

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

September 19, 2022

REGULAR MEETING MINUTES OF THE BOARD OF DIRECTORS

The Board of Directors (the “Board”) of the Prairielands Groundwater Conservation District (the “District” or “Prairielands GCD”) met in a regular board meeting, open to the public, within the boundaries of the District at 208 Kimberly Dr, Cleburne, TX, on September 19, 2022.

CALL TO ORDER AND DECLARE REGULAR MEETING OPEN TO THE PUBLIC

President Charles Beseda presided and called to order the regular Board of Directors Meeting at 9:35 a.m., announcing the meeting open to the public.

ROLL CALL

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

Charles Beseda	Maurice Osborn
John Curtis	Brad Daniels
Randy Kirk	Marty McPherson
Paul Tischler	Barney McClure

All members of the Board were in attendance, thus constituting a quorum of the Board of Directors. Also present at said meeting were Kathy Turner Jones, General Manager; Brian Sledge, General Council; District staff; and members of the public. *Copies of the public sign-in sheet(s) are attached hereto as Exhibit “A”.*

PUBLIC COMMENTS

None.

CONSENT AGENDA

Motion by Director Curtis made a motion to approve the consent agenda. Director McClure seconded the motion and it carried unanimously by all those who were present.

FINANCE REPORT – Brian Watts, Comptroller

- a) Presentation of unaudited financials for the month of August 2022. Mr. Watts discussed the balance sheet dated August 31, 2022, which showed the ending cash balances for the District totaling \$1,797,412.48. He stated that compared to the ending cash balances on August 31, 2021, this total shows an increase in cash of \$96,336.37 which continues to

show a positive indication of the overall financial health of the District. He then reported on the profit and loss report for the month of August which showed gross revenue of \$26,436.42. Mr. Watts stated, this is another month in which the District invoices only monthly payers and that September will be a more robust month as we will be invoicing monthly and quarterly permittees. He also presented total operating expenses for the month of August totaling \$146,450.07, leaving a net result of \$120,013.65 of expenses in excess of revenues. For this fiscal year, Mr. Watts reported gross revenues totaling \$1,680,528.64 with a refund allowance of \$229,150.05 making the “net” revenue for this year to date \$1,451,378.59. He added that operational expenses for the year total \$1,076,772.72 with capital expenses of \$52,915.00 bringing total expenses to \$1,129,687.72, which translates into a net excess revenue over expenses for the fiscal year of \$321,690.87 which continues to provide the District the means to fund its budget for the remaining four months of the fiscal year.

BUDGET AND FINANCE DEVELOPMENT COMMITTEE – Maurice Osborn, Treasurer

- a) Reconsider and act on Resolution #22-003 adopting water use fee rate schedule for 2023. – Ms. Jones noted that a similar item was on the agenda to approve Resolution #22-003 adopting water use fees rate schedule for the August 15, 2022, Board of Directors meeting. However, it was discovered following approval the agenda item had inadvertently been stated as 2022 instead of 2023. She stated that it is now re-listed for approval at today board meeting as Resolution #22-003 adopting water use fee rate schedule for 2023. The resolution remains unchanged. Ms. Jones asks that the Board considers reapproving the resolution based on the proper agenda item. Director Osborn made a motion to approve Resolution #22-003 adopting water use fee rate schedule for 2023. Director Curtis seconded the motion and it carried unanimously by all those who were present. *Copy of said Resolution #22-003 attached hereto as Exhibit “B”.*

There being no further discussion, President Beseda announced, “At this time, 9:42 a.m., the Board will recess into a Closed Executive Session to consult with legal counsel on items on today’s agenda under Government Code Section(s) 551.071 for consultation concerning attorney-client matters. No action will be taken in closed session. At the conclusion of the closed session, the Board will reconvene in open session with the public.”

At 10:48 a.m. President Beseda announced the meeting was reconvening into an open session and was open to the public.

RULES AND BYLAWS COMMITTEE – Randel Kirk, Chair

- a) Discuss, consider, and take action as necessary to adopt Resolution #22-006 authorizing a percentage increase of groundwater production under Rule 5.10 due to extreme drought – Director Kirk made a motion to approve Resolution #22-006 authorizing a percentage increase of groundwater production under Rule 5.10 due to extreme drought. Director McClure seconded the motion and it carried unanimously by all those who were present. *Copy of said Resolution #22-006 attached hereto as Exhibit “C”.*

UPDATE ON PUBLIC OUTREACH ACTIVITIES, EDUCATIONAL, AND CONSERVATION EFFORTS – Whitney Curry, Public Relations/Education Director

Ms. Curry reported on recent educational events the District had participated in and provided an update on the progress of the re-wrapping of the Water Education Trailer. Ms. Curry stated that following the August board of directors meeting she and the General Manager worked with Tinker, LLC on a cost estimate for extending the water education curriculum for Fall 2022 into Ellis and Hill counties.

- a) Discuss, consider, and take action as necessary authorize a budget amendment of \$10,000 to increase sponsorship of Tinker, LLC Water Conservation education curriculum for Fall 2022. – Ms. Curry provided a brief background on Tinker, LLC based off the recent annual report provided by Tinker, LLC. Ms. Curry stated that Tinker, LLC provided a cost proposal of \$10,000 to extend the program for Fall 2022 into six new schools that would reach an additional 400 students. It was noted that the Tinker, LLC staff would identify eligible schools in Ellis and Hill counties and recruit teachers who did not participate in the Spring 2022 program, working towards the District's goals of expanding the program. Director Osborn made a motion to authorize the approval of sponsoring and funding not to exceed \$10,000 to extend the water education curriculum through Tinker, LLC for Fall 2022. Director Daniels seconded the motion and it carried unanimously by all those who were present.

UPDATE ON WELL MONITORING AND FIELD OPERATIONS – Michael Heath, Field Operations Coordinator

Mr. Heath reported on field activities since the last board meeting. He noted that the GPS antenna on the SatLink V2 unit in Somervell County has been replaced and is transmitting the collected data. Mr. Heath stated a transducer from a monitoring well in Ellis County had to be pulled and if it is determined that the transducer has been damaged due to lighting, the District will need to decide if a different type of monitoring equipment will need to be installed. The field staff investigated a well committing waste in Ellis County and collected the data needed to start the enforcement process as well a Public Water Supply in Johnson County, Mr. Heath noted that both situations will continue to be monitored. He stated that the District has been coordinating with INTERA to analyze a selected number of monitor wells currently being monitored which will indicate a more accurate number of completed quadrants. Mr. Heath mentioned that INTERA is also selecting a quadrant using scientific methods for the District to begin searching for a location to proceed towards drilling a Hosston monitor well.

GROUNDWATER MANAGEMENT AREA 8 – UPDATE ON ACTIVITIES RELATED TO JOINT PLANNING IN THE DEVELOPMENT OF DESIRED FUTURE CONDITIONS – Kathy Turner Jones

Ms. Jones reported there had been no updates and the GMA 8 was still waiting on the release on the MAG numbers. She noted that she had reached out to Drew Satterwhite, who is the administrative district for GMA 8 for an update and he did not have any new information at this time. The next meeting has not been scheduled at this time.

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY TO AUTHORIZE THE GENERAL MANAGER TO AMEND DRAFT INTERLOCAL AGREEMENT BETWEEN JOHNSON COURT COMMISSIONERS COURT AND PRAIRIELAND GCD – Kathy Turner Jones

Ms. Jones reported that she, Director Tischler, and Kaylin Garcia had met with Johnson County Public Works, Johnson County Commissioner Wooley, and officials from the County Attorney office on September 8 following a presentation to the Johnson County Commissioners Court in August to discuss draft changes to draft interlocal agreement between Johnson County and the District to facilitate cooperation between the Platting Authority and the District. Ms. Jones stated the County provided a revised draft to include non-substantive changes along with additional language as to what the terms, i.e., lot size-based, acreage based, etc., trigger a groundwater availability certification. Ms. Jones added she has tasked the District's hydrogeologist for providing baseline information for the County to consider. Following discussion, Ms. Jones asked for board authorization to amend the draft interlocal agreement to include non-substantive changes and pending information to be provided later by the District's hydrogeologist. Director Curtis made a motion to authorize the General Manager to amend the draft interlocal agreement between Johnson County Commissioners Court and Prairielands GCD. Director Osborn seconded the motion, and it was carried unanimously by all those who were present.

HYDROGEOLOGIST REPORT – Wade Oliver, INTERA

Mr. Oliver reported that he would be providing Ms. Jones with a threshold recommendation for the interlocal agreement. He reiterated that the MAG's were not back and that was slowing down the progress on the evaluation production allocation process of which he has updated the Rules and Bylaws Committee. He stated that once we received the MAG's we will be able to move forward with the evaluation process. In response to the drought and the resolution that the District worked on, INTERA performed a pumping assessment that was reviewed by the Rules and Bylaws Committee. Results from the pumping assessment indicated over the past five years the District's estimated actual pumping is 20-25% which is mostly pumped from domestic, livestock, ag wells and also existing wells that are pumping below 25 gallons per minute for any other use than Public Water Supply. In conclusion, Mr. Oliver mentioned INTERA has been working with District staff on the monitoring program for possible monitoring well locations. Mr. Oliver indicated that agreements would need to be in place once locations are set for drilling.

GENERAL MANAGER'S REPORT AND UPDATE – Kathy Turner Jones

- a) Update on current administrative activities of the District. Ms. Jones gave a brief update from the Texas Alliance of Groundwater Districts' Texas Groundwater Summit held August 30 through September 1 in San Antonio. She also highlighted the upcoming TWDB's October board meeting, making note that the District has been awarded the 2022 Rain Catcher Award from TWDB and will be presented during the meeting.

Ms. Jones provided an update on Texas Drought Monitor noting recent rainfall across Texas and cooler temperatures have provided some relief from drought and extreme heat

over recent weeks, but most areas remain in a moisture deficit, according to the Texas state climatologist. Ms. Jones added the most recent Drought Severity and Coverage Index, DSCI, with ranges from 0-500 and calculates the cumulative drought data for an area, showed the drought peaked at 380 on August 8 and was 251 on September 1.

- b) Historic Use Permit Applications. Ms. Jones reported that the third batch of permits are being prepared to be heard at the October 17, 2022 board meeting.

She also discussed the permitting reports for the month of August and well registrations making note that there were 29 Well Registrations in total last month; Ellis County registered 3; Hill County registered 10; and Johnson County 16.

Ms. Jones reported total permitted production for 174 Historic Use Permits being 9,012,910,963 gallons and 184,621,700 gallons for 23 Operating Permits, 65,749,600 gallons for 4 pending Operating Permits, for a total permitted amount authorization of 9,263,282,263 gallons.

- c) Enforcement. Ms. Jones stated that enforcement is currently up to date, we still have some still on the list and staff is working to manage those. No formal board action is required at this time.

GENERAL COUNSEL'S REPORT – Brian L. Sledge

Mr. Sledge reported that the House Natural Resources Committee hearing was held August 23 and 24 with interest focused on the impacts occurring east of I-35 in Central Texas from the San Antonio water system. He noted that the water levels have declined substantially compared to what the models predicted and will continue to monitor possible legislation to be filed to address water levels, at this time it is not known if this will be specific to the area or groundwater districts as a whole. Mr. Sledge stated that during the HNRC hearing provided testimony specifically impacting the District was the achievement of DFC's and how the Legislature might restructure the statue to have groundwater conservation districts document how they will achieve DFC's. He briefed the Board on the TWCA and TAGD committees' taskforce discussion on the topic of waste and the current definition and its relationship to conservation. Mr. Sledge noted that the Sunset Advisory Commission set a date of November 10 on the TCEQ Sunset Advisory Committee's recommendations. He discussed how he did not see anything big on the groundwater front, although some discussions involving the process of priority groundwater management areas that would impact future designations and he would be staying abreast of any updates as they arise. Mr. Sledge finalized his discussed by noting significant action taken by the TCEQ Commissioners that overruled and admitted the Hays Trinity GCD as a party after the district protested an application stating that groundwater districts do not have any charge to regulate groundwater quality. He stated that a reason this was important to follow was that we sometimes protest waste injection well applications at both the Railroad Commission and the TCEQ.

OPEN FORUM/DISCUSSION OF NEW BUSINESS FOR FUTURE MEETING AGENDAS

None.

ADJOURN

There being no further business, Director McPherson made a motion to adjourn the meeting which was seconded by Director Osborn. The motion passed unanimously by all those who were present. The meeting was adjourned at 11:35 a.m.

PASSED, APPROVED, AND ADOPTED THIS 17TH DAY OF OCTOBER 2022



Maurice Osborn, Secretary/Treasurer

Exhibit "A"



**Public Hearing(s) on Historic Use Permits,
Operating Permits, and Regular Board Meeting**

Sign-In Sheet

September 19, 2022

**** Note: If you are speaking, please limit to 3 minutes ****

Name	Business	Phone #	Email Address	Speaking? (YES / NO)
Billy Prittle	City of Whitney	(254) 694-2261	billy.prittle@cityofwhitneytx.org	NO
Jerry Barker	City of Whitney	254-694-2261	jerry.Barker@cityofwhitneytx.org	NO
BUBBA INCE	HILL COUNTY WATER	254-694-2561	hillcountywater@valernet.com	1
Colton Phell	TPWD	817 744 1173	Colton.W./CROCED@TPWD.TEXAS.GOV	
Michael Hale	TPWD	817-774-4215 ⁶⁴⁵	Michael.hale@tpwd.texas.gov	Y
MIKE ARNOLD	Arnold Cruslan Stone	817-228-8977	Mike@ArnoldCruslanStone.com	NO
Nafi's Choudhury	JCSUD	504-559-6482	NChoudhury@JCSUD.com	
Jeremiah Bihl	JCSUD	817 817-760-5220	J Jbihl@JCSUD.com	
Terry	Arrowhead Camp	254 877 2323	Terry@ArrowheadCamp.org	

RESOLUTION NO #22-003

**RESOLUTION
ADOPTING 2023 WATER USE FEE RATES
FOR THE
PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT**

THE STATE OF TEXAS

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§
§

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 Section 59, Article XVI, of the Texas Constitution, and in accordance with Chapter 36 of the Texas Water Code by the Act of May 31, 2009, 81st Leg., R.S., ch. 1208, 2009 Tex. Gen. Laws 3859, codified at TEX. SPEC. DIST. LOC. LAWS CODE ANN. ch. 8855 (“the District Act”);

WHEREAS, The District is a governmental agency and a body politic and corporate that is statutorily charged under Chapter 36 of the Texas Water Code and the District Act with protecting the quantity and the quality of groundwater within Ellis, Hill, Johnson, and Somervell Counties;

WHEREAS, the District by rule, resolution, or order may establish, amend, pledge, encumber, spend the proceeds from, and assess to any person production fees, based on the amount of groundwater authorized by permit to be withdrawn from a well or on the amount of water actually withdrawn, to enable the District to fulfill its purposes and regulatory functions as provided by the District Act;

WHEREAS, the District may assess a production fee for groundwater produced from a well or class of wells exempt from permitting under Section 36.117 of the Texas Water Code, except for a well exempt from permitting under Section 36.117(b)(1), which must be based on the amount of groundwater actually withdrawn from the well and may not exceed the amount established by the District for uses recognized as non-exempt pursuant to Chapter 36 of the Texas Water Code, the District Act, and rules promulgated by the District pursuant to the authority delegated therefrom;

WHEREAS, the District’s Budget and Finance Committee have worked diligently to forecast all reasonably anticipated revenues, expenses, and activities; and after giving much consideration to these important factors, recommends maintaining a regulatory water use fee of \$0.20 per 1,000 gallons for all groundwater permitted, other than agricultural use.

WHEREAS, despite having the authority to assess a production fee not to exceed 30 cents per each one thousand gallons of groundwater used annually for nonagricultural purposes, the Board determines that the production fee of 20 cents per each one thousand gallons of groundwater used

annually for nonagricultural purposes represents an appropriate, fiscally conservative fee that adequately addresses anticipated budgeting and revenue considerations for the District;

WHEREAS, in accordance with the District Act, the Board determines it necessary and appropriate to keep the production fee of \$0.00 per acre-foot used annually for agricultural purposes, which is based on the exemption provided for agricultural use in District Rule 2.1(a);

WHEREAS, Rule 7.2 of the rules of the District authorizes the Board of Directors of the District to establish by resolution a groundwater transport fee for the transportation of groundwater out of the District;

WHEREAS, the Board recognizes that the assessment of such fees serves a legitimate regulatory purpose;

WHEREAS, the Board finds that the notice and hearing requirements for the meeting of the Board, held this day, to take up and consider adoption of these water use fees have been, and are satisfied; and

WHEREAS, the Board finds that the proposed resolution is 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 it is supportable under the laws of the State of Texas.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

1. The above recitals are true and correct.
2. The Board of Directors of the Prairielands Groundwater Conservation District hereby sets a water use fee rate for groundwater production for calendar year 2022 of 20 cents per each one thousand gallons (\$0.20/1,000 gallons) of groundwater produced annually for nonagricultural purposes, which includes all non-exempt commercial, municipal, industrial, manufacturing, public water supply, oil and gas or other hydrocarbon exploration or production, and other nonagricultural users within the District that are not exempt from the water use fee payment requirements set forth in the temporary rules adopted by the District. Such rate will be effective and assessed to groundwater production that occurs during 2023 (January 1, 2023 through December 31, 2023).
3. The water use and groundwater transport fees so adopted shall be effective January 1, 2023 and continue in effect until modified by the Board of Directors.
4. The water use and groundwater transport fees so adopted shall supersede any and all such fees previously adopted by Resolution or other action of the Board of Directors.
5. The General Manager is further authorized to take any and all reasonable action necessary for the implementation of this resolution

AND IT IS SO ORDERED

PASSED AND ADOPTED this 19th day of September 2022.

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

By: Charles Beseda
Charles Beseda, President

ATTEST:

Maurice Osborn
Maurice Osborn, Secretary



RESOLUTION #22-006

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT
TO INCREASE GROUNDWATER PRODUCTION UNDER RULE 5.10
BECAUSE OF EXTREME DROUGHT**

THE STATE OF TEXAS §
 §
PRAIRIELANDS GROUNDWATER §
CONSERVATION DISTRICT §

WHEREAS, Prairielands Groundwater Conservation District (the “District”) was created as a groundwater conservation district by the 81st Texas Legislature under the authority of Section 59, Article XVI, of the Texas Constitution, and in accordance with Chapter 36 of the Texas Water Code by the Act of May 31, 2009, 81st Leg., R.S., ch. 1208, 2009 Tex. Gen. Laws 3859, codified at TEX. SPEC. DIST. LOC. LAWS CODE ANN. ch. 8855 (“the District Act”).

WHEREAS, the District Act and Chapter 36 of the Texas Water Code assign certain duties, rights, powers, privileges, authorities, and functions to the District; and

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, December 20, 2021, and July 18, 2022, 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, Rule 5.10, among others, was adopted by the Board on July 18, 2022, 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;

WHEREAS, the Board finds that in August of calendar year 2022 the entire District was categorized as being in “extreme drought” or worse under the U.S. Drought Monitor;

WHEREAS, the Board has determined that, due to the extreme drought in the District and the resulting increase in groundwater pumping by many well owners, and because many permitted well owners are still adjusting to producing groundwater under the District's permitting system and its limits on pumping, and to avoid a rush of permit and permit amendment applications to increase pumping authorizations before the end of the calendar year when most such authorizations will not be needed once the drought breaks, and to avoid taking excessive enforcement actions against many permittees who may exceed their permit limits this calendar year only because of the extreme drought, it is reasonable and appropriate for the Board to authorize increased groundwater production for all eligible permittees under Rule 5.10(a) at a level that will still promote achievement of the desired future conditions for the aquifers in the District;

WHEREAS, in accordance with Rule 5.10(b), based on a review of data and analysis by the District's hydrogeologist, the Board has considered 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 has determined that there are approximately 9,715 acre-feet of groundwater available for emergency authorization under this Rule 5.10(b) analysis; and furthermore, the Board has determined that, when divided by the sum of current annual permitted groundwater production plus the estimate of current exempt groundwater production, there is presently approximately 28.5% additional groundwater production available to Board to allocate to permittees under Rule 5.10;

WHEREAS, after considering that the drought may evolve into a multi-year drought and additional production authorization may be needed in the coming years, and after considering that only a minority of permittees are expected to need the additional production authorization authorized by this resolution in calendar year 2022 so that simply authorizing the additional groundwater pumping percentage will not actually result in all of the additional authorized groundwater being produced, and after reviewing current pumping records for calendar year 2022 through July, and after considering that production by exempt well owners also increased during the 2022 drought, and after balancing these various considerations, the Board hereby authorizes each eligible permittee, as eligibility is defined herein, to produce groundwater in calendar year 2022 in an amount over and above their current annual permit limit of no more twenty percent (20%);

WHEREAS, the Board has determined that this increased pumping percentage will not cause the District to fail to achieve the Desired Future Conditions for the aquifers adopted by the District under § 36.108, Texas Water Code;

WHEREAS, in accordance with Rule 5.10(c), eligibility to produce additional groundwater under this Resolution is limited for all permittees to those that timely remit payment of water use fees to the District for the additional groundwater produced no later than February 15,

2023; and, for those permittees that are required by state law or the rules of the Texas Commission on Environmental Quality (TCEQ) to have drought contingency plans (DCPs), the permittee must also have implemented their DCP during calendar year 2022, including implementation of mandatory water use restrictions by a permittee that is a retail public water system, in order to be eligible to produce additional groundwater under this Resolution; and

WHEREAS, permittees required to implement a DCP to be eligible under this Resolution must also submit to the District no later than February 15, 2023, both a sworn statement verifying that the permittee complied with the DCP requirements of this Resolution and a copy of any required correspondence under Title 30, Texas Administrative Code §288.20(b) notifying the Executive Director of TCEQ of the implementation of any mandatory provisions of the permittee's DCP;

WHEREAS, in accordance with Rule 5.10(d) of the Rules, a permittee who produces groundwater in calendar year 2022 above its maximum annual permitted amount but in compliance with the terms of this Resolution shall not be in violation of the District Rules for overproduction of groundwater; any permittee who produces groundwater above the additional twenty percent (20%) authorized by this Resolution but who is otherwise in compliance with the terms of this Resolution shall only be in violation of the District Rules for the amount produced above the additional twenty percent (20%).

NOW, THEREFORE, BE IT 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 resolves and orders pursuant to District Rule 5.10 that each eligible permittee of the District, as eligibility is defined in this Resolution, is authorized to produce groundwater in calendar year 2022 in an amount over and above their current annual permit limit of no more twenty percent (20%).
3. The Board of Directors hereby resolves and orders that to be eligible to produce additional groundwater above the annual permit limit pursuant to this Resolution, a permittee must:
 - a. timely remit payment of water use fees to the District for all additional groundwater produced pursuant to this Resolution no later than February 15, 2023; and
 - b. for those permittees that are required by state law or the rules of the Texas

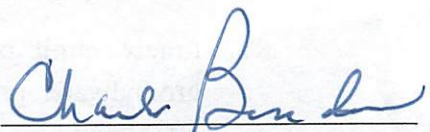
Commission on Environmental Quality (TCEQ) to have drought contingency plans (DCPs), the permittee must also:

- (i) have implemented their DCP during calendar year 2022, including implementation of mandatory water use restrictions by a permittee that is a retail public water system; and
 - (ii) submit to the District no later than February 15, 2023, both a sworn statement verifying that the permittee complied with the DCP requirements of this Resolution and a copy of any required correspondence under Title 30, Texas Administrative Code §288.20(b) notifying the Executive Director of TCEQ of the implementation of any mandatory provisions of the permittee's DCP;
4. The General Manager is authorized to immediately begin invoicing permittees on a monthly basis for payment of water use fees for the additional groundwater produced each month pursuant to this Resolution for any permittee identified by the General Manager to be overproducing their permit limit.
 5. The General Manager is directed by the Board to notify permittees of the availability of the additional production authorization authorized by this Resolution as soon as practical.
 5. The District's Board, its officers, the General Manager and District staff, and legal counsel are further authorized to take any and all actions necessary to implement this Resolution.

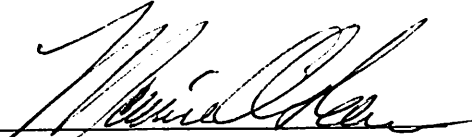
AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 19 day of September, 2022.

PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT

By: 
Charles Beseda, Board President

ATTEST:


Maurice Osborn, Board Secretary

