



## Notice/Agenda

### BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

#### Regular Board Meeting

#### District Office

112 W. 3<sup>rd</sup> Street – Hearne, Texas

Thursday, September 14, 2023 – 2:00 p.m.

**Notice is given that the Board of Directors of the Brazos Valley Groundwater Conservation District will hold a Regular Board Meeting on Thursday, September 14, 2023 @ 2:00 p.m. in the District Office.**

Call meeting to order

Pledge of Allegiance


Declare quorum present

Public Comment

- a) Non-agenda items
- b) Agenda items

1. Discussion and possible action on minutes of the August 10, 2023 Permit Hearing & Regular Board Meeting.
2. Financial Report for the month of August 2023.
3. Discussion and possible action on amending the 2023 District Operating Budget related to Engineering/Hydrogeological Services.
4. Discussion and possible action on proposed District rule amendments including, but not limited to, amendments to District Rules 1.1, 2.2, 5.2(f) & (g), 6.1, 6.2, 7.1(c), 8.1, 8.3(h), 8.4(b)(3), 8.4(b)(7)(A)(4), 8.4(b)(7)(B)(4), 8.5(b), 8.7, 8.8, 8.9, 9.1, 9.1(c), 10.3, 10.4(d), 14.2(a), 14.2(b)(3), 14.2(d), 14.3.5, 14.4(c-2)(l)(n)&(o), 14.6, new Section 16.
5. General Manager's Report
  - a) Drought Monitor Report
  - b) Wells permitted pursuant to District Rule 8.3(j)
  - c) GMA 12 DFC Update
  - d) District Business & Activities
  - e) Management Plan Update
6. Discussion and possible future agenda items.
7. Adjourn

Signed this 7<sup>th</sup> day of September 2023



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Alan M. Day, General Manager

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**



# BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT

P.O. Box 528 · HEARNE, TX 77859 · (979) 279-9350

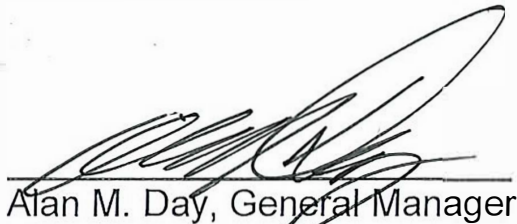
[HTTPS://BRAZOSVALLEYGCD.ORG](https://brazosvalleygcd.org)

## PUBLIC RULES HEARING

### LEGAL NOTICE

The **Brazos Valley Groundwater Conservation District (District)**, in compliance with Chapter 36 of the Texas Water Code and its Rules, will receive public comment on proposed amendments to the Rules of the District or District policies during a Public Rules Hearing at 2:00 p.m. on Thursday, September 14, 2023 at the Brazos Valley Groundwater Conservation District Office in Hearne, Texas (112 W. 3<sup>rd</sup> Street). The proposed amendments relate to District Rules 2.2, 5.2(f) & (g), 6.1, 6.2, 7.1(c), 8.1, 8.3(h), 8.4(b)(3), 8.4(b)(7)(A)(4), 8.4(b)(7)(B)(4), 8.5(b), 8.7, 8.8, 8.9, 9.1, 9.1(c), 10.3, 10.4(d), 14.2(a), 14.2(b)(3), 14.2(d), 14.3.5, 14.4(c-2)(l)(n)&(o), 14.6 and new Section 16.

The District Board, at the conclusion of the public hearing, will discuss comments received and consider possible adoption of the proposed rules or policies. Written and oral public comments on the proposed rules or policies must be submitted to the District on or prior to the hearing date. A complete copy of the current Rules of the District and proposed rule amendments are available at [www.brazosvalleygcd.org](http://www.brazosvalleygcd.org) and the District Office, 112 West 3rd Street Hearne, TX 77859; **(979) 279-9350**.



Alan M. Day, General Manager

Brazos Valley Groundwater Conservation District

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BOARD OF DIRECTORS:  
DAVID STRATTA, SECRETARY  
GARY MECHLER

STEPHEN CAST, PRESIDENT  
CHRIS ZEIG, TREASURER  
JOHN ELLIOTT

JAYSON BARFKNECHT, VP  
MARK CARRABBA  
JEFF KENNEDY



## Minutes

### BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT Public Permit Hearing, Rules Hearing, & Regular Board Meeting Thursday, September 14, at 2:00 p.m.

Stephen Cast called the meeting to order at 2:00 p.m.

Directors present:	Jayson Barfknecht	Vice President
	David Stratta	Secretary
	Mark Carrabba	Director
	John Elliott	Director
	Jeff Kennedy	Director
	Chris Zeig	Director
Directors Absent:	Mark Carrabba	Director
	Gary Mechler	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Megan Lamb	Education Coordinator
	John Crabtree	Field Technician
	Monique Norman	Attorney
	James Beach	Hydrologist
	Chris Drabeck	Hydrologist

#### **Public Permit Hearing**

Call Permit Hearing to order

Declare quorum present.

Public Comment –

- a) Non-agenda items
- b) Agenda Items

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

These are multi-use permit amendment applications for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. Maximum annual cumulative production from the thirteen (13) wells will be 21,257 ac-ft/yr. The purpose of use will be metered and reported separately.

Well #1 - Corpora Farms (BVDO-0341) Located at: N 30.967123° W 96.681905° 0.42 miles E of the intersection of Wildcat Bridge Road and FM 1644 in Robertson County. Total maximum annual production from the well will be 996.523 ac-ft/yr at a maximum production rate of 1,000 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 1,290 ac-ft/yr.

Well #2 - Corpora Farms (BVDO-0342) Located at: N 30.930936° W 96.703584° 0.97 miles WNW of the intersection of Barton Farm Road and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,058.323 ac-ft/yr at a maximum production rate of 1,050 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 1,370 ac-ft/yr.

Well #3- Corpora Farms (BVDO-0343) Located at: N 30.931603° W 96.720836° 2.36 miles SW of the intersection of FM 1644 and New Magnolia Church Road in Robertson County. Total maximum annual production from the well will be 1,616.839 ac-ft/yr at a maximum production rate of 1,650 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 2,093 ac-ft/yr.

Well #4 - Corpora Farms (BVDO-0344) Located at: N 30.934607° W 96.709457° 1.37 miles WNW of the intersection of Barton Farm Road and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,058.323 ac-ft/yr at a maximum production rate of 1,050 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 1,370 ac-ft/yr.

Well #5- Corpora Farms (BVDO-0345) Located at: N 30.939189° W 96.647752° 0.71 miles NW of the intersection of Red Hill Road and Providence Road in Robertson County. Total maximum annual production from the well will be 1,119.350 ac-ft/yr at a maximum production rate of 1,125 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 1,449 ac-ft/yr.

Well #6- Corpora Farms (BVDO-0346) Located at: N 30.928505° W 96.667226° 1.65 miles W of the intersection of Red Hill Road and Providence Road in Robertson County. Total maximum annual production from the well will be 2,736.190 ac-ft/yr at a maximum production rate of 2,750 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 3,542 ac-ft/yr.

Well #7 - Corpora Farms (BVDO-0347) Located at: N 30.941075° W 96.664942° 1.23 miles WNW of the intersection of Red Hill Road and Providence Road in Robertson County. Total maximum annual production from the well will be 1,119.350 ac-ft/yr at a maximum production rate of 1,125 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 1,449 ac-ft/yr.

Well #8 - Corpora Farms (BVDO-0348) Located at: N 30.862142° W 96.648896° 1.10 miles SSW of the intersection of John Reistino Road and FM 485 in Robertson County. Total maximum annual production from the well will be 1,679.412 ac-ft/yr at a maximum production rate of 1,700 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well

will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 2,174 ac-ft/yr.

Well #9- Corpora Farms (BVDO-0349) Located at: N 30.866236° W 96.641341° 0.83 miles SSE of the intersection of John Reistino Road and FM 485 in Robertson County. Total maximum annual production from the well will be 1,679.412 ac-ft/yr at a maximum production rate of 1,700 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 2,174 ac-ft/yr.

Well #10-Corpora Farms (BVDO-0350) Located at: N 30.828601° W 96.637179° 0.47 miles SSE of the intersection of FM 1644 and US-79 in Robertson County. Total maximum annual production from the well will be 683.661 ac-ft/yr at a maximum production rate of 550 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 885 ac-ft/yr.

Well #11 - Corpora Farms (BVDO-0351) Located at: N 30.830612° W 96.633565° 0.50 miles SSE of the intersection of FM 1644 and US-79 in Robertson County. Total maximum annual production from the well will be 683.661 ac-ft/yr at a maximum production rate of 550 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 885 ac-ft/yr.

Well #12 - Corpora Farms (BVDO-0352) Located at: N 30.784337° W 96.560379° 1.29 miles NE of the intersection of Watts Lane and FM 50 in Robertson County. Total maximum annual production from the well will be 994.978 ac-ft/yr at a maximum production rate of 800 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 1,288 ac-ft/yr.

Well #13- Corpora Farms (BVDO-0353) Located at: N 30.784810° W 96.554918° 1.56 miles NNE of the intersection of Watts Lane and FM 50 in Robertson County. Total maximum annual production from the well will be 994.978 ac-ft/yr at a maximum production rate of 800 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. The applicant requests the permitted amount be increased to a total maximum annual production of 1,288 ac-ft/yr. **A motion was made by Chris Zeig, second by David Stratta to approve the amendment of thirteen (13) Drilling/Operating Permits for Corpora Farms for a total maximum annual production of 21,257 ac-ft/year for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

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

- **Fourteen (14) new wells for DTB Investments LP**

Well C1 – DTB Investments LP (BVDO-0362) Located at: N 30.715925° W 96.582306° 1.68 miles WSW of the intersection of North Astin Road and FM 50 in Robertson County. Total

maximum annual production from the well will be 1,258 ac-ft/yr at a maximum production rate of 975 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Carrizo Aquifer.

Well C2 – DTB Investments LP (BVDO-0363) Located at: N 30.717569° W 96.573667° 1.19 miles WSW of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 677 ac-ft/yr at a maximum production rate of 525 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Carrizo Aquifer.

Well C3 – DTB Investments LP (BVDO-0364) Located at: N 30.720703° W 96.567778° 0.78 miles WSW of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 677 ac-ft/yr at a maximum production rate of 525 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Carrizo Aquifer.

Well C4 – DTB Investments LP (BVDO-0365) Located at: N 30.721992° W 96.557767° 0.43 miles S of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,419 ac-ft/yr at a maximum production rate of 1,100 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Carrizo Aquifer.

Well C5 – DTB Investments LP (BVDO-0366) Located at: N 30.727914° W 96.546789° 0.67 miles E of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,387 ac-ft/yr at a maximum production rate of 1,075 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Carrizo Aquifer.

Well C6 – DTB Investments LP (BVDO-0367) Located at: N 30.733936° W 96.537300° 1.28 miles ENE of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,226 ac-ft/yr at a maximum production rate of 950 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Carrizo Aquifer.

Well C7 – DTB Investments LP (BVDO-0368) Located at: N 30.737905° W 96.531683° 1.70 miles ENE of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 968 ac-ft/yr at a maximum production rate of 750 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Carrizo Aquifer. **A motion was made by David Stratta, second by John Elliott to approve the seven (7) Drilling/Operating permits in the Carrizo aquifer for DTB Investments, LP with a total annual maximum production of 7,612 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

Well S1 – DTB Investments LP (BVDO-0369) Located at: N 30.715994° W 96.582161° 1.68 miles WSW of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 2,516 ac-ft/yr at a maximum production rate

of 1,950 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well S2 – DTB Investments LP (BVDO-0370) Located at: N 30.717642° W 96.573525° 1.19 miles WSW of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,355 ac-ft/yr at a maximum production rate of 1,050 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well S3 – DTB Investments LP (BVDO-0371) Located at: N 30.720786° W 96.567647° 0.78 miles WSW of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,355 ac-ft/yr at a maximum production rate of 1,050 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well S4 – DTB Investments LP (BVDO-0372) Located at: N 30.722069° W 96.557633° 0.43 miles S of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 2,839 ac-ft/yr at a maximum production rate of 2,200 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well S5 – DTB Investments LP (BVDO-0373) Located at: N 30.727822° W 96.546914° 0.67 miles E of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 2,774 ac-ft/yr at a maximum production rate of 2,150 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well S6 – DTB Investments LP (BVDO-0374) Located at: N 30.733881° W 96.537453° 1.28 miles ENE of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 2,452 ac-ft/yr at a maximum production rate of 1,900 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well S7 – DTB Investments LP (BVDO-0375) Located at: N 30.737800° W 96.531799° 1.69 miles ENE of the intersection of North Astin Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,936 ac-ft/yr at a maximum production rate of 1,500 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by Jayson Barfknecht, second by David Stratta to approve the seven (7) Drilling/Operating permits in the Simsboro Aquifer for DTB Investments, LP with a total maximum annual production of 15,277 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

- **Eight (8) new wells for Ely Family Partnership**

Well 1 – Ely Family Partnership (BVDO-0377) Located at: N 30.843353° W 96.594456° 1.27 miles SW of the intersection of US-79 and FM 50 in Robertson County. Total maximum annual production from the well will be 1,484 ac-ft/yr at a maximum production rate of 1,150 gpm for



Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 2 – Ely Family Partnership (BVDO-0378) Located at: N 30.838847° W 96.584083° 1.88 miles ENE of the intersection of Carter Lane and FM 50 in Robertson County. Total maximum annual production from the well will be 2,581 ac-ft/yr at a maximum production rate of 2,000 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 3 – Ely Family Partnership (BVDO-0379) Located at: N 30.838158° W 96.573567° 1.10 miles WSW of the intersection of SH-6 and Old Hearne Road in Robertson County. Total maximum annual production from the well will be 1,097 ac-ft/yr at a maximum production rate of 850 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 4 – Ely Family Partnership (BVDO-0380) Located at: N 30.827000° W 96.567717° 2.05 miles E of the intersection of Carter Lane and FM 50 in Robertson County. Total maximum annual production from the well will be 2,065 ac-ft/yr at a maximum production rate of 1,600 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 5 – Ely Family Partnership (BVDO-0381) Located at: N 30.823175° W 96.571783° 1.82 miles ESE of the intersection Carter Lane and FM 50 in Robertson County. Total maximum annual production from the well will be 1,419 ac-ft/yr at a maximum production rate of 1,100 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 6 – Ely Family Partnership (BVDO-0382) Located at: N 30.831378° W 96.559953° 1.05 miles S of the intersection of SH-6 and Old Hearne Road in Robertson County. Total maximum annual production from the well will be 2,065 ac-ft/yr at a maximum production rate of 1,600 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 7 – Ely Family Partnership (BVDO-0383) Located at: N 30.815553° W 96.554250° 1.01 miles SW of the intersection of River Ridge Drive and Old Hearne Road in Robertson County. Total maximum annual production from the well will be 1,807 ac-ft/yr at a maximum production rate of 1,400 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 8 – Ely Family Partnership (BVDO-0384) Located at: N 30.806858° W 96.544747° 1.46 miles S of the intersection of River Ridge Drive and Old Hearne Road in Robertson County. Total maximum annual production from the well will be 1,355 ac-ft/yr at a maximum production rate of 1,050 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by John Elliott, second by David Stratta to approve the eight (8) Drilling/Operating permits in the Simsboro Aquifer for Ely Family Partnership with a total maximum annual production**

of 13,873 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.

- **Five (5) new wells for RH2O LLC**

Well 1 – RH2O LLC (BVDO-0385) Located at: N 30.909286° W 96.621725° 1.44 miles N of the intersection of Vaughn Lane and FM 485 in Robertson County. Total maximum annual production from the well will be 1,678 ac-ft/yr at a maximum production rate of 1,300 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 2 – RH2OF LLC (BVDO-0386) Located at: N 30.898639° W 96.639708° 1.59 miles WNW of the intersection of Vaughn Lane and FM 485 in Robertson County. Total maximum annual production from the well will be 2,194 ac-ft/yr at a maximum production rate of 1,700 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 3 – RH2O LLC (BVDO-0387) Located at: N 30.893919° W 96.646250° 1.90 miles W of the intersection of Vaughn Lane and FM 485 in Robertson County. Total maximum annual production from the well will be 1,742 ac-ft/yr at a maximum production rate of 1,350 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 4 – RH2O LLC (BVDO-0388) Located at: N 30.905286° W 96.639786° 1.78 miles NW of the intersection of Vaughn Lane and FM 485 in Robertson County. Total maximum annual production from the well will be 1,484 ac-ft/yr at a maximum production rate of 1,150 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 5 – RH2O LLC (BVDO-0389) Located at: N 30.909286° W 96.628772° 1.49 miles NNW of the intersection of Vaughn Lane and FM 485 in Robertson County. Total maximum annual production from the well will be 1,032 ac-ft/yr at a maximum production rate of 800 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by David Stratta, second by Jayson Barfknecht to approve the five (5) Drilling/Operating permits in the Simsboro Aquifer for RH2O, LLC with a total maximum annual production of 8,130 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

- **Four (4) new wells for Corpora Farms - Mumford**

Well 14 – Corpora Farms - Mumford (BVDO-0390) Located at: N 30.744050° W 96.543139° 1.46 miles ENE of the intersection of Mumford Benchley Road and FM 50 in Robertson County. Total maximum annual production from the well will be 485 ac-ft/yr at a maximum production rate of 375 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 15 – Corpora Farms - Mumford (BVDO-0391) Located at: N 30.750161° W 96.531417° 2.28 miles ENE of the intersection of Mumford Benchley Road and FM 50 in Robertson County. Total maximum annual production from the well will be 485 ac-ft/yr at a maximum production rate of 375 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 16 – Corpora Farms - Mumford (BVDO-0392) Located at: N 30.746025° W 96.539278° 1.73 miles ENE of the intersection of Mumford Benchley Road and FM 50 in Robertson County. Total maximum annual production from the well will be 485 ac-ft/yr at a maximum production rate of 375 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 17 – Corpora Farms - Mumford (BVDO-0393) Located at: N 30.748333° W 96.534861° 2.04 miles ENE of the intersection of Mumford Benchley Road and FM 50 in Robertson County. Total maximum annual production from the well will be 485 ac-ft/yr at a maximum production rate of 375 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by Chris Zeig, second by Jayson Barfknecht for approval of four (4) Drilling/Operating permits in the Simsboro Aquifer for Corpora Farms – Mumford with a total maximum annual production of 1,940 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

- **Six (6) new wells for Fazzino Investments LP**

Well 1 – Fazzino Investments LP (BVDO-0394) Located at: N 30.945554° W 96.727687° 2.28 miles SSW of the intersection of New Magnolia Church Road and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,290 ac-ft/yr at a maximum production rate of 1,000 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 2 – Fazzino Investments LP (BVDO-0395) Located at: N 30.941356° W 96.725083° 2.23 miles SW of the intersection of New Magnolia Church Road and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,290 ac-ft/yr at a maximum production rate of 1,000 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 3 – Fazzino Investments LP (BVDO-0396) Located at: N 30.851775° W 96.662976° 1.80 miles NW of the intersection of US-79 and FM 1644 in Robertson County. Total maximum annual production from the well will be 2,710 ac-ft/yr at a maximum production rate of 2,100 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 4 – Fazzino Investments LP (BVDO-0397) Located at: N 30.848652° W 96.669293° 1.98 miles NW of the intersection of US-79 and FM 1644 in Robertson County. Total maximum annual production from the well will be 2,710 ac-ft/yr at a maximum production rate of 2,100 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 5– Fazzino Investments LP (BVDO-0398) Located at: N 30.816412° W 96.591883° 0.89 miles SSE of the intersection of Catalina Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,187 ac-ft/yr at a maximum production rate of 920 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 6 – Fazzino Investments LP (BVDO-0399) Located at: N 30.816641° W 96.585293° 1.18 miles SE of the intersection of Catalina Road and FM 50 in Robertson County. Total maximum annual production from the well will be 1,161 ac-ft/yr at a maximum production rate of 900 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by Jayson Barfknecht, second by Chris Zeig for approval of six (6) Drilling/Operating permits in the Simsboro Aquifer for Fazzino Investments LP with a total maximum annual production of 10,348 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

- **One (1) new well for Wellborn Special Utility District**

The requested total maximum annual aggregate production for the well(s) under current operating permit(s) and all permit applications listed below is 9,471.65 acre-feet/year. This is a permit application for Public Water Supply use.

Well 8 – Wellborn Special Utility District (BVDO-0400) Located at: N 30.741381° W 96.477256° 0.41 miles SSW of the intersection of Mumford Benchley Road and Old Hearne Road in Robertson County. Total maximum annual production from the well will be 1,972 ac-ft/yr at a maximum production rate of 2,000 gpm for Public Water Supply use. The well will produce from the Simsboro Aquifer. Applicant requests production be aggregated on Operating permits BVDO-0014, BVDO-0284, BVDO-0285, BVDO-0400, BVHU-0053, BVHU-0058, BVOP-0136 producing from the Simsboro Aquifer that supply a single well system. **A motion was made by David Stratta, second by Jayson Barfknecht for approval of one (1) Drilling/Operating permit in the Simsboro Aquifer for Wellborn SUD with a total maximum annual production of 1,972 ac-ft.yr and aggregated with the wells listed above. The motion passed unanimously.**

- **Two (2) new wells for L. Wiese Moore LLC**

Well 1 – L. Wiese Moore LLC (BVDO-0401) Located at: N 30.871983° W 96.648675° 0.44 miles SSW of the intersection of John Reistino Road and FM 485 in Robertson County. Total maximum annual production from the well will be 2,000 ac-ft/yr at a maximum production rate of 1,550 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 2 – L. Wiese Moore LLC (BVDO-0402) Located at: N 30.750161° W 96.531417° 1.07 miles SW of the intersection of John Reistino Road and FM 485 in Robertson County. Total maximum annual production from the well will be 2,452 ac-ft/yr at a maximum production rate of 1,900 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by David Stratta, second by John Elliott for approval of two (2) Drilling/Operating permits in the**

**Simsboro Aquifer for L. Wiese Moore LLC with a total maximum annual production of 4,452 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

- **Five (5) new wells for Burnside Investments Inc.**

Well 1 – Burnside Investments Inc. (BVDO-0403) Located at: N 30.802439° W 96.616914° 0.39 miles SW of the intersection of Muse Road and Union Bend Road in Robertson County. Total maximum annual production from the well will be 2,323 ac-ft/yr at a maximum production rate of 1,800 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 2 – Burnside Investments Inc. (BVDO-0404) Located at: N 30.796989° W 96.626811° 1.07 miles SW of the intersection of Muse Road and Union Bend Road in Robertson County. Total maximum annual production from the well will be 2.323 ac-ft/yr at a maximum production rate of 1,800 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 3 – Burnside Investments Inc. (BVDO-0405) Located at: N 30.791261° W 96.634472° 1.67 miles SW of the intersection of Muse Road and Union Bend Road in Robertson County. Total maximum annual production from the well will be 1,678 ac-ft/yr at a maximum production rate of 1,300 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 4 – Burnside Investments Inc. (BVDO-0406) Located at: N 30.787008° W 96.643233° 2.26 miles SW of the intersection of Muse Road and Union Bend Road in Robertson County. Total maximum annual production from the well will be 1,807 ac-ft/yr at a maximum production rate of 1,400 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 5 – Burnside Investments Inc. (BVDO-0407) Located at: N 30.807222° W 96.607594° 0.32 miles E of the intersection of Muse Road and Union Bend Road in Robertson County. Total maximum annual production from the well will be 1,058 ac-ft/yr at a maximum production rate of 820 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by Jayson Barfknecht, second by David Stratta for approval of five (5) Drilling/Operating permits in the Simsboro Aquifer for Burnside Investments Inc. with a total maximum annual production of 9,189 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

- **Seven (7) new wells for Cula d'Brazos LLC**

Well 1 – Cula d'Brazos LLC (BVDO-0408) Located at: N 30.862192° W 96.671514° 0.59 miles SSW of the intersection of N FM 1644 and FM 485 in Robertson County. Total maximum annual production from the well will be 2,839 ac-ft/yr at a maximum production rate of 2,200 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 2 – Cula d’Brazos LLC (BVDO-0409) Located at: N 30.859611° W 96.678461° 0.96 miles SW of the intersection of N FM 1644 and FM 485 in Robertson County. Total maximum annual production from the well will be 2,968 ac-ft/yr at a maximum production rate of 2,300 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 3 – Cula d’Brazos LLC (BVDO-0410) Located at: N 30.842994° W 96.643706° 0.60 miles NNW of the intersection of US-79 and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,290 ac-ft/yr at a maximum production rate of 1,000 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 4 – Cula d’Brazos LLC (BVDO-0411) Located at: N 30.839914° W 96.649878° 0.67 miles NW of the intersection of US-79 and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,226 ac-ft/yr at a maximum production rate of 950 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 5 – Cula d’Brazos LLC (BVDO-0412) Located at: N 30.837139° W 96.655553° 0.92 miles WNW of the intersection of US-79 and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,161 ac-ft/yr at a maximum production rate of 900 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 6 – Cula d’Brazos LLC (BVDO-0413) Located at: N 30.833783° W 96.661933° 1.29 miles W of the intersection of US-79 and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,161 ac-ft/yr at a maximum production rate of 900 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer.

Well 7 – Cula d’Brazos LLC (BVDO-0414) Located at: N 30.833933° W 96.648103° 0.47 miles W of the intersection of US-79 and FM 1644 in Robertson County. Total maximum annual production from the well will be 1,355 ac-ft/yr at a maximum production rate of 1,050 gpm for Agricultural, Industrial, Commercial, Municipal, and Public Water Supply uses. The well will produce from the Simsboro Aquifer. **A motion was made by Jayson Barfknecht, second by Jayson Barfknecht approval of seven (7) Drilling/Operating permits in the Simsboro Aquifer for Cula d’Brazos LLC with a total maximum annual production of 12,000 ac-ft.yr for Agricultural, Industrial, Commercial, Municipal and Public Water Supply use. The motion passed unanimously.**

## Rules Hearing

Call Rules Hearing to order

Declare quorum present.

Public Comments

Comments were received by email on several of the proposed rule changes. UW Brazos Valley Farm LLC through Baker Botts (Paulina Williams) and Eddie McCarthy provided written comments. Mr. Ed McCarthy, Mr. Eddie McCarthy and Ms. Williams also provided oral comments during the Rules Hearing.

The General Manager reviewed draft rule revisions made by District Staff related to comments received from the public. The Rules Hearing was then closed.

## Regular Board Meeting

Call meeting to order

Pledge of Allegiance

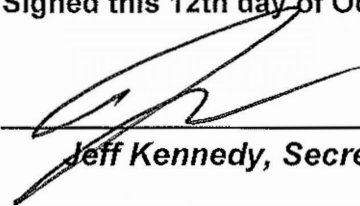
Public Comment

- a) Non-agenda items
- b) Agenda items
1. Discussion and possible action on minutes of the August 10, 2023 Permit Hearing & Regular Board Meeting. **A motion was made by David Stratta, second by Jayson Barfknecht to approve the minutes from the August 10, 2023 Permit Hearing and Regular Board Meeting as presented to the Board. The motion passed unanimously.**
2. Financial Report for the month of August 2023. **A motion was made Chris Zeig, second by Jayson Barfknecht to approve the Financial Report for the month of August 2023 as presented to the Board. The motion passed unanimously.**
3. Discussion and possible action on amending the 2023 District Operating Budget related to Engineering/Hydrogeological Services. **A motion was made by Chris Zeig, second by John Elliott for approval of amending the 2023 District Operating for Engineering/Hydrogeological Services for an extra \$40,000. The motion passed unanimously.**
4. Discussion and possible action on proposed District rule amendments including, but not limited to, amendments to District Rules 1.1, 2.2, 5.2(f) & (g), 6.1, 6.2, 7.1(c), 8.1, 8.3(h), 8.4(b)(3), 8.4(b)(7)(A)(4), 8.4(b)(7)(B)(4), 8.5(b), 8.7, 8.8, 8.9, 9.1, 9.1(c), 10.3, 10.4(d), 14.2(a), 14.2(b)(3), 14.2(d), 14.3.5, 14.4(c-2)(l)(n)&(o), 14.6, new Section 16. **A motion was made by Jayson Barfknecht, second by John Elliott for approval of the proposed district rule amendments as presented to the Board. The motion passed with David Stratta opposing.**
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) GMA 12 DFC Update
  - d) District Business & Activities

e) Management Plan Update

6. Discussion and possible future agenda items.
7. Adjourn

Signed this 12th day of October 2023

 10-12-23  
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**