

***NOTICE OF MEETINGS AND HEARINGS  
OF THE BOARD OF DIRECTORS OF THE  
LONE STAR GROUNDWATER CONSERVATION DISTRICT  
to be held on Wednesday, October 13, 2009, at  
Lone Star GCD – Board Room  
207 W Phillips Street, Suite 301  
Conroe, TX 77301***

***NOTICE OF BOARD WORK SESSION***

**WEDNESDAY, OCTOBER 13, 2009, AT 8:00 A.M.**

The Board of Directors of the Lone Star Groundwater Conservation District will hold a **BOARD WORK SESSION\*\*** to review proposed amendments and revisions to the **District's Rules** on Wednesday, October 13, 2009, at 8:00 a.m. at the Lone Star Groundwater Conservation District Board Room, 207 W Phillips Street, Suite 301, Conroe, Texas. At such time the Board of Directors will discuss and may take action on any items on this agenda it may determine would be appropriate, to-wit:

**AGENDA**

1. Call to Order and Declare Meeting Open to the Public – Richard J. Tramm, Board President
2. Roll Call.
3. Summary presentation of proposed amendments and/or revisions to District Rules related the adoption of Phase II (B) of the District Regulatory Plan – Brian L. Sledge/Jason Hill, Legal Counsel
4. Adjournment.

*\*\* Board work sessions are held for the Board, the District staff and consultants to discuss and evaluate issues in such detail as to require open and free discussion not normally possible in regular Board meetings. During work sessions of the Board, no public comment will be heard, unless specifically requested by a Director and recognized by the Board President. Public comment may be made at the time the item(s) is up for discussion at a regular Board Meeting or public hearing.*

## ***NOTICE OF SPECIAL BOARD MEETING***

**TUESDAY, OCTOBER 13, 2009, AT 9:30 A.M.**

1. Call to Order and Declare Meeting Open to the Public.
2. Roll Call.
3. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, Sections 551.071, to consult with the District's attorney on any item on any notice or agenda for today's meetings or hearings regarding pending or contemplated litigation, settlement offers, or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code.

No action will be taken in Executive Session.

4. Re-convene in Open Session
5. Adjourn

## ***NOTICE OF PUBLIC HEARINGS AND MEETING***

**TUESDAY, OCTOBER 13, 2009, AT 10:00 A.M.**

### **Public Hearing on Permit Applications**

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Receive Permit Hearing Report from General Manager and Consider Granting, Denying, or Amending Applications for the Following Operating Permits and/or Meter Exemptions:
  1. ~~Larry Kruzic, for a proposed well to be drilled at 14135 Laramie Trail, Montgomery, not to exceed 2.5 mg annually, Public Supply (PWS) use;~~
  2. Curtis & Robin Bodiford, for a proposed well to be drilled at 18551 W. FM 1097, Montgomery, not to exceed 0.5 mg annually, Public Supply use;

3. ~~Montgomery County MUD #99, for a proposed amendment to OP, increase of 30 mg annually, Aldine Westfield Rd, Spring, Public Supply (PWS) use;~~
4. Aqua Texas, Inc. (Clear Creek Forest), for a proposed amendment to OP, increase of 10 mg annually, 22102 Meadowsweet, Magnolia, Public Supply (PWS) use;
5. Thompson's Landscaping, for a proposed amendment to OP, increase of 1 mg annually, 9210 Shady Ln, Magnolia, Irrigation use;
6. Paul Butaud, for a proposed operating permit not to exceed 0.135 mg annually, 12161 FM 830, Willis, Commercial use;
7. Mary McGovern, for a proposed operating permit not to exceed 0.25 mg annually, 38015 Spur 149, Magnolia, Commercial use;
8. North Point Fellowship Free Will Baptist Church, Inc., for a proposed well to be drilled at 17018 FM 1314, Conroe, not to exceed 0.1 mg annually, Public Supply use;
9. Harry Hope, for a proposed well to be drilled at 1625 Hope Road, Conroe, not to exceed 0.876 mg annually, Public Supply use;
10. ~~Timbergreen Home Owners Association, for a proposed operating permit not to exceed 1.5 mg annually, 14006 Timbergreen Dr, Magnolia, Public Supply use;~~
11. Verizon, for a proposed operating permit not to exceed 0.142 mg annually, 11665 Cude Cemetery Rd, Willis, Commercial use;
12. Chester Bradley, Jr., for a proposed amendment to OP, increase of 0.11 mg annually, 11210 FM 1488, Magnolia, Commercial use;
13. ~~Quadvest, LP. 1 (Lake Winderest WS), for a proposed amendment to OP, increase of 40 mg annually, 32710 Edgewater Dr., Magnolia, Public Supply (PWS) use;~~
14. Wayne Lanier (Lures Icehouse), for a proposed operating permit not to exceed 0.25 mg annually, 12715 FM 830, Willis, Public Supply use;
15. Palm Beach Estates POA, for a proposed operating permit not to exceed 1 mg annually, Palm Beach Estates, Walden Road, Montgomery, Irrigation use;
16. Quadvest, LP. 2 (Northcrest Ranch 1,2 &3), for a proposed amendment to OP, increase of 20 mg annually, 23951 Northcrest Trail, New Caney, Public Supply (PWS) use;
17. Corinthian Point MUD No.2, for a proposed well to be drilled at 13677 Calvary Rd, Public Supply (PWS) use, Willis; and
18. ~~Stoecker Management, for a proposed well to be drilled at Little Egypt Rd and Longmire Rd. (Shadow Lakes on Longmire), not to exceed 4.38 mg annually, Lake Replenishment, Conroe.~~

4. Adjourn permit hearing.

**REGULAR MEETING OF THE DISTRICT BOARD**  
of the  
**Lone Star Groundwater Conservation District**  
at the  
**Lone Star GCD – Board Room**  
**207 W Phillips Street, Suite 300**  
**Conroe, TX 77301**

**TUESDAY, OCTOBER 13, 2009, AT 10:00 A.M.**

1. Call to Order and Declare Regular Meeting Open to the Public.
2. Roll Call
3. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:
  - a) September 8, 2009, Special Board Meeting
  - b) September 8, 2009, Public Hearing on Permit Applications
  - c) September 8, 2009, Regular Board of Directors Meeting
  - d) September 8, 2009, Public Hearing on Proposed Changes to District Rules
4. Committee Reports:
  - A. Rules and Bylaws Development Committee – Kathy Turner Jones, Coordinator
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting, including proposed amendments to the District rules.
    - 2) Continue Board Meeting until conclusion of today's Public Hearing on Proposed Changes to District Rules.
    - 3) Hold Public Hearing on Proposed Changes to District Rules (see separate notice for this hearing below for hearing agenda).
    - 4) Reconvene Board Meeting upon adjournment or continuance of Public Hearing on Proposed Changes to District Rules.
    - 5) Discussion, consideration, and possible action approving amendments to the District Rules regarding adoption of Phase IIB of the District Regulatory Plan.
  - B. Policy and Personnel Development Committee – Sam W. Baker, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
  - C. Water Awareness and Conservation Committee – Billy Wood, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
    - 2) Education/Conservation Awareness Coordinator Report – Marjie Risk
  - D. Budget and Finance Development Committee – Jim Stinson, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
    - 2) Review of monthly financial reports
    - 3) Review 3<sup>rd</sup> Quarterly Investment Report for 2009

- E. Findings and Review Committee – Orval R. Love, Chair
  - 1) Brief the Board on the Committee's activities since the last regular Board meeting
- F. Building and Facilities Committee – Kathy Turner Jones
  - 1) Brief the Board on the Committee's activities since the last regular Board meeting
- 5. Engineering Report – Mark V. Lowry
  - a) Review of monthly engineering status reports
- 6. General Counsel’s Report – The District's General Counsel will brief the Board on pertinent legal issues and developments impacting the District since the last regular Board meeting.
- 7. General Manager’s Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting.
- 8. Public Comment. (*Public comment is limited to a maximum of 3 minutes per speaker.*)
- 9. New Business.
- 10. Adjourn.

**PUBLIC HEARING ON PROPOSED CHANGES TO  
DISTRICT RULES\*\***

\*\*This rulemaking hearing will be convened during Agenda Item 4(A) of the Regular Meeting of the District Board noticed above.

- 1. Call to Order and Declare Hearing Open to the Public.
- 2. Roll Call.
- 3. Presentation and discussion of proposed changes to the District Rules. The proposed rules changes address the adoption of Phase II (B) of the District Regulatory Plan as a rule of the LSGCD, which requires among other things that certain persons who produce or use groundwater in Montgomery County substantially reduce the amount of groundwater they produce or use and convert to surface water or other alternative supplies for their source of water, not later than calendar year 2015. The proposed rules will establish the threshold amount of groundwater that a person must produce annually to be subject to these groundwater reduction and conversion regulations, which will possibly be those producing ten million gallons of groundwater or more per year. Those persons subject to the regulations may be required to develop and submit a Groundwater Reduction Plan (“GRP”) that identifies future water demands, alternative water supplies to meet those demands and reduce groundwater production, cost and financing

information regarding alternative water supplies, and related water supply, demand, design, engineering, and financing information, and have the GRP signed and sealed by a registered professional engineer in the State of Texas. The new regulations will establish deadlines for submitting the GRP to the LSGCD and may establish other milestones for regulated persons to demonstrate incremental progress in achieving their plans for groundwater reduction and conversion to alternative supplies between the date of adoption of the proposed rules and the 2015 deadline for groundwater reduction and conversion. The proposed rules may prohibit increased production of groundwater by regulated persons in the future after the 2015 reduction, or may place conditions on such increased production of groundwater. The proposed rules may provide for the assessment of penalties for failure to timely comply with any of the proposed rules, deadlines, or groundwater conversion milestones, including without limitation flat fee civil penalties or civil penalties calculated based upon the amount of groundwater a person produces. These changes, along with any other changes to the District Rules not referenced in this notice, may be considered and adopted without further notice or hearing based on comments received at this hearing.

4. Public comment on proposed changes to the District Rules.
5. Continue or adjourn Public Hearing, and reconvene Board Meeting.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

*These public hearings and meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting or hearing, please contact the Lone Star GCD at 936/494-3436 at least 24 hours in advance of the meeting.*

At any time during one the above meetings or hearings and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Lone Star Groundwater Conservation District Board may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

#### **Certification**

I, the undersigned authority, do hereby certify that on October 8, 2009, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

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Kathy Turner Jones, General Manager  
Lone Star Groundwater Conservation District