

MEETING OF THE BOARD OF DIRECTORS  
PLUM CREEK CONSERVATION DISTRICT  
CONFERENCE ROOM, COUNTY ANNEX  
BUILDING, LOCKHART, TEXAS 78644  
June 16th, 2009

Notices of this regular meeting were posted in the Hays and Caldwell County Courthouses at least 72 hours prior to the meeting. Receipts of the notices are on file in the office of Plum Creek Conservation District.

Checks were reviewed and signed, just prior to the call to order, by Vice President, James O Lipscomb.

- 2:00 PM The meeting was called to order by President of the Board, James A. Holt, Jr. with the following Board members present: James O. Lipscomb (Vice President), Peter Reinecke (Treasurer), Ben Twidwell (Director), and Fred Rothert (Director). Also present were Johnie Halliburton (Executive Manager), Bob Wilson (PCCD Attorney), William Feathergail Wilson (PCCD Geologist) and PCCD staff members Korey Schuelke and Dan Meyer. Minutes were taken by Korey Schuelke.
- 2:01PM President Holt asked for comments or motions concerning the May 19th, 2009 minutes. Mr. Lipscomb made a motion that the May 19<sup>th</sup>, 2009 minutes be accepted as mailed out. Mr. Rothert provided the second and the motion passed unanimously.
- 2:02PM President Holt asked if there was any unfinished business. Mr. Halliburton informed the Board of Directors that there was no unfinished business at this time.
- 2:03PM President Holt asked for a report from Plum Creek Conservation District's Geologist William Feathergail Wilson. Mr. Feather Wilson then gave a presentation on Aqua's test well using various maps. Mr. Feather Wilson also gave a brief synopsis of the way the Carrizo and Wilcox aquifers perform in the southeastern part of the county.
- 2:15PM President Holt asked for an explanation of Item V on the agenda. Mr. Halliburton explained to the Board of Directors that the landowner, Mr. Steven Nickel, had requested the orifice plate in the principal spillway at Site #7 be removed to allow the lake to drain at a faster rate during a large rain event in order to prevent wave erosion to the dam. Mr. Halliburton stated that Natural Resources Conservation Service engineers had deployed the camera through the discharge tube and there appeared to be no problems, but a downstream study would need to be performed to ascertain if the culverts in the road downstream could handle the extra water. Mr. Halliburton also stated that Natural Resources Conservation Service engineers recommended that if the orifice plate is removed that the plunge basin would need to be reinforced with rip rap. Mr. Halliburton informed the Board of Directors that when Natural Resources Conservation Service engineers completed their downstream study, he would present that information to the Board of Directors for their decision on removing the orifice plate.
- 2:17PM President Holt asked for Item VI on the agenda. Mr. Halliburton informed the Board of Directors that there was an application for a production permit from Mr. George Hazelett requesting 200 acre feet per year. Mr. Halliburton informed the Board of Directors that the well was in the Tilmon area. Mr. Josh Hazelett then gave a brief explanation of the well and its proposed use. The Board of Directors then discussed some information that was not included in the application. Mr. Reinecke made a motion that Mr. Hazelett's production permit request be tabled until such time that all the information on the permit application is attained in writing. The Board of Directors discussed the appli-

cation discrepancies with Plum Creek Conservation District's staff member Mr. Dan Meyer and with Plum Creek Conservation District's Attorney Bob Wilson. President Holt then asked if there was a second to Mr. Reinecke's motion. There was no second so Mr. Reinecke's motion died. Mr. Lipscomb made a motion to approve Mr. Hazelett's production permit request for 200 acre feet per year with a maximum pumping rate of 350 gallons per minute according to Plum Creek Conservation District's guidelines providing that all information provided to Plum Creek Conservation District's staff is correct. Mr. Twidwell provided the second and the motion passed unanimously.

2:38PM President Holt asked for Item VII on the agenda. Mr. Bob Wilson then discussed a resolution allowing Mr. Halliburton to negotiate with the Site 8 landowner regarding the working easement for the repair of the structure.

2:42PM President Holt then asked for Item VIII on the agenda. Mr. Lipscomb discussed the allocation of funds for the rehabilitation of Site 5. Mr. Twidwell made a motion to enter into an agreement with the bank regarding the funds allocated for the rehabilitation of Site 5 and allowing Mr. Lipscomb and Mr. Reinecke to negotiate with the bank regarding these funds. Mr. Rothert provided the second and the motion was approved unanimously.

2:44PM President Holt asked for Item IX on the agenda. Mr. Twidwell then discussed some rules of other water districts. The Board of Directors then discussed different rules that they were interested in implementing. President Holt recommended that Mr. Reinecke, Mr. Twidwell, and the Plum Creek Conservation District's staff meet and come up with some possible rule changes for the Board of Directors to review.

3:03PM President Holt asked for discussion on Item X on the agenda. At this time, Ms. Mary Sahs, representing the Hays-Caldwell Public Utilities Agency, requested to address the Board of Directors regarding the Plum Creek Group's production permit. Ms. Sahs addressed the Board of Directors requesting at a minimum a 90 day continuance on the hearing of the Plum Creek Group's production permit. Ms. Sahs also requested procedural rule changes regarding production permit hearings. Mr. Bob Wilson, Ms. Sahs, Mr. Ed Small, attorney for the Plum Creek Group, and the Board of Directors discussed the administrative completeness of Plum Creek Group's permit application. With all parties consenting, Mr. Lipscomb made a motion to cancel the hearing for Plum Creek Group's permit application scheduled for July 7<sup>th</sup>, 8<sup>th</sup>, and 9<sup>th</sup>, 2009 and to table further discussion until the next regularly scheduled Board of Director's meeting. Mr. Reinecke provided the second and the motion passed unanimously.

3:26PM President Holt asked for a report from Natural Resources Conservation Service District Conservationist, Isidro Morales. Mr. Morales introduced Brad Westmoreland, Jr., of the Caldwell-Travis Soil and Water Conservation District. Mr. Westmoreland gave a brief description of the organization that employs him and his duties. Mr. Morales then discussed a group performing assessments for low hazard dams recently changed to high hazard dams that had been contracted by Natural Resources Conservation Service. Mr. Twidwell made a motion to write a letter to the Natural Resources Conservation Service requesting that Plum Creek Conservation District's high hazard dams be assessed. Mr. Lipscomb provided the second and the motion passed unanimously.

3:34PM President Holt asked for a report from Plum Creek Conservation District's Executive Manager Johnie Halliburton. Mr. Halliburton discussed the progress of the repair to Site 8. Mr. Halliburton stated that weed and brush management on all sites was almost complete. Mr. Halliburton also informed the Board of Directors that he was working on plans for a new fence to be constructed at Site 18.

3:36PM President Holt requested a report from Plum Creek Conservation District's Attorney Bob Wilson. Mr. Bob Wilson discussed the possibility of a moratorium on the issuance of production permits. Ms. Sahs gave the recommendation that the Board of Directors institute a moratorium until the Groundwater Management Area-13's Desired Future Conditions had been determined. Mr. Bob Wilson stated that there was no legislation of note at this time. Mr. Bob Wilson then presented the Board of Directors with some possible production permit procedural rules.

3:54PM President Holt requested any public comments of which, there were none.

3:55PM Mr. Twidwell made a motion to adjourn. Mr. Rothert provided the second and the motion was approved unanimously.

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President

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Vice President