

# Recharge

Your Groundwater Resource



Summer 2023  
Volume 13 Issue 2

## Ensuring Future Local Water Supplies in the Face of Texas' Historic Growth!

As Texas continues to grow, so does the pressure on the resources managed by our District with cities and industries in the nearby I-35 and I-130 corridors continuing to search for groundwater.

Many people ask us, "Why doesn't the District just say no to anyone who wants to export groundwater?" There are two reasons: First, the State's laws recognize a landowner's right to produce and use the water under their land for any beneficial purpose they choose. Second, groundwater conservation districts (GCDs) must treat everyone the same no matter where they choose to use their water. This means GCDs cannot treat users of groundwater differently because they choose to export water outside the district, and GCDs must treat in District users the same as exporters.

To combat these challenges and ensure future groundwater, our District continues to develop many conservation programs to protect these precious resources such as the Aquifer Conservancy Program (ACP). The ACP was developed to enable District landowners to participate in this conservation minded effort which makes it very difficult for additional projects to export water. And the landowner receives compensation of up to \$25 per acre every year while retaining all rights to their water. **To learn more about these topics and conservation programs of the District come to the Milam and Burleson Counties Groundwater Summit August 17!**

**"why doesn't the District just say no to anyone who wants to export groundwater?"**

## 9TH ANNUAL GROUNDWATER SUMMIT

The date for the 2023 Milam and Burleson Counties Groundwater Summit has been set for August 17, 2023 from 9 a.m. to 4 p.m. We will be at the Caldwell Civic Center at 103 W Hwy 21, Caldwell, Texas. All are encouraged to attend.

The Summit is free and open to the public. Topics for this year's Summit cover a variety of local and statewide issues. Tony Smith serves as lead consultant for the Brazos Region G Water Planning Group and will provide and update on water projects in Central Texas designed to meet growing water



demands. Tony has twenty-four years of experience providing engineering services related to water resources planning, water availability, water rights, and environmental flow studies, including projects regarding water systems, water availability modeling and water resources management.

An important panel discussion to our District will be the "Vista Ridge Project - a case study on groundwater rights and

**Mark Your Calendar for the 9th Annual Groundwater Summit - Aug 17**

Continued on page 3



# Aquifer Conservancy Program (ACP)



As a landowner, according to State law, you own the water under your land. You can pump the water for your own domestic or household use, and or for Agriculture, Oil and Gas, Livestock, Industrial, etc. You can lease or sell your water rights to a third party, or, you can place your land into a conservancy and be compensated for it. The ACP is your Conservation Minded Alternative to Leasing your Water Rights! Enrollment is open for new applicants, and currently enrolled members of the Aquifer Conservancy Program (ACP) are welcomed to upgrade! The District offers five levels of annual payments based on the number of years committed to conservation that include: five (5) years for \$5 per acre, ten (10) years for \$8 per acre, 20 years for \$10 per acre, 30 years for \$15 per acre, and 50 years for \$25 per acre.

"As a landowner and cattle rancher in western Burleson County, I encourage ALL landowners with unleased water rights to consider joining the Aquifer Conservancy Program at the POSCGD, regardless of how they use their property. As a member of the ACP, I am confident that the aquifers beneath my property are being preserved, and that the legacy of water availability will continue for my family and our community in the future. The fallacy that there is any benefit to leasing water to be exported out of the our County will lead to the devastation of the aquifers we use to live and operate our agricultural products." Amy Jurica

Currently enrolled participants are eligible to upgrade to a higher annual rate by lengthening the number of years committed. Enrollments and upgrades are now available year-round with no deadline to submit. For example, a 100-acre property could be compensated \$1,000 per year for a 20 year commitment to conservation. If the landowner decided to upgrade and commit 50 years of conservation on that same property, the annual payment would increase to \$2,500 per year.

## Legislative Update - Water Related Bills That Passed

**HB1971 (Ashby) & SB638 (Springer)** Relating to the procedures for acting on a permit amendment application by a groundwater conservation district and the disqualification of board members of groundwater conservation districts. **Governor signed 6-9-23. Becomes law immediately.**

**HB3059 (King)** Relating to the export fee charged for the transfer of groundwater conservation districts. **Filed by Governor without signature 6-13-23. Becomes law 9-1-23.**

**HB2443 (Harris)** Would amend Ch. 36 to establish procedures whereby a person could petition a GCD to initiate rulemaking. **Governor signed 6-10-23. Becomes law 9-1-23.**

**SB2440 (Perry)** Would require plats for subdivisions of land which list groundwater as the supply of water to include proof of groundwater supply in a groundwater availability certification by municipalities and counties, except where determination of availability of groundwater based on credible evidence. **Governor signed 6-18-2023 Becomes law 1-1-2024**

**HB3278 (Price)** Would amend 36.108(d-2) to provide that after public comment period, a district shall compile and submit materials to other district representatives a summary of relevant comments received, suggested revisions, suggested revisions and basis for those revisions, and any supporting materials, including new or revised GAM runs. **Governor signed 6-11-23. Becomes law immediately.**

**SB1746 (Perry)** Would amend 36.117(b) to add an exemption for drilling a water well for temporary use to supply water for a rig that is actively engaged in drilling a groundwater production well permitted by the district; provides that exemption can be cancelled once the withdrawals that were exempted are no longer solely used to supply water for such rig. Does not affect ability of GCD to enforce spacing of rules and limits time for exemption to 180 days. **Governor signed 6-18-23. Becomes law 9-1-23.**

**HB 3440 (Canales)** Amends open meeting law. Requires governmental bodies to post meeting agendas to website. **Governor signed 6-13-23. Becomes law 9-1-23.**

**SB1893 (Birdwell)** Prohibits use of certain social media applications and services on devices owned or leased by governmental entities. Target application is "TikTok" or any successor application developed or provided by ByteDance Limited. **Governor signed 6-14-23. Becomes law immediately**

**SB232 (Hinojosa)** Provides automatic removal from office of an officer of a political subdivision for guilt in committing certain criminal offenses. **Governor signed 6-18-23. Becomes law 9-1-23.**

**SB28/SJR75 (Perry/King)** Relating to financial assistance provided and programs administered by the Texas Water Development Board. **Governor signed 6-9-23. Becomes law- variable.**



Continued from page 1

regulations.” This subject will be tackled by five gentlemen: Charles Porter - Real Estate Expert, Robert Mace - Executive Director and Chief Water Policy Officer of the Meadows Center, Billy Howe -Associate Director of Governmental Affairs for Farm Bureau, our own Gary Westbrook, General Manager POSGCD - Gary was invited to testify by both the Texas House and Senate Committees last year on this topic, and John Dupnik - Texas Water Development Board - who will moderate this esteemed panel. If you live in the District, you are aware of the Vista Ridge transportation project of water going from western Burleson County to San Antonio and you will want to hear this information.

Other subjects to be discussed are updates on water level monitoring, and the history of the use of Desired Future Conditions (DFC) in Texas regarding our aquifers. A panel will be composed of Robby Cook, author of the legislation which created the DFC process, Robert Mace, who spent more than 10 years at the Texas Water Development Board as Deputy Executive Director of Groundwater and provided assistance to GCDs in this process, and Gary Westbrook who has represented our District in developing protective legislation for the process since its adoption in 2005. Another panel will provide the audience with an update of recent bills that have passed in the Texas House and Senate. We will also hear information on the POSGCD/AgriLife programs that educate stakeholders in our District.

Citizens of Milam and Burleson Counties, as well as surrounding areas, can benefit from the groundwater experts from across Texas coming to speak at our Summit. It is a great opportunity for people to come and learn about the state’s requirements on local groundwater management and stay up-to-date on current groundwater issues, such as property rights and groundwater management.

Registration is from 8:30 am to 9:00 am. The speakers will begin at 9am and we will conclude about 4:00 pm. Lunch will be provided. Please RSVP your attendance at the Burleson County Extension Office by August 11th, or you can call our office. Burleson County 979-567-2308 - POSGCD office 512-455-9900

# Summit Schedule



Milam and Burleson Counties  
**Groundwater Summit**  
August 17, 2023  
Caldwell Civic Center



**MASTER OF CEREMONIES**  
Leah Martinsson, Executive Director, Texas Alliance of Groundwater Districts (TAGD)

**9:00 - 9:10 WELCOME** Honorable Keith Schroeder, Burleson County Judge

**9:10 - 9:55 UPDATE ON GROWTH AND STATE WATER PLANNING IN CENTRAL TEXAS**  
Tony Smith, Associate Vice President, Carollo Engineers

**9:55-10:05 BREAK** Educational videos playing

**10:10 -11:45 THE VISTA RIDGE PROJECT - a case study on groundwater rights & regulation**  
Charles Porter PhD, Real Estate Expert  
Robert Mace, Dept of Geography at The Meadows Center for Water & the Environment  
Billy Howe, Farm Bureau Associate Director, Governmental Affairs  
Gary Westbrook, General Manager, Post Oak Savannah GCD  
John Dupnik P.G., Texas Water Development Board

**11:45 12:00 WHO IS TX GROUND WATER ASSOCIATION & WHY IT IS IMPORTANT TO LANDOWNERS**  
Bobby Bazan, Executive Director, Texas Ground Water Association

**12:00 12:30 LUNCH: STATE OF THE DISTRICT**  
Ward Roddam, Board President, Post Oak Savannah GCD

**12:30-12:40 WELCOME BACK** Honorable Bill Whitmire, Milam County Judge

**12:40-1:35 DESIRED FUTURE CONDITIONS HISTORY**  
Robert Mace, Dept of Geography at The Meadows Center for Water & the Environment  
Gary Westbrook, General Manager, Post Oak Savannah GCD  
Honorable Robby Cook, former State Representative, District 17

**1:40-2:35 LEGISLATIVE UPDATE**  
Leah Martinsson, Executive Director, Texas Alliance of Groundwater Districts  
Honorable Robby Cook, Consultant, Riceland Consulting  
Sarah Kinkle, Director of Policy & Legislative Affairs – TX Water Conservation Assoc

**2:40-2:55 WATER LEVEL MONITORING UPDATE**  
Michael Redman, Post Oak Savannah GCD Regulatory Compliance Specialist  
Gregory Perry, Post Oak Savannah GCD Water Resource Specialist

**3:00 -4:00 POSGCD/TAMU AGRILIFE PROGRAMS & WATER TESTING RESULTS**  
Joel Pigg, TX Well Owner Network Coordinator, Extension Specialist TX Water Resource  
Jaclyn Wise, Extension Associate, Texas Water Resources Institute

Please RSVP to the Burleson County AgriLife Extension Office or POSGCD office by August 11, 2023

POSGCD Office: (512) 455-9900      Burleson County: (979) 567-2308

## UPCOMING PROGRAMS & WORKSHOPS

Milam and Burleson Counties Groundwater Summit - August 17, 2023 9:00 am-4:00pm. Program updates, information, and registration links can be found by visiting: [posgcd.org/groundwater-summit](https://posgcd.org/groundwater-summit)  
Contact Doug Box with questions, (512) 455-9900 or [dbox@posgcd.org](mailto:dbox@posgcd.org)

Upcoming Programs -The District is working with AgriLife to schedule program speakers and dates for education classes are expected to be released by the end of July. Keep an eye on the Rainwater Harvesting page of the website! All dates and registration forms are published to the webpage and District calendar as they're scheduled.

Program updates, information, and registration links can be found by visiting: [posgcd.org/rainwater](https://posgcd.org/rainwater)  
Contact Jaclyn Wise with questions, (254) 231-0346 or [jwr@tamu.edu](mailto:jwr@tamu.edu)



Post Oak Savannah Groundwater Conservation District  
310 East Avenue C  
P.O. Box 92  
Milano, Texas 76556

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## IN THIS ISSUE..

- Groundwater Summit information
- Legislative Update
- ACP - a Conservation Minded Alternative
- Groundwater Summit Schedule

### POSGCD SOCIAL:



@PostOakSavannahGCD



@posgcd



Let's chat!

Phone: 512.455.9900

Email: [admin@posgcd.org](mailto:admin@posgcd.org)

Visit our website for more information:

[www.posgcd.org](http://www.posgcd.org)

Look for our next  
newsletter

### upcoming events

**August 17th 9-4pm**

Groundwater Summit  
Caldwell - Civic Center

Our Board Meetings are the  
Second Tuesday of each month

The District is working with AgriLife to schedule program speakers and dates for education classes are expected to be released by the end of July. Keep an eye on the Rainwater Harvesting page of the website! All dates and registration forms are published to the webpage and District calendar as they're scheduled.

Groundwater conservation districts are the state's preferred method of groundwater management through rules developed, adopted and promulgated by a district.

**Texas Water Code, Sec. 36.0015**



POSGCD was created to conserve and regulate the use of groundwater through monitoring of aquifer levels and production and encourage conservation rules which limit pumping, thereby extending the quantity and quality of the water available in all of the aquifers in Milam and Burleson counties. POSGCD is a member of the Texas Alliance of Groundwater Districts (TAGD).



Ward Roddam, President  
Jay Wilder, Vice President  
Tommy Tietjen, Sec/Treas  
Buster Evers  
Becky Goetsch

Steven Wise  
John Redington  
Kit Worley  
Bob Wilson  
Ed Savage

### Staff

Gary Westbrook, General Manager  
Kelli Timmerman, Office Manager  
Gregory Perry, Water Resource Specialist  
Doug Box, Education Coordinator  
Craig Andrews, Field Technician  
Jeff Fisher, Field Technician  
Courtney Gentry, Administrative Assistant  
Michael Redman, Regulatory Compliance Specialist

### Are we providing information you need?

The district staff wants to know what information you would like to see in this newsletter. Please contact us at 512.455.9900 or [admin@posgcd.org](mailto:admin@posgcd.org) to let us know how we can better serve you.