

THE STATE OF TEXAS \* GROUNDWATER CONSERVATION DISTRICT  
 COUNTY OF KENEDY \* OF KENEDY COUNTY, TEXAS

On the 18th day of November, 2016, at 9:00 AM o'clock a.m., a regular meeting of the Kenedy County Groundwater Conservation District was held at the Kenedy County Courthouse Courtroom in Sarita, Texas.

**Directors present:**

Chuck Burns, President  
 Homero Vera, Vice-President  
 Dave Delaney, Secretary  
 Danny Butler, Member  
 Craig Weiland, Member

**Also present:**

Andy Garza, General Manager  
 Leo Villarreal, Administrative Assistant  
 Felix Saenz, Brush Country GCD  
 Monica Jacobs, Kelly Hart

**Absent:**

**1. Call Meeting to Order**

Chuck Burns, President, called the meeting to order at 9:05 a.m.

**2. Public Comments**

No public comments were offered.

**3. Discuss & Act on Minutes of October 12, 2016 Regular Meeting**

Chuck Burns presented to the Board the minutes of the October 12, 2016 regular meeting. Chuck Burns stated out that he had not attended the October, 2016 meeting, but, his name had appeared in 2 sections of the minutes. Errors were duly noted.

Dave Delaney moved and Craig Weiland seconded the motion; the motion passed unanimously that the October 12, 2016 regular meeting minutes be approved and corrected by removing Chuck Burns' name from the minutes of the October 12, 2016 meeting.

- 4. Receive General Manager's Activity Report & Act, If Necessary, Regarding:**
- a. Communications**
  - b. Well registrations**
  - c. GMA-16 report**
  - d. HB 30 report**
  - e. Brush Country GCD meeting**
  - f. Duval County GCD meeting**
  - g. Region N update**
  - h. Conference call: TAGD's Legislative Committee**
  - i. Senator Perry's letter to TWCA**
  - j. Request from Allan Standen**
  - k. Water chemistry report to Commissioners' Court**
  - l. GCD election in San Patricio County**
  - m. Community service**
  - n. Trick or Treat for students**
  - o. News articles**
  - p. Other**

Andy Garza, General Manager, reported on the following:

**a. Communications:** Garza reported that since the District's meeting in October, 2016, he had communicated with the following individuals and/or entities: Headington Oil Co. regarding well information for temporary rig supply report; Trinity River Energy and John Pinkston regarding a P-13 well that will be put into service on the Santa Fe Ranch; Allan Standen, private consultant, regarding the possibility of making a presentation to the Kenedy County GCD on work that he has done on 3 dimensional modeling of groundwater; Hidalgo County Appraisal District regarding a form needed from the Kenedy County Tax Office and Daniel Johnson, field agent for Union Pacific Railroad, regarding a well that is located on the railroad right-of-way in Armstrong, TX.

**b. Well registrations:** Garza reported that Jerry Miller had submitted paperwork on his new well.

**c. GMA-16:** Garza reviewed with the Kenedy County GCD directors the agenda followed at the November 15, 2016 meeting of GMA-16 held in Falfurrias, TX. Garza stated the highlights of the meeting were that Bar W's contract was terminated and that David O'Rourke, a private consultant, had been hired to finish the work on the revised DFC and Explanatory Report. Garza reported that the GMA-16 revised DFC should be adopted through resolution on January 17, 2017.

**d. HB 30 report:** Garza reported that Mary Sahs had represented the Kenedy County GCD at the TWDB meeting held on October 20, 2016. Sahs testified and reiterated what Dr. Uddameri had written in a report that he had prepared for the Kenedy County GCD. Two of the brackish production zones that were designated are located within the boundaries of the Kenedy County GCD including one in the Upper Lagarto stratigraphic layer of the Evangeline which the District opposed.

Dave Delaney moved and Danny Butler seconded the motion; the motion passed unanimously to instruct Andy Garza to compile a folder containing all the information pertinent to the District's response to HB 30 from the very beginning and including a cover sheet with talking points.

Dave Delaney moved and Homero Vera seconded the motion; the motion passed unanimously to ask Dr. Uddameri to provide the Kenedy County GCD with estimates on how much brackish groundwater can be pumped from the designated brackish groundwater production zones.

e. Brush Country GCD meeting: Garza reported that he had attended 2 meetings of the Brush Country GCD since the last meeting. The first meeting was held on October 25, 2016 and the highlight of that meeting was that Senator Juan Hinojosa and Representative J.M. Lozano were in attendance. Garza reported that the Brush Country GCD shares the same concerns on brackish groundwater production and management as the Kenedy County GCD. In the other meeting held on November 15, 2016, Garza stated that the Brush Country GCD may in the future consider adding well spacing requirements to their rules.

f. Duval County GCD: Garza reported that he attended a meeting of the Duval County GCD on October 25, 2016 at which time the district adopted revised rules as per Mary Sah's work. Garza reported that there is a high degree of similarity between the rules of the Kenedy County and Duval County GCDs.

g. Region N update: Garza reviewed some information relative to proposed amendments to Chapter 357 of the Texas Administrative Code pertaining to Regional Water Planning and proposed methodology for developing draft irrigation water demand projections.

h. Conference call: TAGD's Legislative Committee: Garza reviewed the TAGD Legislative Committee's agenda that was followed. Garza reported that a legislative aide who has not been friendly to GCDs was no longer working for the Senate Committee on Agriculture, Water and Rural Affairs.

i. Senator Perry's letter to TWCA: Garza provided the directors with a copy of the interim report of the Senate Committee on Agriculture, Water and Rural Affairs to the 85<sup>th</sup> Legislature and reviewed the letter Senator Perry sent to the TWCA asking them to consider the following: 1) support for greater application of oil and gas law to groundwater, 2) concern regarding groundwater conservation district permitting methodologies and 3) criticisms of the estimates used by groundwater conservation districts to determine the amount of groundwater available for production.

j. Request from Allan Standen: Garza informed the directors that Allan Standen, hydrogeologist, is interested in making a presentation to the Kenedy County GCD directors on work he has done on 3-dimensional groundwater modeling. Chuck Burns stated that the January, 2017 would be the appropriate time for the presentation.

k. Water chemistry report to Commissioners' Court: Garza reviewed the water chemistry report on Jerry Miller's new well that he had presented to the Kenedy County Commissioners' Court. Garza reported that the radon gas content of the new well is higher than the old well.

l. GCD election in San Patricio County: Garza shared with the directors a newspaper clipping showing a contested director's election for a director in the San Patricio GCD which is in GMA-16.

m. Community service: Andy Garza informed the directors that he had coordinated vision screenings for 17 students at the Sariata School. Garza reported that the instrument used belongs to the Premont Lions Club and is operated by the Kingsville Lions Club.

n. Trick or Treat for students: Garza reported that the Kenedy County GCD had participated in the Trick or Treat event for all Sarita School students.

o. News articles: Garza distributed several news articles to the directors.

p. Other: Danny Butler informed the directors that the Raymondville Chamber of Commerce will be hosting a fact-finding congressional delegation in January, 2017 and that he had been asked to treat them to a BBQ on January 28, 2017. Butler extended an invitation to all the Kenedy County GCD directors and indicated that other officials from Kenedy County will also be invited.

#### **5. Discuss & Act On Cosponsoring a Water Well Drillers Meeting With the Brush Country and Duval County GCD**

Andy Garza informed the directors that the Brush Country GCD and Duval County GCD are interested in cosponsoring a meeting with area water well drillers and a Field Technician from the Texas Department of Licensing and Regulation who conducts inspections for the department. The meeting will be held in Falfurrias, TX and the 3 districts will pay for the meals for the drillers and the field technician attending the meeting.

Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously that the Kenedy County GCD sponsor with the Brush Country and Duval County GCD a meeting with water well drillers and share the costs for meals among the 3 districts.

#### **6. Discuss & Act on Third Quarter Investment Report**

Leo Villarreal presented the directors with an Investment Report for the 3<sup>rd</sup> Quarter, 2016. Villarreal reported that the ending balance for the checking account on September 30, 2016 was \$266,541.52 and the combined value for the 2 certificates of deposit was \$314,965.68. No new investments were reported for the 3<sup>rd</sup> quarter.

Homero Vera moved and Craig Weiland seconded the motion; the motion passed unanimously to accept the 3<sup>rd</sup> Quarter Investment Report as presented.

#### **7. Discuss & Act on Date for Next Board Meeting**

Chuck Burns informed the directors that a date needed to be set for the regular meeting in December, 2016.

Danny Butler moved and Craig Weiland seconded the motion; the motion passed unanimously to hold the next regular meeting at 10:30 AM on December 16, 2016.

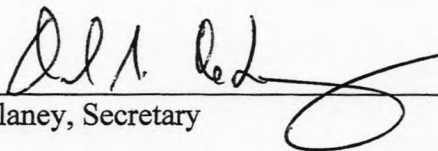
**8. Discuss & Act on Payment of Bills**

Chuck Burns presented the bills to the directors for consideration and payment.

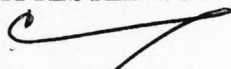
Homero Vera moved and Danny Butler seconded the motion; the motion passed unanimously to pay the bills as presented.

**9. Adjournment**

There being no other business to come before the Board of Directors, Danny Butler moved and Craig Weiland seconded the motion; the motion passed unanimously that the meeting be adjourned at 10:10 AM.

  
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David Delaney, Secretary

ATTESTED TO:

  
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Chuck Burns, President