

# MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

P.O Box 1644 Fort Stockton, TX 79735 Phone (432)336-0698 Fax#432-336-3407

405 North Spring Drive Fort Stockton, Texas 79735

Email: [mpgcd@mpgcd.org](mailto:mpgcd@mpgcd.org)

Website: [www.middlepecosgcd.org](http://www.middlepecosgcd.org)

## Directors

Jerry McGuairt, President John D. Dorris, Vice President M. R. Gonzalez, Secretary/Treasurer  
Alvaro Mandujano, Jr. Vanessa Cardwell Ronald Cooper Janet Groth  
Weldon Blackwelder Allan Childs Jeff Sims Puja Boinpally

## Employees

Ty Edwards, General Manager  
Melissa Mills, Office Manager Gail Reeves, Office Assistant Morgan Williams/Field Technician

## MINUTES OF REGULAR BOARD MEETING and PUBLIC HEARING and WORKSHOP April 17, 2018

On this the 17<sup>th</sup> of April, 2018, a Regular Board Meeting and Public Hearing and Workshop were held by the Middle Pecos Groundwater Conservation District in the office located at 405 North Spring Drive, Fort Stockton, Texas, with the following members' present, to-wit:

Jerry McGuairt	President, Precinct 1
M. R. Gonzalez	Secretary/Treasurer, Precinct 2
Janet Groth	Precinct 1
Puja Boinpally	Precinct 2
Alvaro Mandujano, Jr.	Precinct 4
Ronald Cooper	Precinct 4
Jeff Sims	City of Iraan
Allan Childs	At Large

Quorum Present.

Board members absent: John Dorris, Weldon Blackwelder, and Vanessa Cardwell

Others present: Ty Edwards, Mike Gershon, Gail Reeves, Melissa Mills, Morgan Williams, Paula McGuairt, Jeff Williams, Mike Thornhill, Ed McCarthy, Brock Thompson, Gary Bryant, Glenn Honaker, Geoff Pike, Ryan Reed, Tommy Soriero, Jr., Tommy Ervin, Alan Murphy, Elmer Braden, Jr., Patrick McGown, Oscar Hernandez, and Jeremy Gonzalez/Fort Stockton Pioneer.

- I Call to order regular Board meeting at 10:00 a.m. by President Jerry McGuairt.
- II Comments from **public and media**: No public comment.

### PUBLIC HEARING ON PRODUCTION PERMIT FOR ELMER BRADEN, JR.

- I Call to order at 10:01 a.m. the Public Hearing on **Application for a Production Permit for Elmer Braden, Jr.**

Party representing application: Elmer Braden, Jr.

Protestant to application: None

Public Comment: None.

Jerry McGuairt declared the application is uncontested.

Manager Ty Edwards presented the application to the Board. The application requests a Production Permit for 1 well located on Survey Claunch Block OW Section 62 approximately 2 miles North of Coyanosa on FM 1776 East of Watermelon Rd and 900 feet on the left, in Pecos County, Texas. The purpose of this well is for Industrial Use of 20 acre feet/year from the Pecos Valley Aquifer. XTO Energy, Inc. will be laying a line for dirt construction, and will report their water usage monthly. This well has an *Historic and Existing Use* permit for Irrigation purposes for 159 acre feet. There have not been any landowners contact MPGCD with concerns about the permit request. The permit is administratively complete.

II **Adjourn hearing and consider and/or act on Application for a Production Permit for Elmer Braden, Jr.**

President McGuairt adjourned the hearing at 10:05 a.m.

Allan Childs made a motion to approve the application as presented. Motion seconded by Alvaro Mandujano, Jr. Motion Carried Unanimously.  
8 For. -0- Oppose. 3 Absent.

**REGULAR BOARD MEETING – CONTINUED**

The Regular Meeting reconvened at 10:07 a.m.

III **Consider and/or act upon Minutes of Regular Meeting on March 20, 2018.**

Janet Groth made a motion to approve the minutes as presented. Motion seconded by Puja Boinpally. Motion carried. 8 For. -0- Oppose. 3 Absent.

IV **Consider and/or act upon Accounts Payable and Treasurer's Report and Line Item Transfers for the Month Ending March 31, 2018.**

Ronnie Cooper made a motion to approve the Accounts Payable and Treasurer's Report for the Month Ending March 31, 2018. Motion seconded by M. R. Gonzalez. Motion carried unanimously. Vote: 8 For. 0 Oppose. 3 Absent.

**V Consider and/or act upon Texas 4-H Water Ambassadors Program Sponsorship Donation through Groundwater Management Area 7.**

The Texas 4-H2O Youth Leadership Academy is a 10-day tour of Texas exposing youth to a wide diversity of water resources, water uses, sensitive ecosystems, water quality concerns, as well as applied water research and technologies. We would join with Groundwater Management Area 7 (GMA 7) in hopes of donating a total of \$2,500. Our contribution would be \$125 to GMA 7.

Allan Childs made a motion to donate \$125 to the Texas 4-H Water Ambassadors Program Sponsorship as presented. Motion seconded by Janet Groth. Motion carried unanimously. Vote: 8 For. 0 Oppose. 3 Absent.

**VI Briefing and take action as necessary on Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District, Cause No. P-12176-112-CV (Pecos County District Court), and implementation of the District's settlement agreement with Fort Stockton Holdings, L.P., Clayton Williams Farms, Inc., and Republic Water Company of Texas, LLC.**

Mike Gershon, Attorney for MPGCD: (Summary) Discussions with Ryan Reed, attorney for Cockrell Investments regarding upcoming deadline to request a hearing on our plea to the jurisdiction. We talked about discovery requests that Cockrell Investments served on MPGCD and we have reached a tentative agreement that will be memorialized in writing. We agree to continue our deadline to have to respond to their discovery and to continue the hearing.

Ed McCarthy, Attorney for Fort Stockton Holdings, LP: (Summary) Ryan Reed and I have spoke, and have been looking at our science. Fort Stockton Holdings is working on a proposal that we may send to Cockrell Investments as early as this afternoon.

Ryan Reed, Attorney for Cockrell Investments, LP: (Summary) The assessment of the litigation on the pending lawsuit is accurate. Actions are being taken by us-all on the upcoming deadlines to preserve our positions. We will agree, as long as we are talking, to continue those deadlines. We look forward to receiving an offer from Fort Stockton Holdings, LP and seeing where those discussions lead.

**VII Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Drought Monitor Map and ongoing Water Quality Analysis.**

- Well Registrations: Current registrations total 3,110 Exempt wells. 927 Non-Exempt wells.
- Drought Monitor Map: In packet. We are currently in a moderate drought.

- Production Permits: Next meeting we will anticipate a Drilling/Production Permit Application from the new RV Park. The San Andreas Project near Imperial, TX may have an application for a Production Permit. The new owners of the Tafti Farm may have an application for a Production Permit. D. A. Harral may submit a production permit application.
- Drilling: Joe Sconiers is drilling a replacement well for the house. Schuyler Wight is drilling a *livestock well* by Santa Rosa Springs.
- Water Analysis: 4 analysis pulled: Todd Suter. Tafti Farm Rustler well. 2 Flowing wells in Imperial, TX.
- Monitoring: Installed a transducer on the Weatherby 10-3 well in Coyanosa. The Prison well is now being read monthly by e-line. We camera-ed a well on Todd Suter and it will be a monitor well. We currently have 127 wells that are monitored monthly.
- Several Coyanosa Farmers have called inquiring about retiring their *Historical and Existing Use Permits* and change the use to Industrial.
- On 04-18-2018 MPGCD will meet with an individual regarding funding to plug the flowing San Andreas wells near Imperial, TX.

VIII Consider and/or act upon **General Manager's Correspondence.**

- Texas Alliance of Groundwater Districts: 7<sup>th</sup> Annual Texas Groundwater Summit date is August 28-30, 2018. Held in San Antonio.
- 3-D Model Update: Allan Standen submitted an email with an update of the progress. There are potentially 402 new wells to add to the 3-D model.
- Texas Alliance of Groundwater Districts (TAGD): There is a meeting scheduled for May 21<sup>st</sup> and 22<sup>nd</sup> in Austin. We will be attending.
- TXDOT has sent an update on the FM-Highway 1053 Subsidence center line profile (Highway sag). The previous report in June of 2017 showed an elevation profile of 92.65' and March 2018 of 90.71'. Showing an average rate of sag of 0.112 feet per month.

10:25 a.m. recess the Regular Board Meeting.

**BOARD WORKSHOP**

- I Call to Order workshop at 10:25 a.m.
- II Conduct Board workshop regarding (a) possible changes to rules requiring a Specific-Capacity test on all New Non-Exempt well applications and permits and (b) possible changes to Rule 11.9.3 changing the requirements for a Hydrogeological Study.

Ty Edwards, the General Manager, presented the Board with a document labeled "MPGCD Specific Capacity Pump Test Guidance Document." This document was the starting basis of the workshop. The consensus of the Board at the

conclusion of the workshop was to have a Rule Making Hearing in May or June. Draft rules will be prepared for the Board's review.

**III Adjourn workshop.**

President McGuairt adjourned the workshop at 10:53 a.m.

10:53 a.m. Regular Board Meeting reconvened.

**REGULAR BOARD MEETING – CONTINUED**

**IX Directors' Comments.** No Directors Comments.

**X Consider and/or act upon agenda for next meeting.**

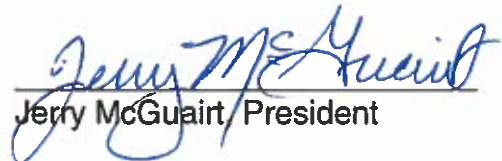
3 or 4 Permit Hearings and possible rule making hearing.

**XI Adjourn Board meeting.**

Allan Childs made a motion to adjourn the meeting. Seconded by Jeff Sims. Motion carried unanimously. The meeting adjourned at 10:54 a.m.



M. R. Gonzalez, Secretary/Treasurer



Jerry McGuairt, President

Date Approved 5-15-18