

PECAN VALLEY GROUNDWATER CONSERVATION DISTRICT
107 N. GONZALES CUERO, TX 77954
PUBLIC HEARING AND BOARD MEETING
MINUTES

JULY 21, 2015 – 9:00 A.M.

Board Members Present: Clem Waskow, Vice-Chairman (At Large), Wilbert Sauermilch, Secretary/Treasurer (Pct. 3) and Marvin Sager, Director (Pct. 4).

Board Absent: Darnell Knippa, Chairman (Pct. 2), Tim Pennell, Director (Pct. 1)

Also in attendance: Charlotte Krause, GM, Carole Moore, Admin. Assistant, Jim Allison, Attorney

Guests: Robert Egg, Charles E. Cole

1. Call to order: The meeting was called to order by the Vice-Chairman at 9:00 A.M.
2. Welcome guests: Robert Egg, Charles E. Cole
3. Public comment: None

PUBLIC HEARINGS OPENED AT 9:02 A.M.

4. Public Hearing – BHP Billiton – Joachim Strenk
 - a. Public Hearing on the Operating Permit Application from BHP Billiton on Joachim Strenk's property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Application is requesting 40 AF of water per year for a combined total of 53 AF per year from two water wells. This property is located on Catholic Church Road near Westhoff, Texas and involves 199 acres. No public comment or objection stated.
 - b. Discussion and consideration of operating permit application from BHP Billiton on Joachim Strenk's property: A motion was made to approve the Operating Permit Application from BHP Billiton on Joachim Strenk's property requesting 40 AF of water per year for a combined total of 53 AF per year from two water wells by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.
5. Public Hearing – BHP Billiton (Eagleford Gathering), LLC.
 - a. Public Hearing on the Drilling and Operating Permit Application from BHP Billiton (Eagleford Gathering), LLC. The proposed permit application is to be used for industrial use. The Operating Permit Application is requesting 10 AF of water per year for a total of 112.05 AF per year from 4 water wells. This property is located on Oliver Road near Westhoff, Texas and involves 275 acres. No public comment or objection stated.
 - b. Discussion and consideration of drilling and operating permit application from BHP Billiton (Eagleford Gathering), LLC.: A motion was made to approve the Drilling and Operating Permit Application from BHP Billiton (Eagleford Gathering), LLC in the amount of 10 AF of water per year for a total of 112.05 AF per year from 4

water wells by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.

6. Public Hearing – Burlington Resources – Marvin Koopman
 - a. Public Hearing on the Operating Permit Amendment Application from Burlington Resources on Marvin Koopman's property. The proposed permit amendment application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 110 AF of water per year for a total of 150 AF per year. This property is located on Matejek Road near Westhoff, Texas and involves 363 acres. No public comment or objection stated.
 - b. Discussion and consideration of operating permit amendment application from Burlington Resources on Marvin Koopman's property: A motion was made to approve the Operating Permit Amendment Application from Burlington Resources on Marvin Koopman's property requesting an additional 110 AF of water per year for a total of 150 AF per year by Wilbert Sauermilch, seconded by Marvin Sager, which carried unanimously.
7. Public Hearing – Burlington Resources – Henry Borgfeld
 - a. Public Hearing on the Operating Permit Amendment Application from Burlington Resources on Henry Borgfeld's property. The proposed permit application is to be used to hydraulic fracture an oilfield location. The Operating Permit Amendment Application is requesting an additional 40 AF of water per year for a total of 110 AF per year. This property is located on Gruenau Road near Yorktown, Texas and involves 222 acres. No public comment or objection stated.
 - b. Discussion and consideration of operating permit amendment application from Burlington Resources on Henry Borgfeld's property: A motion was made to approve the Operating Permit Amendment Application from Burlington Resources on Henry Borgfeld's property requesting an additional 40 AF of water per year for a total of 110 AF per year by Wilbert Sauermilch, seconded by Marvin Sager, which carried unanimously.

PUBLIC HEARINGS CLOSED AT 9:09 A.M.

8. Minutes from 6-16-15 Meeting (provided prior to meeting): A motion to approve the minutes as presented was made by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.
9. Financial Report – June (provided prior to meeting): A motion to approve the Financial Reports for June as presented was made by Wilbert Sauermilch, seconded by Marvin Sager, which carried unanimously.
10. Quarterly Investment Report: A motion to approve the Quarterly Investment Report as presented was made by Wilbert Sauermilch, seconded by Marvin Sager, which carried unanimously.
11. Discussion and potential action on engagement letter from Goldman, Hunt & Notz for 2015 FY audit: Motion was made to approve the engagement letter from Goldman, Hunt

& Notz for 2015 FY audit by Wilbert Sauermilch, seconded by Marvin Sager, which carried unanimously.

12. Discussion and potential action new property purchase: A motion was made for Mr. Allison to send a written reminder and request for an update to the Receiver, Mr. Conde by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.
13. Discussion and potential action on letter from Marilyn Dietze regarding waiving penalties & interest on tax statements with incorrect addresses: A motion was made to approve the waiving of penalties and interest on the tax statement for Marilyn Dietze by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.
14. Discussion and potential action regarding upcoming tax rate & tax roll dates and budget workshop dates: No action taken.
15. Discussion and potential action regarding rules revision on permit reporting terms and new changes in legislative requirements: Rules revisions will be presented at next board meeting. No action taken.
16. Discussion and potential action on referral of Operating Permit #321 for Carole Schultz to Jim Allison for enforcement action: A motion was made to refer Carole Schultz to Attorney Allison for the third step in the Enforcement Policy was made by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.
17. Discussion and potential action on proposed DFC Statement for GMA 15 for DeWitt County: A motion was made to approve the 17 foot drawdown for DeWitt County by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.
18. Legal Counsel Report: Mr. Allison presented the new changes in legislation requirements. (See attached documentation.)
19. GM Report: Charlotte Krause, General Manager presented the GM Report.
20. Closed Meeting (If necessary) – Close the meeting to conduct private consultation with PVGCD attorney regarding matters protected by the attorney-client privilege pursuant to V.T.C.A. Government Code 551.07, or to discuss matters regarding personnel pursuant to V.T.C.A. Government Code 551.074: No Executive Session called.
21. Return to Open Meeting (If Necessary) – Return to open meeting and take any action deemed necessary based upon discussions in closed meeting pursuant to V.T.C.A. Government Code 551.102: No Executive Session was called.
22. Next Scheduled Board Meeting: August 18, 2015 at 9:00 A.M.
23. Adjourn: The meeting adjourned at 12:01 P.M. with a motion by Marvin Sager, seconded by Wilbert Sauermilch, which carried unanimously.

W. Sauermilch

Sec/Wilbert Sauermilch

Recorded: Carole Moore, Admin. Assistant



Bill Research Report

07-15-2015 - 15:02:36

- HB 30 Larson, Lyle(R) Relating to the development of brackish
Perry, Charles (F)(R) groundwater.
- Last Action:** 6-19-15 G Earliest effective date
- HB 200 Keffer, Jim(R) Relating to the regulation of groundwater.
Perry, Charles (F)(R)
- Last Action:** 9- 1-15 G Earliest effective date
- HB 655 Larson, Lyle(R) Relating to the storage and recovery of water in
Perry, Charles (F)(R) aquifers.
- Companions:** SB 1724 Creighton, Brandon (F)(R) (Identical)
3-23-15 S Introduced and referred to
committee on Senate Agriculture,
Water, and Rural Affairs
- SB 1903 Perry, Charles (F)(R) (Identical)
4-22-15 S Placed on the Senate
Calendar for
- Last Action:** 6-16-15 G Earliest effective date
- HB 930 Miller, Doug(R) Relating to water well drillers and pump installers.
Perry, Charles (F)(R)
- Last Action:** 9- 1-15 G Earliest effective date
- HB 1221 Lucio III, Eddie(D) Relating to seller's disclosures in connection with
Estes, Craig(R) residential real property subject to groundwater
regulation.
- Companions:** SB 1412 Estes, Craig(R) (Identical)
3-18-15 S Introduced and referred to
committee on Senate Business and
Commerce
- Last Action:** 1- 1-16 G Earliest effective date
- HB 1232 Lucio III, Eddie(D) Relating to a study by the Texas Water
Estes, Craig(R) Development Board regarding the mapping of
groundwater in confined and unconfined aquifers.
- Companions:** SB 1409 Estes, Craig(R) (Identical)
3-18-15 S Introduced and referred to
committee on Senate Agriculture,
Water, and Rural Affairs

Last Action: 5-28-15 G Earliest effective date

HB 1331 King, Phil(R)
Fraser, Troy(R) Relating to the treatment and recycling for beneficial use of certain waste arising out of or incidental to the drilling for or production of oil or gas.

Last Action: 9- 1-15 G Earliest effective date

HB 2179 Lucio III, Eddie(D)
Perry, Charles (F)(R) Relating to hearings that concern the issuance of permits by a groundwater conservation district.

Companions: SB 1414 Estes, Craig(R) (Identical)
 3-18-15 S Introduced and referred to committee on Senate Agriculture, Water, and Rural Affairs

Last Action: 6-10-15 G Earliest effective date

HB 2230 Larson, Lyle(R)
Estes, Craig(R) Relating to the authority of the Texas Commission on Environmental Quality to authorize an injection well used for oil and gas waste disposal to be used for the disposal of nonhazardous brine.

Last Action: 9- 1-15 G Earliest effective date

HB 4112 Burns, DeWayne (F)(R) Relating to the rights of an owner of groundwater.
Perry, Charles (F)(R)

Last Action: 6-16-15 G Earliest effective date

HB 4207 Morrison, Geanie(R) Relating to the creation of the Aransas County Groundwater Conservation District.
Kolkhorst, Lois (F)(R)

Last Action: 9- 1-15 G Earliest effective date

SB 854 Zaffirini, Judith(D) Relating to the renewal or amendment of certain permits issued by groundwater conservation districts.
Lucio III, Eddie(D)

Companions: HB 1856 Isaac, Jason(R) (Identical)
 3-11-15 H Introduced and referred to committee on House Natural Resources

Last Action: 9- 1-15 G Earliest effective date

SB 1101 Eltife, Kevin(R) Relating to the authority to determine the supply of groundwater in certain regional water plans.
Paddie, Chris(R)

Companions: HB 3942 Paddie, Chris(R) (Identical)
 4-22-15 H Committee action pending House Natural Resources

Last Action: 9- 1-15 G Earliest effective date

	All	Track
Total Bills:	13	0