RESOLUTION AMENDING AND REESTABLISHING REGULATORY WATER USE FEES FOR THE LONE STAR GROUNDWATER CONSERVATION DISTRICT PURSUANT TO RULE 8.1 OF THE RULES OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §
§
LONE STAR GROUNDWATER CONSERVATION DISTRICT §

WHEREAS, the Lone Star Groundwater Conservation District ("District") was created by the Legislature of the State of Texas in Acts 2001, 77th Leg., R.S., ch. 1321, p. 3246, § 1(a);

WHEREAS, pursuant to said Act, § 5(a), the Board of Directors of the District have the permitting and general management powers granted under Chapter 36 of the Texas Water Code;

WHEREAS, § 36.101 of the Texas Water Code authorizes a groundwater conservation district to make and enforce rules to provide for conserving, preserving, protecting, and recharging of the groundwater or of a groundwater reservoir or its subdivisions in order to control subsidence or prevent waste of groundwater and to carry out the powers and duties provided by the Texas Water Code;

WHEREAS, the Board of Directors of the District has adopted rules for the District;

WHEREAS, Rule 8.1 of the rules of the District authorizes the Board of Directors of the District to establish by resolution a regulatory water use fee to accomplish the purposes of the District;

WHEREAS, on August 26, 2002, the Board of Directors of the District adopted a regulatory water use fee for the District, and the Board of Directors of the District has determined that such regulatory water use fee is in need of modification;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

A regulatory water use fee of $1 per acre-foot of groundwater used for "agricultural use", as that term is defined by § 36.001(20), TEX. WATER CODE ANN. (Vernon Supp. 2002), and a regulatory water use fee of $0.05 per 1,000 gallons of groundwater used for all uses other than "agricultural use", as that term is defined by § 36.001(20), TEX. WATER CODE ANN. (Vernon Supp. 2002), are hereby adopted as the regulatory water use fees of the District for the remainder of calendar year 2002, such fees to be assessed as set forth in the Rules of the District for the time period of September 1, 2002, through December 31, 2002; and

The regulatory water use fees so adopted shall be effective from the date of adoption and continue in effect until modified by the Board of Directors of the District.

AND IT IS SO ORDERED.

PASSED AND ADOPTED this 24th (ED) day of ~~September~~, 2002.

Exhibit A

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: _____
Richard Tramm, President

ATTEST:

_____
Paula Jean Hargis, Secretary/Treasurer