



**Minutes**  
**BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**  
**Regular Board Meeting**  
**Thursday, February 8, 2024 at 2:00 p.m.**

**Jayson Barfknecht, President called the meeting to order at 2:00 p.m.**

Directors present:	Jayson Barfknecht	President
	Gary Mechler	Vice-President
	Jeff Kennedy	Secretary
	Mark Carrabba	Director
	Stephen Cast	Director
	John Elliott	Director
	Lisa Rolke	Director

Directors Absent:	Chris Zeig	Treasurer
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Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Megan Lamb	Education Coordinator
	Monique Norman	Attorney
	James Beach	Hydrogeologist

Call Permit Hearing to order  
Roll call of members present

1. Discussion and possible action on the following **Operating Permit Amendment Applications:**

• **Six (6) existing Operating permits for Wildfire Energy LLC:**

Well #1 (**BVOP-0269**) McBride Frac Pond 1: Located at: N 30.9060310° W 96.2766860° 0.29 miles SSW of the intersection of Macy Road and Old Bundick Road in Brazos County. Total maximum annual production from the water well is 133 ac-ft/yr at a maximum rate of 250 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Queen City Aquifer.

Well #2 (**BVOP-0270**) McBride Frac Pond 2: Located at: N 30.9065320° W 96.2764060° 0.25 miles SSW of the intersection of Macy Road and Old Bundick Road in Brazos County. Total maximum annual production from the water well is 133 ac-ft/yr at a maximum rate of 250 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Sparta Aquifer.

Well #3 (**BVOP-0271**) McBride Frac Pond 3: Located at: N 30.9047070° W 96.2731620°

0.37 miles SSE of the intersection of Macy Road and Old Bundick Road in Brazos County. Total maximum annual production from the water well is 150 ac-ft/yr at a maximum rate of 250 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Sparta Aquifer.

Well #4 (**BVOP-0272**) McBride Frac Pond 4: Located at: N 30.9048490° W 96.2733280° 0.37 miles SSE of the intersection of Macy Road and Old Bundick Road in Brazos County. Total maximum annual production from the water well is 150 ac-ft/yr at a maximum rate of 250 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Queen City Aquifer.

Well #5 (**BVDO-0212**) McBride Frac Pond 5: Located at: N 30.9016190° W 96.2709600° 0.63 miles SSW of the intersection of Macy Road and Old Bundick Road in Brazos County. Total maximum annual production from the water well is 150 ac-ft/yr at a maximum rate of 250 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Queen City Aquifer.

Well #6 (**BVDO-0213**) McBride Frac Pond 6: Located at: N 30.9018160° W 96.2707250° 0.62 miles SSW of the intersection of Macy Road and Old Bundick Road in Brazos County. Total maximum annual production from the water well is 150 ac-ft/yr at a maximum rate of 250 gpm for Industrial use. Permit holder seeks to amend the existing permit lengthening the permit term from one (1) to five (5) years. The well produces from the Sparta Aquifer. **A motion was made by Stephen Cast, second by Mark Carrabba to approve an amendment to each of the six (6) existing Operating permits requested by Wildfire Energy LLC, lengthening the permit term from one (1) year to five (5) years as presented to the Board. The motion passed unanimously.**

2. Discussion and possible action on the following **Operating Permit Application:**

• **One (1) existing Operating permit for Travis Materials Land Company LLC:**

Well #7 (**BVOP-0323**): Located at: N 30.78545294° W 96.62858956° 2.54 miles W of the intersection of FM 50 and Woodswitch Gin Road in Robertson County. Total maximum annual production from the water well is 60 ac-ft/yr at a maximum rate of 500 gpm for Industrial use. The permit holder requests an amendment to existing Historic Use permit BVHU-0037 changing the beneficial use from agricultural use to industrial use. In doing so, District Rule 8.3(g) and the decision in the Guitar case require the historic use designation to be relinquished and a new Operating permit be issued. The permit will now be designated as Operating permit BVOP-0323 with no historic use associated. No additional water production is being requested. The well produces from the Brazos River Alluvium Aquifer. **A motion was made by Mark Carrabba, second by Stephen Cast to approve a new Operating permit (BVOP-0323) for Travis Materials Land Company LLC replacing Historic Use permit BVHU-0037 and relinquishing Historic Use designation. No additional water production was requested. The motion passed unanimously.**

3. Discussion and possible action on the following **Drilling/Operating Permit Applications:**

- **Four (4) new Drilling/Operating permits for King Ranch Brazos River:**

Well #9 – **(BVDO-0416)** Located at: N 30.400884° W 96.215685° 0.89 miles ENE of the intersection of Tom Moore Road and FM 159 in Brazos County. Total maximum annual production from the water well is 500 ac-ft/yr at a maximum rate of 800 gpm for Agricultural use. The well will produce from the Brazos River Alluvium Aquifer.

Well #10 – **(BVDO-0417)** Located at: N 30.400737° W 96.218685° 0.73 miles NE of the intersection of Tom Moore Road and FM 159 in Brazos County. Total maximum annual production from the water well is 500 ac-ft/yr at a maximum rate of 800 gpm for Agricultural use. The well will produce from the Brazos River Alluvium Aquifer.

Well #11 – **(BVDO-0418)** Located at: N 30.400446° W 96.2220384° 0.64 miles NE of the intersection of Tom Moore Road and FM 159 in Brazos County. Total maximum annual production from the water well is 500 ac-ft/yr at a maximum rate of 800 gpm for Agricultural use. The well will produce from the Brazos River Alluvium Aquifer.

Well #12 – **(BVDO-0419)** Located at: N 30.400365° W 96.222891° 0.54 miles NNE of the intersection of Tom Moore Road and FM 159 in Brazos County. Total maximum annual production from the water well is 500 ac-ft/yr at a maximum rate of 800 gpm for Agricultural use. The well will produce from the Brazos River Alluvium Aquifer. A motion was made by Mark Carrabba, second by John Elliott to approve the four (4) new Drilling/Operating permits for King Ranch Brazos River. The wells will produce from the Brazos River Alluvium Aquifer as presented to the Board. The motion passed unanimously. **A motion was made by Mark Carrabba, second by John Elliott to approve four (4) new Drilling/Operating permits (BVDO-0416, BVDO-0417, BVDO-0418, BVDO-0419) for King Ranch – Brazos River to produce from the Brazos River Alluvium Aquifer as presented to the Board. The motion passed unanimously.**

4. Adjourn Permit Hearing

**Regular Board Meeting**

Call meeting to order

Pledge of Allegiance

Public Comment

a) Non-agenda items

b) Agenda items –

1. Discussion and possible action on minutes of the January 11, 2024 Regular Board Meeting. **A motion was made by Stephen Cast, second by Lisa Rolke to approve the minutes from the January 11, 2024 Regular Board meeting as presented to the Board. The motion passed unanimously.**
2. Financial Report for the month January 2024. **A motion was made Stephen Cast, second by Lisa Rolke to approve the Financial Report for the month of January 2024 as presented to the Board. The motion passed unanimously.**

3. Presentation, discussion, and possible action on adoption of the 2023 District Annual Report. **A motion was made by Gary Mechler, second by Mark Carrabba to approve the 2023 District Annual Report as presented to the Board. The motion passed unanimously.**
4. Executive Session: Texas Government Code 551.071 – To receive attorney client privilege information regarding pending transport permit applications for groundwater from the Simsboro Aquifer. **No action taken.**
5. General Manager’s Report, **Alan Day, General Manager, gave an update to the Board on the reports listed below.**
  - a) Drought Monitor Report
  - b) Wells permitted pursuant to District Rule 8.3(j)
  - c) Simsboro Mitigation Management Zone Update
  - d) GMA 12 DFC Update
  - e) District Business & Activities
  - f) Management Plan Update
6. Discussion and possible future agenda items.
7. Adjourn

**Signed this 14<sup>th</sup> day of March 2024**

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***Jeff Kennedy, Secretary***

The Board of Directors may meet in closed session, pursuant to the Texas Open Meetings Act, Texas Government Code §§ 551.071-551.076, to:

- (1) consult with attorney ;
- (2) deliberate regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (3) deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (4) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee;
- (5) to receive information from employees or question employees, but not deliberate public business or agency policy that affects public business; and
- (6) to deliberate the deployment or specific occasions for implementation of security personnel or devices.

The Board may also meet in open session on these matters as required by the Texas Open Meetings Act, Texas Government Code § 551.102.

**\*\* Agenda items may be taken out of order at the discretion of the Board Chairman**