

**MINUTES OF THE OCTOBER 16, 2009  
BOARD OF DIRECTORS MEETING OF  
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

The Board of Directors of North Plains Groundwater Conservation District met in regular session October 16, 2009 at 9:00 a.m. in the Board Room of the District office at 603 East First, Dumas, Texas. The following persons were present:

**Members Present:**

Daniel L. Krienke;  
Gene Born;  
Bob Zimmer;  
Phil Haaland;  
Wesley Spurlock; and,  
Brian Bezner.

**Staff Present during part or all of the meeting:**

Steve Walthour, General Manager;  
Dale Hallmark, Assistant Manager/District Hydrologist;  
Pauletta Rhoades, Administrative Assistant; and  
Kirk Welch, Public Information and Conservation Education Manager.

**Others present during part or all of the meeting:**

Mike Burnett;  
Scott Morris, City of Amarillo; and  
Keith Good, Attorney for the District.

President Krienke declared a quorum present and called the meeting to order at 9:04 a.m.

Kirk Welch gave the invocation and Gene Born led the pledge.

Harold Grall arrived to participate in the meeting at 9:10 a.m.

President Krienke then asked if there were persons present who desired to make Public Comments. No Public Comment was presented to the Board.

The Board discussed the upcoming Board meeting on December 12, 2009.

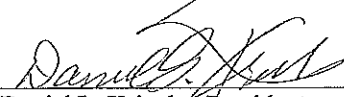
Bob Zimmer moved to go into Executive Session in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, §551.071 for consultation with Keith Good of Lemon, Shearer, Phillips & Good, P. C. concerning attorney-client privileged matters involving the legal implications to the District of petitions filed by Mesa Water LP and G & J Ranch, Inc. with the Texas Water Development Board. Brian Bezner seconded the motion and it was unanimously approved by the Board.

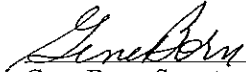
President Krienke stated that Mesa Water LP and G & J Ranch, Inc. had submitted correspondence to the District objecting to the Executive Session under Texas Government Code, §551.071 for consultation with Keith Good of Lemon, Shearer, Phillips & Good, P. C. concerning attorney-client privileged matters involving the legal implications to the District of petitions filed by Mesa Water LP and G & J Ranch, Inc. with the Texas Water Development Board. A copy of correspondence dated October 13, 2009 from attorney, Marvin W. Jones, is attached hereto as Exhibit "A" and incorporated herein for all purposes. Mr. Krienke stated that the objection of Mesa Water LP and G & J Ranch, Inc. was duly noted; however, based upon legal advice which the District had

received from its attorneys, the District would proceed with the Executive Session under Texas Government Code, §551.071.

Executive Session: At 9:24 a.m. the Board went into Executive Session to consult with Keith Good regarding attorney-client privileged matters. At 10:33 a.m. Director Gene Born moved that the Board reconvene into regular session. Wesley Spurlock seconded the motion and it was unanimously approved by the Board.

Phil Haaland moved to adjourn the meeting. Wesley Spurlock seconded the motion and it was unanimously approved by the Board. President Krienke declared the meeting adjourned at 10:35 a.m.

  
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Daniel L. Krienke, President

  
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Gene Born, Secretary