

Groundwater Management Area #1 Meeting
Minutes
June 3, 2010 – 10:30 AM

The Groundwater Management Area Number 1 (GMA #1) Joint Planning Committee (JPC) met on Thursday, June 3, 2010 at the 3rd Floor Meeting Room of the Panhandle Regional Planning Commission, 415 W. Eight Ave., Amarillo, Texas with the following members in attendance:

Voting Members Present:

John R. Spearman, Panhandle Groundwater Conservation District; Daniel Krienke designated alternate for Bob Zimmer, 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; Dale Hallmark, North Plains Groundwater Conservation District; Janet Guthrie, Hemphill County Underground Water Conservation District; Robert Meyer, High Plains Water District

Others present:

Ray Brady	RMBJ
Robert Bradley	TWDB
Marty Jones	Sprouse Law Firm
Bob Zimmer	NPGCD
Steve Stevens	Mesa Water
Cole Camp	PGCD
Jonathan Ellis	PRPC
Bruce Rigler	High Plains Water
Gene Born	NPGCD
Cindy Cockerham	Sen. Kel Seliger
Bill Mullican	HPWD/PGCD
Mina Johnson	LWV
David Bowser	Livestock Weekly
Jim Copeland	HPUWD
Kyle Ingham	PRPC

1. The meeting was called to order at 10:30 a.m. with Chairman Krienke presiding. Chairman Krienke thanked all for attending and invited all to sign in so there might be a record of attendance. Chairman Krienke recognized Cindy Cockerham from Senators Selliger's office.

2. Roll Call/Introductions.

It was determined that a quorum was present with all voting members in attendance.

3. Consideration of Minutes – The minutes from the May 11, 2010 GMA #1 Meeting.

Mr. Ingham noted that on the second to last paragraph on item 4, the first “Ogallala” should have been “Dockum and Blaine.” There was some discussion for clarification. Mr. Spearman made a motion to approve as amended. Mr. Conkwright seconded the motion; the motion carried by unanimous vote.

4. **Public Hearing – Any citizen may address the GMA #1 relating to the proposed Desired Future Conditions for the Dockum and the Blaine Aquifers in the GMA #1 planning area. Please limit individual comments to five minutes each.**

Mr. Krienke opened the public comment period. Mr. Ingham stated that he had received written comments from Sprouse Shrader and Smith P.C. on behalf of Mesa Water. This document was received on May 10th, it was included in each of the member’s agenda packets.

Marty Jones from Sprouse Shrader and Smith did wish to make one addition to the previously mentioned and submitted letter. Regarding the Dockum, in looking at the fact that the same statutory requirements apply in creating a DFC for the Dockum as for the Ogallala, Mr. Jones made the observation that there is a proposed single DFC for the Dockum. Mr. Jones stated this is perceived as a statement that this group sees no discernible difference in uses or conditions for the Dockum in GMA #1. Mr. Jones stated he would simply like an affirmation of this perceived stance.

Mr. Krienke did recognize and welcome Robert Bradley from TWDB, and asked him if there was any other technical information which the Board would like to enter at this time regarding the proposed DFC? Mr. Bradley stated that at this time there was no further technical information.

Mr. Krienke again asked for any additional comments from the public. There being none he closed the public comment period.

5. **Discuss and Consider – Action as may be necessary in regard to technical information provided by TWDB Staff including additional Groundwater Availability Model Runs.**

This item being addressed in the previous public comment time, Mr. Krienke moved to item 6.

6. **Discuss and Consider – Action as may be necessary in regard to the adoption of a Desired Future Condition in the Dockum and Blaine Aquifers in the GMA 1 planning area.**

Mr. Krienke asked members to reference the draft included in their agenda packet of this resolution. He stated that it was his understanding that the Seymour is not included in this resolution. Mr. Williams indicated that he had checked with the TWDB and that there is a paragraph which addressed the Seymour, he made comment that the TWDB no longer recognizes the Seymour in Wheeler County which is the only area of the GMA #1 which includes the Seymour. Mr. Williams said that this issue is addressed in the eighth “whereas” in the draft resolution.

It was asked for clarification if the Blaine and the Seymour are different aquifers, it was indicated that they were different. Mr. Williams also stated that the last “whereas” paragraph spoke to the Blaine.

Mr. Krienke asked Mr. Conkwright his thoughts on the resolution. Mr. Conkwright stated that he was comparing it to what his board had adopted; he found them to be very similar with no significant differences. Mr. Krienke asked if this indicated that Mr. Conkwright’s board was comfortable adopting a DFC for the Dockum today. Mr. Conkwright answered in the affirmative. Mr. Krienke asked if Mr. Haley had any concerns. Mr. Haley answered in the negative. Mr. Spearman made comment that his board had been informed on this issue and he had been given authorization to approve a DFC for the Dockum today and he indicated that this language was agreeable.

Mr. Haley asked Mr. Robert Bradley from TWDB for an informational basis, what does the Dockum have percentage wise compared to the Ogallala? There was discussion but it seemed to be the consensus that regarding the quality of the water and due to the depth there was perhaps 1% or less as compared to the Ogallala.

Mr. Krienke made the comment that his board had discussed this language and found it agreeable. Mr. Spearman submitted a motion to approve this draft resolution; he stated that the resolution had some language which spoke to the methodology on how they came to this conclusion. Mr. Ingham read the resolution in its current form. Mr. Bradley added that documentation of methodology employed in creating the DFC needed to be submitted alongside the resolution. Mr. Ingham indicated that the two pages following the proposed resolution constituted a descriptive narrative and also a cover letter and minutes would be submitted with the resolution to constitute the mentioned documentation.

Mr. Williams stated that something the group might consider is putting the GAM run # on the models utilized. There was discussion between members on what would constitute a sufficient descriptive narrative on how the group came up with the resolution, and how to correctly document methodology utilized. It was found that GAM 09-14 was cited as being a source for the Dockum. Mr. Bradley asked about the source of the Blaine numbers. Mr. Williams indicated that it was a compatible condition for what was selected for the Ogallala, it was further determined that numbers and conditions for the Initially Prepared Plan were consulted regarding planning for the Blaine. It was stated that these references would all be included in any submitted minutes.

Mr. Bradley suggested that a direct reference in the resolution might be preferable to the minutes, one connecting GAM 09-14 and GAM 09-14 addendum to the Dockum and one connecting the IPP reference to the Blaine. An additional, preliminary “whereas” was created by Ms. Guthrie to make both of these references.

There was extensive discussion between members on how to appropriately reference the methodology utilized regarding each aquifer in question. Mr. Bradley suggested, regarding the Blaine, using whatever direct reference it used so that the reference was

not an indirect one. He did state that since neither the Blaine nor the Seymour had their own GAM run then there might be some latitude in considerations.

Mr. Spearman asked if since the Seymour and the Blaine are so insignificant, do they require a DFC by this body? Mr. Williams stated that he agreed. Mr. Bradley made the comment that there was some salt-water irrigation from the Blaine and without a DFC there can be no permits issued. Mr. Williams stated that there were no segregated permits to his knowledge.

It was suggested to briefly recess and call Simone Kiel and see if there was a direct GAM connected to the IPP passages on the Blaine which this group might cite. At 11:06 a.m. Mr. Krienke recessed the meeting for a 10 minute break.

At 11:16 a.m. Mr. Krienke reconvened the meeting. Mr. Williams stated that he had been unable to contact Ms. Kiel. Mr. Williams offered the suggestion that they strike the proposed whereas in reference to the IPP citation. He believed the rest would be fine. Mr. Ingham noted that during the break some grammatical changes were made. Mr. Spearman amended his motion to be adopted “as amended.” Mr. Conkwright seconded. The final resolution being presented on screen to the members, a roll call vote was held.

Jim Haley representing HCUWC: Aye
Jim Conkwright representing HPUWCD: Aye
Daniel Krienke representing NPGCD: Aye
John Spearman representing PGCD: Aye

Motion passed by unanimous assent, resolution 2010-01 was adopted.

7. Discuss – other business and any future agenda items.

Mr. Krienke stated that his thought was perhaps a meeting later this year—after receiving the next MAG—to lay out a timeline in the form of a discussion for management plans and/or rules to get input from the districts.

Mr. Bradley stated that one issue that is hanging up giving MAGs out is exempted use. Mr. Bradley spoke to getting some input on this purpose for this area.

Mr. Williams suggested leaving it “to the call of the chair,” Mr. Krienke suggested perhaps sometime in November. Mr. Ingham reminded audience members that there would be another meeting this afternoon at 1:30 pm to adopt the minutes from this meeting to submit alongside the other documentation.

8. Adjourn.

Mr. Krienke made a final call for public comment. Hearing no further public comment, Mr. Krienke stated he would entertain a motion to adjourn. Mr. Spearman so moved, Mr. Haley seconded. Motion passed by unanimous vote. Meeting adjourned at 11:22 a.m.