

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 February 21, 2023 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 February 21, 2023.

On this the 21st of February 2023, 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
Alvaro Mandujano, Jr	Precinct 4
Ronald Cooper	Precinct 4
Jeff Sims	City of Iraan
Vanessa Cardwell	City of Fort Stockton (Participated via Zoom but did not vote)
Allan Childs	At Large

Quorum Present

Members Absent: Weldon Blackwelder, Larry Drgac, Puja Boinpally, and Janet Groth

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

Others attending: Paula McGuairt, Brett Thompson, Ed McCarthy, Mark Tisdale, Ryan Reed, Buck Benson, Mel Riggs, Jeff Pike, James Cravens, and Glen Honaker.

REGULAR BOARD MEETING

I Board Meeting called to order at 10:00 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 January 17, 2023.**

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 January 17, 2023, as presented. Motion seconded by Alvaro Mandujano, Jr.

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

IV Consider and/or act upon **Treasurer's Report for the Month Ending January 31, 2023.**

General Manager Ty Edwards presented the Treasurer's report to the Board. Allan Childs made a motion to approve the Treasurer's Report ending January 31, 2023, as presented. Motion seconded by Ronald Cooper.

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

V Consider and/or act upon **Depository Contract and Districts Investment Policy with Pecos County State Bank.**

Pecos County State Bank submitted a formal contract for the district deposits for the period of March 1, 2023, through February 28, 2028.

Allan Childs makes a motion to approve the Depository Contract with Pecos County State Bank for the next 5 years and set policy and strategy to invest District funds in Demand Deposit accounts, Certificates of Deposit, and other interest-bearing bank accounts at Pecos County State Bank in compliance with the Public Funds Investment Act and Public Funds Collateral Act of chapters 2256 and 2257 of the Texas Government Code for the next 12 months. Ronald Cooper seconded the motion.

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

VI Consider and/or act upon **General Manager's 2022 Annual Report.**

The annual report was presented to the board. Ronald Cooper made a motion to accept the 2022 Annual Report with the Annual Financial Audit. Motion seconded by Allan Childs. The Annual report is available on the District website.

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

VII Update from **LRE Water on Pecos County Water Levels and Rainfall Report.**

Vince Clause with LRE Water presented the 2022 Pecos County Water level and Rainfall report to the Board. The report is attached to the minutes as **Attachment A.**

Generally, water levels have seen an increase over the year due to late rain events in the Southern part of the county and less pumping at the end of the year.

VIII Update on **San Andres well plugging initiative** and update from **Banner Public Affairs, LLC.**

The board discussed the ongoing efforts with the abandoned well problems in the Imperial area. Brett Thompson with Banner Public Affairs gave the Board an update on the successful meetings with staff at Department of Interior (DOI), and the Texas Congressional delegation towards the goal of securing funding to address the abandoned well problems in Pecos County.

IX **State legislative update** (88th Legislative Session commencing January 10, 2023).

Several groundwater bills have been filed. A tracking report will be out soon for the District to follow and make any necessary comments at the right time and place. March 10, 2023 is the deadline to file a bill.

The District has 3 bills in leg counsel to address the P-13 issues in Pecos County. Once those bills have a committee hearing testimony will be required. Tracy King will again chair the Natural Resources Committee. In late January, Lt. Governor Dan Patrick released senate committee assignments, including Sen. Charles Perry returning as the chair of the Water, Agriculture, & Rural Affairs Committee.

A few other bills of interest are below.

- [HB 2443](#) relating to the authority of certain persons to petition a groundwater conservation district to change certain rules was filed by Rep. Harris. This filed version is identical to HB 2123 from 2019, which does not reflect the changes to this bill language that were negotiated last session and included in SB 152. We are anticipating, however, that there will be a committee substitute to reflect last session's language from SB 152.
- [HB 2483](#) the House Companion to Senator Perry's SB 837 to create a fund for water infrastructure (expected to be renumbered SB 28). On a related note, the House Appropriations Committee Article VI Subcommittee will meet on Monday 2/27 to consider natural resources agencies (TWDB and TCEQ).
- [SB 933](#) relating to the definition of a governmental body for the purposes of the public information law. This bill would make nonprofit organizations with membership primarily made up of "similarly situated political subdivisions" (such as TAGD) subject to the public information law.

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

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 installed in 6 additional monitor wells in Management Zone 1. A total of 23 monitoring locations including Comanche Springs are active and operating appropriately.

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

The El Paso Court of Appeals has rendered an opinion affirming the District decision on Cockrell 1. The Court has considered this cause on the record and concludes there was no error in the judgment.

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

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

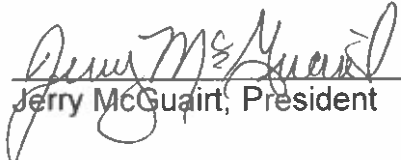
- Tx Drought Map 02-14-2023. Most of Pecos County is Abnormally Dry.
- Longfellow Partners is in the process of applying for Drilling permits on Pucket Rd for Irrigation use.
- Groundwater usage reporting for 2023 is under way. Emails have been sent out and several reports have been sent back.
- Texas Groundwater Summit August 29-31, 2023.
- Cyber security training is underway.

XIII **Directors' Comments** and consider and/or act upon **agenda for next meeting**.
Next Board meeting will be March 21, 2023.

XIV **Adjourn** Board meeting.

Allan Childs made a motion to adjourn the meeting. Motion seconded by Jeff Sims motion carried unanimously with one abstaining. The meeting adjourned at 11:32 p.m.


M. R. Gonzalez, Secretary/Treasurer


Jerry McGuair, President

Date Approved 3-21-23



Memorandum

To: Mr. Ty Edwards, Middle Pecos GCD General Manager
From: Vince Clause, GISP, Project Manager, LRE Water
Date: 02/06/2023
Subject: Annual Update to Water Level and Rainfall Figures and Tables

2022 Rainfall

The 2022 year began with most of Pecos County in severe or extreme drought. These conditions worsened throughout the spring and into the summer months, and much of the County experienced exceptional drought. Significant rainfall events began to alleviate the drought in August and the County ended the year without a drought declaration (Water Data For Texas: Drought Dashboard).

Much of the observed rainfall was experienced between August and November (Figure 1, Appendix I), with western Pecos County being the main beneficiary (Figure 4). Fort Stockton 2022 rainfall was below the historic average of 15.15", with the City receiving ~75% of its average annual rainfall despite the above average late year rainfall totals.

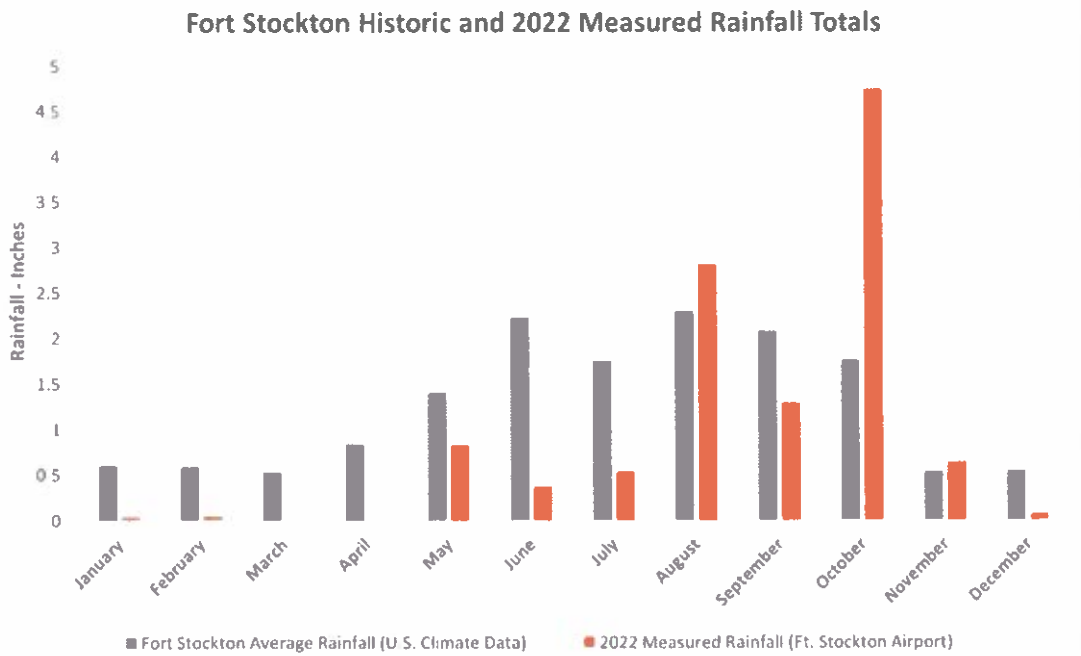


Figure 1 – Fort Stockton, Pecos County, TX Historic and 2022 Measured Rainfall Totals. Historic rainfall data according to U.S. Climate Data and measured rainfall according to TexMesonet KFST station data.

2023 Winter Water Levels

Steady water level declines, consistent with drought, were observed throughout the first half of 2022. As drought ended many of these declines were quickly erased and most monitor well water levels are higher than were observed this time last year (Figure 2). This turnaround highlights the importance of rainfall to the overall health of the aquifer systems within Pecos County, TX.

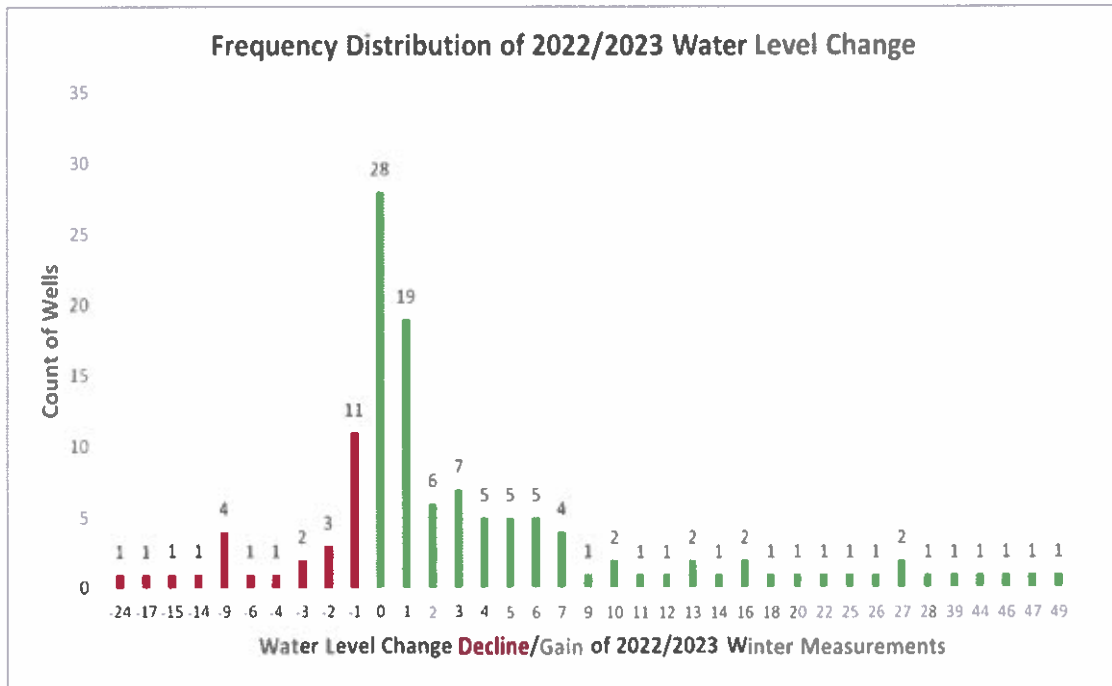


Figure 2 – Monitor well water level change from 2022 to 2023. Red illustrates a year-over-year decline while green illustrates a water level gain (recovery). This chart includes data from the monitor wells where 2022 and 2023 measurements were available.

Currently, 133 water wells are monitored in Pecos County with roughly 75% of monitor wells exhibiting a gain or recovery when compared to their 2022 winter measurement. Of the 26 wells experiencing drawdowns, 22 showed less than 10 feet of decline while the other four wells showed declines between 14 and 24 feet (Figure 2). The most significant signs of recovery were observed within Management Zone 1 (Figure 5).

When comparing 2011-12 water levels to current measurements, the general trend is flat to slightly downward, with most drawdowns being observed in Management Zone 3 and along the Reeves County border. Monitor well 230 in southern Pecos County has shown the most significant decline over the period, a reoccurring trend that has been observed over the last several years (Figure 6).

MZ1 Threshold Wells

Remaining 2023 winter 4 threshold levels on January 5th, 2023, were at or above 2022 levels for every well except Seq. #320.

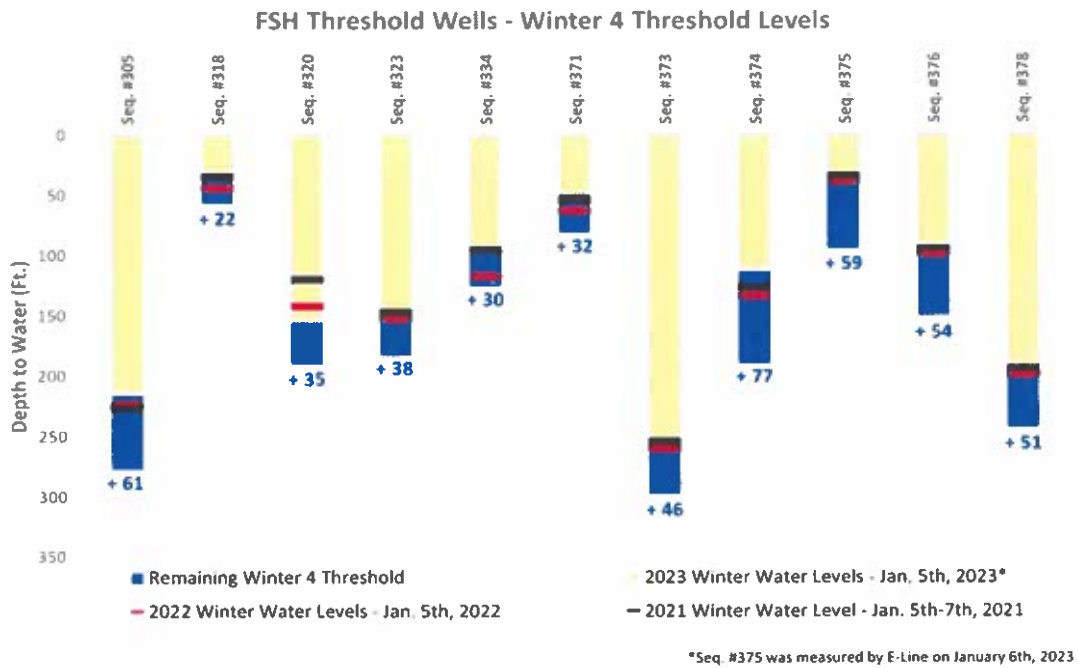


Figure 3 - Remaining Winter 4 Threshold Levels. Remaining threshold drawdown is visible in blue, while prior year water level measurements are visible as red and black lines.

If you have any questions, please do not hesitate to contact me.

Sincerely,

LRE Water

Vince Clause, GISP
Project Manager

Reviewed By:
Stephanie S. Wong, PhD, GIT



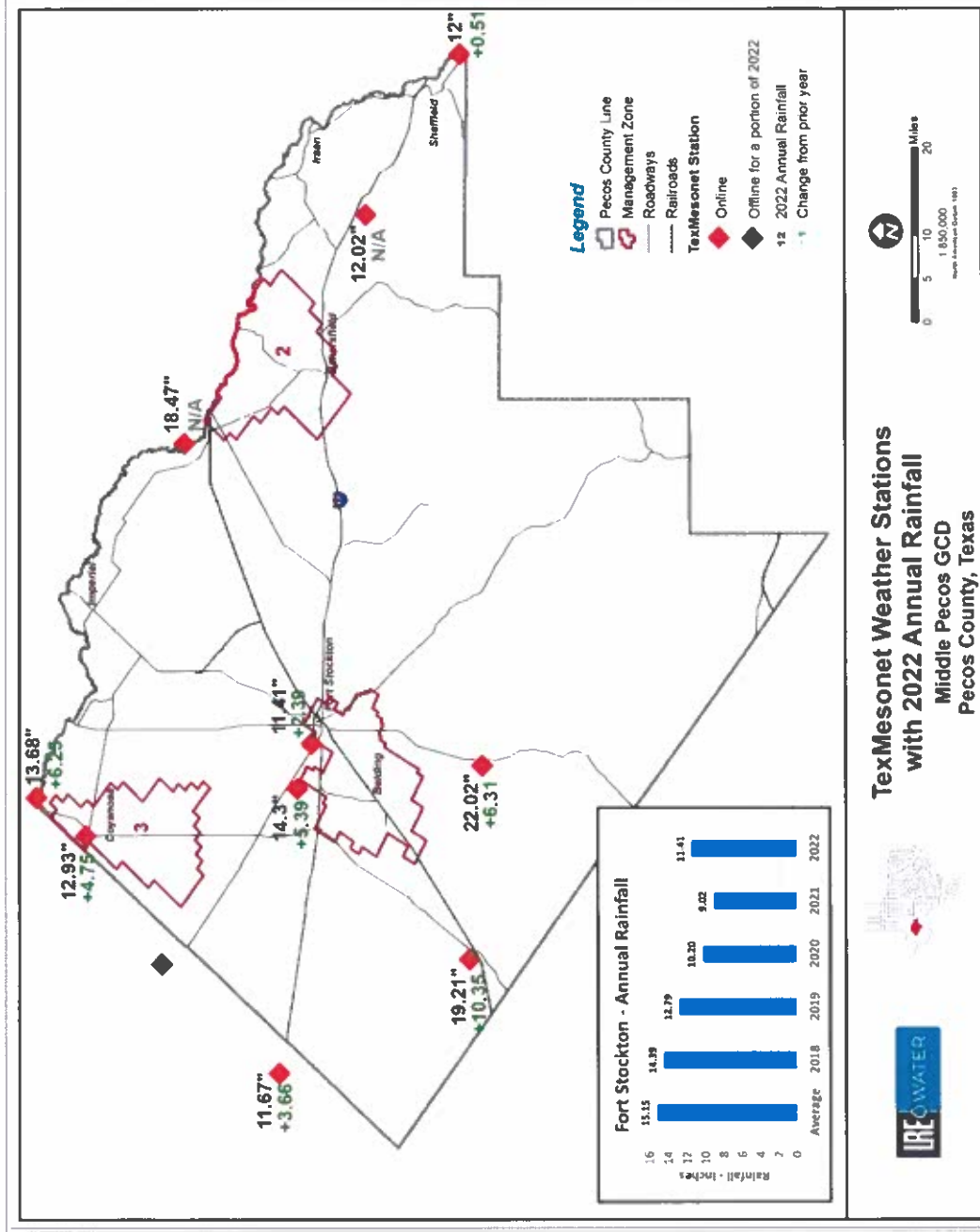


Figure 4 – TexMesonet 2022 Annual Rainfall Totals. Reported rainfall (black) with change from prior year (green). Fort Stockton historic average and the prior five-year rainfall totals are provided in graph.



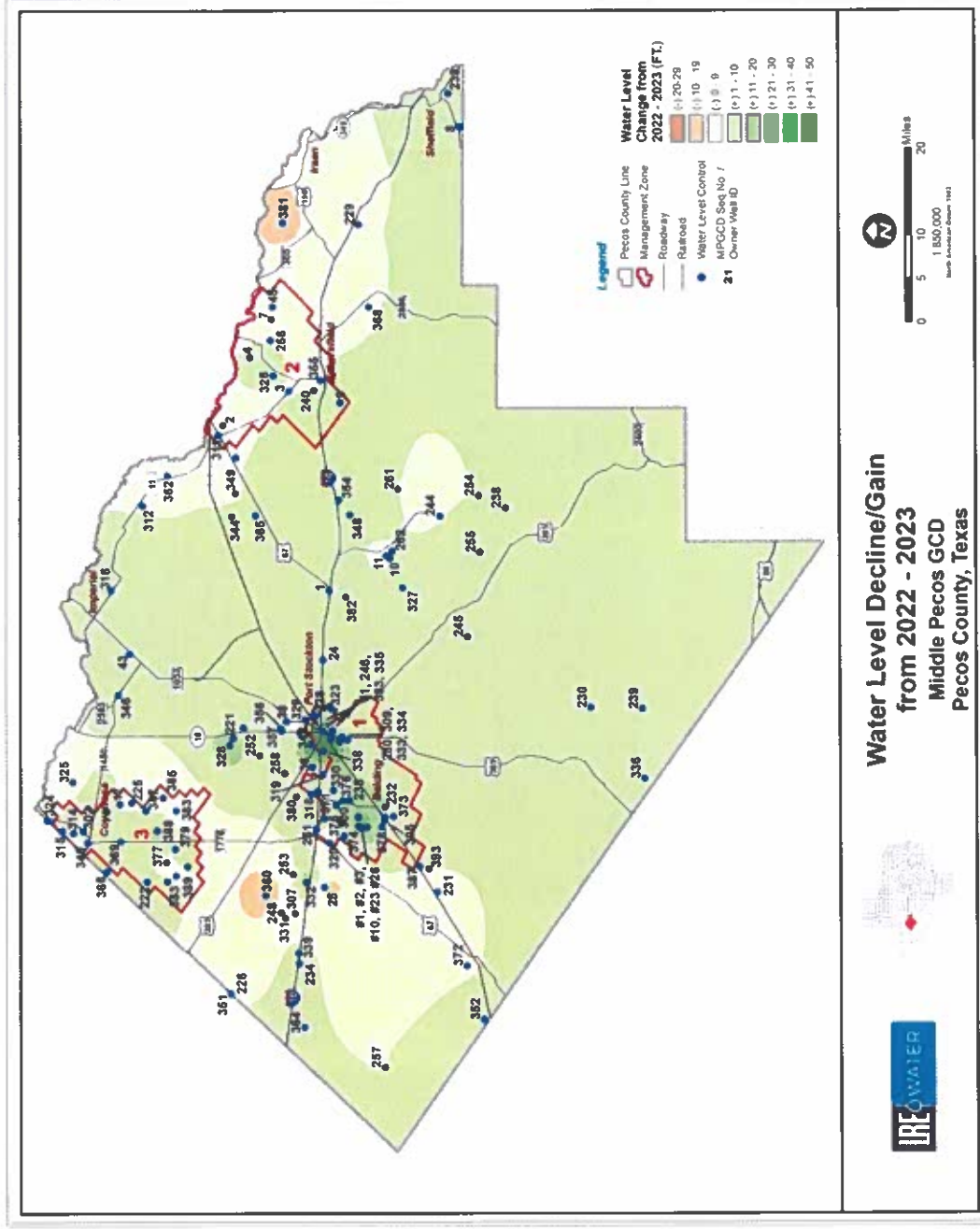


Figure 5 – Pecos County, TX Water Level Decline/Gain from 2022 – 2023. Gains are visible as shades of green while declines are illustrated as yellow to shades for red.



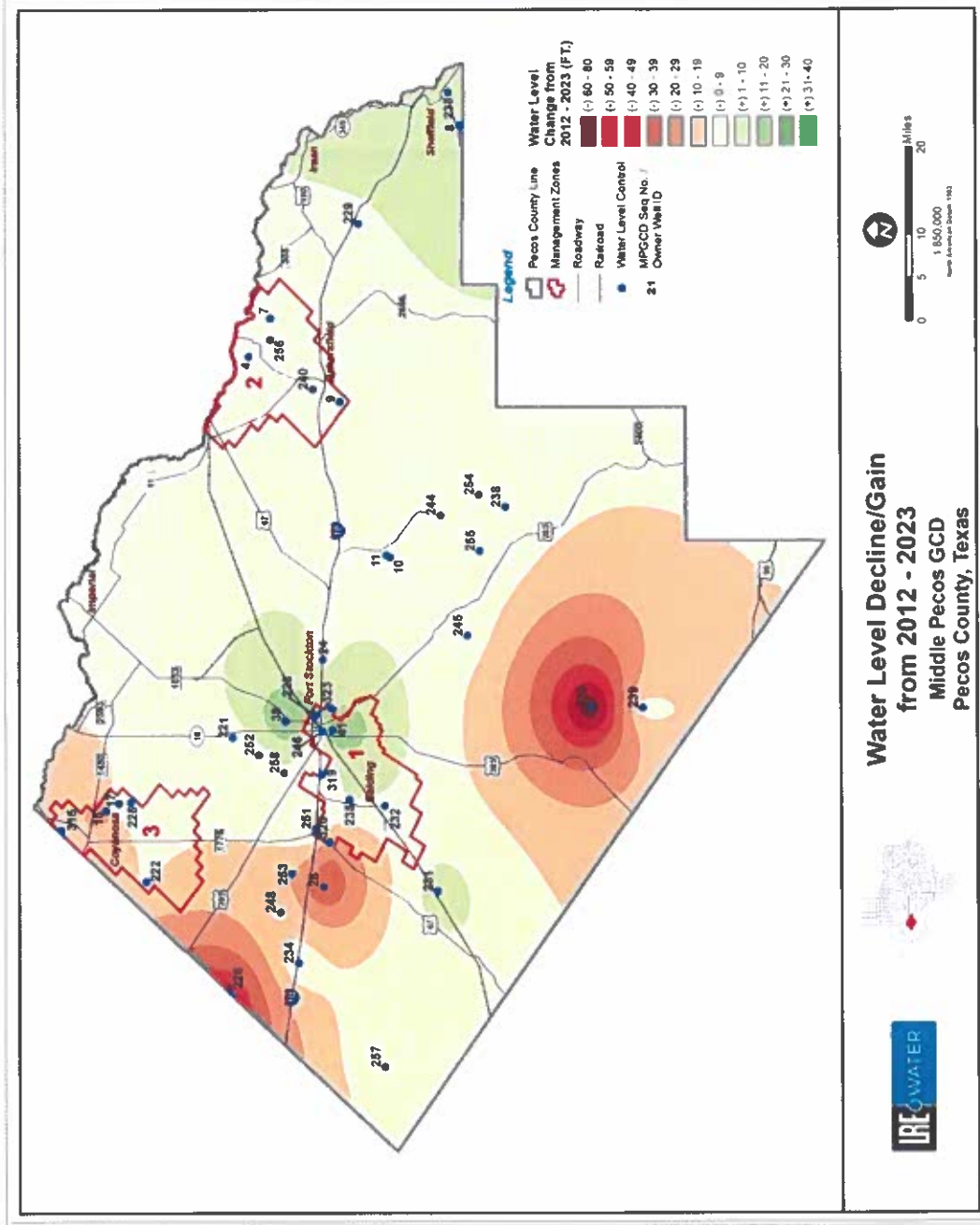


Figure 6 - Pecos County, TX Water Level Decline/Gain from 2012 – 2023. Gains are visible as shades of green while declines are illustrated as yellow to shades for red.



Appendix I – TexMesonet Weather Station Monthly Precipitation

TWB24 - Escalera Flat Farm (30.64957, -103.274)	
Month	Precip. (In.)
January	0.1
February	0.12
March	0
April	0
May	0.69
June	2.33
July	3.43
August	4.66
September	3.19
October	3.37
November	1.06
December	0.26
Total	19.21

SPCT2 – Pecos River Near Sheffield (30.65944, -101.76972)	
Month	Precip. (In.)
January	0.09
February	0.09
March	0
April	0.31
May	0.4
June	0.93
July	1.53
August	3.44
September	0.25
October	3.43
November	1.33
December	0.2
Total	12

**TWB23 - Escalera Ranch Headquarters
(30.62797, -103.95325)**

Month	Precip. (In.)
January	0.06
February	0.34
March	0
April	0.06
May	0.91
June	0.59
July	3.87
August	5.43
September	2.75
October	5.38
November	1.03
December	1.6
Total	22.02

**TWB25 – Edwards Stations
(30.93586, -101.99152)**

Month	Precip. (In.)
January	0.06
February	0.04
March	0
April	0
May	0.64
June	0.71
July	0.08
August	3.11
September	1.29
October	7.36
November	0.94
December	0.07
Total	14.3

**GIVT2 – Pecos River Near Girvin 4NW
(31.11306, -102.41722)**

Month	Precip. (In.)
January	0.08
February	0.04
March	0
April	0.24
May	2.53
June	1.43
July	0.44
August	2.85
September	0.31
October	8.93
November	1.59
December	0.03
Total	18.47

**TWB76 – John Dorris Station
(30.8289, -102.036)**

Month	Precip. (In.)
January	0.14
February	0.37
March	0.02
April	1.36
May	0.79
June	0.36
July	0.29
August	2.03
September	2.4
October	2.81
November	1.27
December	0.18
Total	12.02

**PGFT2 – Pecos River Near Grandfalls 9W
(31.36667, -103.00556)**

Month	Precip. (In.)
January	0.01
February	0.03
March	0
April	0
May	0.4
June	0.05
July	0.12
August	5.96
September	0.16
October	5.53
November	1.2
December	0.22
Total	13.68

**KFST – Fort Stockton Pecos County Airport
(30.91194, -101.91667)**

Month	Precip. (In.)
January	0.037
February	0.048
March	0.004
April	0.004
May	0.832
June	0.379
July	2.814
August	1.296
September	4.739
October	0.641
November	0.074
December	0.037
Total	11.41

**WestTex - Coyanosa 2N
(31.28554, -103.06897)**

Month	Precip. (In.)
January	0.06
February	0.04
March	0.06
April	0.00
May	1.82
June	0.34
July	0.54
August	4.81
September	0.35
October	3.25
November	1.36
December	0.30
Total	12.93

**SGAT2 – Barrilla Draw Near Saragosa 13ESE
(30.95778, -103.45917)**

Month	Precip. (In.)
January	0
February	0.07
March	0
April	0.04
May	0
June	0.55
July	1.14
August	2.95
September	0.55
October	5.19
November	0.91
December	0.27
Total	11.67