

MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT

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405 North Spring Drive Fort Stockton, Texas 79735
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

October 19, 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 prior to 9:30 a.m. on October 19, 2021. A copy of the agenda packet was made available on the District's website at the time of the meeting.

On this the 19th of October 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
Puja Boinpally	Precinct 2
Larry Drgac	Precinct 3
Ronald Cooper	Precinct 4
Jeff Sims	City of Iraan
Vanessa Cardwell	City of Fort Stockton

Quorum Present.

Members Absent: Weldon Blackwelder, Alvaro Mandujano, Jr., and Allan Childs.

District employees and consultants participating: Ty Edwards, Gail Reeves, Allan Standen, Vince Clause, Raymond Straub, Dr. Bill Hutchison, and Mike Gershon.

Others attending: Ed McCarthy, Doug May, Van Kelly, Ryan Reed, Buck Benson, Gil Van Deventer, Glen Honaker, Zack Swick, Mel Riggs, Geoff Pike, Mike Thornhill, Mark Tisdale, Carson Barr, and James Cravens.

REGULAR BOARD MEETING

- I Board Meeting called to order at 10:04 a.m. by President Jerry McGuairt.
- II Comments from **public and media**: No comments.

PUBLIC HEARING ON DRILLING PERMIT APPLICATION FOR J&SM INC (Doug May)

- I Call to order at **10:08 a.m.** the public hearing on **Application for a Drilling Permit for J&SM Inc (Doug May)**.

Party representing applicant: Doug May

Protestant to application: None

Public Comment: None

President McGuairt declared the application uncontested.

General Manager Ty Edwards presented the application to the Board. J&SM Inc has made application for a Drilling Permit with the Middle Pecos Groundwater Conservation District for 1 well located on 39.61 acres (Property Id# 11277) Legal Description: 5609 165 J Campbell SEC 1, approximately 1/2-mile South of Old Alpine Highway at 1608 S. Davis Dr., Fort Stockton, in Pecos County, Texas. The well is projected to be 250-300 feet in depth and drilled into the Edwards Trinity Aquifer. The estimated rate of withdrawal is 100-300 gallons per minute and the purpose of the well will be for Irrigation and Livestock Use. The current plan is to drill one well to water 10-11 acres of buffalo grass to feed horses. The application is administratively complete.

- II Adjourn Hearing and consider and/or act on **Application for a Drilling Permit for J&SM Inc (Doug May)**.

President Jerry McGuairt recessed the hearing at 10:18 a.m. Vanessa Cardwell made a motion to approve the drilling permit application for irrigation and livestock use from the Edwards Trinity Aquifer. Motion seconded by Janet Groth.

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

REGULAR BOARD MEETING – CONTINUED at 10:19 a.m.

III Consider and/or act to approve Minutes of Regular Meeting on September 21, 2021.

The draft Minutes were emailed to the Board prior to the meeting. Ronald Cooper made a motion to approve the Minutes for the meeting of September 21, 2021, as presented, including proposed edits by legal counsel. Motion seconded by Jeff Sims.

Motion passed. Vote: 7 FOR -0- Oppose 3 Absent 1 Abstain

IV Consider and/or act upon Treasurer’s Report for the Month Ending September 30, 2021.

General Manager Ty Edwards presented the Treasurer’s Report to the Board. Vanessa Cardwell made a motion to approve the Treasurer’s Report for the month ending September 30, 2021, as presented. Motion seconded by Ronnie Cooper.

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

V Consider and/or act to approve accounting of annual and sick leave for District employees.

The annual and sick leave accounting was presented to the Board. M.R. Gonzalez made a motion to approve the annual accounting of leave for the District employees as presented. Motion seconded by Janet Groth.

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

Accounting for Annual and Sick Leave as of 09-30-2021						
Employee	Vacation Hours as of 09-30-2021	Maximum Accrual in days/hours	Anniversary Date	Accrued Sick Time as of 09-30-2021	Accrued Comp Time as of 09-30-2021	Adjustments Made as of 09-30-2021
Edwards, Ty	91	17 days/136 hrs.	12/2/2013	325.50	0	0.00
Reeves, Gail	120	17 days/136 hrs.	6/3/2013	145.00	0	0.00
Bodnar, Anthony	120	15 days/120 hrs.	5/7/2018	132.00	0	0.00

VI Consider and or act on accepting an 8ft Aermotor Windmill from Richard Newsom.

The Board accepted an 8 ft Aermotor Windmill donated by Richard Newsom. The District has plans to possibly drill a monitor well and set up a groundwater monitoring exhibit around the Windmill. This would include showcasing the drill cuttings and well report, along with full time groundwater monitoring including depth to water and water quality on a real time basis. The Board discussed the need for a variance with the City of Fort Stockton because the well is located within the city boundaries.

M.R. Gonzalez made a motion to approve the donation of the windmill and looking at the possibility of drilling the monitor well. Motion seconded by Vanessa Cardwell.

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

VII Consider and/or act upon **WTRGA Interlocal Agreement** for Legislative and Governmental Services.

The interlocal agreement was discussed with the Board. The agreement is with 17 other GCD's in West Texas and covers legislative activities, statutory enactments, and the activities of administrative agencies related to groundwater and other natural resource issues of interest to participating districts and will engage the services of a legislative consultant to assist the participating districts in achieving the goals and purposes of Chapter 36. The participating districts and legislative consultant will also serve as conduits for educating the state's policy makers regarding the functions, duties, benefits, and activities of groundwater conservation districts.

VIII Discussion and listening session on **future research and hydrogeological studies in Pecos County.**

The District's hydrogeologists and consultants gave a presentation on future groundwater investigations needed for Pecos County. The proposed tasks are attached to these minutes as ATTACHMENT A.

IX Update on **San Andres well plugging initiative.**

General Manger Ty Edwards updated the Board on the meeting between TxDOT, Pecos County, and the District over the Holliday Sinkhole and flowing wells issues around Imperial.

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

The Board discussed the joint study and future work that is needed.

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

XI 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 has a final judgment signed by the parties noting that Cockrell Investment Partners has agreed to pay the mandatory awarded fees. It is anticipated that Judge Ables will soon sign the judgment, which will then trigger a short window of time for Cockrell to appeal.

XII 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 October 12, 2021. Have some Moderate Drought creeping into North Western Pecos County
- Rig Data Report for October 15, 2021.
- 4 Rustler Well Plugging Reports by Diamond Y Spring and invoices paid for the Geologic Update
- Several monitor wells have been offline for TWDB Monitoring Network. Have had preliminary discussions with Blake Neffendorf to fix those sites and bring them online

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

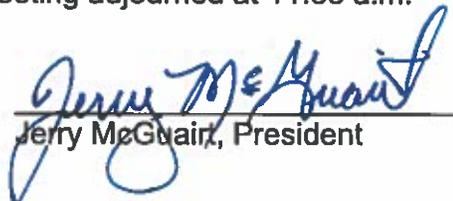
The next Board meeting is scheduled for November 16, 2021, at 10 am at the District's office.

XIV Adjourn Board meeting.

Ronald Cooper made a motion to adjourn the meeting. Motion seconded by M.R. Gonzalez. Motion carried unanimously. The meeting adjourned at 11:35 a.m.



M. R. Gonzalez, Secretary/Treasurer



Jerry McGuair, President

Date Approved 11/16/2021

ATTACHMENT A to 10-19-2021 MINUTES

MPGCD FY22 – Proposed Research Initiatives (Allan R. Standen LLC) *(Ranked by need, based on dialogue with MPGCD General Manager and district consultants)*

Priority #1 - Rustler Monitor Well Recommendations (\$12,500)

Goal: Identify existing Rustler water wells that can be converted into monitor wells and site new monitor well locations.

Study Area: (a) Management Zone 1 – Rustler Monitor Well Recommendation (FSH Joint Study)
(b) Pecos County

Tasks:

1. Identify and inventory Rustler water wells in the MPGCD water well database, TWDB Groundwater Database, Bulletin 6106 (Armstrong and McMillion, 1961) and TDLR Driller Report database.
2. Evaluate existing Rustler water wells and determine if any are suitable for conversion to a monitor well.
3. Assign a monitor well suitability rank to existing Rustler water wells.
4. Evaluate the spatial distribution of Rustler pumping and monitor wells and site new monitor well locations based on areas of concern, need and geologic structure within study area (a) and (b).

Deliverables: Technical memorandum accompanied by figure with recommended Rustler monitor well locations.

Priority #2 - Pecos County Flowing Well Inventory (\$15,000)

Goal: Identify and inventory current, historic, and abandoned flowing wells in Pecos County and investigate possible water quality and subsidence issues.

Study Area: Pecos County (excluding imperial flowing well area – already inventoried)

Tasks:

1. Identify and inventory current, historic and abandoned flowing wells using USGS topo maps, TWDB Groundwater Database remarks, TBWE Bulletin 6106 (Armstrong and McMillion, 1961), TBWE M208 (Dante, 1947) and TBWE M209 (Audsley, 1956).
2. Create a database for flowing water wells
3. Investigate possible contamination/comingling from abandoned/historic flowing wells using the MPGCD water chemistry dataset.
4. Investigate possible subsidence around abandoned/historic flowing wells using USGS West Texas LiDAR.

Deliverables: Letter report with findings. Figure(s) that illustrate flowing well locations, water chemistry concerns and possible areas of subsidence.

Priority #3 - Locate unregistered water wells and update registered well construction (\$5,000)

Goal: Identify unregistered water wells within the TDLR and TWDB Groundwater database and update registered well construction.

Study Area: Pecos County

Tasks:

1. Identify wells within the TDLR and TWDB Groundwater database that are currently not registered within the MPGCD water well database.
2. Update well construction in the MPGCD water well database when missing information is identified through task 1.

Deliverables: Excel table and GIS shapefile with unregistered wells. Excel table with registered well construction updates.

Priority #4 - Investigate Belding Area Recharge (Total \$45,000 – Analysis \$30,000 + Field Work \$15,000)

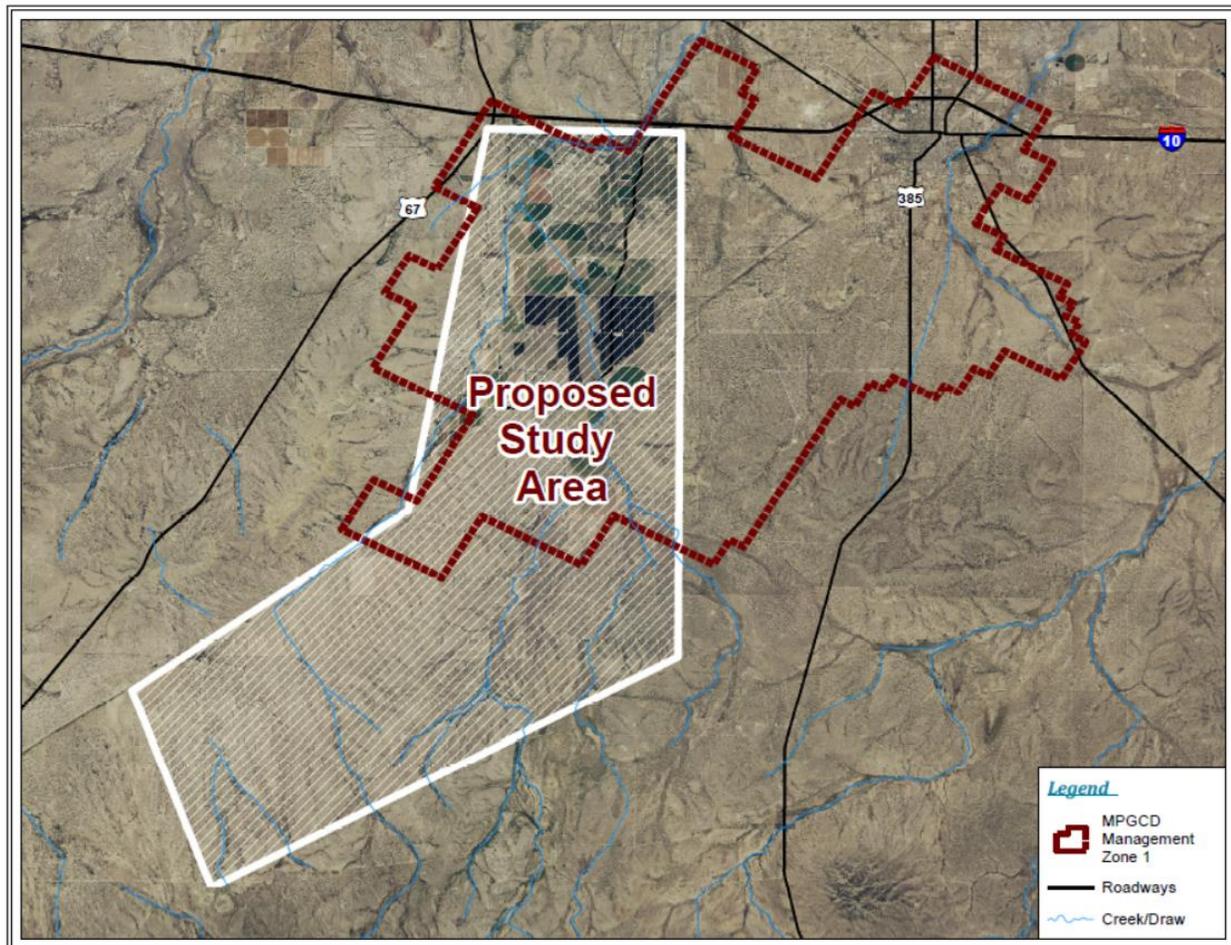
Goal: Identify groundwater recharge features (e.g. losing stream segments, karst, fractures) within and south of Belding that will improve the MPGCD understanding of groundwater-surface water interactions within Management Zone 1. This information can be used to fine tune groundwater recharge estimates, identify sensitive recharge areas, and provide insights into local water chemistry trends.

Study Area: I-10/Belding area (north), Acebuche Draw (west), Belding Draw (east) and see figure (south).

Tasks:

1. Identify possible recharge areas with remote sensing techniques, using Belding pre-development aerial imagery, LiDAR elevation data, vegetation index models.
2. Conduct pre- and post- storm event field research to characterize and observe recharge features.
3. Evaluate MPGCD water chemistry dataset with respect to recharge features.
4. Review rainfall and water level data to identify threshold rainfall events and contribution areas.
5. Provide recommendations for additional water chemistry measurements, rainfall/streamflow monitor stations and monitor well locations.

Deliverables: Technical report with findings. Figure(s) that illustrate recharge features/areas, water chemistry, threshold event analysis and recommendations.



Priority #5 - Fine Tune Hydrostratigraphy and Fault Structure in Management Zone 3 (\$45,000)

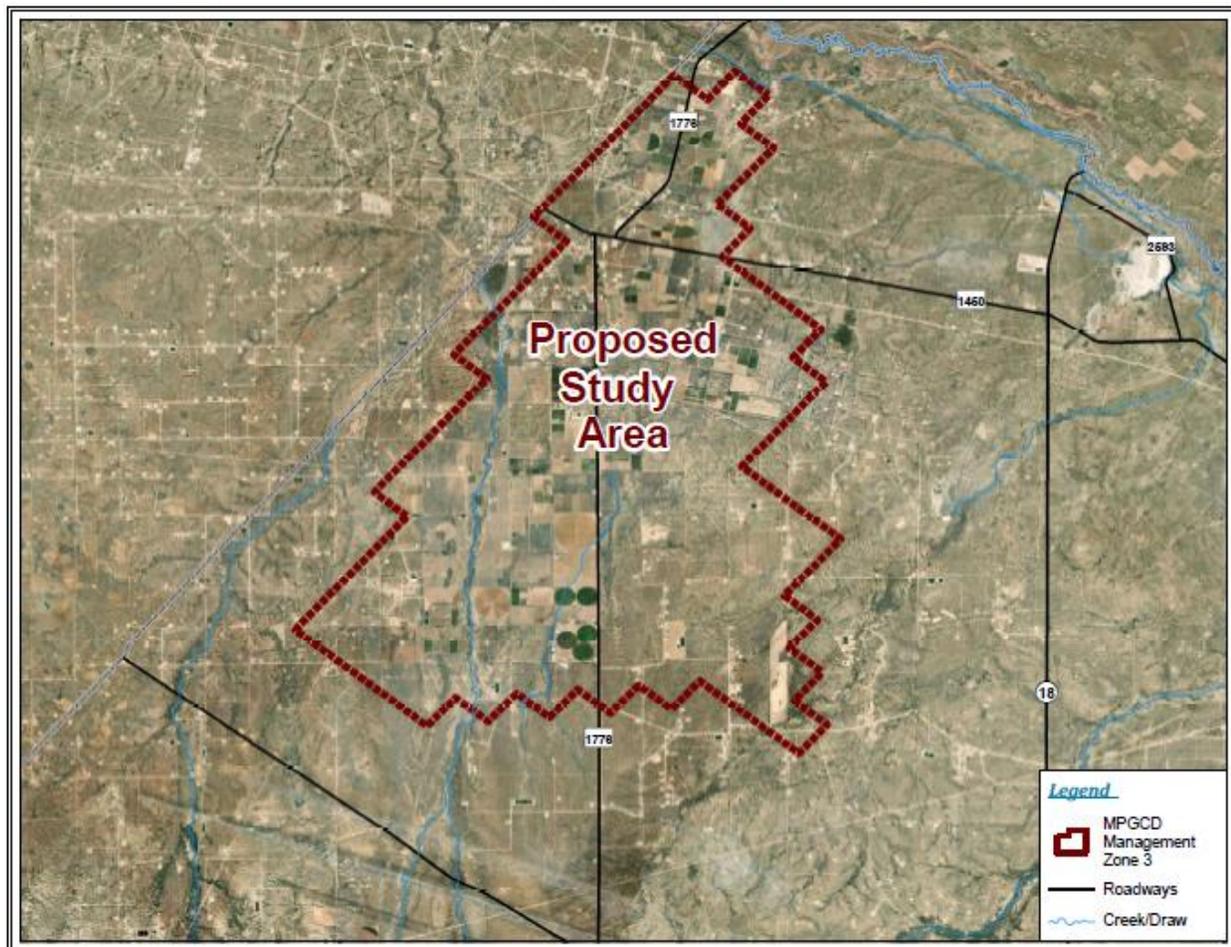
Goal: Fine tune shallow hydrostratigraphy, Pecos Valley Aquifer thickness and faults within Management Zone 3.

Study Area: Management Zone 3 with a 3-mile buffer (inclusive to Pecos and Reeves County)

Tasks:

1. Locate and evaluate a minimum of 90 geophysical logs within the study area.
2. Interpret geophysical logs and assign stratigraphic picks for Salado through Pecos Valley formations.
3. Develop a new 3D model that includes MZ3 Study Area.

Deliverables: 3D Model for MZ3 Study Area. GIS Shapefiles for new well control and update fault structure. Letter report that describes methodology.



Priority #6 - Fine Tune Hydrostratigraphy and Fault Structure in Management Zone 2 (\$40,000)

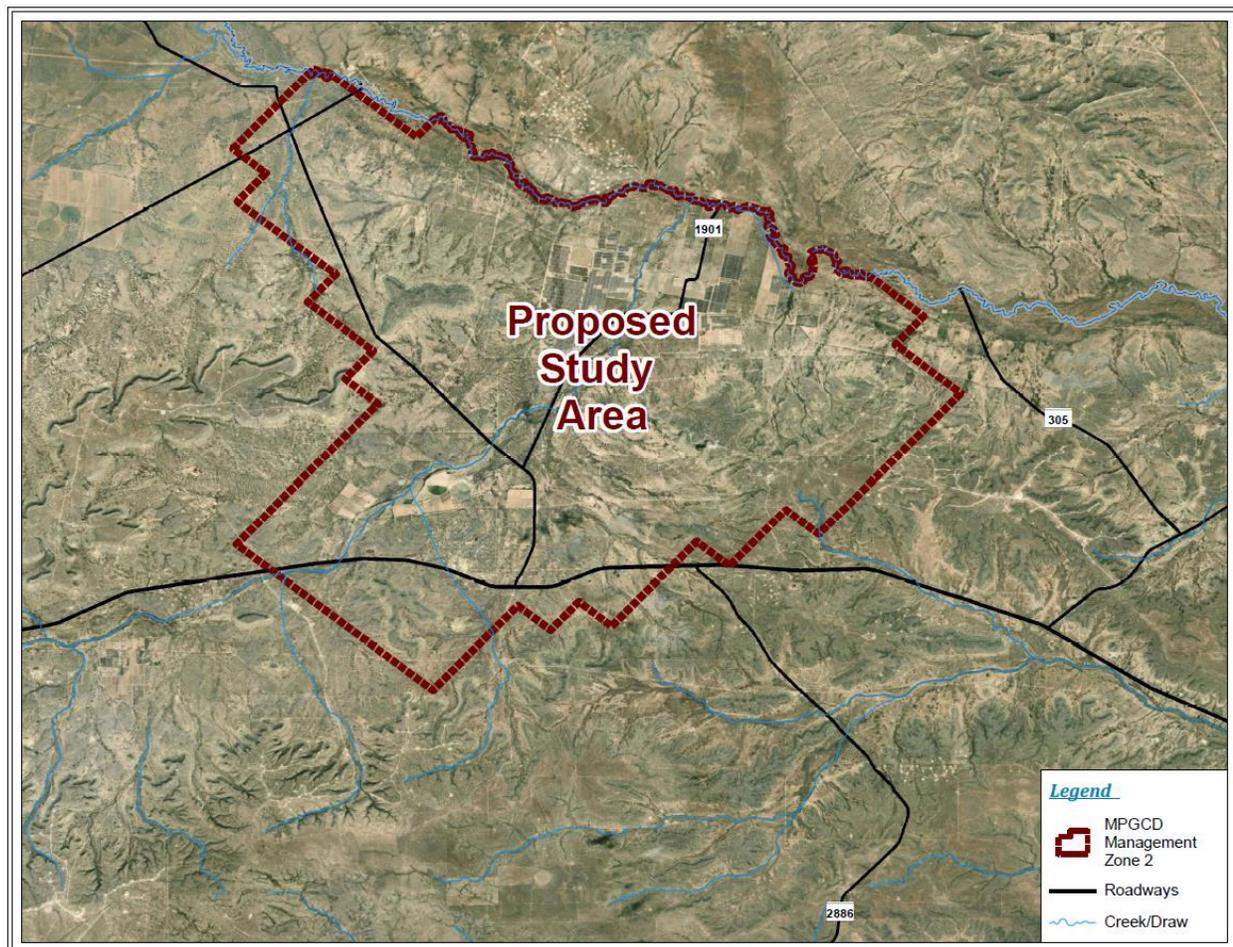
Goal: Fine tune shallow hydrostratigraphy, and faults within Management Zone 2.

Study Area: Management Zone 2 with a 3-mile buffer (inclusive to Pecos County)

Tasks:

1. Locate and evaluate a minimum of 60 geophysical logs within the study area.
2. Interpret geophysical logs and assign stratigraphic picks for Salado through Edwards-Trinity.
3. Develop a new 3D model that includes MZ2 Study Area.

Deliverables: 3D Model for MZ2 Study Area. GIS Shapefiles for new well control and update fault structure. Letter report that describes methodology.



Priority #7 - Update Stratigraphy and Fault Structure at West of Diamond Y Study Area (\$15,000)

Goal: Identify fault structure west of Diamond Y and North of management zone 1 study areas to better understand the connection between study area(s) fault structure.

Study Area: (a) ~50 square mile area west of Diamond Y Study and north of MZ1 Study.
(b) ~9 square mile area SW of Diamond Y Study Area near

Tasks:

1. Locate and evaluate up to a total of 50 geophysical logs within study area (a) and (b).
2. Interpret geophysical logs and assign stratigraphic picks to 3D Model intervals.
3. Develop a new 3D model that includes MZ1 Study, Diamond Y Springs Study, and study area (a) and (b).

Deliverables: Updated 3D Model that includes MZ1 Study, Diamond Y Springs Study, and study area (a) and (b). GIS Shapefiles for new well control and update fault structure. Letter report that describes methodology.

