# LONE STAR GROUNDWATER CONSERVATION DISTRICT

**Resolution No. 10-003**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AMENDING THE LONE STAR GROUNDWATER CONSERVATION DISTRICT RULES**

**WHEREAS**, the Lone Star Groundwater Conservation District (the "District") was created by the Legislature of the State of Texas by the Act of May 17, 2001, 77th Leg., R.S., ch. 1321, 2001 Tex. Gen. Laws 3246, as amended (the "Enabling Act"), as a groundwater conservation district operating under Chapter 36, Texas Water Code, and the Enabling Act; and

**WHEREAS**, Section 36.101 of the Texas Water Code authorizes a groundwater conservation district to make and enforce rules to provide for conserving, preserving, and protecting the groundwater resources subject to the District's regulatory jurisdiction, enhancing recharging of those groundwater reservoirs and their subdivisions, controlling subsidence, preventing waste of groundwater, and otherwise carrying out the powers and duties provided by Chapter 36 of the Texas Water Code; and

**WHEREAS**, the Board of Directors of the District (the "Board") initially adopted the Rules of the Lone Star Groundwater Conservation District (the "District Rules") on August 26, 2002; and

**WHEREAS**, as circumstances have warranted, the Board has from time to time amended the District Rules; and

**WHEREAS**, citing the need to revise to the District's rules governing the use of groundwater produced within the District in surface impoundments, including reconsidering Order No. 09-009 of the District Board of Directors instituting a temporary moratorium on the issuance of certain permits, the Board charged its Rules and Bylaws Committee with considering these issues and developing proposed amendments to the District Rules; and

**WHEREAS,** after having met on numerous occasions over the course of several months, the Rules and Bylaws Committee made a recommendation to the Board, at a properly called and noticed regular meeting of the Board on May 11, 2010, that the Board adopt certain amendments to the District Rules and rescind Order No. 09-009; and

**WHEREAS**, notice and hearing requirements set forth by Section 36.101 of the Texas Water Code have been met regarding the amendment of the District Rules, specifically the Board provided notice of a rulemaking hearing in compliance with Sections 36.101(d) and 36.101(e), Water Code, and with the District Rules; and

**WHEREAS**, the Board finds that the notice and hearing requirements for the regular meeting of the Board, held this day, to take up and consider adoption of the amendments attached hereto have been, and are, satisfied; and

**WHEREAS**, the Board finds that the proposed amendments to the District Rules are merited and necessary to support the District's efforts in managing the groundwater resources within the boundaries of the District in a manner consistent with the requirements of Chapter 36, Water Code, and the Enabling Act, and that each proposed amendment to the District Rules is supportable under the laws of the State of Texas.

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

I. Each of the affirmations set forth above are true and correct.

II. The amendments to the District Rules, as specifically reflected and identified in Attachment No. 1, are each and all hereby adopted by the Board and incorporated into the District Rules, effective this 11th day of May, 2010.

**AND IT IS SO ORDERED.**

**PASSED AND ADOPTED on this 11th day of May, 2010.**

**LONE STAR GROUNDWATER CONSERVATION DISTRICT**

By: _____
Richard J. Tramm, Board President

ATTEST:

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Sam W. Baker, Board Secretary

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