



## Notice/Agenda

**BRAZOS VALLEY GROUNDWATER  
CONSERVATION DISTRICT  
Regular Board Meeting  
District Office  
112 W. 3<sup>rd</sup> Street – Hearne, Texas  
Thursday, August 10, 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, August 10, 2023 @ 2:00 p.m. in the District Office.**

Call meeting to order

Pledge of Allegiance

Declare quorum present

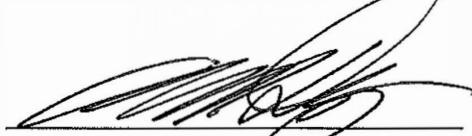
Public Comment

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

1. Discussion and possible action on minutes of the July 13, 2023 Permit Hearing & Regular Board Meeting.
2. Financial Report for the month of July 2023.
3. Discussion and possible action on an application by the City of Hearne to amend operating permits BVHU-0011, BVHU-0012, BVHU-0013, & BVHU-0014 increasing the rate of production from currently permitted amounts to actual production rates under District Rules 11.1(b) and 11.1(e).
4. Discussion regarding draft rule amendments including, but not limited to, amendments 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, 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, and possible action to set a public hearing date for the proposed draft rule amendments.
5. Discussion and possible action approving the creation of an Interlocal Agreement among GMA 12 members detailing the scope of work and financial responsibilities of each member.
6. 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
7. Discussion and possible future agenda items.

8. Adjourn

Signed this 4<sup>th</sup> day of August 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**



**Minutes**  
**BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**  
**Public Permit Hearing and Regular Board Meeting**  
**Thursday, August 10, at 2:00 p.m.**

**Jayson Barfknecht 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
	Gary Mechler	Director
Directors Absent:	Stephen Cast	President
	Chris Zeig	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Megan Lamb	Education Coordinator
	Monique Norman	Attorney
	Chris Drabek	Hydrologist

**Public Permit Hearing**

Call Permit Hearing to order  
Declare quorum present.

Public Comment –

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

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

- **Four (4) new wells for the City of Bryan**

The requested total maximum annual aggregate production for the well(s) under current operating permit(s) and all permit applications listed below is 19,042 acre-feet/year. These are permit applications for Municipal use.

Well #20 – City of Bryan (BVDO-0354) Located at: N 30.724081° W 96.441389° 0.82 miles E of the intersection of Mumford Road and Louis E. Mikulin Road in Brazos County. Total maximum annual production from the well will be 2,863 ac-ft/yr. at a maximum production rate of 3,300 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests production be aggregated on Operating permits BVDO-0003, BVDO-0354, BVDO-0355, BVDO-0356, and BVDO-0357 producing from the Simsboro Aquifer that supply a single well system.

Well #21 – City of Bryan (BVDO-0355) Located at: N 30.718428° W 96.434894° 1.26 miles ESE of the intersection of Mumford Road and Louis E. Mikulin Road in Brazos County. Total maximum annual production from the well will be 3,035 ac-ft/yr at a maximum production rate of 3,300 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests production be aggregated on Operating permits BVDO-0003, BVDO-0354, BVDO-0355, BVDO-0356, and BVDO-0357 producing from the Simsboro Aquifer that supply a single well system.

Well #22 – City of Bryan (BVDO-0356) Located at: N 30.712978° W 96.462196° 0.87 miles SSW of the intersection of Mumford Road and Louis E. Mikulin Road in Brazos County. Total maximum annual production from the well will be 5,000 ac-ft/yr at a maximum production rate of 3,300 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests production be aggregated on Operating permits BVDO-0003, BVDO-0354, BVDO-0355, BVDO-0356, and BVDO-0357 producing from the Simsboro Aquifer that supply a single well system.

Well #23 – City of Bryan (BVDO-0357) Located at: N 30.715839° W 96.473132° 1.21 miles WSW of the intersection of Mumford Road and Louis E. Mikulin Road in Brazos County. Total maximum annual production from the well will be 3,306 ac-ft/yr at a maximum production rate of 3,300 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests production be aggregated on Operating permits BVDO-0003, BVDO-0354, BVDO-0355, BVDO-0356, and BVDO-0357 producing from the Simsboro Aquifer that supply a single well system.

**A motion was made by David Stratta, second by Gary Mechler to approve the City of Bryan four (4) new Drilling/Operating permit applications for a total of 14,204 ac-ft/yr at 3,300 gpm each for Municipal use in the Simsboro Aquifer in aggregate on Operating permits BVDO-0003, BVDO-0354, BVDO-0355, BVDO-0356, and BVDO-0357 as presented to the Board. The motion was approved unanimously.**

- **Three (3) new wells for the City of College Station**

The requested total maximum annual aggregate production for the well(s) under current operating permit(s) and all permit applications listed below is 27,857 acre-feet/year. These are permit applications for Municipal use.

Well #10 – City of College Station (BVDO-0359) Located at: N 30.686700° W 96.499000° 1.07 miles SSW of the intersection of OSR and FM 1687 in Brazos County. Total maximum annual production from the well will be 1,903 ac-ft/yr at a maximum production rate of 3,300 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests aggregation of the well with all City of College Station wells producing under Operating Permits from the Simsboro Aquifer that supply a single well system.

Well #11 – City of College Station (BVDO-0360) Located at: N 30.682900° W 96.509700° 1.36 miles SSW of the intersection of OSR and FM 1687 in Brazos County. Total maximum annual production from the well will be 1,631 ac-ft/yr at a maximum production rate of 3,300 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests aggregation of the well with all City of College Station wells producing under Operating Permits from the Simsboro Aquifer that supply a single well system.

Well #12 – City of College Station (BVDO-0361) Located at: N 30.684500° W 96.503800° 1.68 miles SSW of the intersection of OSR and FM 1687 in Brazos County. Total maximum annual production from the well will be 1,531 ac-ft/yr at a maximum production rate of 3,300 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests aggregation of the well with all City of College Station wells producing under Operating Permits from the Simsboro Aquifer that supply a single well system.

**A motion was made by John Elliott, second by David Stratta to approve the City of College Station three (3) new Drilling/Operating permit applications for 5,065 ac-ft/yr at 3,300 gpm each for Municipal use in the Simsboro Aquifer in aggregate of all wells with City of College Station wells producing from the Simsboro Aquifer as presented to the Board. The motion was approved unanimously.**

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

**One (1) existing permit for the Wilbert Vorwerk:**

The requested total maximum annual aggregate production for the well(s) under current operating permit(s)s and all permit applications listed below is 360 acre-feet/year.

**Well #4 - (BVDO-0321) – Located at: N 30.684597° W 96.537825° 0.84 miles E of the intersection of FM 50 and FM 1687 in Brazos County. Total maximum annual production from the well will be 230 ac-ft/yr at a maximum production rate of 900 gpm for Agricultural use. The well will produce from the Brazos River Alluvium Aquifer. Applicant requests amendments to lengthen the permit term from one (1) year to five (5) years, increase total maximum annual production from 150 ac-ft/yr to 230 ac-ft/yr, and production be aggregated on Operating permits BVDO-0321, BVHU-0443, BVHU-0444, and BVHU-0445 all producing from the Brazos River Alluvium Aquifer. A motion was made by Mark Carrabba, second by David Stratta to approve the amendment on one (1) existing well for Wilbert Vorwerk lengthening the permit term from one (1) year to five (5) years, increase total maximum annual production from 150 ac-ft/yr to 230 ac-ft/yr. and production to be aggregated with the applicant's three (3) other Brazos River Alluvium Aquifer permits as presented to the Board. The motion passed unanimously.**

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

**One (1) new well for the City of Hearne:**

The requested total maximum annual aggregate production for the well(s) under current operating permit(s)s and all permit applications listed below is 2,182 acre-feet/year.

**Well #6 - (BVDO-0376) – Located at: N 30.89890436° W 96.60463746° 0.23 miles NW of the intersection of SH-6 and FM 485 in Robertson County. Total maximum annual production from the well will be 325 ac-ft/yr at a maximum production rate of 2,000 gpm for Municipal use. The well will produce from the Simsboro Aquifer. Applicant requests production be aggregated on**

Operating permits BVDO-0376, BVHU-0011, BVHU-0012, BVHU-0013, and BVHU-0014 all producing from the Simsboro Aquifer that supply a single well system. **A motion was made by John Elliott, second by Mark Carrabba to approve one (1) new well for the City of Hearne at 325 ac-ft./yr for Municipal use from the Simsboro Aquifer with aggregation of Operating permits BVDO-0376, BVHU-0011, BVHU-0012, BVHU-0013, and BVHU-0014 as presented to the Board. The motion passed unanimously.**

Adjourn @ 2:20 p.m.

### **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 July 13, 2023 Permit Hearing & Regular Board Meeting. **A motion was made by Mark Carrabba, second by John Elliott to approve the minutes from the July 13, 2023 Permit Hearing and Regular Board Meeting as presented to the Board. The motion passed unanimously.**
2. Financial Report for the month of July 2023. **A motion was made Gary Mechler, second by Mark Carrabba to approve the Financial Report for the month of July 2023 as presented to the Board. The motion passed unanimously.**
3. Discussion and possible action on an application by the City of Hearne to amend operating permits BVHU-0011, BVHU-0012, BVHU-0013, & BVHU-0014 increasing the rate of production from currently permitted amounts to actual production rates under District Rules 11.1(b) and 11.1(e). **A motion was made by David Stratta, second by Mark Carrabba for approval of amendments to Historic Use Permits BVHU-0011, BVHU-0012, BVHU-0013 & BVHU-0014 adjusting the maximum pump capacity of each well to match the current production rate. The motion passed unanimously.**
4. Discussion regarding draft rule amendments including, but not limited to, amendments 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, 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, and possible action to set a public hearing date for the proposed draft rule amendments. **No action taken.**
5. Discussion and possible action approving the creation of an Interlocal Agreement among GMA 12 members detailing the scope of work and financial responsibilities of each member. **A motion was made by Gary Mechler, second by David Stratta to authorize Alan Day, General Manager, to enter negotiations on a GMA 12 Interlocal Agreement to be brought to the Board for discussion. The motion passed unanimously.**

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

**Signed this 14th day of September 2023**

  
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**David Stratta, 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**