

***NOTICE OF SPECIAL BOARD MEETING***  
of the  
**Lone Star Groundwater Conservation District**  
at the  
**Lone Star GCD – Board Room**  
**207 W Phillips Street, Suite 300**  
**Conroe, TX 77301**

**TUESDAY, SEPTEMBER 8, 2009, AT 8:00 A.M.**

1. Call to Order and Declare Meeting Open to the Public.
2. Roll Call.
3. Executive Session - The Board will recess for a closed Executive Session pursuant to Texas Government Code, Sections 551.071, to consult with the District's attorney on any item on any notice or agenda for today's meetings or hearings regarding pending or contemplated litigation, settlement offers, or on matters in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act, Chapter 551, Government Code.

No action will be taken in Executive Session.

4. Re-convene in Open Session
5. Adjourn

***NOTICE OF PUBLIC HEARINGS AND MEETING***  
**of the**  
**Lone Star Groundwater Conservation District**  
**at the**  
**Lone Star GCD – Board Room**  
**207 W Phillips Street, Suite 300**  
**Conroe, TX 77301**

**TUESDAY, SEPTEMBER 8, 2009, AT 10:00 A.M.**

**Public Hearing on Permit Applications**

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Receive Permit Hearing Report from General Manager and Consider Granting, Denying, or Amending Applications for the Following Operating Permits and/or Meter Exemptions:
  1. Stephen Shahmoradi, for a proposed operating permit not to exceed 1.565 mg annually, 1519 N. Plum Creek Dr., Spring, Commercial use;
  2. Quadvest, LP. 2 (Northcrest Ranch 1,2 &3), for a proposed amendment to OP, well to be drilled at 23951 Northcrest Trail, New Caney, increase of 20 mg annually, Public Supply (PWS) use;
  3. Montgomery County Mud #119, for a proposed amendment to OP, increase of 10 mg annually, Birnham Woods, Spring, Public Supply (PWS) use;
  4. City of Montgomery, for a proposed amendment to OP, increase of 16 mg annually, 327 FM 1097 E, Montgomery, Public Supply (PWS) use;
  5. Quadvest, LP (Benders Landing), for a proposed amendment to OP, well to be drilled at 27219 W. Balsam Fir Circle, Spring, increase of 60 mg annually, Public Supply (PWS) use;
  6. Quadvest, LP (Creeside Village), for a proposed amendment to OP, increase of 20 mg annually, 3939 ½ Guadalupe River Dr, Spring, Public Supply (PWS) use; and
  7. Five JAB, for a proposed well to be drilled at 3223 Walnut Creek Road, Magnolia, not to exceed 2.5 mg annually, Commercial use.
4. Adjourn permit hearing.

## **REGULAR MEETING OF THE DISTRICT BOARD**

1. Call to Order and Declare Regular Meeting Open to the Public.
2. Roll Call
3. Discuss, consider, and take action as necessary concerning approval of Meeting Minutes:
  - a) August 11, 2009, Special Board Meeting
  - b) August 11, 2009, Public Hearing on Permit Applications
  - c) August 11, 2009, Regular Board of Directors Meeting
  - d) August 11, 2009, Public Hearing on Proposed Changes to District Rules
4. Committee Reports:
  - A. Rules and Bylaws Development Committee – Kathy Turner Jones, Coordinator
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting, including proposed amendments to the District rules.
    - 2) Continue Board Meeting until conclusion of today's Public Hearing on Proposed Changes to District Rules.
    - 3) Hold Public Hearing on Proposed Changes to District Rules (see separate notice for this hearing below for hearing agenda).
    - 4) Reconvene Board Meeting upon adjournment or continuance of Public Hearing on Proposed Changes to District Rules.
    - 5) Discussion, consideration, and possible action approving amendments to the District Rules regarding Phase IIB of the District Regulatory Plan.
    - 6) Discuss, consider, and take action as necessary to approve Resolution #09-010 amending Bylaws for the Lone Star Groundwater Conservation District.
  - B. Policy and Personnel Development Committee – Sam W. Baker, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
  - C. Water Awareness and Conservation Committee – Billy Wood, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
    - 2) Education/Conservation Awareness Coordinator Report – Marjie Risk
  - D. Budget and Finance Development Committee – Jim Stinson, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
    - 2) Review of monthly financial reports
  - E. Findings and Review Committee – Orval R. Love, Chair
    - 1) Brief the Board on the Committee's activities since the last regular Board meeting
  - F. Building and Facilities Committee – Kathy Turner Jones

- 1) Brief the Board on the Committee's activities since the last regular Board meeting
5. Engineering Report – Mark V. Lowry
  - a) Review of monthly engineering status reports
6. General Counsel’s Report – The District's General Counsel will brief the Board on pertinent legal issues and developments impacting the District since the last regular Board meeting.
7. General Manager’s Report – The General Manager will brief the Board on pertinent operational and management issues that the District, its employees, or consultants have encountered since the last regular Board meeting.
8. Public Comment. (*Public comment is limited to a maximum of 3 minutes per speaker.*)
9. New Business.
10. Adjourn.

**PUBLIC HEARING ON PROPOSED CHANGES TO  
DISTRICT RULES\*\***

\*\*This rulemaking hearing will be convened during Agenda Item 4(A) of the Regular Meeting of the District Board noticed above.

1. Call to Order and Declare Hearing Open to the Public.
2. Roll Call.
3. Presentation and discussion of proposed changes to the District Rules. The proposed rules changes address the adoption of Phase II (B) of the District Regulatory Plan as a rule of the LSGCD, which requires among other things that certain persons who produce or use groundwater in Montgomery County substantially reduce the amount of groundwater they produce or use and convert to surface water or other alternative supplies for their source of water, not later than January 1, 2015. The proposed rules will establish the threshold amount of groundwater that a person must produce annually to be subject to these groundwater reduction and conversion regulations, which will possibly be those producing ten million gallons of groundwater or more per year. Those persons subject to the regulations may be required to develop and submit a Groundwater Reduction Plan (“GRP”) that identifies future water demands, alternative water supplies to meet those demands and reduce groundwater production, cost and financing information regarding alternative water supplies, and related water supply, demand, design, engineering, and financing information, and have the GRP signed and sealed by a registered professional engineer in the State of Texas. The new regulations will establish deadlines for submitting the GRP to the LSGCD and may establish other milestones for regulated persons to demonstrate incremental progress in achieving their plans for groundwater reduction and conversion to alternative supplies between the date of

adoption of the proposed rules and the January 1, 2015, deadline for groundwater reduction and conversion. The proposed rules may prohibit increased production of groundwater by regulated persons in the future after the January 1, 2015, reduction, or may place conditions on such increased production of groundwater. The proposed rules may provide for the assessment of penalties for failure to timely comply with any of the proposed rules, deadlines, or groundwater conversion milestones, including without limitation flat fee civil penalties or civil penalties calculated based upon the amount of groundwater a person produces. These changes, along with any other changes to the District Rules not referenced in this notice, may be considered and adopted without further notice or hearing based on comments received at this hearing.

4. Public comment on proposed changes to the District Rules.
5. Continue or adjourn Public Hearing, and reconvene Board Meeting.

The above agenda schedules for the meetings and hearings of the District represent an estimate of the order for the indicated items and are subject to change at any time.

*These public hearings and meetings are available to all persons regardless of disability. If you require special assistance to attend the meeting or hearing, please contact the Lone Star GCD at 936/494-3436 at least 24 hours in advance of the meeting.*

At any time during one the above meetings or hearings and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Lone Star Groundwater Conservation District Board may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); and deliberation regarding security devices (§551.076). Any subject discussed in executive session may be subject to action during an open meeting.

#### **Certification**

I, the undersigned authority, do hereby certify that on September 3, 2009, at or before 5:00 p.m., I posted and filed the above notices of meeting(s) and hearing(s) with the Montgomery County Clerk's office and also posted a copy in the front window of the Lone Star GCD office in a place convenient and readily accessible to the general public all times and that it will remain so posted continuously for at least 72 hours preceding the scheduled time of said meeting in accordance with the Texas Government Code, Chapter 551.

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Kathy Turner Jones, General Manager  
Lone Star Groundwater Conservation District