
Post Oak Savannah Groundwater Conservation District



Public Hearings
January 19, 2023 – 5:30 p.m.
Post Oak Savannah GCD Offices
310 East Ave. C
Milano, Texas

AGENDA

Notice is hereby given that the Board of Directors of the Post Oak Savannah Groundwater Conservation District will hold public hearings on two applications on January 19, 2023, at 5:30 pm.

In compliance with the Open Meetings Act, the District Offices are open, however, members of the public who wish to attend virtually and listen, observe, or actively participate during the public comment portion may join this meeting from their computer, tablet or smartphone at:

<https://meet.goto.com/955853597>

You may also dial in for audio only using your phone at:

United States: [+1 \(224\) 501-3412](tel:+12245013412)

Access Code: 955-853-597

To actively participate with virtual public comment in the meeting, please email the General Manager with your name and the topic or agenda item you wish to address at gwestbrook@posgcd.org by 3:00 pm, January 19, 2023. Please remember Public Comment is limited to 3 minutes per person.

The subjects to be discussed or considered, or upon which any formal action may be taken, are as listed below. Items may or may not be taken in the same order as shown on this meeting notice.

1. Pledge of Allegiance
2. Invocation
3. Call to Order and establish quorum
4. Public Comment
5. **Public Hearings** will be held in accordance with Section 7, Section 8 and/or Section 14, Post Oak Savannah Groundwater Conservation District Rules concerning:
 - a. **October 14, 2022 Application by SLR Property I, LP (SLR) for a new 15,000 AF/Yr Simsboro Operating Permit**
 - b. **October 14, 2022 Application by SLR Property I, LP (SLR) for a new 9,000 AF/Yr Simsboro and Hooper Drilling and Operating Permit**

Items 5(a) and 5(b) may be taken-up together at the discretion of the Presiding Officer or Board.

Any Contested Case Hearings shall follow the procedure set out in Section 14.5, Post Oak Savannah GCD Rules. Opportunity for Public Comments in accordance with Section 551.007, Texas Government Code, on the Permits shall take place after the above-referenced, applicable procedures for the Public Hearings are completed but before the District's Board takes action.

- a. Preliminary Hearing – Taking up by Presiding Officer any requests for affected party status and a contested case hearing for both applications.
 - District will explain the requirements set out in Rule 14.5.3(b).
 - Each individual or entity that desires to be considered for party status and participation during a contested case shall present
 - Applicant shall have an opportunity to present why such individual or entity should or should not be considered for party status and participation during the hearing.
 - District shall have an opportunity to present why such individual or entity should or should not be considered for party status and participation during the hearing.
 - Each individual or entity shall have an opportunity to respond to any of the comments or reasons why they should not be considered as an affected party status to be included in a contested case hearing.
 - Board shall decide whether an individual or entity shall be granted party status or some other suggested course of action to resolve concerns of such individual or entity.
- b. Public Hearing on **October 14, 2022 Application by SLR Property I, LP (SLR) for a new 15,000 AF/Yr Simsboro Operating Permit**

- Present Application for new 15,000 AF/YR Simsboro Operation Permit from SLR. SLR, whose address is 2100 Ross Ave., Ste. 895, Dallas, TX 75201, submitted an application on October 14, 2022, for a new 15,000 af/yr Simsboro Operating Permit to be used in conjunction with SLR's 15,000 af/yr Simsboro Historic Use Permit No. 0330 ("Permit 0330") for the next fifteen (15) years until Permit No. 0330 ends in 2038, and the remaining 25 years will be solely under the new Operating Permit. As noted in the application, SLR requests that upon issuance of the new 15,000 af/yr operating permit, the entire 15,000 af/yr will be assigned to the Permit 0330 and 0 af/yr per year will be assigned to the new Operating Permit. From time to time thereafter SLR will notify the District of the portion of the 15,000 af/yr assigned to the new Operating Permit and noting the remaining portion of the 15,000 af/yr that will remain assigned to the Permit 0330. The amount assigned to the Permit 0330 may never be increased above the last amount assigned. Water produced under the new Operating Permit will be pumped from the Simsboro formation using the same 61 wells authorized under the Permit 0330. If an authorized well operating at the approved production capacity for water produced under the Permit 0330 does not meet current District property line setback or well spacing regulations for new wells, the District may approve a lower production capacity for water produced from that well under the new 15,000 af/yr Simsboro Operating Permit.
 - Presentation by Applicant of Direct Case
 - Cross Examination of Witnesses from Applicant's Direct Case
 - Presentation by District of any Direct Case
 - Cross Examination of Witnesses from District's Direct Case
 - Redirect by Applicant of any additional information or witnesses
 - Cross Examination by District of any Redirect
 - Redirect by District of any additional information or witnesses
 - Cross Examination by Applicant of any Redirect
 - Oral Arguments and Closing
- c. **Public Hearing on October 14, 2022 Application by SLR Property I, LP (SLR) for a new 9,000 AF/Yr Simsboro and Hooper Drilling and Operating Permit**
 - Present Application for new 9,000 AF/YR Simsboro and Hooper Drilling and Operating Permit from SLR. SLR, whose address is 2100 Ross Ave., Ste. 895, Dallas, TX 75201, submitted an application on October 14, 2022, for a new Drilling and Operating Permit to produce up to 9,000 af/yr from the Simsboro formation, and up to 4,500 af/yr from the Hooper formation, provided that the total production in any one year may not exceed 9,000 acre-feet. SLR requests authorization to drill and operate up to a total of 60 new wells (up to 30 new Simsboro wells and up to 30 new Hooper wells), at 30 defined well sites (OP9-1 through OP9-30 for Simsboro and (OPH9-1 through OPH9-30 for Hooper. To provide flexibility, SLR requests authorization to drill more than one Simsboro well at a given well site, and/or more than one Hooper well at a given well site, depending upon conditions found at each well site. The intent of the final drilling is that the center of each of the 30 defined well sites is a point midway between the location of each proposed new Simsboro well and the location of the same-numbered proposed new Hooper well. The total combined production capacity of all wells constructed at a given well site that are screened into the same formation will be less than or equal to the maximum instantaneous pumping rate defined for the one well identified in the application for production from that formation at that well site.
 - Presentation by Applicant of Direct Case
 - Cross Examination of Witnesses from Applicant's Direct Case
 - Presentation by District of any Direct Case
 - Cross Examination of Witnesses from District's Direct Case
 - Redirect by Applicant of any additional information or witnesses
 - Cross Examination by District of any Redirect
 - Redirect by District of any additional information or witnesses
 - Cross Examination by Applicant of any Redirect
 - Oral Arguments and Closing
- d. Public Comments on Public Hearing
- e. Presiding Officer shall Close the Record

- f. Consideration of Application for new 15,000 AF/YR Simsboro Operation Permit from SLR. SLR, whose address is 2100 Ross Ave., Ste. 895, Dallas, TX 75201, submitted an application on October 14, 2022, for a new 15,000 af/yr Simsboro Operating Permit to be used in conjunction with SLR's 15,000 af/yr Simsboro Historic Use Permit No. 0330 ("Permit 0330") for the next fifteen (15) years until Permit No. 0330 ends in 2038, and the remaining 25 years will be solely under the new Operating Permit. As noted in the application, SLR requests that upon issuance of the new 15,000 af/yr operating permit, the entire 15,000 af/yr will be assigned to the Permit 0330 and 0 af/yr per year will be assigned to the new Operating Permit. From time to time thereafter SLR will notify the District of the portion of the 15,000 af/yr assigned to the new Operating Permit and noting the remaining portion of the 15,000 af/yr that will remain assigned to the Permit 0330. The amount assigned to the Permit 0330 may never be increased above the last amount assigned. Water produced under the new Operating Permit will be pumped from the Simsboro formation using the same 61 wells authorized under the Permit 0330. If an authorized well operating at the approved production capacity for water produced under the Permit 0330 does not meet current District property line setback or well spacing regulations for new wells, the District may approve a lower production capacity for water produced from that well under the new 15,000 af/yr Simsboro Operating Permit.

The Board may:

- grant the Permit;
- grant the Permit with special conditions; or
- deny the Permit.

- g. Consideration of Application for new 9,000 AF/YR Simsboro and Hooper Drilling and Operating Permit from SLR. SLR, whose address is 2100 Ross Ave., Ste. 895, Dallas, TX 75201, submitted an application on October 14, 2022, for a new Drilling and Operating Permit to produce up to 9,000 af/yr from the Simsboro formation, and up to 4,500 af/yr from the Hooper formation, provided that the total production in any one year may not exceed 9,000 acre-feet. SLR requests authorization to drill and operate up to a total of 60 new wells (up to 30 new Simsboro wells and up to 30 new Hooper wells), at 30 defined well sites (OP9-1 through OP9-30 for Simsboro and (OPH9-1 through OPH9-30 for Hooper). To provide flexibility, SLR requests authorization to drill more than one Simsboro well at a given well site, and/or more than one Hooper well at a given well site, depending upon conditions found at each well site. The intent of the final drilling is that the center of each of the 30 defined well sites is a point midway between the location of each proposed new Simsboro well and the location of the same-numbered proposed new Hooper well. The total combined production capacity of all wells constructed at a given well site that are screened into the same formation will be less than or equal to the maximum instantaneous pumping rate defined for the one well identified in the application for production from that formation at that well site. The Board may:

- grant the Application;
- grant the Application with special conditions; or
- deny the Application.

h. Adjourn Public Hearing

6. Adjourn

Courtney Gentry, Administrative Assistant

Signed this 13th day of January, 2023

The Post Oak Savannah Groundwater Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-455-9900 at least 24 hours in advance if accommodation is needed.

¹ During the meeting, the Board reserves the right to go into executive session for any of the following purposes: real estate, advice of counsel/litigation, or personnel matters under V.T.C.A., Government Code Sections 551.072, 551.071, and 551.074, respectively, or for any item on the above agenda for which an executive session is permitted by law.

¹ Public comments will be limited to three (3) minutes from each individual desiring to speak. The public comment period will be limited to one hour. Board members are prohibited by law from discussing matters presented under this item, except for placement on a future agenda.