESOLUTION NO #22-002

**PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT
RESOLUTION TO ADOPT AMENDMENTS TO THE DISTRICT RULES**

THE STATE OF TEXAS

§

§

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

§

WHEREAS, the Prairielands Groundwater Conservation District (the “District”) was created as a groundwater conservation district by the 81st Texas Legislature under the authority of articleXVI, Section 59, of the Texas Constitution, and in accordance with Chapter 36 of the Texas WaterCode by the Act of May 31, 2009, 81st Leg., R.S., ch. 1208, 2009 Tex. Gen. Laws 3859, codifiedas Chapter 8855 of the Texas Special District Local Laws Code (the “District Act”);

WHEREAS, the District is a governmental agency and a body politic and corporate;

WHEREAS, the Board of Directors (the “Board”) adopted permanent rules (“Rules”) during a properly called and noticed public meeting on December 17, 2018, in accordance with Sections 36.101 and 36.1071(f) of the Texas Water Code, which authorize the District to make and enforce rules;

WHEREAS, the Board subsequently adopted amendments to the Rules during properly called and noticed public hearings on October 21, 2019, November 16, 2020, and December 20, 2021, and such Rules will continue to be amended by the Board from time to time as necessary or appropriate after proper notice and public hearing;

WHEREAS, the District proposes the following amendments to the Rules: (1) giving the Board permissive authority to increase groundwater production by Board resolution during periods of extreme drought by authorizing permittees to overproduce their permits by a certain percentage designated by the Board in any calendar year in a collective total amount that will still promote achievement of the desired future conditions for the aquifers; (2) requiring permittees that are required by law to have drought contingency plans to implement those plans in order to be eligible for the increased groundwater production; (3) granting the Board similar permissive authority to increase production for a calendar year by resolution for a specific public water system or other permittee that is experiencing an emergency or other unforeseen event that could cause imminent public health or safety risks; and (4) other minor clarifying or nonsubstantive changes.

WHEREAS, after proper publication of the proposed amendments to the Rules and public notice of a hearing on the consideration of the same in accordance with the requirements of Sections

36.101(d) and (e) of the Texas Water Code, the Board held a rulemaking public hearing on July 18 2022, where the Board received and considered all oral and written comments received from the public and from the directors, staff, and professional consultants of the District on the proposed amendments to the District Rules;

WHEREAS, after taking up and considering the proposed amendments to the Rules, the Board adopted the same during the public hearing of the Board on July 18, 2022;

WHEREAS, the Board finds that Objective E.2 of the District's Management Plan calls for the District to develop information to understand the relationships between drought conditions, increased pumping, and the impacts of both on water levels and shallow wells in the outcrops and subcrops of the aquifer subdivisions in the District, and to determine areas where it may be suitable for the District to implement pumping restrictions or to allow overpumping during drought periods, in order to protect public safety and welfare and to promote conjunctive management when surface water supplies become unavailable to water user groups due to drought conditions;

WHEREAS, the District engaged a hydrogeologist to study, monitor, and assess drought impacts on aquifer outcrops and subcrops, including effects of increased pumping;

WHEREAS, the District's hydrogeologist completed the study and reported to the District that all aquifers in all areas of the District appear able to tolerate short-term periods of increased authorized pumping without severe long- or short-term ramifications, with a cautionary note that increases in authorized pumping should not exceed the amount of groundwater that had been conserved as compared to the applicable modeled available groundwater amount over the previous 5 years, so as to promote achievement of desired future conditions for the aquifer;

WHEREAS, the Board finds that it is therefore reasonable to adopt a rule giving the Board permissive authority, on a year-by-year basis, to authorize by resolution an increase in pumping by a certain percentage for all permittees in cases of extreme drought or worse under the U.S. Drought Monitor Index occurring in any part of the District, while ensuring that the collective total amount of increased pumping will still promote achievement of the desired future conditions for the aquifers;

WHEREAS, in order to determine the appropriate collective total amount of increased pumping, the Board shall consider the difference in sum of the total amount of groundwater produced in the District in each of the previous five (5) years and the sum of the Modeled Available Groundwater amounts for each of those years, and shall not set a percentage that would authorize total additional groundwater production in an amount higher than the difference, so as to support achievement of the desired future conditions adopted by the District under § 36.108, Texas Water Code;

WHEREAS, the Board finds that a permittee is not eligible for increased groundwater pumping in cases of extreme drought unless the permittee is implementing its drought contingency

plans, if the permittee is required by law or the rules of the Texas Commission on Environmental Quality to have a drought contingency plan, including implementation of mandatory water use restrictions by a permittee that is a retail public water system;

WHEREAS, the Board finds it reasonable to similarly authorize by resolution increased groundwater pumping for a calendar year during emergencies or other unforeseen events that could cause imminent public health or safety risks for a specific public water system permittee or other permittees with similar restrictions, including implementation of mandatory water use restrictions;

WHEREAS, the Board finds that a resolution authorizing increased production for a specific public water system permittee shall not be approved in situations where the permittee is eligible under the Rules for an increase in authorized production under an Operating Permit or amendment thereto for the amount of water needed for the calendar year unless and until the permittee has also submitted an application to the District for an Operating Permit or amendment to the Board requesting the increase in authorized production up to the amount needed by the permittee and for which the permittee is eligible under these rules;

WHEREAS, the Board finds that a permittee, including a public water supply system, who produces groundwater above its maximum annual permitted amount but in compliance with the Board's resolution and who timely pays the Water Use Fee for the extra water produced pursuant to the Board's resolution shall not be in violation of the District Rules for overproduction of groundwater;

WHEREAS, the Board finds that the proposed amendments to the Rules meet Objective E.2 of the District's Management Plan and the requirement that rules addressing the objective be adopted by 2022;

WHEREAS, the Board finds that making minor clarifying, typographical, formatting, or non-substantive edits to the Rules makes the Rules more user-friendly, lessens the possibility for confusion, misinterpretation, or misapplication of the Rules, and improves the efficiency of District processes, and finds that the proposed amendments to the Rules include such minor clarifying, typographical, formatting, and non-substantive edits that will benefit the public and the District staff in implementation of the Rules;

WHEREAS, the Board finds that the proposed amendments to the Rules, attached hereto as "Attachment A," are each and all merited and necessary to support the District's efforts in managing the groundwater resources within the boundaries of the District in a manner consistent with the requirements of Chapter 36, Water Code, and the District Act, and that each proposed amendment to the Rules is supportable under the laws of the State of Texas; and

WHEREAS, the Board finds that all provisions of the Rules as amended are duly authorized by the powers and duties granted to the District under the District Act and Texas Water Code Chapter 36.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF THE PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT THAT:

1. The above recitals are true and correct.
2. The Board of Directors hereby approves and adopts the proposed amendments to the District Rules.
3. The District Rules as amended and included with this resolution as "Attachment A" are the Rules of the Prairielands Groundwater Conservation District, adopted pursuant to the requirements of Section 36.101 of the Texas Water Code.
4. The attached amendments to the District Rules take effect July 18, 2022.
5. The District's Board, its officers, District staff, and legal counsel are further authorized to take any and all actions necessary to implement this resolution.
6. The District's General Manager and legal counsel are further authorized to make any typographical corrections, formatting, conforming, or other nonsubstantive changes to the District Rules as amended by the adoption of this resolution.

AND IT IS SO ORDERED

PASSED AND ADOPTED this 18th day of July, 2022.

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

By: Charles Beseda
Charles Beseda, President



I, Maurice Osborn, certify that I am Secretary/Treasurer of the Prairielands Groundwater Conservation District organized and existing under the laws of the State of Texas, and that the resolutions on this document are a correct copy of the resolutions adopted at a public hearing of the District duly and properly called and held on July 18, 2022. Said resolution appears in the minutes of this meeting and has not been rescinded or modified.

Maurice Osborn
Maurice Osborn, Secretary