

PECAN VALLEY GROUNDWATER CONSERVATION DISTRICT  
1009 N. ESPLANADE STREET CUERO, TX 77954  
BOARD MEETING MINUTES  
VIA TELEPHONE OR VIDEOCONFERENCE  
APRIL 20, 2021 – 9:00 A.M.

Board Members Present: Darnell Knippa, Chairman (Pct. 2), Clem Waskow, Vice-Chairman (At Large)-Via Telephone, Velinda Geffert, Secretary/Treasurer (Pct. 3), Marvin Sager, Director (Pct. 4), and Tim Pennell Director (Pct. 1)

Also in attendance: Cindy Parma, General Manager, Johnny Dietze, Attorney

1. Call to order: The meeting was called to order by the Chairman at 9:00 A.M.
2. Pledge of Allegiance
3. Roll Call - Establish Quorum: Roll call established a Quorum was present.
4. Introduction of Guests and Virtual Visitors/Hearing Participants: Kristen Fancher - Attorney, Ed McCarthy - Attorney, Kirk Shoppe (Repsol), Mr. Ted Logeman, Randol Tellkamp (Ensign), David Arndt, Adam Friedman (Attorney Representing Repsol), Mary Mendoza (HaynesBoone Law Firm), Samuel Burk (Repsol Attorney)
5. Public comment: None
6. Discussion, update, and possible action as necessary on procedural or administrative matters only related to the Contested Application for Amendment to Operating Permit of Burlington Resources (Hamilton Permit #72), on referral to the State Office of Administrative Hearings (SOAH): General Manager updated the Board that the initial virtual hearing to determine party status was conducted on 3/29/2021. The SOAH Judge granted party status to Lloyd Michael Hamilton. The next hearing is scheduled for July 20, 2021 at 1:00 P.M. No action taken.

**PUBLIC HEARING OPENED AT 9:05 A.M.**

7. Public Hearing on Contested Operating Permit Applications– Repsol Oil and Gas USA, LLC – Jeannie Heard, et al (McClanahan WW #1 and WW #2). The beneficial use is for Mining Oil and Gas purposes. The Operating Permit Applications request 34.79 Acre-Feet of water from each well. This would be a combined total of 69.58 Acre-Feet from the two water wells. This property is located on Alfred Blaschke Road near Nordheim and involves 139.18 acres.
    - a. Applicant direct case presentation – maximum of 15 minutes.
    - b. Protestant direct case presentation – maximum of 15 minutes.
    - c. Applicant cross examination/rebuttal – maximum of 10 minutes.
    - d. Protestant cross examination/rebuttal – maximum of 10 minutes.
- 7 a-d: Both Applicant and Protestant presented their case to the PVGCD Board.
- e. Discussion and possible action on operating permits for McClanahan WW #1 and McClanahan WW #2.:

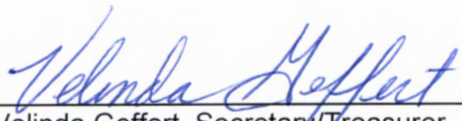
**Closed Meeting:** Executive Session was called at 9:42 A.M. by Darnell Knippa to conduct private consultation with PVGCD attorney regarding matters protected by the attorney-client privilege pursuant to Section 551.071 of the Government Code. Vice-Chairman Clem Waskow also participated in Executive Session via phone.

**Return to Open Meeting:** Open Meeting was resumed at 9:57 A.M. After returning to Open Meeting from the Executive Session; A motion to approve the Repsol Oil and Gas USA permit applications under Agenda Item No. 7 was made by Marvin Sager, seconded by Tim Pennell, and carried unanimously as follows:

1. The applications be granted for 34.79 acre feet per each well, for a total amount of 69.58 acre feet permitted.
  2. The purpose of use is for Mining and Oil and Gas use only. Any other purpose of use would require a permit amendment.
  3. The permit will be issued under the District's standard terms and conditions.
- f. Adjourn or continue Public Hearing.
8. Public Hearing on Contested Operating Permit Applications – Repsol Oil and Gas USA, LLA – Gano property (1/3 Undivided Interest for James Gano Estate, Janet Gano, & Helen Gano Norris) for Gano WW #1 and WW #2. The beneficial use is for Mining Oil and Gas purposes. The Operating Permit Applications request 40.32 Acre-Feet from each of the two water wells. This property is located on FM 952 near Cotton Patch and involves 161.3 acres.
- a Preliminary Hearing on Contested Operating Permit Applications from Repsol Oil and Gas USA, LLC on Gano sibling's property. Matters to be considered at the Preliminary Hearing include all matters authorized under District Rule 15.5, including but not limited to designation of the parties, designation of procedural schedule, and setting of date for evidentiary hearing on the merits of the applications.: No action taken as the contested applications were withdrawn by the landowners.
  - b Adjourn or continue Preliminary Hearing.
9. Public Hearing - David Arndt Drilling and Operating Permit Application
- a Public Hearing on the Drilling and Operating Permit Application, submitted by David Arndt. The beneficial use is for Irrigation purposes. The Operating Permit Application is requesting 72.13 Acre-Feet from this well, with a production rate of 350 gpm. The proposed completion depth of this water well complies with the District's rules regarding additional production limits on deep water wells. This property is located on Boehm Road, Lindenau, TX and involves 72.13 acres.
  - b Discussion and possible action on drilling/operating permit application from David Arndt.: A motion to approve the Drilling/Operating Permit Application from David Arndt requesting 72.13 AF of water per year from this water well with a production rate of 350 gpm was made by Tim Pennell, seconded by Marvin Sager, which carried unanimously.
  - c Adjourn or continue Public Hearing.: A motion to close the public hearing was made by Marvin Sager, seconded by Tim Pennell, which carried unanimously.

**PUBLIC HEARING CLOSED AT 10:08 A.M.**

10. Approval of minutes of March 16, 2021 Board Meeting (provided prior to meeting).: A motion to approve the March 16, 2021 minutes as presented was made by Marvin Sager, seconded by Tim Pennell, which carried unanimously.
11. Financial Report – Board Treasurer has reviewed March 31, 2021 Bank Statement reconciliations and finds all in order.: A motion to approve the March 31, 2021 Financial Report as presented was made by Velinda Geffert, seconded by Marvin Sager, which carried unanimously.
12. Discussion and possible action on March 2021 Investment Report (provided prior to meeting).: A motion to approve the March 2021 Investment Report as presented was made by Velinda Geffert, seconded by Tim Pennell, which carried unanimously.
13. Report on April 2021 Uncontested Permits: General Manager gave the April 2021 Uncontested Permits Report. (see attached report)
14. General Manager Report: General Manager Cindy Parma presented the report. (See attached report.)
15. Confirm date for May meeting: 3<sup>rd</sup> Tuesday-May 18 was confirmed date of next PVGCD Board Meeting.
16. Adjourn: The meeting adjourned at 10:23 A.M. with a motion by Tim Pennell, seconded by Marvin Sager, which carried unanimously.



Velinda Geffert, Secretary/Treasurer  
Recorded: Carole Moore, Admin. Assistant