



Minutes

**BRAZOS VALLEY GROUNDWATER
CONSERVATION DISTRICT**

Public Hearing and Regular Board Meeting

April 10, 2008 at 1:00 p.m.

Brazos Valley Groundwater

Conservation District Office

112 West Third Street

Hearne, Texas 77859

1. Call meeting to order.

Board President Kent Watson Called the meeting to order at 1:02 pm.

Directors Present were: Kent Watson, President
Pete Brien, Vice-President
Dale Johnson, Secretary
Steve Lazarus, Director
Dave Coleman, Director
Tom McDonald, Director
Wayne Wilson, Director

Directors Absent were: Carl Cotropia, Treasurer

Others: Bill Riley, General Manager
Monique Norman, Attorney
Ralph Crum, Assistant General Manager
Kristi Sutton, Office Administrator
John Seifert, Hydrologist

2. Pledge of Allegiance.

3. Discussion and possible action on the Minutes from the March 6, 2008 Regular Board Meeting. **A motion was made by Tom McDonald, second by Dave Coleman to accept the Minutes from the March 6, 2008 Board Meeting as presented. The motion carried unanimously.**

4. Review and Authorization of payments made for services rendered March 2008. **A motion was made by Dale Johnson, second by Wayne Wilson to accept the payments made in March 2008. The motion carried unanimously.**

5. A presentation by John Seifert of LGB-Guyton & Associates on the Depletion Management Study and Water Availability Goals.

6. Public Hearing on the following Historic Use Permit Applications:

- A. Six wells for The Vince Court Farm. The wells are located South of Cotrone Dix Lane on the East and West sides of Hwy 50, Bryan, TX for a total of 680 acre/feet per year for Agricultural Irrigation. The wells are in the Brazos River Alluvium Aquifer. **The Vince Court Farm requested a Historic Use Permit for six (6) wells located at South of Cotrone Dix Lane on the East and West sides of Hwy 50, Bryan, TX for the amount of 680 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**

- B. One well for Tony Varisco III located at the Northeast intersection of Hwy 50 and Sandy Point Road, Bryan, TX for a total of 106 acre/feet per year for Agricultural Irrigation. The well is in the Brazos River Alluvium Aquifer. **Tony Varisco III requested a Historic Use Permit for one (1) well located at the Northeast intersection of Hwy 50 and Sandy Point Road, Bryan, TX for the amount of 106 acre/feet per year for Agricultural Irrigation. The well is located in the Brazos River Alluvium Aquifer.**

- C. Six wells for Tony Varisco III. The wells are located West of Hwy 50 and South of Wallin Road Bryan, TX for a total of 554 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer. **Tony Varisco III requested a Historic Use Permit for six (6) wells located West of Hwy 50 and South of Wallin Road, Bryan, TX for the amount of 554 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**

- D. One well for The Salvato Farm located at the Northeast intersection of Hwy 50 and Sandy Point Road, Bryan, TX for a total amount of 158 acre/feet per year for Agricultural Irrigation. The well is located in the Brazos River Alluvium Aquifer. **The Salvato Farm requested a Historic Use Permit for one (1) well located at the Northeast intersection of Hwy 50 and Sandy Point Road, Bryan, TX for the amount of 158 acre/feet per year for Agricultural Irrigation. The well is located in the Brazos River Alluvium Aquifer.**

- E. Two wells for The Nunn Place. The wells are located West of Hwy 50, East of the Brazos River, and North of Fazzino Road, Bryan, TX for a total of 160 acre/feet per year for Agricultural Irrigation. The wells are in the Brazos River Alluvium Aquifer. **The Nunn Place requested a Historic Use Permit for two (2) wells located West of Hwy 50, East of the Brazos River, and North of Fazzino Road, Bryan, TX for the amount of 160 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**

- F. Three wells for Blackland Farms. The wells are located East of Hwy 50 and South of Sims Lane, Bryan, TX for a total of 292 acre/feet per year for Agricultural Irrigation. The wells are in the Brazos

River Alluvium Aquifer. **Blackland Farms requested a Historic Use Permit for three (3) wells located East of Hwy 50 and South of Sims Lane, Bryan, TX for the amount of 292 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**

- G. Three wells for Joe C. & Josie Patranella FLP. The wells are located at the Northwest intersection of Hwy 50 and Fazzino Road, Bryan, TX for a total of 269.58 acre/feet per year for Agricultural Irrigation. The wells are in the Brazos River Alluvium Aquifer. **Joe C. & Josie Patranella FLP requested a Historic Use Permit for three (3) wells located at the Northwest intersection of Hwy 50 and Fazzino Road, Bryan, TX for the amount of 269.58 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**
- H. Two wells for The Lee Court Farm. The wells are located West of Hwy 50 and South of Mooring Lane, Bryan, TX for a total of 163 acre/feet per year for Agricultural Irrigation. The wells are in the Brazos River Alluvium Aquifer. **The Lee Court Farm requested a Historic Use Permit for two (2) wells located West of Hwy 50 and South of Mooring Lane, Bryan, TX for the amount of 163 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**
- I. Two wells for The Simms Place. Well # 1 is located at the Northeast intersection of Hwy 50 and Sims Lane, and Well # 2 is located at the Southeast intersection of Hwy 50 and Sims Lane, Bryan, TX for a total of 221 acre/feet per year for Agricultural Irrigation. The wells are in the Brazos River Alluvium Aquifer. **The Simms Place requested a Historic Use Permit for two (2) wells located at the Northeast intersection of Hwy 50 and Sims Lane, and Well # 2 is located at the Southeast intersection of Hwy 50 and Sims Lane, Bryan, TX for the amount of 221 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**
- J. Two wells for The Bonano-Fachorn Farm. The wells are located at the Northwest intersection of Steele Store Road and Wallin Road, Bryan, TX for a total of 180.80 acre/feet per year for Agricultural Irrigation. The wells are in the Brazos River Alluvium Aquifer. **The Bonano-Fachorn Farm requested a Historic Use Permit for two (2) wells located at the Northwest intersection of Steele Store Road and Wallin Road, Bryan, TX for the amount of 180.80 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**
- K. Three wells for The Bonano-Scarcella Farm. Well # 1 is located at the Southwest intersection of Steele Store Road and Wallin Road, and Well # 2 and Well # 3 are located East of Hwy 50, (across from well # 1), North of the Gin, Bryan, TX for a total of 296 acre/feet per Agricultural Irrigation, The wells are in the Brazos River Alluvium Aquifer. **The Bonano-Scarcella Farm requested a Historic Use Permit for three (3) wells located at the Southwest intersection of Steele Store Road and Wallin Road, and Well # 2 and Well # 3 are located East of Hwy 50, (across from well # 1), North of the Gin, Bryan, TX for the amount of 296 acre/feet per year for Agricultural Irrigation. The wells are located in the Brazos River Alluvium Aquifer.**

7. Discussion and possible action on the above Historic Use Permit Applications.

Kent Watson presented the facts concerning the Historic Use Permit Applications. A motion was made by Tom McDonald, second by Wayne Wilson to approve the Historic Use Permit applications as presented. The motion carried unanimously.

8. Public Hearing on Operating Permit Applications:

- A. Four wells for CA Skiles Family Partnership, Ltd. The wells are located at 4026 North FM 1644, Hearne, TX for a total of 8,300 acre/feet per year for Agricultural Irrigation. The wells are located in the Simsboro Aquifer.
- B. One well for Oak Grove Management Company, LLC located at 8127 Oak Grove Road, Franklin, TX for a total amount of 274 acre/feet per year for Industrial Use. The well is located in the Hooper Aquifer. **Oak Grove Management Company, LLC requested an Operating Permit for one (1) well located at 8127 Oak Grove Road, Franklin, TX for a total amount of 274 acre feet per year for Industrial Use. The well is in the Hooper Aquifer.**

9. Discussion and possible action on the above Operating Permit Applications:

Kent Watson presented the facts concerning the Operating Permit Application for Oak Grove Management Company, LLC (6B). A motion was made by Wayne Wilson, second by Dale Johnson to approve the Operating Permit Application for Oak Grove Management Company, LLC (6B). The motion carried unanimously. Kent Watson stated he will present the application for the C.A. Skiles Family Partnership, Ltd at the end of the Public Hearing Meeting.

10. Public Hearing on Drilling/Operating Permit Applications:

- A. One well for Charles Neff located at 107 West US Hwy 79, Franklin, TX for a total of 32.20 acre/feet per year for Industrial Use. The well will be located in the Calvert Bluff Aquifer. **Charles Neff requested a Drilling/Operating Permit for one (1) well located at 107 West US Hwy 79, Franklin, TX for the amount of 32.20 acre/feet per year for Industrial Use. The well will be located in the Calvert Bluff Aquifer.**
- B. One well for Oak Grove Management Company, LLC located at 8127 Oak Grove Road, Franklin, TX for a total amount of 537 acre/feet per year for Industrial Use. The well will be located in the Hooper Aquifer. **Oak Grove Management Company, LLC requested a Drilling/Operating Permit for one (1) well located at 8127 Oak Grove Road, Franklin, TX for the amount of 537 acre/feet per year for Industrial Use. The well will be located in the Hooper Aquifer.**

11. Discussion and possible action on the above Drilling/Operating Permit Applications:

Kent Watson presented the facts concerning the Drilling/Operating Permit Applications.

Pete Brien abstained from voting on the Charles Neff Drilling/Operating Permit. A motion was made by Dale Johnson, second by Wayne Wilson to approve the Drilling/Operating Permit Applications as presented. The motion carried unanimously.

12. Four wells for CA Skiles Family Partnership, Ltd. The wells are located at 4026 North FM 1644, Hearne, TX for a total of 8,300 acre/feet per year for Agricultural Irrigation. The wells are located in the Simsboro Aquifer. **Kent Watson called upon individuals who had requested to address the board regarding the Skiles applications. George Faulkner with Twin Oaks Power asked the Board to deny C.A. Skiles**

Family Partnership, Ltd due to no obvious beneficial use. Nathan Jones of Texas A & M University asked the Board to deny the C.A. Skiles Family Partnership, Ltd. due to no beneficial use. Jayson Barfknecht with the City of Bryan asked the Board to deny the C.A. Skiles Family Partnership, Ltd to due to an excess of water instead of actual needs. Jennifer Nations with the City of College Station asked the Board to deny the C.A. Skiles Family Partnership, Ltd due to no beneficial use. Doug Caroom presented the Board with facts concerning his client C.A. Skiles Family Partnership, Ltd., Operating Application. Doug Caroom presented a study from Mike Thornhill on the drawdown effects, a geochemist, Dr. Bruce Darling presented his findings on the chemical effect the water from the Brazos River Alluvium has on the plant life and soil compared to the Simsboro water. Bill Riley and Monique Norman presented the facts concerning the Operating Permit Application for C.A. Skiles Family Partnership, Ltd. Based on the information from John Seifert's studies, the professors at Texas A & M University, and GlynData Water Resources Planning and Modeling indicate the amount of water requested is not necessary. Pete Brien abstained from voting on the C. A. Skiles Family Partnership, Ltd. Operating Permit. A motion was made by Wayne Wilson, second by Dale Johnson to deny the Operating Permit Application but to allow the four (4) wells to be used in aggregate with their wells approved for Historic Use. The motion carried unanimously.

13. Discussion and possible action on entering into a contract with Glenda Mercier with GlynData Water Resources Planning and Modeling. A motion was made by Wayne Wilson, second by Tom McDonald to approve up to, but not to exceed \$4,500.00 on a contract with GlynData Water Resources Planning. The motion carried unanimously.

14. General Managers Report

The Districts financial reports were presented to the Board.

15. Legal Report

Monique Norman had nothing to report at this time.

16. Hear Visitors.

17. Adjourn.

A motion was made by Steve Lazarus, second by Wayne Wilson to adjourn the meeting at 4:00 pm.

The motion carried unanimously.

Signed this 29th day of April, 2008.

Ralph D. Crum

Ralph D. Crum

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 an attorney to seek advice about pending or contemplated litigation or a settlement offer;
- (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;