

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 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 18, 2022 405 North Spring Drive, Fort Stockton, Texas

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 18, 2022.

On this the 18th of October 2022, 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
M.R. Gonzalez	Precinct 2
Puja Boinpally	Precinct 2 arrived at 10:36 am
Larry Drgac	Precinct 3
Alvaro Mandujano, Jr.	Precinct 4
Ronnie Cooper	Precinct 4
Jeff Sims	City of Iraan
Allan Childs	At Large
Vanessa Cardwell	City of Fort Stockton

Quorum Present

Members Absent: Weldon Blackwelder and Janet Groth.

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

Others attending: Paula McGuairt, Kenneth Heritage, Brett Thompson, Stephen Hofmann, Bob Borochoff, Ed McCarthy, James Beach, Buck Benson, Ryan Reed, Glenn Honaker and Zach Swick.

REGULAR BOARD MEETING

I Board Meeting called to order at 10:02 a.m. by President Jerry McGuairt and roll call was taken.

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

III Consider and/or act to approve **Minutes of Regular Meeting on August 16, 2022.**

The draft Minutes were emailed to the Board prior to the meeting. Allan Childs made a motion to approve the Minutes for the meeting of August 16, 2022, as presented. Motion seconded by Ronnie Cooper.

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

IV **Minutes of Special Meeting and Hearing on Tax Rate on September 8, 2022.**

The draft Minutes were emailed to the Board prior to the meeting. Allan Childs made a motion to approve the Minutes for the special meeting of September 8, 2022, as presented. Motion seconded by Jeff Sims.

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

V Consider and/or act upon **Treasurer's Report for the Month Ending August 31, 2022.**

General Manager Ty Edwards presented the Treasurer's report to the Board. Vanessa Cardwell made a motion to approve the Treasurer's Report ending August 31, 2022, as presented. Motion seconded by Ronnie Cooper.

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

VI Consider and/or act upon **Treasurer's Report for the Month Ending September 30, 2022.**

General Manager Ty Edwards presented the Treasurer's report to the Board. Vanessa Cardwell made a motion to approve the Treasurer's Report ending July 31, 2022, as presented. Motion seconded by Ronnie Cooper.

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

VII 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. Vanessa Cardwell made a motion to approve the annual accounting of leave for the District employees as presented. Motion seconded by Larry Drgac.

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

Annual and Sick leave as of September 31, 2022

Gail Reeves – 92 hr Vacation 225 hr sick
Ty Edwards – 115 hr Vacation 366.6 hr sick
Anthony Bodnar – 99 hr Vacation 150 hr sick

Board Member Puja Boinpally arrived at 10:36 am just before the Presentation for Rustler Recommendations.

VIII Update and presentation on **Rustler Monitor Well Recommendations by Allan R. Standen LLC.**

Vince Clause with Allan R. Standen presented the Rustler Monitor well report to the Board.

The presentation is attached as Attachment A to these minutes.

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

Several news articles have recently been released on the abandoned well issues around Imperial.

<https://www.texasmonthly.com/news-politics/lake-boehmer-dead-sea-west-texas/>

<https://www.texasmonthly.com/news-politics/lake-boehmer-hydrogen-sulfide-railroad-commission/>

<https://www.rrc.texas.gov/news/040822-boehmer-lake/>

<https://www.cbs7.com/2022/05/04/railroad-commission-mpgcd-test-water-lake-boehmer/>

<https://www.cbs7.com/2022/09/03/mpgcd-rrc-battle-over-who-should-fix-lake-boehmer/>

<https://www.texastribune.org/2022/10/13/texas-abandoned-oil-wells-railroad-commission/>

https://www.adminmonitor.com/tx/rrc/open_meeting/20221011/

The Board watched the recent Railroad Commission meeting held on October 11, 2022. The RRC discussed the orphan well plugging program and local Pecos County Rancher Schuyler Wight testified on abandoned well issues on his ranch.

- X Consider and/or act on **Consulting Services Agreement** for government affairs and public relations consulting services regarding funding opportunities in Washington, DC, in particular the **Infrastructure Investment and Jobs Act**.

Two Consulting firms have submitted proposals to the District for consulting services in Washington DC to help secure funds to plug wells: Patriot Strategies and Banner. Both firms submitted proposals and spoke to the Board at length about how they could help to secure funds for the project.

President Jerry McGuairt recessed the Regular Board meeting at 11:27 a.m. and called an Executive Session pursuant to Section 551.071 of the Texas Government Code. The Board convened in a closed session in accordance with the Texas Open Meetings Act, and then adjourned at approximately 11:47 a.m.

The presiding officer, President Jerry McGuairt, reconvened the regular meeting and stated that no action, no decisions, and no votes were made in executive session. The regular session reconvened at 11:47 a.m.

Puja Boinpally made a motion to approve the Consulting Services Agreement with Banner Public Affairs, LLC. Motion seconded by Vanessa Cardwell.

Motion passed. Vote: 8 FOR -0- Oppose 2 Absent 1 Abstain

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

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

Equipment has been ordered to install InSitu transducers in 6 additional monitor wells in Management Zone 1. Installation of the equipment should occur before the end of 2022.

- XII 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**, Case No. 08-21-00200-CV (El Paso Court of Appeals).

Cockrell 1 is at the El Paso Court of Appeals. Awaiting a decision from the Court.

Cockrell 2 is at the El Paso Court of Appeals. Awaiting a decision from the Court.

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

- GMA 3 Posted meeting for 10-19-2022
- GMA 7 Posted meeting for 10-20-2022
- Texas Drought Map as of October 13, 2022
- Trans-Pecos Weather Modification Association last update for 2022 Season. 23 flights
- Rig Data Report 10-07-2022
- TWDB Agriculture grant update

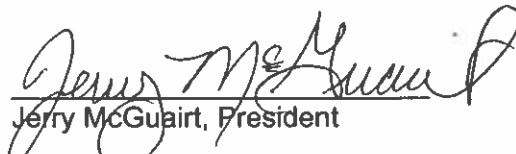
XIV **Directors' Comments and consider and/or act upon agenda for next meeting.**
Next Board meeting will be November 15, 2022

XV **Adjourn Board meeting.**

Allan Childs made a motion to adjourn the meeting. Motion seconded by Jeff Sims Motion carried unanimously. The meeting adjourned at 12:20 p.m.



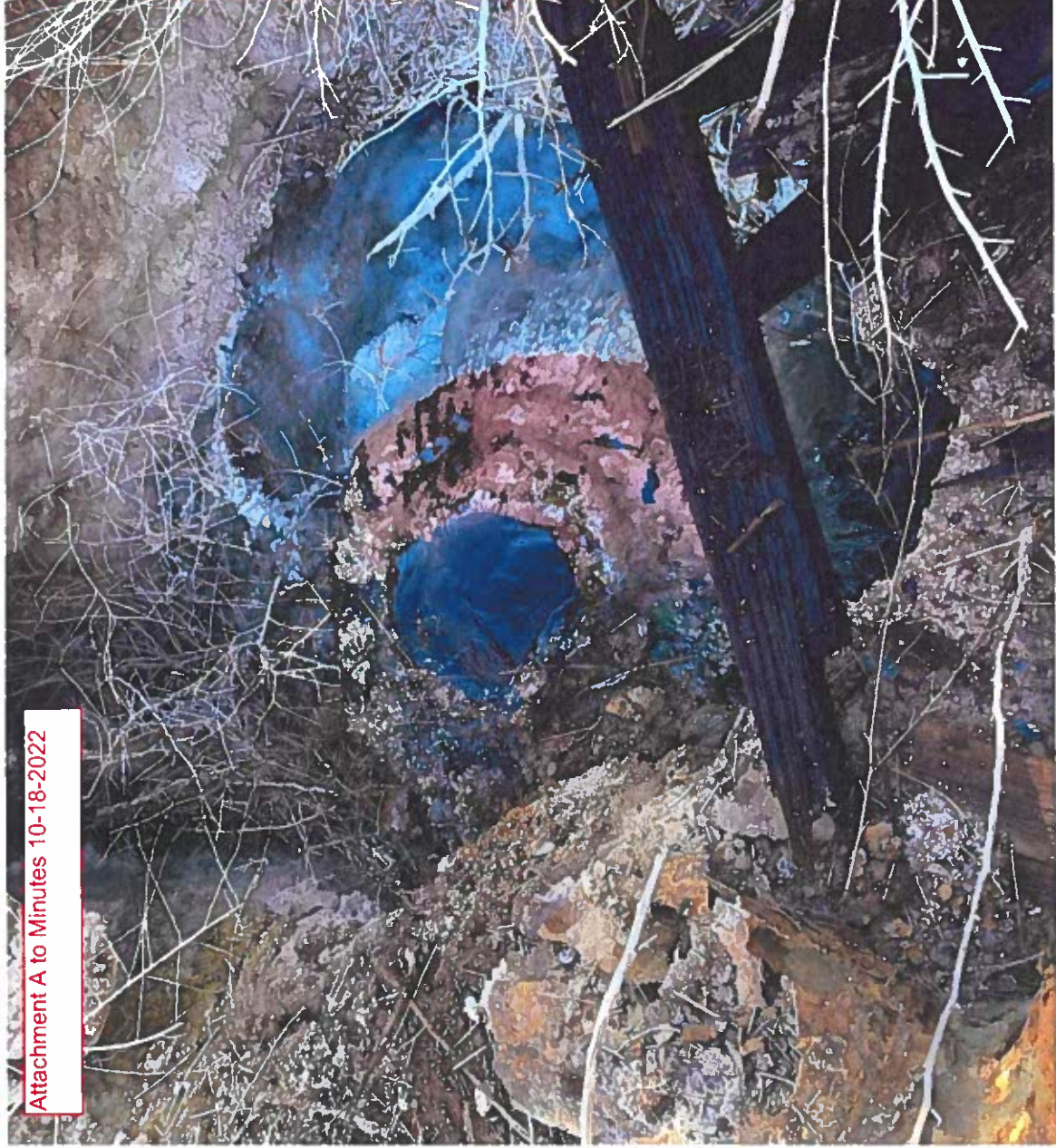
M. R. Gonzalez, Secretary/Treasurer



Jerry McGuairt, President

Date Approved 11-15-22
~~10-18-22~~

Attachment A to Minutes 10-18-2022



RUSTLER AQUIFER MONITOR WELL RECOMMENDATIONS

VINCE CLAUSE, HYDROGEOLOGIST
ALLAN R. STANDEN LLC

FY-22 Priority #1

Task Outline

- 1) Identify and inventory Rustler Aquifer water wells in Pecos County
 - TWDB Groundwater Database (GWDB), Bulletin 6106 (Armstrong and McMillion, 1961)
 - TDLR Submitted Driller's Report database (SDRDB).
- 2) Determine if any are suitable for conversion to a monitor well.
- 3) Assign a monitor well suitability rank to existing Rustler Aquifer water wells.
- 4) Site new monitor well locations
 - Pecos County
 - Belding area of Management Zone 1.

Identification of Potential Brackish Groundwater Production Areas – Rustler Aquifer TWDB Contract Number 1600011949

Increased pressure on brackish resources



Connection to spring ecosystems

Top (ft)	Bottom (ft)	Description
0	6	topsoil
6	35	caliche
35	75	sand stone
75	85	red clay
85	335	sandstone
335	425	red clay
425	875	sandstone
875	1250	anhydrite ,dolomite & sandstone

Deeper and more expensive wells

Task 1 Rustler Water Well Inventory Key Highlights

86 Historic and Active Well Sites

- 34 In Use
- 24 Unknown Status
- 11 Plugged
- 5 Shut-in
- 4 Open Hole
- 3 Flowing
- 2 MPGCD Monitor Wells
- 2 Cave In
- 1 Possible Flow

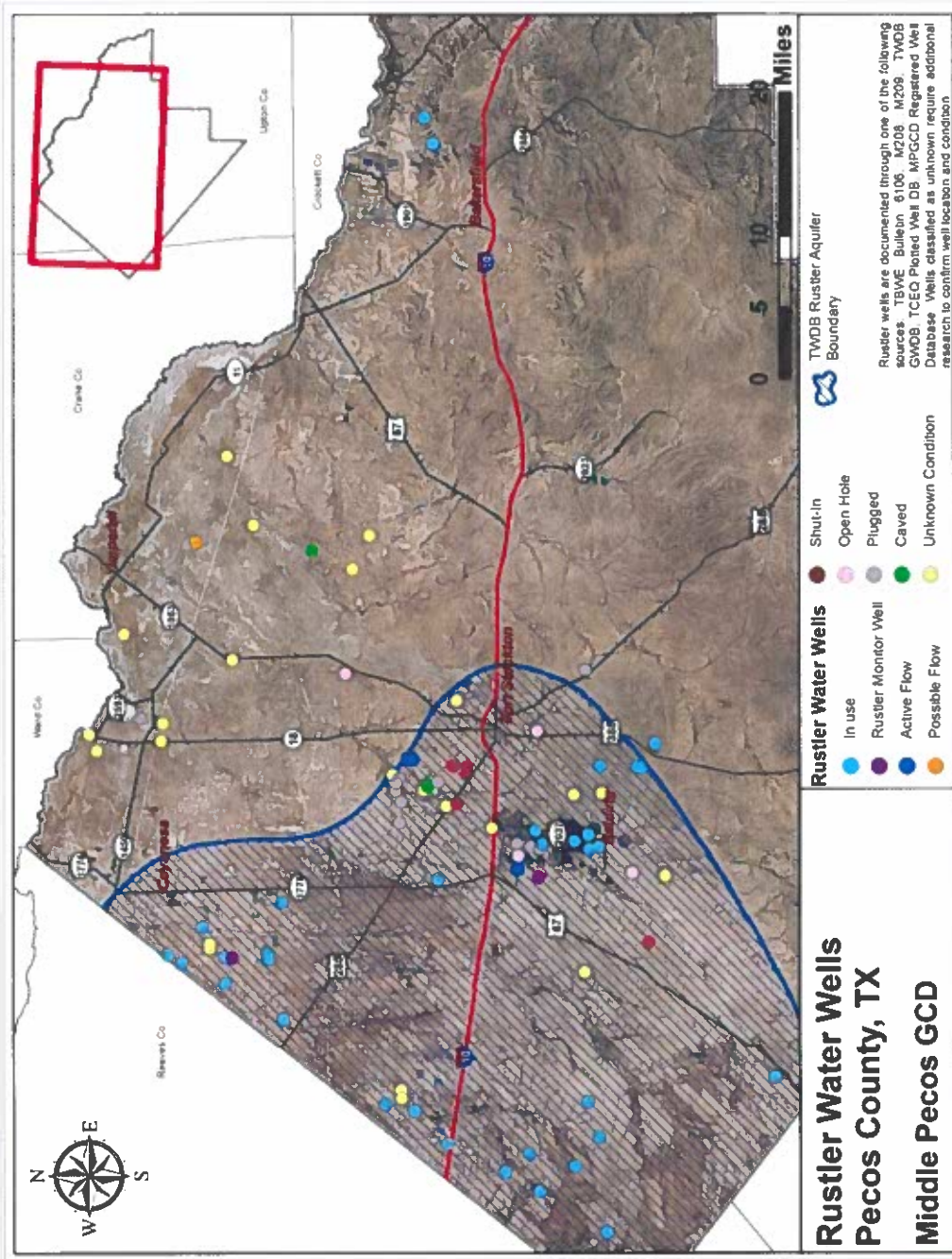
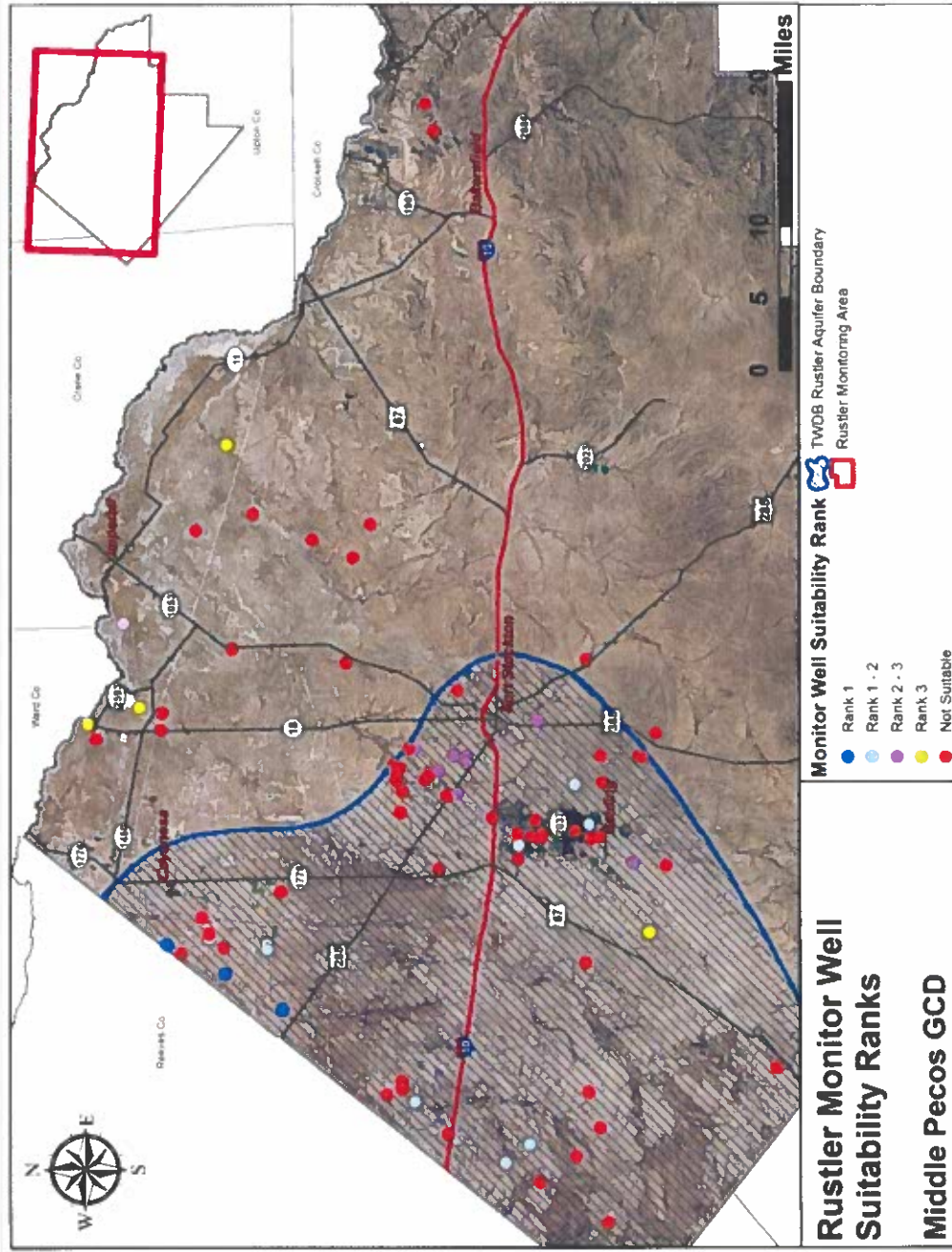


Table 2 – Rustler Well Inventory, Pecos County, TX – Historic and active Rustler wells.

Source	TWDB Report ID	MPGCD ID	State Well Num.	TDLR Track Num.	Owner Well Name	Drill Date	Well Depth	Loc. NAD83	Long. NAD83	Water Level Date	Water Level	Status	Casing	Area of Interest	Age Rank	Location Rank	Casing Rank	Composite Rank
86106	A-199	2005080504	4655604	-	Klose Well 20 Section 27	1956	1500	31.1872	-103.1347	2/4/1958	168.6	Unknown	16" Cased 0 - 1,300. Open Hole 1,300-1,500	West Coyanosa	3	1	1	1.67
86106	A-200	2005080503	4655605	-	Klose Well No 19 Sec. 27	-	1570	31.1872	-103.1300	-	-	Unknown	Unknown	West Coyanosa	3	1	NS	Not Suitable
86106	B-21	20220412237	4541603	-	Peyton Water- flood	1952	761	31.3057	-102.8794	1956	70	Unknown	9" Cased to 637. Open hole 637-761.	-	3	2	2	2.67
86106	B-22	-	-	-	Peyton Water- flood	1952	720	31.3047	-102.8812	1956	70	Unknown	9" Cased to 687. Open hole 687-720	-	3	3	3	3.00
86106	B-27	20220412239	4542703	-	Cords and Juul Well #2	1948	774	31.2525	-102.8631	-	-	Plugged	10" Cased to 749. Open hole 749-774	-	3	3	3	3.00
86106	G-25	-	-	-	D. J. Sibley	-	1680	30.9983	-102.9353	1959	Flow	Unknown	Unknown	Diamond Y	3	2	NS	Not Suitable
86106	H-63	-	-	-	A. C. Hoover	1957	-	31.0348	-102.6932	-	-	Unknown	8" Unknown	-	3	3	NS	Not Suitable
86106	H-76	20220412299	4558502	-	San Pedro Ranch	1940	1364	31.0441	-102.8156	10/30/1946	Flow	Open Hole	10" Cased to 360. Open hole to 1,364	-	3	3	NS	Not Suitable
86106	J-8	-	-	-	Burk Royalty Co	-	598	31.1344	-102.6394	5/10/1905	22	Unknown	5" Unknown	-	3	3	NS	Not Suitable
86106	J-14	-	-	-	Neal and Ratliff	1946	452	31.1596	-102.5574	2/3/1947	43	Unknown	8" Perf 430-450	-	3	3	3	3.00
86106	J-37	20220412306	4559501	-	Buena Vista Ranch c/o Kenneth Heritage	-	-	31.0753	-102.6706	10/1/1957	60	Cave in	6" Unknown	-	3	3	NS	Not Suitable
86106	J-39	-	-	-	N. Pevaner	-	1393	31.0168	-102.8544	1958	Flow	Unknown	14" Unknown	-	3	3	NS	Not Suitable
86106	N-1	-	-	-	C.M. Caldwell	1933	5280	30.9960	-103.3051	9/6/1940	1.5	Unknown	Unknown	West Pecos	3	1	NS	Not Suitable

Task 2 & 3 Monitor Well Suitability Rank

	Rank 1	Rank 2	Rank 3	Rank NS (Not Suitable)
Well Age	Under 20 years	20 - 50 years	Over 50 years	N/A
Proximity to other Rustler wells	Within 5 miles of at least 3 in use Rustler Wells	Within 5 miles of 1 - 2 in use Rustler wells	Not within 5 miles of a pumping well	N/A
Casing and Completion	Fully cased and completed across at least 200 feet of Rustler	Fully cased and completed across at least 100 feet of the Rustler	Completed into the Rustler	Dual Completed Unknown Well Completion



Task 4 Site Monitor Wells

Four Areas of Concern

West Pecos (Moderate to Low Priority)

Large area with spaced wells
Ideally 2 monitor wells North and South of I-10

West Coyanosa (Low Priority)

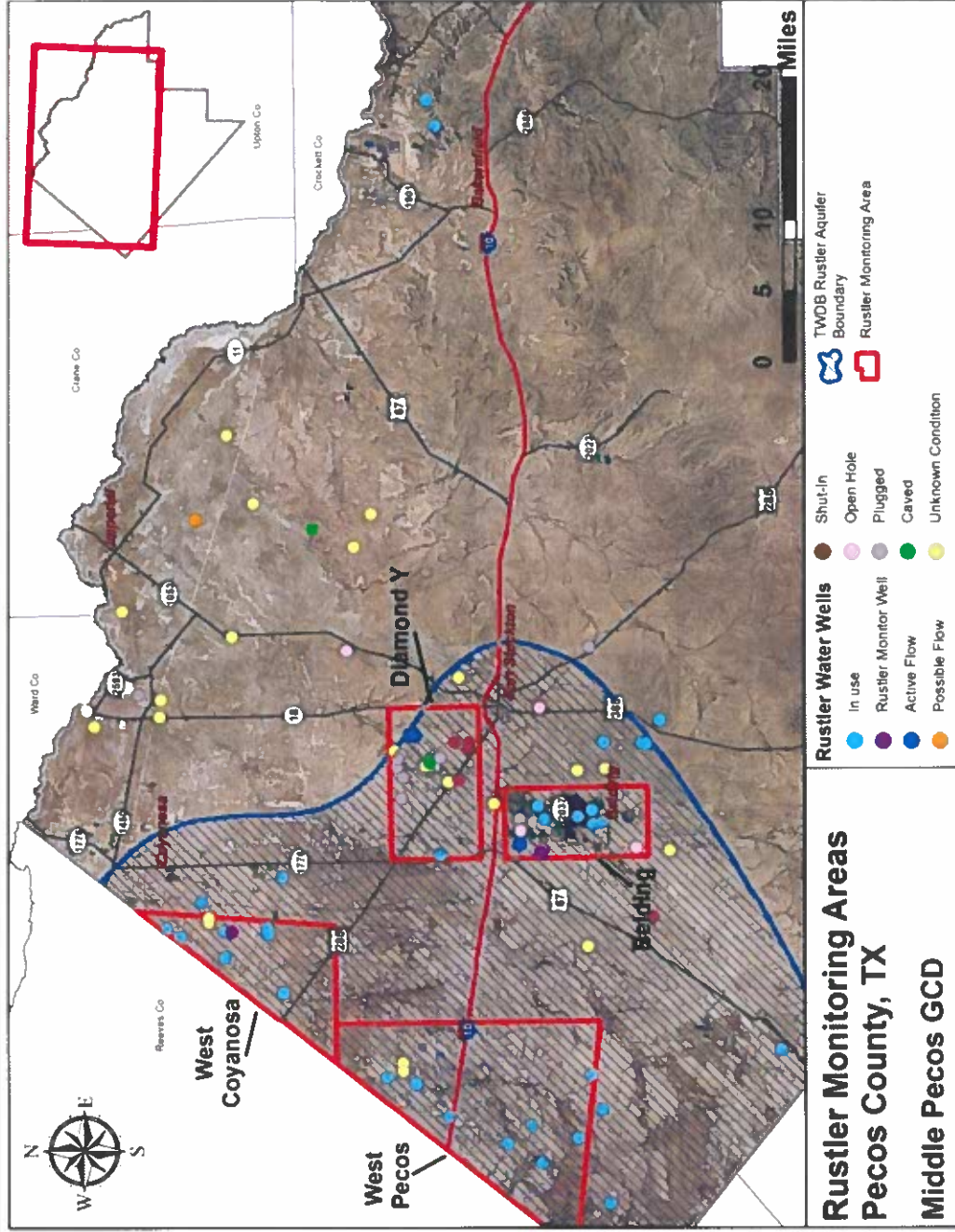
Existing Centralized Monitor Well

Diamond Y (High Priority)

Several possible monitor well options.

Belding (High Priority)

Existing well
Heavy pumping and multiple geologic domains create complexities.



**Rustler Monitoring Areas
Pecos County, TX
Middle Pecos GCD**

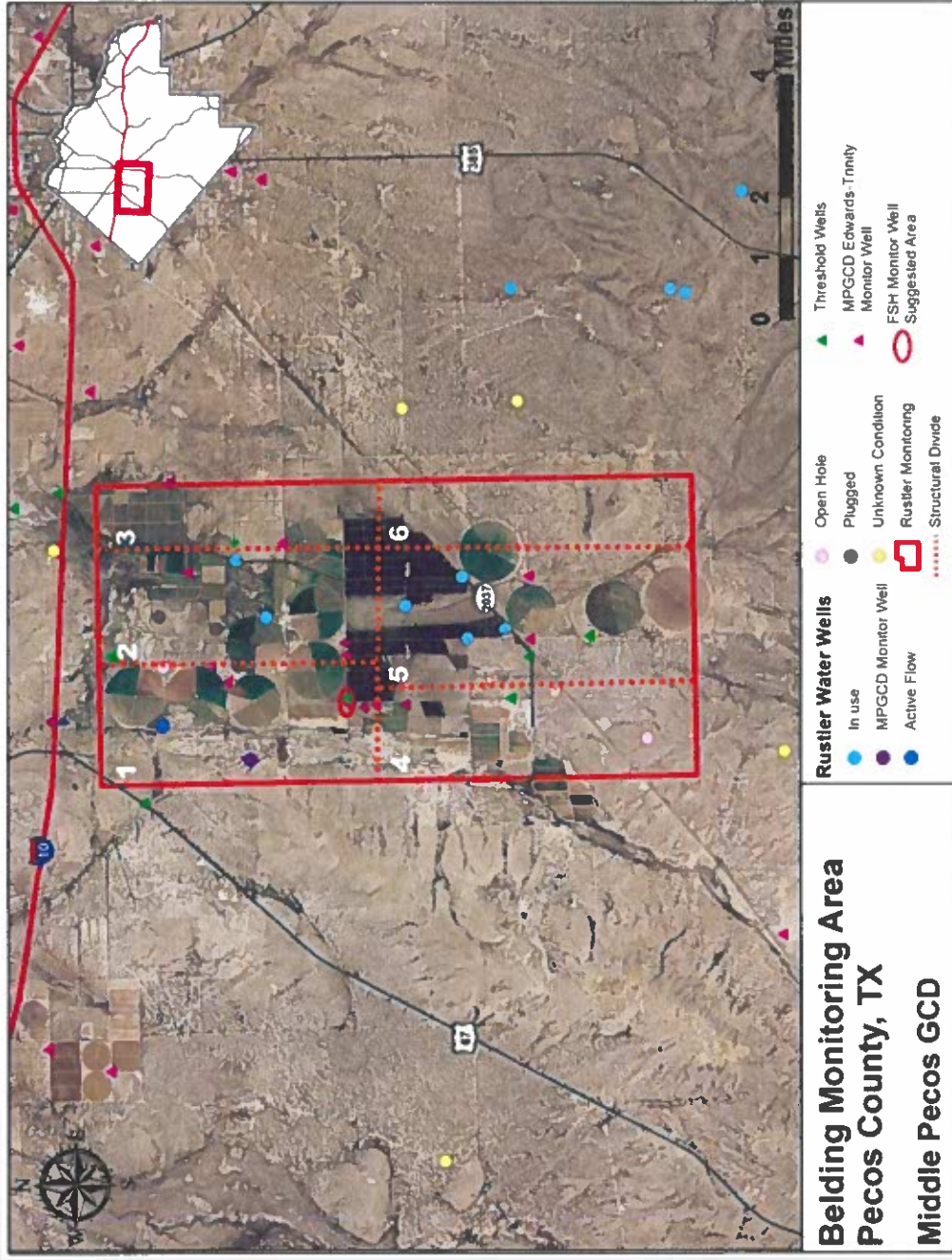
Belding Area

Subdivided into six zones
Geologic Structure

Recommend 3 wells

FSH joint agreement well
Ideally near threshold well 5-6

Additional wells in section 2 and 5



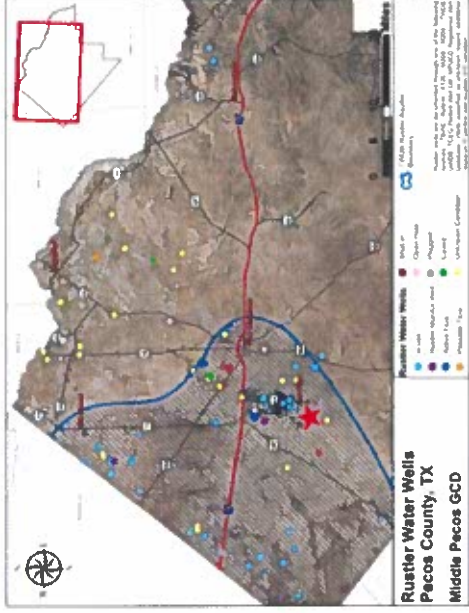
MPGCD Site Visits

Sept. 16th

API 42-371-10662 P-13 Well

MPGCD Well ID 2007031901

Delmon Hodges | Oates #1



MPGCD Site Visits

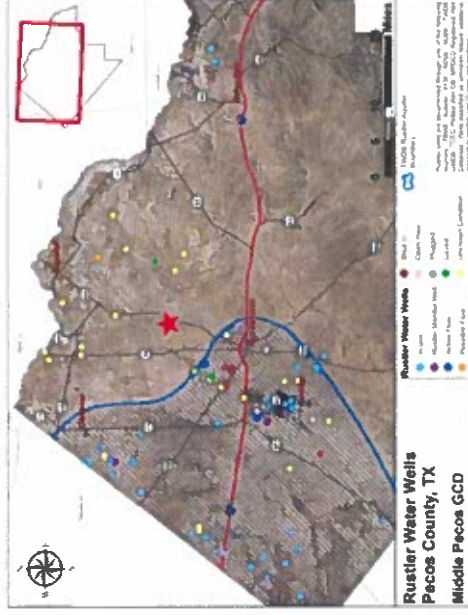
Sept. 22nd

SWN 4558502

Bulletin 6106 H-76

MPGCD Well ID 20220412299

San Pedro Ranch Well



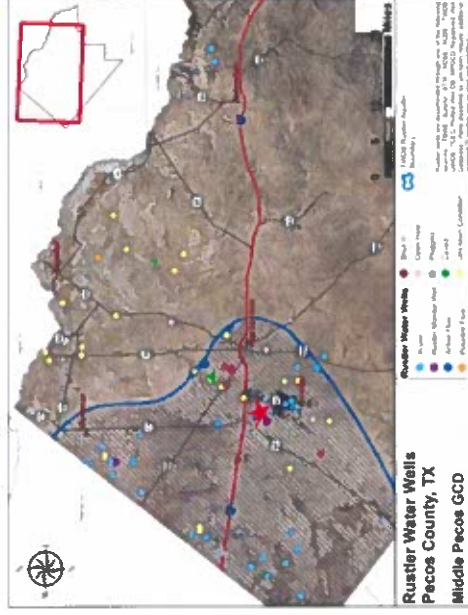
MPGCD Site Visits

Sept. 23rd

Bulletin 6106 P-86

Williams Flowing Rustler Ranch Well

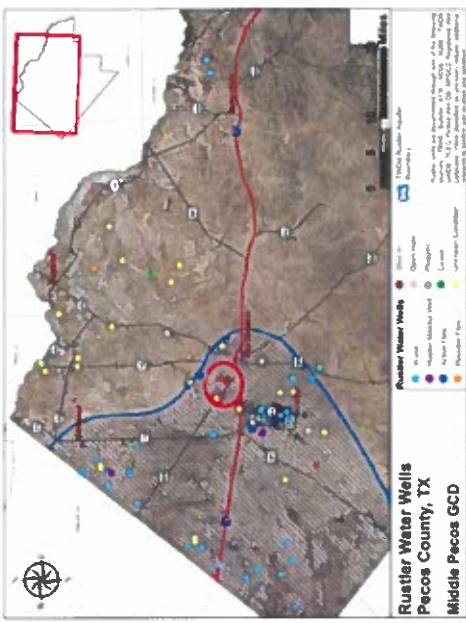
Also visited P-85 this day (not pictured)



MPGCD Site Visits

Oct. 4th

- Apache WSW 1 - Plugged
- Apache WSW 2 – Shut-In
- Apache WSW 3 – Shut-In
- Apache WSW 4 – Shut-In



MPGCD Site Visits

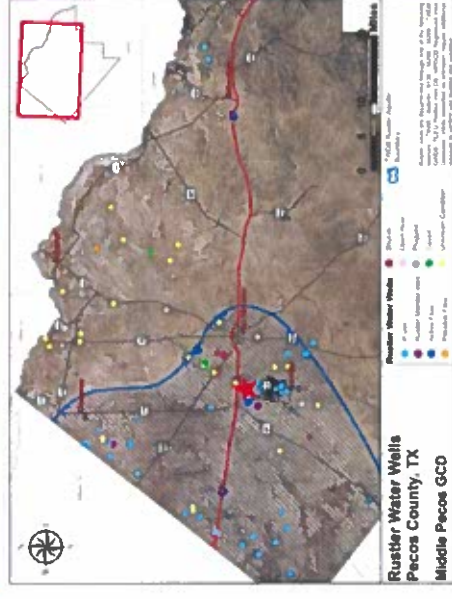
Oct 5th

Bulletin 6106 P-95

Plugged / Not Accessible

Also visited Bulletin P-109
and P-120 (not pictured)

- Both Plugged





Questions?