

**MINUTES OF THE NOVEMBER 14, 2017
BOARD OF DIRECTORS MEETING OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

The Board of Directors of North Plains Groundwater Conservation District met in regular session November 14, 2017, at 9:00 a.m. in the Conference Room in the Richard S. Bowers Water Conservation Learning Center Building at the North Plains Water Conservation Center, 6045 West County Road E, Dumas, Texas 79029-7201. The following persons were present:

Members Present at 9:02 a.m.:

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

Staff Present during part or all of the meeting:

Steve Walthour, General Manager;
Dale Hallmark, Assistant General Manager/Hydrologist/Producer Services;
Kirk Welch, Assistant General Manager/Outreach;
Odell Ward, Program Coordinator – GIS/Monitor Wells;
Kristen Blackwell, Executive Assistant;
Curtis Schwertner, Natural Resource Specialist;
Alyssa Holguin, Conservation Outreach Assistant; and,
Karen Jones, Administrative Support Specialist.

Others present during part or all of the meeting:

Steve Valencsin, Growers;
Logan McCurry, Growers;
Ron Zink, Growers;
David Reinhart, Better Harvest, Inc.,
F. Keith Good, Attorney; and,
Ellen Orr, Paralegal.

President Grall declared a quorum present and called the meeting to order at 9:02 a.m. Director, Bob B. Zimmer, gave the invocation and President Grall led the pledge.

At 9:03 a.m., President Grall recessed the regular Board meeting and called the Show Cause Hearing to Order regarding the Gloria A. Griggs Revocable Trust c/o Sabrina Griggs, owner of Section 3, Block 12, H&GN Survey in Ochiltree County, Texas, for Violation of District Rules 2.1 and 3.1. – permitting and well spacing Rules.

General Manager, Steve Walthour, requested that the Show Cause Hearing regarding Gloria A. Griggs Revocable Trust c/o Sabrina Griggs, owner of Section 3, Block 12, H&GN Survey in Ochiltree County, Texas, for Violation of District Rules 2.1 and 3.1. – permitting and well spacing Rules be dismissed by the District because the compliance matter has been resolved and the District has collected its costs in this matter.

President Grall closed the Show Cause Hearing for the Gloria A. Griggs Revocable Trust and called the Show Cause Hearing to Order regarding Todd Tamplin, owner of Section 11, Block 5, FDW Survey, Dallam County, Texas, for violation of District Rules 2.1 and 3.1. – permitting and well spacing rules at 9:04 a.m.

The General Manager reported that District personnel had checked Mr. Tamplin's well on November 13, 2017 and work had been done on the well. The General Manager requested that the District continue the Show Cause Hearing until the regular January 2018 Board meeting to permit the District staff to continue to work on settlement of this matter and recover the District's costs.

President Grall closed the Todd Tamplin Show Cause Hearing at 9:05 a.m. and reconvened the regular Board Meeting.

1 – Public Comment

The General Manager reported that Alyssa Holguin, Conservation Outreach Assistant for the District, had tendered her resignation.

2 – Consent Agenda

The Consent Agenda was discussed by the Board and consisted of: the review and approval of the Minutes of the regularly scheduled September 12, 2017 Board Meeting; the review and approval of un-audited District expenditures for September 1, 2017 through October 31, 2017, 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 September 1, 2017 through October 31, 2017, in the amount of \$7,126.76; and the review and the approval of the collections contract for Dallam County Appraisal District from January 1, 2018 through December 31, 2019.

Justin Crownover moved approve the Consent Agenda. Mark Howard seconded the motion and it was unanimously approved by the Board.

Action Agenda 3a - Consider action regarding Show Cause Hearings.

Daniel L. Krienke moved to dismiss the Show Cause Order issued to The Gloria A. Griggs Revocable Trust. Zac Yoder seconded the motion and it was unanimously approved by the Board.

Bob B. Zimmer moved to continue the Show Cause Hearing of Todd Tamplin until 9:00 a.m. on the regular January 2018 Meeting date of the Board. Zac Yoder seconded the motion and it was unanimously approved by the Board.

Action Agenda 3b - Receive report and discuss Groundwater Management Area - 1 Joint Planning Committee meeting held on November 9, 2017.

The General Manager reported to the Board that Texas Water Code Section 36.108 (Joint Planning in Management Area) requires that district representatives in a groundwater management area meet at least annually to conduct joint planning with the other districts in the management area and to review the management plans, the accomplishments of the management area, and proposals to adopt new or amend existing desired future conditions.

The Joint Planning Committee met on November 9, 2017 and discussed and/or considered the following:

- The Minutes from November 2, 2016 GMA 1 Meeting;
- Action as may be necessary in regard GMA 1 Officers and Membership;

- Appointment of GMA 1 representative to the Panhandle Water Planning Group (Region A – Regional Water Planning);
- Action as may be necessary regarding administrative services for GMA 1 through the Panhandle Regional Planning Commission;
- Action as may be necessary in regard to updating GMA 1 bylaws;
- Each GCD in GMA 1 shall provide update on process to amend and implement management plans and rules necessary to achieve the various adopted Desired Future Conditions;
- Changes to Joint Management Planning by the 85th Texas Legislature;
- Discuss GCD rules rule similarity within GMA 1; and
- Scheduling of the Next Meetings of the GMA 1.

Mr. Walthour stated that Bob B Zimmer has been the Joint Planning Committee Chairman. He and the other officers have all served at least four consecutive years in their positions. Since the Committee bylaws limit the terms of all officers to four consecutive years, these officers were not eligible to be elected by the Committee to the same position. Mr. Walthour reported that Jim Haley was elected as President, Danny Hardcastle was elected as Vice President and Lynn Tate was elected as the Secretary. Daniel L. Krienke is the GMA 1 Representative to the Panhandle Water Planning Group.

Action Agenda 3c - Consider final compliance approval of Water Well Permits as active and complete wells.

The General Manager reported that District Rule 2.13 provides, after the site inspection is complete, and it is determined that the Well (and all Wells within the Groundwater Production Unit) are in compliance with the Rules of the District and the Well Permit application, the General Manager shall submit the Well Permit to the Board for final compliance approval.

The General Manager reported that the District staff had processed 29 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 the respective Permits, including proper Well location, Well classification, maximum yield, and proper installations of check valves and flow meters. Copies of the individual permits were presented to the Board.

The General Manager noted that Director, Mark Howard, had Well Permit number HA-9861 on the Well Permit Schedule and that Director, Justin Crownover, had Well Permits numbered LI-9800, MO-9838, MO-9903 and SH-9596 on the Well Permit Schedule.

Well	Class	Qtr.	Sec.	Blk.	Sur.	NS	EW
DA-9017	C	SE/4	358	1-T	T&NO	114 S	30 E
DA-9018	C	SE/4	357	1-T	T&NO	114 S	92 E
DA-9021	C	NW/4	320	1-T	T&NO	488 N	13 W
DA-9033	D	SW/4	26	3	CSS	697 S	858 W
DA-9331	C	SW/4	36	1	BS&F	105 S	857 W
DA-9645	C	NW/4	4	1	CSS	352 N	106 W
HA-8927	D	NE/4	NONE	NONE	GW Carlisle	199 N	84.5 E
HA-9531	A	NE/4	NONE	NONE	JOSEPH BEATY	1289 N	420 E
HA-9599	C	NW/4	256	44	H&TC	37 N	100 W

HA-9861	B	SE/4	251	44	H&TC	791 S	190 E
HN-9471	D	SW/4	99	2	GH&H	845 S	715 W
LI-9800	D	NE/4	152	10	SPRR	445 N	105 E
MO-7302	B	NW/4	326	44	H&TC	453 N	105 W
MO-7433	C	NE/4	180	44	H&TC	400 N	752 E
MO-8206	C	NE/4	77	44	H&TC	241 N	531E
MO-8903	C	NW/4	392	44	H&TC	570 N	45 W
MO-9160	A	NE/4	352	44	H&TC	361 N	185 E
MO-9838	D	NW/4	93	3-T	T&NO	48 N	462 W
MO-9903	D	SW/4	88	3-T	T&NO	312 S	812 W
OC-8884	C	NE/4	3	12	H&GN	325 N	145 E
SH-8293	B	NE/4	129	1-C	GH&H	726 N	788 E
SH-9513	D	SE/4	128	1-T	T&NO	758 S	671 E
SH-9514	B	SE/4	128	1-T	T&NO	418 S	302 E
SH-9596	D	NW/4	54	3-T	T&NO	859 N	137 W
SH-9784	D	SE/4	34	1-T	T&NO	822 N	66 E
SH-9789	D	SE/4	35	1-T	T&NO	679 S	764 E
SH-9818	C	SW/4	282	1-T	T&NO	411 S	880 W
SH-9939	C	SW/4	35	1-T	T&NO	688 S	293 W
SH-9958	D	NW/4	95	1-T	T&NO	859 N	104 W

Daniel L. Krienke moved to approve Well Permits numbered HA-9861, LI-9800, MO-9838, MO-9903 and SH-9596 on the Well Permit Schedule, noting that the Wells are properly equipped and otherwise comply with District Rules. Bob B. Zimmer seconded the motion and it was approved by the majority vote of the Board with Mark Howard and Justin Crownover abstaining from the vote.

Bob B. Zimmer moved to approve all of the remaining Well Permits on the above Schedule, noting that the Wells are properly equipped and otherwise comply with District Rules. Zac Yoder seconded the motion and it was unanimously approved by the Board.

Action Agenda 3d - Receive report regarding the District's Agricultural Water Conservation Program and the North Plains Water Conservation Center.

3-4-5 Project Update

Two grower days were held during September for the 2017 3-4-5 Project. The dates and locations of the field days are:

9/7/2017: North Plains Water Conservation Center, Dumas, Texas; and,

9/20/2017: Ochiltree County Expo Center, Perryton, Texas.

The following is preliminary data on the 3-4-5 Project for the WCC as of 9-6-17.

East pivot - South one-half: Planting date was 5-25-17. 15 varieties were planted at a seeding rate of 32,000. The South one-half of the East pivot was divided into 3 equal sectors of 18.3 acres each. The 3 GPM sector received 9.18" of irrigation, the 4 GPM sector received 10.85" of irrigation, and the 5 GPM sector received 12.28" of irrigation as of 9-6-17. In April and May rainfall was 5.53" before planting, and the field received 8.88" of rain in the growing season as of 9-6-17. The crop was harvested on 10-27 and 10-28-17. No yield data is available at this time.

SDI Corn: Planting date was 5-25-17. The variety planted was DynaGro 58VC37RIB. Each of the zones was 2.43 acres. The 3 GPM zone received 8.43" of irrigation, the 4 GPM zone

received 9.99" of irrigation, and the 5 GPM zone received 11.55" of irrigation as of 9-6-17.

Rainfall was 5.53" in April and May before planting, and 8.88" in the growing season as of 9-6-17. The crop was harvested on 10-27 and 10-28-17. No yield data is available at this time.

SDI Cotton: Planting date was 5-17-17. Variety was DynaGro DG3385B2XF at a seeding rate of 50,000. Each of the zones are 2.34 acres. The 3 GPM zone received 6.42" of irrigation, the 4 GPM zone received 7.50", and the 5 GPM zone received 8.58" of irrigation as of 9-6-17. Rainfall in April and May was 5.53" prior to planting, and 8.88" of rainfall in the growing season as of 9-6-17. The crop was sprayed to drop the leaves and the bolls are opening now.

Krienke 3-4-5 Corn: The 3 GPM Early field was planted on 5-9-17. The variety was 4173A. The population was 32,000. As of 9-20-17, the irrigation was 18.03", the rainfall was 6.06", for a total of 24.09". This area was harvested between 10-18 and 10-25-17. No yield data is available at this time.

WCC 3-4-5 Corn: The 3-4-5 sectors were planted on 5-31-17. The varieties are 7007 and 6611. The populations are 32,000 for 5 GPM, 28,000 for 4 GPM, and 26,000 for 3 GPM. The 3 GPM sector received 12.28" of irrigation as of 9-20-17, plus 5.32" of rainfall, for a total of 17.60" as of 9-20-17. The 4 GPM sector received 15.04" irrigation, plus 5.32" of rainfall, for a total of 20.36" as of 9-20-17. The 5 GPM sector received 16.44" of irrigation, plus 5.32" of rainfall, for total of 21.76" as of 9-20-17.

Harold Grall's section 328 has been harvested, but no other data is currently available for Harold's 3-4-5 fields.

Director Bob B. Zimmer requested to review yield reports at the January 2018 regular Board meeting.

Irrigation Conservation Initiative

Growers attending the District's two 2017 grower days in September qualified for a share of grant money provided by the Texas Water Development Board (TWDB) for the purchase of irrigation efficiency equipment. The meetings hosted 29 qualified growers who are each eligible to apply for up to a 50% cost share on equipment. Eligible equipment includes, soil moisture probes, plant stress monitors, on-farm weather stations, well cut-off systems, telemetry, and pivot monitoring and control systems. Other items not on this list may be cost shared at the District's discretion while funds are available.

The program designated as the Irrigation Conservation Initiative (ICI) and is funded by two recent grants from the Texas Water Development Board, totaling \$300,000. To be eligible for funding through the ICI, producers are required to attend a District-approved educational program and then report certain crop and usage information pertaining to the cost-shared equipment. Attendance at one of the District's two field days qualified producers to apply for funds. Additional opportunities to qualify for the funding may be announced in the future. Guidelines for the ICI were presented to the Board. The District has received no applications for cost share under the program.

North Plains Water Conservation Center

The corn at the WCC has been harvested. Stan Spain has strip-tilled the East Pivot.

The pipeline extending north from the East Well developed a crack and was repaired in October by T-L Irrigation.

Etter Water Well pulled the West well pump on October 9th. The pump had not been inspected over the last ten years and the field is experiencing an increase in sand at the pivots. A video of the well was taken, and viewed by Stan Spain, Leon New, Steve Walthour and Curtis Schwertner. On October 18th, Etter Water Well brushed and bailed the well after the initial video. A video was taken after the well was cleaned. The pump has not been returned to the well as of November 7th.

Curtis assisted Dr. WinWei Xu in taking samples from the WCC corn variety plots under the East Pivot, Xu took 100 ears from each of the 12 varieties from the 5 GPM area and 100 ears from 6 varieties in the 3 GPM area, as determined by Dr. Xu, for his analysis, to gather data on Fumonisin levels contained in these various hybrids. The samples were taken on October 19th.

The General Manager reported that Stan Spain would like to incorporate something like the 3,4,5 program for cotton production and do a demonstration on water savings if the WCC can stay within the production limit of 1.5 acre-foot per acre.

Master Irrigator

Registration for the Master Irrigator Class of 2018 will begin on 11-28-17. Save the date cards were mailed on 11-1-17. A mail out to producers, including the new brochure and application, will mail to coincide with registration opening and the Amarillo Farm and Ranch Show.

Future Agriculture Water Conservation Demonstrations

The Ag Committee held a meeting on November 13th to discuss the current state of the District's agriculture projects and what sort of demonstrations might be undertaken in the future. The committee's agenda included:

- a. Receive report regarding the Water Conservation Center irrigation system;
- b. Consider Water Conservation Center agriculture irrigation demonstrations for 2018;
- c. Consider evaluation process for potential agriculture water conservation demonstrations; and
- d. Consider organizing a residue management conference.

Zac Yoder moved to authorize the Ag Committee and District staff to develop a Request for Proposal on new demonstration projects for the District that will be eligible to receive District funding. Danny Krienke seconded the motion and it was unanimously approved by the Board.

Action Agenda 3e - Review and consider District Directors Policies.

Zac Yoder moved table this Agenda item and consider it at the regular January 2018 Board Meeting. Bob B. Zimmer seconded the motion and it was unanimously approved by the Board.

Action Agenda 3f - Review and consider District Professional Services Policy.

The General Manager reported to the Board that Texas Water Code, Section 36.061(4) requires that, subject to the law governing the District, the Board shall adopt policies and procedures for selection, monitoring, or review and evaluation of professional services in writing.

The General Manager requested that the Board review the North Plains Groundwater Conservation District Professional Services Policy as presented.

Gene Born moved to adopt the North Plains Groundwater Conservation District Professional Services Policy presented at the meeting. Zac Yoder seconded the motion and it was unanimously approved by the Board.

Action Agenda 3h - Review and consider the Texas Senate and House Interim Charges from the 85th Legislative Session as it relates to Groundwater Management.

Mr. Walthour reported to the Board that in October, the Speaker of the House and the Lieutenant Governor released their "Interim Committee Charges" for the 86th Texas Legislature.

The Speaker charged the House Committee on Natural Resources, among other charges, with the duty to evaluate the status of groundwater policy in Texas, including the following issues:

- Progress and challenges in encouraging coordination and consistency in aquifer-wide management and permitting practices;
- Developments in case law regarding groundwater ownership and regulation;
- Potential improvements to the existing groundwater permitting process, including those contemplated in H.B. 31 (85R);
- The appropriate consideration of the service area of a water supplier when groundwater resources are allocated based on surface ownership;
- The designation of brackish groundwater production zones and related research;
- Groundwater data and science needs; and
- Emerging issues in groundwater and surface water interaction, particularly in areas of increasing competition for scarce resources.

The Lieutenant Governor charged the Senate Agriculture, Water and Rural Affairs Committee, among other charges, the duty to evaluate the status of groundwater policy in Texas, including the following issues:

- Streamlining Water Permitting: Study and recommend changes that promote streamlining of water right permit issuance and the amendment process by the TCEQ for surface water, and that promote uniform and streamline permitting by groundwater conservation districts for groundwater. Evaluate more transparent process needs and proper valuation of water.
- Regulatory Framework of Groundwater Conservation Districts and River Authorities: Study and make recommendations on the regulatory framework for managing groundwater in Texas to ensure that private property rights are being sufficiently protected. Study the role of river authorities and groundwater conservation districts including the state's oversight role of their operations and fees imposed.
- Agricultural Fees: Review licensing, permitting, or registration requirements and fees imposed on the agriculture industry by licensing agencies within

the committee's jurisdiction. Make recommendations for state licenses and fees that should be reduced, repealed or transitioned to private-sector enforcement.

- Monitoring: Monitor the implementation of legislation addressed by the Senate Committee on Agriculture, Water & Rural Affairs during the 85th Legislature, Regular Session, including, but not limited to:
 - SB 1511 (prioritization in the regional water plan);
 - SB 1538 (Floodplain Management Account uses);
 - SB 864 (GCD application of state water);
 - HB 2004 (Texas economic development fund for TDA); and
 - HB 3433 (adoption of rules affecting rural communities. Make recommendations for any legislative improvements needed to improve, enhance, or complete implementation including regional water planning, flood planning, and groundwater production.)

The General Manager reported that he met with the legislative staff for Senator Seliger, Representative Price, Representative Smithee, Representative King, Senate Agriculture, Water and Rural Affairs Committee, and House Natural Resources Committee. Representatives from the two committees focused on promoting uniform and streamlined permitting by groundwater conservation districts. The General Manager stated that he had invited the Legislative staff to come to the Panhandle this Summer to observe what North Plains Groundwater Conservation District and other districts do, and reasons for, and justification of, the District's permitting Rules. The interim charges were presented to the Board.

On November 8th, District staff participated in a TAGD Leadership development program. That evening, there was a panel of the district managers from GMA 1 discussing similarities in all of the GMA 1 districts' rules.

Action Agenda 3i - Receive report regarding 2017 Annual Production Reporting.

Mr. Walthour stated that District staff is updating Groundwater Production Units in the database to send out 2017 Annual Production Reports (about 2900 total). Earlier this fall, the District mass e-mailed producers to respond if they wanted to receive their Annual Production Reports by e-mail. The mail out/e-mail of Production Reports is currently scheduled for the week of November 20, 2017, with reports to go out before the Thanksgiving holiday. The 2017 Production Reports will be due no later than Thursday, March 1, 2018. A bar coding system is in place to track all received reports.

Action Agenda 3j - Consider legal and compliance matters before the District.

The General Manager reported that the General Manager and District staff are presently working on long-standing compliance issues with producers.

The meeting was recessed at 9:56 a.m. and reconvened at 10:05 a.m.

Action Agenda 3g - Receive Presentation by Growers.

The General Manager reported to the Board that after the North Plains Water Conservation Center Field Day in September, representatives from Growers asked if they could present their services to the North Plains GCD Board. The Board President

requested that the Board receive a presentation from representatives of Growers. Growers provides an on-farm service to help farmers use technology to simplify their business.

Steven Valencsin, Logan McCurry and Ron Zink of Growers made a presentation to the Board in regard to technology and data to better manage farms.

Discussion Agenda 4a - Director Reports.

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

Discussion Agenda 4b - Committee Reports.

None, except as set forth above.

Agenda 5 - Discuss Items for Future Board Meeting Agendas and Set Next Meeting Date and Time.

By consensus, the Board set the next regular meeting at 9:00 a.m. on January 9, 2018.

The General Manager also stated that the District Christmas Party would be held on December 7, 2017.

Discussion Agenda 4c - General Manager's Report.

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

Agenda 6 - Adjournment.

Director, Zac Yoder, moved to adjourn the meeting. Justin Crownover seconded the motion and it was unanimously approved by the Board. President Grall declared the meeting adjourned at 11:24 a.m.



Harold Grall, President



Bob B. Zimmer, Secretary