

**Victoria County Groundwater Conservation District  
Meeting Minutes for October 10, 2025**

THE STATE OF TEXAS  
VICTORIA COUNTY

**Item 1 - Convene Meeting**

Mr. Andruss explained that staff completed the necessary public notification requirements for the meeting.

**Board Action:** Mr. Hroch called the meeting to order at 9:00 AM and call the roll of representatives:

Precinct 1: Mr. Jerry Hroch, Vice President: Present.

Precinct 2: Mr. Thurman Clements, Jr., Director : Present.

Precinct 3: Mrs. Barbara Dietzel, Secretary : Present.

Precinct 4: Mr. Mark Meek, President: Absent.

At Large: Mr. Kenneth Eller, Director : Present.

General Manager: Tim Andruss : Present.

General Counsel: Jim Allison : Present.

**Item 2 - Receive Public Comment**

No public comment was given at this time.

**Item 3 - Groundwater Management (Permitting)**

**Topic 3.1 - Report**

Mr. Andruss provided the following information:

Regarding Well Registration Processing for FY2025.

As of October 6, 2025, staff had received 38 well registration applications (ARWs) since October 1, 2024.

As of October 6, 2025, staff had received 98 Notices of Intent to Drill a Well (NIDWs) since October 1, 2024.

Regarding Production Permit Renewal Processing for FY2025.

As of October 6, 2025, staff had received 24 production permit renewal requests (ARPs) since October 1, 2024.

Regarding Permit Processing for FY2025

As of October 6, 2025, staff had initiated 26 permitting request case (PRCs) since October 1, 2024.

As of October 6, 2025, staff had 26 permitting request cases pending.

1. Permitting Request Case - PRC-20240913-01 - ARP-20240726-01 - Argent Trust Company, Trustee of the William M. Murphy, III Testamentary Trust - Pending/Uncontested
2. Permitting Request Case - PRC-20250721-01 - ARP-20250507-01 - Doug Janssen - Pending
3. Permitting Request Case - PRC-20250721-02 - ARP-20250701-01 - Charles Bullock - Pending
4. Permitting Request Case - PRC-20250721-03 - ARP-20250701-02 - Promise Point - Pending
5. Permitting Request Case - PRC-20250721-04 - ARP-20250701-03 - Promise Point - Pending
6. Permitting Request Case - PRC-20250721-05 - ARP-20250703-01 - Robert Castro - Pending
7. Permitting Request Case - PRC-20250721-06 - ARP-20250703-02 - Robert Castro - Pending
8. Permitting Request Case - PRC-20250721-07 - ARP-20250703-03 - Paul Larbie - Pending

9. Permitting Request Case - PRC-20250721-08 - ARP-20250703-04 - Facilliflow Services - Pending
10. Permitting Request Case - PRC-20250721-09 - ARP-20250703-05 - Rice Group - Pending
11. Permitting Request Case - PRC-20250721-10 - ARP-20250703-06 - Jollys Welding - Pending
12. Permitting Request Case - PRC-20250721-11 - ARP-20250707-01 - Kenneth Marbach - Pending
13. Permitting Request Case - PRC-20250721-12 - ARP-20250707-02 - Mathew and Kathy Bates - Pending
14. Permitting Request Case - PRC-20250721-13 - ARP-20250708-01 - Yazoo Enterprise - Pending
15. Permitting Request Case - PRC-20250721-14 - ARP-20250711-01 - D and K Brand Farms - Pending
16. Permitting Request Case - PRC-20250721-15 - ARP-20250711-02 - Spring Creek Event Center - Pending
17. Permitting Request Case - PRC-20250721-16 - ARP-20250711-03 - John Clegg - Pending
18. Permitting Request Case - PRC-20250721-17 - ARP-20250715-01 - Shannon Nickel - Pending
19. Permitting Request Case - PRC-20250721-18 - ARP-20250716-01 - Florco INC. - Pending
20. Permitting Request Case - PRC-20250721-19 - ARP-20250717-01 - Ray Young - Pending
21. Permitting Request Case - PRC-20250722-01 - ARP-20250722-01 - Five C Ranch and Minerals - Pending
22. Permitting Request Case - PRC-20250723-01 - ARP-20250723-01 - Jonathan Petru - Pending
23. Permitting Request Case - PRC-20250723-02 - ARP-20250723-02 - City of Victoria - Pending
24. Permitting Request Case - PRC-20250723-03 - ARP-20250723-03 - City of Victoria - Pending
25. Permitting Request Case - PRC-20250815-01 - ANHUPPW-20250805-01 - Quocdai Park - Pending
26. VCGCD - GMa - Permitting Request Case - PRC-20250721-13 - ARP-20250708-01 - Yazoo Enterprise - Pending

As of October 6, 2025, staff had 248 active or approved production permits recorded in the permitting database with a combined amount of authorized groundwater production per year of 115,273 acre-feet.

#### Regarding Groundwater Production Report Processing for CY2024.

As of October 6, 2025, staff had processed 251 groundwater production reports for the preceding calendar year since October 1, 2024.

As of October 6, 2025, staff had recorded groundwater production reports for 251 water wells reporting 28,412 acre-feet of groundwater production during CY2024. (TWDB estimated the volume of groundwater produced for rural domestic, livestock, mining, and rig supply exempt uses in Victoria County in Year 2020 was 1,920 acre-feet. See: TWDB - Projected Exempt Groundwater Use Estimates ).

#### Regarding Manage Investigations related to Permitting Violations for FY2025.

As of October 6, 2025, staff had initiated 1 investigations related to groundwater management (i.e., permitting) since October 1, 2024.

As of October 6, 2025, staff had 1 active investigations related to groundwater management (i.e., permitting).

1. VCGCD - GMa - Investigation - INV- 20251006-01 - Unpermitted Non-Exempt-Use - Active

#### Regarding Manage Enforcement Cases related to Permitting Violations for FY2025.

As of October 6, 2025, the Board had initiated 3 enforcement case violations related to groundwater management (i.e., permitting) since October 1, 2024.

As of October 6, 2025, staff had 3 unresolved enforcement cases related to groundwater management (i.e., permitting).

1. Enforcement Case Violation - ECV-20250425-04
2. Enforcement Case Violation - ECV-20250425-06
3. Enforcement Case Violation - ECV-20250425-10

### **Topic 3.2 - Failures to Report Groundwater Production for CY2024 - ECV-20250425-04 - Jose G. Celedon**

Mr. Andruss explained on April 25, 2025, Mr. Benavides, VCGCD Compliance Specialist, initiated 10 enforcement case violations related to potential failures to report groundwater production for calendar year 2024. Of the eight potential violations, three of the violations are associated with persons with previous violations of Rule 4.2.

On May 23, 2025, the District received the required groundwater production report for the subject well from Mr. Jose G. Celedon.

On July 18, 2025, in regards to enforcement case violation ECV-20250425-04, the Board of Directors adopted a motion to designate the violation "resolved upon the associated alleged violator complying with the following settlement offer by August 30, 2025: 1) pay a \$250.00 settlement fee to the District, 2) acknowledge the violation in writing."

On August 1, 2025, Mr. Benavides, VCGCD Compliance Specialist, mailed the settlement offer letter by certified mail to Mr. Jose G. Celedon.

On August 22, 2025, the District received the certified mail receipt for the settlement offer letter marked "RETURN TO SENDER."

As of August 31, 2025, the alleged violator associated with the enforcement case violations ECV-20250425-04 had reported groundwater production for calendar year 2024 for the subject well but failed to satisfied the conditions of the settlement offer by paying the settlement fee or submitting the written acknowledgement of the violation.

On September 30, 2025, Mr. Benavides, VCGCD Compliance Specialist, mailed, by certified mail, the Notice of Need to File Suit and the enforcement hearing notice to Mr. Jose G. Celedon, at 5232 Wood Hi Rd., Victoria, Texas 77905.

On October 3, 2025, Mr. Benavides, VCGCD Compliance Specialist, attempted to hand deliver the Notice of Need to File Suit and the enforcement hearing notice to Mr. Jose G. Celedon, at 5232 Wood Hi Rd., Victoria, Texas 77905.

On October 6, 2025, after receiving the hand delivered letter regarding the Notice of Need to File Suit and the enforcement hearing notice, Mr. Jose G. Celedon visited the district office and spoke with Mr. Benavides, VCGCD Compliance Specialist. Mr. Celedon explained that when he visited the office of the District on May 23, 2025, and submitted the required groundwater production report, the attending staff member (Ms. Scott) did not request payment of the settlement fee or written acknowledgment of the violation.

**Board Action:** Mr Clements moved to settle the enforcement case for \$300.00. Mr. Eller seconded the motion. The motion passed unanimously.

### **Topic 3.3 - Failures to Report Groundwater Production for CY2024 - ECV-20250425-06 - KAM Enterprises LTD**

Mr. Andruss explained on April 25, 2025, Mr. Benavides, VCGCD Compliance Specialist, initiated 10 enforcement case violations related to potential failures to report groundwater production for calendar year 2024. Of the eight potential violations, three of the violations are associated with persons with previous violations of Rule 4.2.

On May 6, 2025, the District received the required groundwater production report for the subject well from KAM Enterprises LTD...

On July 18, 2025, in regards to enforcement case violation ECV-20250425-06, the Board of Directors adopted a motion to designate the violation "resolved upon the associated alleged violator complying with the following settlement offer by August 30, 2025: 1) pay a \$250.00 settlement fee to the District, 2) acknowledge the violation in writing."

On August 1, 2025, Mr. Benavides, VCGCD Compliance Specialist, mailed the settlement offer letter by certified mail to KAM Enterprises LTD...

On September 2, 2025, the District received the signed certified mail receipt for the settlement offer letter . As of August 31, 2025, the alleged violator associated with the enforcement case violations ECV-20250425-06 had reported groundwater production for calendar year 2024 for the subject well but failed to satisfied the conditions of the settlement offer by paying the settlement fee or submitting the written acknowledgement of the violation.

On September 30, 2025, Mr. Benavides, VCGCD Compliance Specialist, mailed, by certified mail, the Notice of Need to File Suit and the enforcement hearing notice to KAM Enterprises LTD., at P.O. Box 2341, Lytle, Texas 78052.

On October 3, 2025, Mr. Benavides, VCGCD Compliance Specialist, attempted to hand deliver the Notice of Need to File Suit and the enforcement hearing notice to KAM Enterprises LTD., at 76 Starship Ave, Inez, Texas 77968.

**Board Action:** Mr. Clements moved to convene and record the enforcement hearing at 9:35 am. Mr. Eller seconded the motion. The motion passed unanimously.

**Board Action:** Mr. Clements moved to cease the recording of the enforcement hearing after accepting public comments or comments from the alleged violator at 9:42 am. Mr. Eller seconded the motion. The motion passed unanimously.

**Board Action:** Mr. Clements moved to adopt an enforcement order for enforcement case violation ECV-20250425-06, with a penalty of \$500.00 and an additional penalty of \$50.00 for each day of continuing violation thereafter. Mr. Eller seconded the motion. The motion passed unanimously.

### **Topic 3.4 - Failures to Report Groundwater Production for CY2024 - ECV-20250425-10 - Blake Truax and Merri Truax**

Mr. Andruss explained on April 25, 2025, Mr. Benavides, VCGCD Compliance Specialist, initiated 10 enforcement case violations related to potential failures to report groundwater production for calendar year 2024. Of the eight potential violations, three of the violations are associated with persons with previous violations of Rule 4.2.

On June 26, 2025, the District received the required groundwater production report for the subject well from Blake Truax and Merri Truax.

On July 18, 2025, in regards to enforcement case violation ECV-20250425-10, the Board of Directors adopted a motion to designate the violation "resolved upon the associated alleged violator complying with the following settlement offer by August 30, 2025: 1) pay a \$100.00 settlement fee to the District, 2) acknowledge the violation in writing."

On August 1, 2025, Mr. Benavides, VCGCD Compliance Specialist, mailed the settlement offer letter by certified mail to Blake Truax and Merri Truax.

On September 2, 2025, the District received the certified mail receipt for the settlement offer letter marked "RETURN TO SENDER."

As of August 31, 2025, the alleged violator associated with the enforcement case violations ECV-20250425-10 had reported groundwater production for calendar year 2024 for the subject well but failed to satisfied the conditions of the settlement offer by paying the settlement fee or submitting the written acknowledgement of the violation.

On September 30, 2025, Mr. Benavides, VCGCD Compliance Specialist, mailed, by certified mail, the Notice of Need to File Suit and the enforcement hearing notice to Blake Truax and Merri Truax, at 642 Sulphur Creek Ests. Rd., Victoria, Texas 77905.

On October 3, 2025, Mr. Benavides, VCGCD Compliance Specialist, hand delivered the Notice of Need to File Suit and the enforcement hearing notice to an employee at The Barn, at 12201 FM 236, Victoria, Texas 77905.

**Board Action:** Mr. Clements moved to convene and record the enforcement hearing at 9:48 am. Mr. Eller seconded the motion. The motion passed unanimously.

**Board Action:** Mr. Clements moved to cease the recording of the enforcement hearing after accepting public comments or comments from the alleged violator at 9:57 am. Mr. Eller seconded the motion. The motion passed unanimously.

**Board Action:** Mr. Clements moved to adopt an enforcement order for enforcement case violation ECV-20250425-10, with a penalty of \$200.00 and an additional penalty of \$20.00 for each day of continuing violation thereafter. Mr. Eller seconded the motion. The motion passed unanimously.

### **Topic 3.5 - Production Permit Renewals for FY2025**

Mr. Andruss explained as of July 31, 2025, staff had received administratively complete application seeking the renewal of production permit scheduled to expire in July 2025.

1. PRC-20240913-01 - ARP-20240726-01 - Argent Trust Company, Trustee of the William M. Murphy, III Testamentary Trust - Pending
2. PRC-20250721-01 - ARP-20250507-01 - Doug Janssen - Pending
3. PRC-20250721-02 - ARP-20250701-01 - Charles Bullock - Pending
4. PRC-20250721-03 - ARP-20250701-02 - Promise Point - Pending
5. PRC-20250721-04 - ARP-20250701-03 - Promise Point - Pending
6. PRC-20250721-05 - ARP-20250703-01 - Robert Castro - Pending
7. PRC-20250721-06 - ARP-20250703-02 - Robert Castro - Pending
8. PRC-20250721-07 - ARP-20250703-03 - Paul Larbie - Pending
9. PRC-20250721-08 - ARP-20250703-04 - Facilliflow Services - Pending
10. PRC-20250721-09 - ARP-20250703-05 - Rice Group - Pending
11. PRC-20250721-10 - ARP-20250703-06 - Jollys Welding - Pending
12. PRC-20250721-11 - ARP-20250707-01 - Kenneth Marbach - Pending
13. PRC-20250721-12 - ARP-20250707-02 - Mathew and Kathy Bates - Pending
14. PRC-20250721-13 - ARP-20250708-01 - Yazoo Enterprise - Pending
15. PRC-20250721-14 - ARP-20250711-01 - D and K Brand Farms - Pending
16. PRC-20250721-15 - ARP-20250711-02 - Spring Creek Event Center - Pending
17. PRC-20250721-16 - ARP-20250711-03 - John Clegg - Pending
18. PRC-20250721-17 - ARP-20250715-01 - Shannon Nickel - Pending
19. PRC-20250721-18 - ARP-20250716-01 - Florco INC. - Pending
20. PRC-20250721-19 - ARP-20250717-01 - Ray Young - Pending
21. PRC-20250722-01 - ARP-20250722-01 - Five C Ranch and Minerals - Pending

22. PRC-20250723-01 - ARP-20250723-01 - Jonathan Petru - Pending
23. PRC-20250723-02 - ARP-20250723-02 - City of Victoria - Pending
24. PRC-20250723-03 - ARP-20250723-03 - City of Victoria - Pending

**RULE 4.4: GENERAL PROCEDURES RELATED TO RENEWAL AND AMENDMENT OF PERMITS**

1. The district shall not renew a permit that has expired before an administratively complete application requesting the renewal of the permit has been submitted to the district.
2. The district shall not renew a permit associated with a proposed well.
3. The well owner, authorized agent, or the authorized operator of a permit shall submit an administratively complete application requesting the renewal of the permit prior to the permit expiration date.
4. The general manager may authorize an authorized operator of a permit for which an administratively complete application requesting the renewal of the permit has been submitted to the district to continue authorized activities of the permit under the conditions of the permit, subject to any changes necessary under the rules of the district, or the Management Plan of the district, for the period of time during which the application requesting the renewal of the permit is the subject of a contested case hearing.
5. The district shall, without a hearing, consider an application to renew a permit submitted to the district provided that:
  - 5.1. the application, if required by the district, is submitted in a timely manner and accompanied by any required fees in accordance with rules of the district; and
  - 5.2. the authorized operator is not requesting an amendment to the permit in conjunction with the request to renew the permit.
6. The district shall not renew a permit if the owner of groundwater resources or authorized operator:
  - 6.1. is delinquent in paying a fee required by the district;
  - 6.2. is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district that has not been settled by agreement with the district or a final adjudication; or
  - 6.3. has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a permit, order, or rule of the district.
7. The district shall consider a permit that the district did not renew because the applicant or authorized operator of the is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district, which has not been settled by agreement with the district or a final adjudication, to be in effect until the final settlement or adjudication on the matter of the substantive violation.
8. The district shall consider a request to renew a permit, as it existed prior to the initiation of an amendment process, without penalty if the amendment process results in a denial of the amendment unless the applicant or authorized operator of the permit:
  - 8.1. is delinquent in paying a fee required by the district;
  - 8.2. is subject to a pending enforcement action for a substantive violation of a permit, order, or rule of the district that has not been settled by agreement with the district or a final adjudication; or

- 8.3. has not paid a civil penalty or has otherwise failed to comply with an order resulting from a final adjudication of a violation of a permit, order, or rule of the district.
9. The well owner, well field owner, or well system owner of a non-exempt-use well, a nonexempt-use well field, or a non-exempt-use well system shall submit to the district an application to amend any registrations or permits within ninety days (90 days) of acquiring the non-exempt-use well, the non-exempt-use well field, or the non-exempt-use well system.
10. The board of directors shall consider administratively complete applications to amend a permit or waiver requested by the well owner, authorized agent, or the authorized operator of a permit or waiver that involve the substantive provisions of the related permit or waiver such as production rates, production amounts, purposes of use, or conditions of the permit.
11. The general manager may process and issue amendments to permits and waivers associated with administratively complete applications to amend a permit requested by the well owner, authorized agent, or the authorized operator of a permit that are solely administrative in nature that do not involve the substantive provisions of the related permits or waivers such as production rates, production amounts, purposes of use, or conditions of the permit.
12. The district shall consider the permit associated with an application requesting an amendment to the permit as being in effect as the permit existed before the submittal of the administratively complete application requesting an amendment to the permit until the later of:
- 12.1. the conclusion of the permit amendment or renewal process, as applicable; or
  - 12.2. final settlement or adjudication on the matter of whether the change to the permit requires a permit amendment.
13. The district may initiate the process for amending a permit in connection with the renewal of a permit.
14. The district shall consider the permit associated with an amendment process initiated by the district as being in effect as the permit existed before the district initiated the amendment process until the conclusion of the permit amendment process.

Summary of Permits and Renewal Applications:

Permit	Permit Expiration Date	Renewal Application Submittal Due Date	Renewal Application	Date Application Received	Effective Date of Administrative Completion
<u>OPW-20200717-01</u>	7/31/2025	7/31/2025	<u>ARP-20240726-01</u>	7/26/2024	9/12/2024
<u>OPW-20200721-02</u>	7/31/2025	7/31/2025	<u>ARP-20250507-01</u>	5/7/2025	5/12/2025
<u>OPW-20200624-01</u>	7/31/2025	7/31/2025	<u>ARP-20250701-01</u>	7/01/2025	7/15/2025
<u>OPW-20210319-01</u>	7/31/2025	7/31/2025	<u>ARP-20250701-02</u>	7/01/2025	7/21/2025
<u>OPW-20210319-02</u>	7/31/2025	7/31/2025	<u>ARP-20250701-03</u>	7/01/2025	7/21/2025
<u>OPW-20200918-01</u>	7/31/2025	7/31/2025	<u>ARP-20250703-01</u>	7/03/2025	7/21/2025

<a href="#"><u>OPW-20201104-02</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250703-02</u></a>	7/03/2025	7/21/2025
<a href="#"><u>OPW-20200916-02</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250703-03</u></a>	7/03/2025	7/21/2025
<a href="#"><u>OPW-20210521-05</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250703-04</u></a>	7/03/2025	7/21/2025
<a href="#"><u>OPW-20170421-01</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250703-05</u></a>	7/03/2025	7/21/2025
<a href="#"><u>OPW-20201120-03</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250703-06</u></a>	7/03/2025	7/21/2025
<a href="#"><u>OPW-20201120-02</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250707-01</u></a>	7/7/2025	7/21/2025
<a href="#"><u>OPW-20200909-02</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250707-02</u></a>	7/7/2025	7/21/2025
<a href="#"><u>OPW-20201120-08</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250708-01</u></a>	7/08/2025	7/21/2025
<a href="#"><u>OPW-20210915-02</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250711-01</u></a>	7/11/2025	7/22/2025
<a href="#"><u>OPW-20201120-09</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250711-02</u></a>	7/11/2025	7/22/2025
<a href="#"><u>OP-20120615-11</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250711-03</u></a>	7/11/2025	7/22/2025
<a href="#"><u>OP-20120518-05</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250715-01</u></a>	7/15/2025	7/22/2025
<a href="#"><u>OPW-20201120-07</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250716-01</u></a>	7/16/2025	7/22/2025
<a href="#"><u>OPW-20201120-06</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250717-01</u></a>	7/17/2025	7/22/2025
<a href="#"><u>OPW-20201120-04</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250722-01</u></a>	7/22/2025	7/22/2025
<a href="#"><u>OPW-20161216-02</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250723-01</u></a>	7/23/2025	7/23/2025
<a href="#"><u>OPW-20210115-02</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250723-02</u></a>	7/23/2025	7/23/2025
<a href="#"><u>OPW-20210115-03</u></a>	7/31/2025	7/31/2025	<a href="#"><u>ARP-20250723-03</u></a>	7/23/2025	7/23/2025

The renewal applications for the permits identified above satisfy the requirements established under Rule 4.4 of the Rules of the District.

**Board Action:** Mr. Clements moved to approve the following production permit renewal and authorize the general manager to issue production permit renewals for the permits associated with the following renewal request in accordance with the Rules of the District: [ARP-20240726-01](#), [ARP-20250507-01](#), [ARP-20250701-01](#), [ARP-20250701-02](#), [ARP-20250701-03](#), [ARP-20250703-01](#), [ARP-20250703-02](#), [ARP-20250703-03](#), [ARP-20250703-04](#), [ARP-20250703-05](#), [ARP-20250703-06](#), [ARP-20250707-01](#), [ARP-20250707-02](#), [ARP-20250708-01](#), [ARP-20250711-01](#), [ARP-20250711-02](#), [ARP-20250711-03](#), [ARP-20250715-01](#), [ARP-20250716-01](#), [ARP-20250717-01](#), [ARP-20250722-01](#), [ARP-20250723-01](#), [ARP-20250723-02](#), and [ARP-20250723-03](#). Mr. Eller seconded the motion. The motion passed unanimously.

#### **Item 4 - Groundwater Protection**

##### **Topic 4.1 - Report**

Mr. Andruss provided the following information:

Regarding [Well Inspections for FY2025](#).

As of October 6, 2025, staff had recorded 62 well inspection forms (WIFs) since October 1, 2024.  
Regarding Manage Investigations related to Groundwater Protection for FY2025.

As of October 6, 2025, staff had initiated 2 investigations related to Groundwater Protection since October 1, 2024.

As of October 6, 2025, staff had 2 active investigations related to Groundwater Protection.

1. INV- 20250514-01 - Investigation of Potential Violations of Rules - R1GW-000311 - VCWCID1 - Active
2. INV-20250507.1331 - Potential Contamination of Groundwater Near Serene Drive - Active

Regarding Manage Enforcement Cases related to Groundwater Protection for FY2025.

As of October 6, 2025, the Board had initiated 0 enforcement case violations related to Groundwater Protection since October 1, 2024.

As of October 6, 2025, staff had 0 unresolved enforcement case violations related to Groundwater Protection.

#### **Topic 4.2 - Investigation - Potential Violation of Rules - R1GW-000311 - VCWCID1**

Mr. Andruss explained the photo document provided documented the circumstances observed by staff of the District on May 19, 2025.

Photo 1 - INV-20250524-01 displays the general relationship between the well R1GW-000311 and the adjacent building.

Photo 3 - INV-20250524-01 displays the location of the sewer line opening in relation to well R1GW-000311 observed by staff.

Photo 4 - INV-20250524-01 displays the approximate distance (20 feet) between the sanitary sewer service line opening and the slab surrounding the surface casing of well R1GW-000311 measured by staff.

On July 18, 2025, the Board of Directors passed a motion to "instruct the general manager to investigate the apparent violation."

On September 9, 2025, Mr. Benavides, Compliance Specialist, reviewed the Rules and Regulation for Public Water Systems on the TCEQ website. The rules state "Sanitary or storm sewers constructed of ductile iron or polyvinyl chloride (PVC) pipe meeting American Water Works Association (AWWA) standards, having a minimum working pressure of 150 pounds per square inch (psi) or greater, and equipped with pressure type joints may be located at a distances of less than 50 feet form a proposed well site, but in no cases shall the distance be lees than ten feet. (emphasis added)

On September 15, 2025, Mr. Benavides, Compliance Specialist, sent letters by certified mail to TCEQ, VCWCID, and Crescent Family Investment Trust inquiring about the date of construction of the sanitary sewer service line in close proximity to well R1GW-000311.

On September 22, 2025, Mr. Benavides, Compliance Specialist, met Mr. Eric Lindgren, Environmental Investigator with TCEQ, at 106 W. Second St., Bloomington, Texas 77951, to conduct the site inspection of well No.6/ VCGCD - R1GW-000311, the sewer main line, and the sanitary sewer service line. Mr. Lindgren determined that the main sewer line is approximately 60 feet from the well and is made up of a 10 inch clay line pipe, the sanitary sewer service line is approximately with in 21 feet of well No. 6 / VCGCD - R1GW-000311 and is constructed of 4 inch scheduled 40 PVC pipe.

On September 29, 2025, Mr. Eric Lindgren, Environmental Investigator with TCEQ, contacted Mr. Benavides, Compliance Specialist, to discuss the potential source of contamination located with in 50 feet of well No. 6 / VCGCD well R1GW-000311. Mr. Eric Lindgren stated that the sewer main is approximately 60 feet from the

well and is not considered a source of contamination and that the sanitary sewer service line that is approximately 21 feet is constructed of 4 inch scheduled 40 PVC pipe and considering the low flow of a sanitary sewer service line is not considered a source of contamination and that TCEQ would not be pursuing and violations against the alleged violators. Mr. Eric Lindgren stated that he would follow up with and email by the end of the week.

As of October 6, 2025, the District has not received any other information from TCEQ, VCWCID 1 or Crescent Family Investment Trust.

Rule 2.1 of the Rules of the District states, in part:

*"8. No person drilling a well shall locate a well closer than 50 feet (50 feet) to any potential source of contamination."*

*"9. No person shall locate a potential source of contamination closer than fifty feet (50 feet) to any well."*

Based on the information developed by staff of the District through investigation INV-20250524-01, management no longer believes Rule 2.1 is violated as a potential source of contamination, the sanitary sewer service line, as it appears to satisfy the exemption within TCEQ regulations. However, management continues to believe that Rule 2.1 was violated as a potential source of contamination, the broken sanitary sewer service line was within 50 feet of well R1GW-000311 .

**Board Action:** Mr. Clements moved to designate investigation INV-20250524-01 as resolved. Mr. Eller seconded the motion. The motion passed unanimously.

## **Item 5 - Groundwater Monitoring**

### **Topic 5.1 - Report**

Mr. Andruss provided the following information:

Regarding Monitor Drought Conditions for FY2025.

As of October 6, 2025, the U.S. Drought Monitor (<https://www.drought.gov/states/texas/county/victoria>) indicates that 0.55% of Victoria County was experiencing moderate drought conditions and 40.90% of Victoria County was experiencing abnormally dry conditions.

As of October 6, 2025, drought condition information related to the district and the surrounding region of Texas collected from the Water Data for Texas website (<https://www.waterdatafortexas.org/drought/>) indicates that 0.55% of Victoria County was experiencing moderate drought conditions and 41.45% of Victoria County are experiencing abnormally dry conditions.

Regarding Synoptic Aquifer Monitoring for FY2025.

As of October 6, 2025, staff had collected 53 water level measurements since October 1, 2024.

Regarding Advanced Aquifer Monitoring for FY2025.

Regarding Baseline Water Quality Aquifer Monitoring for FY2025.

Regarding Ad-Hoc Baseline Water Quality Sampling for FY2025.

As of October 6, 2025, staff had collected 31 water quality field measurements since October 1, 2024.

As of October 6, 2025, staff had collected 3 water quality samples since October 1, 2024.

As of October 6, 2025, staff had received 3 water quality lab reports since October 1, 2024.

Regarding Annual Water Level Assessment for FY2025.

Regarding Annual Water Quality Assessment for FY2025.

Regarding Monitoring Network Assessment and Improvement Project for FY2025.

Regarding Synoptic Aquifer Monitoring for PVGCD for FY2025.

## Item 6 - Groundwater Conservation

### Topic 6.1 - Report

Mr. Andruss provided the following information:

Regarding Promotion of Conservation.

On March 19, 2025, staff submitted an application to the Texas Water Development Board for the Fiscal Year 2025 Agriculture Water Conservation Grants Program on behalf of the Victoria County Groundwater Conservation District, the Calhoun County Groundwater Conservation District, the Refugio Groundwater Conservation District, and the Texana Groundwater Conservation District. The application seeks a total of \$179,200 as a grant from TWDB under this application. The cooperating districts will contribute \$60,912 to the project if the requested funding is granted by the Texas Water Development Board and accepted by the cooperating districts.

On August 29, 2025, staff received notification from TWDB that the districts had not been selected for the Fiscal Year 2025 Agriculture Water Conservation Grants Program.

On April 30, 2025, Tim Andruss reviewed and updated the content maintained on the website of the district regarding groundwater conservation. See: <https://www.vcgcd.org/groundwater-conservation>

Regarding Conservation Education and Teacher Professional Development for FY2025.

## Item 7 - Groundwater Resource Planning

### Topic 7.1 - Report

Mr. Andruss provided the following information:

Regarding Regional Water Planning Participation for FY2025.

The South Central Texas Regional Water Planning Group (Region L) met on October 2, 2025. During the meeting, the planning group adopted the 2026 regional water plan for the region. The next meeting of the group is anticipated to meet in January 2026. See: <https://www.regionltxas.org/>.

Regarding GMA 15 Joint Planning for 4th Planning Cycle in FY2025.

The representatives of Groundwater Management Area 15 met on October 9, 2025, at the consolidated offices of Victoria County, Calhoun County, Refugio, and Texana GCD in Victoria, Texas. Mr. Andruss attended the meeting to participate in 4th Cycle of the Joint Planning as required under Chapter 36 of the Texas Water Code. See: <https://www.vcgcd.org/groundwater-management-area-15>.

### Topic 7.2 - Joint Planning and Desired Future Conditions

Mr. Andruss explained Section 36.108, Water Code has been revised. See

<https://statutes.capitol.texas.gov/Docs/WA/htm/WA.36.htm#36.108>.

Item C of Section 36.108 requires "district representatives shall meet at least annually to conduct joint planning with the other districts in the management area. The representatives shall review: (1) the accomplishments of the **management area**;" (emphasis added)

Item c of Section 36.108 requires "district representatives shall meet at least annually to conduct joint planning with the other districts in the management area. The representatives shall review: ... (3) not less than once during each five-year period described by Subsection (d), the management plans of each district in the management area."

Item c-1 of Section 36.108 requires member districts of GMAs to "consider: (1) the goals of each management plan and its impact on planning throughout the management area; (2) the effectiveness of the measures established by each district's management plan for conserving and protecting groundwater and preventing waste, and the effectiveness of these measures in the management area generally; (3) any other matters that the boards consider relevant to the protection and conservation of groundwater and the

prevention of waste in the management area; and (4) the **degree to which each district is achieving the desired future conditions** established during the joint planning process **through the implementation of the district's management plan and rules.**" (emphasis added)

Item d-1a of Section 36.108 requires district representatives to "(1) adopt desired future conditions under this section for each approximately 50-year planning period identified by the executive administrator for the preparation of state and regional water plans; and (2) **identify interim values for the desired future conditions adopted under Subdivision (1) for time periods not to exceed 10 years solely to assist the districts in monitoring interim progress in achieving the desired future conditions adopted for the approximately 50-year planning period.**"

Item d-3 of Section 36.108 has been expanded to include the following "(6) include an **explanation in plain language of why a desired future condition adopted for an aquifer was changed** if the desired future condition is different from the desired future condition adopted for the aquifer over the preceding five-year joint planning period; and (7) include a **summary of how each district is performing in achieving the desired future conditions.**"

**Board Action:** None.

## **Item 8 - Groundwater Policy**

### **Topic 8.1 - Report**

Mr. Andruss provided the following information:

Regarding Management Plan Revisions for FY2025.

Regarding Rule Amendments for FY2025.

Regarding Legislative Support and Lobbying for FY2025.

### **Topic 8.2 - Management Recommended Rule Revisions (Revised 20251009)**

Mr. Andruss explained that staff have identified several aspects of the Rules of the District that could amended to improve the clarity of district's policies and improve on the District's efforts to properly conserve and protect groundwater resources within its jurisdiction.

In order to clarify that reporting requirements apply to all wells used to produce groundwater used for purposes other than exempt-use purposes, regardless of any classification that may be applied to the registration of a well by the district, management believes Rule 4.2 would benefit from the following revisions:

*2. The owner of ~~groundwater resources produced from a non-exempt-use well~~ well that produced groundwater for non-exempt-use purposes shall report the volume of groundwater produced from the ~~non-exempt-use well~~ for the preceding calendar year to the district.*

*4. The owner of ~~groundwater resources produced from a non-exempt-use well~~ well that produced groundwater for non-exempt-use purposes shall report the volume of groundwater produced from the ~~non-exempt-use well~~ that is accurate within ten percent (10%) of the actual volume of groundwater produced by the non-exempt use during the calendar year.*

*5. The owner of ~~groundwater resources produced from a non-exempt-use well~~ well that produced groundwater for non-exempt-use purposes shall report the volume of groundwater produced from the ~~non-exempt-use well~~ for the previous calendar year (January 1 to December 31) during January of the current calendar year.*

*6. The owner of ~~groundwater resources produced from a non-exempt-use well~~ well that produced groundwater for non-exempt-use purposes shall report the volume of groundwater produced from the ~~non-exempt-use well~~ using a form provided by the district.*

7. ~~The owner of groundwater resources produced from a non-exempt-use well~~ well that produced groundwater for non-exempt-use purposes shall include the following information when reporting the volume of groundwater produced from a non-exempt-use well:

In order to clarify the the requirement related to water flow gradients apply to both the Guadalupe River and the San Antonio River, management believes Rule 6.3 would benefit from the following revision:

1.3. the operation of the subject well, subject well field, or subject well system shall not cause the water flow gradients to be altered between the Gulf Coast Aquifer System and those portions of the Guadalupe River ~~or~~ and San Antonio River water bodies located within the district.

In order to establish a deadline for the seeking historic use protections, management believes Rule 5.1 could be amended to establish deadlines for a) submitting applications related to historic use protection and b) approval of historic use protection permits.

Rule 5.1: GENERAL POLICIES RELATED TO PROTECTION OF HISTORIC USE PERMITTING

**8. The district shall not accept nor process applications for production permits for the protection of historic use after December 31, 2026.**

**9. The district shall not approve nor issue production permits for the protection of historic use associated with permit applications submitted to the district after December 31, 2026.**

In order to clarify the established policy related to the District's general procedures related to permitting, management believes Rule 4.3 would benefit from the following revisions:

RULE 4.3: GENERAL PROCEDURES RELATED TO PERMITTING

6. The district incorporates the application and all supplemental information submitted with an application for a permit ~~is incorporated~~ into any resulting the permit approved by the district. 7. The district issues, approves, and grants a permit on the basis of and contingent upon the accuracy of the information supplied in the associated application. 8. ~~Acceptance of a permit by the~~ The applicant, the authorized agent, the authorized operator, or ~~and~~ the owner of groundwater resources ~~constitutes acknowledgement and acceptance of,~~ by accepting a permit, acknowledges and accepts the conditions, limitations, and restrictions of the permit and the rules of the district. 9. ~~A decision regarding the permit is final if the~~ The applicant, the authorized agent, the authorized operator, or the owner of groundwater resources, and all other interested or affected parties consider a decision regarding a permit final if any of the parties fail to file a request for rehearing within twenty days (20 days) of the decision. 10. ~~An application~~ The district shall be automatically withdrawn ~~withdraws an application submitted under the rules of district~~ from the district if the applicant fails to provide any information requested by the general manager needed to fully consider the application relative to the rules of the district within 60 days of the request being sent to the applicant.

In order to clarify the established policy related to the District's general procedures related to non-historic use permitting, management believes Rule 6.2 would benefit from the following revisions:

RULE 6.2: GENERAL PROCEDURES RELATED TO NON-HISTORIC USE PERMITTING

12. ~~A permit shall be~~ The district automatically terminates ~~terminates a permit approved for a proposed well~~ if the construction of the proposed well is not completed within 365 days of the date the production permit was ~~issued~~ approved by the district.

If instructed to prepare for a rulemaking hearing during the meeting scheduled on January 9, 2026, staff will coordinate with legal counsel on drafting a set of proposed rules as well as publish and post all required notices.

**Board Action:** Mr. Clements moved to instruct the general manager and legal counsel to draft a set of proposed rules as well as publish and post all required notices to conduct a rulemaking hearing during the meeting scheduled on January 9, 2026. Mr. Eller seconded the motion. The motion passed unanimously.

## **Item 9 - Administration and Management**

### **Topic 9.1 - Report**

Mr. Andruss provided the following information:

Regarding Public Notice and Meeting Coordination for FY2025.

The next meeting of the Board is scheduled for January 9, 2026 to convene at 9:00 AM. Special meeting may be scheduled to address unforeseen issues.

### **Topic 9.2 - Minutes of Previous Meeting**

Mr. Andruss explained the minutes for the previous meeting were sent to the board members prior to the meeting.

**Board Action:** Mr. Clements moved to accept and approve the meeting minutes for July 18, 2025 and August 15, 2025. Mr. Eller seconded the motion. The motion passed unanimously.

### **Topic 9.3 - Investments of the District**

Mr. Andruss explained as of August 31, 2025, the combined balance of all funds, on a cash-basis, totaled \$5,427,075.44.

**Board Action:** Mr. Clements moved to accept the investment reports for June, July and August 2025, Mr. Eller seconded the motion. The motion passed unanimously.

**Board Action:** Mr. Clements moved to proceed with the participation into TexPool and move 2 million into TexPool contingent on the interest rate being higher than current CD rates. Mr. Eller seconded the motion. The motion passed unanimously.

### **Topic 9.4 - Financial Transaction Review**

Mr. Andruss explained as of October 6, 2025, since July 1, 2025, there have been 72 accounts payable transactions and 51 accounts receivable transactions recorded.

### **Topic 9.5 - Financial Reports of the District**

Mr. Andruss explained that staff have revised the structure of the internal financial transaction tracking database to support the use of project and encumbrances for tracking transactions and budget performances.

The internal control review and internal financial reports for April, May, June and July 2025, have been compiled by Caitlynn Davenport, Administrative Coordinator, and forwarded to the directors prior to the meeting.

**Board Action:** Mr. Clements moved to accept and approve the internal control review reports and the Internal financial reports for April 2025, May 2025, June 2025, and July 2025. Mr. Eller seconded the motion. The motion passed unanimously.

### **Topic 9.6 - Unpaid Invoices and Bills**

Mr. Andruss explained the District has outstanding accounts payable invoices that are not considered regular and routine for which the District has received the goods and services billed for under the invoices.

**Board Action:** Mr. Clements moved to authorize the general manager to pay the following items:

1. ACCTP-20250711-01 - \$5,449.28 - Allison, Bass & Magee, LLP

Mr. Eller seconded the motion. The motion passed unanimously.

### **Topic 9.7 - Financial Audit for FYE20240930**

Mr. Andruss explained on August 17, 2025, staff published the notice of the RFQ for Auditing Services in the Victoria Advocate and the website of the district.

On August 26, 2025, the general manager, due to the closure of the office of the district on September 1, 2025, in observance of Labor Day, extended the deadline for submitting statements to 4:00 P.M., September 2, 2025.

The district received responsive statement from the following entities:

1. Ede and Company, LLC, which is located in Uvalde Texas, provides services to other groundwater conservation districts, estimated audit fees to be \$8,500, and specified a maximum hourly rate for service at \$285. See: Statements of Qualifications - SOQ-20250828-01 - Ede and Company, LLC.
2. Goldman, Hunt, and Notz, L.L.P., which is located in Victoria Texas, provides services to other groundwater conservation districts, estimated audit fees to be \$12,000, and specified a maximum hourly rate for service at \$210. See: Statements of Qualifications - SOQ-20250828-02 - Goldman, Hunt, and Notz, LLP.
3. Harrison, Waldrop, and Uherek, L.L.P., which is located in Victoria Texas, provides services to other special districts, estimated audit fees to be \$14,400, and specified a maximum hourly rate for services at \$225. See: Statements of Qualifications - SOQ-20250902-01 - Harrison, Waldrop and Uherek, L.L.P.
4. Pena Briones McDaniel, and Co., P.C., which is located in El Paso Texas, provides services to other special districts, estimated audit fees to be \$20,110, and specified a maximum hourly rate for services at \$200. See: Statements of Qualifications - SOQ-20250826-01 - Pena, Briones, McDaniel and Co.
5. Roloff, Hnatek and Co. L.L.P. which is located in Victoria Texas, provides services to other special districts, estimated audit fees to be \$9,800, and did not specified a maximum hourly rate. See: Statements of Qualifications - SOQ-20250828-03 - Roloff, Hnatek and Co, L.L.P.

**Board Action:** Mr. Clements moved to 1) identify the preferred respondent as Goldman, Hunt, and Notz, LLP to the RFQ for Auditing Services, 2) authorize the general manager and legal counsel to negotiate terms of an agreement for auditing services with the preferred respondent and, 3) authorize the presiding officer to enter into an agreement with the preferred respondent, and 4) authorize the general manager to initiate the financial audit for the fiscal year ending September 30, 2025, upon development of the internal financial reports for September 2025. Ms. Dietzel seconded the motion. The motion passed unanimously.

#### **Topic 9.8 - Investment Policy (Revised 20251009)**

Mr. Andruss explained on January 17, 2025, the Board re-adopted the Investment Policy of the District. See: Investment Policy - Adopted 20250117. On July 18, 2025, the Board approved the resolution to participate in TexPool.

In order to proceed with the setup of VCGCD's TexPool Account, the Board must amend the investment report to include TexPool as a "qualified broker/dealers with whom the District may engage in investment transactions:"

Staff have prepared draft revisions to the investment policy to add TexPool as a qualified broker/dealer.

**Board Action:** Mr. Clements moved to adopt the proposed revisions to the Investment Policy of the District, as drafted. Mr. Eller seconded the motion. The motion passed unanimously.

#### **Item 10 - Legal Counsel Report**

Mr. Allison was present and gave his report.

**Item 11.0 - Adjourn Meeting**

Mr. Clements moved to adjourn the meeting at approximately 11:29 AM. Mr. Eller seconded the motion. The motion passed unanimously.

THE ABOVE AND FOREGOING MINUTES WERE READ AND APPROVED ON THIS THE 16 DAY OF January A.D. 2021

 Director of the Victoria County Groundwater Conservation District

ATTEST:  Director of the Victoria Groundwater Conservation District