

MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

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Directors

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

Employees

Ty Edwards, General Manager
Office: Gail Reeves & Melissa Mills Field Technician: Anthony Bodnar

December 17, 2019

MINUTES OF REGULAR BOARD MEETING, PERMIT HEARINGS AND WORKSHOP

On this the 17th of December, 2019, a Regular Board Meeting, Permit Hearings, 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:

Janet Groth	Presiding Officer & Vice President, Precinct 1
M. R. Gonzalez	Prec. 2, Secretary/Treasurer
Weldon Blackwelder	Precinct 3
Larry Drgac	Precinct 3
Alvaro Mandujano, Jr.	Precinct 4
Ronnie Cooper	Precinct 4
Vanessa Cardwell	City of Fort Stockton
Jeff Sims	City of Iraan
Allan Childs, Jr.	At Large

Quorum Present.

Members Absent: Puja Boinpally and Jerry McGuairt.

Others present: Ty Edwards, Mike Gershon, Allan Standen, Bill Hutchison, Gail Reeves, Melissa Mills, Anthony Bodnar, Brock Thompson, Eddie McCarthy III, Gary Bryant, Geoff Pike, Ryan Reed, Glenn Honaker, Tommy Ervin, Charles Brooks, Sonny Brooks, Michael Luna, Mark Holly, Roy Jackson, Christian Kent, Jerry and Linda Gordon, Armando Mandujano, Debbie Teich, Paul Weatherby, Dudley McKissack, Jackie Redmon, James Graham, Loyd 'Snap' Woodward, Ernest Woodward, Ty Daws, and Aurora Sain/Fort Stockton Pioneer.

REGULAR BOARD MEETING

- I Call to order regular Board meeting at 9:31 a.m. by Presiding Officer, Janet Groth.

- II Comments from **public and media**. No Comments at this time.

Note: The agenda items were taken up in an order different than what was posted. The items in the minutes appear in the order in which they were considered.

III Consider and/or act upon Minutes of Regular Meeting on October 22, 2019.

Vanessa Cardwell made a motion to approve the minutes of the regular meeting for October 22, 2019, as presented. Motion seconded by Ronnie Cooper. Motion Carried. Vote: 9 For. -0- Against. 2 Absent.

IV Consider and/or act upon Treasurer's Report for the Month Ending October 31, 2019.

Ronnie Cooper made a motion to approve the Treasurer's Report for the month ending October 31, 2019 as presented. Motion seconded by Jeff Sims. Motion Carried. Vote: 9 For. -0- Against. 2 Absent.

V Consider and/or act upon Treasurer's Report for the Month Ending November 30, 2019.

Vanessa Cardwell made a motion to approve the Treasurer's Report for the month ending November 30, 2019 as presented. Motion seconded by Weldon Blackwelder. Motion Carried. Vote: 9 For. -0- Against. 2 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).

Mike Gershon, MPGCD attorney, reported that the case is still pending.

Ryan Reed, Cockrell Investments attorney, reported that the lawsuit is abated, and that proposed rules are being worked on.

No action taken.

VII Consider and/or act upon 2020 Meeting and Holiday Schedule.

Alvaro Mandujano, Jr. made a motion to approve the 2020 Meeting and Holiday Schedule. Motion seconded by Vanessa Cardwell. Motion Carried. Vote: 9 For. -0- Against. 2 Absent.

VIII Consider and/or act upon West Texas Regional Groundwater Alliance (WTRGA) business:

- A. approval of Cooperative Agreement between MPGCD and participating districts of the WTRGA

- B. appointment of MPGCD's WTRGA representative,
- C. approval of Interlocal Agreement between MPGCD and participating districts of WTRGA's Legislative Service Branch

Ty Edwards reported that MPGCD is a current member of the WTRGA. Reeves County GCD has currently joined. Mr. Edwards recommended that we remain a member of the WTRGA. The Interlocal Agreement between MPGCD and participating districts of WTRGA's Legislative Service Branch has hired a lobbyist to represent the group, and the cost of the lobbyist is to be split between the participating Districts.

Alvaro Mandujano, Jr., made a motion to approve the Cooperative Agreement, and to approve the Interlocal Agreement for the WTRGA's Legislative Service Branch, and to appoint Ty Edwards as the WTRGA representative for MPGCD. The motion was seconded by Vanessa Cardwell. Motion Carried.

Vote: 9 For. -0- Against. 2 Absent.

- IX Consider and/or act upon Groundwater Management Area (GMA) 7 business:
 - A. approval of Interlocal Agreement for Hydrogeological Services
 - B. approval of Contract for Consulting Services for GMA 7 Hydrogeologist / Engineer
 - C. appointment of MPGCD's Designated Representative under § 36.108

Ty Edwards reported that the next round of planning has started in GMA 7. Dr. Bill Hutchison has been hired as the Consultant to assist GMA 7 with the requirements for adopting DFCs and with submission of the required explanatory reports to the Texas Water Development Board ("TWDB"). A Contract for Consulting Services for GMA 7 Hydrogeologist / Engineer is being presented for approval. Also, the MPGCD Board of Directors can enter into an Interlocal agreement with Sutton County Underground Water Conservation District to collect and administer the funds due and payable to Consultant.

Vanessa Cardwell made a motion to approve the Interlocal Agreement for Hydrogeological Services, and to approve the Contract for Consulting Services for GMA 7 with Dr. Bill Hutchison, and to appoint Ty Edwards as the MPGCD designated representative. Motion seconded by M. R. Gonzalez. Motion Carried.
Vote: 9 For. -0- Against. 2 Absent.

- XI **Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Drought Monitor Map, Water Quality Analysis and General Manager's Correspondence.**

* Well Registrations: Our total registrations are 3,217. 951 of those are Non-Exempt Wells and 2,266 Exempt wells. We received 20 registrations in November.

- * Production Permits: Upcoming Production Permits are for Randy Taylor. Hanging H Ranch may come back to increase their production permit. Clarence Stephan is working on a production permit.
- * Drought Monitor: The drought monitor report is submitted in Board Information. Pecos County is currently out of drought.
- * Water Quality Analysis: Water analysis samples are being pulled and the number of analysis will increase in December.
- * TCEQ Grant Submission: The Pecos River Watershed Well Plugging Program application was not selected for funding consideration. The Pecos River Watershed Protection Plan is not approved by the EPA.
- * Groundwater Management Area 3 (GMA 3): A Joint Planning Meeting for GMA 3 will be held at the MPGCD office on Wednesday, December 18, 2019, and will begin at 10:30 a.m.
- * Presidio County Underground Water Conservation District: They held a Board Meeting in Fort Stockton on November 20, 2019, in order to have Mr. Edwards give advice on well registering and water quality measurements.
- * Stream/Spring flow gauging: Dr. Robert Mace came through at the end of October to measure spring flow, and has left the flow meter with MPGCD in order for us to take weekly flow measurements through April.
- * Open Meetings: The Texas Legislature recently added Section 551.007 to the Texas Government Code. A governmental body shall allow each member of the public who desires to address the body regarding an item on an agenda for an open meeting of the body to address the body regarding the time at the meeting before or during the body's consideration of the item. A governmental body may adopt reasonable rules regarding the public's right to address the body which include rules that limit the total amount of time that a member of the public may address the body on a given item.
- * Texas State House of Representatives – District 74: Fort Stockton's own Ruben Falcon has entered the race for the Texas State House of Representatives.
- * Poncho Nevarez: Poncho Nevarez currently holds the seat of Texas State House of Representatives – District 74. He has announced that he will not seek re-election in 2020 due to events related to the issuance of an arrest warrant for Mr. Nevarez.
- * 86th Legislature Committee Member Re-election Update for the Senate Water and Rural Affairs Committee and for the House of Natural Resources Committee was presented to the MPGCD Board for review.
- * 2019 Senate Interim Legislative Charges and House Interim charges were presented to the MPGCD Board for review.

**PUBLIC HEARING ON DRILLING PERMIT
APPLICATION FOR JACKIE REDMON**

- I Call to order at 10:08 a.m. the public hearing on **Application for a Drilling Permit for Jackie Redmon** by Presiding Officer Janet Groth.

Party representing application: Jackie Redmon

Protestant to application: None.

Public Comment: None.

Presiding Officer Janet Groth declared the application uncontested.

Manager Ty Edwards presented the application to the Board. Jackie Redmon has made application for a drilling permit for 1 well located at 1211 Greasewood on 6.145 acres, Property ID: 46885, Legal Description W PT-27 Greasewood Flats in Pecos County, Texas. The well is projected to be 200 feet in depth and drilled into the Edwards Trinity Aquifer. The estimated rate of withdrawal is 10 gallons per minute and the purpose of this well will be for Domestic and Livestock Use. He approached the Pecos County WCID#1 for a water tap, but the PCWCID#1 is not setting meters at this time, and therefore Mr. Redmon has requested to drill a water well. In this area the top of the aquifer is at 30' – 40' and the red bed is at 420'. Neighbors were notified, and no one notified us of concerns. The application is administratively complete.

Mr. Jackie Redmon was sworn in. He reported that he needs the water for showers and living.

II Adjourn hearing and consider and/or act on Application for a Drilling Permit for Jackie Redmon.

Alvaro Mandujano, Jr. made a motion to adjourn the hearing. Motion seconded by Allan Childs, Jr. Motion passed. Presiding Officer Janet Groth adjourned the hearing at 10:28 a.m.

Alvaro Mandujano, Jr. made a motion to approve the Drilling Permit for Jackie Redmon. Motion seconded by Vanessa Cardwell. Motion carried.

Vote: 6 For. 2 Against. 2 Absent. 1 Abstention from Vote/Groth.

**PUBLIC HEARING ON PRODUCTION PERMIT
APPLICATION FOR CHARLES BROOKS**

I Call to order at 10:31 a.m. the public hearing on Application for a Production Permit for Charles Brooks by Presiding Officer Janet Groth.

Party representing application: Charles Brooks

Protestant to application: None.

Public Comment:

- * Loyd 'Snap' Woodward: He is a neighbor to the property and has concerns about water levels.
- * Ernest Woodward: He once owned this property, and has 8 producing wells in the area and sees no problems, and he supports the application.

Presiding Officer Janet Groth declared the application uncontested.

Manager Ty Edwards presented the application to the Board. Charles Brooks has made application for a Production Permit for a 3 well system located on 633.8 acres (Property Id# 6002) on Legal Description: 557 11 H&GN Sec 59, approximately 2 miles West of Girvin on the South side of Hwy 67, in Pecos County, Texas. The application requests authorization to produce 105 acre-feet/year for Irrigation (60 ac/ft a year) and Industrial (45 ac/ft a year) Use from the Edwards Trinity Aquifer. There are monitor wells in the area. Neighbors were notified. A solar farm and water station are the reason for the industrial use associated with the permit. The pump tests are complete, and the application is administratively complete.

Alvaro Mandujano, Jr. asked for the reason why the application is asking for 250 gallons per minute when the pump tests were conducted at 123 gallons per minute (gpm). Ty Edwards explained that the 123 gpm was due to the size of the pump that was used during the pump test.

II Adjourn Hearing and consider and/or act on Application for a Production Permit for Charles Brooks.

Vanessa Cardwell made a motion to adjourn the hearing. Motion seconded by Weldon Blackwelder. Motion passed. Presiding Officer Janet Groth adjourned the hearing at 10:46 a.m.

Ronnie Cooper made a motion to approve the production permit for Charles Brooks. Motion seconded by Alvaro Mandujano, Jr. Motion passed.
Vote: 8 For. 1 Against. 2 Absent. -0- Abstention.

**PUBLIC HEARING ON PRODUCTION PERMIT
APPLICATION FOR XTO ENERGY, INC.**

I Call to order at 10:48 a.m. the public hearing on Application for a Production Permit for XTO Energy, Inc. by Presiding Officer Janet Groth.

Party representing application for XTO: James Graham

Protestant seeking party status: Paul Weatherby. Mr. Weatherby testified that he is an adjacent landowner and is concerned about the amount requested for the permit and for the 'use'. The amount of acre feet requested, and over permitting by the MPGCD Board could negatively impact his water levels.

Sworn in for testimony: James Graham, Paul Weatherby and Ty Edwards.

Mr. Weatherby was asked by the Board how 20 gallons per minute (gpm) is going to affect him.

Mr. Weatherby explained that 20 gpm should not directly affect his water supply. His concern is over permitting the well for public supply use.

Larry Drgac made a motion to grant party status to Paul Weatherby. Motion seconded by Alvaro Mandujano, Jr. Motion carried Unanimously.

Presiding Officer Janet Groth declared the application contested.

MPGCD General Manager Ty Edwards presented the application: XTO Energy Inc., an Exxon Mobil Subsidiary has made application for a Production Permit for 1 well located on 29.988 acres (Property Id# 45803) in Survey T&P RR CO Block 48 T/S 8 Section 10, approximately 2 miles West of FM 1776 on Weatherby Road in Pecos County, Texas. The application request authorization to produce 40.325 acre-feet/year for Public Supply Use from the Pecos Valley Aquifer. XTO is seeking 25 gallons per minute which is .6 gallons per day for 60 employees per Texas Commission on Environmental Quality (TCEQ) requirements in their office in Cayanosa, and the amount they have requested is based on 100% employment of 60 employees. MPGCD monitors wells on Mr. Weatherby's property along with others in the area. The well has a meter on it to report usage. The Consultant requested 25 gpm for 365 days a year at 24 hours per day. The permit is administratively complete.

Testimony of Paul Weatherby/Protestant: (Summary) My research of the largest water users in Fort Stockton shows that The Best Western used 7.18 acre feet per year, and Wal-Mart used 20.9 acre feet per year. The average family of 4 used 36,000 gallons per year/or .11 acre feet per year. As compared to 60 XTO employees equaling 15 families would be 1.66 acre feet per year. Mr. Weatherby concluded that 5 acre feet per year would provide enough water to XTO. He explained that he has property neighboring XTO's facility and has worked with them by selling them water and allowing frac tanks on his property for industrial supply water. He has no issues with XTO, other than the calculations used by the Consultant for this permit request.

James Graham with XTO Energy, Inc: He expressed appreciation for Mr. Weatherby. He said that the facility would not use that much water for Public Supply, and that his Consultant mentioned that Texas Commission on Environmental Quality (TCEQ) requirements were being met.

MPGCD attorney Mike Gershon: The permit request should be for the amount of water that XTO Energy needs. The facility engineer would need to design the distribution lines and storage system on-site to meet the TCEQ infrastructure requirements.

Presiding Officer Janet Groth tabled the hearing 11:23 a.m. to allow Mr. Graham and Mr. Weatherby to contact the Consultant and discuss the amount needed for the permit.

NOTE: Other Agenda items were discussed by the Board from 11:23 a.m. to 12:06 p.m. At 12:06 p.m. the hearing reconvened. The hearing is shown here in its entirety for continuity.

Mr. Graham reported that discussions with the XTO Consultant and Mr. Weatherby have resulted in a consensus that XTO Energy will accept 15 acre feet annually for the production permit.

II Adjourn Hearing and consider and/or act on Application for a Production Permit for XTO Energy, Inc.

Presiding Officer Janet Groth adjourned the hearing at approximately 12:08 p.m.

Alvaro Mandujano Jr., made a motion to approve the production permit for XTO Energy, Inc. for 15 acre feet annually for Public Supply from the Pecos Valley aquifer for 1 well (#2019092729). Motion seconded by Jeff Sims. Motion Carried Unanimously. Vote: 9 For. -0- Against. 2 Absent.

**PUBLIC HEARING ON DRILLING PERMIT
APPLICATION FOR CHRISTIAN AND MARISOL KENT**

I Call to order at 11:29 a.m. the public hearing on Application for a Drilling Permit for Christian and Marisol Kent.

Party representing application for Christian Kent: Christian Kent

Public Comment:

Deborah Teich: Comments against application representing herself.

Dudley McKissack: Comments against application representing himself.

Armando Mandujano: General public comment.

Bob Sadler: Written comment submitted.

Jerry Gordon: Comments supporting the applicant.

Protestant seeking party status: Kirby Warnock sent in a request to continue the hearing until January 2020 because he is out of the country and would like to request party status on the application to protest the application.

Preliminary Hearing:

Before the hearing was called to order Mike Gershon, MPGCD attorney, and Ty Edwards presented to the Board Kirby Warnock's letter requesting a continuance. Mr. Warnock received the public hearing notices for Christian and Marisol Kent, and for Michael Luna on the day he was leaving on the plane headed to Australia. He requests the continuance because he has a justiciable interest and would like to protest both the Kent and Luna drilling permit applications.

Presiding Officer Janet Groth called the public hearing on application for a Drilling Permit for Christian and Marisol Kent to order at 11:29 a.m.

Mike Gershon suggested that the applicant be allowed to respond to Kirby Warnock's request for a continuance of today's hearing.

Christian Kent: (Summarized) A continuance will cause problems with the bank loan for the well drilling because the loan is up at the end of December. He has a house moved in on the property and his family is living in the house. The current supply of water to the house is a connection to Mr. Gordon's water well that is 10 acres away from Mr. Kent's property.

Jerry Gordon: (Summarized) I sold the property to Mr. Kent thinking there was plenty of water in this area. The Pecos County Water Control and Improvement District #1 (PCWCID#1) has public water lines in the 7-D area, but due to system problems they are unable to supply water at this time. He stated that the property is not in a flood plain and that they are all taking that into account and building houses. Mr. Gordon stated that he has cleaned a mile of Comanche Creek. He feels that it is extreme for someone 3 miles away (referring to Mr. Warnock) to protest the drilling of the wells. TCEQ informed me that I could only have 14 connections to this water well that I drilled, or 24 people. I was originally hoping to have 14 houses connected to this well, but in reality will only be able to connect 3 houses to this well.

Armando Mandujano: (Summarized) Observing the hearing as an outsider to learn. He asked if someone leaves out of the country or has an emergency can they hire someone to represent them – or is it required for them to personally appear before the Board?

Mike Gershon: (Summarized) We have a 95-day window to hear an application. We are on the 13th day of this application. Mr. Warnock may or may not have had time to hire a lawyer for today's hearing. It is reasonable for us to continue the hearing in light of the circumstances in order to treat all parties fairly in light of the specifics.

Dudley McKissack: (Summarized) I live right down the road from the property in question. These are not the only 2 wells that will be requested. Mr. McKissack held a map showing that potentially 24 5-acre tracts could be sold with each one needing a water well. Also, Comanche Creek runs through the property creating a potential flood problem for property owners.

Mr. McKissack was asked to comment on the PCWCID#1's ability to serve water in this 7-D area. Mr. McKissack is the President of the PCWCID#1 Board of Directors. He reported that PCWCID#1 has easements for two potable water lines that run across the property, and they cannot be built over or obstructed. PCWCID#1 is currently over the capacity of their distribution lines and their Engineer is working on the plans for the system upgrade. The time frame for completion is unknown at this time. There is an emergency connection to the City's water distribution system, it would be very expensive.

Bob Sadler: A letter providing comment was submitted, but at Mike Gershon's direction the comments will be held for the hearing.

Comments from MPGCD Board Members: A couple of Board Members expressed opinions that drilling permits should not be protested, only production permits.

Mike Gershon: Mr. Gershon pointed out that even though the hearing may be continued, it will still be in the initial preliminary hearing stage, and this could have additional people submitting protests or comments.

II Adjourn Hearing and consider and/or act on Application for a Drilling Permit for Christian and Marisol Kent.

No action taken. Hearing continued to January 21, 2020 at 10:00 a.m. at the MPGCD office.

**PUBLIC HEARING ON DRILLING PERMIT
APPLICATION FOR MICHAEL H. LUNA**

- I Call to order at 11:55 a.m. the public hearing on **Application for a Drilling Permit for Michael H. Luna.**

Party representing application for Michael Luna: Michael Luna

Public Comment:

Deborah Teich: Comments against application representing herself.

Dudley McKissack: Comments against application representing himself.

Armando Mandujano: General public comment.

Bob Sadler: Written comment submitted.

Jerry Gordon: Comments supporting the applicant.

Protestant seeking party status: Kirby Warnock sent in a request to continue the hearing because he is out of the country and would like to request party status on the application to protest the application.

Preliminary Hearing:

Michael Luna: (Summary) My house is being delivered today. My FHA loan does not allow for me to use the water from Mr. Gordon's water well. It has to be my own well, or water tap. I was told that PCWCID#1 had a water line there that we could tap into the line. I have 5.01 acres. I have been working on this since June, and my house is being delivered today. The Drilling Application was received at the District's office on 12-03-2019.

- II Adjourn Hearing and consider and/or act on **Application for a Drilling Permit for Michael H. Luna.**

Hearing continued to January 21, 2020 at 10:05 a.m. at the MPGCD office.

**PUBLIC HEARING ON PRODUCTION PERMIT
APPLICATION FOR MMEX RESOURCES CORP.**

- I Call to order at 12:05 a.m. the public hearing on **Application for a Production Permit for MMEX Resources Corp.**

MPGCD General Manager Ty Edwards stated that the permit application is administratively complete.

Jack W. Hanks, President and CEO of MMEX Resources Corporation, submitted a letter requesting that the hearing be deferred to the January 2020 Board Meeting due to scheduling conflicts.

II Adjourn Hearing and consider and/or act on Application for a Production Permit for MMEX Resources Corp.

Presiding officer Janet Groth granted the continuance. The hearing will be continued to January 21, 2020 at 10:10 a.m. at the MPGCD office.

**PUBLIC HEARING ON PRODUCTION PERMIT
APPLICATION FOR HANGING H RANCH, INC.**

I Call to order at 12:09 a.m. the public hearing on Application for a Production Permit for Hanging H Ranch, Inc.

Party representing application: Roy Jackson and Mark Holly

Protestant to application: None.

Public Comment: None.

Board Member Recusal: Alvaro Mandujano, Jr. (He left the room also)

Presiding Officer Janet Groth declared the application uncontested.

Sworn in for testimony: Mark Holly and Ty Edwards and Allan Standen.

Manager Ty Edwards presented the application to the Board. Hanging H Ranch Inc. has made application for a Production Permit for 1 well (#2019120555) located at Old Courtney Ranch Co on 640 acres in Survey T&P RR CO Block 48-8 Section 8 on Property ID# 6725, approximately 4 miles West of FM 1776 and 5 miles South of Coyanosa, in Pecos County, Texas. The application request authorization to produce 400 acre-feet/year for Industrial Use from the Rustler Aquifer. Hanging H applied for and was approved for a drilling permit into the Rustler aquifer. The well is completed to 1,250 feet. Pump test were completed. The water level is around 900 feet. They wanted 500 to 1,000 gallons per minute (gpm), and ended up with 300 gpm. They have a frac tank on the location and will take about 3 months to fill at that rate, and will be pumping year round. There are not any Rustler wells within a couple of miles, and we are hoping to monitor this well. Armando Mandujano noted that a Rustler well is located on Draw #4 (MPGCD#2005092312). The well is registered as a Rustler Well. The application is complete.

Mark Holly testimony: XTO will be using the water. They need 4 – 5 million barrels every quarter. There is a pending water purchase agreement. If more wells are needed, it would be economically driven.

Allan Standen/MPGCD Hydrogeologist: Producing from the Rustler aquifer would be depressurizing the Rustler and cause less communication with the Edwards-Trinity aquifer. He asked if Hanging H has considered the evaporation loss.

Mark Holly: In the hot summer months, there could be an evaporation loss of 1,500 to 2,500 barrels a day which is based on his past experiences.

II Adjourn Hearing and consider and/or act on Application for a Production Permit for Hanging H Ranch, Inc.

Allan Childs, Jr. made a motion to adjourn the hearing. Motion seconded by Vanessa Cardwell. Motion passed. Presiding Officer Janet Groth adjourned the hearing at 12:24 a.m.

Allan Childs, Jr. made a motion to approve the production permit for Hanging H Ranch, Inc. Motion seconded by Larry Drgac. Motion passed.
Vote: 8 For. 0 Against. 2 Absent. 1 Abstention/Mandujano.

The meeting was recessed at 12:26 p.m. for lunch.

The meeting reconvened at 1:30 p.m.

WORKSHOP ON RULES GOVERNING WELLS ON EXEMPT AND NON-EXEMPT WELLS ON 10 ACRES OR LESS

I Call to Order @ 1:31 p.m. by Presiding Officer Janet Groth.

II Workshop to review rules regarding exempt and non-exempt wells on tracts of land that are equal to or less than 10 acres in size.

Board Discussions: Rule changes are not needed at this time. *Special Permit Conditions* were discussed in lieu of rule changes. Dr. Bill Hutchison suggested the following conditions: pumping rates limited to 10 gallons per minute; well depth should be drilled and completed to the red bed to prevent wells drying up during droughts and regional pumping and interference from nearby wells; and surface completion is important for flooding issues.

Further discussions led to not having rule changes at this time, and have Special Permit Conditions.

III Adjourn. Janet Groth adjourned the workshop at 2:17 p.m.

No action taken.

X Consider and/or act regarding possible development of proposed rules governing drilling wells and groundwater production on tracts of land that are equal to or less than 10 acres in size, including setting a Date for Public Hearing on Rules and Date for proposed Board Action on Rules.

No action taken.

XII Directors' Comments and consider and/or act upon agenda for next meeting.

No director comments.

Special Permit Conditions will be distributed to Board Members for their review.

Next agenda:

- * Public Hearings: Kent. Luna.
- * Possible Annual General Manager's Report
- * Possible update from Cockrell Investment Partners, L.P.

XIII Adjourn Board meeting.

Weldon Blackwelder made a motion to adjourn the meeting. Motion seconded by Allan Childs, Jr. Motion carried unanimously. Meeting adjourned at 2:28 p.m.



M. R. Gonzalez, Secretary/Treasurer



Jerry McGuair, President

Date Approved 1-21-20