

# MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

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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 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

September 21, 2021

405 North Spring Drive, Fort Stockton, Texas

Governor Abbott's COVID-19-related suspension of provisions of the Texas Open Meetings Act that allowed a quorum of the District's Board of Directors to participate remotely has ended. A quorum of the District's Board of Directors held its regular Board meeting in person with videoconference optional for the public and less than a quorum of the Board. Members of the public wishing to make public comment during the meeting were able to register by emailing [mpgcd@mpgcd.org](mailto:mpgcd@mpgcd.org) prior to 9:30 a.m. on September 21, 2021. A copy of the agenda packet was made available on the District's website at the time of the meeting.

On this the 21st of September 2021, a Regular Board Meeting was held by the Middle Pecos Groundwater Conservation District at the District's office at 405 North Spring Drive, Fort Stockton, Texas, with the following members present in person:

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

Quorum Present.

Members Absent: Weldon Blackwelder, Vanessa Cardwell, Puja Boinpally and Larry Drgac.

District employees and consultants participating: Ty Edwards, Gail Reeves, Anthony Bodnar, Allan Standen, Vince Clause, Michelle Sutherland, Dr. Bill Hutchison and Mike Gershon.

Others attending: Ed McCarthy, Raymond Straub, Van Kelly, Ryan Reed, Buck Benson, Gil Van Deventer, Glen Honaker, Brock Thompson, Zack Swick, Steven Sims, Van Kelley, Mel Riggs, Ryan Smith, Marbe Ortino, Geoff Pike, Sarah Stogner, Ashley Watt, Carson Barr and Russell Gold.

### REGULAR BOARD MEETING

I Board Meeting called to order at 10:02 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 August 17, 2021.**

The draft Minutes were emailed to the Board prior to the meeting. Alvaro Mandujano, Jr made a motion to approve the Minutes for the meeting of August 17, 2021, as presented. Motion seconded by Jeff Sims.

Motion passed. Vote: 7 FOR -0- Oppose 4 Absent 0 Abstain

IV Consider and/or act to approve **Minutes of Special Meeting and Hearing on Tax Rate on September 9, 2021.**

General Manager Edwards presented the minutes to the Board for the Special Meeting and Public Hearing to adopt the tax rate. The draft minutes were emailed to the Board prior to the meeting. Janet Groth made a motion to approve the Minutes of Special Called Meeting and Public Hearing on September 9, 2021 as presented. Motion seconded by M.R. Gonzalez.

Motion passed. Vote: 6 FOR -0- Oppose 4 Absent 1 Abstain

V Consider and/or act upon **Treasurer's Report for the Month Ending August 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 August 31, 2021, as presented. Motion seconded by Ronnie Cooper.

Motion passed. Vote: 7 FOR -0- Oppose 4 Absent 0 Abstain

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

District consultants Allan Standen, Vince Clause and Michelle Sutherland presented the findings of the Diamond Y update to the geologic model. The power point presentation given at the meeting is attached to these minutes as Attachment A.

VII Update on **San Andres flowing well** issues around Imperial area.

General Manager Ty Edwards updated the board on the plugging efforts of the 1450/1053 flowing well. The District ran a water well camera in the well several times to assist in developing a plugging plan. Schyler Wight plans on attempting to plug the well soon.

Several letters to the editor have been sent out by local landowners to newspapers and media outlets concerning the flowing well issues and sink hole on FM 1053 and the Imperial area. RRC continues to investigate the use of state funds in the plugging efforts at Boehmer Lake and other similarly situated wells. The District is seeing more and more support for this project and is beginning to get more and more traction and success.

VIII Update on **Fort Stockton Holdings, L.P. (FSH)-MPGCD Joint Study and Implementation.**

All wells are working and operating accordingly. A link to the FSH threshold water levels is available at <https://mpgcd.half.com/Dashboard>

The next phase in the study will be to take a hard look at new monitor well locations and begin to look at drilling a Rustler Monitor Well on FSH property.

IX Briefing and take action as necessary on **Cockrell Investment Partners, L.P. v. MPGCD and its Board President in his official capacity, FSH 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 FSH**, Cause No. P-8277-83-CV (Pecos County District Court).

Cockrell 1 is at the El Paso Court of Appeals and no announcement has been made from the Court of Appeals concerning oral argument. The District did make the Court of Appeals aware of a recent court case concerning *Prototype Mach. Co. v. Boulware, et al.* Cockrell Investment Partners has replied and we believe nothing is new and Cockrell's briefing is consistent with what we have heard.

Cockrell 2 will have a final judgement signed now that Cockrell Investment Partners has agreed to pay the mandatory awarded fees.

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

- Total Well Registrations 3,314 Wells. 971 Non-Exempt and 2,343 Exempt Wells
- Drought Map for September 14, 2021. No drought in Pecos County.
- TWDB has begun the sunset process. Also was notified that RRC will pass rules soon to limit the number of injection wells in the West Texas area.
- Trans-Pecos Weather Modification Association sent the annual invoice for the \$10,000 contribution.
- Reeves County Groundwater Conservation District will hold the "Waters of West Texas Symposium" on October 7, 2021.
- PCWCID#1 was discussed regarding the pipeline upgrades and future water meter taps.
- Rig Data Report for September 17, 2021.

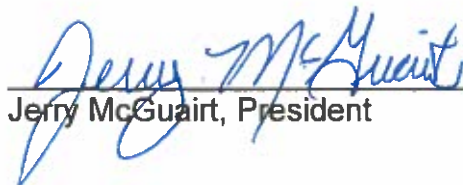
XI **Directors' Comments and consider and/or act upon agenda for next meeting.**

The next regular Board meeting will be October 19, 2021, at 10 a.m. at the District's office. We will have an update from Jonathan Jennings on Cloud Seeding and possibly 2 production permits.

XII **Adjourn Board meeting.**

Allan Childs made a motion to adjourn the meeting. Motion seconded by Jeff Sims. Motion carried unanimously. The meeting adjourned at 11:17 a.m.

  
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M. R. Gonzalez, Secretary/Treasurer

  
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Jerry McGuairt, President

Date Approved 10-19-21