

The Brazos Watermaster will be physically present at the location listed below and this meeting location is accessible to the public.

## **Brazos Watermaster Advisory Committee Meeting**

**Date:** July 22, 2025

**Time:** 10:00 a.m. – 12:00 p.m.

**Location:** Brazos River Authority Offices, 4600 Cobbs Drive, Waco, Texas, 76710

### **Attend In-Person**

Attend the meeting in-person at Brazos River Authority Offices, 4600 Cobbs Drive, Waco, Texas, 76710

### **AGENDA**

**1. Call to Order (Alan Gardenhire)**

- Meeting called to order @ 10:07 a.m. by Alan Gardenhire

**2. Welcome from Brazos River Authority (Brad Brunett)**

**3. Introductions (BWAC, Staff, Public) (All)**

- BWAC Members
  - o Ryan Bayle – Luminant Power Environmental Manager (Absent)
  - o Brad Brunett – Brazos River Authority (Present)
  - o Carl Burch – NRG Energy Environmental Manager (Present)
  - o Ralph Duggins – Individual Water Rights Holder (Absent)
  - o C.R. “Hoppy” Eason Jr. – Individual Water Rights Holder (Absent)
  - o Timothy D. Finley (Vice Chair) – Dow Chemical Company (Absent)
  - o Alan Gardenhire (Chair) – SLR Properties (Present)
  - o Kenneth King – Individual Water Rights Holder (Present)
  - o Kenton Moffett – City of Temple – Asst Public Works Director (Absent)
  - o David Sauer – Gulf Coast Water Authority Affiliation (Present)
  - o Rodney Stephens – North Leon Irrigation Corporation - President (Present)
  - o Kevin Taylor – Somervell County Water District (Present)
  - o David Turk – Palo Pinto MWD #1 (Present)
  - o Chet Warren (Secretary) – City of Waco Water Utility Services Environmental Administrator (Present)
  - o Brent Wheeler – Individual Water Right Holder (Present)
- TCEQ Staff:
  - o Kim Nygren – Water Availability Division - Deputy Director (Present)
  - o Kathy Alexander – Water Availability Division Policy and Technical Analyst (Present)
  - o Molly Mohler – Brazos Watermaster (Present)
  - o Nancy Ragland – Assistant Brazos Watermaster (Present)
  - o Iliana Spaeth – Watermaster Liaison (Present)
  - o Stephen Kinal – Watermaster Liaison (Present)
  - o Mary Ellen Tate – Administrative Assistant (Present)
  - o Ashton Parsley-Stroner – Watermaster Deputy – Stephenville East (Present)
  - o Sean Jurkis – Watermaster Deputy – Central Brazos (Present)
  - o Mike Caldwell - Watermaster Deputy – Stephenville West (Present)
  - o Guy Falzarano – Watermaster Deputy – Lower Brazos (Present)
  - o Michael Raynaud -Watermaster Deputy – Waco West (Present)
  - o Alejandro Laje -Watermaster Deputy – Technical (Present)
  - o VACANT – Watermaster Deputy – Waco East

- Molly notified everyone that she was changing jobs on August 1, 2025. She will be the Section Manager for the Brazos, South Texas, and Concho Watermaster programs.

**4. WAC Appointments, Renewals, and Terms**

**Molly Mohler**

- All members requested to be reappointed and should have recently received their reappointment letters from the Executive Director renewing their terms through August 31, 2027.

**5. Determination of a Quorum - 10 of 15 members are present**

**6. Review & Approve Minutes of July 18, 2024 BWAC Meeting**

**(All)**

- Motion by Rodney Stephens, Kenneth King seconded motion
- Unanimous ayes, minutes approved.

**7. Brazos Watermaster Program Update and Presentation**

**(Molly Mohler)**

- Staffing Update – PowerPoint Presentation**
- Update from Deputies**

- Molly gave a presentation of a 2025 Brazos Watermaster Program update. Discussion on drought, precipitation, and metrics.
- Alan asked about areas that do not have a Watermaster Program? Answer: TCEQ is required to evaluate basins without a Watermaster program every 5 years. Kim talked about what goes into the 5-year review; focus on complaints, compliance, priority calls in the evaluated basins along with public comments during the review cycle. A recommendation is made to the Commissioners for approval.
- Brad mentioned how the Brazos Watermaster program was established after the 2008 to 2014 droughts. Brent asked about who petitioned for the Brazos Watermaster program? Answer: 25 water right holders petitioned the TCEQ requesting a watermaster program be established.
- Molly stated there are 41 counties in the basin/program, with approximately 1000 water rights and 1800 accounts. Water rights may be split into multiple accounts in the Texas Watermaster Accounting System (TxWAS) based on multiple use types with specific priority dates and multiple owners per water right.
- Molly continued with metrics for the program, the Brazos program is responsible for a specified number of sites that are reported, yearly, to the Legislative Budget Board. Metrics included sites, investigations, violations, and temporary permits issued.
- Brent asked who are the primary type of people that are violators? Answer: Several are individuals without water rights, there are a couple of municipalities, and a couple of irrigators.
- David asked if violations have a monetary penalty? Notice of Violations do not have a monetary penalty attached. Field Citations and Notice of Enforcement both have monetary penalties.
- Updates were given by Watermaster staff:
  - o Mary Ellen gave an administrative update regarding diversion requests/pump operation reports, budget, and purchasing.
  - o Alex's update included 22 temporary permit applications received, the majority were approved, a couple denied, and some withdrawn. He reviews diversion requests and water accounting plans, data entry into TxWAS, and development of the team's SharePoint site.
  - o Mike's update (Stephenville West) included an increase in complaints mostly surrounding water impound issues with multiple people complaining about 1 person, and property access is a problem with the dirt roads and the rain
  - o Ashton's update (Stephenville East) included complaints, 11 of which were unauthorized diversions/dams, she used those opportunities to educate those individuals. Helped organize the Watermaster Section biennial training, setting up a field day to have individuals water rights permitting staff to shadow her in the field. She also serves on the Office of Water Directors Advisory Committee.

- Michael's update (Waco West) included that construction and population growth are issues surrounding Waco and Austin. He found that most contractors are not well versed in the water code. Irrigation use is minimal and municipal water use is growing. His complaints revolved around impoundments and flooding. Some individuals are unhappy with the USACE water releases, the Watermaster does not have authority over the Federal Government
- Nancy gave an update on the vacant Waco East position. A few complaints turned into violations and enforcement issues.
- Sean's update (Central Brazos) included a couple of violations and enforcement issues. Primary water use is oil and gas exploration and irrigation use. Spends considerable time running down flex pipe.
- Guy's update (Lower Brazos) included subdivision construction, solar farm construction, pipeline construction. Water use is municipal, irrigation and industrial.
- Molly discussed in detail 30 Texas Administrative Code (TAC) §304.15 which outlines submissions of declarations of intent (DOIs) prior to diverting water and 30 TAC §304.16 which lays out the water penalties for watermaster programs. Modifications to the DOIs can be communicated to the Brazos Watermaster Office during the diversion period. Implementation will begin January 1, 2026, with education ongoing until the end of this year.
- Brent asked about the 90/110 rule, and shouldn't you overestimate your diversion request, and asked about any modifications to the rule? Over estimation is also outlined in 30 TAC §304.16, which can result in wasting water. The rule can be modified or changed with a petition or legislative rule change.

## **8. Water Supply Presentation**

**(Aaron Abel)**

- Aaron Abel gave an update on the reservoirs from the BRA, see attached slide show presentation.
- Chet asked about the Lake Whitney study to reallocate storage, Brad said the proposed plan could include 180,000 acre-feet of water reallocated to the water supply, and that the report should be final in the summer of 2026.

## **9. Old Business**

**(All)**

- No old business discussed

## **10. New Business**

**(All)**

### **a. Discussion and possible action on Bylaws revisions**

- Legal looked at the bylaws across all watermaster programs and determined that they do not fall under open meetings act and some clarification was needed in the current bylaws.
- Alan asked if the committee wanted to go through the suggestions page by page or if there were any questions.
- Brad suggested since bylaws were sent out ahead of time, not to go page by page and entertained a motion to accept as written.
  - David Sauer motioned, seconded by Kenneth King
  - Unanimous ayes – motion passed.

### **b. Review proposed Brazos Watermaster budget for fiscal year 2026**

- Salary and fringe increase for FY26; \$4,700 increase in salaries with an additional \$2,700 in fringe
- Operational Budget
  - LAR is for capital purchases like a new vehicle; vehicles are replaced with mileage between 100,000 and 150,000 or older than 7 years.
  - Rent has increased, and the number of staff determines rent prices/increase (Waco and Stephenville charging per watermaster person), historically TCEQ has undercharged those two offices, thus the rent increase.
  - Angleton office rent is \$18,164 per year and Watermaster is solely responsible for that amount. The office is for one dedicated staff, an office for the supervisor and a conference room for meeting with water right holders in the lower basin as well as dedicated space for vehicles and equipment.
  - Stephenville office rent is \$69,581 per year and Watermaster is responsible for 12.5%, which is \$8,698.

- o Waco office rent is \$256,162 per year and Watermaster is responsible for 14%, which is \$35,863
- o Kenneth asked about annual rent in Angleton? The Angleton office has space for the dedicated staff person, another office, and a conference area for \$18,000 a year, the current lease is expiring in 2027.
- o Brent asked how much the Angleton office is used? Office is used daily and is also used to meet with water right holders, other options will be explored before the lease is up in 2027.
- o The municipal rate for FY26 will be \$0.2386
- c. Discussion and possible action to recommend approval of the proposed fiscal year 2026 budget to the TCEQ Commission.

- David Sauer commented that there are no owner costs for maintenance when you rent.
- Alan Gardenhire asked if there were any other items to discuss, no response.
- Motion to approve Watermaster Budget by David Sauer, seconded by Rodney Stephens
  - o Brent Wheeler and Chet Warren voted nay, all others voted aye
  - o Motion passed

**11. Open Discussion (All)**

**12. Discuss next meeting, details and possible topics. (All)**

- Is one meeting a year enough? Group decided if additional meetings were needed, that they would contact the chair.
- Any topics to bring up for next year?
  - o David Sauer asked for the leases to be evaluated including lease cancellation timeframes and provide an update on rent at the next meeting.
  - o An update was requested on the Lake Whitney Reallocation Study at the next meeting.
  - o Kenneth King asked for a follow-up on the monetary amounts for violations and such at the next meeting.


**13. Adjourn (All)**

- Meeting adjourned @ 12:03 p.m. by Alan Gardenhire

**14. Attachments**

- Attachment 1 – Brazos Watermaster Program Update
- Attachment 2 – Brazos Watermaster Proposed Budget
- Attachment 3 – BRA Water Supply Presentation

THESE MINUTES WERE SUBMITTED VIA EMAIL TO THE COMMITTEE FOR REVIEW. MOTION RECEIVED BY KENNETH KING, SECONDED BY CHET WARREN, AND FINAL APPROVAL OBTAINED BY MAJORITY VOTE ON THIS, THE 30TH DAY OF SEPTEMBER, 2025.

  
\_\_\_\_\_, Chair

  
\_\_\_\_\_, Secretary