

**HIGH PLAINS UNDERGROUND WATER CONSERVATION DISTRICT NO. 1  
BOARD OF DIRECTORS REGULAR MEETING  
JULY 8, 2014**

The Board of Directors of the High Plains Underground Water Conservation District No. 1 (*the Board*) convened a regular meeting at the Swisher County Memorial Building, 127 SW 2<sup>nd</sup> Street in Tulia, Texas, Swisher County, with the following members present:

Lynn Tate, President  
James Powell, Vice-President  
Mike Beauchamp, Secretary-Treasurer  
Ronnie Hopper, Member  
Brad Heffington, Member

(Attached to these minutes is the *Notice of Meeting of the Governing Body of the High Plains Underground Water Conservation District No. 1 [District]* calling said meeting, which was served upon the directors and publicly posted in accordance with applicable law.)

**CALL TO ORDER & ESTABLISH QUORUM**

President Tate called the regular Board of Directors meeting to order at 2:32 p.m. with the above-referenced directors in attendance. A quorum was present.

Visitors signing in for today's meeting were J.O. Dawdy and Kelly Young.

District staff members in attendance were Jason Coleman, General Manager; Tammy Anderson, Accountant; Kody Bessent, Legislative Affairs Director; and Carmon McCain, Information/Education Group Supervisor.

Guests at the meeting (*but who did not sign in*) included: Nicole Brambila, *Lubbock Avalanche-Journal*; Betty Brown, Bickerstaff, Heath, Delgado, Acosta, LLP; Kathy Cornett, McCormick Company; RaeAnn Morris, Bickerstaff, Heath, Delgado, Acosta, LLP; Alissa Oppenheimer, co-founder and managing director of Chamisa Energy; Joy Shadid, McCormick Company; and Joe Bob Thompson, Precinct 2 Commissioner of Swisher County.

President Tate welcomed the Board members, staff, and members of the public to today's meeting. He noted that today's meeting was being held in Tulia for two reasons: 1) to learn more about the Chamisa Energy project in Swisher County and 2) to move the board meeting to various locations within the district.

**CONSENT AGENDA**

President Tate called on the Board to approve the consent agenda for today's meeting as follows:

- Approval of minutes of the June 10, 2014 Board of Directors regular meeting at Lubbock.

- Adoption of report on the financial status of the District from the General Manager for the month of June 2014.
- Approval of the bills incurred by the District for the month of June 2014 and travel vouchers for the Board members and eligible staff.

Mr. Heffington made a motion to approve the consent agenda. Mr. Powell seconded the motion. All members voted in the affirmative as expressed by a show of hands. The motion was unanimously approved.

**ITEMS REMOVED FROM CONSENT AGENDA**

No items were removed from the Consent Agenda. No action was taken.

**ORDER OF GENERAL ELECTION IN PRECINCTS 1, 2, & 5 AND A SPECIAL ELECTION IN PRECINCT 3**

President Tate introduced Betty Brown and RaeAnn Morris with Bickerstaff Heath Delgado Acosta LLP of Austin.

Ms. Brown told the Board that they would be considering adoption of an order calling a general election for three district directors (Precincts 1, 2, &5) and a special election to fill a vacancy for an unexpired term of two years for one district director (Precinct 3) at today’s meeting.

She gave a brief overview of the Order of Election, which includes the following:

- Section 1: Dates, eligible electors, hours, & conduct of elections.
- Section 2: Election services agreement, joint election agreement, & appointment of election officers.
- Section 3: Voting Precincts.
- Section 4: Early Voting By Personal Appearance or By Mail.
- Section 5: Delivery of Voted Ballots and Counting.
- Section 6: Canvassing of Returns; Declaring Results.
- Section 7: Appointment of Custodian of Records.
- Section 8: Appointment of Agent.
- Section 9: Notice of Election.
- Section 10: Election information in Spanish.
- Section 11: Training of Election Officials.

She noted that Applications for Place on the Ballot in the special election in Precinct Three can be filed beginning July 8 (*if the order is approved at today’s meeting*) through Aug. 21. Applications for Place on the Ballot in the general election can be filed July 19-Aug.18.

The election services agreements include all counties in the Nov. 4 HPWD general and special election with exception of Hockley and Lubbock Counties. These agreements will be presented in September.

She noted that the election service contracts would be null and void, if HPWD is able to cancel the election in those precincts where there are uncontested races.

There being no discussion, Mr. Hopper made a motion to adopt an order calling a Nov. 4, 2014 general election for District Directors in Precincts 1, 2, &5, and a Nov. 4, 2014 special election in Precinct 3 to fill an unexpired term for a two-year period. This also includes approval of joint election agreements and election service contracts with Bailey, Castro, Cochran, Crosby, Floyd, Hale, Lamb, Lynn, Parmer, and Swisher Counties. Mr. Powell seconded the motion. All members voted in the affirmative as expressed by a show of hands. The motion was unanimously approved.

President Tate called a recess at 2:45 p.m. to allow Board Members to sign the election-related documents and have them notarized.

President Tate reconvened the meeting at 2:54 p.m.

Ms. Brown, Ms. Morris, Ms. Anderson, and Mr. Bessent left the meeting at this time.

### **PRESENTATION FROM ALISSA OPPENHEIMER, CHAMISA ENERGY**

President Tate invited Alissa Oppenheimer, co-founder and managing director of Chamisa Energy, to give a presentation on the company's Compressed Air Energy (CAES) project in Swisher County.

Oppenheimer said Chamisa is reviewing the draft HPWD rules and considering the likely impact to its water needs. They may consider leasing water rights from Tulia, knowing that such rights must be contiguous or attached by pipeline as proposed in the draft rules now under consideration. She also mentioned a possible request for exception to the district's rules with a clear start/stopping date for this project.

Mr. Hopper said the acreage should meet Chamisa Energy's water needs. He said it would be best for all parties to move forward on the project without relying on an exception from the HPWD Board of Directors, if at all possible.

President Tate thanked Ms. Oppenheimer for her presentation.

### **APPLICATIONS FOR WATER WELL PERMITS**

President Tate called on the Board to discuss and take possible action on approval of applications for water well permits received during the month of June 2014.

Mr. Coleman reported the following:

There were four applications from Deaf Smith County received in June 2014 for wells to be completed into the Dockum Aquifer.

There were 23 applications for wells to be completed into the Ogallala Aquifer during June 2014. These include: three from Cochran County; one from Crosby County; two from Deaf Smith County; two from Floyd County; nine from Hale County; one from Hockley County; three from Lamb County; and two from Parmer County.

All permit applications comply with the rules of the District. There being no questions or comments on the report, Mr. Beauchamp made a motion for the Board to approve applications for water well permits

for the month of June 2014 as presented. Mr. Heffington seconded the motion. All members voted in the affirmative as expressed by a show of hands. The motion was unanimously approved.

There were 161 water well completions in the Ogallala Aquifer during June 2014.

There have been 566 wells completed within the district during the period Jan. 1-June 30, 2014. This includes one well in the Dockum Aquifer, three wells in the Edwards-Trinity Aquifer, and 562 wells in the Ogallala Aquifer.

**DISCUSSION OF THE PROPOSED 2015 BUDGET FOR MAINTENANCE AND OPERATION OF THE HIGH PLAINS UNDERGROUND WATER CONSERVATION DISTRICT NO. 1.**

President Tate called on the Board to discuss the proposed 2015 budget for maintenance and operation of the High Plains Underground Water Conservation District No. 1.

Based upon discussion at the earlier work session, President Tate said no action would be taken on this agenda item at today's meeting. District staff is waiting for certified tax rolls from the respective counties.

The Board is expected to adopt the budget at the Aug. 12 regular meeting and adopt the 2014 tax rate in September.

**RE-ADOPTION OF THE DISTRICT'S INVESTMENT POLICY**

President Tate called on the Board to discuss and take possible action to re-adopt the district's investment policy.

Based upon discussion at the earlier work session, the proposed policy needs some additional revisions and is not ready for board approval at today's meeting. Therefore, no action was taken on this agenda item.

**COUNTY ADVISORY COMMITTEE MEMBERS**

President Tate called on the Board to discuss and take possible action on County Advisory Committee members. No new appointments were suggested and no action was taken on this agenda item.

**REPORTS ON STATUS OF DISTRICT PROGRAMS FROM THE MANAGER**

No additional reports were given.

During the earlier work session, Mr. Bessent reported on the district's application for the RCCP program and the upcoming Texas Alliance of Groundwater Districts (TAGD) GCD Board Leadership program, Sept. 16-17, in Lubbock.

Also, during the work session, Mr. Coleman briefed the Board of Directors on the status of the district's irrigation assessment program.

**PUBLIC COMMENT**

President Tate invited those present to offer public comment. (*Only persons that completed a registration form indicating their desire to comment were recognized.*) J. O. Dawdy and Kelly Young offered public comment. For the record, President Tate noted that no other audience members submitted a completed comment registration form. Swisher County Precinct 2 Commissioner Joe Bob Thompson gave a brief comment supporting the Chamisa Energy project. All other persons were given an opportunity to provide comment, if desired, and the agenda item concluded.

**CLOSED EXECUTIVE SESSION**

No closed Executive Session was convened.

**ACTION FOLLOWING EXECUTIVE SESSION**

No closed Executive Session was convened. Therefore, no action was taken on this agenda item.

**ADJOURNMENT**

There being no other business, Mr. Beauchamp made a motion to adjourn the meeting. Mr. Hopper seconded the motion. All members voted in the affirmative as expressed by a show of hands. The motion was approved. The meeting adjourned at 4:17 p.m.

Respectfully submitted,

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Mike Beauchamp, Secretary-Treasurer