

**BREWSTER COUNTY GROUNDWATER CONSERVATION DISTRICT
BOARD OF DIRECTORS MEETING**

Monday, August 4, 2008

WORKSHOP

1. Consider revisions to District Rules, Section 1, Definitions and Concepts

Mr. Davidson told the Board to look over the changes that had been approved last meeting. He asked the Board if they had any questions. The Board did not.

2. Consider revisions and amendments to District Rules, Section 6, Transfer of Groundwater out of the District

Mr. Davidson told the Board he did not see too many changes in this section because of the amount of work that went into this section when the Board first created and wrote the Rules. Mr. Davidson explained to the Board that currently a transport permit does not have an application fee. He proposed to the Board that a \$500 application fee would be appropriate. He explained he had researched many groundwater conservation districts and a majority of the districts applied a fee to their permit.

3. Consider revisions to District Rules, Section 7, Drilling Permits

Mr. Davidson told the Board to look over the changes that had been approved last meeting. He asked the Board if they had any questions. The Board did not.

4. Consider revisions to District Rules, Section 8, Permits and Registration

Mr. Davidson told the Board to look over the changes that had been approved last meeting. He asked the Board if they had any questions. The Board did not.

The called meeting of the Board of Directors of the Brewster County Groundwater Conservation District was called to order by Vice-Chairman Mike Davidson at 9:40 a.m. A quorum was present. Members of the Board present were: Vice-Chairman Mike Davidson, Leo Dominguez, Tom Santry, Billito Donnell, and Rob Dean. General Manager Conrad J. Arriola was also present.

Vice-Chairman Davidson declared that a quorum was present and the notice of the meeting had been posted as required by law.

3. Approval of Minutes

The General Manager gave a copy of the July 16, 2008, meeting minutes to Board for approval. After review, Mr. Santry moved to accept the minutes, and Mr. Dominguez seconded the motion. Mr. Davidson called for the vote, and the Board unanimously approved the minutes.

4. General Manager's Report, Directors' Report/Discussion and appropriate action

The General Manager told the Board he had been working on the revisions to the District's rules. Also, he mentioned that he had received two new well applications and they met the District's requirements. The General Manager told the Board he did not have anything else to report.

5. Financial Report

The General Manager presented the Board the July 2008 financial report. He reported that the only expenditure the District had for the Month was for monthly salary. He also reported that the District did not have any pending bills at the current time. Mr. Dominguez moved to accept his report and Mr. Dean seconded the motion. Vice-Chairman Davidson called for the vote and the Board approved the General Manager's financial report.

6. Discussion and appropriate action on July Drilling permits

The General Manager reported to the Board that he had received two new well applications for the month of July. The General Manager told the Board that each well had met the District's requirements:

Eve Cruz
Bill Wilcox

Tom Santry moved to accept the new well drilling permits and Mr. Dean seconded the motion. The Vice-Chairman called for the vote and the Board unanimously accepted the motion.

7. Discussion and appropriate action on the following Operating Permit:

A. Buddy Cavness' application for Operating Permit

Mr. Davidson told the Board that Mr. Cavness' operating permit has been pending for the last six months and thanked Mr. Cavness for being patient with the Board in this process. Mr. Davidson asked the General Manager if the original application for an operating permit was before the Board. The General Manager told the Board the original was not before the Board but a copy of the Cavness' approved application for a water

well drilling permit was provided for the meeting. Mr. Davidson asked the General Manager to please get the copy of the original operating well application and make copies for the Board.

Mr. Davidson explained that Rule 5.1 in the District's rules limits water production to non-exempt wells and wells not pumping for home or agricultural use, based on acreage owned by the operator. Mr. Cavness, who was in attendance, told the Board he understood the rule and is going to pump the allowable amount, until he leases other water rights. Mr. Donnell told the Board he was fine with approving the well only if Mr. Cavness understood the District's rules and Rule 5.1. Mr. Davidson explained to the Board if the application is approved, the District has the discretion to ask Mr. Cavness to provide information if the Board deems it necessary. Mr. Donnell moved to approve the operating permit and Mr. Dominguez seconded the motion. The Board unanimously approved the operating permit.

8. Discussion and appropriate action on the renewal of the following Operating Permit:

A. Dr. Stephen Daugherty/ Daugherty Wells #1 & #3 on Sections 23 and 51, Block 9, Sunny Glen Aquifer, NW of Alpine

The General Manager presented the Board information and a request from Dr. Stephen Daugherty to renew his two operating well permits that are on his property. The General Manager gave the Board the information Dr. Daugherty had provided to review. Mr. Davidson gave his appreciation to the data Dr. Daugherty had provided and moved to renew the two operating permits. Mr. Dean seconded the motion and the motion was approved unanimously.

9. Discussion and appropriate action on revisions to District Rules to the following sections:

A. Section 1, Definitions and Concepts

No changes were made. Changes were previously approved during the July 16, 2008, meeting.

B. Consider revisions and amendments to District Rules, Section 6, Transfer Groundwater out of the District

Mr. Davidson asked the Board if they were ready to approve the changes that have been made to *Section 6, Transfer of Groundwater out of the District*. Mr. Davidson told the Board that the only change that was made in the workshop was the District requiring a \$500 application fee for an export permit. Mr. Donnell stated he did not see any problems with the changes. Mr. Donnell moved to approve the changes that were made

in this section, and Mr. Santry seconded the motion. Mr. Davidson called for the vote, and the Board unanimously approved the changes.

C. Section 7, Drilling Permits

No changes were made. Changes were previously approved during the July 16, 2008, meeting.

D. Section 8, Permits and Registrations

No changes were made. Changes were previously approved during the July 16, 2008, meeting.

11. Discussion and appropriate action on matters related to Groundwater Management Area #4

The General Manager did not have any information on this item but he told the Board he would check to see when the next meeting would be taking place.

12 Administrative and Procedural Matters

The General Manager told the Board that he would prefer having the next meeting and future meetings on the third Monday of the month. He explained that Commissioners Court does not meet on the third Monday of the month and the room would be open. He went on to explain the importance of having a consistent date and the date would work for everyone on the Board. Mr. Santry moved to set the District's regular meeting date for the third Monday of each month. Mr. Dominguez seconded the motion and the Board unanimously approved the motion.

The General Manager told the Board the next meeting would fall on September 15, 2008, at 8:30 a.m.

13. Public Comment

Marci Roberts asked the Board to consider publishing pending operating permits when they are submitted to the District.

14. Adjourn

The Board adjourned the meeting at 11:08 a.m.