

Hudspeth County Underground Water Conservation District No. 1 Management Plan – March 19, 2002*

(*as modified by Board Resolution dated May 25, 2002 which is attached and made a part of this plan)

1.0 Usable Amount of Groundwater in the District

The best available information suggests that 63,000 acre-feet per year is the long-term average amount of groundwater available for consumptive use or transfer from the District from the Bone Spring-Victorio Peak aquifer (Ashworth, 1994, 2002), (Mace, 2001).

2.0 Annual Amount of Groundwater Being Used Within the District

The annual amount of groundwater being consumptively used within the District in 2001 is estimated to be 75,600 acre-feet (Blair, 2002).

3.0 Annual Amount of Recharge to the Bone Spring-Victorio Peak Aquifer

The best available information suggests that 63,000 acre-feet is the long-term average amount of groundwater recharge from lateral inflow and approximately 27,000 acre-feet of recharge results from deep percolation of irrigation water. (Ashworth, 1994, 2002).

4.0 Projected Water Supply within District

The Far West Texas Approved Regional Water Plan (Regional Plan), 2001 TWDB Table 5 lists the projected water supply from the Texas portion of the Bone Spring-Victorio aquifer for the year 2010 as 140,077 acre-feet. The Texas portion of Bone Spring-Victorio Peak aquifer extends outside of the District's boundaries and a negligible portion of the projected water supply may be from wells located outside the boundaries of the District. Section 3.7.3.4 of the Regional Plan states the 140,077 acre-feet of groundwater withdrawals from the Bone Spring-Victorio Peak aquifer could only be maintained "for one season" during times of drought without risking the encroachment of highly saline groundwater from the Salt Flats. Furthermore, the Regional Plan reports the following:

The Bone Spring-Victorio Peak aquifer should remain viable in the future if total withdrawals do not exceed approximately 100,000 acre-feet per year (see Section 1.1.6.3, Agricultural Use of Groundwater, Executive Summary in the Regional Plan); and the amount of water available on an annual basis in the Dell Valley region is related to rates of water level decline and water quality, and that annual withdrawal of 90,000 to 100,000 acre-feet could be maintained without lowering the water table so much it will induce the flow

of saline water from Salt Flats (see Section 3.7.3.4, Availability in the Regional Plan).

The Regional Plan in developing its recommended water supply strategies stated the following for Strategy # 71-6B:

Because there is limited storage potential in the Dell Valley aquifer system, total maximum groundwater production needs to be equivalent with recharge in order to maintain a balance. If total groundwater production exceeds the available recharge, water will be drawn from aquifer storage and water level declines will occur.

5.0 Projected Water Demand for Water within the District

Regional Plan TWDB Table 2 lists the projected water demand from the Texas portion of the Bone Spring-Victorio Peak aquifer for the year 2010 as 122,728 acre-feet. The Texas portion of Bone Spring-Victorio Peak aquifer extends outside of the District's boundaries and a negligible portion of the projected water demand may be from wells located outside of the boundaries of the District.

6.0 How Annual Amount of Recharge May Be Increased

The annual recharge to the aquifer increases with the quantity of annual precipitation that occurs over the recharge zone of the Bone Spring-Victorio Peak aquifer (primarily in Sacramento mountain range in southern New Mexico). Precipitation and recharge might be increased through weather modification over the recharge zone. No plans are contemplated by the District to attempt to increase the rainfall over the recharge zone.

7.0 District Management of Groundwater Supply

The District will manage the production of groundwater from the Bone Spring-Victorio Peak aquifer within the District in a sustainable manner. The District will identify and engage in such practices, that if implemented, would result in more efficient use of groundwater. The District will monitor the TWDB and USGS groundwater level monitoring wells located within the District in order to gain additional information regarding changing storage conditions of groundwater supplies within the District. The District will work cooperatively with investigations of the groundwater by the TWDB and the USGS, and will make the results of such investigations available to the public once received by the District.

7.1 Methodology the District Will Use to Track Progress on an Annual Basis in Achieving Management Goals.

The District shall prepare an annual report summarizing District activities to be approved by the Board of Directors during the first quarter of each year.

8.0 Actions, Procedures, Performance, and Avoidance

The District will implement and utilize the provisions of this plan as a guidepost for determining the direction of District activities. Operations of the District, all agreements entered into by the District, and any additional planning activities in which the District may participate will be consistent with this plan and with the District's rules.

9.0 Time Period for this Plan

This plan becomes effective upon certification by the Texas Water Development Board and approval by the District's Board of Directors and remains in effect until June 1, 2012. The District's Board of Directors shall readopt the plan with or without revisions at least once every five years.

10.0 Certified Copy of District Resolution Adopting Plan

Resolution of the Board of Directors of the Hudspeth County Underground Water Conservation District No. 1 to Adopt an Amended Management Plan

Whereas, the Hudspeth County Underground Water Conservation District No. 1 (the District) is political subdivision of the State of Texas organized and existing under and by virtue of Article XVI Chapter 59 of the Texas Constitution;

Whereas, the District adopted a Management Plan on August 27, 1998 which was subsequently certified by the Texas Water Development Board;

Whereas, Senate Bill 2 and other legislation passed during the 77th general session of the Texas Legislature significantly modified the statutes under which the District operates;

Whereas, under the direction of the Board of Directors, and in accordance with Section 36.1071 of the Texas Water Code and Chapter 356 of Title 31 of the Texas Administrative Code, the District amended the District existing Management Plan;

Whereas, prior to February 8, 2002 a copy of the proposed Management Plan was provided to the Texas Water Development Board for a preliminary and courtesy review and that based on the preliminary recommendations of the staff of the Texas Water Development Board, the District made changes to the proposed Management Plan;

Whereas, the District's Directors published a notice of a public hearing and proposed amendments to the District's Management Plan on Friday, February 8, 2002 in the Hudspeth County Herald, a newspaper of general circulation in Hudspeth County, Texas;

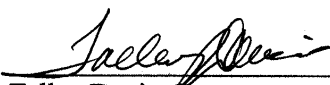
Whereas, the District's Directors requested and received written comments from the public regarding the Management Plan prior to the public hearing;

Whereas, the District's Directors held a public hearing in Dell City, Texas on February 19, 2002 to receive public comments regarding the proposed amendments to the District's existing Management Plan;


Whereas, based on written and public comments received by the District, the proposed Management Plan was non-substantially changed;

Therefore, the Board of Directors of the District hereby Adopts this 19th day of March, 2002 the Management Plan dated March 19, 2002 and directs the submission of such plan to the Texas Water Development Board for Certification according the requirements of Section 36.1072 of the Texas Water Code.

Passed and adopted 19th of March, 2002.



Talley Davis, Secretary



Glen Gilmore, President

11.0 Evidence of Notice and Hearing Regarding Plan



PUBLIC NOTICE OF A GROUNDWATER MANAGEMENT PLAN AND RULES PROPOSED FOR ADOPTION BY THE

Hudspeth County Underground Water Conservation District No. 1

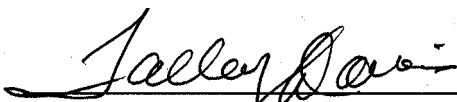
Hudspeth County Underground Water Conservation District No. 1 (the District) is proposing to amend the District's groundwater management plan and rules. The amendments to the groundwater management plan, in part, propose: 1) the amount of groundwater withdrawals permitted by the District be consistent with the long-term sustainable amount of recharge to the portion of the aquifer within the District, 2) preserving the historical amount of groundwater withdrawn from the aquifer within the District, and 3) other changes and additions to the District's existing groundwater management plan.

The amendments to the rules, in part, propose: 1) the mandatory metering of groundwater withdrawn from non-exempt wells located within the District's boundaries, 2) changes to the requirements for permits to transfer groundwater out of the District, 3) validation permits for all non-exempt wells, 4) groundwater production limits on non-exempt wells, 5) fees to be charged by the District to applicants for the administration and processing of permits, and 6) other changes and additions to the District's existing rules. The details of the amendments to the proposed groundwater management plan and the proposed rules are more specifically contained in copies of the documents.

Copies of the proposed groundwater management plan, the District's existing rules, the District's proposed rules, and related information are available on the internet at <http://www.awblairengineering\hcuwcd1>. They are also available for review at the District's Office located at 107 S. Dotson Street in Dell City, Texas each Thursday and Friday of the week from 11:00 AM to 1:00 PM. To obtain a copy of the rules, management plan, or additional information please contact the District by phone at 915-964-2932, by US MAIL at PO Box 212, Dell City, Texas 79837 or by e-mail at hcuwcd1@dellcity.com.

As an aid to the District's Board, any person wishing to comment on the proposed groundwater management plan and/or proposed rules should give written notice of such comments to the District by February 14, 2002. The District will conduct a hearing on and consider adoption of the proposed groundwater management plan and proposed rules at the District's Board meeting that is scheduled for February 19th, 2002 at 6:00 pm at the Dell City Community Center located at 102 W. Orange Street. Verbal comments regarding the proposed groundwater management plan and rules will be accepted by the Board during the hearing.

I certify that the above notice was published in the Hudspeth County Herald, a newspaper of general circulation in Hudspeth County, Texas on the 8th day of February 2002.



Talley Davis, Secretary

12.0 Evidence Of Coordination With Surface Water Entity

There are no surface water entities (as defined in Title 31, Rule §356.2 of the Texas Administrative Code) located within the District's boundaries.

13.0 Sharing with Regional Water Planning Group

Below is a copy of the transmittal letter for the copy of the plan that was sent by certified mail to the Chair of the Far West Regional Water Planning Group requesting the group's comments regarding this Management Plan.

Hudspeth County Underground Water Conservation District No. 1
P.O. Box 212 Dell City, Texas 79837
Phone: 915-964-2932

March 19, 2002

Tom Beard, Attorney at Law
Chair of the Far West Texas Water Planning Group
P.O. Box 668
Alpine, Texas 79831

RE: Proposed Management Plan for the District

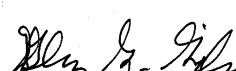
Via EMAIL and U.S. Postal Service

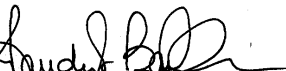
Dear Chairman Beard:

In accordance with Title 31, Rule §356.4 of the Texas Administrative Code, please find attached to this letter the Hudspeth County Underground Water Conservation District No. 1's (the District) proposed Management Plan. The District held a public hearing on February 19, 2002 and the attached plan reflects changes in consideration of public comments made at the hearing and comments provided to the District in writing. Public comments made by one individual, an attorney representing the City of El Paso, and an attorney representing several landowners within the District allege that the District's proposed plan is "in conflict" with the Far West Texas Regional Water Plan approved by the TWDB (the Regional Plan). In general, they allege that the long-term sustainable recharge to the aquifer reported in the Management Plan conflicts with the value for Projected Water Supply in TWDB Table 5 of the Regional Plan. Their allegations are incorrect.

Public comments made by other individuals, attorneys, and experts representing landowners within the District support that the proposed Management Plan is not in conflict with the Regional Plan.

The attached Management Plan reflects non-substantive changes made in the wording of the Management Plan as published for the February 19, 2002 hearing. In part, such changes were made to incorporate additional quotations from the Regional Plan that add clarity as to why the Management Plan is not in conflict with the Regional Plan. We appreciate your consideration of our management plan and look forward to working with the Far West Texas Water Planning Group on issues of mutual interest.


Glen Gilmore, President


Randy Barker, Director and
Member of the Far West Texas Water Planning Group

cc: Randy Williams, TWDB
State Representative Pete Gallego
John Steinberger
Tim Brown
Dr. A. Blair

14.0 Goals, Objectives, And Performance Standards

14.1 Efficient Use Of Groundwater

Management Objective

Each year the District will provide information to the general public about the status of the groundwater in the District.

Performance Standard

Annually prepare an article to be published in the Hudspeth County Herald about the static water table of the Bone Spring-Victorio Peak aquifer and any trends that may be developing.

14.2 Controlling and Preventing Waste Of Groundwater.

Management Objective

The District will annually inform District water users on the efficient use of water with a published article in the local newspaper.

Performance Standard

Annually prepare an article on irrigation water management to be published in the Hudspeth County Herald.

14.3 Controlling and Preventing Subsidence.

There is no known subsidence (as defined within Chapter 36 of the Texas Water Code) within the District caused by groundwater withdrawals and this management item is not applicable to the District's Management Plan.

14.4 Conjunctive Surface Water Management Issues.

There are no known conjunctive surface water management issues within the District and this management item is not applicable to the District's Management Plan.

14.5 Natural Resource Issues.

Management Objective

The amount of groundwater withdrawals permitted by the District shall be consistent with the long-term sustainable amount of recharge to the portion of the aquifer within the District and to protect the historical and existing uses of groundwater withdrawn from the portion of the Bone Spring-Victorio Peak aquifer located within the District.

Performance Standard

The District shall pass rules no later than January 1st of 2003 for the mandatory metering of all groundwater withdrawn from non-exempt wells located within the District, for the quantification of existing and historical use of groundwater within the District's boundaries, and for the issuing of validation permits for all non-exempt wells operational prior to December 31, 2001.

14.6 Drought Conditions**Management Objective**

The annual amount of groundwater permitted by the District for withdrawal from the portion of the Bone Spring-Victorio Peak aquifer located within the District may be curtailed during periods of extreme drought in the recharge zone of the aquifer or because of other conditions that cause significant declines in groundwater surface elevations. Such curtailment may be triggered by the District's Board based on the groundwater elevation measured in the District's monitoring well(s).

Performance Standard

The District shall pass rules no later than January 1st of 2003 specifying under what conditions the annual amount of groundwater permitted by the District for withdrawal from the Bone Spring-Victorio Peak aquifer may be curtailed.

14.7 Conservation**Management Objective**

The District shall promote the efficient application of irrigation water to field crops.

Performance Standard

The District shall assist in organizing the field demonstration of irrigation water conservation technology during one day of each year.

15.0 References

- Ashworth, John, (1995), Ground-water resources of the Bone Spring-Victorio Peak Aquifer in the Dell Valley Area, Texas, Texas Water Development Board Report No. 344, Austin, Texas, 43 pg.
- Mace, Robert, et al (2001), Aquifers of West Texas, Texas Water Development Board Report No. 356, Austin, Texas, pg.135-152.
- Ashworth, John, (2002), January 21, 2002 E-mail to A.W. Blair regarding the recharge of the Bone Spring-Victorio Peak Aquifer. (available from HCUWCD No. 1 or at the web site <http://awblairengineering.com/hcuwcd1>)
- Blair, A.W., (2002), January 28, 2002 Memorandum to HCUWCD No. 1 Board of Directors regarding consumptive irrigation requirements and groundwater withdrawal in the District. (available from HCUWCD No. 1 or at the web site <http://awblairengineering.com/hcuwcd1>)
- Far West Texas Regional Water Plan, posted January 12, 2001 on the Texas Water Development Board's internet site at <http://www.twdb.state.tx.us/rwp/e/>
- Mayer, J.R., (1995), The role of fractures in regional groundwater flow: Field evidence and model results from the basin-and-range of Texas and New Mexico, M.S. Thesis from University of Texas, Austin.
- Logan, H.H., (1984), A groundwater recharge project associated with a flood protection plan in Hudspeth County, Texas, Master Thesis – Texas Christian University, 110 pg. (as cited in Ashworth, 1995).
- Davis, M.E. and Leggat, E.R., (1965), Reconnaissance investigation of the groundwater resources of the upper Rio Grande Basin, Texas, Texas Water Commission Bulletin 6502, 99 pg (as cited in Ashworth, 1995).

16.0 Board Resolution of May 25, 2002

Resolution of the

Hudspeth County Underground Water Conservation District No. 1

(the District)

Whereas, the Board of the District passed an amended management plan on March 19, 2002;


Whereas, on May 21 of 2002 the Texas Water Development Board verbally advised the District's consultants that the amended management plan dated March 19, 2002 contained one typographical error in Section 5.0 of said plan;


Whereas, the correction of such typographic error did not substantially change said plan;

Therefore, on the 25th day of May of 2002, the Board of Directors of the District hereby correct the typographical error made in Section 5.0 of the District's March 19, 2002 Management Plan as shown below and shall send a copy of the corrected plan to the Texas Water Development Board for certification and to the Chair of the Far West Texas Water Planning Group.

5.0 Projected Water Demand for Water within the District

Regional Plan TWDB ~~Table 4~~ Table 2 lists the projected water demand from the Texas portion of the Bone Spring-Victorio Peak aquifer for the year 2010 as ~~140,077~~ 122,728 acre-feet. The Texas portion of Bone Spring-Victorio Peak aquifer extends outside of the District's boundaries and a negligible portion of the projected water demand may be from wells located outside of the boundaries of the District.


Glen Gilmore, President


Attest: Talley Davis, Secretary