

**MIDDLE PECOS GROUNDWATER CONSERVATION DISTRICT**

P.O. Box 1644 Fort Stockton, TX 79735 Phone (432)336-0698 Fax (432)336-3407

405 North Spring Drive Fort Stockton, Texas 79735

Email: [mpgcd@mpgcd.org](mailto:mpgcd@mpgcd.org) Website: [www.middlepecosgcd.org](http://www.middlepecosgcd.org)

Directors

Jerry McGuairt, President Janet Groth, Vice President M. R. Gonzalez, Secretary/Treasurer  
Alvaro Mandujano, Jr. Vanessa Cardwell Ronald Cooper  
Weldon Blackwelder Billy Jackson Jeff Sims Puja Boinpally Larry Drogad

Employees

Ty Edwards, General Manager  
Office: Gail Reeves Field Technician: Anthony Bodnar

**FILED**

NOV 15 2024

LIZ CHAPMAN  
CLERK COUNTY CLERK, MIDDLE PECOS CO., TEXAS  
By \_\_\_\_\_ Deputy

**NOTICE OF REGULAR BOARD MEETING AND PUBLIC HEARING'**

**November 19, 2024**

**Call to Order at 10:00 a.m.**

**405 North Spring Drive, Fort Stockton, Texas**

In accordance with the Texas Open Meetings Act, a quorum of the Board will meet in person and less than a quorum may participate by videoconference. The public may also join this meeting in person or as follows:

**Join Zoom Meeting:**

<https://us02web.zoom.us/j/84246257395?pwd=azRUSm9uTWgwc1dKWkFPY1lueW01dz09>

**Meeting ID: 842 4625 7395**

**Passcode: 438283**

**Toll-Free Number: 1-888-992-1129**

Members of the public wishing to make public comment during the meeting or hearing must register in person at the time of the meeting or by emailing [mpgcd@mpgcd.org](mailto:mpgcd@mpgcd.org) prior to 9:30 a.m. on November 19, 2024.

During this meeting or hearing the Board reserves the right to go into executive session for any of the purposes authorized under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, for any item on this agenda or as otherwise authorized by law.

**REGULAR BOARD MEETING**

- I Call to order regular Board meeting and roll call.
- II Issue Certificates of Election to Board Members.
- III Administer the Statement of Elected Officer.
- IV Administer Oath of Office for Board Members.
- V Consider and/or act upon **MPGCD Board Reorganization (Election of Officers)**.

- VI Comments from **public and media** (limit 5 minutes per person cumulative for all items addressed). Members of the public may address the Board for a limited time concerning any subject whether or not it is on the agenda (each person wishing to speak must submit a completed public comment form).<sup>2</sup>

### **PUBLIC HEARING ON PROPOSED EXPORT FEE<sup>3</sup>**

- I Call to order at 10:00 a.m. the public hearing on proposed export fees of \$0.20/1,000 gal. export fee and a 3% increase effective in 2024 (20.6¢/1,000 gal).
- II Adjourn hearing and consider and/or act on export fees of \$0.20/1,000 gal. export fee and a 3% increase effective in 2024 (20.6¢/1,000 gal).

### **REGULAR BOARD MEETING – CONTINUED**

- VII Consider and/or act to approve **Minutes of Regular Meeting on October 15, 2024.**
- VIII Consider and/or act upon **Treasurer’s Report for the Month Ending October 31, 2024.**
- IX Consider and/or act upon **Explanations for Denial** of the Petitions to Adopt or Modify District Rules submitted by Cockrell Investment Partners, L.P.
- X Update and possible action on **Pecos County Groundwater Flow Model** and Timeline on Tech Memos.
- XI Update and possible action on **San Andres efforts at RRC and TCEQ, and MPGCD v. RRC and Commissioners**, Cause No. D-1-GN-24-005222 (200<sup>th</sup> District Court, Travis County) and second cause filed on October 11, 2024.
- XII Update on **Fort Stockton Holdings, L.P. (FSH)-MPGCD Joint Study, Threshold Water Level Update and Drilling of New Rustler Monitor on Williams Farms.**
- XIII Briefing and take action as necessary on following lawsuits:
- A. **Cockrell Investment Partners, L.P. v. MPGCD and its Board President in his official capacity, FSH and Republic Water Company of Texas, L.P.**, Case No. 23-0742 (Texas Supreme Court)(Cockrell I)
  - B. **Cockrell Investment Partners, L.P. v. MPGCD and its General Manager in his official capacity, and FSH**, Case No. 23-0593 (Texas Supreme Court)(Cockrell II)
  - C. **Cockrell Investment Partners, L.P. v. Ty Edwards, In His Capacity as General Manager, and FSH**, Case No. 08-23-00178-CV (El Paso Court of Appeals)(Cockrell III)

- D. **Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District**, Cause No. P-8626-83-CV (83<sup>rd</sup> District Court)(Cockrell IV)
  - E. **Cockrell Investment Partners, L.P. v. Middle Pecos Groundwater Conservation District**, Cause No. P-13031-112-CV (112<sup>th</sup> District Court)(Cockrell V)
- XIV **Progress Reports: Well Registrations, Production Permits, Drilling Permits, Data Loggers, Drought Monitor Map, Water Quality Analysis, and General Manager's Correspondence.**<sup>4</sup>
- XV **Directors' Comments**<sup>4</sup> and consider and/or act upon **agenda for next meeting.**
- XVI **Adjourn** Board meeting.

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<sup>1</sup> The Board may break for lunch and commence or continue the Board meeting immediately after lunch. This facility is wheelchair/parking accessible. Requests for accommodations must be made 48 hours prior to this meeting by contacting Ty Edwards at 432-336-0698.

<sup>2</sup> The Board will apply statutory law governing public comment. If more than 5 minutes (cumulative) is requested, there must be good cause in the sole discretion of the Presiding Officer. The Board is not allowed to take action on any subject presented that is not on the agenda, nor is the Board required to provide a response; any substantive consideration and action by the Board will be conducted under a specific item on a future agenda.

<sup>3</sup> Additional more detailed notice required by the District's rules was separately issued by the District.

<sup>4</sup> No action will be taken on these agenda items. These items are on the agenda to provide the District's General Manager and Directors an opportunity to bring to the public's and each other's attention important issues pertinent to groundwater management within the District such that any substantive deliberation and formal action on any of these issues will be conducted under a specific item on a future agenda.