

**MINUTES OF THE SEPTEMBER 8, 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 September 8, 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;  
Harold Grall; and  
Brian Bezner.

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

Steve Walthour, General Manager;  
Dale Hallmark, Assistant Manager/District Hydrologist; and  
Casey Tice, Compliance Coordinator;  
Pauletta Rhoades, Administrative Assistant;  
Kirk Welch, Public Information and Conservation Education Manager;  
Karen Mannis, Permitting Specialist; and,  
Odell Ward, Natural Resource Specialist.

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

Keith Good, Attorney for the District; and  
Ellen Orr, Paralegal.

President Krienke declared a quorum present and called the meeting to order at 9:09 a.m.

Gene Born gave the invocation and the Board led the pledge.

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

Bob Zimmer moved to remove the approval of the August 11, 2009 Minutes of the Board of Directors Meeting from the Consent Agenda. Gene Born seconded the motion and it was unanimously approved.

The Board discussed the August 11, 2009 Minutes of the Board of Directors Meeting and amended the Minutes to specifically set forth the Health Insurance Benefits, 125 Flexible Benefit Account, Medical Reimbursement Account, Retirement Plan; and Annual Leave Changes presently in effect for the District. Phil Haaland moved to approve the August 11, 2009 Minutes of the Board of Directors Meeting as amended. Harold Grall seconded the motion and it was unanimously approved by the Board.

Harold Grall moved to approve the remaining items on the Consent Agenda consisting of the approval of the Minutes of the Board of Directors Meeting and Tax Hearing held on August 26, 2009; the Minutes of the Tax Hearing held on September 1, 2009; approval of payment to Lemon, Shearer, Phillips & Good, P. C. for legal services and out-of-pocket expenses from August 1, 2009 through August 31, 2009 in the amount of \$10,295.60; approval of District expenditures for August 1, 2009 through August 31, 2009; and approval of the renewal of the TML-IEBP Interlocal Agreement. Gene Born seconded the motion and it was unanimously approved by the Board.

Phil Haaland moved that the Board direct the General Manager to amend the 2008-2009 Budget if necessary based on consultation with the Auditor and report any changes to the Board for review. Brian Bezner seconded the motion and it was unanimously approved by the Board.

Harold Grall moved that the property tax rate be increased by the adoption of a tax rate of 0.019783, which is effectively a 7.99% increase in the tax rate. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.99% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.57. Gene Born seconded the motion and it was unanimously approved by the Board.

Harold Grall moved the Board approve the following well permits as active and complete wells because the wells are properly equipped and otherwise comply with District Rules:

COUNTY	OWNER	WELL	C L	MAX	QRT	SEC	BLK	SUR	YARDS N S	YARDS E W
DALLAM	SLAUGHTER DON	DA-2938	C	800	SW	8	6	CSS	469S	175W
DALLAM	HILLTOP W RANCH	DA-3188	B	400	SE	1	3	CSS	120S	109E
DALLAM	HILLTOP W RANCH	DA-3189	B	400	SW	1	3	CSS	115S	870W
DALLAM	QUALITY DAIRY	DA-3205	B	400	SW	2	1	B&B	292S	792W
DALLAM	MOORE FAMILY	DA-3210	C	800	SE	8	1	DALLAS	443S	986E
DALLAM	MOORE FAMILY	DA-3211	C	800	SE	2	A1	CTRR	0S	861E
DALLAM	BEZNER CATTLE	DA-3233	D	1200	SE	14	4	CSS	864S	157E
DALLAM	BEZNER CATTLE	DA-3234	D	1200	NE	14	4	CSS	469N	493E
HANSFORD	GARRETT JUSTIN	HN-1911	D	1200	NW	119	4-T	T&NO	100N	110W
HARTLEY	H BAR H	HA-2568	C	800	CEN	3	5	GH&H	107N	CENTER
MOORE	PLANETIERRA PART	MO-2392	C	800	SW	135	3-T	T&NO	39S	467W
OCHILTREE	DUNNIHOO JAMES	OC-1335	C	800	SW	13	4-T	T&NO	78S	28W
OCHILTREE	SANDERS PRESCILLA	OC-1346	A	100	SE	402	43	H&TC	298S	640E
SHERMAN	W& C LAND & CATTLE	SH-2338	C	800	NW	93	1-T	T&NO	845N	877W
SHERMAN	W&C LAND & CATTLE	SH-2339	C	800	NE	93	1-T	T&NO	398N	109E
SHERMAN	W&C LAND & CATTLE	SH-2340	C	800	NW	93	1-T	T&NO	447N	875W
SHERMAN	LOCKER FRED	SH-2381	C	800	SE	5	1-T	T&NO	609S	142E
SHERMAN	ALLARD BERT	SH-2415	D	1200	NE	2	1-T	T&NO	585N	783E
SHERMAN	DOOLEY BILLY T	SH-2418	C	800	SE	68	3-T	T&NO	20S	836E
SHERMAN	HAYS KELLY	SH-2420	C	800	NW	22	2-T	T&NO	469N	433W
SHERMAN	SPURLOCK N&M	SH-2421	B	400	NW	26	2-B	GH&H	295N	193W
SHERMAN	SPURLOCK N&M	SH-2422	B	400	NE	26	2-B	GH&H	112N	1069E
SHERMAN	CROWNOVER ADAM	SH-2424	C	800	NW	25	M-2	0	63N	73W
SHERMAN	CROWNOVER DONALD	SH-2525	D	1200	SW	29	Q	H&GN	100S	836W
SHERMAN	LANKFORD SHERYL S TRUSTEE	SH-2530	C	800	NW	35	3-T	T&NO	450N	420W

Bob Zimmer seconded the motion and it was unanimously approved by the Board.

Gene Born moved the Board approve sponsoring Senator Kip Averitt's Water for Texas Program to be held in Dallas, Texas on November 16th and 17th in the amount of \$1000.00. Brian Bezner seconded the motion and it was unanimously approved by the Board.

The Board discussed a Stratigraphic Visualization Model for 10 selected counties in the Golden Spread Service Area in Texas and Lipscomb County as follows:

Daniel B. Stephens & Associates Inc. (DBS&A) is proposing a cooperative cost sharing project to develop a regional, detailed hydrogeologic dataset and estimate of groundwater availability for 10 counties. In the NPGCD area, the project includes Dallam and Sherman Counties with the possibility of adding Lipscomb County to the project.

The phases of the work include, data collection, well evaluation, well location referencing, geologic and lithologic, interpretations, data entry and QA/QC, assign hydrogeologic properties create a MVS 3-D visualization model and visualization of southern and northern Ogallala GAM. To finalize the project DBS&A will create and deliver a letter report and presentation.

Other deliverables include a geo-database on CD, GIS maps of net saturated sand thickness, gross saturated, thickness, water level elevations, aquifer surfaces or boundaries as applicable, and well locations, Three dimensional visualization file(s) of aquifer stratigraphy and a shareware player that can be used to view the file(s), 3-D visualization file(s) of Southern and Northern Ogallala GAM results, ten hard copies of the report of project findings, four presentations, and 8 hours of staff training on utilizing deliverables.

The Board directed the General Manager to contact managers of Golden Spread Electric Cooperative, Inc., North Plains Electric Cooperative, Inc., Rita Blanca Electric Cooperative, Inc., and Xcel Energy to inquire about their interest in participating in this model and to report the responses he receives to the Board.

Director Wesley Spurlock arrived to participate in the Board Meeting at 10:07 a.m.

At 10:15 a.m. the Board recessed and at 10:23 a.m. the Board reconvened.

The General Manager informed the Board that General Counsel had corresponded with the Texas Water Development Board and had requested that the Texas Water Development Board postpone review of the Petitions of G & J Ranch, Inc. and Mesa Water LP opposing the Desired Future Conditions set by GMA-1 for 60 days as provided by Texas Administrative Code Title 31, Part 10, Chapter 356, Subchapter D, Rule 356.43. Mr. Walthour also stated that on September 22, 2009, the Joint Planning Committee of GMA-1 will meet in Amarillo to consider the Dockum Groundwater Availability Model (GAM) that has been requested by the Committee and to discuss the petition process. The Board requested that the General Manager of the District and the District's General Counsel attend the September 22, 2009 Joint Planning Committee Meeting.

Odell Ward gave a presentation to the Board regarding the use of the District's Geographic Information System for field investigations, production reporting and well permitting.

The Board discussed its Public Funds Investment Policy and directed the General Manager and the District's legal counsel to review the Policy and make any proposed modifications to the Policy and to bring the drafted Policy to the Board for review and approval at its October Board Meeting.

Wesley Spurlock 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 . Bob Zimmer seconded the motion and it was unanimously approved by the Board.

Executive Session: At 11:13 a.m. the Board went into Executive Session to consult with Keith Good regarding attorney-client privileged matters. At 11:47 a.m. the Executive Session was recessed for lunch. At 1:05 p.m. the Executive Session reconvened with all Board members present with the exception of Brian Bezner. At 1:38 p.m., Director Wesley Spurlock moved that the Board reconvene into regular session. Harold Grall seconded the motion and it was unanimously approved by the Board.

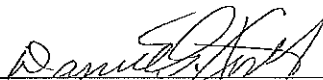
General Manager Walthour reviewed the District's Groundwater Management Plan with the Board. The General Manager did not recommend any changes to the Plan at this time.

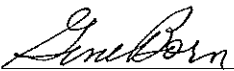
Phil Haaland moved to approve the proposed legal representation agreement between the District and Lemon, Shearer, Phillips and Good PC. Gene Born seconded the motion and it was unanimously approved by the Board.

Steve Walthour presented the General Manager's Report consisting of upcoming Meetings and Conferences; the General Manager's Activity Summary; and the District Activity Summary.

By consensus, the Board set the next regular meeting date for 9:00 a.m. on October 13, 2009.

Bob Zimmer moved to adjourn the meeting. Gene Born seconded the motion and it was unanimously approved by the Board. President Krienke declared the meeting adjourned at 2:27 p.m.

  
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Daniel L. Krienke, President

  
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Gene Born, Secretary