

# **PRAIRIELANDS GROUNDWATER CONSERVATION DISTRICT**

**April 21, 2025**

## **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 April 21, 2025.

President Charles Beseda presided and called to order the Public Hearing on Amendments to the District Rules at 9:00 AM.

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

Charles Beseda  
John Curtis  
Kathy Tucker  
Paul Tischler

Maurice Osborn  
Brad Daniels  
Marty McPherson  
Barney McClure

All members of the Board were in attendance, with the exception of Vice President Tischler, 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 April 21, 2025, 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’S 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 proposed amendments include several new updates, as well as clarifications to existing provisions that were revised for improved clarity.

Mr. Sledge summarized the proposed amendments to the District Rules as: 1) transitioning Historic Use Permit language to past tense since historic use applications are no longer current and clarified that property owners who have a historic use permit cannot “double dip” if land is sold; 2) well construction times and extensions were amended based on the capacity of the well; 3) clarified that permit renewals or a request for an additional permit is contingent upon fee payments are current with the District; 4) well spacing requirements from the existing wells now require double the 10% property line distance instead of the 1% drawdown according to the Cooper-Jacobs formula, with the exception that Retail Public Utilities must still meet both the 10% and 1% drawdown projections; 5) minor changes to the notice process for spacing exceptions; 6) clarified how operating permit acreage is credited when two retail public utilities have a written agreement in dual-certification areas; 7) refund eligibility of water use fees capped at 10% excluding unused water under compliance orders; 8) introduction of a fourth category for violations within five years and adjustments to the penalty calculations; 9) implementation of disincentive fees for Retail Public Utilities whose system water loss exceeds 25%, based on a five-year rolling average, when triggered by new permit applications, permit renewals, or amendments; and 10) other minor clarifying or non-substantive changes.

## **PUBLIC COMMENT ON PROPOSED AMENDMENTS TO DISTRICT RULES**

- 1) Robert Childress. Mr. Childress, a licensed engineer with Childress Engineering Services and consultant for several retail public utilities, expressed support of the changes to the well completion timelines and the dual certification provision, noting the added flexibility in allowable groundwater production as a positive development. However, he expressed concerns regarding well spacing amendments, particularly their potential impact on large public water supply wells and the risk of negative effects on neighboring public water supply wells should a large well be drilled nearby. He concluded by suggesting that property owners be allowed to space multiple wells on a single property, provided that the total production remains within the permit capacity.

Following public comment, Ms. Jones inquired whether one additional clarification could be included in the proposed amendments—to specify that all meters installed after April 21, 2025, must measure total volume in U.S. gallons and must display and report volume in U.S. gallons only. Mr. Sledge confirmed that this minor clarification could be incorporated in the proposed rule amendments.


**DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ADOPTING RESOLUTION #25-001 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 #25-001 attached hereto as Exhibit "C"***

Director McClure made a motion to approve Resolution #25-001, approving amendments to the District Rules. Director McPherson seconded the motion. The motion passed unanimously.

There being no further discussion, Director McPherson made a motion to adjourn the public hearing. Director McClure seconded the motion. The motion passed unanimously, and the public hearing to adopt amendments to the District Rules was adjourned at 9:32 a.m.

**PASSED, APPROVED, AND ADOPTED THIS 19<sup>th</sup> DAY OF MAY 2025.**

  
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Maurice Osborn, Board Secretary