

MEETING OF THE BOARD OF DIRECTORS
PLUM CREEK CONSERVATION DISTRICT
CONFERENCE ROOM, COUNTY ANNEX
BUILDING, LOCKHART, TEXAS 78644
May 19th, 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), Lucy Knight (Director) and Fred Rothert (Director). Also present were Johnie Halliburton (Executive Manager), Karen Bassett (Office Secretary), Bob Wilson (PCCD Attorney), Josh Grimes (PCCD Consultant), William Feathergail Wilson (PCCD Geologist) and PCCD staff members Korey Schuelke and Dan Meyer. Minutes were taken by Karen Bassett.
- 2:00PM President Holt asked for comments or motions concerning the April 21st, 2009 minutes. Mr. Lipscomb made a motion that the April 21st, 2009 minutes be accepted as mailed out. Mrs. Knight provided the second and the motion passed unanimously.
- 2:01PM President Holt asked for comments or motions concerning the April 27th, 2009 Special Meeting. Mr. Lipscomb made a motion that the minutes for the April 27th, 2009 Special Meeting be approved. Mrs. Knight provided the second and the motion passed unanimously.
- 2:02PM President Holt then asked for any unfinished business. Mr. Halliburton and Mr. Isidro Morales, District Conservationist for the Natural Resource Conservation Service, discussed the proposal of Mr. Danny Green, landowner at Site #5, with the Board of Directors. President Holt stated that there was still a need for engineering reports before Mr. Green's project could be considered further.
- 2:05PM President Holt requested a report from Plum Creek Conservation District Geologist William Feathergail Wilson. Mr. Feather Wilson then discussed the abandonment of the Nicholson (Charcoal) Well for a monitoring well due to the condition of the well. Mr. Feather Wilson then discussed the Hazelett Well using logs and visual aids. Mr. Feather Wilson then gave a presentation of the geologic mapping of Southeastern Caldwell County using maps and other visual aids.
- 2:27PM Mr. Halliburton then informed the Board of Directors that Mr. Joe Well's production permit was due for renewal in the amount of 31 acre feet per year. Mr. Twidwell made a motion to renew Mr. Well's 31 acre feet per year production permit. Mrs. Knight provided the second and the motion passed unanimously.
- 2:29PM Mr. Halliburton then informed the Board of Directors that Mr. Joe Smith was requesting to renew his production permit for 200 acre feet per year, as well as increase the amount by 100 acre feet per year. Mr. Smith had purchased an additional 153 acres of land since receiving his production permit five years ago. The Board of Directors, Plum Creek Conservation District staff, and Mr. Smith then discussed Mr. Smith's previous usage and his new proposed usage. Mr. Twidwell made a motion to renew Mr. Smith's production permit for 200 acre feet per year with no increase at this time. Mr. Lipscomb-

provided the second. After some discussion, Mr. Twidwell then made a motion to amend his motion to include that Mr. Smith keep records of his usage by some approved method and provide this data to Plum Creek Conservation District annually. Mr. Lipscomb then provided a second for the amendment to the motion and the amendment to the motion passed unanimously. Mr. Twidwell's amended motion then said to approve Mr. Smith's production permit for 200 acre feet per year with no increase at this time and a special condition that, within one hundred twenty (120) days of May 19, 2009 the permit holder is to submit for Plum Creek Conservation District's approval, the method that is to be used for measuring the volume and rate of water produced from this well. Plum Creek Conservation District shall have thirty (30) days after submission of the information to either approve or deny the requested measurement method. If Plum Creek Conservation District does not agree to the proposed measurement method, the District may either act to rescind or modify this Permit, or have a meter installed on the well. If Plum Creek Conservation District elects to have a meter installed on the well after a failure to reach agreement on an alternate measurement method, the costs of any such installation are to be borne by the Permit Holder. Failure to pay such costs within thirty (30) days of the tender of a billing shall result in cancellation of this Permit. Mr. Lipscomb provided the second and the motion was approved unanimously. President Holt stated that the Board of Directors would pass over the additional 100 acre feet per year for Mr. Smith until more information could be received.

- 2:51PM President Holt then asked for Plum Creek Conservation District Consultant Josh Grimes' report. Mr. Grimes then presented his report to the Board of Directors regarding Site #5's Emergency Action Plan, Gonzales County Underground Water District's meeting, and Plum Creek Conservation District's rule changes.
- 2:53PM President Holt asked for any discussion regarding Mr. Grimes' contract which expired April 30th, 2009. Mrs. Knight made a motion that Mr. Grimes' contract be renewed. President Holt asked if there was a second. There was no second so the motion failed and Mr. Grimes' contract was not renewed.
- 2:54PM President Holt asked for a report from Natural Resource Conservation Service District Conservationist, Isidro Morales. Mr. Morales discussed current issues regarding the repair of Flood Retarding Structure Site #8. Mr. Halliburton and the Board of Directors discussed easements and different permutations of the repairs with Mr. Morales. The Board of Directors, Mr. Morales, and Plum Creek Conservation District's staff discussed the request for permission for Site #8 to store water by the landowner, Mr. Mike Reynolds.
- 3:08PM President Holt then asked for a report from Plum Creek Conservation District Attorney Bob Wilson. Mr. Bob Wilson discussed current legislation. Mr. Bob Wilson also discussed current negotiations between the Plum Creek Group and Gonzales County Underground Water District as it pertained to the Plum Creek Conservation District. Mr. Bob Wilson then discussed different formats that the hearing for the Plum Creek Group's production permit could take and gave his recommendation as to a format.
- 3:20PM President Holt excused himself from the Plum Creek Conservation District Board of Directors' meeting and relinquished the meeting to Vice-President James Lipscomb.
- 3:22PM Vice-President Lipscomb took charge of the meeting and asked for a report from Plum Creek Conservation District Executive Manager Johnie Halliburton. Mr. Halliburton discussed Site #8 repair information. Mr. Halliburton then discussed the rehabilitation requests for Site #1 and Site #6. Mr. Halliburton discussed the possibility of an Aquifer Storage and Recharge project within Caldwell County. Mr. Halliburton then discussed the need for additional easements regarding Site #5 rehabilitation. Mr. Halliburton then in-

formed the Board of Directors that all site structures had been fertilized and that Mr. Frederic Bell and Mr. Schuelke were currently spraying the weeds that the fertilizer trucks were unable to spray. Mr. Halliburton informed the Board of Directors that additional irrigation production permits were going to be heard in the near future.

3:29PM Mr. Lipscomb then asked for a presentation from Plum Creek Conservation District's staff member, Mr. Daniel Meyer. Mr. Meyer gave a presentation on solar water well installation, a video of the Charcoal Water Well on the Nicholson property, and photos of Site #38 solar panel vandalism using visual aids and pictures. Mr. Meyer then discussed a possible application for well monitoring to be placed on the Plum Creek Conservation District's website with the Board of Directors' approval.

3:49PM Mr. Lipscomb then asked for any public comments, of which there were none.

3:50PM Mr. Twidwell made a motion to adjourn. Mr. Rothert applied the second and the motion to adjourn was approved unanimously.

President

Vice President