

Victoria County Groundwater Conservation District



Directors:

Mark Meek
President

Jerry Hroch
Vice-President

Barbara Dietzel
Secretary

Thurman Clements
Kenneth Eller

THE STATE OF TEXAS VICTORIA COUNTY

The Victoria County Groundwater Conservation District Board of Directors' **REGULAR MEETING and PUBLIC PERMIT HEARING** convened in the Dr. Patti Dodson Health Center, Classroom 108A, 2805 N. Navarro St., Victoria, Texas, on **Friday, April 16, 2010, at 9:00 a.m.**

Mr. Mark Meek	President	Precinct No. 4	Present
Mr. Jerry Hroch	Vice President	Precinct No. 1	Present
Mrs. Barbara Dietzel	Secretary	Precinct No. 3	Present
Mr. Thurman Clements	Director	Precinct No. 2	Present
Mr. Kenneth Eller	Director	At Large	Present
Mr. Timothy Andruss	General Manager		Present
Mr. James Allison	Attorney		Present

1) CALL TO ORDER.

Mr. Mark Meek, President, called the meeting to order at 9:00 a.m.

2) WELCOME GUESTS.

Mr. Mark Meek, President, welcomed guests – Mr. Mark McNeill-Spring Creek Event Center, Mr. Matt Wickham-PBW, Dr. Venki Uddameri-Texas A&M-Kingsville, Mr. Jerry James-City of Victoria, Ms. Lisa Peterson-Rep. Geanie Morrison.

3) PUBLIC COMMENT.

None.

4) APPROVAL OF MINUTES OF PREVIOUS MEETING – March 19, 2010.

MOTION by Mr. Eller and seconded by Mr. Hroch, to move to accept and approve the minutes of VCGCD Regular Meeting and Public Permit Hearing – March 19, 2010. Motion carried five (5) ayes and zero (0) no.

5) APPROVAL OF FINANCIAL REPORTS OF PREVIOUS MONTH – MARCH 2010.

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MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept and approve the financial reports for the month of March 2010. Motion carried five (5) ayes and zero (0) no.

6) PERMIT HEARING ON DRILLING PERMIT AND OPERATING PERMIT– APPLICANT MR. ANDREW SEAMANS SEEKS APPROVAL OF PERMIT APPLICATIONS TO DRILL AND OPERATE A NEW WATER WELL FOR NON-EXEMPT USE (DOMESTIC, LIVESTOCK, AND IRRIGATION USES) ON A 81.6024 ACRE TRACT OF LAND LOCATED AT 20003 NW ZAC LENTZ PKWY, TEXAS. THE APPLICANT IS REQUESTING A TOTAL ANNUAL PRODUCTION OF 43.75 ACRE- FEET/YEAR.

The applicant has drilled a new water well on a 81 acre property to replace grandfathered exempt water well located at the property. The applicant has submitted a registration application for the grandfathered well (ARGEW-20100305-02). The applicant is seeking an operating permit for the replacement well to produce a maximum of 43.75 ac-ft/yr at a maximum production rate of 45 gallons per minute for domestic, livestock, and irrigation uses.

**President Mark Meek -
OPEN PUBLIC PERMIT HEARING
PUBLIC COMMENT - None
CLOSE PUBLIC PERMIT HEARING**

MOTION by Mr. Eller and seconded by Mr. Hroch, to move to close the Public Permit Hearing on the Drilling Permit and Operating Permit – Applicant Mr. Andrew Seamans. Motion carried five (5) ayes and zero (0) no.

7) APPROVAL OF DRILLING PERMIT AND OPERATING PERMIT– APPLICANT MR. ANDREW SEAMANS SEEKS APPROVAL OF PERMIT APPLICATIONS TO DRILL AND OPERATE A NEW WATER WELL FOR NON-EXEMPT USE (DOMESTIC, LIVESTOCK, AND IRRIGATION USES) ON A 81.6024 ACRE TRACT OF LAND LOCATED AT 20003 NW ZAC LENTZ PKWY, TEXAS. THE APPLICANT IS REQUESTING A TOTAL ANNUAL PRODUCTION OF 43.75 ACRE-FEET/YEAR.

On March 4, 2010, the applicant informed the District that the new well was required for completion of the new home construction on the property. The applicant was informed that if the well was equipped with a pump that enabled the well to produce more than 28,800 GPD then an operating permit would be required (see related email). The applicant proceeded with the drilling of the well and submitted the necessary operating permit application.

The new well is located over 200 feet from the property boundary and satisfies the District's offset requirements. The applicant is seeking a total production amount that satisfies the District's production rules of 1/2 ac-ft/yr per acre owned or controlled.

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MOTION by Mr. Eller and seconded by Mrs. Dietzel, to move to approve the operating application with the following conditions:

- 1. Maximum Rate of Production per Minute: 45 gpm;**
 - 2. Maximum Rate of Production per Day: 64,800 gpd;**
 - 3. Maximum Rate of Production per Year: 43.75 ac-ft/yr;**
 - 4. All existing and future wells will be permitted such that the total annual groundwater production rate will not exceed the 1/2 acre-foot per acre owned or controlled limitation; and**
 - 5. The well site shall be accessible to District representatives for the purposes of collecting groundwater samples from the permitted well and the permittee agrees to cooperate fully in any reasonable efforts to collect groundwater samples from the well by the District representatives**
- Motion carried five (5) ayes and zero (0) no.**

8) PERMIT HEARING ON DRILLING PERMIT AND OPERATING PERMIT – APPLICANT MR. MARK MCNEILL SEEKS APPROVAL OF PERMIT APPLICATION TO DRILL AND OPERATE A NEW WATER WELL FOR NON-EXEMPT USE (COMMERCIAL USE) ON A 28.712 ACRE TRACT OF LAND LOCATED AT 12058 NURSERY DRIVE, VICTORIA, TEXAS. THE APPLICANT IS REQUESTING A TOTAL ANNUAL PRODUCTION OF 13.35 ACREFEET/YEAR.

The applicant is seeking a drilling permit and an operating permit for a new non-exempt well to produce a maximum of 13.35 ac-ft/yr at a maximum production rate of 100 gallons per minute for commercial uses.

**President Mark Meek -
OPEN PUBLIC PERMIT HEARING
PUBLIC COMMENT- None
CLOSE PUBLIC PERMIT HEARING**

MOTION by Mr. Hroch and seconded by Mr. Eller, to close the Public Permit Hearing on Drilling Permit and Operating Permit – Applicant Mr. Mark McNeill. Motion carried five (5) ayes and zero (0) no.

9) APPROVAL OF DRILLING PERMIT AND OPERATING PERMIT – APPLICANT MR. MARK MCNEILL SEEKS APPROVAL OF PERMIT APPLICATION TO DRILL AND OPERATE A NEW WATER WELL FOR NON-EXEMPT USE (COMMERCIAL USE) ON A 28.712 ACRE TRACT OF LAND LOCATED AT 12058 NURSERY DRIVE, VICTORIA, TEXAS. THE APPLICANT IS REQUESTING A TOTAL ANNUAL PRODUCTION OF 13.35 ACRE FEET/YEAR.

**MOTION by Mrs. Dietzel and seconded by Mr. Clements, to move to approve the drilling permit application with the condition that the new well to be drilled at least 100 feet from the nearest property boundary;
and to move to approve the operating permit application with the following**

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conditions:

1. Maximum Rate of Production per Minute: 100 gpm;
 2. Maximum Rate of Production per Day: 50,000 gpd;
 3. Maximum Rate of Production per Year: 13.35 ac-ft/yr;
 4. All existing and future wells will be permitted such that the total annual groundwater production rate will not exceed the 1/2 acre-foot per acre owned or controlled limitation; and
 5. The well site shall be accessible to District representatives for the purposes of collecting groundwater samples from the permitted well and the permittee agrees to cooperate fully in any reasonable efforts to collect groundwater samples from the well by the District representatives
- Motion carried five (5) ayes and zero (0) no.

10) PROFESSIONAL CONSULTING SERVICES RELATED TO DFC DEVELOPMENT – PBW TASK ORDERS: PBW-9.

Matt Wickham of PBW provided a presentation of the work completed under Task Order PBW-9 related to additional GAM runs including drought condition simulations. Dr. Venkatesh Uddameri was a consultant on this project.

11) ACCEPTANCE AND APPROVAL OF TASK ORDER PBW-10 TO PROVIDE CONSULTING SERVICES RELATED TO ANALYZING HISTORIC GROUNDWATER LEVELS IN RELATIONSHIP TO DFC DEVELOPMENT.

TWDB has collected a water level measurements within Victoria County for many years. This information may provide the Board with some useful insight into historic water levels, effects of historic groundwater production, and the impact of potential desired future conditions.

Unfortunately, a considerable amount of data gathering, analysis, and data verification will be necessary to ensure the information is used and presented in an appropriate manner. This task order would be paid out of Account 405 - Research and Consultation. This account has an available balance of \$58,333.00. However, the District has previously approved expense from this account that have an outstanding balance of \$55,022.46. If the board approves the task order, the account 405 will be over-allocated by approximately \$4,200.00.

MOTION by Mr. Eller and seconded by Mr. Clements, to move to accept Task Order PBW-10 and authorize the general manager, Tim Andruss, to pay associated invoices in an amount not to exceed \$7,500.00 from account 405 - Research and Consultation; and to move to transfer \$10,000.00 from account 460 - Joint Planning GMA 15 to account 405 - Research and Consulting. Motion carried five (5) ayes and zero (0) no.

12) PLATTED SUBDIVISION AND PROPOSED WELL LOCATIONS.

The District's attorney, Mr. Jim Allison provided the Board with information regarding the recurring issue associated with plat development and proposed well locations.

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The VCGCD Board of Directors instructed Mr. Allison and general manager, Mr. Andruss to work out the issues of platting process and then meet with Victoria County Commissioners Court.

13) GENERAL MANAGER REPORT – REGION L UPDATE; GMA 15 UPDATE; REGISTRATION UPDATE; DROUGHT MONITORING; CALENDAR OF EVENTS.

Region L Update: A public hearing was held on April 12, 2010, at the Victoria County Community Center. Additional hearings will be held on April 13 and 14. The comments will be compiled and reviewed at the Region L meeting on May 6...

GMA 15: The next meeting has not been set for GMA 15. The next meeting is tentatively scheduled for early May 2010.

Registration and Permitting Update:

	Previous Report	Current Report
Drilling Permit Applications	178	185
Operating Permit Applications	15	16
Registration Applications	166	176
Registered Wells	329	353

Drought Monitoring:

See Meeting Packet for details.

Calendar of Events:

See Meeting Packet for details.

14) CLOSED MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551.071, TO CONDUCT PRIVATE CONSULTATION WITH VCGCD ATTORNEY REGARDING MATTERS PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE OR V.T.C.A. GOVERNMENT CODE 551.074 REGARDING PERSONNEL.

MOTION by Mr. Meek and seconded by Mr. Eller, to move for the VCGCD Board of Directors to go into Closed Meeting at 10:48 a.m., pursuant to V.T.C.A. Government Code 551.071, to conduct private consultation with VCGCD attorney regarding matters protected by the Attorney-Client privilege or V.T.C.A. Government Code regarding personnel. Motion carried five (5) ayes and zero (0) no.

15) RETURN TO OPEN MEETING: PURSUANT TO V.T.C.A. GOVERNMENT CODE 551.102, RETURN TO OPEN MEETING AND TAKE ANY ACTION DEEMED NECESSARY BASED UPON DISCUSSION IN CLOSED MEETING.

MOTION by Mr. Hroch and seconded by Mr. Eller, to move for the VCGCD Board of Directors to return to Open Meeting at 11:55 a.m., pursuant to V.T.C.A. Government Code 551.102, to return to Open Meeting to take any

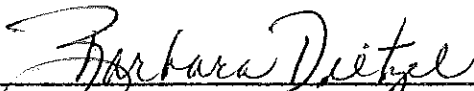
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action deemed necessary based upon discussion in closed meeting.
Motion carried five (5) ayes and zero (0) no.

16) DISCUSSION AND ACTION RELATED TO CLOSED MEETING.
No action taken.

17) ADJOURN.

MOTION by Mr. Clements and seconded by Mr. Eller, to move for the Victoria County Groundwater Conservation District Board of Directors to adjourn the VCGCD Regular Meeting and Public Permit Hearing of April 16, 2010, at 12:00 p.m. Motion carried five (5) ayes and zero (0) no.




Barbara Dietzel, Director/Secretary of the Victoria
County Groundwater Conservation District
Board of Directors

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON
THIS THE 21 DAY OF May A.D. 2010.

ATTEST:



Secretary, Victoria County
Groundwater Conservation District



President, Victoria County
Groundwater Conservation District