

***NOTICE OF MEETINGS AND HEARINGS
OF THE BOARD OF DIRECTORS OF THE
LONE STAR GROUNDWATER CONSERVATION DISTRICT
to be held on Tuesday, November 10, 2009, at
Lone Star GCD – Board Room
207 W Phillips Street, Suite 301
Conroe, TX 77301***

NOTICE OF BOARD WORK SESSION

TUESDAY, NOVEMBER 10, 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 Tuesday, November 10, 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. Presentation of proposed amendments and/or revisions to District Rules related to 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, NOVEMBER 10, 2009, AT 9:00 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, NOVEMBER 10, 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. A & B Crushed Concrete, LLC, for a proposed operating permit not to exceed 0.1 mg annually, 18933 Fm 1485, New Caney, Commercial use;
 2. Timbergreen Home Owners Association, for a proposed operating permit not to exceed 1.5 mg annually, 14006 Timbergreen Dr, Magnolia, Public Supply use;

3. Quadvest, LP. 1 (Lake Windcrest WS), for a proposed amendment to OP, increase of 40 mg annually, 32710 Edgewater Dr., Magnolia, Public Supply (PWS) use;
4. Palm Beach Estates POA, for a proposed operating permit not to exceed 1 mg annually, Palm Beach Estates-Walden Rd, Montgomery, Irrigation use;
5. Montgomery County MUD #99, for a proposed amendment to OP, increase of 30 mg annually, Aldine Westfield, Spring, Public Supply (PWS) use;
6. Texas American Water (Piney Point), for a proposed amendment to OP, increase of 2 mg annually, Piney Pointe, Conroe, Public Supply (PWS) use;
7. George Turek, for a proposed operating permit not to exceed 0.5 mg annually, 199 N. Tranquil Path, The Woodlands, Irrigation use;
8. Johnston's Utilities, Inc., for a proposed amendment to OP, increase of 25 mg annually, 36719 FM 1774, Magnolia, Public Supply (PWS) use;
- ~~9. City of Shenandoah, for a proposed amendment to OP, increase of 40 mg annually, Shenandoah, Public Supply (PWS) use;~~
- ~~10. Montgomery County Mud #119, for a proposed amendment to OP, increase of 10 mg annually, Birnham Woods, Spring, Public Supply (PWS) use;~~
- ~~11. MSEC Enterprises (Montgomery Trace WS/Crown Oaks), for a proposed amendment to OP, increase of 30 mg annually, 407 Fish Creek Thoroughfare, Montgomery, Public Supply (PWS) use;~~
12. Gary Emerson, for a proposed operating permit not to exceed 0.2 mg annually, 16961 FM 1314, Porter, Public Supply use;
- ~~13. HMW Special Utility District (Armadillo Woods), for a proposed operating permit not to exceed 4 mg annually, 32006 Buck, Magnolia, Public Supply (PWS) use;~~
- ~~14. Hixson Lumber Sales of Texas, Inc., for a proposed operating permit not to exceed 9.999 mg annually, 13336 Hwy 75 N, Willis, Industrial use;~~
15. Rayford Road MUD, for a proposed amendment to OP, increase of 90 mg annually, 1825 Ashton Village, Spring, Public Supply (PWS) use;
- ~~16. Susano Guadarrama (Growing site), for a proposed operating permit not to exceed 8 mg annually, 1668 California Dr., Cleveland, Irrigation(Agriculture) use;~~
- ~~17. Susano Guadarrama (Retail site), for a proposed operating permit not to exceed 4 mg annually, 21310 Hwy 105 East, Cleveland, Irrigation use;~~
- ~~18. David Carter, for a proposed operating permit not to exceed 0.2 mg annually, 11780 Calfee Rd., Conroe, Public Supply use;~~
19. Bridgewood Farms, for a proposed amendment to OP, well to be drilled at 11680 Rose Rd., Conroe, increase of 0.1095 mg annually, Public Supply (PWS) use;

- ~~20. East Montgomery County Mud 3, for a proposed amendment to OP, increase of 7.5 mg annually, 20135 Gene Campbell Blvd, New Caney, Public Supply (PWS) use;~~
21. Kathryn Sullivan, for a proposed operating permit not to exceed 0.3 mg annually, 18445 Hwy 105 West, Montgomery, Public Supply (PWS) use;
22. Splendora ISD, for a proposed amendment to OP, increase of 3.5 mg annually, 23411 FM 2090, Splendora, Public Supply (PWS) use;
- ~~23. Pavers Supply Co (1572 FM1485), for a proposed operating permit not to exceed 1.134979 mg annually, 1572 FM 1485, Conroe, Industrial use;~~
24. Aqua Texas, Inc. (Woodland Ranch), for a proposed amendment to OP, increase of 2 mg annually, 13689 Pinewood Village, Conroe, Public Supply (PWS) use;
25. Aqua Texas, Inc. (Greenfield Forest), for a proposed amendment to OP, increase of 2 mg annually, Greenfield Forest Water Plant, Magnolia, Public Supply use;
26. Ray & Debra Morris (Peach Creek Plantation Wedding Hall), for a proposed operating permit not to exceed 0.1 mg annually, 25425 Fm 1485 Rd, New Caney, Public Supply use;
27. Domestic Water Company, for a proposed amendment to OP, increase of 10 mg annually, 11903 Royal Forest Dr., Conroe, Public Supply (PWS) use;
28. Bhold Investments, for a proposed amendment to OP, increase of 5 mg, 12305 Rose Rd., Willis, Irrigation(Agriculture) use;
29. Larry Kruzic, for a proposed well to be drilled at 14135 Laramie Trail, Montgomery, not to exceed 2.5 mg annually, Public Supply (PWS) & Lake Replenishment;
- ~~30. Stoecker Management, for a proposed well to be drilled at Little Egypt Rd and Longmire Rd. (Shadow Lakes on Longmire), Conroe, not to exceed 4.38 mg annually, Lake Replenishment;~~
- ~~31. Bailey Properties, LLC, for a proposed amendment to OP, increase of 4 mg annually, 1900 Westview Blvd., Conroe, Lake Replenishment; and~~
- ~~32. Hilltop Ranch POA, for a proposed operating permit not to exceed 5.3 mg annually, 20040 Hilltop Ranch Dr, Montgomery, Lake Replenishment.~~

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, NOVEMBER 10, 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) October 13, 2009, Board Work Session
 - b) October 13, 2009, Special Board Meeting
 - c) October 13, 2009, Public Hearing on Permit Applications
 - d) October 13, 2009, Regular Board of Directors Meeting
 - e) October 13, 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) Discuss, consider, and take action to approve Budget and Finance Committee's recommendation of audit firm to serve as the District's auditor for the fiscal years of 2009 and 2010.
 - 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. Consider authorizing General Manager to issue Request for Web-based Mapping and Database Enhancement.
6. Engineering Report – Mark V. Lowry
 - a) Review of monthly engineering status reports
7. 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.
8. 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.
9. Public Comment. (*Public comment is limited to a maximum of 3 minutes per speaker.*)
10. New Business.
11. 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 permitted to produce, or actually 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 the imposed reduction in 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 end of the calendar year 2015 deadline for groundwater reduction and conversion. The proposed rules may prohibit increased production of groundwater by regulated persons in the future, or they 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 November 4, 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.

Kathy Turner Jones, General Manager
Lone Star Groundwater Conservation District