MINUTES OF THE JANUARY 12, 2016
BOARD OF DIRECTORS MEETING OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT

The Board of Directors of North Plains Groundwater Conservation District met in regular session January 12, 2016 at 9:00 a.m. in the Conference Room of the North Plains Water Conservation Center, 6045 County Road E., Etter, Texas. The following persons were present:

Members Present at 9:06 a.m.:

Bob B. Zimmer, President;
Gene Born, Director;
Harold Grall, Vice-President;
Justin Crownover, Director;
Mark Howard, Director; and
Zac Yoder, Director.

Staff Present during part or all of the meeting:

Steve Walthour, General Manager;
Dale Hallmark, Assistant General Manager/Hydrologist;
Pauletta Rhoades; Finance and Administration Coordinator;
Kristen Lane, Executive Assistant;
Casey Tice, Compliance Coordinator;
Odell Ward, GIS and Natural Resources Tech Lead; and
Laura West, Production Monitoring Coordinator;
Mike Pitts, Monitor Well Coordinator; and,
Lynsey McAnally, Conservation Outreach Assistant.

Others present during part or all of the meeting:

F. Keith Good, Attorney;
Jessica McCallie, Attorney;
Ellen Orr, Paralegal;
Coy Barton, CPA;
Scott Strawn;
Steve Amossen; and
David Reinart.

President Zimmer declared a quorum present and called the meeting to order at 9:06 a.m. Director Harold Grall gave the invocation. President Zimmer led the pledge.

1 – Public Comment

President Zimmer asked if there were persons present who desired to make public comments. No public comments were received.

2 – Consent Agenda

The Consent Agenda, was discussed by the Board and consisted of: the review and approval of the Minutes of the December 3, 2015 Agriculture Committee Meeting; the review and approval of the Minutes of the December 3, 2015 Holiday Party; the review and approval of the Minutes of the regular December 3, 2015 Board Meeting; the review and approval of District expenditures for November 1, 2015 through December 31, 2015, including the General Manager’s expense and activity report; the review and approval of payment to Lemon, Shearer, Phillips & Good, P.C. for professional services and out-of-pocket expenses from November 24, 2015 through December 31, 2015 in the amount of $6,051.43. Gene Born moved that the draft of the Minutes of the December 3, 2015 Board Meeting presented to the Board be revised on page 2, third line from the bottom, eighth word, to state “each even-numbered year” rather than “each numbered year” and to approve the Consent Agenda with the modification of the December 3, 2015 Minutes. Justin Crownover seconded the motion and it was unanimously approved by the Board.
**Action Agenda 3a -** Review and consider approval of the District's annual financial report for the year ended September 30, 2015, from Coy Barton.

Coy Barton, C.P.A. presented the District's Annual Financial Report, which included a Report on Internal Control, Compliance and Other Matters and State Awards, for the year ended September 30, 2015 and discussed the same with the Board. Harold Grall moved that the Board approve the North Plains Groundwater Conservation District Annual Financial Report for the year ended September 30, 2015. Justin Crownover seconded the motion and it was unanimously approved by the Board.

**Action Agenda 3b -** Review and consider approval of the letter of engagement for audit and non-audit services to be performed by Coy Barton, C.P.A. for the year ended September 30, 2016.

Coy Barton, C.P.A. submitted a letter to the District, dated December 30, 2015, confirming his firm’s understanding of the audit and non-audit services to be provided to the District for the year ended September 30, 2016. The letter provides:

- Coy Barton will be in charge of all work performed by Coy Barton, C.P.A.
- Coy Barton, C.P.A. will report on the audit of basic financial statements.
- Coy Barton, CPA will perform additional procedures enabling his firm to issue a second report in which it will test and report on the District's internal controls over financial reporting and the District's compliance with laws and regulations and other matters as required by Government Auditing Standards.

The letter also outlined the responsibilities of the District’s management in the auditing process for 2015.

A copy of the letter from Coy Barton, C.P.A., dated December 30, 2015, was provided to the Board at the meeting.

Justin Crownover moved that the Board approve the letter of engagement for Audit and Non-Audit Services to be performed for the District by Coy Barton, C.P.A. for fiscal year 2015-2016. Gene Born seconded the motion and it was unanimously approved by the Board.


Coy Barton, C.P.A. had submitted one invoice for auditing services and preparation of the North Plains Groundwater Conservation District's Annual Financial Report for the year ended September 30, 2015, totaling $21,950.00.

The General Manager had reviewed this invoice for the District's audit for the year ended September 30, 2015, preparation of financial statements, and SAS fraud requirements. The General Manager has determined that the invoice is consistent with the services Coy Barton, C.P.A. has performed for the District audit and has paid the invoice. A copy of the invoice was provided to the Board at the meeting.

Justin Crownover moved that the Board ratify the payment to Coy Barton, C.P.A. in the amount of $21,950.00 for auditing services and preparation of the North Plains Groundwater Conservation District's Annual Financial Report for the year ended
September 30, 2015. Gene Born seconded the motion and it was unanimously approved by the Board.

**Action Agenda 3f** - **Consider action to approve OTT/Hydromet for installation of monitoring equipment for the District’s observation well network.**

Beginning in 2007, the District has developed an observation well drilling and equipping program to expand water level and water quality observation points throughout the District. The Board has authorized funds for the expenditure of $150,000 per year to implement the drilling and equipping program. Though the District is still actively seeking new observation well locations, District staff recommended that the District use a portion of the authorized funds to upgrade these new observation wells with real-time water level data collection.

It was reported that the District staff plans for the current measurements and history of measurements of the monitor wells to be downloaded to the District office every twenty-four hours. The District plans to make the information available to the public online in a District map program.

It was noted that District staff spends considerable time and effort fulfilling information requests from the public. Having the information available online will greatly increase the public's access to information and speed information dissemination.

The North Plains Groundwater Conservation District advertised in the *Amarillo Globe News* on October 31 and November 6, 2015, requesting bids to purchase and install monitoring and telemeter equipment for up to forty-four District-owned monitor wells. The District received bids from two companies. One bid was received from OTT/Hydromet of Loveland, Colorado for $115,093.94 and a second bid of $451,985.00 was received from Arrowhead Contracting, Inc. of Lenexa, Kansas.

The District had previously purchased and installed equipment for two monitor wells from OTT/Hydromet. Equipment had been purchased for two additional wells from Insitu to compare the equipment installations and performances. Both systems are operating satisfactory.

It is anticipated that the monitoring equipment project will be completed during 2016.

It was noted that District staff would have a supervisory role in the installation of the monitoring and telemetering equipment on the District’s monitor wells.

The General Manager recommended that the Board approve the bid from OTT/Hydromet, Loveland Colorado, of $115,093.94 and undertake the project.

Keith Good, General Counsel for the District, read the following resolution for consideration by the Board:

**RESOLUTION # 2016-0001**

**A RESOLUTION AUTHORIZING THE GENERAL MANAGER OF THE NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT, TO INSTALL TELEMETERING EQUIPMENT ON FORTY-FOUR (44) NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT MONITOR WELLS**

**WHEREAS,** North Plains Groundwater Conservation District (the "District") desires to install telemetering equipment on forty-four (44) District Monitor Wells;

**WHEREAS,** the District has budgeted One Hundred Fifty Thousand and No/100ths Dollars ($150,000.00) for Monitor Wells in fiscal year 2016;
WHEREAS, these budgeted funds are available and may be utilized to install such equipment;

WHEREAS, Requests for Proposal have been solicited by District staff and two (2) Proposals have been received by the District;

WHEREAS, the Proposal most favorable to the District was submitted by OTT Hydromet;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF THE NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT:

The General Manager and the District’s General Counsel are hereby authorized to negotiate and draft an agreement with OTT Hydromet to be submitted to the President of the Board for review and, if approved, signature. Provided, however, the total expenditure under any agreement for telemetering equipment shall not exceed One Hundred Sixteen Thousand and No/100ths Dollars ($116,000.00).

Harold Grall moved that the Board adopt the Resolution regarding installation of telemetering equipment as read by the District’s General Counsel. Gene Born seconded the motion and it was unanimously approved by the Board.

**Action Agenda 3i -** Discuss and consider requests by Courson Oil & Gas and the Courson family to oppose the application to the Texas Railroad Commission of Latigo Petroleum, LLC, to dispose of oil and gas waste in Section 133, Block C, G & M Survey, Roberts County, Texas.

**Executive Session -** Section 551.071 of the Texas Government Code.

At 10:05 a.m., Gene Born moved to go into Executive Session in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, §551.071 to obtain legal advice from its attorney. Zac Yoder seconded the motion and it was unanimously approved by the Board.

Executive Session: At 10:05 a.m., the Board went into Executive Session. At 10:24 a.m., Director Justin Crownover moved that the Board reconvene into regular session. Zac Yoder seconded the motion and it was unanimously approved by the Board.

The Board reconvened into regular session at 10:24 a.m.

The General Manager stated that the Courson-Latigo matter was discussed in the previous Board Meeting and the General Manager recommended that the District engage a third party with expertise in gas and oil wells to do a short summary/study of the well in question and other similar wells in the District.

The District contracted with Dr. Ronald Green an Institute Scientist in the Geoscience and Engineering Division of the Southwest Research Institute in San Antonio, Texas to perform an analysis of the situation. Dr. Green’s report was presented to the Board at the Board meeting.

Harold Grall moved for the Board to note that the District is concerned regarding the pressures which Latigo Petroleum, LLC has set forth in its Application for a Saltwater Disposal Permit to the Texas Railroad Commission for the saltwater disposal well proposed for Section 133, Block C, G & M Survey, Roberts County, Texas; however the proposed well is in the Panhandle Groundwater Conservation District and it is appropriate for the Panhandle District to oppose the Well Permit if that groundwater district so desires, but that the North Plains Groundwater District should continue to monitor this matter. Gene Born seconded the motion and it was unanimously approved by the Board.
**Agenda 5 - Discuss Items for Future Board Meeting Agendas and Set Next Meeting Date and Time.**

By consensus, the Board set its next regular Board meeting on February 8, 2016 at 9:00 a.m.

**Action Agenda 3d - Consider approval of Water Well Permits as active and complete wells.**

The General Manager reported that the District staff had processed 38 Water Well permits which are ready for Board consideration and approval. These permits, listed in the table below, represent completed Wells that have been inspected and are in compliance with District Rules. The inspections verify that the Wells were completed as required by their permits, including proper Well location, Well classification, maximum yield, and proper installations of check valves and flow meters. The yellow highlighted permit is a Well which was permitted prior to January 15, 2013, and unless it was drilled on breakout ground, may be metered at the well, or at the pivot. Copies of the individual permits were presented to the Board.

It was noted that Director, Justin Crownover, had three Well Permits on the Schedule.

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presented to the Board, MO-7864, OC-0296 and OC-7267.

Justin Crownover moved to remove Water Well Permits MO-7864, OC-0296 and OC-7267 from the Schedule and to approve the remaining Water Well Permits presented to the Board on the above Schedule noting that the Wells are properly equipped and otherwise comply with District Rules. Mark Howard seconded the motion and it was unanimously approved by the Board.

Zac Yoder moved to approve Water Well Permits MO-7864, OC-0296 and OC-7267, noting that the Wells are properly equipped and otherwise comply with District Rules. Mark Howard seconded the motion and it was approved by a majority vote of 5-0, with Justin Crownover abstaining from the vote.

**Action Agenda 3g - Receive report regarding groundwater production reporting for 2015.**

Laura West presented the following report to the Board:

2015 Annual Production Reporting is in full swing. According to our new inventory management system the District has received and processed 452 production reports. So far, the District has sent conservation reserve letters to 66 producers. District staff is currently working on creating invoices for production fees for the PGMA areas. District staff anticipates that the PGMA production fee letters will be mailed in May. Everything is running smoothly so far, and producers seem to be pleased with the new inventory system. Many of them are pleased to be receiving an email instead of an orange card in the mail. If the District does not have an email on file, a copy of the signature page is made and mailed to that producer.

**Action Agenda 3h - Receive report and consider action regarding GMA-1 and Panhandle Regional Water Planning.**

GMA-1 Joint Planning Process is scheduled to propose DFCs by the May 1, 2016 proposal deadline. Texas Water Code authorizes the development of DFCs that provide for the reasonable long-term management of groundwater resources consistent with the Code’s management goals. Before voting on the DFCs, GMA-1 districts must consider and document factors as follows:

1. Aquifer uses or conditions within the management area, including conditions that differ substantially from one geographic area to another;
2. The water supply needs and water management strategies included in the state water plan;
3. Hydrological conditions, including, for each aquifer in the management area, the total estimated recoverable storage as provided by the executive administrator, and the average annual recharge, inflows, and discharge;
4. Other environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water;
5. The impact on subsidence;
6. Socioeconomic impacts reasonably expected to occur;
7. The impact on the interests and rights in private property, including ownership and the rights of management area landowners and their lessees and assigns in groundwater as recognized under Texas Water Code Section 36.002;
8. The feasibility of achieving the desired future condition; and
(9) Any other information relevant to the specific desired future conditions.

GMA-1 is within State Regional Water Planning Area A (Region A). The Region A 2011 Water Plan is incorporated into the 2012 State Water Plan. GMA-1 district representatives considered the above listed factors and relevant scientific and hydrogeological data from the 2012 State Water Plan (2011 Region A Water Plan) and multiple other sources. After consideration of the factors Texas Water Code 36.108(d-1) authorizes the districts to establish different desired future conditions for:

(1) each aquifer, subdivision of an aquifer, or geologic strata located in whole or in part within the boundaries of the management area; or

(2) each geographic area overlying an aquifer in whole or in part or subdivision of an aquifer within the boundaries of the management area.

The Panhandle Water Planning Group has proposed a 2016 Regional Water Plan that will be included in the 2017 State Water Plan. GMA-1 will review both the 2012 State Water Plan, as well as the regional water plan to address portions of the nine factors above.

The General Manager presented the following tables for discussion purposes only, and stated that the tables are subject to revision.

2015 Possible Production
For Discussion Purposes Only
1/12/2016

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2014-2015 Preliminary Production Analysis
Draft - Subject to Substantial Revision

Production Analysis of 452 GUs based on their 2014 and 2015 production. This analysis does not account for any new production development in 2015.

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</tr>
<tr>
<td>Panhandle</td>
<td>654,246,205</td>
<td>734,456,205</td>
<td>814,666,205</td>
<td>894,876,205</td>
<td>975,086,205</td>
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<tr>
<td>Total</td>
<td>1,962,898</td>
<td>2,203,370</td>
<td>2,457,927</td>
<td>2,712,483</td>
<td>2,967,039</td>
</tr>
</tbody>
</table>

2014-2015 Percent of 2014 Production

<table>
<thead>
<tr>
<th>County</th>
<th>2015 Percent of 2014 Production</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dallas</td>
<td>63.85%</td>
</tr>
<tr>
<td>Harris</td>
<td>70.46%</td>
</tr>
<tr>
<td>Panhandle</td>
<td>57.19%</td>
</tr>
<tr>
<td>Total</td>
<td>68.66%</td>
</tr>
</tbody>
</table>
**Action Agenda 3e - Receive report from Agriculture Committee regarding agriculture water conservation demonstration programs.**

The field operations of the 3-4-5 Program are complete and the data is being compiled for the final report. Leon New will present the preliminary report at the February Board meeting. Preliminary results will be presented at the annual Pioneer Crop Production Clinics on January 11-13. The final published report will be completed following an opportunity for the Board to have input, probably in March.

**WCC Update**

Weather and scheduling conflicts have so far prevented the installation of the drip tape for the new sub-surface drip irrigation field. District staff continues to monitor field conditions to allow for installation as soon as possible. The WCC is winter ready. Curtis Schwertner continues to perform winter maintenance throughout the season.

**Master Irrigator Program Update**

At the December 3 meeting, the Ag Committee proposed candidates for a Project Advisory Committee (PAC) to guide the development of the curriculum. Paul Sigle contacted the candidates regarding their interest in serving on the committee. The current committee list is as follows:

**Master Irrigator Project Advisory Committee**

Danny Krienke  
North Plains Groundwater Conservation District

Leon New  
Irrigation Engineer – Retired

Steve Amosson  
Texas A&M AgriLife

Charles Hillyer  
Texas A&M AgriLife

Scott Strawn  
Texas A&M AgriLife

Shawn Carter  
Crop Production Services

Cameron Turner  
Texas Water Development Board

Keith Sides  
USDA NRCS

David Reinart  
Better Harvest

Stan Spain  Spain Farms

Brice Howard Farmer

The first meeting of the PAC is scheduled for January 18, 2016, at 9:30 a.m. at the WCC. Steve Amosson is preparing a survey to collect feedback/input from producers and to establish a baseline for particular practices.
Discussion Agenda 4c - General Manager's Report.

Steve Walthour presented the General Manager's Report, including information concerning upcoming meetings and conferences, the General Manager's activity summary and the District activity summary.

Discussion Agenda 4b - Committee Reports.

None.

Discussion Agenda 4a - Director Reports Regarding Meetings and/or Seminars Attended, Weather Conditions and Economic Development in Each Director's Precinct.

District Directors reported to the Board regarding meetings and/or seminars attended, weather conditions and economic development in each Director's precinct.

Agenda 6 - Adjournment.

There being no further business to come before the meeting, President Zimmer declared the meeting adjourned at 11:17 a.m.

Bob B. Zimmer, President

Harold Grall, Vice-President