

MINUTES
EVERGREEN UNDERGROUND WATER CONSERVATION DISTRICT
NOVEMBER 30, 2018 – REGULARLY SCHEDULED BOARD MEETING

The Meeting of the Board of Directors of the Evergreen Underground Water Conservation District, pursuant to notice, at the District Office, 110 Wyoming Blvd., Pleasanton, Atascosa County, Texas.

Directors Present: Blaine Schorp, President
 Frank Kruciak, Vice-President
 Diane Savage, Secretary/Treasurer
 Larry Fox
 Jay Troell
 Clifton Stacy
 Thomas Moy III
 Jason Peeler

Directors Absent: Sherman Posey

Employees Present: Russell Labus, General Manager
 Christopher McFarlane, Assistant Manager
 Matthew Pope, Field Technician
 Landon Yosko, Technical Specialist

Employees Absent: Melissa Gonzalez, Secretary/Bookkeeper

Guests Present: Attached
Agenda: Attached.

Declaration of Quorum and Call to Order:

President Schorp declared a quorum present and called the meeting to order at 9:07 a.m. The meeting was posted and filed as required by law.

Pledge of Allegiance.

Recess to Public Hearing

Public Hearing- Water Well Drilling and Production Permit Applications

a. Call to Order

President Schorp called the Public Hearing to order at 9:08 a.m.

b. Public Comments:

Jessica Hardy mentioned that Not Just Dust wants to make sure that Black Mountain Sand has or will be performing a draw down test. Mrs. Hardy said that a few months ago, in the Wintergarden Water District, Black Mountain Sand said they had performed tests, but it was found out these tests were done on a nonexistent well. Not Just Dust asks the board to consider an independent third party to conduct these tests to make sure neighboring wells are not affected.

c. Drilling/Production Permit Applications:

The Board was presented with one drilling and production permit application for Murphy Exploration (Drilling/Production Permit#2668) for new well to be located in Karnes County. Director Stacy moved to approve the drilling and production permit. Director Savage seconded the motion, Director Moy abstained, and there being no further discussion the motion carried.

The Board was presented with one drilling and production permit application for Murphy Exploration (Drilling/Production Permit#2669) for new well to be located in Karnes County. Director Stacy moved to approve the drilling and production permit. Director Savage seconded the motion, Director Moy abstained, and there being no further discussion the motion carried.

The Board was presented with one drilling and production permit application for Greg Tschirhart (Drilling/Production Permit#2670) for new well to be located in Frio County. Director Stacy moved to approve the drilling and production permit. Director Kruciak seconded the motion, Director Moy abstained, and there being no further discussion the motion carried.

The Board was presented with one drilling and production permit application for Patrick Rayes (Drilling/Production Permit#2671) for new well to be located in Atascosa County. Director Troell moved to approve the drilling and production permit. Director Stacy seconded the motion, Director Moy abstained, and there being no further discussion the motion carried.

The Board was presented with three drilling and production permit applications for Black Mountain Sand (Drilling/Production Permit#2672, #2673, #2674) for new wells to be located in Atascosa County. Director Stacy moved to approve the three drilling and production permits with the Attachment A and Black Mountain Sand has agreed to submit all information to the district. Director Fox seconded the motion, and there being no further discussion the motion carried.

d. Adjourn:

President Schorp declared the Public Hearing adjourned at 9:30 a.m.

Reconvene to Regular Meeting.

Public Comments on Agenda Items or Other District Business, Limited to 5 Minutes Each:

Janice Jones stated that she wanted to speak in reference to the retention pond breach at Martin Marietta and Preferred Sands that occurred in October. Ms. Jones said that she went out to the area affected on November 8, 2018 and took pictures, which she showed to the board, and there still was red water on the ground. Ms. Jones expressed her concerns saying this waste water may be contaminating the land which can affect the wildlife, nearby wells, and the groundwater and does not feel it may be safe to live there anymore.

Russell Wilson, President of Not Just Dust, stated that when he spoke to the board twenty months ago, they were talking about one sand mine plant and now there are sixteen facilities in the area since then. Mr. Wilson is worried that these types of facilities can affect the recharge zone and asked that this be monitored and studied. Mr. Wilson said he would like to work with legislature along with the mining facilities to put some legislation in place to reclaim these areas that will work for everyone so that there is no adverse effect.

Jessica Hardy read the definition of waste according to the EWUCD rules. Mrs. Hardy mentioned that between October 15-19, 2018 what fits the definition of waste occurred when two mines retention ponds breached. Mrs. Hardy said she would like for the EWUCD to stand by its rules and address the situation to the best of their ability. Mrs. Hardy stated that per rule 5.2 she asks that Not Just Dust be acknowledged as an affected party along with members of the community and pursue this rule for a hearing to avoid this waste from happening again.

Approval of Minutes from the October 26, 2018 Board of Directors Meeting:

The minutes of the October 26th meeting were presented to the Board. Director Kruciak moved to approve the minutes as presented. Director Fox seconded the motion, and there being no further discussion the motion carried unanimously.

Approval of Report of Bills Paid, Deposits, and Financial Statements for October 2018:

The report of bills paid, deposits, and financial statements for October were presented to the Board. Director Savage moved to receive and file the report. Director Moy seconded the motion, and there being no further discussion the motion carried unanimously.

Approve 2019 Scholarship Essay:

Director Savage moved to approve the following essay question:

Water is our most valuable resource. Name the major aquifers in the Evergreen UWCD and describe their characteristics and principle uses. With increasing demands on our groundwater, what conservation and management practices could enhance the protection of this resource for all water users?

Director Troell seconded the motion, and there being no further action the motion carried unanimously.

Consider and Take Appropriate Action on Filing Applications with the TWDB for Agricultural Water Conservation Grants for Flow Meter Installation:

Director Troell moved to file the applications with the TWDB for agricultural water conservation grants for flow meter installation. Director Savage seconded the motion, and there being no further action the motion carried unanimously.

Staff Report on District Activities:

a. Update on City of Kenedy Wells and Compliance with EWUCD Rules.

Attorney, Monique Norman, stated that in May the district passed an order that the City of Kenedy was in compliance and they have since had all renewals permitted. Mrs. Norman said that although it was not

required to file with the Public Utility Commission to extend their CCN, the City of Kenedy did so and are waiting for the ruling on administrative completeness. Mrs. Norman mentioned that there were some adjacent landowners that submitted an intervention request, but she is not aware if anything has been determined in regard to that request.

b. Status of Peeler Ranch and the San Miguel Electric Cooperative Operation in Southern Atascosa County.

Attorney, Monique Norman, stated that she spoke to the attorney involved and she said that she would like to come to another meeting to discuss.

c. Update on the Installation of Level Transducers in Select Monitor Wells in the EUWCD.

Technical Specialist, Landon Yosko, said that he is currently getting prices for the transducers and is waiting on one company to get back with him. Landon said he would like five or six transducers that he can install around the district and is hoping by the next meeting an option is chosen and installation can start in January.

Consider and Take Appropriate Action on Items to be Placed on the Next Agenda:

None.

Set Date and Time for the Next Board of Directors Meeting:


The Board agreed to set the next meeting date for Friday, December 21, 2018 at 09:00 a.m. at the District Office in Pleasanton, TX 78064.

Adjourn:

President Schorp declared the meeting adjourned at 10:33 a.m.


Blaine Schorp, President

ATTEST:


Diane Savage, Secretary/Treasurer