

Groundwater Management Area #1 Meeting

Minutes

February 20, 2009

The Groundwater Management Area Number 1 (GMA #1) Joint Planning Committee met on Friday, February 20, 2009 at 1:30 p.m. in the Ed Davis Conference Room – 9th Floor of the Chase Tower, 600 S. Tyler, Amarillo, Texas with the following members in attendance:

Voting Members Present:

John R. Spearman, Panhandle Groundwater Conservation District; Daniel Krienke, North Plains Groundwater Conservation District; Jim Conkwright, High Plains Underground Water Conservation District; Jim Haley, Hemphill County Underground Water Conservation District.

Other Groundwater Management Area 1 Representatives Present:

C.E. Williams, Panhandle Groundwater Conservation District; Steve Walthour, North Plains Groundwater Conservation District; Janet Guthrie, Hemphill County Underground Water Conservation District; Robert Meyer, High Plains Water District

Others present:

Bob Harden	R. W. Harden & Associates
Marty Jones	Sprouse Law Firm
John Duke	Duke Ranch
Daniel L.	NPGCD
Steve Stevens	Mesa Water
Jarrett Atkinson	COA
Charles Bowers	PGWD
Janette Killey	LWV
Dale Hallmark	NPGCD
Jim Conkwright	HPVWED #1
Alan Abraham	Texas Silver Haired Legislature
BJ Opperman	Citizen & LMV
Cindy Cockerham	Senator Kel Seliger's Office
Gene Born	NPGCD
Ron Wilson	TCFA
Jim Copeland	HPUWD #1
Laurie Fizzell Brown	Canadian Record
Ray Brady	HPR Partners
Joyce Hensley	LWV
Richard Smith	TWDB
Robert Bradley	TWDB
Beth R. Sturgen	HCUWCD
Jonathan Ellis	LGS Intern, PRPC

1. The meeting was called to order at 1:35 p.m. with Chairman Krienke presiding.
2. Roll Call and Introductions were made. All members were present
3. **Discuss and consider the Groundwater Availability Model of the Proposed Desired Future Condition established at the December 15, 2008 GMA #1.**

Richard Smith and Robert Bradley of the Texas Water Development Board took the floor. Mr. Smith presented an overview of the Proposed Desired Future Condition established at the December 15, 2008 meeting which had the breakdown of 40% volume in storage remaining in 50 years in Dallam, Sherman, Hartley, and Moore Counties; 50% volume in storage remaining in 50 years in Hansford, Ochiltree, Lipscomb, Hutchinson, Roberts, Oldham, Potter, Carson, Gray, Wheeler, Randall, Armstrong, and Donley Counties; and 90% volume in storage remaining in 50 years in Hemphill County. Mr. Smith indicated that after several scenarios it was going to be near impossible for any usage to occur with the 90% volume remaining for Hemphill when the surrounding counties are pumping 50%. Mr. Smith ran the numbers which would result in roughly 80% volume remaining for Hemphill i.e. 55,000 acre ft/yr. This resulted in a 79.7% volume in 50 years, and this could be sustained even when the surrounding counties were going to result in 50%. Mr. Smith said this is where we were at. It was noted that the GAM Run 09-0001 incorporates these most recent Desired Future Condition Components. He opened for questions, through the questions asked it was clarified that the Rita Blanca is included in the model and that it would be included in the Desired Future Conditions for the Ogallala Aquifer. Richard said that he would provide the documentation showing the GAM Run with Hemphill County at both 80% and 90%.

4. **Discuss and consider action as may be necessary in regard to technical information provided by TWDB Staff including additional Groundwater Availability Model Runs.** Mr. Krienke asked if anyone felt the need to run another GAM at this time? There was no comment. Mr. Krienke asked if anyone had any more questions for the WDB staff? There was no comment.
5. **Discuss and consider the minutes from December 15, 2008 GMA #1 Meeting.**

Mr. Spearman made a motion to approve the minutes as presented. Mr. Conkwright seconded the motion; the motion carried by unanimous vote.

6. **Discuss and consider action as may be necessary in regard to the Desired Future Condition or Proposed Desired Future Condition of the Ogallala Aquifer in GMA #1.**

Mr. Krienke asked for a motion to consider the new 80/50/40 division as a proposed Desired Future Condition so that it might be taken back to the respective GCD Boards for consideration and asked if they could have a decision by March. Mr. Haley so moved. Mr. Conckwright seconded the motion. During item discussion Mr. Spearman asked for clarification that this was to send the proposed DFC back to boards for individual consideration and approval. Mr. Krienke said yes and that this is done so that in March an Ogallala DFC might be potentially adopted. Mr. Krienke asked for a roll-call vote. The following conditions for a proposed Desired Future Condition of the Ogallala Aquifer in the GMA#1 were to be voted on so that they might be sent back to the water boards are as follows:

40% volume in storage remaining in 50 years in Dallam, Sherman, Hartley, and Moore Counties; including the Ogallala and Rita Blanca

50% volume in storage remaining in 50 years in Hansford, Ochiltree, Lipscomb, Hutchinson, Roberts, Oldham, Potter, Carson, Gray, Wheeler, Randall, Armstrong, and Donley Counties; and

80% volume in storage remaining in 50 years in Hemphill County

Mr. Krienke asked for a roll call vote:

Mr. Spearman (Panhandle) – yes

Mr. Haley (Hemphill) – yes

Mr. Kreinke (North Plains) – yes

Mr. Conwright (High Plains) – yes

Mr. Krienke asked the group to go over a proposed DFC resolution draft, that may be used by the members for presenting to their boards. Two versions of the draft were presented, one by the North Plains District, and the other by the Panhandle District. Mr. Conkwright asked for the record to show that he had been in close contact with both groups up until these two drafts were presented today. A concern being that Rita Blanca needed to be included in the phrasing, it was decided that everywhere it said Ogallala it should have a /Rita Blanca attached to it. Mr. Williams proposed that everywhere in the document it read GMA and was referring to the planning committee it should be changed to JPC, so that there was no confusion when referring to the area and the committee. It was decided that the “/Rita Blanca” should be replaced with a statement in paragraph two which clarifies that wherever Ogallala is mentioned, Rita Blanca is included therein. It was mentioned to replace March 12, 2009 wherever it was show with a blank space so as to be open to change on whatever date the resolution is adopted. On page three, paragraph 1, it was proposed to change “users” to “uses”.

It was noted that the draft resolution discussed was indeed a draft and may be updated prior to the next GMA#1 meeting. Mr. Ingham offered clarification that the consideration of this resolution as a draft did not constitute the GMA#1’s consideration of a final Ogallala DFC at this time.

Mr. Krienke asked for anything else regarding item number 6. Mr. Krienke asked for a motion to take these agreed upon conditions back to individual boards for consideration and approval.

Mr. Conkwright so moved. Mr. Spearman seconded the motion; the motion carried by unanimous vote.

7. Discuss and consider response to Mesa Water’s January 26, 2009 letter regarding the GMA #1 process.

Mr. Krienke said it was his understanding that each individual board can send a letter. Mr. Conkwright said he didn’t feel it appropriate for individual boards to respond since the letter was sent to the president of the Texas Water Development Board. Mr. Williams agreed with this. The issue died due to a lack of a motion.

8. Discuss and Consider status of the Groundwater Availability Model requested for the Dockum Aquifer in the GMA #1 planning area.

Mr. Smith said the TWDB had accepted a model, and if someone requested it they could do a run. Mr. Krienke asked for the record to show that the capacity to develop a Dockum model is available. It was determined that a letter requesting a 1-foot decline had been sent earlier and that TWDB would begin work on this GAM as their time was made available.

9. Discuss and Consider – Action as appropriate to clarify GMA#1 Bylaws.

Mr. Williams didn't see anything that needed changing. Neither did Ms. Guthrie or Mr. Conkwright.

Mr. Krienke said there would be a 5 minute break before moving to item #10, 2:38 p.m.

GMA reconvened at 2:53 p.m.

10. Public Comment

The public comment period was opened. Comments were made by:

Mr. Bob Hardin, Hardin and Associates on behalf of Mesa Water, wanted to thank the group for having the areas designated in the GAM as "areas" rather than "subdivisions". He asks that individual areas be referenced as geographic areas not subdivisions. He further commented on the lack of rules to enforce the presented numbers. He would like to see reports from the areas GMA designates which will enforce presented numbers. Mr. Hardin also expressed doubt in the data presented because "fractionaization" of aquifers will cause problems. Mr. Hardin warned against the implications of fractionization because water flows across lines.

11. Discuss other business and any future agenda items.

No items were explicitly stated under this item.

12. Establish the date and location for the next meeting.

Mr. Krienke combined items 11 and 12. The next meeting is scheduled for March 13, 2009 at 1:30 p.m. There was discussion over whether there should be a public hearing or a public meeting regarding the adoption of the DFC. Mr. Conckwight moved that that there be a public meeting of the GMA March 13, 2009 at 1:30 p.m. that is posted as previous meetings have been posted with public comment as an early item on the agenda. Mr. Haley seconded the motion; the motion carried by unanimous consent.

13. There being no further business to come before the Board, Mr. Haley moved that the meeting adjourn. Mr. Spearman seconded the motion; the motion carried and the meeting adjourned at approximately 3:24 p.m.