

TCEQ DOCKET NO. 2025-0373-MIS

**PETITION FOR INQUIRY FILED
BY COCKRELL INVESTMENT
PARTNERS, L.P. CONCERNING
THE MIDDLE PECOS
GROUNDWATER
CONSERVATION DISTRICT**

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**BEFORE THE TEXAS
COMMISSION ON
ENVIRONMENTAL QUALITY**

JOINT RESPONSE OF KIMBLE COUNTY GROUNDWATER CONSERVATION DISTRICT, MENARD COUNTY UNDERGROUND WATER DISTRICT, SUTTON COUNTY UNDERGROUND WATER CONSERVATION DISTRICT, AND THE GROUNDWATER CONSERVATION DISTRICTS AND MEMBERS OF GROUNDWATER MANAGEMENT AREA 7 TO THE RESTATED PETITION FOR INQUIRY FILED BY COCKRELL INVESTMENT PARTNERS, L.P.

Pursuant to Tex. Water Code § 36.3011 and 30 Tex. Admin. Code § 293.23, Kimble County Groundwater Conservation District, Menard County Underground Water District, Sutton County Underground Water Conservation District, and the Groundwater Conservation Districts and members entities of Groundwater Management Area 7¹, through their administrator, Meredith Allen, file this Joint Response to the Restated Petition for Inquiry filed by Cockrell Investment Partners, L.P. (“Petitioner”) in this matter and respectfully shows the following:

¹ The Groundwater Conservation Districts and other member entities of Groundwater Management Area 7 include the following: Coke County Underground Water Conservation District, Crockett County Groundwater Conservation District, Glasscock Groundwater Conservation District, Hickory Underground Water Conservation District No. 1, Hill Country Underground Water Conservation District, Irion County Water Conservation District, Kimble County Groundwater Conservation District, Kinney County Groundwater Conservation District, Lipan-Kickapoo Water Conservation District, Lone Wolf Groundwater Conservation District, Middle Pecos Groundwater Conservation District, Menard County Underground Water District, Plateau Underground Water Conservation and Supply District, Real-Edwards Conservation and Reclamation District, Santa Rita Underground Water Conservation District, Sterling County Underground Water Conservation District, Sutton County Underground Water Conservation District, Terrell County Groundwater Conservation District, Uvalde County Underground Water Conservation District, and Wes-Tex Groundwater Conservation District.

I. BACKGROUND AND RELIEF REQUESTED

Petitioner filed a Restated Petition for Inquiry alleging that the Middle Pecos Groundwater Conservation District (“MPGCD” or the “District”) failed to adopt rules, that the rules adopted by MPGCD are not designed to achieve Desired Future Conditions, and that the groundwater within MPGCD’s management area is not adequately protected by its rules. Petitioner’s Restated Petition adds to these claims that MPGCD’s use of special permit conditions fails to adequately protect groundwater within the district because these conditions are applied inconsistently among permit holders. We, the above-mentioned Groundwater Conservation Districts (“GCDs”) and the members of Groundwater Management Area 7, respectfully submit this Joint Response to express our unequivocal support for MPGCD, strongly refute the claims made in the Petition for Inquiry filed by Petitioner, and respectfully request that the TCEQ dismiss this Petition for Inquiry.

II. RESPONSE TO PETITION

As members of Groundwater Management Area 7, we have collaborated extensively with MPGCD on numerous groundwater management initiatives over the years. We have consistently found MPGCD to be a dedicated and competent steward of groundwater resources in West Texas. MPGCD has established a strong reputation for its robust rules, transparent processes, and fair decision-making. The District has demonstrated leadership in groundwater management, serving as a model for conservation and responsible permitting practices for other GCDs. We believe Petitioner’s Restated Petition for Inquiry mischaracterizes MPGCD’s actions and intent. MPGCD’s permitting framework is

comprehensive and designed to achieve the Desired Future Conditions established in coordination with other districts.

The claims made by Petitioner are baseless and fail to align with the facts. Contrary to the assertion that MPGCD has not adopted rules, the District has enacted a robust regulatory framework to manage groundwater responsibly. Additionally, MPGCD's rules are specifically designed to achieve the Desired Future Conditions, as evidenced by its collaborative efforts with the other districts within Groundwater Management Area 7. Finally, MPGCD's rules and permitting processes protect groundwater resources effectively, ensuring their sustainable use for current and future generations, supported by their use of one of the most comprehensive well monitoring programs in all of West Texas.

Petitioner claims MPGCD's use of special permit conditions fails to adequately protect groundwater because they "are not rules" and "only apply to one permit holder." This argument fundamentally misunderstands the legal framework and practical application of groundwater management in Texas. Special permit conditions tailored to the unique circumstances surrounding a permit allow GCDs to impose more stringent limitations than general rules alone can provide, offering enhanced protections to the aquifer and neighboring permit holders under unique circumstances. The GCDs within GMA 7 employ special permit conditions to impose responsive, science-based groundwater management that adapts to the unique hydrogeological characteristics of specific wells and production scenarios. This level of precision is not generally achievable by rules alone. Special permit conditions precisely serve the broader purpose of conserving groundwater for future generations.

We are concerned that this Restated Petition for Inquiry is being driven by entities with significant financial resources seeking to further their own water development initiatives, rather than out of a genuine interest in the sustainable management of groundwater resources. The Petition for Inquiry process, set out by Tex. Water Code § 36.3011, was created as a safeguard to address Groundwater Conservation Districts that fail to fulfill their statutory duties—not as a mechanism to attack decisions made by a properly functioning district. MPGCD is not only meeting its statutory obligations, but it is widely regarded as one of the most effective and trustworthy GCDs in Texas.

This petition appears to be a final effort by these well-funded interests to undermine the District's authority, following unsuccessful challenges at the District and judicial levels. Such efforts not only divert attention from the critical task of securing adequate water supplies for the people and communities of West Texas but also demand significant time and financial resources be expended on unnecessary litigation.

MPGCD has consistently operated in good faith and maintained the trust of its stakeholders. The Petition for Inquiry process should not be used as a tool to pressure the District into favoring the interests of a few at the expense of the broader public.

We urge TCEQ to recognize MPGCD's commitment to sustainable groundwater management and its adherence to statutory responsibilities by dismissing the Petition for Inquiry filed by Petitioner against the District. The District's rules and processes are sound, and its leadership has proven trustworthy. Any interference by the TCEQ based on this petition would hinder MPGCD's own efforts to protect groundwater, disrupt its cooperative work with neighboring districts in Groundwater Management Area 7, and

weaken the locally driven governance that is critical to sustainable groundwater management in West Texas.

Thank you for your attention to this matter. For the reasons stated above, TCEQ should Dismiss the Petition without any further Inquiry.

Respectfully Submitted,
**KIMBLE COUNTY GROUNDWATER
CONSERVATION DISTRICT,
MENARD COUNTY UNDERGROUND
WATER DISTRICT,
SUTTON COUNTY UNDERGROUND
WATER CONSERVATION DISTRICT**

By: Meredith Allen
Meredith Allen, General Manager

GROUNDWATER MANAGEMENT AREA 7

By: Meredith Allen
Meredith Allen, Administrator

CERTIFICATION

STATE OF TEXAS

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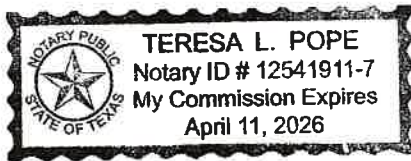
COUNTY OF

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Kimble

BEFORE ME, the undersigned Notary Public, on this day personally appeared Meredith Allen, who, being by me duly sworn on oath depose and said that she is the General Manager of Kimble County Groundwater Conservation District, Menard County Underground Water District, and Sutton County Underground Water Conservation District, and the Administrator for the groundwater conservation districts in Groundwater Management Area 7, and that every factual statement in this response is within her personal knowledge and is true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME on the 8th day of April, 2025, to certify which witness my hand and official seal.



Notary Public in and for the State of Texas

My commission expires: 4/11/26

CERTIFICATE OF SERVICE

I hereby certify that on April 8, 2025, the foregoing document was filed with the TCEQ Chief Clerk, and copies were served to all parties on the attached mailing list via e-mail and/or by deposit in the U.S. mail.

Meredith Allen

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Middle Pecos Groundwater Conservation District
TCEQ Docket No. 2025-0373-MIS

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