

- A.
- B.
- C.

12. Discuss, consider, and possibly act on payment of bills.
13. Discuss, consider, and possibly act on legislative report from Robert Howard.
14. Discuss, consider, and possibly act on GMA 16 issues. Possible meeting dates: September 21/28.
15. Discuss, consider, and possibly act on new business and select date for next meeting.
16. Adjourn.

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time. These public meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting, please call (361) 325 5093 at least 24 hours in advance of the meeting to coordinate any special physical access arrangements. At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, the Brush Country Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items. Any subject discussed in executive session may be subject to action during an open meeting

NOTICE OF MEETING
BRUSH COUNTRY GROUNDWATER CONSERVATION DISTRICT
to be held at the
Brush Country GCD Building
732 West Rice
Falfurrias, Texas
Tuesday, July 20, 2021 at 9:30 am
Public Meeting Agenda

Notice is hereby given that a meeting of the Board of Directors (Board) of the District will be held Tuesday, July 20, 2021 at 9:30 a.m. in the District Office, 732 West Rice St., Falfurrias, Texas. The agenda is:

1. Call to order, declare meeting open to the public, and take roll.
2. Pledge of Allegiance
3. Public Comment
4. Discuss, consider, and possibly act on Minutes of the Regular Meeting on June 22, 2021.
5. Discuss, consider, and possibly act on General Manager's Report:
 - a. Report on Kenedy County GCD meeting July 16, 2021 @ 10:30 am & DCGCD July 28, 2021 @ 6:00 pm.
 - b. Presentation @ Premont Chamber of Commerce meeting August 19, 2021 @ 8:30 am.
 - c. Well registrations were 11, in June/July we have 11 pending, 2 wells were plugged. Total of 3,509 wells registered.
 - d. Open Meetings Act suspension update
 - e. Training/seminar with TDLR/Consultants Friday, July 30, 2021 @ 9:00 am.
6. Discuss, consider, and possibly act on Palmer Drought Report for 3rd Quarter.
7. Receive Report on BCGCD Tax Collection Summary.
8. Review, discuss, and possibly act on adopting a BCGCD employee policy manual.
9. Discuss, consider, and possibly act on correspondence received:
 - A. Notice of receipt of Uranium expiration from Alta Mesa LLC; permit renewal application for permit #'s 125-N, 125-O (please see attached documents)
10. Review, discuss and possibly act on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.
11. Discuss, consider, and possibly act on approving application and well plugging payment for the following wells plugged by Stapleton Water Wells:

Passed and approved this 20th day of July, 2021.

President, Board of Directors

Attest by:

Secretary, Board of Directors

5. General Manager Luis Pena spoke on meetings attended, Kenedy County GCD with 3 new members on their board. Mr. Pena spoke about TAGD meeting in Austin. Information only.
6. Opened and conducted public hearing for GMA 16 DFC at 9:48 am. Andy Garza of Kenedy mentioned that Intera had done a good job with the 9 factors expressed. Closed the hearing at 9:55, no written comments.
- .
7. Review, discuss, and possibly act on employment and compensation for temporary administrative assistant, motion was made by Paul Goranson followed by a second by Robert Scott to hire a temporary assistant, motion carries.
8. Discuss, consider, and possibly act on current employee benefits. Paul Goranson made the motion to pay health insurance premium for Maggie Castillo for the month of July because of her experience and benefit to the District to have her available, if necessary and to direct the GM to check with the District's insurer to determine any benefits available, followed by a second from Jesse Howell. Motion carries.
9. Discuss, consider, and possibly act on approving application and well plugging payment for the following wells plugged by Stapleton water wells: Milo Cantu Brooks County, and Osman Cantu Brooks County. \$1,500 each well, Motion made by Bill Botard, second by Paul Goranson to approve well plugging applications and pay Stapleton Water well, motion carries.
10. Discuss, consider, and possibly act on payment of bills. Motion by Bill Botard, second by Jesse Howell to pay bills as listed by the GM, motion carries.
11. Discuss, consider, and possibly act on legislative report by Robert Howard. Informative only.
12. Discuss, consider, and possibly act on GMA 16 issues. Information only
13. Discuss, consider, and possibly act on new business, employee benefits and insurance issues. July 20th, next meeting, motion by Paul Goranson, second by Mauro Garcia to hold the next meeting on July 20th, motion carries.
- .
14. Adjourn. Meeting adjourned at 10:30 a.m. with a motion to adjourn from Dick Jones, second by Bill Botard, motion carries.

**MINUTES OF MEETING
OF
BOARD OF DIRECTORS**

THE STATE OF TEXAS §
 §
BRUSH COUNTRY GROUNDWATER §
CONSERVATION DISTRICT §

The Board of Directors of Brush County Groundwater Conservation District (the “District”) met in special session, open to the public, on June 22, 2021 at the Brush Country Groundwater Building 732 W. Rice Falfurrias, Texas, in accordance with the duly posted notice of said meeting.

1. The meeting was called to order at 9:30 a.m. and the roll was called of the members of the Board of Directors. Seven Board members were present at the meeting:
 - David Kelly in person
 - Jesse Howell in person
 - Bill Botard in person
 - Mario Martinez absent
 - Robert Scott virtual
 - A.C. Jones IV in person
 - William P. Goranson in person
 - Mauro Garcia in person
 - Robert Fulbright absent

This month’s meeting was conducted via Telephone & Videoconference due to Covid-19 pandemic. Seven Board members were present thus constituting a quorum for agenda items where action was taken by the Board. All Directors present voted. BCGCD Consultant Felix Saenz was present as was the legal counsel Bill Dugat virtual, administrative assistant Maggie Castillo absent, BCGCD General Manager Luis Pena either in person or by videoconference. Guests in attendance were Kenedy County General Manager Andy Garza in person, Legislative Consultant Robert Howard virtual, Monica Jacobs virtual. Mr. Pena & Board President David Kelly conducted the meeting.

2. Pledge of Allegiance
The Pledge of Allegiance was recited.
3. Public Comment:
None
4. Review, discuss, and act on minutes of the May 26, 2021 meeting.
With a motion from Paul Goranson and a second from Mauro Garcia, minutes were accepted and approved. Unanimous vote to approve.



[Español \(/es/node/241131\)](/es/node/241131)

[About \(/about-office\)](/about-office) [News {/news}](/news)

[Opinions \(/attorney-general-opinions\)](/attorney-general-opinions)

[Jobs \(/careers/job-listings\)](/careers/job-listings)

[Contact Us \(/contact-us\)](/contact-us)

Open Meetings Act Suspension Updates

On June 30, 2021, Governor Abbott's office approved a request by the Office of the Attorney General to lift the suspensions of certain provisions of the Open Meetings Act. The suspensions will lift at 12:01 a.m. on September 1, 2021.

Thus, as of September 1, 2021, all provisions of the Open Meetings Act will be effective and all Texas governmental bodies subject to the Open Meetings Act must conduct their meetings in full compliance with the Open Meetings Act as written in statute.

Please contact the Office of the Attorney General with questions about the lifting of the suspensions at (888) 672-6787 or via email at TOMA@aag.tegoil (<mailto:TOMA@oag.tecas.gov>).



732 W. Rice
Falfurrias, Texas 78355
361-325-5093
gcdaa@brushcountrygcd.com
or
lpna@brushcountrygcd.com

Seminar/Training

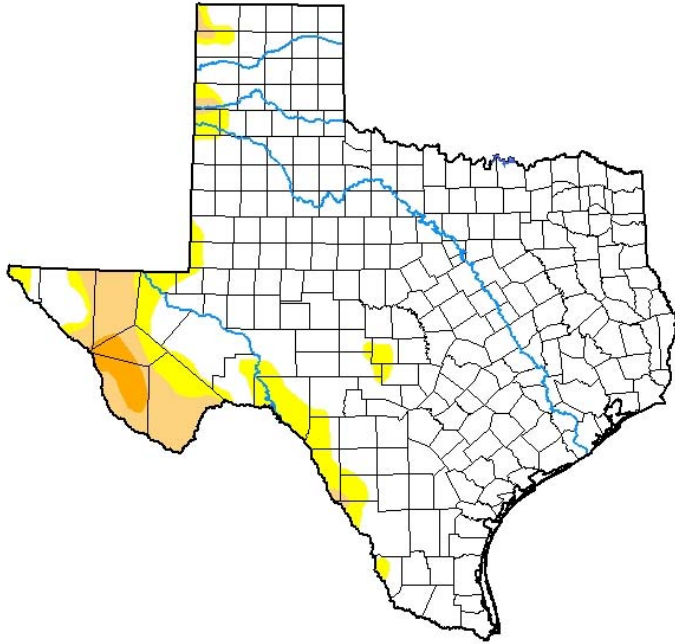
Agenda

Friday, July 23rd, 2021

- | | |
|------------------|--|
| 9:00 AM-9:15 | Welcome & Introduction Luis “Louie” Pena General Manager Brush Country Groundwater Conservation District |
| 9:15 AM-10:15 | Administrative Rules of the Texas Department of Licensing and Regulations - Adam Foster Texas Department of Licensing and Regulations (TDLR) |
| 10:15AM-10:30 | Break |
| 10:30AM-12:00 | Pressure Cementing Water Wells – Josh Cummings, Consultant with Halliburton |
| 12:00 PM-1:00 PM | Lunch |
| 1:00 PM-1:30 PM | Brush Country Groundwater Conservation District Plugging Program- Luis “Louie” Pena General Manager Brush Country GCD |
| 1:30PM-1:45 PM | GCD Responsibilities Andy Garza Kenedy County GCD |
| 1:45PM-2:00 PM | Break |
| 2:00 PM-2:15 PM | Communication between Groundwater Conservation District’s and Water Well Contractors-Felix Saenz Brush Country GCD Consultant |
| 2:15 PM-3:15 PM | Texas Occupations Code/Closing-Legal Counsel Bill Dugat |

U.S. Drought Monitor Texas

July 6, 2021
(Released Thursday, Jul. 8, 2021)
Valid 8 a.m. EDT



Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	87.07	12.93	5.98	1.17	0.00	0.00
Last Week <small>06-29-2021</small>	81.56	18.44	9.00	5.67	1.17	0.00
3 Months Ago <small>04-06-2021</small>	8.55	91.45	74.45	38.46	23.57	8.53
Start of Calendar Year <small>12-29-2020</small>	8.80	91.20	81.11	50.33	30.09	13.03
Start of Water Year <small>09-29-2020</small>	57.35	42.65	31.96	20.91	12.02	3.29
One Year Ago <small>07-07-2020</small>	46.84	53.16	24.84	8.50	2.23	0.00

Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Deborah Bathke
National Drought Mitigation Center



droughtmonitor.unl.edu

CHRISTI CRADDICK, CHAIRMAN
WAYNE CHRISTIAN, COMMISSIONER
JIM WRIGHT, COMMISSIONER



BRENT A. ELLIOTT, PH.D., P.G., DIRECTOR

RAILROAD COMMISSION OF TEXAS

SURFACE MINING AND RECLAMATION DIVISION

June 21, 2021

Mr. Luis "Louie" Pena, General Manager
Brush Country Groundwater Conservation District
732 West Rice Street
Falfurrias, Texas 78355

RE: EFR Alta Mesa, L.L.C.
Notice of Receipt of Uranium Exploration Permit Renewal Application
Permit No. 125N, Brooks and Jim Hogg Counties

Dear Mr. Pena:

The Texas Uranium Surface Mining Regulations at 16 TEXAS ADMIN. CODE §11.137 require that the Railroad Commission provide notice of receipt of a uranium exploration permit renewal application to certain local governmental and legislative representatives in the area in which the proposed exploration activity is to occur. This letter is to provide notice that an application by EFR Alta Mesa was received on June 14, 2021, for a permit renewal to conduct uranium exploration within 204,173 acres in eastern Jim Hogg County and southwestern Brooks County, Texas. Contact information for EFR Alta Mesa and its authorized representative is below:

Peter J. Luthiger, Director, Texas Operations
EFR Alta Mesa, LLC
755 CR 315
Encino, TX 78353
(361) 568-3549

Should you have any questions concerning this notice, please feel free to call Robert Tilden of this office at 512-305-8810.

Sincerely,

DocuSigned by:
A handwritten signature in black ink that reads "Adam Krabbenhoft".
089CD4312E304CD

Adam Krabbenhoft, Manager
Applications and Permits

ARK/RT/rv
File Reference No. 202116501

CHRISTI CRADDICK, CHAIRMAN
WAYNE CHRISTIAN, COMMISSIONER
JIM WRIGHT, COMMISSIONER



BRENT A. ELLIOTT, PH.D., P.G., DIRECTOR

RAILROAD COMMISSION OF TEXAS

SURFACE MINING AND RECLAMATION DIVISION

July 8, 2021

Mr. Luis "Louie" Pena, General Manager
Brush Country Groundwater Conservation District
732 West Rice Street
Falfurrias, Texas 78355

RE: EFR Alta Mesa, L.L.C.
Notice of Receipt of Uranium Exploration Permit Renewal Application
Permit No. 125-O, Brooks and Jim Hogg Counties

Dear Mr. Pena:

The Texas Uranium Surface Mining Regulations at 16 TEXAS ADMIN. CODE §11.137 require that the Railroad Commission provide notice of receipt and issuance of a uranium exploration permit renewal application to certain local governmental and legislative representatives in the area in which the proposed exploration activity is to occur. This letter is to provide notice that an application by EFR Alta Mesa for a permit renewal to conduct uranium exploration within 204,173 acres in eastern Jim Hogg County and southwestern Brooks County, Texas was issued on July 8, 2021. Contact information for EFR Alta Mesa and its authorized representative is below:

Peter J. Luthiger, Director, Texas Operations
EFR Alta Mesa, LLC
755 CR 315
Encino, TX 78353
(361) 568-3549

Should you have any questions concerning this notice, please feel free to call Robert Tilden of this office at 512-305-8810.

Sincerely,

DocuSigned by:
Handwritten signature of Adam Krabbenhoft in black ink.
099CD4312E304CD...

Adam Krabbenhoft, Manager
Applications and Permits

ARK/RT/rv
File Reference No. 202116501

11

On a related front, I have not given up on my quest to get our state association, the Texas Alliance of Groundwater Conservation Districts (TAGD) a seat at the table on the Texas Ag Council. As it stands now, I am the only person who attends both meetings, which seems crazy to me, since so many of our board members and interests overlap. I have spoken with the TAGD executive director via telephone (she is now in Sweden with her husband's family) and the chairman of the Ag Council in person about that topic and there seems to be some agreement. The fate of my idea however, probably rests with Billy Howe, whom I've not been able to reach this summer yet, the Farm Bureau's state policy director and water expert.

July 2021 Legislative Report

As foretold to me by Matt Lamon in J.M. Lozano's office, Governor Abbott called a special session of the Legislature early this month. His "call" included mainly the topics of election laws and social issues, but also included mention of property tax relief. As such, several bills have been filed that could affect our revenue, but none seem too onerous so far.

As a reminder, the second definite special session will be probably be called in late September or sometime in October when final data is released by the U. S. Bureau of the Census . The purpose of that session will be to do redistricting for U.S. House and State House, Senate and School Board districts. As a result of the delayed census report, it appears that primary elections next year will move from the first part of March to sometime in May. It is already known that Texas will gain two additional Congressional seats, but the State House will remain at 150 and the Senate at 31 (it is ironic that the State Senate districts are becoming increasingly larger than Congressional districts as Texas gains more Congressional seats that are taken from other states). As a result of urbanization, rural areas will see a further reduction of our representation in the Legislature. We must try to minimize the damage as much as possible

There have also been a couple of bills filed that would mandate studies of "climate variability" and natural disasters and their potential effects on natural resources and infrastructure, including, obviously, water supplies. Those bills would probably fall under the domain of disaster preparedness, which the Governor has shown no interest in adding to the session's call.

Despite the Legislature's being in session (albeit on hold because of the House Democrats' walk-out), fund-raising is allowed, as it's not in during regular sessions, and is going on now at a break-neck pace. As is usual, candidates are jockeying for their positions in the party primaries, even those will probably be delayed because of re-districting (as you may recall, Todd Hunter of Corpus Christi chairs that committee in the House). Also, just FYI, I do not believe that Rep. Tracy King (chair of House Natural Resources who represents part of Webb County) or Rep. Ryan Guillen left Texas to go to D.C. with other members of their delegation. I have also communicated with Rep. Eddie Morales, who represents the Del Rio- Eagle Pass- Carrizo Springs area and he has told me that he is still in the state.

The big question for GCDs in the Legislature remains the eventual fate of SB 152 by Sen. Charles Perry of Lubbock who chairs the Senate Water, Agriculture, and Rural Affairs committee. That bill would mandate additional procedures that GCDs would have to follow and limit our ability to recover legal fees when wrongfully sued. Surprisingly, Chairman Perry declined to accept House changes to his bill, the major change being the deletion of diminishing our ability to recover attorney's fees when sued frivolously.

The bill went to conference committee, but Chairman King, a staunch ally of GCDs, did not appoint House conferees before time ran out in the House. It has remained somewhat of a mystery why Chair Perry refused to accept the House's changes, but I have spoken with his committee director personally. She confirmed that the Chairman wants to pass his bill intact, which is inconceivable as long as Tracy King chairs the House committee.