

KINNEY COUNTY GROUNDWATER CONSERVATION DISTRICT

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May 20, 2010

Texas Water Development Board
ATTN: Mr. Kevin Ward
Stephen F. Austin Bldg.
P. O. Box 13231
Austin, TX 78711-3231

Dear Mr. Ward:

Enclosed is a copy of the Amended Management Plan approved by the Board of Directors of the Kinney County Groundwater Conservation District on May 13, 2010 and ratified by resolution on May 20, 2010. The District is submitting the plan to you in compliance with Chapter 36 of the Texas Water Code and Chapter 356 of the Texas Administrative Code. The yellow highlighted sections are the only ones that have been changed in this revision.

The District appreciates the help and guidance provided to the Management Plan Committee by Ms. Rima Petrossian of your staff in the revision of this plan. Her input and time were greatly appreciated and very insightful. Thank you for your time and consideration.

Sincerely,

Dr. Kent Lowery --- e-signed

Dr. Kent Lowery, President
KCGCD Board of Directors

RKL/sl
Encl.

**KINNEY COUNTY
GROUNDWATER
CONSERVATION
DISTRICT**

**MANAGEMENT PLAN
BOARD APPROVED REVISION
MAY 2010**

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Kinney County Groundwater Conservation District

Management Plan – 2008

Board Approved Revisions, 2010

I. District Mission

The mission of the Kinney County Groundwater Conservation District is to develop, promote and implement water conservation and management strategies to conserve, preserve, and protect the groundwater supplies of the District, to protect and enhance recharge, prevent waste and pollution, and to promote efficient and beneficial use of groundwater within the District. The District seeks to protect the rights of owners of water rights as defined in Texas Water Code, Chapter 36 (36.002) within the District from impairment of their groundwater quality and quantity from within the District and to guard against same from outside the District by all means available, pursuant to the power and duties granted under Chapter 36, Subchapter “D” of the Texas Water Code. The District desires to manage the production and quality of groundwater within the District on a sustainable basis that allows the capture of water flowing through the county without jeopardizing the availability of water to the county during extended periods of low rainfall or unduly increasing the frequency of the natural cycles for springs and intermittent streams going dry.

II. Purpose of Management Plan

The Plan is developed to provide general guidelines for the development of the District rules and implementation of policies to support the District’s mission.

The purpose of this Management Plan is to provide guidance to the District for:

A. Managing the Production of Groundwater in the District

1. on a sustainable basis;
2. for beneficial use;
3. that allows the capture of water flowing through the county;
4. without jeopardizing the availability of water to the county during extended periods of low rainfall; and
5. without unduly increasing the frequency of the natural cycles of springs and intermittent streams going dry.

B. Resolving Conflicts of Groundwater Use Between the Various Interests Seeking To Put This Essential Natural and Renewable Resource To Beneficial Use

III. District Information

A. Creation

In 2001, the Texas Legislature authorized the creation of the District during the 77th Regular Session through House Bill 3243¹. The voters of Kinney County confirmed the creation of the District on January 12, 2002 with 87 percent of the voters casting favorable ballots. As required by 31 TAC § 356.3, this Management Plan is being submitted as the first revision to the original document as approved by the Board of Directors and will become effective upon certification by the Texas Water Development Board. This new Plan will remain in effect until such time as a revised plan is certified or (TBD), 2013, whichever is earlier.

B. Location and Geographical Information

The District is located in Kinney County, Texas. The boundaries of the District are the same boundaries that are used by Kinney County. Kinney County is in southwestern Texas and is bounded on the north by Edwards County, on the east by Uvalde County, on the south by Maverick County, and on the west by Val Verde County and Mexico. Kinney County has an area of 891,240 acres (1,391 square miles). Brackettville is the county seat and the largest town in the county.

C. Authority / Regulatory Framework

In the preparation of this Management Plan, the District has followed all procedures and satisfied all requirements mandated by Chapter 36 of the Texas Water Code and Chapter 356 of the Texas Water Development Board's (TWDB) rules contained in Title 31 of the Texas Administrative Code. The District exercises the powers that it was granted and authorized to use by and through the special and general laws that govern it, including Chapter 36, as amended, Texas Water Code. The District will collaborate with surrounding counties, Mexico and other groundwater conservation districts, groundwater management areas, and regional planning areas.

The 75th Texas Legislature in 1997 enacted Senate Bill 1 (SB 1)² to establish a comprehensive statewide water planning process. In particular, SB 1 contained provisions which required groundwater conservation districts to formulate management plans to identify the water supply resources and water demands that will shape the decisions of each district. The management plans for the groundwater conservation districts would also include the management goals that each district would establish to manage and conserve the groundwater resources within their boundaries. In 2001, the Texas Legislature enacted Senate Bill 2 (SB 2)³ to enhance

¹ Act of May 25, 2001, 77th Leg., R.S. ch. 1344, 2001 Tex. Gen. Laws 3329.

² Act of June 2, 1997, 75th Leg. R.S., ch. 1010, 1997 Tex. Gen. Laws 3610.

³ Act of May 27, 2001, 77th Leg., R.S., ch. 966, 2001 Tex. Gen. Laws 1991.

the planning requirements of SB 1 and to further clarify the actions necessary to manage and conserve the groundwater resources of the state of Texas.

D. Groundwater Resources of Kinney County

Currently the District works with three management zones as shown below. These zones will be used for reference. This will allow the District to coordinate with surrounding groundwater districts, and enable all parties to see these zones on an attached map (*see Appendix E*). The Kinney County Groundwater Conservation District Board reserves the right to revise boundaries of these zones as further information and/or scientific data dictate changes.

1. KCGCD Management Zone - Edwards-Trinity (Plateau Aquifer)

The Edwards-Trinity (Plateau) Zone consists of sediments of Lower Cretaceous age Trinity Group and overlying limestone and dolomites of the Edwards Group. The Glen Rose Limestone is the primary unit in the Edwards-Trinity group in the southern part of the plateau. Springs issue from the headwaters for several eastward and southerly flowing rivers. Artesian conditions may exist in the Edwards-Trinity zone. Reported well yields commonly range from less than 50 gallons per minute (gpm) to more than 1,000 gpm.

Usable quality water (containing less than 3,000 mg/l dissolved solids) in the Edwards-Trinity (Plateau) zone occurs to depths of up to about 3,000 feet. The water is typically hard and may vary widely in concentrations of dissolved solids made up mostly of calcium and bicarbonate. The salinity of the groundwater in the Edwards-Trinity zone tends to increase toward the southwest. Water levels have generally fluctuated with seasonal precipitation. Water quality from the Edwards-Trinity zone is acceptable for most municipal and industrial purposes; however, excess concentrations of certain constituents in many places exceed drinking-water standards for municipal supplies. Excess levels of constituents are naturally occurring. The Edwards-Trinity Zone has both a Northern sub-zone and a Southern sub-zone.

2. KCGCD Management Zone - Edwards (BFZ Aquifer)

In the Plateau region, the westernmost end of the Edwards (BFZ) Zone occurs only in Kinney County. The zone is composed predominantly of limestone formed during the early Cretaceous Period. In Kinney County, the Edwards formation consists of the Devils River Limestone or the Salmon Peak, McKnight and West Nueces Limestone with a thickness of as much as 1,000 feet. Recharge occurs primarily by the downward percolation of surface water from streams draining off the Edwards Plateau to the north and west and by direct infiltration of precipitation on the outcrop. Groundwater is also discharged artificially from pumping wells. Water levels do require monitoring for fluctuations. The chemical quality of groundwater in the zone

is typically fresh, although hard, with dissolved-solids concentrations averaging less than 500 mg/l. The Edwards (BFZ) Zone has both a Northern sub-zone and a Southern sub-zone.

3. KCGCD Management Zone - Austin Chalk (Coastal Plains)

The southern two-thirds of the District is the Austin Chalk Zone. The geologic formations vary widely and more detailed study for site-specific information about wells is needed. Parts of the zone have the Austin Group at the surface. Others may have Buda Limestone, and others the Edwards Group. The total thickness of these rock units is well over 1000 feet. There are several large capacity wells that have been used for irrigation. This is usually called the “bad water zone” because most of the wells have concentrations of total dissolved solids, especially sulfates, which make the water suitable for only limited uses. This water is usually below state drinking water standards. This area does recharge the groundwater so there is a need for more careful study of the groundwater environment here because a freshwater spring issues at the northwest corner of the Anacacho escarpment of the east Elm Creek.

4. Other Groundwater Resources

The District is aware of the existence of local aquifers and other hydro-geological formations that exist within the boundaries of the District and are capable of producing groundwater such as the Uvalde Gravel, and slope colluvium. The District believes additional study is needed to better understand these local aquifers and hydro-geologic formations. The Management Plan for the District will be further amended and updated as additional hydro-geologic information becomes available to the District.

E. Drainage

1. Surface Drainage.

The surface drainage of the District is predominantly directed to the Rio Grande River in the former Rio Grande embayment which flows to the Gulf of Mexico. The West Nueces River flows through the northeast corner of the District to the Nueces River which flows to the Gulf of Mexico. Intermittent streams enter the District from the Edwards Plateau in Edwards County on the north.

2. Sub-Surface Drainage

Sub-surface drainage occurs by underground dissolved karst flow ways that flow towards the south and the southwest. These need more investigation.

F. Groundwater Recharge / Discharge

1. Groundwater Recharge

Groundwater recharge comes from rainfall. The highly fractured ground surface and gullies are the dominant features providing recharge in the Edwards (BFZ) and Edwards-Trinity zones. The nearly level slopes and sheet flow of storm water in the Austin Chalk Zone provide time for rainwater infiltration to the groundwater system. Some of the groundwater in the District comes underground from Edwards County, although this number has not been quantified. There needs to be more study on this in cooperation with the Edwards/Real Groundwater Conservation District.

2. Groundwater Discharge

Groundwater discharges from the District as intermittent streams headed by springs and underground dissolved karst flow ways. The flow of the streams and the location of the karst flow ways, and their flow needs more intense investigation.

IV. Technical District Information Required by Texas Administrative Code- (31 TAC § 356.5)

A. Estimate of the Managed Available Groundwater in the District, based on the desired future conditions of the aquifers (when available from the TWDB) – 31 TAC § 356.5(a)(5)(A)

The Groundwater Conservation Districts within Groundwater Management Areas No. 7 and No. 10 have not yet determined the desired future conditions, and therefore, the managed available groundwater could not be calculated. This Management Plan will be updated to include the managed available groundwater value when desired future conditions have been established, and the calculations finalized.

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the managed available groundwater at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering this item has been completed.

The District will manage the production of groundwater within the District on a sustainable basis and yet beneficially use the groundwater without jeopardizing the availability of water to the county during extended periods of low rainfall or unduly increasing the frequency of the natural cycles for springs and intermittent streams going dry.

Sustainability will be managed through a system of groundwater observation sites established in each of the District's groundwater management zones to assess the naturally occurring hydrologic conditions.

B. Average Amount of Groundwater Being Used Within the District on an Annual Basis - 31 TAC § 356.5(a)(5)(B)

Table 1: Estimate of Groundwater Used (acre-feet per year)

1992	1993	1994	1995	1996	1997
6,915	10,625	9,041	7,401	9,610	8,473
1998	1999	2000	2001	2002	2003
7,897	5,903	15,831	7,558	7,424	11,286

* The data in Table 1 is from the 2007 State Water Plan, Volume 3, Regional Water Planning Group Database

C. Estimated Average Annual Amount of Recharge From Precipitation to the Groundwater Resources Within the District – 31 TAC § 356.5(a)(5)(C)

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the average annual amount of recharge from precipitation to the groundwater resources within the District at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering this item has been completed.

D. Estimate of Groundwater Discharge to Springs and Surface Water Bodies Within the District - 31 TAC § 356.5(a)(5)(D)

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the groundwater discharge to springs and surface water bodies within the District at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering this item has been completed.

E. Estimate of Annual Volume of Flow In and Out of District Aquifers – 31 TAC § 356.5(a)(5)(E)

The TWDB completed a review of the results from the groundwater availability models in Kinney County- for Edwards-Trinity (Plateau) and the southern portion of the Edwards (Balcones Fault Zone)—and concluded that neither model is adequate in Kinney County. Due to the limitations of these models, the District is not able to estimate the annual volume of flow in and out of District aquifers at this time. The Management Plan will be updated when a Groundwater Availability Model (GAM) covering these items has been completed.

There is most probably underground flow from Edwards County into Kinney County that needs to be included as other sources of inflow into the county, which would increase the water budget. That amount needs to be determined by further investigation.

F. Projected Surface Water Supply Within the District – 31 TAC § 356.5(a)(5)(F)

Table 2: Projected Surface Water Supply for Kinney County (acre-feet per year)

Water User Group	County	River Basin	Source Name	2000	2010	2020	2030	2040	2050	2060
Brackettville	Kinney	Rio Grande	Las Moras Creek Combined Run-of-River	0	2	2	2	2	2	2
Irrigation	Kinney	Nueces	West Nueces River Combined Run-of-River	0	0	0	0	0	0	0
Irrigation	Kinney	Rio Grande	Mud Creek Combined Run-of-River	0	120	120	120	120	120	120
Irrigation	Kinney	Rio Grande	Pinto Creek Combined Run-of-River	0	95	95	95	95	95	95
Irrigation	Kinney	Rio Grande	Las Moras Creek Combined Run-of-River	0	665	665	665	665	665	665
Irrigation	Kinney	Rio Grande	Elm Creek Combined Run-of-River	0	43	43	43	43	43	43
Irrigation	Kinney	Rio Grande	Rio Grande Combined Run-of-River	0	176	176	176	176	176	176
Livestock	Kinney	Nueces	West Nueces River Combined Run-of-River	135	0	0	0	0	0	0
Livestock	Kinney	Nueces	Other Local Supply	0	45	45	45	45	45	45
Livestock	Kinney	Rio Grande	Other Local Supply	0	90	90	90	90	90	90
Total Projected Surface Water Supplies				135	1,236	1,236	1,236	1,236	1,236	1,236

*The data in Table 2 is from the 2007 State Water Plan, Volume 3, Regional Water Planning Group Database.

G. Projected Water Demand Within The District – 31 TAC § 356.5(a)(5)(G)

1. Breakdown of Projected Water Demands

The breakdown of projected water demands shown in Table 3 below are estimates taken from the 2007 State Water Plan, Volume 3, Regional Water Planning Group Database.

Table 3: Projected Water Demands for Kinney County (acre-feet per year)

Water User Group	County	River Basin	2000	2010	2020	2030	2040	2050	2060
Brackettville	Kinney	Rio Grande	584	589	596	602	608	612	613
County-Other	Kinney	Nueces	59	36	21	13	8	5	3
County-Other	Kinney	Rio Grande	32	32	32	32	32	32	32
Irrigation	Kinney	Nueces	353	338	323	310	296	284	271
Irrigation	Kinney	Rio Grande	13,759	13,169	12,605	12,063	11,547	11,053	10,582
Livestock	Kinney	Nueces	187	187	187	187	187	187	187
Livestock	Kinney	Rio Grande	258	258	258	258	258	258	258
Fort Clark Springs MUD	Kinney	Rio Grande	604	631	663	693	723	744	749
Total Projected Water Demands			15,836	15,240	14,685	14,158	13,659	13,175	12,695

2. Current and Pending Permits, Urban and Exempt Well Use:

PERMIT	Acre Feet		Acre Feet
City of Brackettville	589.000		
Ft. Clark Springs MUD	603.580		
Existing	25,658.222		
Historical	37,966.315		
Regular	7,523.480		
Exempt	68.000		
		Sub-Total	72,408.597
Pending Applications			24,690.000
		TOTAL	97,098.597

Note: The District recognizes that the above figures may exceed the recharge amount and are subject to modification. This condition can only be rectified by additional scientific study to better determine what is actually available as a water budget and by establishing rules that relate to conservation and drought management that accomplish Chapter 36 objectives, including desired future conditions. 31 TAC § 356.2(8)

V. Management of Groundwater Supplies – 31 TAC § 356.5(a)(6)

Required Content of Management Plan

The District will manage the production of groundwater from the Edwards-Trinity Management Zone and the Edwards (BFZ) Management Zone, and the local Austin Chalk Management Zone and Uvalde gravel within the District in a sustainable manner. Monitor well(s) or trigger well(s) will be developed in the existing Management Zones. As future scientific research indicates, the District may be subdivided into additional Management Zones, and within each of these additional Management Zones, monitor well(s) or trigger well(s) will be developed. Each Management Zone within the District will have a series of triggers or drought stage levels as specified in the Critical Period Management Plan.

The District may develop and implement groundwater well spacing and production regulations that are specific to water availability, the geographic area and site specific to the well and the wells' behavior in the groundwater environment. Where appropriate and necessary to minimize interference, the District shall cause production monitor wells to be installed along the perimeter of a permittee's property and adjacent to a well field to monitor and regulate the cone of influence within the boundaries of a production unit.

Among the regulatory tools granted to districts, the Legislature empowered districts to protect current users of groundwater, which are those individuals or entities currently invested in or using groundwater resources within the District for a beneficial purpose. The District is also empowered to protect Historic and Existing permit users, which are those individuals or entities that used groundwater beneficially in the past. Most of the groundwater used in Kinney County has been applied to agricultural irrigation, domestic and livestock purposes. The District strives to protect such purposes to the extent practicable under the goals and objectives of this Management Plan. This shall be done without discriminating against any other lawful and beneficial purpose.

A cooperative agreement may be between governmental entities pursuant to Texas Governmental Code to accomplish mutual objectives or may be between the District and any well owner to provide a vehicle for gathering well-site specific information on well water levels and rainfall histories. These cooperative agreements should facilitate the District providing technical support on the status of the groundwater availability for each well.

The District, through this Management Plan and its rules, will attempt to manage groundwater withdrawals in the District at a level that will not cause depletion of these groundwater management zones in the future. The District should allow as much groundwater to be produced as possible for beneficial purposes while preventing the overproduction and mining of the groundwater resources of Kinney County. In an effort to protect the springs, intermittent streams and long-term productivity of these groundwater resources, the District shall engage in scientific research and data collection in order to establish the amount of groundwater that can be produced from within the District. Current amounts used are based on TWDB and Region J data. The District's

greatest challenge is determining, through scientific study, the actual groundwater resources of Kinney County. Proper science requires a diligent effort by the District and other interested parties to gather appropriate information and apply that information responsibly. As data becomes available, this Plan and its associated rules should be updated to reflect this additional information. Care should be exercised not to overestimate or underestimate the amount of groundwater available on incomplete, poorly applied science or speculative data.

The District has created a tiered process that categorizes groundwater use and allocates available groundwater in accordance with District rules. The tiered process prioritizes groundwater use for the protection of urban populations within the District, exempt well owners, existing permit users and historic permit users, as the District allocates the remaining available groundwater through the concept of “proportionate reduction” and “zone management processes” as defined in the District’s rules.

The District will protect all permit users by establishing rules for permitting wells, transfer of water permits from one entity or individual to another, and the scientific data requirements for new or increased use. In conversion of permits for export the amount permitted shall not exceed the Maximum Historic Use as demonstrated by the applicant or suggested by agreements with other existing permittees.

VI. Consideration of Water Supply Needs and Water Management Strategies – 31 TAC § 356.5(a)(7)

The State's 2007 Water Plan identifies projected water needs for Kinney County (Table 4). There are no projected water needs for the county; therefore, no water management strategies have been derived for Kinney County.

Table 4: Projected Water Needs for Kinney County (acre-feet per year)

WUG	County	River Basin	2010	2020	2030	2040	2050	2060
Brackettville	Kinney	Rio Grande	64	64	65	65	66	65
County Other	Kinney	Nueces	13	27	35	40	44	45
County Other	Kinney	Rio Grande	56	57	57	57	57	57
Irrigation	Kinney	Nueces	4,044	4,059	4,072	4,086	4,098	4,111
Irrigation	Kinney	Rio Grande	12,615	13,179	13,721	14,237	14,731	15,202
Livestock	Kinney	Nueces	147	147	147	147	147	147
Livestock	Kinney	Rio Grande	83	83	83	83	83	83
Fort Clark Springs MUD	Kinney	Rio Grande	494	467	442	416	397	393
Total Projected Water Needs				18,083	18,622	19,131	19,623	20,103

* Positive values reflect a water surplus; negative values reflect a water need.

** The data in Table 2 is from the 2007 State Water Plan, Volume 3, Regional Water Planning Group Database.

VII. Methodology to Track District Progress in Achieving Management Goals – 31 TAC § 356.5(a)(6)

The General Manager of the District will prepare and submit an annual report ("Annual Report") to the Board of the District. The Annual Report will include an update on the District's performance in regards to achieving management goals and objectives. The General Manager of the District will present the Annual Report within ninety (90) days following the completion of the District's fiscal year **audit**, beginning with the fiscal year that starts October 1, 2008. Upon adoption, the Board will maintain a copy of the Annual Report on file, for public inspection, at the District's offices.

VIII. Actions, Procedures, Performance, and Avoidance for District Implementation of Management Plan – 31 TAC § 356.5 (a)(4)

The District will implement the goals and provisions of this Management Plan and will utilize the objectives of this Management Plan as a guideline in its decision-making to be consistent with the provisions of this plan.

The District will adopt rules, in accordance with Chapter 36 of the Texas Water Code, which implement the Management Plan. All rules will be followed and enforced. The District will amend the District rules as necessary to comply with changes to Chapter 36 of the Texas Water Code and to insure the best management of the groundwater within the District. The development and enforcement of the rules of the District will be based on the best scientific and technical evidence available to the District.

The District will encourage cooperation and coordination in the implementation of this plan. All operations and activities of the District will be performed in a manner that best encourages cooperation with the appropriate state, regional or local water entity. The Board meetings of the District will be noticed and conducted in accordance with the Texas Open Meetings Law. All official documents, reports, records and minutes of the District will be available for public inspection and copying in accordance with the Texas Public Information Act.

Annually, the District shall appoint a Groundwater Management Plan Committee chaired by a Board Director and conduct a review of (a) science and knowledge of the water resources available for the District's regulation, permitting and conservation and (b) make recommendations for improved management of the resources over which the District has jurisdiction. The Committee's appointment, report and action by the Board in response to such recommendations shall each be noticed in a local publication distributed within Kinney County.

IX. Management Goals

A. Providing the Most Efficient and Sustainable Use of Groundwater – 31 TAC § 356.5(a)(1)(A)

1. Groundwater and Stream Flow Monitoring

Objective Establish a monitoring network to measure groundwater quantity in a minimum of one (1) well per year in the major aquifers of the District and stream flow volume in Las Moras Creek and Pinto Creek.

Performance Standard The District will monitor the water level in at least one well per year in the major aquifers of the District and stream flow volume in Las Moras Creek and Pinto Creek. A report on the data collected through this monitoring network will be included in the Annual Report.

B. Controlling and Preventing Waste of Groundwater – 31 TAC § 356.5(a)(1)(B)

1. Elimination of Wasteful Practices Using Groundwater

Objective – Increase public awareness within the District regarding the need for water conservation, and encourage the elimination of wasteful practices regarding groundwater within the boundaries of the District.

Performance Standard – Submit an article annually regarding the elimination of wasteful practices and/or conservation of groundwater to a local publication for distribution in Kinney County and a copy kept in the District office for a period of three (3) years.

C. Conjunctive Surface Water Management Issues – 31 TAC § 356.5(a)(1)(D)

1. Regional Planning

Objective By attending Region J meetings, there is the opportunity to participate in the discussions, planning and education concerning the interrelationship of the groundwater and surface water interface. The Board President or his appointed representative will attend 75% of Region J meetings annually.

Performance Standard The minutes for all attended meetings of Region J will be maintained in the District for a period of three (3)

years from their accepted date. A report of all attended meetings will be given to the Board at the regular meeting.

D. Drought Conditions

Objective Once a month, the District will download the latest drought information from the National Weather Service – Climate Prediction Center website (www.cpc.ncep.noaa.gov/products/monitoringanddata/drought.shtml).

Performance Standard A report on the drought data obtained from the National Weather Service will be included in the regular monthly meeting agenda and retained in the meeting minutes kept at the District office

E. Conservation, Recharge Enhancement, Rainwater Harvesting, Precipitation Enhancement and Brush Control

1. **Public Water Conservation Articles**

Objective - Increase public awareness within the District regarding the need for water conservation.

Performance Standard - Submit an article annually regarding the elimination of wasteful practices and/or conservation of groundwater to a local publication for distribution in Kinney County and a copy kept in the District office for a period of three (3) years.

2. **Recharge Enhancement**

Goal determined to be Not Applicable for the District. Goal is not cost effective at this time.

3. **Rainwater Harvesting**

Goal determined to be Not Applicable for the District. Goal is not cost effective at this time.

4. **Precipitation Enhancement**

Goal determined to be Not Applicable for the District. Goal is not cost effective at this time.

5. **Brush Management**

This service is provided by NRCS in Kinney County as a function of the Federal Government. This Goal is determined to be Not Applicable for the District.

F. Natural Resource Issues – 31 TAC § 356.5(a)(1)(E)

1. Communication With Governmental Agencies (USGS) Water Balance Studies

Objective The District will support or participate in water balance studies with the United States Geological Survey (USGS) by investigating sources of funding for the continuation of the research.

Performance Standard The District will annually document all attempts to secure funding and all sources of funding found and maintain these records in the District office for a period of three (3) years. The District will include a report on the funding activity in the Annual Report and/or provided to the District Board annually..

2. Communication With Governmental Agencies (USGS) Monitoring

WBS

Objective. The District will monitor the work of the United States Geological Survey (USGS) in the “Western Edwards Water Balance Study” while it is active or until the study is complete.

Performance Standard The District will annually document the progress of the USGS study and any communication received from the USGS about the study. This documentation will be maintained in the District office. A report on the progress of the study will be included in the Annual Report and/or provided to the District Board annually.

3. Communication With Governmental Agencies (Edwards Aquifer

Authority)

Objective. The District will monitor the work of the Edwards Aquifer Authority (EAA) in conducting groundwater dye trace studies in Kinney County until such studies are complete.

Performance Standard The District will annually maintain a file on the progress or results of the EAA research and any communications received from the EAA about the studies. This documentation will be

maintained in the District office. A report on the progress or results of the dye trace studies will be included in the Annual Report and/or provided to the District Board annually

G. Desired Future Conditions of the Groundwater Resources in the District – 31 TAC § 356.5(a)(1)(E)

The desired future conditions of the groundwater within the District have not yet been established in accordance with Chapter 36.108 of the Texas Water Code. The District is actively participating in the joint planning process and the development of a desired future condition for the portion of the aquifer(s) within the District. Therefore, this goal is not applicable to the District at this time.

X. Management Goals Non-Applicable to District

A. Controlling and Preventing Subsidence - 31 TAC § 356.5(a)(1)(C)

The District is not advised at this time of any issues with subsidence that exist within the District. Subsidence does not exist due to the geology of the region.

XI. Action Required for Plan Certification – 31 TAC § 356.6

A. Planning Period – 31 TAC § 356.5(a)

The Board of Directors of the District adopted by resolution on _____, this revision of the Management Plan for the District. The Management Plan will remain effective until _____, 201____, unless the District sooner adopts a revised Management Plan that is certified by the Texas Water Development Board or another appropriate entity. The revised Management Plan will take effect as of the date of certification. In accordance with the provisions of Chapter 36 of the Texas Water Code, the District's Management Plan shall be reviewed annually and re-adopted with or without revisions at least every five years.

B. Certified Copy of District's Resolution Adopting Management Plan – 31 TAC § 356.6(a)(2)

A certified copy of the District's resolution adopting the Management Plan is located in Appendix A – District Resolution.

C. Evidence of Management Plan Adoption After Notice and Hearing – 31 TAC § 356.6(a)(3)

Evidence, including public notices, that the Management Plan was adopted following applicable public meetings and hearings is located in Appendix B - Notice of Meetings.

**D. Coordination with Surface Water Management Entities –
31 TAC § 356.6(a)(4)**

Evidence that District coordinated with surface water management entities in regards to the District's Management Plan is located in Appendix C.

References

1. Bennett, R. R. and Sayre, A. N., December 1962. Texas Water Commission Bulletin 6216, "Geology and Ground-Water Resources of Kinney County, Texas," published by Texas Water Commission in December 1962 in cooperation with United States Geological Survey.
2. Lozo, F.E., Jr; Smith, C.I. 1964. Revision of Comanche Cretaceous Stratigraphic Nomenclature, South Edwards Plateau, Southwest Texas. Transactions of the Gulf Coast Association of Geological Societies 14, 285-307.
3. Mace, Robert E., Ph.D. and Anaya, Roberto, P.G. Estimate of recharge to the Edwards (Balcones Fault Zone) and Edwards-Trinity (Plateau) aquifers in Kinney County, Texas, Texas Water Development Board August 2003.
4. Regional Water Management Plan of Region J (Plateau Region) – Regional Water Planning Group.
5. Rules of the Kinney County Groundwater Conservation District, as amended.
6. Water for Texas-2007 – Texas Water Development Board (January 2002).

APPENDIX A

APPENDIX A: Certified Copy of District's Resolution Adopting Management Plan

Resolution 2010-004

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE KINNEY COUNTY
GROUNDWATER CONSERVATION DISTRICT**

A RESOLUTION ADOPTING THE AMENDED MANAGEMENT PLAN

WHEREAS, the Kinney County Groundwater Conservation District ("District") is a political subdivision of the State of Texas organized and existing under and by virtue of Article XVI, Section 59, of the Texas Constitution; and

WHEREAS, under the direction of the Board of Directors, and in accordance with Section 36.1071, Water Code and Chapter 356, Title 31, Texas Administrative Code, the District developed a Groundwater Management Plan; and

WHEREAS, the District received informal TWDB written comments on the draft plan, held a public hearing properly noticed in accordance with the requirements of Chapter 36, Water Code, and Chapter 551, Government Code (the Open Meetings Act) to receive public and written comments on the Groundwater Management Plan on May 13, 2010 in the Library Annex of Kinney County Library located in Brackettville, Texas; and

WHEREAS, the Board of Directors, with the benefit of May 13, 2010 public comments, during a regular meeting on May 13, 2010, voted 7-0 in favor of adopting the amended Groundwater Management Plan; and

WHEREAS, at a special Board Meeting on Thursday, May 20, 2010, the Board did ratify its May 13, 2010 approval of the Amended Groundwater Management Plan and considering same, did adopt the Groundwater Management Plan by Resolution as the Groundwater Management Plan for the District; and

WHEREAS, on this the 20th day of May, 2010, the Board of Directors finds that the Groundwater Management Plan, considering the best information currently available, meets all of the requirements of Chapter 36, Water Code, and Chapter 356, Title 31, Texas Administrative Code.

NOW THEREFORE BE IT RESOLVED THAT:

The Groundwater Management Plan presented May 13, 2010, is hereby adopted as the Groundwater Management Plan for the District; and

The Board, acting through its President and Officers, are further authorized to take any and all action necessary to file the adopted Groundwater Management Plan with the Texas Water Development Board, to coordinate with the Texas Water Development Board as may be required in furtherance of certification pursuant to the provisions of the Texas Water Code, and to report back to the Board of Directors with formal comments or review by TWDB that may bear on adoption of the Plan.

The official record copy of the updated Groundwater Management Plan shall be placed on file at the District's Headquarters, dated May 20, 2010, and is included herein by reference.

AND IT IS SO ORDERED.

Upon motion duly made by Director Lowery, and seconded by Director Coates, and upon discussion, the Board voted 5 in favor and 0 opposed, 0 abstained, and 2 absent, and the motion thereby **PASSED** on this 20th day of May, 2010.

**KINNEY COUNTY GROUNDWATER
CONSERVATION DISTRICT**

By: 
Kent Lowery, President

ATTEST:


Dennette Coates, Secretary/Treasurer

APPENDIX B

**The government can only
give you what it takes away
from someone else!**

The democracy will cease to exist when you take away from those who are willing to work and give to those who would not.

~Thomas Jefferson

KCGCD Notice

AMENDED: NOTICE OF PUBLIC HEARING of the Kinney County Groundwater Conservation District:

Public Hearing for Management Plan Revisions has been rescheduled from April 8th, 2010 to May 13th, 2010 at 9:00 a.m., Library Annex, Brackettville, TX.

Notice is hereby given that the Board of Directors of the Kinney County Groundwater Conservation District will hold a public hearing for the Revised Groundwater Management Plan of the Kinney County Groundwater Conservation District. The hearing will be to take public comment on the proposed revised Groundwater Management Plan of the Kinney County Groundwater Conservation District and act thereon or schedule a further meeting of the Board of directors to consider amendment(s) and/or approval and make subsequent submission for review by the Texas Water Development Board. A copy of the proposed revised Management Plan can be obtained at the district office, library, and the KCGCD website: kinneycogcd-state-tx.us.

Rices reflect growing optimism

2007 test.

T. Jones 448 also sired this year's high indexing ram that sold for \$2,000 to Bill Karnes of Sonora.

Volume buyers included the Sawyer Ranch of Sonora, which purchased five head totaling \$5,300 and Maggie Davis of Sonora, who bought seven head for \$3,100.

"We have a staunch group of core producers who have long supported this program both as buyers and consignors, but I'm pleased to see some new people participating in the program and taking home these rams which can do nothing but improve the program and the industry as a

whole," Waldron said.

The annual test has been conducted by the AgriLife Research Station at Sonora since 1947. Animals in the test represent some of the world's top flocks in terms of rate of gain and desirable fleece characteristics. The test lasts for 140 days and is traditionally followed by an educational field day and sale conducted in cooperation with the Texas AgriLife Extension Service.

For more information on the Annual Ram Performance Test, pictures of the top indexing and selling animals, and a complete listing of test and sale results go to: <http://safiles.tamu.edu/genetics/ramtest.htm>.

vention Month - Go Blue!

fare Board will be wearing blue clothes, blue ribbons or blue lapel pins to show their support for child abuse prevention, and they're encouraging others to do the same. It's a great idea, and I'm urging everyone in towns and cities across Senate District 19 to Go Blue! at least one day this month. And when someone asks you what that ribbon or pin is for, tell them that too many Texas kids are going to bed with bruises, with hunger pangs and with a sickening fear of what the next day will

bring. Tell them that is unacceptable and that you are working to create a world where all children get tucked in safe and snug every night.

For more information on National Child Abuse Prevention Month, contact Sen. Uresti's San Antonio district office at 210 932-2568 or go to: <http://www.childwelfare.gov/prevention/month/> and www.blueribbontaskforce.com.

To order a ribbon or pin go to: www.blueribbonsonline.org.

The government can only give you what it takes away from someone else!

"Socialism only works in two places: Heaven where they don't need it and hell where they already have it."
-Ronald Reagan

KCGCD Notice

AMENDED: NOTICE OF PUBLIC HEARING of the Kinney County Groundwater Conservation District:

Public Hearing for Management Plan Revisions has been rescheduled from April 8th, 2010 to May 13th, 2010 at 9:00 a.m., Library Annex, Brackettville, TX.

Notice is hereby given that the Board of Directors of the Kinney County Groundwater Conservation District will hold a public hearing for the Revised Groundwater Management Plan of the Kinney County Groundwater Conservation District. The hearing will be to take public comment on the proposed revised Groundwater Management Plan of the Kinney County Groundwater Conservation District and act thereon or schedule a further meeting of the Board of directors to consider amendment(s) and/or approval and make subsequent submission for review by the Texas Water Development Board. A copy of the proposed revised Management Plan can be obtained at the district office, library, and the KCGCD website: kinneycogcd-state-tx.us.

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**NOTICE OF PUBLIC HEARING
OF THE GOVERNING BOARD FOR THE KINNEY COUNTY
GROUNDWATER CONSERVATION DISTRICT
Thursday, May 13, 2010
9:00 a.m.**

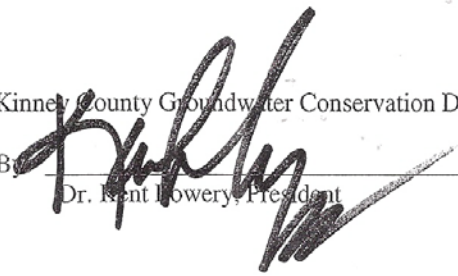
Amended Notice of Public Hearing of the Kinney County Groundwater Conservation District: Notice is hereby given that the Board of Directors of the Kinney County Groundwater Conservation District will hold a public hearing for the Revised Groundwater Management Plan of the Kinney County Groundwater Conservation District. The Hearing date has been extended to Thursday, May 13, 2010 at 9:00 a.m. in the Library Annex located in Brackettville, Texas.

The hearing will be to take public comment on the proposed revised Groundwater Management Plan of the Kinney County Groundwater Conservation District and act thereon or schedule a further meeting of the Board of Directors to consider amendment(s) and/or approval and make subsequent submission for review by the Texas Water Development Board. A copy of the proposed plan may be picked up at the District office during regular business hours of operation on Tuesday, Wednesday, and Thursday from 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. A courtesy copy will be available for public viewing at the Kinney County Public Library and on Kinney County Groundwater Conservation District's website (www.kinneycogcd-state-tx.us).

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the Board of Directors of the Kinney County Groundwater Conservation District is a true and correct copy of said Notice. I have posted a true and correct copy of said Notice on the bulletin board in the Kinney County Courthouse, located in Brackettville, Texas, and said Notice was posted on April, 2010; a true and correct copy of said Notice was furnished to the Kinney County Clerk, in which the above named political subdivision is located.

Kinney County Groundwater Conservation District

By



Dr. Kent Lowery, President

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the Board of Directors of the Kinney County Groundwater Conservation District is a true and correct copy of said Notice received by me on April 1, 2010, and that I posted the true and correct copy of said Notice on the bulletin board in the Kinney County Courthouse on April 1, 2010, at 3:42 o'clock, P m.

Dora Clara Sandoval

Dora Sandoval, County Clerk, Kinney County, Texas

By: Debra Loman

APPENDIX C

KINNEY COUNTY GROUNDWATER CONSERVATION DISTRICT
P. O Box 369, 511 Ellen Street, Brackettville, TX 78832
(830) 563-9969 Fax: (830) 563-9606

May 6, 2010

Mr. Con Mims
Nueces River Authority
P. O. Box 349
Uvalde, TX 78802

RE: Revised Management Plan

Dear Mr. Mims:

By way of this letter and the attached copy of the revised Management Plan, we are advising you of revisions made to our Goals and Objectives. Please note the section titles of the areas revised are highlighted in yellow. The remainder of the Management Plan remains the same. We are making these revisions in an effort to more closely relate to what the District is capable of doing, both financially and with available staff.

If you have any questions or comments, please send to KCGCD, Attn: President Lowery.

With Regards,

[Signature]
Dr. Kent Lowery, President
KCGCD Board of Directors

KL/sl

Cc: Greg Ellis, Attorney at Law

Encl.

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Street, Apt. No., or PO Box No.: P.O. Box 349	
City, State, ZIP+4: Uvalde, TX 78802	
PS Form 3800, August 2005 See Reverse for Instructions	

6002 4141 0000 0000 6926 T989



2. Article Number <i>(transfer from service lab.)</i>		7009 1410 0000 9783 1839	
PS Form 3811, February 2004		Domestic Return Receipt	
1. Article Addressed to: Mr. Con Mims Nueces River Authority P.O. Box 349 Uvalde, TX 78802			
SENDER: COMPLETE THIS SECTION <input type="checkbox"/> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. <input type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.			
3. Service Type		COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail	A. Signature <i>[Signature]</i>	<input type="checkbox"/> Agent
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise	B. Received by (Printed Name) <i>[Signature]</i>	<input type="checkbox"/> Addressee
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.	C. Date of Delivery 5-21-10	
4. Restricted Delivery? (Extra Fee)		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
<input type="checkbox"/> Yes			

Kinney County Groundwater Conservation District

P.O. Box 369 502 South Ellen Street, Suite B
 Brackettville, Texas 78832-0369
 (830) 563-9699 Fax (830) 563-9606

May 6, 2010

International Boundary & Water Commission
 670 Texas Spur 349
 Del Rio, TX 78840-0425


RE: Revised Management Plan

Dear Sirs:

By way of this letter and the attached copy of the revised Management Plan, we are advising you of revisions made to our Goals and Objectives. Please note the section titles of the areas revised are highlighted in yellow. The remainder of the Management Plan remains the same. We are making these revisions in an effort to more closely relate to what the District is capable of doing, both financially and with available staff.

If you have any questions or comments, please send to KCGCD, Attn: President Lowery.

With Regards,


 Dr. Kent Lowery, President
 KCGCD Board of Directors

KL/sl

Cc: Greg Ellis, Attorney at Law

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 Street, Apt. No., or PO Box No. 670 Texas Spur 349
 City, State, ZIP+4[®] Del Rio, TX 78840-0425

PS Form 3800, August 2004 See Reverse for Instructions

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Address
 Alicia Guerra

B. Received by (Printed Name) C. Date of Delivery
 Alicia Guerra 6-1-10

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type Express Mail Return Receipt for Merchandise
 Certified Mail Registered Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Transfer from service label) 7005 1410 0000 9763 0535

1. Article Addressed to:
 International Boundary & Water Commission
 670 Texas Spur 349
 Del Rio, TX 78840-0425

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

APPENDIX D

Appendix D: Map Delineating Kinney County Management Zones

