



**Minutes**  
**BRAZOS VALLEY GROUNDWATER CONSERVATION DISTRICT**  
**Public Rules Hearing and Regular Board Meeting**  
**District Office**  
**112 W 3<sup>rd</sup> Street - Hearne, Texas 77859**  
**Thursday, June 12, 2025 | 2:00 p.m.**

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

Directors present:	Jayson Barfknecht	President
	Jeff Kennedy	Secretary
	Stephen Cast	Director
	Mark Carrabba	Director
	John Elliott	Director
	Lisa Rolke	Director
	Chris Zeig	Director
Director Absent:	Gary Mechler	Director
Staff present:	Alan M. Day	General Manager
	Cynthia Lopez	Office Manager
	Megan Lamb	Education Coordinator
	Monique Norman	Attorney
	James Beach	Hydrologist

**Public Rules Hearing**

The **Brazos Valley Groundwater Conservation District (District)**, in compliance with Chapter 36 of the Texas Water Code and its Rules, will receive public comments on proposed amendments to the Rules of the District or District policies during a Public Rules Hearing at 2:00 p.m. on Thursday, June 12, 2025, at the Brazos Valley Groundwater Conservation District Office in Hearne, Texas (112 W. 3<sup>rd</sup> Street). The proposed amendments include but are not limited to District Rules new Sections 12.5 and 12.6 regarding well completion and service work.

**No comments received either written or oral.**

**Regular Board Meeting**

Call meeting to order  
Pledge of Allegiance  
Declare quorum present  
Public Comment

1. Discussion and possible action on the minutes of May 8, 2025, Permit Hearing & Regular Board Meeting. **A motion was made by John Elliott, second by Chris Zeig to approve the minutes for May 8, 2025 as presented to the Board. The motion passed unanimously.**

2. Financial Report – May 2025 **A motion was made by Chris Zeig, second by Lisa Rolke to approve the Financial Report for May 2025 as presented to the Board. The motion passed unanimously.**
3. Discussion and possible action on draft rule amendments including but not limited to requiring the installation of well seals that provide access to obtain water level measurements and registration of wells prior to service work being performed. **A motion was made by Chris Zeig, second by John Elliott to approve the rule amendments as presented to the Board. The motion passed unanimously.**
4. Presentation by Mark Nickels and Dr. Joe Yelderman providing the Board a final report of results related to the Brazos River Alluvium Aquifer groundwater/surface water interaction study sponsored by the Brazos Valley GCD and conducted by Baylor University. **A final report to the Board members on the Brazos River Alluvium Aquifer groundwater/surface water interaction study was presented.**
5. Presentation by Advanced Groundwater Solutions detailing the average artesian head change for each aquifer, comparison of the average head change for each aquifer, and the compliance with the corresponding Desired Future Condition. **James Beach, Advanced Groundwater Solutions, gave a presentation to the board members on the average artesian head change for each aquifer, comparison of the average head change for each aquifer, and the compliance with the corresponding Desired Future Conditions.**
6. Discussion and possible action on matters involving the planning and setting of Desired Future Conditions for each of the managed aquifers. **No action taken.**
7. Review, discussion, and possible action on the readoption of the District Investment Policy. **A motion was made by John Elliott, second by Lisa Rolke to approve the adoption of the District Investment Policy as presented to the Board. The motion passed unanimously.**
8. Executive Session: @ 2:05
  - Texas Government Code 551.071 – To receive attorney-client privileged information regarding:
    - pending transport permit applications for groundwater from the Simsboro Aquifer: (BVTP-002) for RH2O LLC; (BVTP-003) for Clifford A. Skiles III; (BVTP-004) for James C. Brien; (BVTP-005) for L. Wiese Moore LLC; (BVTP-006) for Fazzino Investments LP; (BVTP-007) for Ely Family Partnership LP; and (BVTP-008) for Cula d'Brazos LLC, all of whom are co-applicants with UW Brazos Valley Farm LLC; ongoing settlement discussions, and related mediation by the State Office of Administrative Hearings as required by District Board Order No. 1;
    - pending contested permit applications for groundwater from the Simsboro Aquifer: (BVDO-0108, BVDO-0317) for Clifford A. Skiles III; (BVDO-0315, BVDO-0316) for James C. Brien; (BVDO-0377, BVDO-0378, BVDO-0379, BVDO-0380, BVDO-0381, BVDO-0382, BVDO-0383, BVDO-0384) for Ely Family Partnership LP; (BVDO-0385, BVDO-0386, BVDO-0387, BVDO-0388., BVDO-0389) for RH2O LLC; (BVDO-0394, BVDO-0395, BVDO-0396, BVDO-0397, BVDO-0398, BVDO-0399) for Fazzino Investments LP;

- (BVDO-0401, BVDO-0402) for L. Wiese Moore LLC; (BVDO-0408, BVDO-0409, BVDO-0410, BVDO-0411, BVDO-0412, BVDO-0413, BVDO-0414) for Cula d'Brazos LLC; and BVTP-001 for UW Brazos Valley Farm LLC;
- pending Writ of Mandamus filed by the Texas A&M University System in Brazos County District Court, Cause No. 24-002626-CV-472, and related court filings;
  - pending lawsuit Fazzino Investments, LP v. Brazos Valley Groundwater Conservation District, CASE NO. 6:25-cv-00001, filed in the United States District Court for the Western District of Texas, Waco Division;
  - establishing Desired Future Conditions for all aquifers within the boundaries of the BVGCD
  - water production, export, and administrative fees; and
  - groundwater conservation district related issues in the 89<sup>th</sup> Texas Legislature.
9. Discussion and possible action on items listed and deliberated in Executive Session, as noticed above in Agenda Item 8. **Reopen the Executive Session @ 4:25 p.m. No action taken.**
10. Update of legislative matters occurring during the 89<sup>th</sup> Legislative Session affecting groundwater districts. **No action taken.**
11. General Manager's Report, Alan Day, briefly gave the Board a update on the reports listed below.
- a) Drought Monitor Report
  - b) Wells permitted pursuant to District Rule 8.3(j)
  - c) Report on water level measurements & well/aquifer identification
  - d) District Business & Activities
  - e) Management Plan Update
12. Discussion and possible future agenda items.
13. Adjourn @ 5:34 p.m.

**Signed this 10<sup>th</sup> day of July 2025**

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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**

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