

## GCGCD NEWS



### Winter 2014/2015 Newsletter

#### Judge Rules in Favor of Guadalupe County Groundwater Conservation District

##### Post Oak CANNOT Site Landfill over Recharge of Aquifer

January 16, 2015 – Judge W.C. “Bud” Kirkendall of the 2<sup>nd</sup> 25<sup>th</sup> Judicial District Court issued a 14 page decision ruling that:

*“The District is vested by the Legislature with the independent power to ‘make and enforce rules...to provide for conserving, preserving, protecting, and recharging of the groundwater,’ in order to, among other things, ‘prevent degradation of water quality.’”* Citing the Texas Water Code Ch. 36

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[WWW.GCGCD.ORG](http://WWW.GCGCD.ORG)

Visit our website for more information and much more!

## Judge's Ruling – Continued from pg.1

In accordance with the authority given to groundwater districts by the Legislature, GCGCD adopted its Rules in 2001 – among them Rule 8.1 which states in part *“In no event may waste or sludge be permitted to be applied in any manner in any outcrop area of any aquifer within the Guadalupe County Groundwater Conservation District”*.

Judge Kirkendall ruled that the siting of a municipal waste facility over the outcrop region of the Carrizo-Wilcox aquifer would be in violation of the District's Rule 8.1 and the District does indeed have the authority to prohibit the application of waste over the aquifer it manages.

To read GCGCD vs. POCG in its entirety go to our web site at <http://gcgcd.org/>



## Monitor Wells

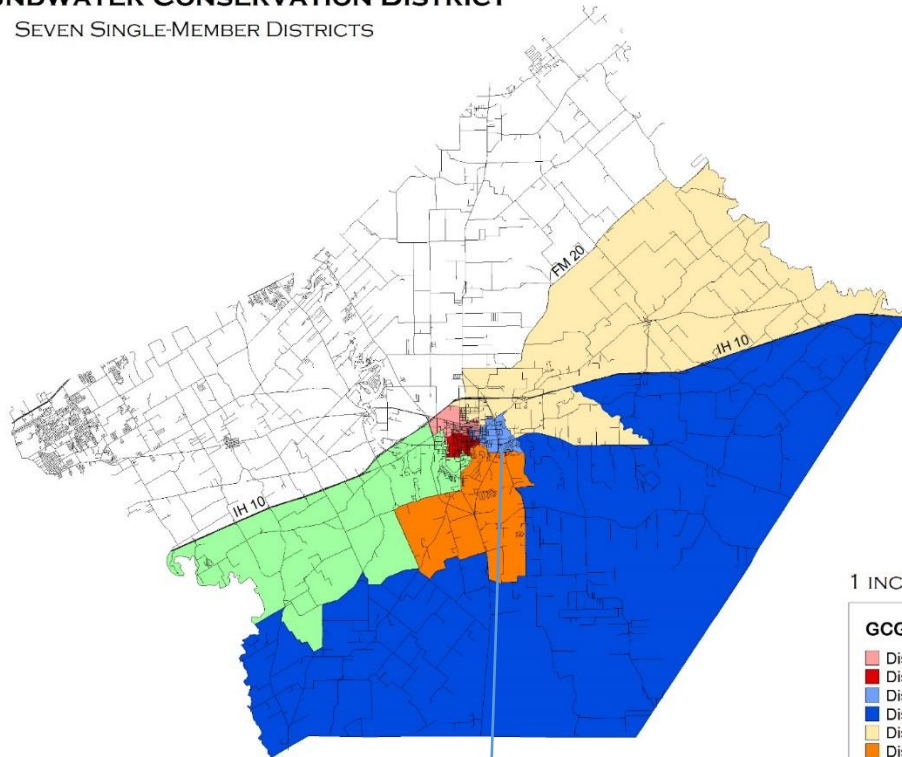
Comparison of data over time allows us to better understand the changes in the aquifers we are charged with managing.



Water levels were once again measured in January by GCGCD staff accompanied by our geologist Bill Klemt (pictured above). The full report will be available in mid - February on our website. To view the location map of the District's observation wells, or to download current and/or historic water level measurements –

Visit our web site at <http://gcgcd.org/monitoring-wells.html>

**GUADALUPE COUNTY  
GROUNDWATER CONSERVATION DISTRICT**  
SEVEN SINGLE-MEMBER DISTRICTS



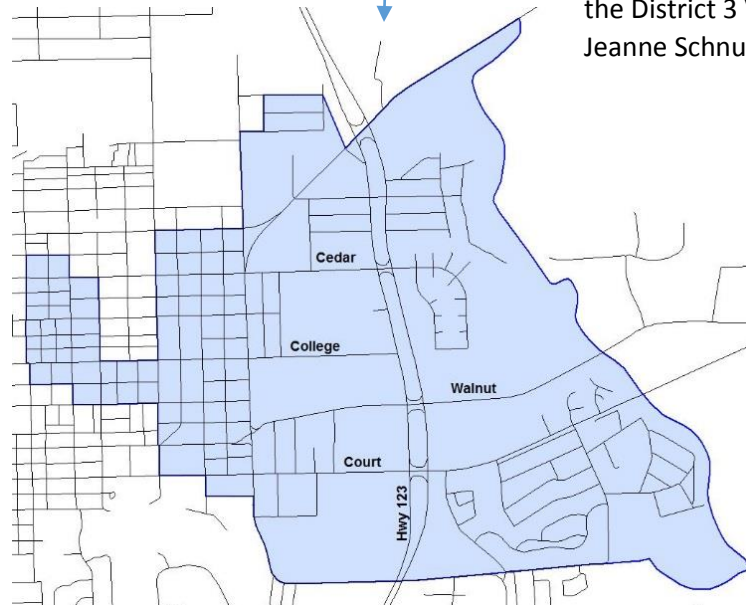
1 INCH= 4 MILES

**GCGCD Districts**

- District 1
- District 2
- District 3
- District 4
- District 5
- District 6
- District 7

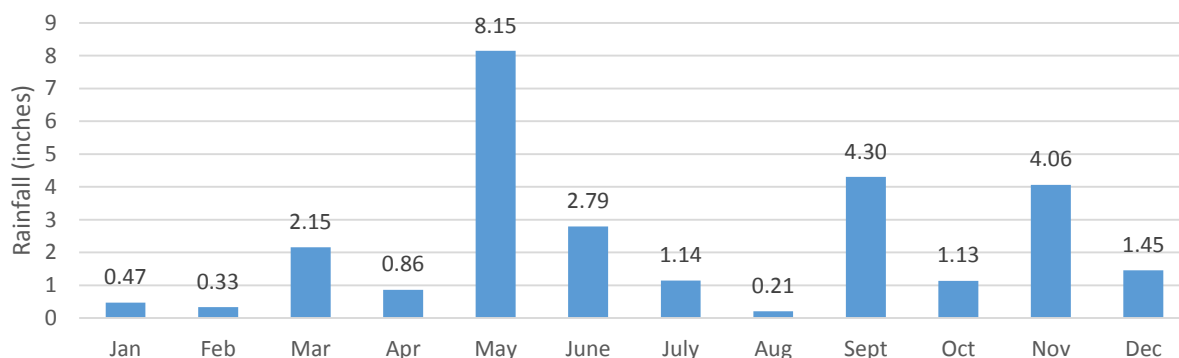
District 3  
VACANCY  
being filled

Emmett Donegan will take the  
Oath of Office on Feb. 12<sup>th</sup> to fill  
the District 3 Vacancy left by  
Jeanne Schnuriger in July 2014.





2014 Avg. Monthly Rainfall Totals Across District



Rain Gauge Sites with 2014 annual totals

FM 467 @ Good Luck Rd = 21.24"

Hwy 123 South @ Diamond Half Ranch = 28.51"

FM 466 East near Pole Cat Creek = 26.91"

SHWSC Plant = 28.25"

SHWSC Well Field = 32.26"

Kallis Property = 31.02"

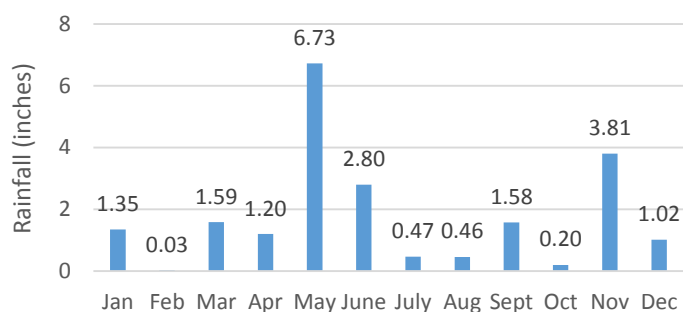
SHWSC Office = 26.69"

\*Kingsbury = 18.51"

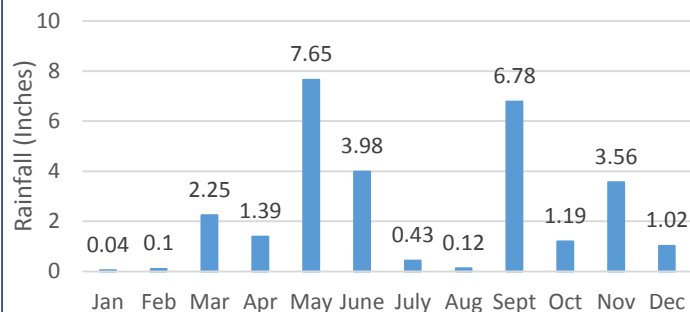
\*Kingsbury Station established in April 2014

## 2014 Monthly Rainfall Totals by Rain Gauge Site

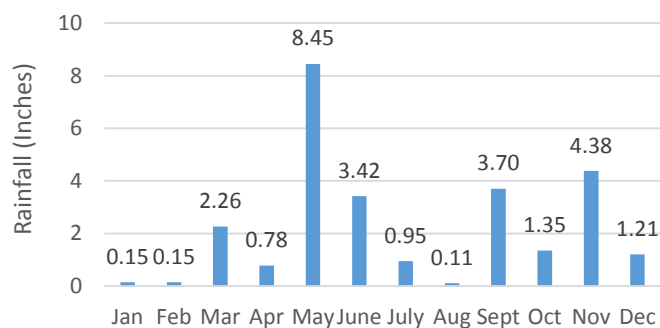
FM 467 @ GoodLuck Road



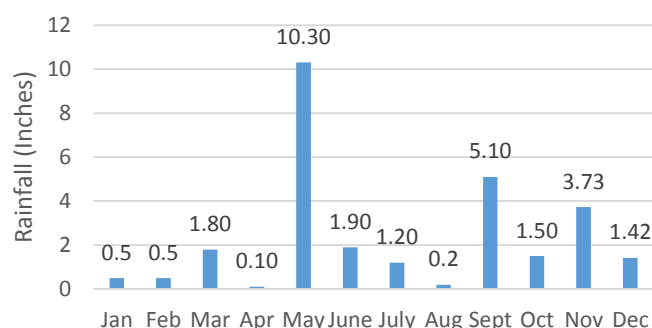
Hwy 123 South @ Diamond Half Ranch



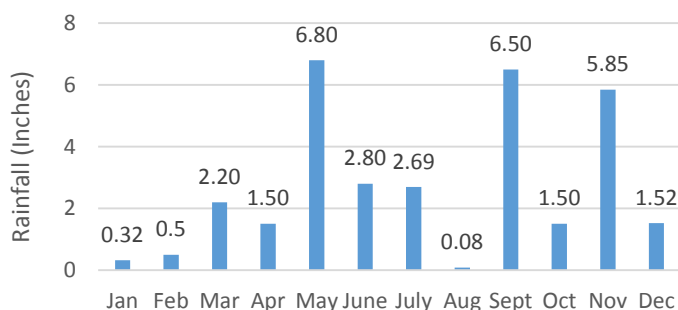
FM 466 East near Pole Cat Creek



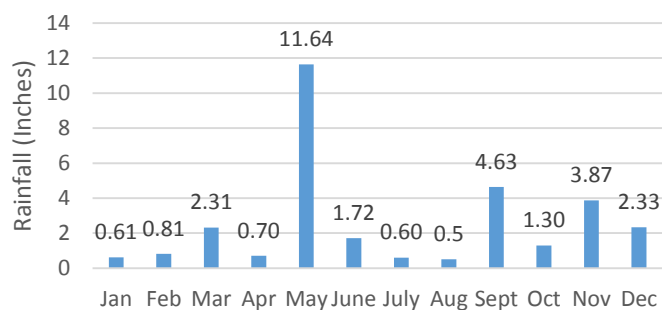
SHWSC Plant



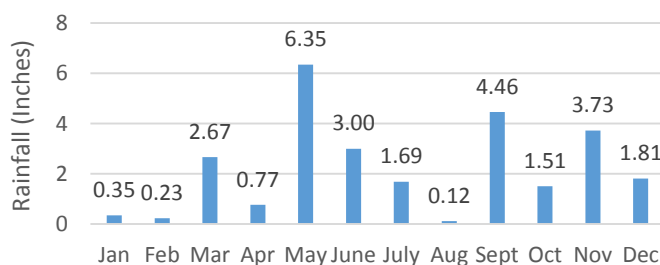
SHWSC Well Field



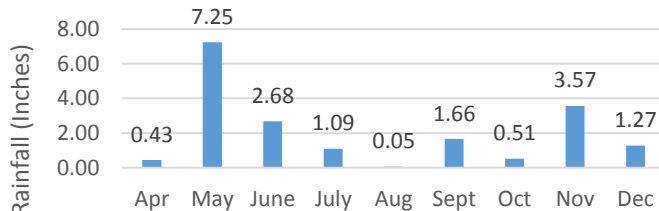
Kallis Property



SHWSC Office



Kingsbury Hwy 90 Crystal Clear



2014 Monthly Totals - \*established in April

## 84<sup>th</sup> Legislature Topics

January 13, 2015 the 84<sup>th</sup> Legislature began session to discuss, among many other very important topics, **Groundwater Management**.

The following is directly from: *House Research Organization Focus Report, dated Dec. 18, 2014*

“Legislators may consider expanding the role of the Texas Water Development Board (TWDB) in the management of groundwater resources. Proposals may include giving the TWDB more regulatory authority to substantively review a district’s management plan, as well as the authority to resolve issues between regions when their water management plans conflict.

Legislators may debate the role of the TWDB in substantive review of the desired future conditions (DFCs) of an aquifer and a district’s permitting process. Some proposals may include efforts to ensure that groundwater is viewed as a shared resource by prohibiting a district from setting a DFC with a very limited amount of available water and then awarding permits only to existing users. Proposals may emerge to grant TWDB the regulatory authority to better address disputes between landowners and groundwater districts.

Members of the 84th Legislature may debate whether the use of water for recreational purposes constitutes a critical, necessary use of this resource, and whether recreation and other forms of economic development should be recognized as such by river authorities and state water planners. Because of the large amounts of water used in hydraulic fracturing, lawmakers may revisit how the exemption of oil and gas drilling or exploration from the groundwater permitting process would apply to groundwater wells used for fracking. Members may propose removing the oil and gas exemption and instead applying an expedited permitting process.

### **Desalination and aquifer storage and recovery**

Proposals may emerge to encourage the use of desalination and aquifer storage and recovery to increase the state’s water supply. Those seeking to promote widespread adoption of desalination may propose designating brackish groundwater production zones and establishing an uncontested permitting process at the level of the groundwater conservation district once the zone has been designated. Other proposals may require groundwater conservation districts to provide automatic renewal of permits as long as compliance and consistency of the permit terms is maintained.

Proposals to encourage development of aquifer storage and recovery projects may include building a legal and regulatory framework to guide the regulation of wells in a project area, the protection of rights to stored water, and the role of groundwater conservation districts in such projects.”

[House Research Organization, House of Representatives, Focus Report Dec. 18, 2014](#)



Texas House of Representatives, District 122

Lyle Larson



**Representative Lyle Larson filed three separate brackish groundwater bills on January 21, 2015**

HB 30            <http://www.capitol.state.tx.us/tlodocs/84R/billtext/html/HB00030I.htm>

HB 835            <http://www.capitol.state.tx.us/tlodocs/84R/billtext/html/HB00835I.htm>

HB 836            <http://www.capitol.state.tx.us/tlodocs/84R/billtext/pdf/HB00836I.pdf#navpanes=0>

The Guadalupe Groundwater Conservation District will be closely following all groundwater related issues before the Legislature.

For updates, please visit our website [www.gcgcd.org](http://www.gcgcd.org)



The [Interim Report to the 84<sup>th</sup> Legislature](#), House Committee on Natural Resources, is a 100 page document that in part discusses:

- Recent changes in Texas groundwater policy and law
- Groundwater management across the state
- Long-Term permitting
- GCD's authority
- DFC process
- Groundwater science and technologies

## **UPCOMING EVENTS – JANUARY 2015** *Texas ‘Well Educated’ Training*

The Texas Well Owner Network is a free, one-day educational training designed to help private well owners learn more about Texas’s groundwater resources, water quality, water treatment, proper location, construction, septic system maintenance and maintenance of water wells.

To sign up go to <http://twon.tamu.edu/training/?courseId=14830>

GCGCD will be in attendance at **THE BIG RED BARN, 390 Cordova Rd. Seguin** Wednesday, JANUARY 28<sup>th</sup> from 8:30 – 3:30 encouraging private water well registration.

Supported from efforts by Texas Water Resources Institute, Texas A&M AgriLife and the Texas State Soil and Water Conservation Board to improve water resources in the area.



## **UPCOMING EVENTS – FEBRUARY 2015**

### **FEBRUARY 12<sup>TH</sup> @ 4:30 PM Next GCGCD Board Meeting**

to be held at the SSLGC offices 108 West Mountain Street, Seguin  
formerly the ‘old fire station’



### **FEBRUARY 16-18<sup>th</sup>**

GCGCD will be attending the **TGWA 2015 Convention** in San Marcos, TX

For more information or to register go to: <http://www.tgwa.org/meetings/2015/annual/>



**TEXAS GROUND WATER ASSOCIATION**  
to develop, promote, and protect Texas ground water

#### **GCGCD Board of Directors & Staff**

Ron Naumann.....President, District 1.....ronnaumann@sbcglobal.net  
Jeff Schuehle.....Vice President, District 7.....jeff\_schuehle@gcgcd.org  
Hilmar Blumberg.....Secretary, District 2.....hilmar\_blumberg@gcgcd.org  
Charles J. Willmann.....Treasurer, District 5.....charlie\_willmann@gcgcd.org  
William Jones.....District 4.....bill\_jones@gcgcd.org  
Hilmar Starcke.....District 6.....hil\_starcke@gcgcd.org  
Kelley A. Vickers.....Executive Administrator.....kelley@gcgcd.org  
William B. Klemt.....Consulting Geologist.....billklemt@yahoo.com

#### **GCGCD**

PO Box 1221  
Seguin, TX 78156  
830-379-5969  
113 S. River St. # 209  
La Plaza Building  
[www.gcgcd.org](http://www.gcgcd.org)  
[gcgcd@gcgcd.org](mailto:gcgcd@gcgcd.org)