

**MINUTES OF A REGULAR MEETING OF THE PINEYWOODS
GROUNDWATER CONSERVATION DISTRICT
HELD ON THE 19th DAY OF NOVEMBER, 2009**

On the 19th day of November, 2009 at 3:00 p.m. at the City of Lufkin, Room 202, Lufkin City Hall, Lufkin, Texas, the Board of Directors of the Pineywoods Groundwater Conservation District convened in a regular meeting at which time the following items were discussed and action possibly taken with the following members there of, to wit:

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|----------------|---------------------------|
| Keith Wright | President |
| David Alders | Vice-President |
| Gloria Montes | Secretary |
| Keith Weathers | Treasurer/Finance Officer |
| Kelley Holcomb | Member |
| Pat Miller | Member |
| Jimmy Mize | Member |

being present, and

| | |
|--------------|--------------------------|
| David Alford | General Manager |
| Lynn Thomas | Administrative Assistant |
| John Seifert | LBG-Guyton & Associates |

also present.

1. Call to Order:

With a quorum of board members present, the meeting was called to order at 3:08 p.m. by President Keith Wright and the invocation was given by President Keith Wright.

2. Approval of the minutes of the meeting of September 10, 2009:

The Minutes were reviewed by Board members and a motion was made to approve the minutes by Keith Weathers and seconded by Jimmy Mize.

The motion passed unanimously.

President Keith Wright asked that item 6 be moved to the next item of discussion.

6. New Business

a. Receive presentation from LBG-Guyton on DFC's and hydrology study.

John Seifert with LBG-Guyton gave a current presentation to the board on the hydrology study that is in progress.

b. Discuss setting DFC's for District and GMA-11.

The Board discussed the recommendations for setting the DFC's for the District. It was recommended that each county set a DFC for each Aquifer in the 27 county GMA-11.

c. Appoint Budget Committee for 2010 fiscal year.

The board president appointed the same budget committee from 2008, that being Keith Weathers, Gloria Montes and Jimmy Mize. The budget committee scheduled their first meeting November 30, 2009 at 8:30 am at the PGCD office in Nacogdoches.

The meeting resumed with item 3.

3. Receive a report from the General Manager concerning the financial position of the District:

Current balance through November 10, 2009 is \$37,361.88. A quarterly report to date was presented along with a ledger printout, copies of bills, budget report, and A/R report.

4. General Manager's District Report:

1. **Pending Completion:** We have 9 exempt wells in progress, 2 non-exempt wells in progress and 4 new O&G rig supply wells registered. I have inspected 7 new exempt wells and 0 new non-exempt wells since the last meeting.

Completed Wells:

- **Total Exempt wells in database: 474**[220- Nacogdoches Co., 254 - Angelina Co.]
 - **Total Non-Exempt Ag wells in database: 179** [134- Nacogdoches Co., 45 Angelina Co.]
 - **Total Oil & Gas supply wells in database: 648**[597- Nacogdoches Co., 51- Angelina Co.]
 - **Total Production fee based wells in database: 179**
 - **Total District wells recorded in databases: 1567**[this includes 87 plugged wells]
2. The last GMA-11 meeting was October 20, 2009. I was unable to attend due to my surgery. There were 4 of the 6 representatives present which represented 2/3 of the member Districts. There was a motion that passed that represented 2/3 of the members present (vote of 3 to 1). This is what is required by the State Water Code Chapter 36.108. The motion to set the DFCs for GMA-11 was made by Rusk Co. representative, Len Luscomb, and was for a "sustainable yield that would not exceed an average drawdown of 15 feet for all aquifers of GMA-11".

This is not acceptable to me as it does not give any drawdown numbers for any area of our District. Until we see what the TWDB has for drawdown, we should not set a DFC. After the DFC is set

by the GMA, the TWDB will issue a Managed Available Groundwater (MAG) number that will represent a volume of water that the District will be allowed to permit out. This can have a great impact on a District.

However, Chapter 36.108 also requires the meeting to be in accordance with Chapter 551, Government Code. It is my opinion and that of our attorney's that this was not held in accordance with §551. The agenda specified the Carrizo Wilcox aquifer and the motion was for all aquifers within GMA-11. I have sent this to the TWDB and I believe it will not pass their review.

The next meeting for GMA-11 is scheduled for November 24, 2009 in Nacogdoches. Bill Hutchinson with the TWDB will be presenting the drawdown by county that would be represented by an average of 15 foot drawdown over the 27 counties of GMA-11.

3. Information for the Major Rivers School based education program.
4. State Revolving Funds workshops information.

5. Unfinished Business

No unfinished business.

7. Announcement of the date and location of the next meeting of the District Board of Directors:

President Keith Wright announced the next regular scheduled meeting will be on Thursday, January 14, 2010 at 3:00 p.m. in Nacogdoches City Hall - Nacogdoches, Texas.

8. Adjourn:

The meeting was adjourned by President Keith Wright at 4:47 p.m.

Keith Wright, President

Gloria Montes, Secretary