

MINUTES

for the

2:00 PM Thursday, February 9, 2023

**SHOW CAUSE HEARING,
PERMIT HEARING on OPERATING PERMITS and PERMIT AMENDMENT,
REGULAR BOARD MEETING,
and
MEETING TO ADOPT DESIRED FUTURE CONDITIONS
of the
BOARD OF DIRECTORS
for
NORTHERN TRINITY GROUNDWATER CONSERVATION DISTRICT**

MEETING LOCATION:

Board Room located at 1100 Circle Drive, Fort Worth, TX 76119

Show Cause Hearing

The Show Cause Hearing will begin at 2:00 P.M. in accordance with the public notice posted separately by the Northern Trinity Groundwater Conservation District (the "District") for said Show Cause Hearing.

The Board of Directors of the District will hold a Show Cause Hearing and may discuss, consider, and take all necessary action regarding the subject matters of the hearing.

Agenda:

1. Call to order, establish quorum, introduction of Board; declare the meeting open to the public.

President Laughlin called the Show Cause Hearing to order at 2:10 PM. A quorum was established, and the meeting was opened to the public.

Board Members present: President Laughlin
Vice President Cozart
Secretary Merritt
Director Gladbach

Board Member Absent: Director Haster

Staff Present: Corey Jones, General Manager
Hi Newby
Laura Schumacher

Ty Embrey, Attorney for the District with Lloyd Gosselink
Wade Oliver, Hydrologist-Intera, Inc.

2. Presentation by District of Violations of District Rules by Samantha Springs.

President Laughlin referenced a communication received from Samantha Springs.

Ms. Simpson, attorney for Samantha Springs in a communication to Ty Embrey Friday, February 3, 2023 requested a Continuance. In addition, Paul Terrill, an attorney with an Austin law firm will also be representing Samantha Springs in the Northern Trinity GCD matter. He also via email requested a continuance.

President Laughlin summarized the discussion with Samantha Springs from the December 13, 2022 Board of Directors meeting. The meeting points are (1) that the four (4) wells on the Samantha Springs' site would be plugged but in contradiction later retracted that the wells would be used to make up volume in the catchment basin if needed. Mr. McCombs with Samantha Springs reported TCEQ does not require the wells. He keeps the wells for monitoring water quality and there is no pumping. (2) Mr. McCombs stated the catchment basin that flowed to the surface will still flow to the surface today even without pumping.

The board discussed information from the December Board meeting and to continue to keep the dialogue moving forward with all parties in this matter.

Mr. Terrill, requested additional time to prepare for a possible March meeting with the Board.

Charge to District's attorney to communicate with Mr. Terrill the District's continued forbearance, request a time and schedule for his visit to the Samantha Springs site and consultation with the clients so the Board might schedule their next meeting for the continued Show Cause Hearing. The Board is seeking to resolve this matter.

Board discussed the requirements for Samantha Springs which would include: reporting production; paying fees on production out of the wells; sharing water quality with the District which they are currently reporting to TCEQ; comply with District rules.

3. Opportunity for Samantha Springs to respond to Presentation of Violations of District Rules.

Samantha Springs did not have representation at the meeting.

4. Discuss and take action on Enforcement Actions against Samantha Springs, including but not limited to initiation of suit in a court of competent jurisdiction.

President Laughlin called for a motion to take no action formally today related to the Show Cause and to continue the Show Cause Hearing at a date in the future agreeable to Samantha Springs owner(s) and their Legal Council and such that both parties can be present.

President Laughlin called for a motion. Vice Present Cozart made the motion as shown above. Motion seconded by Secretary Merritt. Motion passed with a unanimous Board vote.

5. Adjournment

The Show Cause Hearing was adjourned at 2:42 P.M.

Permit Hearing

The Permit Hearing will begin upon adjournment of the Show Cause Hearing.

The Board of Directors of the Northern Trinity Groundwater Conservation District (District) will hold a Permit Hearing and may discuss, consider, and take all necessary action regarding the subject matters of the hearing, including but not limited to approving the application(s) listed below.

Agenda:

1. Call to order; establish a quorum; declare the meeting open to the public.

President Laughlin called the Permit Hearing to order at 2:42 P.M. A quorum was established, and the meeting was opened to the public.

2. Review the Operating Permit Application(s) of:

Applicant: Beltmill Saginaw, LLC

Location of Well System: West of- 7840 Wagley Robertson Rd, Fort Worth, TX 76131
N-2023-0006 - Latitude: 32.883148 N Longitude: -97.374377° W

Purpose of Use: Landscape Irrigation

Requested Amount of Use Annually: 13,000,125 gallons

Production Capacity of Well: 50 GPM

Aquifer: Paluxy

President Laughlin requested Corey Jones, GM to introduce the Operating Permit for Beltmill Saginaw, LLC.

GM reminded the Board that the original Operating for Beltmill Saginaw was approved early in 2022. The Permit was extended but expired on September 23, 2022 without being drilled.

Re-application for Beltmill Saginaw, LLC.

President Laughlin recused himself from the discussion and operating permitting decision for the two (2) Independence Water, L.P. -ADL Development, L.P. requests for permits.

A Board quorum is present to proceed with the meeting and act on the Operating Permits.

.....
Applicant: Independence Water, L.P. – ADL Development, L.P.

Location of Well System: 701 Westport Parkway, Haslet, TX 76177

N-2022-0312 - Latitude: 32°58' 27.519" N Longitude: -97°19' 17.008" W

Purpose of Use: TCEQ Make-Up Water

Requested Amount of Use Annually: 44,700,000 gallons

Production Capacity of Well: 85 GPM

Aquifer: Paluxy

.....
Applicant: Independence Water, L.P. – ADL Development, L.P.

Location of Well System: 701 Westport Parkway, Haslet, TX 76177 (601 Westport)

N-2022-0313 - Latitude: 32°58' 32.735" N Longitude: -97°20' 10.187" W

Purpose of Use: TCEQ Make-Up Water

Requested Amount of Use Annually: 44,700,000 gallons

Production Capacity of Well: 85 GPM

Aquifer: Paluxy

.....
GM introduced Independence Water, L.P.- ADL Development wells. Mentioned that 601 Westport is an address correction from the Agenda.

3. Public Comment on the Operating Permit Application(s).

Chris Hamilton and Nick Konen with Independence Water were in attendance.

No Public comment on the Operating Permits.

4. Consider and act upon the Operating Permit Application(s), including the designation of parties and/or granting or denying the Operating Permit Application(s) in whole or in part, as applicable.

Vice President Cozart asked for the motion to accept the Operating Permits as presented.

Director Gladbach made the motion to accept the Operating Permits as presented.

Secretary Merritt seconded the motion.

Unanimous Board vote for approvals of Operating Permits.

5. Adjourn or continue Operating Permit Application(s) hearing.

President Laughlin returned to the meeting after the Board voted on Operating Permits.
President Laughlin adjourned the Operating Permit Hearing at 2:50 P.M.

- 6. Review the Operating Permit Amendment(s) of:

Applicant: Eagle Mountain- Saginaw ISD
Location of Well System: 3451 W. Bonds Ranch Rd, Fort Worth, TX 76179
N-2022-0302 - Latitude: 32° 55' 22.0564" N Longitude: -97° 26' 16.7643" W
Purpose of Use: Irrigation from Pond
Requested Amount of Use Annually: 70,000,000 gallons
Production Capacity of Well: 200 gallons per minute
Aquifer: Twin Mountains

GM introduced the permit amendment for Eagle Mountain-Saginaw. The owner has requested a relocation for drilling.

- 7. Public Comment on the Operating Permit Amendment(s).

No public comment.

- 8. Consider and act upon the Operating Permit Amendment(s), including the designation of parties and/or granting or denying the Operating Permit Amendment(s) in whole or in part, as applicable.

Vice President Cozart made the motion to accept the new drilling location request for the Eagle Mountain Saginaw ISD well. President Laughlin seconded the motion.

President called for a Board vote. Unanimous Board vote for approval of new drilling location.

- 9. Adjourn or continue Operating Permit Amendment(s) hearing.

President Laughlin adjourned the Operating Permit Amendment at 3:00 P.M.

Regular Board Meeting

The regular Board Meeting will begin upon adjournment of the above noticed Permit Hearing.

All interested parties are invited to attend.

The Board may consider, discuss, and take action, including expending funds, on any of the following agenda items:

Agenda:

- 1. Call to order, establish a quorum, and declare meeting open to the public.

President Laughlin declared the Regular Board of Directors meeting open to the public at 3:00 P.M. A quorum was established.

2. Public Comment.

No public comment.

3. **Consent Agenda:** Each of these items is recommended by the Staff, and approval thereof will be strictly on the basis of the Staff's recommendations. Approval for the Consent Agenda authorizes the General Manager or his designee to implement each item in accordance with the Staff recommendations. The Consent Agenda will be approved as a block. Any Board member that has questions regarding any item on the Consent Agenda may have the item pulled and considered as a regular item on the agenda. Any items so pulled for separate discussion will be considered as the first items following approval of the Consent Agenda.

- A. Approval of minutes from the Board meeting on December 13, 2022.
- B. Approval of Current Budget Performance - Operating and Investment account statements.
- C. Payment of bills/invoices received.
- D. Reimburse the General Manager, Field Tech, and/or Office Manager for invoices/bills paid on behalf of the District.

President Laughlin called for a motion to approve the Consent Agenda as presented.

Vice President Cozart made the motion to approve the Consent Agenda as presented. Secretary Merritt seconded the motion.

The Board voted unanimously to accept the Consent Agenda.

4. Any items from Consent Agenda that were pulled for further discussion.

No items were pulled for further discussion.

5. G M Report

- BMY Audit Engagement Letter

GM introduced the auditor's engagement letter for Board review. The Board President requested BMY review the Investment Policy as part of their audit services.

- GMA 8 GAM Update

The Joint Planning Committee selected Intera to update the Northern Trinity and Woodbine GAM.

- Bella HOA Meeting

C. Jones and H. Newby attended the meeting on January 19th and made a presentation.

- NTGCD Website Updates

J. North is working on updates.

- City of Euless Website

GM spoke with Major Jones, Director of Public Works. Working on posting the NTGCD link on the City's website Water Conservation page.

- Business Plan

Updated from the last presentation.

- Database Mapping

GM demonstrated the public database map.

- Online WPR Reporting

GM demonstrated the Online WPR Reporting tool. The District selected a small number of customers to begin the online reporting.

- Monitor Well progress

Hi Newby updated the Board on the newly purchased Eno Scientific monitoring well units. The units utilize sound waves to transmit information. The District monitors about thirty (30) wells.

6. Discussion, consideration, and possible action regarding the adoption of Resolution #23-001- District Investment Policy

GM informed the Board that the Investment Policy would be renewed each year.

The investment officer is meeting his education requirements.

Vice President Cozart made the motion to approve Resolution # 23-001 District Investment Policy. Secretary Merritt seconded the motion. Unanimous Board vote to approve.

7. Board Reports

No action was taken.

8. Other Business / Setting of next meeting

President Laughlin met with Tim O'Hare, the new County Judge, and updated him on the status of Northern Trinity GCD.

The next meeting is not set.

9. Adjourn.

President Laughlin adjourned the Regular Business meeting at 4:10 P.M.

Northern Trinity Groundwater Conservation District Public Meeting for consideration and adoption of updated Desired Future Conditions was opened to the Public at 4:10 P.M. A Board quorum was established.

Meeting to Adopt Desired Future Conditions

The Meeting to Adopt Desired Future Conditions will begin after the above-referenced Regular Board Meeting in accordance with the public notice posted separately by the District for said Meeting to Adopt Desired Future Conditions.

The Meeting to Adopt Desired Future Conditions will include a presentation and discussion of Desired Future Conditions applicable to the Northern Trinity Groundwater Conservation District as adopted by the district representatives of Groundwater Management Area ("GMA") at the GMA 8 joint planning meeting held on November 4, 2021.

The Desired Future Conditions for the District are based on the total average number of feet of drawdown in water levels in the aquifers/layers from January 1, 2010, through calendar year 2080. For the District, the relevant proposed DFCs include the following District-wide and County-wide average aquifer drawdown through 2080 of (in feet by aquifer/layer): 6' in Woodbine; 105' in Paluxy; 163' in Glen Rose; 348' in Twin Mountain; 177' in Antlers.

Any members of the public may request additional information, submit comments, or ask questions regarding the Desired Future Conditions applicable to NTGCD by contacting Corey Jones by phone at 817-249-2062 or by mail at 1100 Circle Drive, Suite 300, Fort Worth, Texas 76119.

The other groundwater conservation districts within Groundwater Management Area 8 include:

Central Texas Groundwater Conservation District
Clearwater Underground Water Conservation District
Middle Trinity Groundwater Conservation District
North Texas Groundwater Conservation District
Post Oak Savannah Groundwater Conservation District
Prairielands Groundwater Conservation District
Red River Groundwater Conservation District
Saratoga Underground Water Conservation District
Southern Trinity Groundwater Conservation District
Upper Trinity Groundwater Conservation District

The District will allow for public comment and other information to be provided regarding the adoption of the DFCs.

No public comment.

The District will discuss, consider, and possibly act regarding the adoption of Resolution #23-002 – Resolution for the Adoption of Desired Future Conditions for relevant aquifers that apply to the Northern Trinity Groundwater Conservation District, in accordance with Section 36.108(d-4) of the Texas Water Code.

President Laughlin requested GM Jones to discuss the current Desired Future Conditions. GM reviewed and discussed the current DFC information.

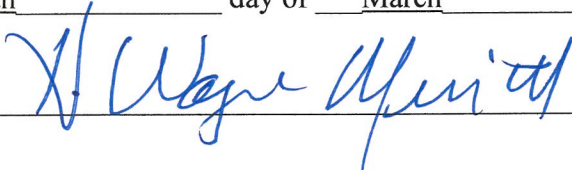
Wade Oliver, with Intera, led a discussion of the DFC informational tools.

Vice President Cozart made the motion to adopt Resolution #23-002. Director Gladbach seconded the motion to adopt. Unanimous Board vote

President Laughlin adjourned the DFC hearing at 4:30 P.M.

PASSED, APPROVED AND ADOPTED BY THE BOARD OF DIRECTORS this

29th day of March 2023.

Attest: , Secretary of NTGCD Board