

MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

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Email: mpgcd@mpgcd.org Website: www.middlepecosgcd.org

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 Field Technician: Anthony Bodnar

MINUTES OF REGULAR BOARD MEETING HELD BY VIDEOCONFERENCE AND TELECONFERENCE

April 20, 2021

In accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act, a quorum of the District's Board of Directors held its regular Board meeting by videoconference and call-in. The public was invited to join this meeting and hearings by way of videoconference and toll-free call-in. Members of the public wishing to make public comment during the meeting were able to register by emailing mpgcd@mpgcd.org prior to 9:30 a.m. on April 20, 2021. A copy of the agenda packet was made available on the District's website at the time of the meeting.

On this the 20th of April 2021, a Regular Board Meeting was held by the Middle Pecos Groundwater Conservation District with the following members present:

Jerry McGuairt	President, Precinct 1
Janet Groth	Vice President, Precinct 1
Puja Boinpally	Precinct 2
Ronnie Cooper	Precinct 4
Jeff Sims	City of Iraan
Allan Childs	At Large
Larry Drgac	Precinct 3
Weldon Blackwelder	Precinct 3

Quorum Present.

Members Absent: Vanessa Cardwell, M.R. Gonzalez, Alvaro Mandujano, Jr.

District employees and consultants participating; Ty Edwards, Cole Ruiz, Gail Reeves, Dr. Bill Hutchison, Allan Standen, Vince Clause, Jim Burton

Others attending: Brock Thompson, Buck Benson, Ed McCarthy, Geoff Pike, Ryan Reed, Carlos Rubenstein, Daniel Lupton, Mel Riggs, Glen Honaker, and Mark Tisdale

REGULAR BOARD MEETING

I Call to order regular Board Meeting and roll call at 10:00 a.m. by President Jerry McGuairt.

II Comments from **public and media**: No comments.

III Consider and/or act to approve **Minutes of Regular Meeting on March 23, 2021.**

Minutes was emailed to the Board prior to the meeting. Allan Childs made a motion to approve the Minutes for the meeting of March 23, 2021, as presented. Motion seconded by Ronnie Cooper.

Motion passed. Vote: 8 FOR. -0- Oppose 3 Absent 0 Abstain.

IV Consider and/or act upon **Treasurer's Report for the Month Ending March 31, 2021.**

General Manager Ty Edwards presented the Treasurer's Report to the Board. Allan Childs made a motion to approve the Treasurer's Report for the month ending March 31, 2021, as presented. Motion seconded by Jeff Sims.

Motion passed. Vote: 8 FOR. -0- Oppose 3 Absent 0 Abstain.

V Update on **Nature Conservancy/Diamond Y Spring Geologic Model.**

Vince Clause with Allan R. Standen, LLC gave a presentation on the update of the 3D Geologic model for the Diamond Y area. The presentation is attached to these Minutes as **Attachment A**.

VI Update on **HALFF Data Management System.**

General Manager Ty Edwards updated the Board on the progress of the data management system. The test site is up and running. We have a scheduled full day training on April 27, 2021.

VII Update on **FSH-MPGCD Joint Study and Implementation.**

Installation is fully complete on all 11 Threshold wells associated with FSH permit. The HydroVu link is up and running and all transducers are working properly. The District will begin working on the remaining tasks in Phase 1 of the study.

VIII Briefing and take action as necessary on **Cockrell Investment Partners, L.P. v. MPGCD and its Board President in his official capacity, Fort Stockton Holdings, L.P. and Republic Water Company of Texas, L.P., Case**

No. 08-21-00017-CV (El Paso Court of Appeals) and/or **Cockrell Investment Partners, L.P. v. MPGCD and its General Manager in his official capacity, and Fort Stockton Holdings, L.P.**, Cause No. P-8277-83-CV (Pecos County District Court).

MPGCD legal counsel Cole Ruiz gave an update on the status of ongoing litigation involving two separate lawsuits filed by Cockrell Investment Partners, L.P against the District. With regard to the first Cockrell lawsuit ("Cockrell I"), Mr. Ruiz reminded the Board that Judge Ables granted pleas to the jurisdiction filed by the District and Fort Stockton Holdings at a hearing on December 17, 2020. Cockrell has filed an appeal, and parties have agreed to extend the deadline for submitting briefs, with Cockrell's brief being due on April 23, 2021, and the District's briefs being due on May 24, 2021. With regard to the second Cockrell lawsuit ("Cockrell II"), Judge Ables ruled from the bench to grant Fort Stockton Holdings and the District's motions for summary judgment and denying Cockrell's motion for summary judgment. Parties to Cockrell II anticipate an appeal from Cockrell. Ryan Reed, attorney for Cockrell, confirmed that an appeal was imminent.

IX Briefing and take action as necessary regarding legislation pending during the 87th Texas Legislature.

MPGCD lobbyist Ty Embrey gave an update on the groundwater legislation filed this session and the progress of each bill of interest.

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

- FSH and Texas Water Trades correspondences over restoring Comanche Springs.
- Cybersecurity training is still needed for several directors. The training must be completed by June.
- Texas Drought Map was presented to the Board. Pecos County is abnormally dry with severe drought creeping in from the West.
- Groundwater Summit registration is open. 5 registrations and rooms and been reserved for staff and Board members.
- GMA 7 has adopted proposed DFC's. MPGCD will hold our public hearing on June 15, 2021.
- Rig Data Report for Pecos County shows 3 rigs active.
- TAGD has asked MPGCD to sponsor for the upcoming summit.

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

No Directors' comments. Next board meeting will be June 15, 2021.

XII **Adjourn Board meeting.**

Janet Groth made a motion to adjourn the meeting. Motion seconded by Allan Childs. Motion carried unanimously. The meeting adjourned at 11:18 a.m.



M. R. Gonzalez, Secretary/Treasurer



Jerry McGuair, President

Date Approved 6-15-21