RESOLUTION NO. #13-009

RESOLUTION OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT AMENDING AND ADOPTING DISTRICT RULES

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

WHEREAS, the Lone Star Groundwater Conservation District ("District") was created by the Texas Legislature through the enactment of House Bill 2362, Chapter 1321, Acts of the 77th Legislature, Regular Session, 2001 (the "Act"), pursuant to the authority of Article XVI, Section 59 of the Texas Constitution, as a groundwater conservation district operating under Chapter 36 of the Texas Water Code, Section 59, Article XVI of the Texas Constitution, and the Act;

WHEREAS, the Act and Chapter 36 of the Texas Water Code assign certain duties, rights, powers, privileges, authorities, and functions to the District;

WHEREAS, Section 36.101 of the Texas Water Code authorizes the District, after notice and hearing, to adopt and enforce rules to carry out the powers and duties provided by Chapter 36 of the Texas Water Code;

WHEREAS, following publication of notice and public hearing, the District's Board of Directors ("Board") originally adopted District Rules on August 26, 2002, which have subsequently been amended by the Board from time to time as necessary after proper notice and public hearing, including the development and adoption of the District Regulatory Plan;

WHEREAS, at the direction of the District's Board, the Board's Rules and Bylaws Committee, District staff, and legal counsel reviewed, analyzed, and proposed for the Board's consideration amendments to the District Rules in accordance with the District's statutory powers and duties;

WHEREAS, the proposed amendments to the District Rules included revisions to the District Regulatory Plan Phase II (B) regarding the Initial Conversion Obligation for Large Volume Groundwater Users with a Total Qualifying Demand of less than 14.3 million gallons, the transferability of permits from non-Large Volume Groundwater Users to Large Volume Groundwater Users, and the definition of a Large Volume Groundwater User;

WHEREAS, the District issued notice in the manner required by state law and held a public hearing on November 12, 2013, to receive public and written comments on the proposed amendments to the District Rules; and

WHEREAS, the District did not receive any public comments on the proposed amendments to the District Rules, and no additional changes were made to the proposed District Rules at the public hearing.

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

1. The above recitals are true and correct;

2. The Board of Directors hereby approves and adopts with amendments the District Rules, which are included as "Attachment A" to this Resolution;

3. The attached Rules are authorized to be made available for use and inspection at the District's office, and copies of the Rules will be provided to any person or persons upon request;

4. The attached Rules shall take effect November 12, 2013; and

5. The District's Board, its officers, District staff, and legal counsel are further authorized to take any and all actions necessary to implement this Resolution.

AND IT IS SO ORDERED.

PASSED AND ADOPTED on this 12th day of November, 2013.

LONE STAR GROUNDWATER CONSERVATION DISTRICT

By: Richard J. Kamm
Board President

ATTEST:

Board Secretary