

**MINUTES OF THE
LLANO ESTACADO REGIONAL WATER PLANNING GROUP (“Region 0”)
PUBLIC HEARING**

APRIL 15, 2010 at 6:00 p.m.

A. Wayne Wyatt Board Room

High Plains Underground Water Conservation District No. 1 office

2930 Avenue Q, Lubbock TX

1. Call To Order and Welcome

The public hearing was called to order at 6:05 p.m. by Llano Estacado Regional Water Planning Group Chairman H.P. (Bo) Brown Jr. Chairman Brown welcomed those in attendance and then introduced the following persons: Dr. Herb Grubb with HDR Engineering; Don McElroy; Mark Kirkpatrick; Gary R. McLaren, who will serve as moderator for the hearing; and Carmon McCain, who is serving as recording secretary.

Regional water planning group members in attendance included: Chairman Brown, Mr. McElroy and Mr. Kirkpatrick. TWDB Project Manager Angela Kennedy of Austin is en route to tonight’s hearing—her flight is delayed due to weather.

Other attendees included: Lori Barnes of Seminole; Ray Brady of Floydada; Doug Harrison of Clovis; Mark Howard of Farwell; Mike McGregor of Lubbock; Robert Nelson of Dimmitt; Kevin Riley of Springlake; Mack Steffey of Hart; Mr. and Mrs. James Wedel of Muleshoe; & Justin Weinheimer of Lubbock. A total of 18 persons were in attendance.

2. Introductory Statement

Chairman Brown introduced Gary R. McLaren, attorney for the High Plains Underground Water Conservation District, and asked him to moderate the hearing.

Mr. McLaren gave a brief overview of the agenda and procedures for the hearing.

He then noted the following for the official record:

Tonight’s public hearing is being held in accordance with Chapter 357.12 of the Texas Administrative Code.

Notice of this hearing was:

- Filed with the Office of the Texas Secretary of State, March 10, 2010.
- Posted at the Lubbock County Courthouse, March 10, 2010.
- Posted at the High Plains Underground Water Conservation District office, March 10, 2010.
- Posted on the LERWPG web site, www.llanoplan.org and the High Plains Water District web site, www.hpwd.com , March 10, 2010.
- Provided to County Clerks within the LERWPG area, March 10, 2010.

- Published in the March 10, 2010 legal notice section of the *Amarillo Globe-News* and *Lubbock Avalanche-Journal*, two newspapers of general circulation within the region.

Notice of the public hearing was:

- Provided to each mayor of a municipality with a population of 1,000 or more or which is a county seat located in whole or in part of the regional water planning group area.
- Provided to each county judge of a county located in whole or in part of the regional water planning group area.
- Provided to each special or general law district or river authority with responsibility to manage or supply water in the regional water planning area based upon lists of such water districts and river authorities obtained from TCEQ.
- Provided to each retail public utility, defined as a community water system, which serves any part of the LERWPG, or receives water from the RWPG based upon lists of such entities maintained by the TCEQ.
- Provided to each holder of record of a water right for the use of surface water the diversion of which occurs in the RWPG based upon lists of such water rights holders obtained from the TCEQ.

Copies of the initially prepared plan were made available for public inspection 30 days in advance of tonight's hearing at:

- The primary public library in each county in LERWPG.
- The county courthouse's law library, the county clerk's office, or some other accessible place within the county courthouse of each county having land within the RWPG.
- The High Plains Underground Water Conservation District office, 2930 Avenue Q, Lubbock.
- These web sites: www.llanoplan.org & www.hpwd.com

Notice of the meeting was also:

- Provided to media within the 22-county LERWPG region via a news release.
- Provided to the public via an article published in the March 2010 issue of *The Cross Section*, newsletter of the High Plains Underground Water Conservation District No. 1. (April 2010 circulation is 6,600.)
- Provided to the public via an April 13 media interview with Jim Stewart of KRFE-AM radio and an April 14 media interview with Eddie Griffis of FoxTalk950 in Lubbock.

Mr. McLaren noted that the purpose of tonight's hearing is to receive oral and/or written comments regarding the Initially Prepared 2011 Llano Estacado Regional Water Management Plan. No action will be taken at tonight's hearing concerning the plan. He noted that a quorum of the regional water planning group membership is not required to be in attendance at the hearing.

Ms. Kennedy joined the hearing at 6:15 p.m.

3. Overview Of The Initially Prepared 2011 Llano Estacado Regional Water Management Plan.

Dr. Grubb provided the following overview in a PowerPoint presentation:

Background

The purpose of the regional water plan is to:

- Provide for orderly development, management, and conservation of water resources.
- Prepare for and respond to drought conditions in order that sufficient water will be available at a reasonable cost to ensure public health, safety, and welfare; further economic development; and to protect agricultural and natural resources of the region.

Dr. Grubb presented the Llano Estacado Region population from 1950 to 2000.

The population from 1950 to 2000 increased as follows:

1950	309,330	1960	402,530	1970	408,580
1980	449,550	1990	438,490	2000	453,997

He then presented the TWDB population projections from 2000 to 2060, which were based upon the year 2000 U.S. Census, as follows:

2000	453,997	2010	492,627	2020	521,930
2030	540,908	2040	552,188	2050	553,691
2060	551,758				

Dr. Grubb then presented the economic value of dairy, crops, finance, insurance and real estate, manufacturing, fed cattle, services, retail trade, wholesale trade, and oil and gas industry to the region, and explained that the water plan is needed in order to support both the population and the economy of the region.

Projected water demand information (acre-feet) contained in the initially prepared plan is as follows:

PURPOSE	2010	2030	2060
Municipal water use	99,435	105,474	105,936
Industrial	15,698	17,460	19,919
Electric-Power	25,645	30,188	49,910
Mining	16,324	6,359	258
Irrigation	4,186,018	3,882,780	3,474,163
Livestock	51,295	61,374	73,965
TOTAL	4,394,415	4,103,635	3,724,154

Projected water supply information (acre-feet) contained in the initially prepared plan are as follows:

SOURCE	2010	2030	2060
Ogallala Aquifer	3,054,897	1,960,641	1,328,057
Other	<u>175,701</u>	<u>156,048</u>	<u>124,729</u>
TOTAL	3,230,598	2,116,689	1,483,417

Projected Needs (Shortages in acre-feet) contained in the initially prepared plan are as follows:

DATE	Municipal	Irrigation	CAFOs
2010	9,461	1,253,776	0
2030	18,997	2,053,847	3,190
2060	<u>29,047</u>	<u>2,290,512</u>	<u>17,573</u>

Dr. Grubb noted that 29 of the 73 municipal water user groups (“WUGs”) in Region O have projected water needs. 20 counties have projected irrigation needs and confined animal feeding operations (“CAFOs”) in 5 counties have projected needs.

The 29 municipal water user groups with projected needs are: Abernathy, Anton, Brownfield, Crosbyton, Denver City, Dimmitt, Earth, Farwell, Friona, Hart, Idalou, Lake Alan Henry Water Supply District, Lockney, Lorenzo, Lubbock, Morton, New Deal, Petersburg, Plains, Post, Ralls, Ropesville, Shallowater, Smyer, Spur, Sundown, Tulia, Wilson, & Wolfforth.

Dr. Grubb presented the following list of water management strategies that were considered and evaluated to meet projected needs (shortages):

- Municipal water conservation
- Irrigation water conservation
- Local groundwater development (27 municipalities)
- Lake Alan Henry Pipeline (Lubbock)
- Lake 7 (Lubbock)
- North Fork Diversion (Lubbock)
- Post Reservoir to Lake Alan Henry Pipeline (Lubbock)
- Groundwater desalination (Lubbock)

Municipal water conservation would account for the following savings by decade:

2010	5,809 acre-feet of water per year
2020	10,583 acre-feet of water per year
2030	10,729 acre-feet of water per year
2060	10,424 acre-feet of water per year

The cost of municipal water conservation in 2010 is \$3.88 million or \$668 per acre-foot of water, with the cost of municipal water conservation in 2060 at \$5.74 million or \$550 per acre-foot.

Dr. Grubb then presented a chart illustrating irrigation water demands and supplies without conservation. The 2000 irrigation water supply curve begins at about 4.37 million acre-feet per year and declines to 1.22 million acre-feet in 2060. The 2000 irrigation water demand curve begins at 4.37 million acre-feet per year and declines to 3.47 million acre-feet in 2060.

Irrigation water conservation potentials for the region were calculated at each decade between year 2000 and 2060, with the quantities for years 2010, 2030, and 2060, shown as follows:

2010	479,466 acre-feet of water per year
2030	388,366 acre-feet of water per year
2060	283,118 acre-feet of water per year

The cost of irrigation water conservation in 2010 is \$56 per acre-foot of water.
The cost of irrigation water conservation in 2030 is \$70 per acre-foot of water.
The cost of irrigation water conservation in 2060 is \$95 per acre-foot of water.

Dr. Grubb then presented recommended water management strategies for municipal water user groups, as follows:

They include:

- Local groundwater for 28 municipal water user groups,
 - Lake Alan Henry pipeline to Lubbock,
 - Lubbock Jim Bertram Canyon Lake 7,
 - Lubbock North Fork Diversion,
 - Post Reservoir water delivered to the Lake Alan Henry pipeline,
 - Lubbock brackish groundwater desalination,
 - Lake Alan Henry Water District,
 - White River Municipal Water District reclaimed water and local groundwater, and
 - Canadian River Municipal Water Authority local groundwater.
- All have been updated to reflect total capital costs for the list of Water Management Strategies of \$759.15 million in September 2008 prices.

Costs of region wide water management strategies were also updated to September 2008 prices.

They include:

- Weather modification on 2.3 million acres at a cost of 4.2 cents per acre or \$109,000 per year;
- Brush control, 784,250 acres with a \$53.33 million initial capital cost, and an annual cost of \$3.5 million;
- Desalt brackish groundwater
 - 3,000 mg/L (1mgd plant): \$1,825/ac-ft or (\$5.60/1000 gallons)

- 5,000 mg/L (1mgd plant): \$1,909/ac-ft or (\$5.86/1000 gallons)
- 3 mgd plant (3,000 mg/L): \$1,601 ac-ft or (\$3.85 per 1000 gallons)
- 3 mgd plant (5,000 mg/L): \$1,618 ac-ft (\$4.96 per 1000 gallons)
- R & D Drought tolerant crops (No Change)
- Stormwater capture and use (No Change)

Dr. Grubb concluded his remarks by noting that the following projects are in progress:

- Social and economic effects of not meeting needs. (The needs have been submitted to the TWDB and the planning group is awaiting results.)
- Survey of municipal WUGs to determine financial needs and methods. This is to be completed by June 15, 2010.

4. Public Comment

Mr. McLaren then asked for comments from the public regarding the initially prepared Llano Estacado Regional Water Management Plan.

- *Oral Comments of Kevin Riley, Springlake, Texas*

“My name is Kevin Riley and I am a fourth-generation farmer from Castro County. I would like my kids to be able to be the fifth generation, if they so desire. My grandfather was among the first to use irrigation tubes instead of cutting I’s in the ditches like they used to. He and dad laid miles of concrete and plastic line because it saved water. I’m also the third generation to buy new center pivots to more efficiently apply the water to our crops. Grandfather despised wasting the tailwater in the ditches and I was taught the importance of conservation of our water.

“With this in mind, I’d like to offer the following points:

1. Each regional water planning group is charged with determining the amount of surface water and groundwater currently available within our region. My concern is with the accuracy of this mapping of the saturated thickness of the Ogallala. The U.S. Geological Survey was involved in a project in the North Platte River Valley of Nebraska where they used a heli-borne electromagnetic device that showed large variations in the saturated thickness of the aquifer that was previously unknown. Some more and some less. If we are to be regulated based on a percentage of the water available, I think it is vitally important that we deal with as close to a known as possible—and not an educated guess.
2. My second point is that Castro County is more similar to the amount of water available and crops grown in two counties north, such as Dallam and Hartley Counties than to areas south and east of Castro. With these similarities in mind and with the precedent that has been set, I would respectfully request that a similar target saturated thickness of 40 percent being left in 50 years be made available for Castro County. I think this is an attainable goal if we eliminate double cropping and we use the technologies that are coming in the near future. You mention drought tolerance and some of those that are being developed by conventional breeding. I was watching your presentation a while ago and I believe, within the next 3-7 years,

that the drought tolerant with the genetic engineering will offer significant (water) savings.

3. My third and final point is please ensure that the restrictions will be fairly applied and that the areas with the most water are not used as a reserve for the whole area.
Thank you.”

- ***Oral Comments of Mack Steffey, Hart, Texas.***

“I’m Mack Steffey and I farm between Dimmitt and Hart in Castro County. I’ve grown corn for 37 years there and we use about 20-26 inches of irrigation. We feel like it is a viable crop. It has to be there for our cattle feeding industry and we want to protect it. The recent invasion of dairies have come there, they double crop, and are using considerably more than 22-24 inches of water—probably double that. We are not trying to run the dairy industry off—but if these laws are in place to limit us to where we can grow corn—some of those operations do wheat silage, corn silage, and alfalfa in the frost-free period time—so I’d like to keep that in mind that we need enough water to grow corn in our county. Thank you.”

The following persons indicated that they would provide written comments by the June 16, 2010 deadline:

- Lori Barnes
- Ray Brady
- Doug Harrison
- Mark Howard
- Robert Nelson
- Kevin Riley
- Mack Steffey

Dr. Grubb noted that the regional water planning process is not a regulatory process. The purpose of the regional plan is to try to find how much water is needed for all the things, including corn, and see how much is there to meet it—and not to tell you how to use the water. That is the desired future conditions process, which is totally different from the regional water planning process.

Once the desired future conditions have been adopted, then that information will be used by the Texas Water Development Board in the next round of regional water planning.

5. Comment Period

There being no additional public comment, Mr. McLaren noted that written comments about the initially prepared Llano Estacado Regional Water Management Plan will be accepted until 5:00 p.m., Wednesday, June 16, 2010. They should be sent to: Jim Conkwright General Mgr. High Plains Water District & Administrator for “Region O” 2930 Avenue Q, Lubbock TX 79411-2499.

These comments will be addressed by the regional water planning group sometime after the June 16 comment period expires. The comments received and the group’s response

to said comments will be discussed at an upcoming LERWPG meeting and will be included in the plan submitted to the TWDB on or before the Sept. 1, 2010 deadline.

6. Adjournment

Chairman Brown thanked everyone for their attendance and participation in tonight's hearing. The hearing was adjourned at 7:02 p.m.

Respectfully submitted,

Carmon McCain for Doug Hutcheson, LERWPG Secretary-Treasurer