

**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

Janet Groth, President Vanessa Cardwell, Vice President M. R. Gonzalez, Secretary/Treasurer  
Alvaro Mandujano, Jr. Wayne Tinkler Ronald Cooper  
Weldon Blackwelder Billy Jackson Jeff Sims Puja Boinpally Larry Drgac

Employees

Ty Edwards, General Manager  
Office: Gail Reeves Field Technician: Anthony Bodnar

**MINUTES OF REGULAR BOARD MEETING,  
PUBLIC HEARING, AND BUDGET WORKSHOP**

**Monday August 18, 2025  
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](mailto:mpgcd@mpgcd.org) prior to 9:30 a.m. on August 18, 2025.

On this the 18<sup>th</sup> of August 2025, a Regular Board Meeting and Permit Hearing were 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:

Janet Groth	President, Precinct 1
Vanessa Cardwell	City of Fort Stockton
Wayne Tinkler	Precinct 1
M.R. Gonzalez	Precinct 2
Puja Boinpally	Precinct 2
Weldon Blackwelder	Precinct 3
Ronald Cooper	Precinct 4
Billy Jackson	At Large
Jeff Sims	City of Iraan

Quorum Present

Members Absent: Larry Drgac, Alvaro Mandujano, Jr

District employees and consultants participating: Ty Edwards, Gail Reeves, Bill Hutchison, Anthony Bodnar, Ty Embrey and Mike Gershon.

Others attending: Ryan Reed, Geoff Pike, Ed McCarthy, Mel Riggs, Beronica Propst, Jennifer Propst, Harry Propst and Joh Covington.

## REGULAR BOARD MEETING

I Board Meeting called to order at 10:05 a.m. by President Janet Groth 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 June 17, 2025.**

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 June 17, 2025, as presented. Motion seconded by Jeff Sims.

Motion passed. Vote: 9 FOR -0- Oppose 2 Absent 0 Abstain

IV Consider and/or act upon **Treasurer's Report for the Month Ending June 30, 2025.**

General Manager Ty Edwards presented the Treasurer's report to the Board. Jeff Sims made a motion to approve the Treasurer's report ending June 30, 2025, as presented. Motion seconded by Puja Boinpally.

Motion passed. Vote: 9 FOR -0- Oppose 2 Absent 0 Abstain

V Consider and/or act upon **Treasurer's Report for the Month Ending July 31, 2025.**

General Manager Ty Edwards presented the Treasurer's report to the Board. Wayne Tinkler made a motion to approve the Treasurer's report ending June 30, 2025, as presented. Motion seconded by Weldon Blackwelder.

Motion passed. Vote: 9 FOR -0- Oppose 2 Absent 0 Abstain

VI Consider and/or act upon **engaging Garza/Gonzalez & Associates, LLC for Audit Services for the year ending September 30, 2025.**

The District's long-time Auditor Rocky Rives has fallen ill and has retired. The District requested proposals across the State and Garza/Gonzalez came highly recommended. Billy Jackson made a motion to approve Garza/Gonzalez & Associates for Auditing services for the year ending September 30, 2025. Motion was seconded by Wayne Tinkler.

Motion passed. Vote: 9 FOR -0- Oppose 2 Absent 0 Abstain

**VII Executive Session pursuant to the Texas Open Meetings Act, Sections 551.071 and 551.074 of the Texas Government Code, to consult with our attorney and to deliberate annual review of the District's General Manager Ty Edwards and compensation of the District's employees.**

President Janet Groth recessed the Regular Board meeting at 10:16 a.m. and called an Executive Session. Pursuant to Section 551.071 (Items XI, XIII) and 551.074 of the Texas Government Code, the Board will now convene in a closed session regarding the Texas Open Meetings Act exemption covering the Board's deliberation of personnel matters and to discuss pending litigation. Any action on this matter will be taken in open session. A certified agenda regarding the personnel matters addressed under 551.074 will be prepared and kept in accordance with the Texas Open Meetings Act and no action will be taken in executive session.

The Executive Session adjourned at 10:33 a.m.

The presiding officer, President Janet Groth, stated that no action, no decisions, and no votes were made in executive session. The regular session reconvened at 10:34 a.m.

**VIII Consider and/or take action on Annual Review and Compensation of District's Employees.**

No action was taken.

**WORKSHOP ON PROPOSED BUDGET AND PROPOSED TAX RATE**

- I Call to Order at 10:34 a.m. by President Janet Groth.
- II Workshop to review Proposed Budget and Proposed Tax Rate for Fiscal Year ending 09/30/2026.

General Manager Ty Edwards reviewed the proposed budget and proposed tax rate with the Directors. The proposed tax rate will be set at \$0.0202 per \$100 valuation which is the No New Revenue tax rate.

- III Adjourn. President Janet Groth adjourned the hearing at 10:43 am.

**PUBLIC HEARING ON PROPOSED BUDGET AND PROPOSED TAX RATE**

- I Call to Order at 10:44 a.m. by President Janet Groth.
- II Receive public input on Proposed Budget and Proposed Tax Rate for Fiscal Year ending 09/30/2026.

No comments received.

III Adjourn. President Janet Groth adjourned the hearing at 10:45 am.

**REGULAR BOARD MEETING – CONTINUED**

IX Consider and/or approve **Budget for Fiscal Year Ending 09/30/2026 and sign the Resolution to Adopt the Annual Budget.**

General Manager Ty Edwards presented the Resolution and Budget for the fiscal year ending 09/30/2026. Puja Boinpally made a motion to approve and sign the resolution and adopt the annual budget as presented. Motion seconded by Vanessa Cardwell.

Motion passed. Vote: 9 FOR -0- Oppose 2 Absent 0 Abstain

FOR: Janet Groth, Vanessa Cardwell, Puja Boinpally, Jeff Sims, Billy Jackson, Ronald Cooper, Wayne Tinkler, M.R. Gonzalez and Weldon Blackwelder  
AGAINST: None  
ABSENT: Larry Drgac, Alvaro Mandujano, Jr.

X Consider and/or adopt a **Proposed Tax Rate for 2025-2026.**

Puja Boinpally made a motion that the proposed property tax rate be decreased by an adoption of a tax rate of \$0.0202 per \$100 valuation, which is the no new revenue tax rate. Motion was seconded by Vanessa Cardwell.

Motion passed. Record Vote: 9 FOR -0- Oppose 2 Absent 0 Abstain

FOR: Janet Groth, Vanessa Cardwell, Puja Boinpally, Jeff Sims, Billy Jackson, Ronald Cooper, Wayne Tinkler, M.R. Gonzalez and Weldon Blackwelder  
AGAINST: None  
ABSENT: Larry Drgac, Alvaro Mandujano, Jr

XI Consider and/or act upon **Setting a Public Hearing Time, Place and set a Meeting Date/Time/Place to Adopt a Tax Rate for 2025-2026.**

Vanessa Cardwell made a motion to set the public hearing on the proposed tax rate of \$0.0202 to be held at the Middle Pecos Groundwater Conservation District office located at 405 North Spring Drive, Fort Stockton, TX on August 25, 2025, at 5:30 pm and also to set the Date to Adopt the Tax Rate on August 25, 2025, following the public hearing. Motion was seconded by Puja Boinpally.

Motion passed. Record Vote: 9 FOR -0- Oppose 2 Absent 0 Abstain

FOR: Janet Groth, Vanessa Cardwell, Puja Boinpally, Jeff Sims, Billy Jackson, Ronald Cooper, Wayne Tinkler, M.R. Gonzalez and Weldon Blackwelder  
AGAINST: None  
ABSENT: Larry Drgac, Alvaro Mandujano, Jr

XII **State 89th Legislative Session update and Special Session Called July 21, 2025.**

Ty Embrey joined the meeting and gave the Board a high-level overview of the status at the Capitol. The Governor has called a second special session and several groundwater bills have been filed to address large-volume groundwater export projects.

XIII **Update and possible action on San Andres efforts at RRC and TCEQ, and MPGCD v. RRC and Commissioners, Cause No. D-1-GN-24-005222 (200<sup>th</sup> District Court, Travis County) and second cause filed on October 11, 2024.**

District Judge Laurie Eiserloh with Travis County 455<sup>th</sup> District Court recently issued a notice asking for a briefing schedule. A hearing was held on August 15, 2025, on RRC's plea to the jurisdiction requesting dismissal of the lawsuit. We are waiting on the Judge's Ruling.

The District has met with TCEQ's senior management and program staff and discussed the new grant program to plug wells in Pecos County. TCEQ held a Rulemaking hearing on January 29, 2025. The District attended the hearing and made comments. TCEQ held a workshop on 02-20-2025 to discuss and solicit feedback eligible and ineligible expenses and the definition of administrative costs, how the LWWGP will fund eligible projects and how TCEQ expects to apply the prioritization criteria that will be specified in the rule and what further refinements to the prioritization criteria might be included in the RFGA.

XIV **Update on Fort Stockton Holdings, L.P. (FSH)-MPGCD Joint Study, Threshold Water Level Update and Drilling of New Rustler Monitor on Williams Farms.**

The Board and General Manager discussed the ongoing groundwater monitoring of the FSH threshold water levels. All wells are working and operating properly, and no wells are near any threshold water levels that would trigger cutbacks according to the FSH special permit conditions. A link to the FSH threshold water levels is available at <https://mpgcd.half.com/Dashboard>. General Manager Ty Edwards screen-shared and provided an overview of current data.

Williams Farms and Fort Stockton Holdings have approved the drilling of the Rustler Monitor Well. The seismic study was conducted the week of April 29-May 2, 2025. In July and the first part of August work has been completed on the location and water pits have been built and lined. The rat hole and surface casing has been installed, and all material has been ordered and shipped. Drilling should start middle of August 2025.

XV **Briefing and take action as necessary on following lawsuits:**

**A. 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. 23-0742 (Texas Supreme Court)(Cockrell I);**

In Cockrell I, Cockrell timely filed its petition by review. The Court granted the petition to consider the appeal and take oral arguments, which have been scheduled for November 4, 2025.

**B. Cockrell Investment Partners, L.P. v. MPGCD and its General Manager in his official capacity, and FSH, Case No. 23-0593 (Texas Supreme Court)(Cockrell II);**

In Cockrell II, the Court took the same action as in Cockrell I.

**C. Cockrell Investment Partners, L.P. v. Ty Edwards, in his capacity as General Manager, and FSH, Case No. 08-23-00178-CV (El Paso Court of Appeals)(Cockrell III);**

In Cockrell III, the District Court ruled in favor of FSH and MPGCD by granting their Pleas to the Jurisdiction. Cockrell appealed and timely filed its appellate briefs, then the District and FSH's appellate briefs were timely filed. On October 13<sup>th</sup> Cockrell filed a reply brief. On May 14<sup>th</sup> the Court set for submission without oral argument for June 4, 2024. Waiting for a decision from the Court, which abated the case awaiting the ruling from the Texas Supreme Court in Cockrell I and Cockrell II.

**D. Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District, Cause No. P-8626-83-CV (83<sup>rd</sup> District Court)(Cockrell IV); and**

In Cockrell IV, the lawsuit was filed on August 17<sup>th</sup> and served on September 13<sup>th</sup> by agreement. The District's answer and counterclaim were timely filed October 9<sup>th</sup>. FSH has advised that it will intervene and file plea to the jurisdiction. Cockrell filed Plaintiff's First Amended Petition on August 5, 2024. Remains pending without further action. Parties are waiting for ruling from the Texas Supreme Court in Cockrell I and Cockrell II.

**E. Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District, Cause No. P-13031-112-CV (112<sup>th</sup> District Court)(Cockrell V).**

In Cockrell V, the lawsuit was filed on August 23<sup>rd</sup> and served on September 13<sup>th</sup> by agreement. The District's answer and counterclaim were timely filed October 9<sup>th</sup>. FSH has advised that it will intervene and file plea to the jurisdiction. Cockrell filed Plaintiff's First Amended Petition on August 5, 2024. Remains pending without further action. Parties are waiting for ruling from the Texas Supreme Court in Cockrell I and Cockrell II.

**XVI Briefing on U.S. Fish and Wildlife Service’s five-year review of Pecos Gambusia and related issues regarding Diamond Y Springs.**

The U.S. Fish and Wildlife Service (Service or USFWS) is required by section 4(c)(2) of the Endangered Species Act (ESA) to conduct a status review of each listed species once every 5 years. The purpose of a 5-year review is to evaluate whether or not the species’ status has changed since it was listed (or since the most recent 5-year review). Based on the 5-year review, USFWS then recommends whether the species should be removed from the list of endangered and threatened species, be changed in status from endangered to threatened, or be changed in status from threatened to endangered. USFWS’s original listing as endangered or threatened is based on the species’ status considering the five threat factors described in section 4(a)(1) of the ESA. These same five factors are considered in any subsequent reclassification or delisting decisions. In the 5-year review, USFWS considered the best available scientific and commercial data on the species and focus on new information available since the species was listed or last reviewed. If USFWS recommends a change in listing status based on the results of the 5-year review, it must propose to do so through a separate rulemaking process including public review and comment.

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

- Pecos County Drought Map for July and August 2025. Most of the County is out of Drought but Abnormally dry.
- 4 H Water Ambassadors program. Gave the 4H kids a tour of Pecos County
- GMA 7 08-14-2025
- Williams Monthly Usage Reports
- Rig Data Report 08-09-2025. 1 Rig drilling in Pecos County
- TPWMA Forecast 08-18-2025
- PB Materials Surface Water Deal


**XVIII Directors’ Comments and consider and/or act upon agenda for next meeting.**

Next Board meetings will be August 26<sup>th</sup> at 5:30 pm (Tax Rate Hearing) and September 16<sup>th</sup> (Regular Board meeting).

**XIX Adjourn Board meeting.**

Wayne Tinkler made a motion to adjourn the meeting. Motion seconded by Jeff Sims Motion carried unanimously. The meeting adjourned at 11:29 a.m.

  
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M. R. Gonzalez, Secretary/Treasurer

  
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Janet Groth, President

Date Approved 09/16/2025