

**MINUTES OF THE JUNE 1, 2021,
BOARD OF DIRECTORS MEETING OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

The Board of Directors of North Plains Groundwater Conservation District met in regular session on June 1, 2021, at 9:02 a.m. at the barn located at the North Plains Water Conservation Center, 6045 West County Road E., Dumas, Texas 79029-7201. The following persons participated in the Meeting:

Members Present at 9:02 a.m.:

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

Staff present during part or all of the meeting:

Steve Walthour, General Manager;
Kristen Blackwell, Finance/Administration Manager;
Paige Glazner, Conservation Outreach Assistant;
Dale Hallmark, Hydrologist; and,
Curtis Schwertner, Natural Resource Specialist.

Others present during part or all of the meeting:

Stan Spain;
Clinton Born;
Raymond Brady;
F. Keith Good, General Counsel for the District;
Ellen Orr, Paralegal; and,
Kalen Youtsey, Summer Clerk.

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

General Counsel, F. Keith Good, introduced Kalen Youtsey, who is a summer clerk for the law firm of Lemon, Shearer, Phillips & Good, P.C.

At 9:04 a.m., President Zimmer recessed the regular Board meeting and called and opened the public hearing to accept public comments on the proposed Desired Future Conditions (DFCs) for the relevant aquifers within Groundwater Management Area 1 Joint Planning Area.

Mr. Zimmer stated:

This public hearing is to provide interested members of the public the opportunity to appear and provide comments on the proposed Desired Future Conditions (hereinafter "DFCs") for the area aquifers that were recently proposed by Groundwater Management Area 1 under § 36.108, Texas Water Code. The 90-day Public Comment Period began on March 29, 2021 and will close at 5:00 p.m. CDT on June 28, 2021.

The proposed DFCs for the District are:

Ogallala (inclusive of Rita Blanca) Aquifer:

- At least 40 percent of volume in storage remaining for each 50-year period between 2018 and 2080 in Dallam, Hartley, Moore, and Sherman Counties;
- At least 50 percent of volume in storage remaining for each 50-year period between 2018 and 2080 in Hansford, Hutchinson, Lipscomb, Ochiltree, Carson, Donley, Gray, Roberts, Wheeler, and Oldham Counties, and within the Panhandle District portions of Armstrong and Potter Counties;
- At least 80 percent of volume in storage remaining for each 50-year period between 2018 and 2080 in Hemphill County; and,
- Approximately 20 feet of total average drawdown for each 50-year period between 2012 and 2080 in Randall County, and within High Plains District in Armstrong and in Potter Counties.

Dockum Aquifer:

- At least 40 percent of the average available drawdown remaining for each 50-year period between 2018 and 2080 for Dallam, Hartley, Moore, and Sherman Counties;
- No more than 30 feet average decline in water levels for each 50-year period between 2018 and 2080 in Oldham and Carson Counties, and the Panhandle District portions of Potter and Armstrong Counties; and,
- Approximately 40 feet average decline in water levels for each 50-year period between 2012 and 2080 in Randall County, and within High Plains District in Armstrong and Potter Counties.

The Board is not required to make a decision today in regard to the District's intent to adopt the proposed DFCs.

Cell phones are very distracting. As a courtesy to all of the parties present at this hearing, please do as I have done and turn your cell phones off. If you must take a cell phone call during the hearing, please leave the room so that you do not distract from the speaker.

This formal hearing is being recorded.

All written comments timely received, will be made a part of the formal record of this hearing. However, the comment period for the DFCs are a minimum of 90-days, which will extend past this hearing date until June 28, 2021, at 5:00 p.m. CDT.

The Board will not respond to questions, but the Board may ask questions of the commentators. In order to encourage commentary, time limits will be liberally imposed. However, as the presiding officer, I may, in my discretion, limit redundant or irrelevant commentary.

Prior to public comment, each commentator will be called by name and asked to estimate the amount of time for his or her comments. If it appears that the number of comments and the time required will consume an inordinate amount of time, as the presiding officer, I will impose a five-minute time limit on each commentator. Please note that all comments shall be limited to the Proposed DFCs. The Proposed DFCs are the sole issue before the Board in this hearing. If you are not speaking in your individual capacity, please state the person or entity you represent.

Every person attending this hearing must conform to ethical standards of conduct and exhibit courtesy and respect for all other participants or observers. No person may engage in any activity during this hearing that interferes with the orderly conduct of District business. If, in my judgment, as the presiding officer, a person is acting in violation of this provision, I will first warn the person to refrain from engaging in such conduct. Upon further violation by the same person, as the presiding officer, I may exclude that person from the proceeding.

Steve Walthour, the District's General Manager, made a presentation regarding the proposed DFCs.

President Zimmer then called for public comments and no public comments were made at the hearing.

President Zimmer thanked everyone for their participation and input in the hearing process. President Zimmer stated that all written and oral commentary presented to the Board will be taken under advisement. President Zimmer further stated that you may continue to submit written comments regarding the proposed DFCs to the District at the District's office in Dumas, Texas; however, all written comments must be delivered by 5:00 p.m. CDT on June 28, 2021.

At 9:32 a.m., President Zimmer closed the public hearing and reconvened the regular Board meeting.

1 – Public Comment

No Public Comment was made to the Board.

2 – Consent Agenda

The Consent Agenda was discussed by the Board and consisted of: (a) the review and approval of the Minutes of the regularly scheduled Board of Directors Meeting held on April 13, 2021; (b) the review and approval of un-audited District expenditures for April 1, 2021 through April 30, 2021, including the General Manager's expense and activity report; and, (c) the review and approval of payment to Lemon, Shearer, Phillips & Good, P.C. for professional services and out-of-pocket expenses incurred from April 1, 2021 through April 30, 2021, in the amount of \$10,515.75.

Gene Born moved to approve the Consent Agenda. Harold Grall seconded the motion and it was unanimously approved by the Board.

Action Agenda 3.a. - Receive report and discuss public hearing and public comment regarding the proposed Desired Future Conditions for the relevant aquifers within the Groundwater Management Area.

The General Manager reported to the Board that the proposed Desired Future Conditions were mailed to each of the districts in GMA 1 on March 29, 2021, triggering a 90-day public comment period to close on June 28, 2021. Public comments may be submitted in writing to North Plains Groundwater Conservation District at any time during this period or may be made orally at this hearing. A copy of the draft explanatory report and proposed DFCs can be found at <https://www.panhandlewater.org/gma-1>, or on the District's website <http://northplainsgcd.org/>.

Mr. Walthour stated that the District has until June 28, 2021 to put together the summary report that he will submit to the Board. If the Board has additional comments it would

like to make at that time based upon that summary report, they will be included in the final report to GMA 1.

Mr. Walthour also stated that to his knowledge, no written or oral commentary regarding the proposed DFCs had been received by the District to-date.

Action Agenda 3.b. - Consider groundwater production reporting for 2020 and its relationship to Desired Future Conditions.

Mr. Walthour reported that Municipal, Industrial, and Agriculture water user groups reported 1,707,029.93 of acre-feet groundwater production in the North Plains Groundwater Conservation District in 2020. Production by District county in acre-feet is as follows:

County	2020
Dallam	342,745.65
Hartley	402,242.14
Moore	199,359.43
Sherman	328,409.54
Hansford	195,120.62
Hutchinson	79,388.98
Lipscomb	54,522.30
Ochiltree	105,241.27
West	1,272,756.76
East	434,273.17
Total	1,707,029.93

District groundwater production exceeded the 5-year historical production average by approximately 138,830 acre-feet. 2020 production was 15,230 acre-feet higher than 2018 but ranged 38,381 to 341,381 acre-feet less than the District’s annual production from 2011 to 2014. The table below represents annual groundwater production in acre-feet from 2016 to 2020, collectively, from all aquifers in the District.

County	2016	2017	2018	2019	2020	Average
Dallam	339,200	312,300	349,900	303,200	342,745.65	329,500
Hartley	391,600	376,000	422,600	349,200	402,242.14	388,300
Moore	185,700	173,100	200,600	157,700	199,359.43	183,300
Sherman	285,300	265,100	312,000	255,400	328,409.54	289,200
Hansford	170,400	146,700	190,800	162,300	195,120.62	173,100
Hutchinson	67,700	63,600	75,500	68,400	79,388.98	70,900
Lipscomb	42,300	44,200	44,200	43,400	54,522.30	45,700
Ochiltree	81,400	77,300	95,500	81,800	105,241.27	88,200
West	1,201,800	1,126,500	1,285,100	1,065,500	1,272,756.76	1,190,300
East	361,800	331,800	406,000	355,900	434,273.17	377,900
Total	1,563,600	1,458,300	1,691,100	1,421,400	1,707,029.93	1,568,200

The District annually reviews groundwater production from the previous year and determines if there are conditions that may trigger District Rule 8.4 and District Rule 8.5 evaluation to reduce Allowable Annual Production. The determination in part is based on the Modeled Available Groundwater (MAG) measured in acre-feet to achieve the Desired Future Conditions (DFCs) in the District. Texas Water Development Board GR16-029 MAG

Report provides the model data for the assessment. The table below is a compilation of MAG for the Dockum aquifer, Ogallala aquifer and Rita Blanca aquifer DFCs.

County	Aquifer	Modeled Available Groundwater (Acre-Feet)					
		2020	2030	2040	2050	2060	2062
Dallam	Ogallala/ Rita Blanca	387,471	287,205	225,573	166,890	112,864	103,258
Hansford	Ogallala	275,016	272,656	271,226	270,281	269,589	269,479
Hartley	Ogallala	397,585	271,523	212,321	154,433	100,407	90,842
Hutchinson	Ogallala	62,803	64,522	65,652	66,075	66,027	65,956
Lipscomb	Ogallala	266,809	266,710	266,640	266,591	266,559	266,557

Moore	Ogallala	214,853	172,621	139,322	105,016	73,384	67,650
Ochiltree	Ogallala	243,778	243,932	244,002	244,051	244,082	244,085
Sherman	Ogallala	398,056	348,895	281,690	212,744	148,552	136,776
Total	Ogallala	2,246,371	1,928,064	1,706,426	1,486,081	1,281,464	1,244,603

Dallam	Dockum	14,192	14,188	14,186	14,184	14,184	14,184
Moore	Dockum	4,801	4,532	4,493	4,417	4,289	4,261
Hartley	Dockum	11,602	10,766	10,524	10,560	10,815	10,895
Sherman	Dockum	127	127	127	127	95	93
Total	Dockum	30,722	29,613	29,330	29,288	29,383	29,433

East Zone MAG	848,406	847,820	847,520	846,998	846,257	846,077
West Zone MAG	1,428,687	1,109,857	888,236	668,371	464,590	427,959
Total District MAG	2,277,093	1,957,677	1,735,756	1,515,369	1,310,847	1,274,036

Groundwater production within the District for 2020 is below the 2020 MAG. Hutchinson County exceeds the 2020 MAG; however, the total groundwater production in the East and West Groundwater Management Zones are below the District's target 2020 MAG and 2030 MAG. The table shows the 2020 MAG compared to 2020 production in acre-feet by county and by management zone.

2020 Annual Production does not exceed the 2020 MAG. Therefore, there are no conditions that trigger District Rule 8.4 and District Rule 8.5 evaluation to reduce Allowable Annual Production.

The table below compares 2020 annual production to the District 2020 MAG.

County	2020 MAG	2020 Production	2020 Percent Difference between MAG and Production	Average Production 2016-2020	Average Percent Difference between MAG and Production 2016-2020
Dallam	401,663	342,746	-14.67%	329,500	-17.97%
Hartley	409,187	402,242	-1.70%	388,300	-5.10%