WINTERGARDEN GROUNDWATER CONSERVATION DISTRICT

Condensed Proceedings Board Workshop and Regular Board Meeting
July 15, 2026: 12:00 noon to approximately 3:50pm

Agenda Item 1 – Call to Order

President Von Box called the regular meeting of the Wintergarden Groundwater Conservation District Board of Directors to order at approximately 12:00 p.m. A quorum was established with six directors present. Director Martin Krueger was absent.

Agenda Item 2 – Public Comments

Summary of Jordan Furnan's Comments:

Hello, my name is Jordan Furnans, and I'm a consulting engineer and hydrogeologist. I've been working to develop Texas's water resources for 25 years and have been supporting the Legacy Water Supply Corporation in Webb County since 2021. I'm here today to stress that the water resources of Webb County are not properly represented in the current GMA-13 proposed DFCs, and Webb County will be developing water projects using groundwater over the next few years. There is water available from the Carrizo Aquifer, which is the same aquifer that is used often within the Wintergarden GCD. Modeling I've performed and that performed by GMA-13's hydrogeologist bill Hutchison show that the water is available and accessible to the population in Webb County.

The modeling also shows pumping in Webb County will lower the artesian pressure within the aquifer in Dimmitt and LaSalle County. Just as the modeling shows pressures in Webb County are affected by pumping in Dimmit and LaSalle County.

This connectedness of water levels in all three counties makes it imperative that DFCs governing water production in the counties actually reflect the pumping that will occur in those counties in the future. Wintergarden will have difficulty meeting DFCs currently established by GMA-13 using artificially low pumping from Webb County.

Legacy WSC is developing the groundwater project in central Webb County. The project is occurring, and will be developing water soon. Yet the GMA-13 models don't include this water, making the entire modeling effort for DFCs scientifically ridiculous and inaccurate. We are asking that GMA-13's modeling include the historical pumpage for Webb County (approx. 6,400 acre-ft) and 20,000 acre-ft/year for the Legacy WSC project. That is a reasonable amount we expect to develop in the next few years.

Wintergarden, rightly or wrongly, has been delegated responsibility for assessing what Webb County pumpage is included in GMA-13's modeling. I presented modeling results to this board back in April, and the board at that time voted to include the 26,000+ acre-ft/year modeling in the GMA-13 process. Then a few days later, the Wintergarden board changed its mind and rescinded their previous vote. I ask you now to reverse that decision and re-instate the 26,400 acre-feet/year pumpage for Webb County. This pumpage will occur and thus should be included in the DFC process if the process is to be meaningful.

David Earl, the attorney for LWSC, has provided your interim GM with copies of the public comment we are submitting to GMA-13, as well as a copy of the lawsuit they are going to file should DFCs not be re-adjusted. Officials from The City of Laredo, Webb County, and other elected officials have added their support to this potential lawsuit. Mr. Earl can give you more of the details - he's right now out in the parking lot on a call with Gov. Abbott.

We'd like to avoid filing the lawsuit and having everyone go through that process. Hence, we urge Wintergarden to reconsider its position regarding Webb County pumpage in the current GMA-13 process.

The Board received the comments without discussion and thanked Mr. Furnans for his presentation.

Later between agenda items the board afforded Mr. David Earl an opportunity to make public comments based on the fact that he's his representative Jordan Fernandes stated that he was on the phone with the governor outside in his pickup.

Public Comment Summary – David Earl

David Earl, on behalf of Legacy Water Supply Corporation, urged the Board to consider additional projected groundwater pumping in Webb County during the GMA 13 DFC process. He stated that doing so would better reflect anticipated future groundwater demand, improve the planning model, and reduce the potential for future legal disputes. He concluded by stating, *"I've been here before and spoke to you. My request is that you include 20,000 acre-feet of potential pumping in addition to the 6,400 acre-feet that should already be in the pumping for Webb County. Our objective is to, again, avoid a litigious situation between my clients and the districts of GMA 13."*

The Board received the comments without discussion and thanked Mr. Earl for his comments.

Agenda Item 3 – Approval of Minutes

The Board reviewed the minutes of the June 4 and June 10, 2026 meetings.

Following an opportunity for corrections or additions, a motion was made by Bill Martin and seconded by Neal Llewellyn to approve both sets of minutes as presented.

Vote: Motion carried unanimously, **6-0**, with Director Martin Krueger absent.

Workshop Session

President Box recessed the regular meeting at approximately 12:30 pm and convened the posted workshop portion of the agenda.

Workshop Item 1:

Statement of Qualifications – Professional Geoscience Services

Daniel B. Stephens & Associates

Representatives Paul Kirby and Neil Blanford presented the firm's qualifications to provide professional hydrogeologic and groundwater consulting services to Wintergarden GCD.

The presentation highlighted more than two decades of experience supporting groundwater conservation districts throughout Texas, including groundwater availability modeling (GAM), Desired Future Condition evaluations, hydrogeologic mapping, groundwater quality investigations, database development, permitting support, and participation in Groundwater Management Area planning.

The presenters discussed the firm's extensive experience with the Carrizo Aquifer, groundwater monitoring networks, three-dimensional geologic modeling, groundwater recharge analyses, local permitting models, and technical support for groundwater districts across the state. They emphasized that the firm's multidisciplinary staff provides expertise in groundwater modeling, engineering, GIS, environmental investigations, and regulatory support.

Board members asked numerous questions regarding groundwater monitoring technology, remote telemetry systems, acoustic water-level measurement equipment, cloud-based data storage, and maintenance requirements for long-term monitoring wells.

Discussion included the use of ENO Scientific monitoring equipment, SignalFire telemetry systems, solar-powered monitoring stations, totalizing flow meters, and the ability for district staff to independently collect and maintain groundwater monitoring information without relying upon outside consultants. The presenters explained current technology options, maintenance requirements, and improvements available through recently funded Texas Water Development Board grant programs.

Additional discussion addressed future opportunities for implementation of cloud-based groundwater databases and GIS systems, noting that the District may issue a separate Request for Qualifications specifically for data management services.

The Board received the presentation for consideration during its upcoming selection process and advised all firms that no consultant selection would be made during the July meeting. Instead, qualifications would be reviewed individually and considered at a future special meeting.

Workshop Item 2:

Professional Legal Services Interviews

Fancher Legal / Stacy Reese

Kristen Fancher described her firm's twenty years of experience representing groundwater conservation districts throughout Texas. She explained that her practice focuses almost exclusively on Chapter 36 matters, district governance, permitting, rules, elections, Open Meetings Act compliance, and general counsel services. She emphasized that her philosophy is to function as an extension of the Board and staff while allowing policy decisions to remain solely with the elected directors.

Ms. Fancher explained that litigation and contested case hearings would be handled by attorney Stacy Reese, who joined the interview remotely. Ms. Reese discussed her extensive litigation background involving groundwater districts, contested case hearings, federal takings claims, and groundwater-related lawsuits. She explained that the partnership allows the District to receive experienced general counsel services while simultaneously having litigation expertise available whenever necessary.

Board members asked questions concerning GMA participation, coordination between legal counsel and management, and maintaining legal compliance. The presenters emphasized communication, proactive legal advice, and assisting the Board in making legally defensible decisions before disputes arise rather than reacting afterward.

Lloyd Gosselink Rochelle & Townsend

Representatives Mike Gershon and Jake Steen presented the qualifications of Lloyd Gosselink Rochelle & Townsend.

The presenters explained that their firm maintains one of the largest water law practices in Texas, representing approximately thirty groundwater conservation districts and numerous public entities throughout the state. They described experience involving permitting, groundwater rules, management plans, contested case hearings, legislative matters, groundwater availability modeling, Desired Future Conditions, and Groundwater Management Area activities.

Discussion focused upon the firm's philosophy of providing legal advice while allowing elected boards to establish policy. The attorneys emphasized that their responsibility is to identify legally defensible options, explain risks associated with each alternative, and support whatever lawful direction the Board ultimately chooses.

Questions also addressed previous representation of Signal Peak Silica. The attorneys explained that the matter had concluded following the sale of the company and that they believed no conflict of interest remained should they be selected as District counsel.

The Board asked about the importance of communication between attorneys, scientists, consultants, and management. The presenters stressed that successful groundwater management requires collaboration among legal counsel, hydrogeologists, engineers, and District staff.

Martinez Franklin, PLLC

Attorney Keith Franklin introduced his firm and described its offices in Laredo and San Antonio. Although acknowledging that his practice contains less groundwater-specific work than some other respondents, Mr. Franklin explained that his representation of La Salle County, Dimmit County, and Zavala County has provided significant experience with governmental law, public meetings, open records requirements, interlocal agreements, and public administration.

Mr. Franklin stated that he would readily partner with specialized groundwater counsel whenever technical Chapter 36 matters required additional expertise. He described previous experience working jointly with environmental attorneys and regulatory specialists before agencies such as the Railroad Commission.

Following questions from the Board, Mr. Franklin thanked the directors for the opportunity to interview. The Board again emphasized that no legal services selection would be made during the current meeting and that interviews were being conducted solely to assist future evaluation.

Following completion of the legal interviews, District staff attempted to reconnect with another responding law firm experiencing technical difficulties. Despite repeated emails, telephone calls, and updated Teams invitations, the firm was unable to join the meeting during the scheduled interview period. The Board agreed to continue with the remaining workshop agenda while leaving the connection available should the firm later become available.

Workshop Item 3:

Groundwater Management Plan Update

Interim General Manager Dirk Aaron introduced the proposed update to the District's Groundwater Management Plan and recognized the substantial work completed by staff and consultant Mike to prepare the document for submission to the Texas Water Development Board.

President Box acknowledged the effort required to complete the management plan under an accelerated schedule and informed the Board that the Texas Water Development Board had returned its preliminary review in an unusually short period. He read portions of correspondence from TWDB staff indicating that the document was among the better groundwater management plans received for review and required only limited revisions before adoption.

Staff explained that all requested revisions had already been incorporated into the document presented to the Board.

Mr. Aaron described the statutory review process, noting that groundwater management plans must satisfy specific requirements established by Chapter 36 of the Texas Water Code. He explained that many portions of the document are administrative in nature but are required to remain in the plan because future state audits evaluate whether districts actually accomplish the objectives and performance standards they adopt.

Examples were provided illustrating how overly ambitious performance standards can later become audit findings if circumstances beyond the District's control prevent completion. Staff therefore recommended carefully selecting measurable objectives that the District could reasonably achieve throughout the five-year planning period.

Discussion also covered the statutory public hearing process. Directors were advised that adoption of the management plan requires a public hearing following appropriate notice. Unlike certain tax hearings, state law generally requires only the same posting procedures applicable to regular board meetings rather than extensive newspaper publication, although additional public notice remains available at the Board's discretion.

Staff informed the Board that one upcoming action item would be establishing the public hearing date and authorizing the required notices so the management plan could be formally adopted before the statutory deadline.

Consultant Mike Keester then presented the technical revisions incorporated into the proposed Groundwater Management Plan. He explained that the majority of revisions resulted from legislative changes adopted during the last legislative session, particularly House Bill 2078, which requires groundwater conservation districts to more clearly document progress toward achieving their Desired Future Conditions (DFCs).

The presentation outlined several updates incorporated into the revised plan, including:

- Updating the District's Model Available Groundwater (MAG) values using the currently adopted GMA-13 planning numbers.
- Revising Desired Future Condition descriptions to reflect current joint planning data.
- Updating projected water demands using the most recent Regional Water Planning Group information.
- Revising groundwater availability summaries and aquifer descriptions.
- Updating statutory references, agency contacts, demographic information, and planning data.

A significant portion of the discussion focused on the district's responsibility to monitor groundwater levels and demonstrate measurable progress toward achieving its adopted Desired Future Conditions. Staff explained that the updated management plan now includes expanded descriptions of monitoring programs, groundwater level measurements, and long-term tracking requirements intended to satisfy the new statutory provisions.

The Board discussed the importance of maintaining reliable monitoring wells and obtaining sufficient groundwater level information to document long-term aquifer conditions. Staff emphasized that future management decisions would increasingly rely upon measurable groundwater data rather than generalized observations.

The consultants also reviewed proposed management objectives and performance standards, explaining that several previous objectives had been simplified to eliminate unnecessary administrative burdens while still satisfying statutory requirements. Particular attention was given to ensuring that every objective contained measurable performance standards that could realistically be completed during the five-year planning cycle.

Directors expressed appreciation for the extensive effort required to prepare the document and for the favorable comments received from the Texas Water Development Board during its preliminary review.

Following completion of the presentation, the Board indicated that the proposed Groundwater Management Plan would be scheduled for public hearing at a future meeting following completion of all required public notice procedures.

Workshop Item 2: reconvened and continued with interview of Marty and Brantley Jones, Legal team after technical difficulties are resolved:

Marty Jones and Brantley Jones introduced their full-service Texas law firm, emphasizing its broad legal capabilities and the depth of attorneys available to support Wintergarden GCD beyond groundwater law. They explained that the firm has attorneys experienced in employment matters, litigation, real estate, oil and gas, banking, nonprofit organizations, taxation, and transactional work, allowing the district to obtain virtually all of its legal services from one firm.

Mr. Jones stated that his legal career in groundwater has been guided by one fundamental principle: groundwater is private property protected by the Texas Constitution. He emphasized that every decision made by a groundwater conservation district, from permitting to Desired Future Conditions, management plans, and rulemaking, must begin with protecting private property rights. He expressed that this philosophy has remained unchanged throughout his career and would form the foundation of his legal representation of Wintergarden GCD.

The presenters acknowledged that they have never served as general counsel for a groundwater conservation district. However, they argued that this should be viewed as one of their greatest strengths rather than a weakness. Having represented landowners and groundwater owners in numerous disputes with groundwater districts across Texas, they believe they possess a unique understanding of where districts become vulnerable to litigation and how those problems can be avoided. They emphasized that their experience on the landowner side has given them a broader perspective than attorneys who have spent their careers representing districts.

Mr. Jones stated that, if selected, his first objective would be to review and modernize the district's rules to ensure they fully comply with current Texas groundwater law and recent court decisions. He believes permitting should be straightforward, efficient, and legally defensible, with applicants receiving timely decisions rather than lengthy delays. He also expressed that well-written rules and procedures significantly reduce the likelihood of litigation while strengthening public confidence in the District.

The presenters demonstrated familiarity with the GMA, DFC, MAG, and regional water planning processes, but consistently maintained that private property rights must remain the District's primary legal consideration throughout those processes. They explained that the role of general counsel is to ensure that Board actions remain legally compliant, constitutionally defensible, and focused on preserving local control. Mr. Jones emphasized that an attorney's responsibility is not simply to agree with a board, but to provide candid legal advice that prevents the District from taking actions that could expose it to unnecessary litigation.

Throughout the interview, Marty Jones and Brantley Jones conveyed confidence that their experience litigating groundwater issues throughout Texas uniquely positions them to serve as legal counsel for Wintergarden GCD. While acknowledging they have never represented a groundwater conservation district, they maintained that their decades of advocating for landowners have given them an uncommon understanding of how districts can both protect private property rights and remain legally defensible. Their presentation reflected a strong belief that they could provide a fresh perspective, modernize the district's legal framework, and position Wintergarden GCD as a model for groundwater governance consistent with current Texas law.

Workshop Item 4:

Groundwater Management Area 13 (GMA-13) and Desired Future Conditions

The Board received an extensive discussion concerning the ongoing GMA-13 Joint Planning process and the district's role in establishing Desired Future Conditions for the Carrizo Aquifer.

Staff reviewed recent GMA activities, ongoing modeling efforts, and comments received from groundwater users regarding projected pumping within Webb County. Discussion centered upon the importance of ensuring that groundwater models accurately reflect anticipated future groundwater development throughout the planning area.

The Board reviewed how projected pumping in Webb County could influence artesian pressures and modeled drawdown within the Wintergarden District counties. Staff explained that regional groundwater models evaluate interconnected aquifer conditions rather than county-by-county impacts alone.

Several directors discussed the distinction between authorizing groundwater production and incorporating anticipated pumping into regional groundwater models. Staff emphasized that inclusion of projected pumping in the groundwater model does not authorize production but instead provides a more realistic scientific basis for evaluating future aquifer conditions and the district's ability to achieve Desired Future Conditions.

The discussion further addressed the relationship between Model Available Groundwater, Desired Future Conditions, and the statutory joint planning process. Directors acknowledged that inaccurate assumptions regarding pumping outside the district could influence the District's future ability to demonstrate compliance with adopted Desired Future Conditions.

No action was taken during the workshop discussion. Staff advised that future Board action concerning the district's position within the GMA process would occur during the regular meeting agenda or at subsequent GMA meeting (September 18th) after additional technical review.

Workshop Adjournment at approximately 2:43 pm

Following completion of the workshop agenda, President Box reconvened the regular meeting to consider the remaining posted business items.

Regular Meeting Reconvened at 2:44pm

President Von Box reconvened the regular meeting following completion of the workshop agenda. The Board then proceeded through the remaining posted business items.

Agenda Item 4 – Financial Report

Agenda Item 5 – Investment Fund Accounts

The Board reviewed the district's financial reports, current fund balances, and expenditures.

Staff explained that, because of the recent retirement of the previous General Manager and the District's transition to interim management, accounting responsibilities had temporarily been reorganized to ensure continuity of operations. Financial information continued to be processed through the district's outside accounting services, while staff evaluated future financial reporting procedures.

The Interim General Manager discussed the importance of providing the Board with consistent monthly financial information, including:

- Current operating fund balances,
- Investment account balances,
- Budget-to-actual expenditures,
- Check register review,
- Cash flow summaries.

Discussion emphasized increased financial transparency and establishing a consistent reporting format that would allow directors to easily monitor the District's financial condition from month to month.

Following discussion, the financial report was received and a motion by Travis Evins and seconded by Neal Llewekkyn seconded the motion to accept the reports as presented. Motion passed 6-0 with Martin Kruger not present.

Agenda Item 6: No action taken

Agenda Item 7: No action taken

Agenda Item 8: Future Board Meetings

The Board discussed scheduling several future meetings necessary to complete pending District business and combined the discussion on items 8 and 9 per Von's encouragement.

Because consultant and legal interviews had only recently concluded, directors agreed additional time was needed to review Statements of Qualifications before selecting professional service providers.

Discussion focused on scheduling a Special Meeting during early August 4th at 8:30 to allow directors adequate opportunity to independently review interview materials and complete evaluation forms prior to making final selections.

The Board also discussed scheduling the required public hearing for adoption of the revised Groundwater Management Plan following completion of statutory notice requirements.

Staff advised that scheduling these meetings would allow the District to remain on schedule for all required statutory deadlines.

Motion made by Neal Llewellyn to hold a special board meeting on August 4th at 8:00am to select a Legal Firm, Geoscience firm, hold public hearing to review and approve the District Groundwater Management Plan, and interview the finalist for the General Manager Position. Motion was seconded by Travis Evins. Motion carried 5-0 with Martin Kruger absent and Ed Ritchie leaving due to the flooding issues at his farms. This motion affirmed agenda Items 8 & 9.

Board president Von Box assigned a committee made-up of Bill Martin, Neil Llewellyn and Travis Ervins. He asked Mr. Aaron to package all applications and put those in a manner to the three committeemen in hopes that they could review and select from that list those that they felt were worthy of a up an interview the committee would try to meet depending on their schedule if not each would review those and make recommendations for interviews then Mr. Aaron would be instructed to invite those finalists to be interviewed on August the 4th

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Agenda Item 9: Professional Services Selection for Geosciences

The Board reviewed the overall process used to solicit qualifications for professional geoscience and legal services.

Directors commented favorably on the interview process, noting that hearing presentations directly from each responding firm provided valuable insight into each firm's experience, philosophy, and ability to support the district.

The Board emphasized that qualifications, experience, responsiveness, and compatibility with District goals would remain the primary evaluation criteria.

No firms were selected during the July meeting.

Instead, directors agreed to individually review the submitted Statements of Qualifications and interview notes prior to the Special Meeting where final selections would be considered.

Agenda Item 10: Discuss the process for selecting finalist and interviews by the Board for the general manager position.

Mr. Aaron was directed by the board to compile all the applications and prepare those so that a review committee could review those and determine who the finalist would be and as that process would be available to request that those finalists whether it be 3 or 4 be invited to the August 4th meeting.

Agenda Item 12: RFQ for DMS GIS Services

Board agreed to have the interim general manager send the draft the RFQ (in the board packet) to be released to select firms that provide data management services and GIS platforms for GCDs. Those firms Mr. Aaron to send those and so those RFQS out and let those firms submit those by close of business on August 4th motion was made and by Neil Llewellyn and seconded by Travis Ervins the motion carried 5-0 with 2 members not present.

Agenda Items 13 & 14:

Where tabled until a later date, Corky Weeks moved to table both items until a later date and seconded by Travis Evins. Motion carried 5-0 with 2 members not present.

Agenda Item 15: Interim General Manager Report

Mr. Aaron presented his report concerning District operations during the transition period following the retirement of the previous General Manager.

He advised the Board that considerable progress had been made during the first several weeks of the interim assignment, including:

Completion of the Groundwater Management Plan update.
- Coordination with the Texas Water Development Board.
- Development of Requests for Qualifications for professional services.
- Review of District policies and procedures.
- Organization of Board records.
- Improvements to agenda preparation and Board packets.

- Coordination with consultants and legal firms.
- Continued support of GMA-13 activities.

Staff also discussed future priorities, including modernization of District data management systems, evaluation of groundwater monitoring improvements, enhancement of financial reporting, and continued assistance with recruitment of a permanent General Manager.

Directors expressed appreciation for the significant amount of work accomplished during the transition period.

Agenda Item 16: Director Comments

Before adjournment, directors each commented on the importance of maintaining momentum during the District's transition period.

Comments reflected appreciation for:

- Maintaining uninterrupted District operations.
- Completing the Groundwater Management Plan ahead of schedule.
- Improving organization of Board materials.
- Providing transparent procurement processes.
- Continuing progress toward modernization of District operations.
- Maintaining positive working relationships with consultants, legal counsel, groundwater users, neighboring districts, and state agencies.

Directors commented that the District was moving in a positive direction and appreciated the professionalism demonstrated throughout the transition.

Adjournment

There being no further business to come before the Board, President Von Box thanked the directors, consultants, presenters, and members of the public for their participation.
The meeting was adjourned.

Certification

These condensed proceedings were prepared from July 15, 2026, meeting transcript and organized according to the posted agenda. They are intended to accurately summarize Board discussions and actions while eliminating verbatim dialogue. Motions, seconds, and votes have been included where clearly identifiable from the meeting transcript.

Signed: Von R. Box Date: 8/4/26

Von Box, Board President

Singed: E W Ritchie Date: 8-04-2026

Ed Ritchie, Board Secretary

SIGN IN SHEET

Wintergarden GCD	July ~~14~~ 15, 2026
Regular Board Meeting and Workshop	Please sign in

Name		address		Yes Public Comments		No
Mike Keester		KTGW				
Ed Ritchie		ZAVALA - Director				
Neal Illegible		LaSalle Board				
Cocky Weeks		@ Large				
Jake Steen		Lloyd Gosselink P.C. 816 Congress Austin, Tx 78701				
Mike [illegible]		"				
Travis Evins		Director Dimmit				
Gary Box						
Jordan Furnans		Windward Water/Legacy WSC		Yes - GMA-13/Webb		
[illegible]						
Paul [illegible]		DBS&A - Austin				x
Neil Blandford		DBS&A - NM				x
Bell Mart		Dimmit				
David Earl		10007 Huebner Rd. SA TX 78240		Yes		