



**NOTICE OF MEETING AND PUBLIC HEARING OF THE  
BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT  
BOARD OF DIRECTORS**

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**Thursday, January 11, 2024**

**5:00 PM**

**IN-PERSON**

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Notice is given that a **Regular Meeting and Public Hearing** of the Board of Directors (Board) of the Barton Springs/Edwards Aquifer Conservation District (BSEACD or District) will be held on **Thursday, January 11, 2024** commencing at **5:00 p.m.** at the **District office, located at 1124 Regal Row, Austin, Texas.**

This meeting will be audio recorded and the recording will be available on the District’s website after the meeting.

Public Comments at the Board Meeting – Please complete a comment card prior to the start of the meeting. Each registered person will be recognized and identified by the Presiding Officer or staff moderating the communications when it is their turn to speak. **Public comment is limited to 3 minutes per person.**

**AGENDA**

Note: The Board of Directors of the Barton Springs/Edwards Aquifer Conservation District reserves the right to meet in Executive Session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by the Texas Government Code Sections §551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 418.18374 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), 418.183 (Homeland Security). No final action or decision will be made in Executive Session.

- 1. Call to Order.**
- 2. Citizen Communications (Public Comments of a General Nature).**
- 3. Consent Agenda.** *(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)*
  - a. Approval of Financial Reports under the Public Funds Investment Act, Directors’ Compensation Claims, and Specified Expenditures greater than \$5,000.
  - b. Approval of minutes of the Board’s December 14, 2023, Regular Meeting and Public Hearing.
- 4. General Manager’s Report. Discussion and possible action.**

**Topics**

  - a. New staff/staff changes
  - b. Leadership training

- c. Database
  - d. Monitoring Wells in City Parks project
  - e. Well-impact analysis
- b. Aquifer status update.
  - c. Upcoming events of possible interest.

**5. Presentation.**

Trinity Sustainable Yield staff presentation

**6. Public Hearing.**

Paradis Vineyard and Winery, LLC, (7585 Ranch Road 12, San Marcos, TX 78666) filed a well-drilling application on September 29, 2023 with the Barton Springs/Edwards Aquifer Conservation District for one new nonexempt well. The well is proposed to be discretely completed in the Middle Trinity Aquifer. The well is planned to be used as a public water supply well for the winery’s tasting room and the domestic needs of a single home located on the property. The well will also be used to irrigate the vineyard’s grape vines. A separate Production Permit Application will be required in order to operate and produce groundwater from the well in the future. The proposed well is to be located in Hays County at 7585 Ranch Road 12, San Marcos, TX (29.925706°, -98.066992°).

**7. Discussion and possible action.**

- a. Discussion and possible action on a new nonexempt well drilling application filed by Paradis Vineyard and Winery, LLC, as described in the Public Hearing agenda item above.
- b. Discussion and possible action on EEOC No. 451-2024-00138 charge of discrimination by Brian Smith against the District.
- c. Discussion and possible action on amendment to the April 15, 2013 Letter Agreement between the BSEACD and Magellan Pipeline Company, L.P.
- d. Discussion and possible action on resolutions to remove/recognize staff members, former staff members, and/or Directors from having signature authority on the District’s Truist bank accounts and TexPool accounts.
- e. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.

**8. Director Reports.**

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations; and
- Issues or problems of concern.

## 9. Adjournment.

**Please note:** This agenda and available related documentation, if any, have been posted on the District website, [www.bseacd.org](http://www.bseacd.org). If you have a special interest in a particular item on this agenda and would like any additional documentation that may be developed for Board consideration, please let staff know at least 24 hours in advance of the Board Meeting so that we can have those copies made for you. The Barton Springs/Edwards Aquifer Conservation District is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal opportunity for effective communications will be provided upon request. Please contact the District office at 512-282-8441 at least 24 hours in advance if accommodation is needed.

Item 1

Call to Order

## Item 2

### Citizen Communications

## Item 3

### Consent Agenda

*(Note: These items may be considered and approved as one motion. Directors or citizens may request any consent item be removed from the consent agenda, for consideration and possible approval as a separate item of Regular Business on this agenda.)*

- a. Approval of Financial Reports under the Public Funds Investment Act, Directors' Compensation Claims, and Specified Expenditures greater than \$5,000.
  
- b. Approval of minutes of the Board's December 14, 2023, Regular Meeting and Public Hearing.

# **Financial Reports – December 2023**

**January 11, 2023 Board Meeting**

(These report numbers are pre-audit adjustments)

**1. Profit and Loss Budget vs Actual**

September 1, 2023 through December 31, 2023

**2. Profit and Loss Previous Year Comparison**

September 1, 2023 through December 31, 2023

**3. Balance Sheet Previous Year Comparison**

As of December 31, 2023 (compared to December 31, 2022)

## **1. Profit and Loss Budget vs Actual**

September 1, 2023 through December 31, 2023



# Barton Springs Edwards Aquifer Profit & Loss Budget vs. Actual

September through December 2023  
BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT  
Profit and Loss Budget vs Actual  
September 1 - December 31, 2023

	Sep - Dec 23	Budget	TOT
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
4400.0 · Interest Income	29,699.70	40,000.00	
4625.0 · MISCELLANEOUS INCOME	676.03		
4800.0 · USAGE AND PRODUCTION FEES	918,375.32		
4810.0 · OTHER FEES	116,666.50		
<b>Total Income</b>	1,065,417.55	1,700,912.00	
<b>Expense</b>			
6000.0 · UTILITIES	7,809.89		
6005.0 · Print/Copy/Photo Services	29.17	2,000.00	
6007.0 · Postage/Freight/Shipping	104.04	2,000.00	
6010.0 · Office Supplies	2,548.23		
6010.2 · Office Furniture	0.00	5,000.00	
6011.0 · Comp Hardware-Plotter Supplies	9,773.23	25,000.00	
6014.0 · Software Acquisition & Upgrades	0.00	6,000.00	
6015.0 · IT Monthly Maintenance	9,339.88	30,000.00	
6016.0 · Meeting Expense	1,162.08	4,500.00	
6017.3 · Sponsorships	0.00	5,000.00	
6019.0 · Subscriptions/Publications	263.43	5,000.00	
6020.0 · Advertising	2,069.19		
6021.0 · MISCELLANEOUS EXPENSES	260.95		
6022.0 · Accounting System Operation	698.00		
6023.0 · MAINTENANCE	4,849.37		
6030.0 · CAPITAL OUTLAY-over 5,000	0.00		
6040.0 · LEASES	3,229.80		
6065.0 · DIRECTOR EXPENSES	55.16		
6066.0 · Directors Compensation	5,850.00	25,000.00	
6075.0 · DUES & MEMBERSHIPS	2,490.00		
6080.0 · COMMUNICATIONS AND OUTREACH	247.57		
6081.0 · REGULATORY COMPLIANCE	686.00		
6084.92 · GENERAL MANAGEMENT	460.88		
6089.0 · AQUIFER SCIENCE	1,829.63		
6095.0 · CONTRACTED SUPPORT	28,319.57		
6100.0 · INSURANCE - DISTRICT	2,261.80		
6150.0 · INSURANCE - GROUP	39,030.49		
6160.0 · LEGAL SERVICES	15,124.40		
6170.0 · PROFESSIONAL SERVICES	50,789.96		
6179.0 · LEGISLATION	3,000.00	12,000.00	
6180.0 · PROFESSIONAL DEVELOPMENT	1,001.47		
6199.0 · SALARIES AND WAGES	268,185.75		
6203.0 · TAXES & BENEFITS	42,068.27		
6690.0 · Reconciliation Discrepancies	780.22		

**Barton Springs Edwards Aquifer  
 Profit & Loss Budget vs. Actual  
 September through December 2023**

	<b>TOT</b>	
	<b>Sep - Dec 23</b>	<b>Budget</b>
<b>6800.0 · PROJECTS</b>	<u>39,147.90</u>	
<b>Total Expense</b>	<u>543,466.33</u>	<u>1,670,535.00</u>
<b>Other Income</b>		
<b>9000.00 · Transfer from TexPool General</b>	<u>0.00</u>	<u>105,375.00</u>
<b>Total Other Income</b>	<u>0.00</u>	<u>105,375.00</u>
<b>Other Expense</b>		
<b>9001.00 · Transfer to Contingency</b>	<u>0.00</u>	<u>135,000.00</u>
<b>Total Other Expense</b>	<u>0.00</u>	<u>135,000.00</u>
<b>Net Other Income</b>	<u>0.00</u>	<u>-29,625.00</u>
<b>Net Income</b>	<u><u>521,951.22</u></u>	<u><u>752.00</u></u>

# Barton Springs Edwards Aquifer Profit & Loss Budget vs. Actual

September through December 2023

BARTON SPRINGS EDWARDS AQL

Profit and Loss B

September 1 - Dec

	*AL	
	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
4400.0 · Interest Income	-10,300.30	74.25%
4625.0 · MISCELLANEOUS INCOME		
4800.0 · USAGE AND PRODUCTION FEES		
4810.0 · OTHER FEES		
<b>Total Income</b>	<u>-635,494.45</u>	<u>62.64%</u>
<b>Expense</b>		
6000.0 · UTILITIES		
6005.0 · Print/Copy/Photo Services	-1,970.83	1.46%
6007.0 · Postage/Freight/Shipping	-1,895.96	5.2%
6010.0 · Office Supplies		
6010.2 · Office Furniture	-5,000.00	0.0%
6011.0 · Comp Hardware-Plotter Supplies	-15,226.77	39.09%
6014.0 · Software Acquisition & Upgrades	-6,000.00	0.0%
6015.0 · IT Monthly Maintenance	-20,660.12	31.13%
6016.0 · Meeting Expense	-3,337.92	25.82%
6017.3 · Sponsorships	-5,000.00	0.0%
6019.0 · Subscriptions/Publications	-4,736.57	5.27%
6020.0 · Advertising		
6021.0 · MISCELLANEOUS EXPENSES		
6022.0 · Accounting System Operation		
6023.0 · MAINTENANCE		
6030.0 · CAPITAL OUTLAY-over 5,000		
6040.0 · LEASES		
6065.0 · DIRECTOR EXPENSES		
6066.0 · Directors Compensation	-19,150.00	23.4%
6075.0 · DUES & MEMBERSHIPS		
6080.0 · COMMUNICATIONS AND OUTREACH		
6081.0 · REGULATORY COMPLIANCE		
6084.92 · GENERAL MANAGEMENT		
6089.0 · AQUIFER SCIENCE		
6095.0 · CONTRACTED SUPPORT		
6100.0 · INSURANCE - DISTRICT		
6150.0 · INSURANCE - GROUP		
6160.0 · LEGAL SERVICES		
6170.0 · PROFESSIONAL SERVICES		
6179.0 · LEGISLATION	-9,000.00	25.0%
6180.0 · PROFESSIONAL DEVELOPMENT		
6199.0 · SALARIES AND WAGES		
6203.0 · TAXES & BENEFITS		
6690.0 · Reconciliation Discrepancies		

**Barton Springs Edwards Aquifer  
 Profit & Loss Budget vs. Actual  
 September through December 2023**

	AL	
	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>6800.0 · PROJECTS</b>		
<b>Total Expense</b>	<u>-1,127,068.67</u>	<u>32.53%</u>
<b>Other Income</b>		
<b>9000.00 · Transfer from TexPool General</b>	<u>-105,375.00</u>	<u>0.0%</u>
<b>Total Other Income</b>	<u>-105,375.00</u>	<u>0.0%</u>
<b>Other Expense</b>		
<b>9001.00 · Transfer to Contingency</b>	<u>-135,000.00</u>	<u>0.0%</u>
<b>Total Other Expense</b>	<u>-135,000.00</u>	<u>0.0%</u>
<b>Net Other Income</b>	<u>29,625.00</u>	<u>0.0%</u>
<b>Net Income</b>	<u><u>521,199.22</u></u>	<u><u>69,408.41%</u></u>

## **2. Profit and Loss Previous Year Comparison**

September 1, 2023 through December 31, 2023

## Barton Springs Edwards Aquifer Profit & Loss Prev Year Comparison

September through December 2023  
BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT  
Profit and Loss Previous Year Comparison  
September 1 - December 31, 2023

	<u>Sep - Dec 23</u>	<u>Sep - Dec 22</u>	<u>\$ Change</u>
<b>Income</b>			
4400.0 · Interest Income	29,699.70	19,332.12	10,367.58
4625.0 · MISCELLANEOUS INCOME	676.03	41,638.09	-40,962.06
4800.0 · USAGE AND PRODUCTION FEES	918,375.32	869,194.86	49,180.46
4810.0 · OTHER FEES	116,666.50	49,390.22	67,276.28
<b>Total Income</b>	<u>1,065,417.55</u>	<u>979,555.29</u>	<u>85,862.26</u>
<b>Expense</b>			
6000.0 · UTILITIES	7,809.89	7,416.50	393.39
6005.0 · Print/Copy/Photo Services	29.17	1,147.89	-1,118.72
6007.0 · Postage/Freight/Shipping	104.04	615.70	-511.66
6010.0 · Office Supplies	2,548.23	2,209.69	338.54
6011.0 · Comp Hardware-Plotter Supplies	9,773.23	4,704.35	5,068.88
6014.0 · Software Acquisition & Upgrades	0.00	649.37	-649.37
6015.0 · IT Monthly Maintenance	9,339.88	6,413.10	2,926.78
6016.0 · Meeting Expense	1,162.08	2,949.85	-1,787.77
6019.0 · Subscriptions/Publications	263.43	1,288.48	-1,025.05
6020.0 · Advertising	2,069.19	332.00	1,737.19
6021.0 · MISCELLANEOUS EXPENSES	260.95	552.25	-291.30
6022.0 · Accounting System Operation	698.00	1,369.20	-671.20
6023.0 · MAINTENANCE	4,849.37	10,527.36	-5,677.99
6040.0 · LEASES	3,229.80	3,229.80	0.00
6065.0 · DIRECTOR EXPENSES	55.16	60.25	-5.09
6066.0 · Directors Compensation	5,850.00	3,250.00	2,600.00
6075.0 · DUES & MEMBERSHIPS	2,490.00	2,635.00	-145.00
6080.0 · COMMUNICATIONS AND OUTREACH	247.57	1,683.03	-1,435.46
6081.0 · REGULATORY COMPLIANCE	686.00	3,250.00	-2,564.00
6084.92 · GENERAL MANAGEMENT	460.88	0.00	460.88
6089.0 · AQUIFER SCIENCE	1,829.63	374.84	1,454.79
6095.0 · CONTRACTED SUPPORT	28,319.57	6,195.60	22,123.97
6100.0 · INSURANCE - DISTRICT	2,261.80	3,583.62	-1,321.82
6150.0 · INSURANCE - GROUP	39,030.49	40,112.05	-1,081.56
6160.0 · LEGAL SERVICES	15,124.40	16,735.00	-1,610.60
6170.0 · PROFESSIONAL SERVICES	50,789.96	21,956.97	28,832.99
6179.0 · LEGISLATION	3,000.00	6,000.00	-3,000.00
6180.0 · PROFESSIONAL DEVELOPMENT	1,001.47	2,056.05	-1,054.58
6199.0 · SALARIES AND WAGES	268,185.75	302,550.11	-34,364.36
6203.0 · TAXES & BENEFITS	42,068.27	30,986.29	11,081.98
6690.0 · Reconciliation Discrepancies	780.22	790.08	-9.86
6800.0 · PROJECTS	39,147.90	0.00	39,147.90
<b>Total Expense</b>	<u>543,466.33</u>	<u>485,624.43</u>	<u>57,841.90</u>
<b>Net Income</b>	<u><u>521,951.22</u></u>	<u><u>493,930.86</u></u>	<u><u>28,020.36</u></u>

# Barton Springs Edwards Aquifer Profit & Loss Prev Year Comparison

September through December 2023  
BARTON SPRINGS EDWARDS AQUIFER  
Profit and Loss Previous Year  
September 1 - December 31, 2023

	<b>% Change</b>
<b>Income</b>	
4400.0 · Interest Income	53.63%
4625.0 · MISCELLANEOUS INCOME	-98.38%
4800.0 · USAGE AND PRODUCTION FEES	5.66%
4810.0 · OTHER FEES	136.21%
<b>Total Income</b>	<b>8.77%</b>
<b>Expense</b>	
6000.0 · UTILITIES	5.3%
6005.0 · Print/Copy/Photo Services	-97.46%
6007.0 · Postage/Freight/Shipping	-83.1%
6010.0 · Office Supplies	15.32%
6011.0 · Comp Hardware-Plotter Supplies	107.75%
6014.0 · Software Acquisition & Upgrades	-100.0%
6015.0 · IT Monthly Maintenance	45.64%
6016.0 · Meeting Expense	-60.61%
6019.0 · Subscriptions/Publications	-79.56%
6020.0 · Advertising	523.25%
6021.0 · MISCELLANEOUS EXPENSES	-52.75%
6022.0 · Accounting System Operation	-49.02%
6023.0 · MAINTENANCE	-53.94%
6040.0 · LEASES	0.0%
6065.0 · DIRECTOR EXPENSES	-8.45%
6066.0 · Directors Compensation	80.0%
6075.0 · DUES & MEMBERSHIPS	-5.5%
6080.0 · COMMUNICATIONS AND OUTREACH	-85.29%
6081.0 · REGULATORY COMPLIANCE	-78.89%
6084.92 · GENERAL MANAGEMENT	100.0%
6089.0 · AQUIFER SCIENCE	388.11%
6095.0 · CONTRACTED SUPPORT	357.09%
6100.0 · INSURANCE - DISTRICT	-36.89%
6150.0 · INSURANCE - GROUP	-2.7%
6160.0 · LEGAL SERVICES	-9.62%
6170.0 · PROFESSIONAL SERVICES	131.32%
6179.0 · LEGISLATION	-50.0%
6180.0 · PROFESSIONAL DEVELOPMENT	-51.29%
6199.0 · SALARIES AND WAGES	-11.36%
6203.0 · TAXES & BENEFITS	35.76%
6690.0 · Reconciliation Discrepancies	-1.25%
6800.0 · PROJECTS	100.0%
<b>Total Expense</b>	<b>11.91%</b>
<b>Net Income</b>	<b>5.67%</b>

### **3. Balance Sheet Previous Year Comparison**

As of December 31, 2023 (compared to December 31, 2022)



## Barton Springs Edwards Aquifer Balance Sheet Prev Year Comparison

As of December 31, 2023

"BARTON SPRINGS EDWARDS AQUIFER CONSERVATION DISTRICT  
Balance Sheet Previous Year Comparison  
As of December 31, 2023"

	Dec 31, 23	Dec 31, 22	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
<b>Checking/Savings</b>			
1000.0 · Cash in Bank-Checking Truist	62,683.49	103,549.72	-40,866.23
1010.0 · Cash in Bank - Payroll Truist	29,901.31	10,468.36	19,432.95
1030.0 · TexPool Funds - General			
1030.1 · AqProtectRes-Well Pluggings	53,750.00	53,750.00	0.00
1030.12 · AqProtectRes -Drought Mgmt	160,365.00	0.00	160,365.00
1030.21 · Cash Flow Reserve	175,000.00	175,000.00	0.00
1030.0 · TexPool Funds - General - Other	1,251,328.64	966,622.68	284,705.96
<b>Total 1030.0 · TexPool Funds - General</b>	<b>1,640,443.64</b>	<b>1,195,372.68</b>	<b>445,070.96</b>
1040.0 · TexPool Funds - Contingency	641,544.31	613,055.17	28,489.14
1045.0 · TexPool Funds - Reserve	68,638.39	65,590.31	3,048.08
<b>Total Checking/Savings</b>	<b>2,443,211.14</b>	<b>1,988,036.24</b>	<b>455,174.90</b>
<b>Accounts Receivable</b>			
1200.0 · Accounts Receivable			
1200.1 · A/R DMF	5,090.00	1,350.00	3,740.00
1200.0 · Accounts Receivable - Other	65,214.48	30,674.28	34,540.20
<b>Total 1200.0 · Accounts Receivable</b>	<b>70,304.48</b>	<b>32,024.28</b>	<b>38,280.20</b>
<b>Total Accounts Receivable</b>	<b>70,304.48</b>	<b>32,024.28</b>	<b>38,280.20</b>
<b>Other Current Assets</b>			
1100.0 · Petty Cash	300.00	300.00	0.00
1300.0 · Pre-paid Expenses	7,770.69	11,059.79	-3,289.10
1499.0 · Undeposited Funds-A/R payments	431.65	17,149.59	-16,717.94
<b>Total Other Current Assets</b>	<b>8,502.34</b>	<b>28,509.38</b>	<b>-20,007.04</b>
<b>Total Current Assets</b>	<b>2,522,017.96</b>	<b>2,048,569.90</b>	<b>473,448.06</b>
<b>Fixed Assets</b>			
1400.0 · Field Equipment	376,487.89	376,487.89	0.00
1410.0 · Office Equipment & Furniture	19,722.90	19,722.90	0.00
1410.1 · Computer Hardware & Software	19,329.69	19,329.69	0.00
1420.0 · Vehicles	52,363.03	52,363.03	0.00
1430.0 · Accumulated Depreciation	-608,852.24	-608,852.24	0.00
1440.0 · Land (Antioch Cave)	165,415.00	165,415.00	0.00
1445.0 · Office Building	268,588.04	268,588.04	0.00
<b>Total Fixed Assets</b>	<b>293,054.31</b>	<b>293,054.31</b>	<b>0.00</b>
<b>Other Assets</b>			
1500.0 · Organizational Costs	300,783.26	300,783.26	0.00
1510.0 · Accumulated Amortization	-326,324.26	-326,324.26	0.00
1600.0 · Deposits Paid (Utilities)	71.00	71.00	0.00
<b>Total Other Assets</b>	<b>-25,470.00</b>	<b>-25,470.00</b>	<b>0.00</b>
<b>TOTAL ASSETS</b>	<b>2,789,602.27</b>	<b>2,316,154.21</b>	<b>473,448.06</b>

**Barton Springs Edwards Aquifer**  
**Balance Sheet Prev Year Comparison**  
As of December 31, 2023

	<u>Dec 31, 23</u>	<u>Dec 31, 22</u>	<u>\$ Change</u>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
<b>Credit Cards</b>			
2007.0 · Truist VISA	763.97	992.93	-228.96
<b>Total Credit Cards</b>	<u>763.97</u>	<u>992.93</u>	<u>-228.96</u>
<b>Other Current Liabilities</b>			
2010.0 · Rebates Payable - Cons Credits	0.00	0.01	-0.01
2100.0 · Deferred Revenue	75,741.00	75,741.00	0.00
2110.0 · Direct Deposit Liabilities	1,035.01	1,035.01	0.00
2200.0 · Fica & Medicare Withheld	-3.98	-11.31	7.33
2220.0 · Federal Income Tax Withheld	-1,065.01	-1,065.01	0.00
2230.0 · Employer Fica & Med Payable	-143.23	-150.56	7.33
2250.0 · TWC Unemployment Tax Payable	2.73	3.22	-0.49
2270.0 · Payroll Liabilities	96.09	0.09	96.00
2300.0 · Accrued Vacation Payable	42,511.01	50,620.20	-8,109.19
<b>Total Other Current Liabilities</b>	<u>118,173.62</u>	<u>126,172.65</u>	<u>-7,999.03</u>
<b>Total Current Liabilities</b>	<u>118,937.59</u>	<u>127,165.58</u>	<u>-8,227.99</u>
<b>Total Liabilities</b>	118,937.59	127,165.58	-8,227.99
<b>Equity</b>			
3000.0 · Fund Balance	1,783,286.20	1,329,630.51	453,655.69
3000.3 · Invested in Capital Assets	365,127.26	365,127.26	0.00
3110.0 · Reserve for Petty Cash	300.00	300.00	0.00
<b>Net Income</b>	<u>521,951.22</u>	<u>493,930.86</u>	<u>28,020.36</u>
<b>Total Equity</b>	<u>2,670,664.68</u>	<u>2,188,988.63</u>	<u>481,676.05</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>2,789,602.27</u></u>	<u><u>2,316,154.21</u></u>	<u><u>473,448.06</u></u>

# Barton Springs Edwards Aquifer Balance Sheet Prev Year Comparison

As of December 31, 2023

"BARTON SPRINGS EDWARDS AC  
Balance Sheet Previc  
As of December 31, 20

	<b>% Change</b>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	ala
1000.0 · Cash in Bank-Checking Truist	-39.47%
1010.0 · Cash in Bank - Payroll Truist	185.64%
1030.0 · TexPool Funds - General	
1030.1 · AqProtectRes-Well Pluggings	0.0%
1030.12 · AqProtectRes -Drought Mgmt	100.0%
1030.21 · Cash Flow Reserve	0.0%
1030.0 · TexPool Funds - General - Other	29.45%
<b>Total 1030.0 · TexPool Funds - General</b>	<b>37.23%</b>
1040.0 · TexPool Funds - Contingency	4.65%
1045.0 · TexPool Funds - Reserve	4.65%
<b>Total Checking/Savings</b>	<b>22.9%</b>
<b>Accounts Receivable</b>	
1200.0 · Accounts Receivable	
1200.1 · A/R DMF	277.04%
1200.0 · Accounts Receivable - Other	112.6%
<b>Total 1200.0 · Accounts Receivable</b>	<b>119.54%</b>
<b>Total Accounts Receivable</b>	<b>119.54%</b>
<b>Other Current Assets</b>	
1100.0 · Petty Cash	0.0%
1300.0 · Pre-paid Expenses	-29.74%
1499.0 · Undeposited Funds-A/R payments	-97.48%
<b>Total Other Current Assets</b>	<b>-70.18%</b>
<b>Total Current Assets</b>	<b>23.11%</b>
<b>Fixed Assets</b>	
1400.0 · Field Equipment	0.0%
1410.0 · Office Equipment & Furniture	0.0%
1410.1 · Computer Hardware & Software	0.0%
1420.0 · Vehicles	0.0%
1430.0 · Accumulated Depreciation	0.0%
1440.0 · Land (Antioch Cave)	0.0%
1445.0 · Office Building	0.0%
<b>Total Fixed Assets</b>	<b>0.0%</b>
<b>Other Assets</b>	
1500.0 · Organizational Costs	0.0%
1510.0 · Accumulated Amortization	0.0%
1600.0 · Deposits Paid (Utilities)	0.0%
<b>Total Other Assets</b>	<b>0.0%</b>
<b>TOTAL ASSETS</b>	<b>20.44%</b>

**Barton Springs Edwards Aquifer  
Balance Sheet Prev Year Comparison  
As of December 31, 2023**

	<b>% Change</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Credit Cards</b>	
2007.0 · Truist VISA	-23.06%
<b>Total Credit Cards</b>	-23.06%
<b>Other Current Liabilities</b>	
2010.0 · Rebates Payable - Cons Credits	-100.0%
2100.0 · Deferred Revenue	0.0%
2110.0 · Direct Deposit Liabilities	0.0%
2200.0 · Fica & Medicare Withheld	64.81%
2220.0 · Federal Income Tax Withheld	0.0%
2230.0 · Employer Fica & Med Payable	4.87%
2250.0 · TWC Unemployment Tax Payable	-15.22%
2270.0 · Payroll Liabilities	106,666.67%
2300.0 · Accrued Vacation Payable	-16.02%
<b>Total Other Current Liabilities</b>	-6.34%
<b>Total Current Liabilities</b>	-6.47%
<b>Total Liabilities</b>	-6.47%
<b>Equity</b>	
3000.0 · Fund Balance	34.12%
3000.3 · Invested in Capital Assets	0.0%
3110.0 · Reserve for Petty Cash	0.0%
Net Income	5.67%
<b>Total Equity</b>	22.01%
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>20.44%</b>

## Item 4

### General Manager's Report

#### Discussion and possible action topics

#### Topics

- a. Review of key team activities/projects.
  - i. New Staff/Staff Changes
  - ii. Leadership Training
  - iii. Database
  - iv. Monitoring Wells in City Parks Project
  - v. Well-Impact Analysis
- b. Aquifer Status Update
- c. Upcoming Events of Possible Interest

## Summary of January 2024 Team Activities and On Deck for January/February 2024

### **Aquifer Science Team**

#### December Activities:

- Data evaluation and report writing for Trinity drought synoptic water level study.
- Field measurements of Barton Springs and Blanco River to verify USGS gauges.
- FY 2024 Habitat Conservation Plan (HCP) report editing and updates.
- Lovelady drought trigger well maintenance and data evaluation with USGS.

#### On Deck:

- Barton Springs discharge measurements with USGS and COA.
- FY 2024 Habitat Conservation Plan MAC meeting.
- Scientific monitor well drilling at Barton Springs/Garrison park

### **Administration Team**

#### January Activities:

- January billings were sent out on December 16, 2023.
- Drought Management Fees now being assessed for 16<sup>th</sup> month.

#### On Deck: (January/February)

- All administrative processes and procedures are under new review as we maintain obligations.

### **Regulatory Compliance Team**

#### December Activities:

- Staff continues to work on new applications and assisting permittees with drought compliance.
- Staff will assist permittees adjusting to new Stage IV requirements. Will also assist permittees subject to Class A to B reclassifications.
- Staff continues analyzing monthly pumpage to confirm compliance/non-compliance of drought curtailments.
- Staff continuing to work through enforcement process with non-compliant permittees.
- Staff will continue to oversee the completion of Creedmoor-Maha's new Middle Trinity well and assist in planning of the aquifer testing.
- Staff continuing to provide input to database project on relevant modules.

#### On Deck:

- Ongoing review of potential updates to current enforcement plan and rules.
- Very early preparations of District-wide UDCP/UCP update in FY 24 will begin.

### **Policy and Project Team**

#### January Activities:

- Finalize database project with LRE.
- Finalize Well Impact Analysis Scope and Contract
- HCP annual report prep
- Ruby Ranch ASR discussion
- City of Buda ASR admin complete
- Work on getting hydrogeologic consultant to help with permit reviews

#### On Deck:

- Ongoing sustainable yield data compilation, research, and decision-making framework.
- Helping with regulatory compliance duties when asked.

### **Communications and Outreach Team**

#### January Activities:

- Disseminate Garrison and Zilker parks monitor well press release to media contacts and across social media.
- Assist with the hiring of new Bookkeeper and remove job posting once position is filled.
- Meet with Aqua Texas to develop water conservation communications for customers.

#### On Deck

- Finalize website to prepare for launch.
- Move forward with coordination of collaborative event with EAA and HTGCD.

**STATUS REPORT UPDATE  
FOR THE JANUARY 11, 2024 BOARD MEETING**

**Summary of Significant Activities – Prepared by Staff Leads**

**Upcoming Dates of Interest**

- Texas Groundwater Association (TWGA) Annual Convention – January 23-26, 2024, San Marcos, TX
- Texas Alliance of Groundwater Districts (TAGD) Business Meeting – January 30-31, 2024, Round Rock, TX

## **DROUGHT MANAGEMENT**

### **Drought Status and Water-Level Monitoring (*Justin*)**

2023 has come and gone, yet we continue to feel the lasting impact of its extreme heat and low rainfall. It was the hottest year on record with Camp Mabry recording an average temperature of 72.2 degrees Fahrenheit. This is a tenth of a degree hotter than 2017- the previous record holder. The Austin area's average annual rainfall is 36.5 inches. With only 26.8 inches of rain in 2023, it was the region's 34th driest year on record.

At the end of the already historic year, the District declared Stage IV drought on December 14 in a first for the organization. This was a result of the Lovelady monitor well falling below the drought threshold. The cooler temperatures of fall and winter have helped slow down the impacts of the drought, but below average rainfall in November and December pushed Lovelady's groundwater levels into Stage IV.

As of January 4, the 10-day average reading from the real-time USGS gauge at Barton Springs indicates a flow of 23 cubic feet per second (cfs). Rainfall in December and early January has maintained a constant spring flow in the 20 cfs range. BSEACD staff will conduct a manual field measurement in late-January to verify the accuracy of the USGS gauge reporting.

On January 4, the Lovelady well recorded a 10-day average water level of 456.8 feet above mean sea level (ft-msl), which is below the District's Stage IV Exceptional Drought threshold. Because of the persistent below-average rainfall and consequent decline in water levels at Lovelady, the District's Board of Directors declared Stage IV Exceptional Drought on December 14, 2023, marking the first declaration of its kind in the agency's 36-year history.

Following the below-average rains in November and December there has been little to no rise in the Upper Trinity, while the Middle Trinity has displayed a positive response. The flow gauge at Jacob's Well spring has recorded zero flow since a brief pulse following the October rainfall. Meanwhile, the Blanco River at Wimberley has seen increased flows linked to the recent rains.



## DISTRICT PROJECTS

### **GMA Joint Planning**

➤ ***GMA 10 Coordination (Tim)***

The GMA 10 joint-planning group is working with Alyson McDonald of Collier Consulting. The fourth joint-planning process, culminating in February 2027 with the presentation of final explanatory reports, is estimated to cost \$110,081. The estimated cost to the District is \$24,000 over the next three to four fiscal years beginning with FY 2024. An ILA between the six GMA 10 planning members has been slow to materialize due to slow responses from some GCD members. The District has approved the latest draft language. It is expected that the ILA will be brought before the Board for approval during the 1<sup>st</sup> quarter of 2024. The next planning meeting is scheduled for January 22, 2024. All meetings are hosted by the Edwards Aquifer Authority in San Antonio.

### **Trinity Aquifer Sustainable Yield Study & Planning**

➤ ***Policy Concepts and Advisory Workgroup Planning (Kendall)***

An RFQ for a well-impact analysis was issued and closed on November 1. The District received three statements of qualification and interest from Collier Consulting, LRE Water, and Robert Gailey Consulting Hydrogeologist PC (RMG). Staff requested a detailed proposal and presentation from LRE water and Robert Gailey Consulting. After a presentation and interview with both firms, staff is hoping to work with both firms and divide task based on each firm's expertise. Staff plans to have contract(s) presented to the Board in February.

### ***Technical Evaluations (Jeff)***

Aquifer Science staff continue to collect data on the geology and hydrogeology related to the Trinity Aquifers. We are continuing to collect and evaluate water level data from our network of Trinity monitoring wells. In September staff completed data collection for our Trinity Aquifer synoptic drought study which will produce a water level map of the aquifer under the present drought conditions. Data is currently being evaluated and we anticipate publishing results of the study soon. This study will provide valuable data and insights on how the Trinity has responded to the current severe drought in different locations, which will be important for informing the Trinity Sustainable Yield project.

The first phase of work on the Trinity Aquifer Sustainability (TAS) model (previously called the "in-house model) has been completed. A comprehensive report with technical details of model construction has been published on the District website. An executive summary was also published summarizing key model findings for non-technical audiences, and is available for download in PDF format on the District website. The next phase of modeling will involve building a series of predictive models from the calibrated TAS model to provide quantitative estimates of impacts of various pumping scenarios on Trinity Aquifer water levels and spring flow. These predictive models will incorporate stakeholder input to identify key questions of interest for the model to answer. Staff met with INTERA to discuss their review of the TAS on November 20, 2023 and suggestions for the model improvements during the next phase of modeling, which is currently being planned for 2024.

### **Habitat Conservation Plan (Staff)**

- **Planning for Technical Tasks:** Aquifer Science staff are coordinating studies at Barton Springs with COA staff. These studies include measurement of dissolved oxygen (DO) in the Barton Springs pool and the installation of a monitor well within Zilker Park and south of the pool. Deployment of this equipment will take place after the monitor well is installed. Staff submitted an application for a grant from the City of Austin in February which would help pay for the conversion of a standard monitor well to a multiport well. As of May 2023, there is tentative approval of the grant request and AS staff are preparing details of the project with COA staff. The purpose of the monitor well is to understand how groundwater flows from the deeper portions of the Edwards Aquifer to the springs and how DO is distributed vertically in the aquifer. The HCP identified low levels of DO as a threat to the endangered salamanders. A potential remedy for low DO during severe drought is augmentation of DO in the shallow aquifer so that the threat of low DO is reduced.
- **Barton Springs Flow Measurements:** On Monday, October 2, 2023 Staff met with collaborating agency staff from US Fish and Wildlife, the US Geological Survey, and the City of Austin to discuss options for improving Barton Springs flow measurements, which have been shown to have lower accuracy during low flow drought conditions. Also on Monday, October 2, AS staff met with Brian Hunt at the Bureau of Economic geology to test a new flow measurement instrument at Barton Springs. Data collected from this field outing will be compared with flow data collected from other BSEACD and other agencies using the old method, to evaluate if the new instrument (which is called an Acoustic Doppler Current Profiler) can provide higher accuracy flow data. AS staff will continue to work with staff from collaborating agencies to explore solutions for improving flow data accuracy.
- **Annual Report:** Staff is preparing the HCP annual report and plans to hold the MAC meeting in early February.

#### **Database Management System – LRE Water (*Kendall, Tim*)**

LRE is still working to finalize the first phase of the database. The final punch list is 90% complete and staff will have to do some final QA/QC before the database is ready to be used for compliance assessment. Staff will be working with LRE to identify the final deliverables within the scope and any deliverables that should be shifted to a “Phase 2” database project.

#### **ILA Commitments (*Staff*)**

The District has an ILA with COA to coordinate studies for the respective HCPs such as scientific feasibility studies and monitoring evaluations; to collaborate on the planning of future Kent Butler Summits; and to exchange technical information regularly on an annual basis. An annual technical meeting is held between the District and COA in December each year to discuss each organization’s activities related to their respective HCPs. The next meeting will be held in December 2023.

#### **Region K Planning Activities (*Tim, Kendall*)**

The next meeting is scheduled for February 13, 2024 at the LCRA facility in LaGrange, Texas.

#### **New Maps, Publications, or Reports**

A list of recent publications can be found at: <https://bseacd.org/scientific-reports/>

## RULEMAKING, PERMITTING, AND ENFORCEMENT

### Rulemaking (*Tim, Erin, District Counsel, R and E Committee*)

Rules have been updated during the past two consecutive Public Hearings in October and November and will be updated a third time at the December Public Hearing.

### Drought (*Erin*)

- Will continue working with Aqua Texas, Creedmoor – Maha, and Monarch Utilities to ensure compliance per their Agreed Orders.
- Executed Agreed Order with Tindol Restaurant Group, LLC. Staff will continue working with Tamra to ensure all technical requirements are met and assess any penalties for months October and November 2023, if necessary.
- Will assist permittees in adjusting to new Stage IV curtailments, especially permittees eligible for Class A to B reclassification.
- Will continue monthly pumpage analysis to determine all permittee’s compliance status of drought curtailments.
- Will continue to assist permittees in ensuring they successfully comply with their UDCPs and Stage IV drought curtailments for January.

### Enforcement and Compliance Matters (*Erin*)

<i>Compliance/Enforcement</i>			
<i>Permittee or Entity Name</i>	<i>Aquifer</i>	<i>Use Type</i>	<i>Notes</i>
Aqua Texas – Bear Creek Park	Edwards	PWS	Agreed Order Executed.
Aqua Texas – Bliss Spillar (Edwards)	Edwards	PWS	Agreed Order Executed.
Creedmoor-MAHA	Edwards	PWS	Agreed Order Executed.
Monarch Utilities, Inc.	Edwards	PWS	Agreed Order Executed.
Tindol Restaurant Group, LLC	Middle Trinity	Commercial	11/28/2023 Agreed Order Signed and Executed.
Aqua Texas – Sierra West	Middle Trinity	PWS	Agreed Order Draft sent to Aqua staff for their review and signatures.
Seiders, Roy	Middle Trinity	Irrigation	BSEACD staff attempting to schedule pre-enforcement meeting with property manager.

### Permitting Activity (*Erin, Jacob*)

<i>Upcoming</i>					
<i>Precinct</i>	<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request (GPY)</i>
1 – Pickens	Replacement	Middle Trinity	Schonefeld, Joey	Domestic	17 GPM - Exempt
1 - Pickens	LPP	Middle Trinity	Martinez, Sergio	Domestic	500,000
2-Stansberry	Plugging	TBD	Rangel, Alonso	Plugging	0

<i>In Review</i>					
	<i>Application Type</i>	<i>Aquifer</i>	<i>Applicant Name</i>	<i>Use Type</i>	<i>Volume Request (GPY)</i>
1 - Pickens	LPP	Upper Trinity	Pena, Estrella	Domestic	500,000
1 - Pickens	Plugging	Middle Trinity	Schonefeld, Joey	Domestic	0 - Plugging
1 - Pickens	Volume Increase	Middle Trinity	Tindol Restaurant Group	Commercial	2.5 million?
1 - Pickens	WDA	Middle Trinity	Whiskey Ridge	Commercial	0 - Monitoring
<i>Recently Approve and/or Admin Complete</i>					

## AQUIFER STUDIES

*(Jeff, Justin, and Tim)*

### **Permitting Hydrogeologic Studies:**

Working with Regulatory Compliance on permitting issues as needed. AS staff continue to review geophysical logs of wells prior to final completion of the wells on an as-needed basis. In April, 2023 AS staff reviewed a drilling proposal submitted by Creedmoor-Maha for a Trinity well to be installed in their Edwards well field off of Twin Creeks Road. The Board of Directors approved a well drilling permit in May and drilling operations began in November. In December 2023, AS staff worked with Reg Comp team and drillers to evaluate geophysical logs and ensure accurate aquifer picks for well completion. A review of the City of Buda ASR permit application by AS staff is underway.

### **Groundwater Studies: *Dye Tracing, Water Quality, Aquifer Characterizations***

- Coleman’s Canyon- continuing to collect water-level data from the multiport well every month to 6 weeks. Groundwater sampling of these two wells was performed in May and June as part of the TWDB summer sampling program.
- There are no dye-trace studies planned at this time because of minimum to no flow in streams and springs.
- A synoptic water level study characterizing the Trinity Aquifer during severe drought conditions is underway. Data collection for this study was finished in September 2023 and data evaluation is currently underway. We plan to publish results of the synoptic drought study soon.
- Aquifer science staff are working with the GM, City of Austin staff, and others to drill two new Edwards Aquifer wells in January 2024: one next to Barton Springs Pool in Zilker Park and one at Garrison Park in south Austin.

### **Field Activities:**

- Cooperating with USGS and City of Austin staff to confirm accurate real-time gauge reporting at Barton Springs and Lovelady. Conducting bi-weekly to monthly field measurements. AS staff tested a new flow measurement instrument to measure Barton Springs flow on 10/2/23. Data from this instrument will be compared with flow measurements using the traditional method to determine if it can provide a more accurate flow measurement, especially during low-flow periods. A follow-up field visit occurred on 12/14/23 to collect another set of Barton Springs flow data with the new instrument. AS staff will produce a technical memorandum summarizing findings of this field work.
- Cooperating with USGS staff to confirm accurate real-time gauge reporting at Jacob’s Well and the Blanco River at Wimberley.
- Calibrating telemetry monitoring equipment at the Needmore index well (Amos) and reviewing pumping and water-level data as drought worsens.
- Antioch- Continuing to maintain the system and to collect data on flow into the vault (when there is flow). A recent visit to Antioch Cave to assess operating components and electronics indicated the need to recondition most electrical systems.
- Well monitoring- Because of drought, staff are increasing the amount of time maintaining equipment in numerous monitor wells and downloading and interpreting data; and occasionally checking on wells that have been reported as “dry”.
- City of Austin monitor well drilling to begin in January 2024.
- Texas Water Development Board annual water chemistry sampling (20 wells).
- Magellan Pipeline annual sampling.

**Trinity Aquifer Modeling Development:**

- Trinity Aquifer Sustainability model (TAS): The first phase of modeling has been completed and a report has been published on the District website detailing specifics of model construction. Planning for the second phase of modeling is underway, and is set to begin in 2024.
- BRAAT modeling: Staff was informed during an October 2023 meeting that the BRAAT modeling project has stalled due to a variety of issues related to contracting, budgeting, and technical challenges related to model development. It is unclear at this point if a model useful to BSEACD will arise from the BRAAT project.
- New TWDB Southern Trinity GAM model: In July 2023 staff participated in a kickoff meeting hosted by TWDB modeling staff for the Southern Trinity GAM model. This regional model will cover the BSEACD portion of the Trinity Aquifer. AS will be in regular contact with the TWDB modeling team to provide data and technical guidance on model construction.

## COMMUNICATIONS AND OUTREACH (Shay)

### **Drought Communications**

#### Press Release

A press release about the Stage IV declaration was sent out on December 15 to 23 media outlets. The following stories were shared:

- [KXAN – 12/15/23](#)
- [FOX7- 12/15/23](#)
- [Community Impact – 12/15/23](#)
- [KVUE – 12/15/23](#)

Inside Climate News will interview District staff soon for an article about the ongoing Texas drought.

#### Social Media

The drought declaration was posted across social media outlets along with Nextdoor. The post was shared nearly 60 times on Facebook and had high levels of engagement across all outlets.

#### Email Communications

[This email](#) was sent to email subscribers on December 15 to inform them about the drought declaration. It was opened by 2,227 people and had an open rate of 42.9%.

### **Zilker and Garrison Parks Monitor Well Communications**

#### Web Page

Staff created and published the following webpage with a press release about the installation of the scientific research monitor wells.

#### Email Communications

With drilling beginning in early January, staff sent an informational email along with the related web page to inform relevant organizations. Emails were sent to:

- Friends of Zilker
- Zilker Neighborhood Association
- Save Our Springs
- Save Barton Creek Association
- Friends of Barton Springs

#### Press Release

The press release will be shared in mid-January before drilling begins.

### **New Website**

Staff continue to work with District web contractor, Brian Zavala, to fine tune and edit features on the back end of the website. Communications and Outreach staff are now meeting with individual District teams to finalize web pages and identify any remaining gaps.

### **Job Posting**

Staff posted the Bookkeeper position on the District website and across all social media outlets. We've received nine applications so far. Additionally, it's been posted on:

- LinkedIn
- Idealist
- Texas Water Foundation
- Hill Country Alliance
- Texas Water Development Board
- Texas Alliance of Groundwater Districts
- Texas Water Conservation Association



## ADMINISTRATION

Following the retirement of Tammy Raymond (last day 12/15/23) and the resignation of Dana Wilson (last day 1/2/24), the administrative team is in transition. Hannah Riggs joined the District on January 2, 2024 as the new Administrative Coordinator. Tina Cooper with the Austin Alliance Group is providing admin support with the help of the Admin. Coordinator and General Manager.

A vacancy announcement for a new Bookkeeper was released last month, but is being withdrawn until the task load and work-flow processes, including potential for new efficiencies to be gained, is better understood by the current team. At the same time, the position will be (re)considered in light of other staffing needs (e.g., assistant to the GM, office manager, etc.).

*The Administration Team typically has repetitive monthly tasks e.g. monthly bank reconciliations, monthly adjusting journal entries, accounts payable, payroll, contract/grant/project tracking, office maintenance and repairs, budget monitoring, bi-weekly payroll journal updates, directors' compensation, pre-paids, DMFs, posting public meetings, preparing meeting backups, etc. These types of tasks are not listed in this report because they are repetitive. Administration status reports are generally more summarized than the other teams, as we list our extra-ordinary tasks outside of our routine tasks, while supporting all other teams.*

## Item 5

### Presentation

Trinity Sustainable Yield Staff Presentation

## Item 6

### Public Hearing

Paradis Vineyard and Winery, LLC, (7585 Ranch Road 12, San Marcos, TX 78666) filed a well-drilling application on September 29, 2023 with the Barton Springs/Edwards Aquifer Conservation District for one new nonexempt well. The well is proposed to be discretely completed in the Middle Trinity Aquifer. The well is planned to be used as a public water supply well for the winery's tasting room and the domestic needs of a single home located on the property. The well will also be used to irrigate the vineyard's grape vines. A separate Production Permit Application will be required in order to operate and produce groundwater from the well in the future. The proposed well is to be located in Hays County at 7585 Ranch Road 12, San Marcos, TX (29.925706°, -98.066992°).

FILED  
HAYS COUNTY, TEXAS  
at 2:46 p o'clock

DEC 12 2023

*Elaine D. Cardenas*  
COUNTY CLERK



**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

**PUBLIC HEARING**

Notice is given that the Barton Springs/Edwards Aquifer Conservation District Board of Directors will hold a Public Hearing at its regularly scheduled meeting on Thursday, January 11, 2023, at 5:00 p.m. at the District office located at 1124 Regal Row, Austin, Texas.

Paradis Vineyard and Winery, LLC, (7585 Ranch Road 12, San Marcos, TX 78666) filed one well drilling authorization application on September 29, 2023, with the Barton Springs/Edwards Aquifer Conservation District (District) for one new nonexempt well. The well is proposed to be discretely completed in the Middle Trinity aquifer. It is planned to be used as a Public Water Supply well for the winery's tasting room and the domestic needs of a single home located on the property. The well will also be used to irrigate the vineyard's grape vines. A separate Production Permit Application will be required in order to operate and produce groundwater from this well in the future. The proposed well is located in Hays County at 7585 Ranch Road 12, San Marcos, TX (29.925706°, -98.066992° respectfully).

For further information, please contact the District, 1124 Regal Row, Austin, Texas 78748, (512) 282-8441, [bseacd@bseacd.org](mailto:bseacd@bseacd.org). You may also contact the applicant's representative: Alan Paradis Paradis Vineyard and Winery Cell: 817-233-6029 Email: [alanjparadis@gmail.com](mailto:alanjparadis@gmail.com)

Came to hand and posted on a Bulletin Board in the Courthouse, Hays County, Texas, on this, the 12<sup>th</sup> day of December 2023 at 4 p.m.



*Janet Moore*

Deputy Clerk

Hays County, TEXAS



**Hays County**

Elaine H. Cárdenas, MBA, PhD, County Clerk  
Hays Government Center  
712 S. Stagecoach Trail Ste. 2008  
San Marcos, Texas 78666  
512-393-7330

**Receipt: 23-35333**

\*\*\* REPRINT \*\*\* REPRINT \*\*\* REPRINT \*\*\*

<b>Product</b>	<b>Name</b>	<b>Extended</b>
PUBNOTICE	PUBLIC NOTICE	\$3.00
	# of Notices	1
<b>Total</b>		<b>\$3.00</b>
Tender (On Account)		\$3.00
Account #	191	
Account Name	BARTON SPRINGS/EDWARDS AQUIFER	
Balance	(\$55.00)	

\*\*\* REPRINT \*\*\* REPRINT \*\*\* REPRINT \*\*\*  
Thank You



**Barton Springs  
Edwards Aquifer**  
CONSERVATION DISTRICT

**STAYS IN FILE**

**PUBLIC HEARING**

Notice is given that the Barton Springs/Edwards Aquifer Conservation District Board of Directors will hold a Public Hearing at its regularly scheduled meeting on Thursday, January 11, 2023, at 5:00 p.m. at the District office located at 1124 Regal Row, Austin, Texas.

Paradis Vineyard and Winery, LLC, (7585 Ranch Road 12, San Marcos, TX 78666) filed one well drilling authorization application on September 29, 2023, with the Barton Springs/Edwards Aquifer Conservation District (District) for one new nonexempt well. The well is proposed to be discretely completed in the Middle Trinity aquifer. It is planned to be used as a Public Water Supply well for the winery's tasting room and the domestic needs of a single home located on the property. The well will also be used to irrigate the vineyard's grape vines. A separate Production Permit Application will be required in order to operate and produce groundwater from this well in the future. The proposed well is located in Hays County at 7585 Ranch Road 12, San Marcos, TX (29.925706<sup>o</sup>, -98.066992<sup>o</sup> respectfully).

For further information, please contact the District, 1124 Regal Row, Austin, Texas 78748, (512) 282-8441, [bseacd@bseacd.org](mailto:bseacd@bseacd.org). You may also contact the applicant's representative: Alan Paradis Paradis Vineyard and Winery Cell: 817-233-6029 Email: [alanjparadis@gmail.com](mailto:alanjparadis@gmail.com)

Came to hand and posted on a Bulletin Board in the Courthouse, Travis County, Texas, on this, the \_\_\_\_\_ day of \_\_\_\_\_ 2023 at \_\_\_\_\_ a.m.

\_\_\_\_\_, Deputy Clerk

Travis County, TEXAS

Came to hand and posted on a Bulletin Board in the  
County Recording Office, Austin, Travis County, Texas on this the  
12th day of December 2023

Dyana Limon-Mercado

County Clerk, Travis County, Texas

By Yesenia E. Deputy

**YESENIA E.**



**FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS**



*Dyana Limon-Mercado*

**Dyana Limon-Mercado, County Clerk  
Travis County, Texas**

**202381646**

**Dec 12, 2023 02:43 PM**

**Fee: \$3.00**

**ESPINOZAY**

## Item 7

### Board Discussion and Possible Action

- a. Discussion and possible action on a new nonexempt well drilling application filed by Paradis Vineyard and Winery, LLC, as described in the Public Hearing agenda item above.

**Application Summary and Staff Recommendations**  
**03/30/2023**

**DESCRIPTION OF APPLICATION**

Applicant: Paradis Vineyard and Winery, LLC – Alan Paradis

Type of Application: Well Drilling Authorization for new well in Middle Trinity Management Zone

Request: Applicant is requesting to drill one (1) well in the Middle Trinity Aquifer for the purpose of public water supply to support the needs of a tasting room for the winery and to irrigate the vineyard’s grape vines. It will also be used to support the domestic needs of a single home that is also located on the property. A separate Production Permit Application will be required in order to operate and produce from this well in the future.

**REASON FOR REQUEST**

Paradis Vineyard and Winery, LLC filed one (1) well drilling authorization application on September 29, 2023 with the District for a new nonexempt Middle Trinity well. The applicant currently does not hold any other permits with the District, but does have a registered exempt use well on the property the currently is used to supply the home currently on site. The proposed use of the new well will be as the sole source for the needs of the winery’s tasting room and to irrigate the vineyard’s 4 acres of wine-grapes. If the applicant finds the groundwater production and quality to be adequate and desirable, the applicant will file a future production permit application in which case they would have to support that request by completing a full-scale aquifer test and hydrogeological report.

**WELL/RECEIVING AREA LOCATION**

The proposed well is located in Hays County on a 20.5-acre tract located on the southern side of Ranch-To-Market 12 in San Marcos (29° 55’ 32.54” N, 98° 4’ 1.17” W). Attachment A shows the location of the proposed new well. The produced groundwater is proposed to be used primarily for public water supply for the winery’s and its tasting room as wells as to help irrigate the grape vines.

**WELL DESIGN**

The well is expected to be completed in the Middle Trinity. The total well depth of the lower Trinity Well will be approximately 765’ ft below ground surface and completed so that water is only produced from the Middle Trinity – Lower Glen Rose Formation (Attachment B).

**APPLICATION REVIEW**

- Staff has reviewed the application and has determined that the application ha satisfied all the requirements pursuant to the application checklist requirements in District Rule 3-1.4.A and that the required documentation and payment of fees have been satisfied.



- Staff has determined that the applicant has sufficiently addressed the criteria and considerations for Board action in accordance with District Rule 3-1.6(A).
- Staff has confirmed that the applicant filed proper notice and the required 28-day public comment period has expired in accordance with District Rule 3-1.4.B. (Attachment C).

**STAFF RECOMMENDATIONS – 1/11/2023**



Staff recommends **approval** of the above-referenced well drilling authorization application.

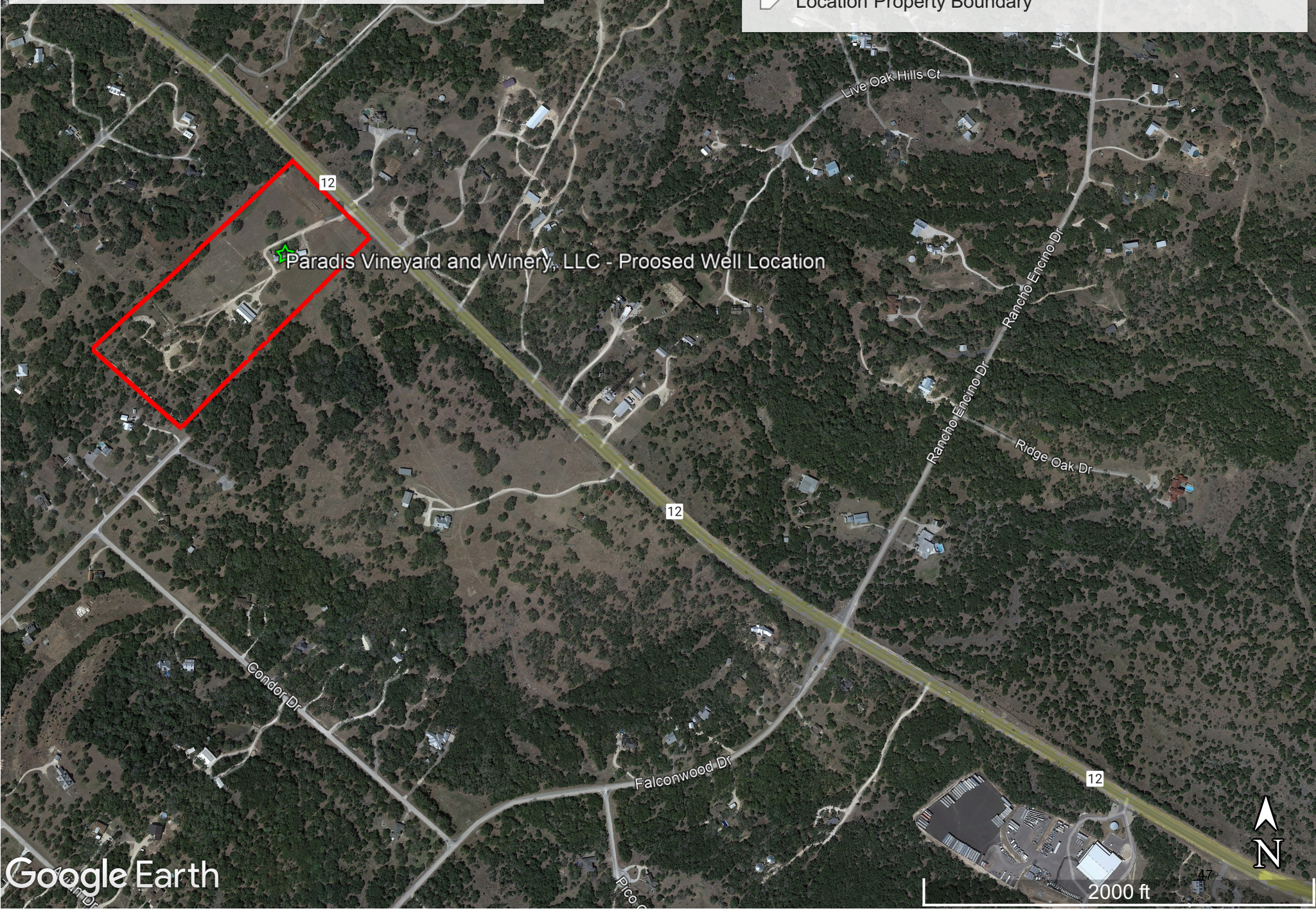
**Appendix A**  
**Well Location Map**

# Paradis Vineyard and Winery, LLC

Well Location Map

## Legend

-  Paradis Vineyard and Winery, LLC - Proposed Well
-  Location Property Boundary



**Appendix B**  
**Well Schematic**



**Attachment C**  
**Proof of Public Notice**

# San Marcos Daily Record

P.O. Box 1109  
 San Marcos, TX 78667  
 512-392-2458

## Invoice 73650-1128

Alan Paradis  
 Paradis Vineyard and Winery, LLC  
 7585 Ranch Road 12  
 San Marcos, TX 78666

**Customer #:** RA8056  
**Phone:** 817-233-6029  
**Ad No.:** 73650  
**Sales Rep:** Jonas, Kim  
**Bill Date:** 11/28/23  
**Due Date:** 11/29/23

Ad Type	Ad Size	Copy Reference
Classified	4 X 4.25 = 17.0	PN Paradis vineyard

Special Instructions

Tearsheets To	Contact Type	Print	Email

### Details

Run Date	Copy Ref	Rep	Publication	Insertion Num.	Cost
11/30/23	PN Paradis vineyard		Legal Classifieds		\$170.00
Days: 1				Total Charges:	\$170.00
				Applied Prepayments/Credits:	\$0.00
				<b>Total Due by 11/29/23:</b>	<b>\$170.00</b>

### San Marcos Daily Record

**Detach and return this stub with your payment to:**

**Ad #:** 73650  
**Customer #:** RA8056

**Payment Method:**  Cash  Check # \_\_\_\_\_

Visa  M/C  Other: \_\_\_\_\_

**Customer:** Paradis Vineyard and Winery, LLC

Number: \_\_\_\_\_

**Bill Date:** 11/28/23

Expiration: \_\_\_\_\_ CVV \_\_\_\_\_

P.O. Box 1109  
 San Marcos, TX 78667

**Due Date:** 11/29/23

Name On Card: \_\_\_\_\_

**Total Due:** \$170.00

Signature: \_\_\_\_\_

### **Public Notice**

Paradis Vineyard and Winery, LLC, (7585 Ranch Road 12, San Marcos, TX 78666) filed **one well drilling authorization application** on September 29, 2023 with the Barton Springs/Edwards Aquifer Conservation District (District) for one new nonexempt well. The well is proposed to be discretely completed in the Middle Trinity aquifer. It is planned to be used as a Public Water Supply well for the winery's tasting room and the domestic needs of a single home located on the property. The well will also be used to irrigate the vineyard's grape vines. A separate Production Permit Application will be required in order to operate and produce groundwater from this well in the future. The proposed well is located in Hays County at 7585 Ranch Road 12, San Marcos, TX (29.925706°, -98.066992° respectfully).

Publication of this notice begins a 28-day public response period for which comments, written formal protests and requests will be accepted by the District. Parties interested in formally participating in a hearing or a contested application should refer to District Rule 4-9.13. For further information, please contact District staff, 1124 Regal Row, Austin, Texas 78748, (512) 282-8441, [bseacd@bseacd.org](mailto:bseacd@bseacd.org).

You may also contact the applicant's representative:

Alan Paradis  
Paradis Vineyard and Winery  
Cell: 817-233-6029  
Email: [alanjparadis@gmail.com](mailto:alanjparadis@gmail.com)



## Item 7

### Board Discussion and Possible Action

- b. Discussion and possible action on EEOC No. 451-2024-00138 charge of discrimination by Brian Smith against the District.

## Item 7

### Board Discussion and Possible Action

- c. Discussion and possible action on amendment to the April 15, 2013 Letter Agreement between the BSEACD and Magellan Pipeline Company, L.P.

**Amendment No. 1 to the April 15, 2013 Letter Agreement Between  
Barton Springs/Edwards Aquifer Conservation District  
and  
Magellan Pipeline Company, L.P**

This is Amendment No. 1 to the Letter Agreement (“Agreement”) between the Barton Springs/Edwards Aquifer Conservation District (hereinafter “District” or “BSEACD”), and Magellan Pipeline Company, L.P (hereinafter “Magellan”) dated April 15, 2013. This amendment dated January 11, 2024 addresses acquisition of Magellan by ONEOK, Inc, drilling costs for monitor wells, responsibility for any easement acquisition, indemnification and changes contact persons. All other provisions will remain as is in the existing Agreement.

Amendment No. 1 is entered into by the District and Magellan as evidenced by the signatures below with an effective date of January 11, 2024. Except as specified in this Amendment, all other provisions of the Agreement continue. The introductory paragraph, paragraphs 1, 3, 5 and 6 of the Agreement are amended as follows:

**Introductory Paragraph**

The introductory paragraph to the Agreement is modified to add the sentence as follows:

“Magellan was recently acquired by ONEOK, Inc. (“ONEOK”), and as of September 25, 2023 Magellan is a wholly owned, indirect subsidiary of ONEOK.”

**Paragraph 1  
Monitor Well Location**

Paragraph 1 shall be modified by replacing the existing paragraph with two new paragraphs follows:

“BSEACD shall enter into and administer a well installation contract with a third-party driller to install two monitoring wells, which will be completed to depths sufficient for collection of representative samples of Edwards Aquifer groundwater (not to exceed 600 feet depth). The monitoring wells shall be built to BSEACD design and specifications, attached hereto as Exhibit “A”. BSEACD shall be the sole owner of the monitoring wells, subject to the terms of any easement obtained under Section 3 below and shall be solely responsible for any subsequent well maintenance and operation, including well closure and/or abandonment.

Magellan will be solely responsible for the third-party costs for the monitoring well installations currently estimated to be \$102,700. Magellan must approve the third-party driller and the estimated monitoring well installation costs prior to BSEACD entering into a contract with the third-party driller. Magellan will pay BSEACD the installation costs within thirty days of BSEACD’s submission of invoices to Magellan. Any proposed changes to the monitoring well installation or estimated cost must be approved by Magellan prior to implementing any proposed changes. Magellan’s approvals will not be unreasonably withheld.”

**Paragraph 3  
Easement Acquisition**

Paragraph 3 shall be modified by replacing the existing paragraph with a new paragraph follows:

“BSEACD shall acquire any necessary approvals or easements from the City of Austin and shall be solely responsible for the payment of any easement fees or City of Austin, Development Services Dept. fees. The timeline for the acquisition of any necessary approvals or easements shall be as determined by BSEACD.”

**Paragraph 5  
Indemnification**

Paragraph 5 shall be modified by striking the following language:

“Magellan shall indemnify, defend and hold BSEACD harmless from and against any claims arising out of the installation of the monitoring wells except to such extent that such liability is the result of BSEACD’s negligence.”

**Paragraph 6  
Notices**

1. Paragraph 6 shall be modified to change Magellan’s contact person to Laura Hardy and to change BSEACD’s contact person Timothy T. Loftus, PhD as follows:

For Magellan Pipeline Company, L.P.:

Ms. Laura Hardy  
Director, EHS  
ONEOK  
One Williams Center, OTC-8  
Tulsa, OK 74172  
Tele: 918 574-7311

For BSEACD:

Mr. Timothy T. Loftus, PhD.  
General Manager  
BSEACD  
1124 Regal Row  
Austin, Texas 78748  
Tele: (512) 282-8444

No Other Changes to the Agreement are Hereby Authorized.

The parties have executed this agreement in Austin, Texas, on the dates shown below.

The parties have executed this agreement in Austin, Texas, on the dates shown below.

**For Barton Springs/Edwards Aquifer  
Conservation District,**

**For Magellan Pipeline Company, L.P,  
By Magellan Pipeline GP, LLC, its General  
Partner**

\_\_\_\_\_  
Blayne Stansberry  
Board President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name  
Title \_\_\_\_\_

\_\_\_\_\_  
Date

**Attest:**

**Approved as to Form:**

\_\_\_\_\_  
Christy Williams  
Board Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
William D. Dugat, III  
Counsel

\_\_\_\_\_  
Date

## Item 7

### Board Discussion and Possible Action

- d. Discussion and possible action on resolutions to remove/recognize staff members, former staff members, and/or Directors from having signature authority on the District's Truist bank accounts and TexPool accounts.

STATE OF TEXAS

§

RESOLUTION #01112024-01

§

COUNTIES OF TRAVIS

HAYS AND CALDWELL

§

**BARTON SPRINGS/EDWARDS AQUIFER CONSERVATION DISTRICT**

**Banking Authorization for TRUIST Bank Accounts**

**WHEREAS**, the Barton Springs/Edwards Aquifer Conservation District (the District) hereby resolves to amend the signature card on file for TRUIST financial institution in which the District conducts business;

**WHEREAS**, the District desires to allow any one of the authorized signatories to sign checks from the TRUIST checking account consistent with internal financial procedures and controls;

**WHEREAS**, the District desires to maintain the status for the requirement of two signatures necessary for cash/check withdrawals in excess of \$500.00 from the TRUIST checking accounts;

**WHEREAS**, Dana Wilson resigned and is no longer employed as the Senior Administrative Program Manager and should be removed from having signature authority on the TRUIST accounts; and

**WHEREAS**, Craig Smith is no longer Director of Precinct 5 and should be removed from having signature authority on the TRUIST accounts; and

**WHEREAS**, Brian Smith is no longer employed as the Principal Hydrogeologist and should be removed from having signature authority on the TRUIST accounts; and

**WHEREAS**, Vanessa Puig-Williams is the new Director of Precinct 5 and should be added as a signatory on the TRUIST accounts.

**NOW THEREFORE BE IT RESOLVED** that the District Board of Directors –

- (1) continues to recognize Blayne Stansberry as a signatory on the TRUIST accounts,
- (2) continues to recognize Tim Loftus as a signatory on the TRUIST accounts,
- (3) continues to recognize Dan Pickens as a signatory on the TRUIST accounts,
- (4) continues to recognize Christy Williams as a signatory on the TRUIST accounts,
- (5) continues to recognize Lily Lucas as a signatory on the TRUIST accounts,
- (6) designates Vanessa Puig-Williams to be added as a signatory on the TRUIST accounts,
- (7) requests the removal of Dana Wilson from having future signature authority on District accounts.
- (8) requests the removal of Brian Smith from having future signature authority on District accounts.
- (9) requests the removal of Craig Smith from having future signature authority on District accounts.

**THEREFORE**, the following is a complete list of authorized signatories on behalf of the District as of the date of this Resolution, for purposes of conducting financial transactions concerning the District:

**TRUIST Accounts:**

Tim Loftus	General Manager
Blayne Stansberry	Board President, Director Precinct 2
Dan Pickens	Board Vice-President, Director Precinct 1
M. Christine Williams	Board Secretary, Director Precinct 4
Lily Lucas	Director Precinct 3
Vanessa Puig-Williams	Director Precinct 5

The motion passed with \_\_\_\_\_ ayes, and \_\_\_\_\_ nays.

PASSED AND APPROVED THIS 11TH DAY OF JANUARY 2024.

\_\_\_\_\_  
Blayne Stansberry  
Board President

ATTEST:

\_\_\_\_\_  
M. Christine Williams  
Board Secretary





# Resolution Amending Authorized Representatives

Please complete this form to amend or designate Authorized Representatives. *This document supersedes all prior Authorized Representative forms.*

**\* Required Fields**

**1. Resolution**

**WHEREAS,**

	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%; height: 20px;"></td> <td style="width: 10%; height: 20px;"></td> </tr> </table>								
Participant Name*	Location Number*								

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

**WHEREAS,** it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

**WHEREAS,** the Texas Local Government Investment Pool ("TexPool / Texpool Prime"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

**NOW THEREFORE,** be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool Prime and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool Prime account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representative(s) of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

<b>1.</b>			
	Name	Title	
	Phone	Fax	Email
	Signature		
<b>2.</b>			
	Name	Title	
	Phone	Fax	Email
	Signature		
<b>3.</b>			
	Name	Title	
	Phone	Fax	Email
	Signature		

**1. Resolution (continued)**

4.    
 Name Title

Phone Fax Email

Signature

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. *This limited representative cannot perform transactions.* If the Participant desires to designate a representative with inquiry rights only, complete the following information.

Name Title

Phone Fax Email

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the  day of , 20.

**Note: Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.**

Name of Participant\*

**SIGNED**

Signature\*

Printed Name\*

Title\*

**ATTEST**

Signature\*

Printed Name\*

Title\*

**2. Delivery Instructions**

Please return this document to **TexPool Participant Services:**

**Email:** [texpool@dstsystems.com](mailto:texpool@dstsystems.com)

**Fax:** 866-839-3291

## Item 7

### Board Discussion and Possible Action

- e. Discussion and possible action related to the performance and compliance of District permittees with their User Drought Contingency Plan curtailments.

## Item 8

### Director Reports

Directors may report on their involvement in activities and dialogue that are of likely interest to the Board, in one or more of the following topical areas:

- Meetings and conferences attended or that will be attended;
- Board committee updates;
- Conversations with public officials, permittees, stakeholders, and other constituents;
- Commendations
- Issues or problems of concern

Item 9

Adjournment