RED RIVER GROUNDWATER CONSERVATION DISTRICT

PUBLIC HEARING AND BOARD MEETING

BOARD ROOM GREATER TEXOMA UTILITY AUTHORITY 5100 AIRPORT DRIVE DENISON, TEXAS 75020

> THURSDAY MAY 17, 2012 1:30 PM

AGENDA RED RIVER GROUNDWATER CONSERVATION DISTRICT PUBLIC HEARING AND BOARD OF DIRECTORS MEETING

GREATER TEXOMA UTILITY AUTHORITY BOARD ROOM 5100 AIRPORT DRIVE DENISON, TEXAS 75020 THURSDAY, MAY 17, 2012

Public Hearing

The Public Hearing will begin at 1:30 p.m.

Notice is hereby given that the Board of Directors of the Red River Groundwater Conservation District ("District") will hold a public hearing, accept public comment, and may discuss, consider, and take all necessary action, including expenditure of funds, regarding development and adoption of the District's proposed Management Plan.

Agenda:

- 1. Call to Order; establish quorum; declare hearing open to the public; introduction of Board
- 2. Summary presentation and review of proposed District Management Plan
- 3. Public Comment on Proposed District Management Plan (verbal comments limited to three (3) minutes each; written comments may also be submitted for the Board's consideration).
- 4. Adjourn or continue public hearing on the Management Plan.

At the conclusion of the hearing or any time or date thereafter, the proposed Management Plan may be adopted in the form presented or as amended based upon comments received from the public, the Texas Water Development Board, District staff, attorneys, consultants, or members of the Board of Directors without any additional notice.

Board Meeting

The regular Board Meeting will begin at 2:00 p.m. or upon adjournment of the above-noticed Public Hearing, whichever is later.

The Board of Directors may discuss, consider, and take all necessary action, including expenditure of funds, regarding each of the agenda items below:

Agenda:

- 1. Call to order, declare meeting open to the public, and take roll.
- 2. Public Comment
- 3. Consider approval of Minutes of April 18, 2012, Board Meeting
- 4. Review and approval of monthly invoices
- 5. Consider and act upon approval of the District Management Plan
- 6. Receive report from Investment Committee and consider and act upon approval of Investment Policy
- 7. Receive update on Water Well Geodatabase and Web-Based Application
- 8. Receive report from Budget Committee and discuss 2013 Budget
- 9. Consider and act upon application for non-exempt well on property owned by US Fish & Wildlife Service at Hagerman Rescue
- 10. General Manager's report
- 11. Open forum / discussion of new business for future meeting agendas
- 12. Adjourn

¹The Board may vote and/or act upon each of the items listed in this agenda.

²At any time during the meeting or work session and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the Red River Groundwater Conservation District Board may meet in executive session on any of the above agenda items or other lawful items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gifts (§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.

ATTACHMENT 3

MINUTES OF THE BOARD MEETING RED RIVER GROUNDWATER CONSERVATION DISTRICT

WEDNESDAY, MARCH 21, 2012

AT THE GREATER TEXOMA UTILITY AUTHORITY BOARD ROOM 5100 AIRPORT DRIVE DENISON, TX 75020

Members Present:

George "Butch" Henderson, George Olson, Don Wortham, David Gattis, Harold Latham,

Don Morrison, Mark Patterson

Members Absent:

None

Staff:

Jerry Chapman, Debi Atkins, Carolyn Bennett, Wayne Parkman and Carmen Catterson

Visitors:

Jonathan Cannon, Herald Democrat Tim Morris, Morris Engineering Alex Moser, AL Moser Drilling Joey Rickman, City of Honey Grove

1. <u>Call to order, declare meeting open to the public, and take roll.</u>

President Henderson called the work session to order at 2:00 PM. All members were present, except Vice President Olson who arrived at 2:06 PM.

2. Public Comment.

No public comments received.

3. Consider approval of Minutes of March 21, 2012, public hearing and board meeting

Board Member Gattis motioned to approve the Minutes of the March 21, 2012 public hearing and board meeting. The motion was seconded by Board Member Morrison and passed unanimously.

4. Consider and act upon participation in the Texas Water Conservation Association Risk Management Fund

Mr. Chapman explained the District needs General Liability Insurance for all actions the Board may take, as well as Errors and Omission Insurance. The staff received a quote from the Texas Water Conservation Association (TWCA) Risk Management Fund. This fund was established in the 1980s when it became increasingly difficult for public agencies to acquire insurance. This fund serves the water industry and is the one that the Authority utilizes for insurance. Mr. Chapman reviewed the insurance quote provided, which is a total of \$2,050 per year. Board Member Gattis asked if the District needed the insurance before July 1st since the District does not own a vehicle.

Board Member Gattis motioned to approve participation in the TWCA Risk Management Fund. The motion was seconded by Board Member Patterson and passed unanimously.

Vice President Olson arrived at 2:06 PM.

5. Review and approval of monthly invoices.

Board Member Gattis motioned to approve the monthly invoices. The motion was seconded by Board Member Morrison and passed unanimously.

6. Consider and discuss procedure for timely payment of expenses.

At times, invoices are received that need to be paid within a certain period of time, but the Board meeting is not within that time frame. This causes some bills to be paid late. Mr. Chapman recommended to the Board that they authorize the President, Vice President or Secretary/Treasurer to authorize payment of expenses. The ASYST accounting software has the ability to print facsimile signatures under a certain amount. The Board discussed the issue and agreed that as long as a maximum amount was established, the officers should have the authority to preapprove an invoice to be paid. The Board discussed what limit should be established and the parameters behind the project. Board Member Gattis stated that he believed that bills should be both invoiced and paid promptly.

Vice President Olson motioned to approve the payment of budgeted items for work completed with approval by the President. The motion was seconded by Board Member Morrison and passed unanimously.

7. <u>Establish Investment Committee, appoint an Investment Officer and discuss development of Investment Policy.</u>

As the District does not have much money currently, this does not seem important currently. However, to ensure that FDIC coverage remains active, the District must have an Investment Policy that is reviewed on an annual basis. Mr. Chapman recommended the President appoint a Committee and provide instruction to the staff. President Henderson appointed Vice President Olson and Board Member Morrison to the Investment Committee and requested they provide instruction to the staff.

8. Consider and act upon a Resolution establishing a Well Driller Report Deposit Fee.

Board Member Gattis recommended the \$100 fee and recommended that the resolution be titled Refundable Well Driller Report Deposit Fee.

Board Member Gattis motioned to approve a Resolution establishing a \$100 Refundable Well Driller Report Deposit Fee to become effective July 1, 2012. The motion was seconded by Board Member Latham and passed unanimously.

9. Receive and discuss GAM Run 10-063 MAG for the Trinity Aquifer

GAM Run 10-063 MAG for the Trinity Aquifer was prepared by the Texas Water Development Board (TWDB) for the Groundwater Management Area 8. This report is the same as the previous report. Mr. Chapman contacted the District's consultant and Mr. Bill Hutchison reported that the report changed from "managed" to "modeled" available groundwater and the report will be included in the District's Management Plan.

Board Member Gattis motioned to accept GAM Run 10-063 as presented with no changes. The motion was seconded by Board Member Morrison and passed unanimously.

10. Consider and act upon engagement of technical consulting services by legal counsel to review injection well applications in the District.

This proposed contract was precipitated by a legal notice in the Herald Democrat recently that stated an application for a fluid injection well near Sadler would be filed. Mr. Chapman contacted the Railroad Commission and they did not have a copy of the application, but promised they would provide it when it was received. This could become an issue in the future and the Board needs to be prepared for potential application reviews. Mr. Chapman recommended the Board establish a procedure to review applications to determine potential hazards. Several other groundwater districts in the north Texas area have engaged a technical consultant to review the applications. The North Texas GCD has authorized their legal counsel to engage into a contract with a consultant to review applications and notify the district if the application needs attention. Brian Sledge, the District's legal counsel recommended authorizing the legal counsel to contract with the consultant to maintain confidentiality for review. The consultant reviews the engineering for each injection well and notifies the groundwater district involved and assists with writing a letter to the company to provide a list of recommended changes. The Board discussed the benefits and drawbacks of entering into a contract.

Vice President Olson and Board Member Gattis recommended reviewing an application before entering into a contract. President Henderson and Board Member Patterson commented that most applications have a limited time frame for comment. Board Member Patterson stated that there are hundreds of fluid injection wells in western Grayson County dating back to the 1970s and they have a higher risk for contamination, so the Board needs to be proactive and aware of their responsibilities to protect the groundwater from contamination.

This item was tabled until a future meeting.

11. Establish Budget Committee and discuss 2013 Budget

The District's statute requires that the budget be established and rates provided to the users by November 1, 2012. However, the users are in the middle of the budget cycle and need to have the rates to incorporate into their budgets before their new fiscal year begins on October 1, 2012. Board Member Gattis recommended the staff provide a draft budget to the Board at the next meeting.

President Henderson appointed Vice President Olson, Board Member Gattis and himself to serve on the Committee.

12. Receive update on Management Plan and schedule public hearing

The staff submitted the draft Management Plan to the TWDB for a pre-review after the Board approved the draft last month. The TWDB was very efficient and provided minimal comments and changes. The consultant has made the changes and the Plan is ready for a public hearing for approval. The earliest available date for a public hearing is May 16, 2012, which is the regular meeting date. The Board recommended scheduling the public hearing for 1:30 PM on May 17th, with the Board meeting beginning at 2:00 PM. The Board recommended hosting the meeting at the Authority offices.

13. General Manager's Report

Mr. Chapman reported that the ASYST accounting program that was authorized last month is in the process of being put into use with amounts and accounts being entered. The staff participated in a demo of the well registration site and the consultant is in the process of integrating recommended improvements and changes. The site should be functional by May 15, 2012.

The District is responsible for providing public outreach and education regarding groundwater and conservation. The staff has been working to schedule presentations by the AgriLIFE agency. The meetings are scheduled for June 7 at the Grayson County Courthouse and June 25 in Fannin County. These meetings will be held in connection with the local extension agents. The District will work to distribute information on these meetings to the local media to encourage the public to attend.

The District has received six applications including two for Marilee SUD, one for livestock and three domestic well applications. Not all well drillers are registering wells before they drill, so the staff is proposing sending out a letter to local well drillers to remind and encourage them to register.

On April 11, the staff provided a presentation to the Greater Texoma Association of Realtors and forms were provided. Many realtors are concerned and want to reply because the well must be registered when the well's ownership changed. The staff will continue to be in communication with the realtors and title companies.

The District now has Facebook and Twitter accounts and has several members of the public following the District's activities. Mr. Chapman also introduced Wayne Parkman, an employee of the Authority who is the Field Technician for the North Texas GCD. Board Member Gattis asked if Mr. Chapman had received any more information on the EAA vs Day case. Mr. Chapman provided a brief summary and stated that the decision will most likely be further decided in court cases through the next several years.

14. Open forum / discussion of new business for future meeting agendas

The public hearing and Board meeting will be held on May 17, 2012 with updates on the 2013 budget, the Investment Policy, the injection well contract, well registration, online well registration system, and approval of the Management Plan.

15. Adjourn

Upon motion by Vice Presiden unanimously, the Board adjourned at approximately		by Board	Member	Gattis and	d passed
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Recording Secretary	Secret	arv-Treasur	 er		

ATTACHMENT 4

RESOLUTION NO. 2012-05-17-01

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT AUTHORIZING PAYMENT OF ACCRUED LIABILITIES FOR THE MONTH OF APRIL 2012

The following liabilities are hereby presented for payment:

Administrative Services	
GTUA	7,553.14
Geodatabase Service	
Alan Plummer & Associates, Inc. Alan Plummer & Associates, Inc.	16,188.00 960.00
<u>Insurance</u>	
TWCA Risk Management Fund	343.00
<u>Legal Services</u>	
Lloyd Gosselink Firm	238.50
Management Plan	
LBG-Guyton	414.19
GRAND TOTAL:	\$ 25,696.83
	BOARD OF DIRECTORS OF THE RED RIVER THAT the Secretary-Treasurer is hereby authorized
On motion of	and seconded by, ved on this, the 17th day of May 2012 by the
AYE: NAY:	
At a meeting of the Board of Directors of the Re	d River Groundwater Conservation District.
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ATTEST:	President
Secretary/Treasurer	

Invoice

Date	Invoice #
4/30/2012	12

Bill To	
Red River Groundwater Conservation Dist. P.O. Box 1214	
Sherman, Texas 75091-1214	

Make Payment To	
Greater Texoma Utility Authority PO Box 1297 Sherman, Texas 75091-1297 (903) 786-4433	ļ

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51	RRGCD Secretary/Ma	a Carmen Catterson - Secretary / Mapping Technician Administration 35.00 Fee - April 1 through April 30, 2012											
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Name: LAURIE KILLIAN
Position: ACCOUNTING ASSISTANT Pay Period: 4/16/2012 through 4/30/2012

Grand Total: Employee's Signature: Date:	Other Total:	Annual Leave Holiday Comp. Time	Release Time:	Total:		Project Name General RRGCD NTGCD
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GREATER TEXOMA UTILITY AUTHORITY EXPENSE VOUCHER

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For travel	and other expen	ses from:	4-1.	-12 to	4-30	1-12	<u> </u>
Previous	outstanding (or c	redit) adva	ances \$				
Advances	s for this month:		\$				
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18770	106.56						
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Signed:	Pani Bruhfu Acct Ass	ed-Kil	lia	Approved:	Jen	ng Oh	uforna
Title:	Acct Ass	T		Title:	<u> 1</u> 16,	<u>M.</u>	·
Date:	5-7-12			Date:	5-	7-12	
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GTUA EMPLOYEE TIME SHEET

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Sick Leave Date Other Annual Leave Holiday Comp. Time Release Time Total Employee's Signature Cityat Pattspace **Project Name** Position_ GMAG City of Shelma 986 Ø 16/ 01/ 30 O 02/ 03/ € .30 بخ 00 * 1:00 245 ts 7 04/ 19₇ 南南 <u>-</u> بخ 130 6.30 20*f* 22 06/ 23 23**/** 21.12 1.00 17/2 27.4% 09/ 3.30 Approved By\ 200 10/ 11/ 25w 267 200 00 31.15 00 į. Pay Period (R. D. 5:30 Ŕ 727 8 1.00 13/ 28 14/ 29 7:45 15/ 30_A S. 80 13.75 16.50 16.50 Total 13,25

GTUA-048

GTUA EMPLOYEE TIME SHEET

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GREATER TEXOMA UTILITY AUTHORITY EXPENSE VOUCHER

Payee's Na	me: Theda	Anderson	Title: _ cl	erk/office as	1-
For travel a	and other expense	es from: C	TUAto_	Banks/ Dramond	Compater
Previous or	utstanding (or cre	dit) advances	SO		
Advances i	for this month:	9	<u> </u>		
	Subtotal:		•	\$	
Less:	Expenses for (Listed on rev			\$	17.48
Total outst	anding (due) to pa	ayee:		\$_ .~	17.48
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GTUA EMPLOYEE TIME SHEET

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GTUA EMPLOYEE TIME SHEET

Employee's Signature: Date:	Total:	Other Inclement Weather	Comp. Time Earned	Comp. Time Used	Holiday	Annual Leave	Sick Leave	Release Time:	Subtotal:	Sherman WWtr	Red River GCD	Pottsboro Water/WWtr	North Texas GCD	General	Project Name	Name: Carmen Catterson Position: Secretary/Mapping Technician
	9.00		(1.00)					5	9.00	2.00	3.00	1.00	3.00		16	
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GREATER TEXOMA UTILITY 5100 AIRPORT DR **DENISON TX 75020 - 8448**

Page 1 of 7 Account Number 903 786-4433 566 4 Billing Date Apr 15, 2012

Web Site att.com



Monthly Statement

Bill-At-A-Glance	
Previous Bill	430.30
Payment Received 4-03 Thank you	430.30CR
Adjustments	.00
Balance	.00
Current Charges	430.94
Total Amount Due	\$430.94
Amount Due in Full By	May 9, 2012

Billing Summary

Billing Questions? Visi	att.com/billing	Page
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Plans and Services 263.72

1 800 559-7928

Payment Arrangements:

1 800 924-1743

Service Changes:

1 800 499-7928

Repair Services:

1 800 286-8313

AT&T Long Distance 167.22

1 800 559-7928

Total Current Charges 430.94

RGED

News You Can Use Summary

- PREVENT DISCONNECT
- STATE COST-RECOV FEE
- LONG DIST, PROVIDERS
- **PAPERLESS BILLING**
- **NEW PAYMENT ADDRESS** EREPAIR

See "News You Can Use" for additional information



Plans and Services

Monthly Service - Apr 15 thru May 14

Charges for 963 786-4433

1. Bus Local Calling Unlimited B **Business Line (Measured Rate)** Caller ID Name Delivery Caller ID Number Delivery **Expanded Local Calling Service** Hunting **Touchtone** Unlimited Local Usage

Charges for 903 786-3340

2. Bus Local Calling Unlimited B **Business Line (Measured Rate)** Caller ID Name Delivery Caller ID Number Delivery Expanded Local Calling Service Touchtone Unlimited Local Usager

Charges for 963 786-3501

3. Bus Local Calling Unlimited B **Business Line (Measured Rate)** Caller ID Name Delivery **Caller ID Number Delivery Expanded Local Calling Service** Touchtone **Unlimited Local Usage**

Charges for 903 786-4434

4. Bus Local Calling Unlimited B **Business Line (Measured Rate)** Caller ID Name Delivery Caller ID Number Delivery **Expanded Local Calling Service** Hunting Touchtone **Unlimited Local Usage**

Charges for 903 786-4435

5. Bus Local Calling Unlimited B **Business Line (Measured Rate)** Caller ID Name Delivery **Caller ID Number Delivery Expanded Local Calling Service** Hunting **Touchtone Unlimited Local Usage**



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rvices provided by AT&T Arkansas, AT&T Kansas, AT&T Missouri AT&T Oldahoma, or AT&T Texas based upon the service address location.



GREATER TEXOMA UTILITY 5100 AIRPORT DR

Page 3 of 7 Account Number 903 786-4433 566 4 g Date Apr 15, 2012

DENISON TX 7502

Calls for 9	63-796-1	2501	st - Continued			_ 	Call Charges - Mar 2nd turu Apr 1st - Continued Calls for 903-786-4433
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o. Date_	Ties	Place Called	Mumber	Code	<u>Min</u>		
1.3-26		HYRA TX	940 736-5533	D Food	1:42	00	No. Date Time Place Called Number Code Min
						.00	42.3-27 336P COLLINSVI. TX 903 429-6225 D 0:38
2.3-27		PLANO TX	972 422-7962	D	0:54	.00	43.3-27 338P ECTOR TX 903 961-2495 D 1:30
3.3-27		PLANO TX	972 422-7962	D	2:06	.00	44.3-29 1117A CELINA TX 972 382-2123 D 0:42
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4.3-01	126P	IRVING TX	214 886-8857	<u> </u>	0:30	.00	45.3-02 857A MYRA TX 940 736-5533 D 8:12
5.3-02		AUSTIN TX	512 463-8491	D	0:30	.00	46.3-02 418P WHITESBORD TX 903 564-3180 D 0:30
6.3-02		AUSTIN TX	512 463-8489	D	0:30	.00	47.3-05 838A MABANK TX 903 802-9866 D 0:30
7.3-02	234P	AUSTIN TX	512 463-1708	D	0:30	.00	48.3-19 830A MCKIMBEY TX 972 837-2331 D 5:42
8.3-02	235P	AUSTIN TX	512 475-3085	D	0 :48	.00	49.3-19 1015A MCKINNEY TX 214 726-6559 D 2:18
9.3-02	236P	AUSTIN TX	512 475-0933	Ď	4:06	.00	50.3-19 1109/A ARLINGTON TX 817 637-5631 D 8:12
0.3-02		DALLAS TX	214 217-2256	D ·	2:54	.00	51.3-21 1005A MCKINNEY TX 469 742-4145 D 1:54
1.3-02	419P	DALLAS TX	214 855-8072	D	8:42	.00	52.3-22 927/A WHITESBORD TX 903 564-3180 D 3:06
2.3-05		GRANDPRART TX		D	2:36	.00	53.3-23 911A HYRA TX 940 727-1145 D 0:42
3.3-06		AUSTIN TX	512 463-7317	D	0:30	.00	54.3-26 351P GAINESVL TX 940 668-4504 D 0:30
4.3-07		GAINESVL TX	940 668-0539	Ď	0:30	.00	Subtotal Domestic Calls for 903-786-4434
5.3-07	246P	MYRA TX	940 736-3598	Ď	1:00	.00	canada postanic para in 202, 100, 404
6.3-07	323P	DALLAS TX	214 932-3061	Ď	0:30	,00	Total Domestic Calls for 903-786-4434
7.3-08	259P	GAINESVL TX	940 668-4500	Ď	0:54	.00	Lordi Contrastic Canz to 202,100,4404
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9.3-09		GAINESVL TX	940 668-4540	Ď	3:42	.00	Calls for 903-786-4435
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1.3-14		GAINESVL TX	940 668-4540	Ď	0:30	.00	Domestic
2.3-14	953A	GAINESVL TX	940 668-4500	D	0:36	.00	
3, 3-14		MYRA TX	940 727-1145	D	0:30	.00	Item
4.3-14	958A	MYRA TX	940 727-1145	Ď	0 :36	.00	No. Date Time Place Called Number Code Min 55,2-29 245P PLANO TX 972 398-4416 D 6:00
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e. 3-19 8. 3-19	-		903 961-2495		0:48	.00	58.3-05 1048A SHREVEPORT LA 318 393-6207 D 4:42
		GAINESVL TX	940 668-4540	D	4:18	.00	59.3-07 317P DALLAS TX 214 932-3061 D 1:18
9.3-19	229P	GAINESVL TX GAINESVL TX	940 668-4500	D	1:00	.00	60.3-14 1137A DALLAS TX 214 345-1408 D 1:48
0.3-19			940 665-2831	D	0:48	.00	61.3-19 918A EULESS TX 817 571-2320 D 2:48
1.3-19		GAINESVL TX	940 665-5241	U	0:30	.00	62.3-19 1115A BONHAN TX 903 583-7555 D 0:54
2.3-20		FORT WORTH TX		D	0:30	.00	63.3-21 928A GAINESVL TX 940 665-5241 D 2:54
3.3-20	253P	FORT WORTH TX		V	6 :06	.00	64.3-26 415P HUNTINGTON NY 631 683-6036 D 0:42
4.3-20		MYRA TX	940 727-1145	D	0:30	.00	65.3-26 440P KRIM TX 940 482-3491 D 1:00
5.3-22		WHITESBORD TX		D	0:36	.00	66.3-27 214P NYRA TX 940 736-1357 D 1:12
5.3-22		MCKINNEY TX	214 726-6559	D	2:48	.00	67.3-27 359P GAINESVL TX 940 665-5511 D 1:00
7.3-23		AUSTIN TX	512 427-2458	D	0:54	.00	68.3-28 326P BELLSSAVOY TX 903 965-4777 D 1:42
8.3-23		DALLAS TX	214 855-8072	D	0:30	.00	69.3-30 448P AUSTIN TX 512 231-7400 D 1:54
9.3-26		GAINESVL TX	940 668-4500	D	1:48	.00	Subtotal Domestic Calls for 903-786-4435
10.3-26		AUSTIN TX	512 322-5800	D	3:30	.00	
11.3-27	1032A	AUSTIN TX	512 239-0622	D	3:36	.00	Total Domestic Calls for 903-786-4435



GREATER TEXOMA UTILITY

5100 AIRPORT DR

Page 5 of 7

Account Number 903 786-4433 566 4 Milling Date Apr 15, 2012

DENISON TX

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1.3-26	1025A		972 562-0670	D	2:18	.00	Calls for 90	3-786-1	1211				
2.3-26	1255P	DALLAS TX	214 855-8072	D	10:36	.00							
3.3-26	228P	anna tx	972 924-3361	D	5:24	.00	Domestic						
4.3-26	322P	DENTON TX	940 387-7755	, D	0:30	.00	Item			•			
5.3-26	355P	DENTON TX	940 349-8230	D	5:12	.00	<u>lio. Date</u>	Time	Place Called	<u>Number</u>	Code	<u>Min</u>	
6.3-26	402P	KRUM TX	940 482-3491	Đ	1:36	.00	49.3-01	400P	PLANO TX	972 578-1043	D	0:30	.00
7.3-26		PLANO TX	972 943-9923	D	2:12	.00	50.3-01	418P		972 578-1043	D	0:36	.00
8.3-26	426P	DENTON TX	940 349-7715	D	1:00	.00	51.3-02	92 8 A	PLANO TX	972 767-3488	D	5 :0 6	.00
9.3-26	437P	PLANO TX	972 398-4416	D	1:00	.00	52.3-02	938/		972 767-3488	D	5:18	.00
10.3-27		NCKINNEY TX	214 544-6475	D	2:42	.00	53.3-02	237P	Leonard TX	903 587-2580	D	0:36	.00
11.3-27		ARLINGTON TX	817 588-5886	D	1:24	.00	54.3-02	244P		903 587-2580	D	0:36	.00
12.3-27	-	PARIS TX	903 784-3377	D	2:18	.00	55, 3-02		NIDVALE UT	801 938-2100	D	0:36	.00
13.3-27	142P	DENTON TX	940 349-7715	D	0:30	.00	56.3-08	336P	DALLAS TX	214 953-8878	, D	0:30	.00
14.3-27	143P	DENTON TX	940 349-7715	D	0 :30	.00		11424		903 583-4672	D	0:42	.00
15.3-27	148P	DENTON TX	940 349-8307	D	1:54	.00		1145A		903 583-4672	D	0:42	.00
16.3-27	156P	AUSTIN TX	512 239-0622	D	7:00	.00		1050A		940 668-5522	D	0:36	.00
17.3-27		ANNA TX	972 924-3325	D	1:48	.00		11114	BONHAN TX	903 640-8089	D	0:36	.00
18.3-27	335P	COLLINSVI. TX	903 429-6223	D	0:30	.00		1113A		903 640-4241	D	0:36	.00
19.3-27		LEONARD TX	903 587-3334	D	0:36	.00			MCKINNEY TX	972 547-5731	D	1:06	.00
20.3-27	346P	HUENSTER TX	940 759-2238	D .	0:42	.00		1145A		940 668-5522	D	0:42	.00
21.3-27	353P	TIOGA TX	940 437-2351	D	0:36	.00		1050A	BONHAM TX	903 583-4672	D	1:06	.00
22.3-27	355P	TON BEAN TX	903 546-6321	D	0:42	.00	65.3-19	115	ECTOR TX	903 961-2251	D	0:30	.00
23.3-27		VALLEYVIEW TX		D	0:30	00	66.3-20	418P	PLANO TX	972 767-3488	D	1:12	.00
24.3-27 25.3-27	358P	WHITESBORD TX WHITESBORD TX		D	0:42	.00		1155A	AUSTIN TX	512 472-0537	D	0 :30	.00
26.3-28	400P	DALLAS TX	214 855-8024	D D	1:06 0:36	.00			ARLINGTON TX	817 588-5700	D	0;36	.00
27.3-28	916A		940 665-5500	D	0.36 0:48	.00 .00	69.3-28		GAINESVL TX	940 668-5522	D	0:30	.00
28.3-28		DECATUR TX	940 827-8353	D	1:12	.00			MCKINNEY TX c Calls for 903-7	972 547-5731	D	0:48	.00
29.3-28		ARLINGTON TX	817 307-3710	D	0:48	.00	Smith Call De	AIR GOLL	c calls lot and-	190-0211			.00
30,3-28	1010A	DENTON TX	940 231-4637	D	0:48	.00	Total Dame	ada P	-II- 4 002 70c	0344			40
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34.3-28	140P	BONIE TX	940 872-3337	Ď	1:48	.00	Toll Free S		1733				
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36.3-28	208P	PARIS TX	903 784-1557	Ď	0:42	.00	Domestic	303-70	00-3340				
37.3-28	224P	GAINESVL TX	940 668-8337	·B ···	0:30	.00	Iten						
38.3-28	227P	DALLAS TX	214 361-7900	D	0:54	.00	No. Date	<u>Time</u>	From Place	From Number	Code	<u>Min</u>	
39.3-28	417P	MADILL OK	580 677-9000	Ď	0:36	.00	71.3-08	627P		610 319-3915	<u>Code</u> DB	1:12	07
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41.3-29		GAINESVL TX	940 580-5042	D	0:54	.00	73.3-14			903 523-0021			.08
42.3-29	846A		940 453-7893	'n	1:12	.00		1000A			DB	3:30	.25
43.3-29		AUSTIN TX	512 327-9640	Ď	11:54	.00	75.3-21	954A			DB DB	1:48	.13
44.3-29		FARMESBRCH TX		Ď	4:24	.00	76.3-24	419P		760 680-4036		0:30 1:12	.03
45.3-29		BOWIE TX	940 872-3337	Ď	0:42	.00	77.3-27	951A		7 284 207-5800	DB DB	1:42	.07
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GREATER TEXOMA UTILITY 5100 AIRPORT DR DENISON TX 75020 - 8448

Page 7 of 7 Account Number 903 786-4433 566 4 Billing Date Apr 15, 2012

Terms and Conditions

CARRIER QUESTIONS

You may contact the Public Utility Commission of Texas, Office of Customer Protection, P.O. Box 13326, Austin, TX 78711-3326, 1-512-936-7120 or toll-free in Texas at 1-888-782-8477 if you believe the local exchange provider or the interexchange carrier on your bill ere not correct or if there are unauthorized charges on your bill. Hearing and speech impaired customers with text telephones (TTY) may call 1-512-936-7136. When corresponding by mail, include your complaint and copies of the phone bills. Please contact AT&T Texas to switch your service back to the carrier of your choice.

For a complete listing of Terms and Conditions, please refer to:

- The inside of the AT&T White Pages directory, or
- Visit us on the web at att.com/terns



DC / DZDC /

Account Ending 5-34008

New Balance \$36.48
Please Pay By 05/03/12

Earn points on all of your purchases, everywhere you use the Card.

Visit open american express, com/small business rewards

See page 2 for important information about your account.

Account Summary

Previous Balance	State Office And Service
Payments/Credits	/e %::4 \\$6 15, 1 7
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New Charges	+\$36.48
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New Balance	
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Days in Billing Period, 30	
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ACTION OF ACTIONS	

Customer Care

Pay by Computer open.com/pbc

Customer Care 1-800-492-3344 Pay by Phone 1-800-472-9297

See page 2 for additional information



igspace Please fold on the perforation below, detach and return with your payment igspace



Pay by Computer open.com/pbc

Pay by Phone 1-800-472-9297

Account Ending 5-34008

Enter account number on all documents.

Make check payable to American Express.

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PleasePay By 05/03/12

Amount Due \$36.48

Check here if your address or phone number has changed. Note changes on reverse side.

TAGO- AUSTIN

O100 Server: ANDREA E Rec:103 03/28/12 13:10, Swiped T: 83 Term: 8

Pappasito's #09 6513 I-35 N Austin, TX 78752 (512)459-9214 MERCHANT #: 67071730196

CARD TYPE ACCOUNT NUMBER

AMERICAN EXPRES XXXXXXXXXXXX4008

Name: JW CHAPMAN 00 TRANSACTION APPROVED AUTHORIZATION #: 526797 Reference: 0328010000100 TRANS TYPE: Credit Card SALE

CHECK:

11.85

TIP:

228

TOTAL:

14.10

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Austin, TX 78752 (512)452-9363

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MERCHANT #: 67071730196

CARD TYPE

ACCOUNT NUMBER

AMERICAN EXPRES XXXXXXXXXXXX4008

Name: JW CHAPMAN

OO TRANSACTION APPROVED AUTHORIZATION #: 562964 Reference: 0327010000040 TRANS TYPE: Credit Card SALE

CHECK:

19.38

TIP:

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TOTAL:

22 38

Duplicate Copy



GREATER TEXOMA UTILITY AUTHORITY

5100 Airport Drive Denison, Texas 75020 903/786-4433 FAX: 903/786-8211

Red River Groundwater Conservation District Copy Log

April 2012

Date

Number of Copies

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GREATER TEXOMA UTILITY AUTHORITY

5100 Airport Drive Denison, Texas 75020 903/786-4433 FAX: 903/786-8211

Red River Groundwater Conservation District Postage Log

April 8012

Date

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1320 South University Drive, Suite 300 Fort Worth, Texas 76107

Red River Groundwater Conservation District

P.O. Box 1214

Sherman, TX 75091-1214

March 30, 2012

Project No:

1722-001-01

Invoice No:

000000032477

Project Manager:

Adam Rose

Total Contract:

65,900.00

Project

1722-001-01

Red River GWCD Water Well GIS Geodatabase

Professional Services through March 30, 2012

Fee

Billing Phase	Fee	Percent Complete	Amount Billed	Previous Billed	This Invoice
Database Design	9,800.00	100.00	9,800.00	9,016.00	784.00
Application Design	30,300.00	9 5.00	28,785.00	17,877.00	10,908.00
Application Testing and Project Control	9,600.00	50.00	4,800.00	2,304.00	2,496.00
Setup and Training	3,700.00	0.00	0.00	0.00	0.00
Meeting and Project Communication	12,500.00	75.00	9,375.00	7,375.00	2,000.00
Total Fee	65,900.00		52,760.00	36,572.00	16,188.00
	Total Fe	e		-	16,1

16,188.00

Total this Invoice

\$16,188.00

Outstanding Invoices

Number

Total

000000032215

Date 2/24/2012 Amount

12,906.00

12,906.00

Current

Total

Payments

A/R Balance

Billings to Date

16,188.00

Prior 36,572.00

52,760.00

23,666.00

29,094.00

Authorized By

Adam Rose



FAX TRANSMITTAL

		1330CIATES.	Live.	DATE:		May 10, 2012
	Ew	POWNENTAL ENGINEERS - DESIGNER	S - SCHENTISTE	TIME:		
	th University Driv			APAI PROJECT NO).:	
Phone 81	th, Texas 76107- 7.806.1700 · Fax	617.870.2536		CLIENT PROJECT	NO.:	
TO:	Laurie					
	COMPANY:	Red River Groun	dwater Conserva	tion District		
	ADDRESS:					
	CITY:		STATE:		_ ZIP CODE:	
			PHONE NO.		_ FAX NUMBER:	903-786-8211
FROM:	Tammy Kill	hullen				
RE:						
COMME	NTS:				NO. OF PAGES	: 2 (including cover)

If the number of pages are not as noted, kindly notity us at once.

2. 817-56to-1804 817-806-1700



1320 South University Drive, Suite 300 Fort Worth, Texas 76107

April 27, 2012

Project No:

1722-001-01

Invoice No:

000000032626

Project Manager:

Adam Rose

Total Contract:

65,900.00

Project

P.O. Box 1214

Sherman, TX 75091-1214

1722-001-01

Red River GWCD Water Well GIS Geodatabase

Professional Services through April 27, 2012

Red River Groundwater Conservation District

Fee

Billing Phase	Fee	Percent Complete	Amount Billed	Previous Billed	This Invoice	
Database Design	9,800.00	100.00	9,800.00	9,800.00	0.00	
Application Design	30,300.00	95.00	28,785.00	28,785.00	0.00	
Application Testing and Project Control	9,600.00	60.00	5,760.00	4,800.00	960.00	
Setup and Training	3,700.00	0.00	0.00	0.00	0.00	
Meeting and Project Communication	12,500.00	75.00	9,375.00	9,375.00	0.00	
Total Fee	65,900.00		53,720.00	52,760.00	960.00	
	Total F	ee			960.00	•

Total this Invoice \$960.00

Outstanding Invoices

Number

Date 3/30/2012

Amount

000000032477 Total 16,188.00

16,188.00

Billings to Date

Current 960.00 Prior 52,760.00

Total 53,720.00

Payments 36,572.00

A/R Balance 17,148.00

Parl to Date

Authorized By:

Adam Rose

Date:

PECEIVE MAY 0 9 2012 BY: RECD



Red River Groundwater Conservation District Red River GCD

ATTN: Debi Atkins PO Box 1214 Sherman, TX 75020 INVOICE

	Red River Groundwater Conservation District	1467
-	04/26/2012	
Service .	Emest Garcia	
	1 of 1	,

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en de la comp			343.00
Report of the second			
1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	:	Invoice#5202	
TW-00167 11-12			

Thank You

Please detach and return with payment

Customer: Red River Groundwater Conservation District

	3		30.5.p.65	Activities 13
5202	05/01/2012	New business	Policy #TW-00167 11-12 05/01/2012-07/01/2012 Texas Water Conservation Assoc. Risk Mgmt. Fund Automobile Liability General Liability Errors & Omissions	17.00 117.00 209.00
		!	Fund Year 11-12 New Member	
			Due Date: 5/11/2012 PECEIVE APR 3 0 2012 BY: RRGCO	
				343.00 Thank You
		···		

TWCA Risk Management Fund 221 E. 9th Street, Suite #206 Austin, TX 78701-2510

(800)580-8922

04/26/2012

Invoice

LBG-Guyton Associates 4 Research Drive, Suite 301 Shelton, Connecticut 06484

Phone: 203.944.5000

April 20, 2012

Invoice No:

201204314

RED RIVER GCD PO BOX 1214 SHERMAN, TX 75091

Project

0411.FANGRA.00

FANNIN & GRAYSON COUNTY

Professional Services through March 31, 2012

Professional Personnel

		Hours	Rate	Amount	
Hut	tchison, William	1.50	200.00	300.00	
	Totals	1.50		300.00	
	Total Labor				300.00
Service	charge: phone, fax, copies			6.00	
				6.00	6.00
Interest					
	1.25 % of 8,655.30	(balance over 45 days)			108.19
			Total this 1	Invoice	\$414.19

Outstanding Invoices

Number	Date	Balance	77 \$17 211 51
201202113	2/17/2012	8,655.30 Chill 10	22 19:044.26
201203046	3/14/2012	3,389.26 / 4/12/1	2
Total		12.044.56	•

Payment is due upon receipt of invoice. On accounts past due by 45 days, Client will pay a finance charge of 1.25 percent per month dating from the invoice date. We accept MasterCard and Visa.

Project Manager

William Hutchison

Authorized By:

Semes Beach

m Blad





Red River Groundwater Conservation District Attn George Henderson P O Box 1214 Sherman, TX 75091

ID: 3228-0000 - BLS *

Re: General

For Services Rendered Through March 31, 2012

Previous Balance

Payments

778.00

816 Congress Avenue Suite 1900

April 30, 2012

Invoice 56493

Austin, TX 78701-4071
Telephone: (512) 322-5800
Facsimile: (512) 472-0532
Federal ID: 74-2308445
www.lglawfirm.com

-778.00

Current Fees

238.50

Total Due

238.50



Lloyd Gosselink Rochelle & Townsend, P.C.

Red River Groundwater Conservation District	April 30, 2012
Re: General	Invoice 56493
I.D. 3228-0000 - BLS	Page 2

		and the state of t		
Date	Atty	Description	Hours	,
03/09/12	BLS	Conference with District staff regarding cost-share agreement.	0.10)
03/12/12	BLS	Office meeting with and assignment to S. Fitzsimmons regarding contract review and related issues	0.10)
03/12/12	SNF	Revisions to North Texas and Red River Software Shared Costs Agreement; conference with B. Sledge regarding same.	0.50)
03/12/12	EDZ	Case management.	0.10)
03/14/12	BLS	Review and edit software sharing agreement between NTGCD and RRGCD; dispatch revised version to general manager	0.20	;
03/14/12	EDZ	Case management.	0.10)
			Totals 110	

		Hours	Rate/Hour	Amount
Brian L Sledge	Principal	0.40	295.00	118.00
Shauna N Fitzsimmons	Associate	0.50	195.00	97.50
Erin D Zoch	Paralegal	0.20_	115.00	23.00
	Totals	1.10		238.50

Total Fees and Disbursements	238.50



ATTACHMENT 5



RED RIVER GROUNDWATER CONSERVATION DISTRICT AGENDA COMMUNICATION



DATE: MAY 17, 2012

SUBJECT: AGENDA ITEM NO. 5

CONSIDER AND ACT UPON APPROVAL OF THE DISTRICT MANAGEMENT PLAN

<u>ISSUE</u>

The Red River Groundwater Conservation District is required by statute to adopt a Groundwater Management Plan addressing the items specified in the Texas Water Development Board (TWDB) regulations.

BACKGROUND

The District has employed the assistance of a qualified consultant, Mr. Bill Hutchison of LBG Guyton Associates to assist in developing the Management Plan. The District reviewed the work of Mr. Hutchison earlier this year and subsequently submitted the information to the TWDB for a preliminary review. The results of the review included only minor changes to be made, primarily to page numbers and tables.

OPTIONS/ALTERNATIVES

The Management Plan is being scheduled for a public hearing prior to the convening of the meeting on May 17th. The Board may consider any comments received during the public hearing and make whatever changes they believe necessary and appropriate. There may be no proposed changes suggested at the public hearing.

CONSIDERATIONS

The District is required to adopt and submit a Management Plan to the TWDB within 36-months of creation. In order to complete this task within the prescribed time limit, it will be necessary for the Board to adopt the Plan before September 2012.

STAFF RECOMMENDATIONS

The staff agrees with the recommendations of the consultant and unless major concerns are expressed by the citizens, the staff recommends the Board formally adopt the proposed Management Plan nd submit it to the TWDB for their final review.

ATTACHMENTS

Resolution

PREPARED AND SUBMITTED BY:

W. Chapm

Jerry W. Chapman General Manager

RESOLUTION NO. 2012-05-17-02

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT ADOPTING A DISTRICT MANAGEMENT PLAN

WHEREAS, the Red River Groundwater Conservation District (the "District") is a political subdivision of the State of Texas organized and existing under and by virtue of Article XVI, Section 59, of the Texas Constitution as a groundwater conservation district, acting pursuant to and in conformity with Chapter 36, Texas Water Code and Act of May 25, 2009, 81st Leg., R.S., ch. 884, 2009 Tex. Gen. Laws 2313 codified at Chapter 8859 of the Texas Special District Local Laws Code (the "District Act");

WHEREAS, under the direction of the Board of Directors of the District (the "Board"), and in accordance with Sections 36.1071, 36.1072, and 36.108 of the Texas Water Code, and 31 Texas Administrative Code Chapter 356, the District has undertaken the development of its Management Plan;

WHEREAS, Section 36.1085 of the Texas Water Code requires the District to ensure that its Management Plan contains the goals and objectives consistent with achieving the Desired Future Conditions ("DFCs") adopted through the joint planning process set forth in Chapter 36 of the Texas Water Code;

WHEREAS, Section 36.1071(a) requires the District, after notice and hearing, to develop a comprehensive Management Plan which addresses certain management goals;

WHEREAS, as part of the process of developing its Management Plan, the District requested and received the assistance of the Texas Water Development Board (the "TWDB") and worked closely with the TWDB staff to obtain staff's input and comments on the draft Management Plan and its technical and legal sufficiency;

WHEREAS, the Board, District staff, and the District's geoscientist have reviewed and analyzed the District's best available data, groundwater availability modeling information, and other information and data required by the TWDB;

WHEREAS, the District issued the notice in the manner required by state law and held a public hearing on May 17, 2012, at 1:30 p.m. in Denison, Texas to receive public and written comments on the Management Plan;

WHEREAS, the District coordinated its planning efforts on a regional basis with the appropriate surface water management entities during the preparation of the Management Plan;

WHEREAS, the Board finds that the Management Plan meets all of the requirements of Chapter 36, Water Code, and 31 Texas Administrative Code Chapter 356; and

WHEREAS, after the public hearing, the Board of Directors met in a regular board meeting

on May 17, 2012, properly noticed in accordance with state law, and considered adoption of the attached Management Plan and approval of this resolution after due consideration of all comments received.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT AS FOLLOWS:

- 1. The above recitals are true and correct;
- 2. The Board of Directors of the District hereby adopts the attached Management Plan as the Management Plan for the District, subject to those amendments necessary based on comments received from the public at the public hearing or Board meeting, recommendations from the District Board, staff, or legal counsel, or to incorporate technical information received from the Texas Water Development Board and/or District geoscientist;
- 3. The Board President and the General Manager of the District are further authorized to take all steps necessary to implement this resolution and submit the Management Plan to the TWDB for its approval; and
- 4. The Board President and General Manager of the District are further authorized to take any and all action necessary to coordinate with the TWDB as may be required in furtherance of TWDB's approval pursuant to the provisions of Section 36.1072 of the Texas Water Code.

Upon motion by	sec	onded by
the foregoing Resolution v vote:	vas passed and approved on thi	is 17 th day of May, 2012, by the follow
AYE:	NAY:	ABSTAIN:
At a meeting of the	Board of Directors of the Red	River Groundwater Conservation Distri
	President	
ATTEST:		

ATTACHMENT 6



RED RIVER GROUNDWATER CONSERVATION DISTRICT AGENDA COMMUNICATION



DATE:

MAY 11, 2012

SUBJECT:

AGENDA ITEM NO. 6

RECEIVE REPORT FROM INVESTMENT COMMITTEE AND CONSIDER AND ACT UPON APPROVAL OF INVESTMENT POLICY

ISSUE

The Red River Groundwater Conservation District needs to have an Investment Policy adopted and reviewed annually in order to comply with Public Funds Investment Act and to ensure that any funds invested receive FDIC protection.

BACKGROUND

At the April 2012 Board of Directors meeting, Board Members Olson and Morrison were appointed as members of the Investment Committee. Mr. Olson was contacted regarding his responsibilities as Chair of that Committee and he advised staff to prepare a draft Investment Policy that would meet the requirements of the District. This document was prepared and submitted to Mr. Olson and Mr. Morrison for their review and comment. After discussion with Mr. Olson and Mr. Morrison, the attached document is being submitted for your consideration.

OPTIONS/ALTERNATIVES

The Board could adopt the attached policy, modify the policy or adopt another policy.

CONSIDERATIONS

The adoption of this policy will be evidence that the Board is responsible in its use of public funds.

STAFF RECOMMENDATIONS

The staff recommends adopting the Proposed Investment Policy.

ATTACHMENTS

Proposed Investment Policy

PREPARED AND SUBMITTED BY:

RESOLUTION NO. 2012-05-17-03

A RESOLUTION BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT RELATING TO AN INVESTMENT POLICY

WHEREAS, the Red River Groundwater Conservation District ("District") was created by an act of the 81st Legislature in 2009; and

WHEREAS, the District has a responsibility of approving investments for the resources in its care and custody; and

WHEREAS, the District has appointed an Investment Committee of its membership to compose an Investment Policy; and

WHEREAS, that Committee has prepared a document attached hereto as Exhibit "A"; and

WHEREAS, the Board has reviewed this document and believes it to be in conformance with the State statutes regarding the investment of public funds;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RED RIVER GROUNDWATER CONSERVATION DISTRICT that this Investment Policy attached as Exhibit "A" is hereby adopted by this resolution and shall be in full force until further change by Board action.

seconded by

Upon motion by

Upon motion by	, se	conded by	, the
foregoing Resolution was passe	d and approved on this 17 th da	conded by ay of May, 2012 by the following	vote:
AYE:	NAY:	ABSTAIN:	
At a special meeting of	the Board of Directors of the	Red River Groundwater Conserva	ation District.
	President		
ATTEST:			
ATTEST.			
Secretary-Treasurer			

EXHIBIT "A"

RED RIVER GROUNDWATER CONSERVATION DISTRICT

INVESTMENT POLICY

ADOPTED:

EXHIBIT "A"

SAMPLE

INVESTMENT POLICY

1.01 PURPOSE

This policy with respect to district investments has been adopted by the Board of Directors (the "Board") of Red River Groundwater Conservation District (the "District") to establish the principles and criteria by which the funds of the District should be invested and secured (a) to preserve the principal, (b) to earn interest, (c) to address investment diversification, yield, and maturity, (d) to fulfill the duties of the designated Investment Officer of the District, (e) to comply with the types of authorized investments and to specify the maximum allowable stated maturity of the District's investments, and (f) to comply with the provisions of Texas law related to the investment and security of funds applicable to groundwater conservation districts ("Investment Laws"). The provisions of Chapter 36 and Chapter 49 of the Texas Water Code relating to investments and securities, the Public Funds Investment Act (the "Act") as amended in Chapter 2256 of the Texas Government Code, and other appropriate statutes are applicable to the investment of the District's funds.

1.02 POLICY OF INVESTMENT

- A. The preservation of principal shall be the primary concern of the District and the District Investment Officer. To the extent that the principal is protected, District funds shall be invested to yield the highest possible rate of return to meet the current and future financial needs of the District and to maintain liquidity, all while taking into consideration the strength of the financial institution, and complying with any Internal Revenue Code laws or regulations and procedures set forth in any bond resolutions or orders, adopted from time to time by the Board. Funds of the District shall be invested by the District's staff in accordance with the policy. Any resolution or order adopted by the Board relating to investment policies or procedures shall be in writing and shall be made available to requesting members of the public.
- B. Investment of funds shall be governed by the following investment objectives, in order of priority:
 - a. Preservation and safety of principal
 - b. Liquidity
 - c. Diversification
 - d. Yield.
- C. The investment of the District's funds should be diversified to minimize risk or loss resulting from over-concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. The Investment Officer, to the extent possible, will attempt to

match investments with anticipated cash flow requirements. Matching securities with cash flow dates will normally increase yield, will lock in higher yields, and reduce the need to sell securities prior to maturity, thus reducing market risk.

1.03 DELEGATION OF INVESTMENT AUTHORITY

- A. The Board shall designate by resolution one or more officers or employees of the District to be responsible for the investment of its funds and be the District's Investment Officer. The Board resolution shall also authorize the Investment Officer to engage in investment transactions, deposit, withdraw, wire funds for investments, transfer and manage funds on behalf of the District. However, there shall be no transfer, expenditure, or appropriation of District funds, other than a transfer of the funds from one District account to another account of the District as stated above, unless by check or draft signed by two (2) members of the Board or authorized by separate order or resolution of the Board.
- B. The Investment Officer is responsible for considering the quality and capability of staff, investment advisors, and consultants involved in investment management and procedures. The Board retains ultimate fiduciary responsibility.
- C. The Investment Officer shall develop and maintain written administrative procedures for the operation of the investment program which are consistent with this Investment Policy. Procedures will include reference to safekeeping, wire transfer agreements, banking services contracts, and other investment related activities.
- D. All participants in the investment process shall seek to act responsibly as custodians of the public trust. No officer or designee may engage in an investment transaction except at provided under the terms of this Policy and the procedures established.
- E. The Investment Officer's authority is effective until the District rescinds the authority or until: (1) termination of employment with the District for an Investment Officer who is an employee of the District; or (2) vacating the office of director for an Investment Officer who is a director of the Board.
- F. An officer or employee of a regional planning commission, council of governments or similar regional planning agency created under Chapter 391, Local Government Code, is ineligible to be designated as an investment officer under this policy.
- G. Should total District funds exceed \$50,000, there is hereby established an investment committee, composed of the Investment Officer, and at least two directors. The investment committee shall meet quarterly to monitor and review the investments and collateral pledge agreements of the District. The Investment Officer shall be the chairman of the committee. The committee shall report concerning the District's investments transaction for the preceding year describing the investment portion of the District at the end of each fiscal year. The report shall be written and signed by

members of the committee. The committee also shall report to the Board on its review the month following each quarterly meeting.

H. No person may deposit, withdraw, invest, transfer, or manage in any other manner funds of the District without the express written authority of the Investment Officer.

1.04 PRUDENT PERSON RULE

- A. The actions of the Investment Officer in the performance of his or her duties as manager of the District's funds shall be evaluated using the "prudent person" standard. Investments shall be made with judgment and care under prevailing circumstances which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived.
- B. The Investment Officer acting in accordance with written procedures exercising due diligence shall be relieved by personal responsibility for an individual security's performance provided that deviations from expectations are reported in a timely fashion to the governing body and appropriate action is taken to control adverse developments.

1.05 INVESTMENT STRATEGY BY FUND

Funds in the District accounts shall be invested by the Investment Officer as follows:

- a. <u>Capital Projects Account</u>: The District may choose to have a Capital Projects Account from time to time, and, if so, shall maintain as its primary objective to maximize the suitability of the investment in such funds to the financial requirements of the District while preserving the safety of principal with regard to monies collected or allocated for such fund.
- b. Operating Account: Funds in this account shall be invested to meet the operating requirements of the District as determined by the annual operating budget of the District, or by resolution of the Board.
- c. <u>Debt Service Account:</u> Funds in this account shall be invested to meet the debt service requirements of the District. In order to accomplish this, the District will invest such funds in amounts and maturity dates that most likely match the debt service requirements of the District.

1.06 AUTHORIZED INVESTMENTS

A. Acceptable investments under this Policy shall be limited to the instruments listed below and as further described by the Act. If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment by the District until this Policy has been amended and the amended version is adopted by the Board:

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- a. Obligations of the United States Government, its agencies and instrumentalities, not to exceed two years to stated maturity, excluding mortgage backed securities;
- b. Fully insured or collateralized certificates of deposit from any bank doing business in the State of Texas and under the terms of a written depository agreement with that bank, not to exceed one year to stated maturity, to include certificates of deposit purchased through the CDARS program with a Texas bank; and
- c. AAA-rated, constant dollar Texas Local Government Investment Pools as defined by the Act.
- B. Bids for investments, including certificates of deposit, may be solicited:
 - a. Orally;
 - b. In writing;
 - c. Electronically; or
 - d. In any combination of those methods.
- C. All purchases of securities shall be made on a delivery versus payment basis assuring that no District funds are released before the security is received by the custodian.

1.07 AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

- A. All investments made by the District will be made through either the District's banking services bank or an approved broker/dealer. The Board will review the list of broker/dealers annually. A list of at least three broker/dealers will be maintained in order to assure competitive bidding.
- B. Securities broker/dealers must meet certain criteria as determined by the Investment Officer. The following criteria must be met by those firms on the list:
 - a. Proof of certification by the Financial Industry Regulatory Association (FINRA) and provision of FINRA CRD number,
 - b. District certification, and
 - c. Proof of current registration with the Texas State Securities Board.
- C. Every broker/dealer and bank with which the District transacts business will be provided a copy of this Investment Policy for review to assure that they are familiar with the goals and objectives of the investment program. A representative of the firm will be required to return a signed certification stating that the Investment Policy has been received and reviewed and that controls are in place to control that only authorized securities are sold to the District. A form of the certification is attached to this Investment Policy.

1.08 SAFEKEEPING AND COLLATERIALIZATION

- A. Safekeeping of District Owned Securities.
 - a. All purchased securities shall be cleared to safekeeping on a delivery versus

- payment basis and held in safekeeping by an independent third party financial institution, or the District's banking services depository.
- b. All safekeeping arrangements shall be approved by the Investment Officer and an agreement of the terms executed in writing. The independent third party custodian shall be required to issue safekeeping receipts to the District listing each specific security, rate, description, maturity, cusip number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is being held for the District or pledged to the District.

B. Securities Pledged as Collateral

- a. All securities pledged to the District for all bank time or demand deposits shall be held by an independent third party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank from which securities are pledged.
- b. Collateralization is required on all time and demand deposits over the FDIC insurance coverage. In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level will be 102% of the market value of the principal and accrued interest. Collateral will be held by an independent third party custodian. The custodian shall provide a written monthly report directly to the District listing all pledged collateral by description and par at a minimum

C. Authorized Collateral

- a. The only types of collateral authorized by the District are:
 - i. Obligations of the U. S. Government, its agencies and instrumentalities including mortgage-backed securities which pass the bank test.
 - ii. Obligations of a state or subdivision, city, county, school district of any state which is rated A or better by two nationally recognized rating agencies.
- b. If the depository proposes a collateral pooling program, the Investment Officer will review and evaluate the program's risk and cost to the District for presentation to the Board. The pooling of collateral allows a bank to create a pool of securities for collateral purposes for multiple governments and will not result in securities pledged directly/specifically to each government.

1.09 INVESTMENT TRAINING

A. The Investment Officer shall attend at least one training session from an independent source approved by the Board involving at least six (6) hours of instruction related to the responsibilities and duties under Subchapter 2256 of the Act unless the Investment Officer currently is in compliance with the requirements of the Act. The initial training shall occur within 12 months after the Investment Officer takes office or assumes his or her duty. The Investment Officer shall attend an investment training session not less than once in a two-year period and receive not less than four (4) hours of instruction related to the duties and investment responsibilities under Subchapter 2256 of the Act from an independent source approved by the Board.

B. Training under this section must include education in investment controls, security risks, strategy risks, market risks, diversification of investment portfolio, and compliance with the Act.

1.10 REPORTING AND PERFORMANCE EVALUATION

- A. The Investment Officer shall submit a monthly report to the District Manager.
- B. Not less than quarterly, the Investment Officer shall prepare and submit to the Board a written report of investment transactions for all funds subject to this policy for the preceding reporting period. The report must:
 - a. Describe in detail the District's investment position on the date of the report;
 - b. Be prepared by the Investment Officer;
 - c. Be signed by the Investment Officer;
 - d. State the maturity date of each separately invested asset that has a maturity date;
 - e. State the book value and the market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and find type invested; and
 - f. State the compliance of the investment portfolio of the District with:
 - i. The investment strategy expressed in the District's Investment Policy; and
 - ii. Relevant provisions of the Act.
- C. Market prices for market evaluations will be obtained from an independent source.
- D. In addition, the report shall explain the quarter's total investment return and compare the return with budgetary expectations.
- E. All reports shall be in compliance with the Act.

1.11 MISCELLANEOUS

- A. The District, in conjunction with its annual financial audit, shall perform a compliance audit of management controls on investments and adherence to the District's established investment policies to review investment performance and to ensure investment security. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions.
- B. The District shall review this policy at least annually and adopt a resolution confirming the continuance of the policy without amendment or adopt an amended investment policy.
- C. This investment policy adopted on ______ supersedes any prior policies adopted by the Board regarding investment or securitization of District funds.

CERTIFICATION

I hereby certify that I have received and thoroughly reviewed the investment policy of Red River Groundwater Conservation District ("District") and have implemented reasonable procedures and controls designed to preclude imprudent investment activities arising out of investment transactions conducted between this firm and the District. Transactions between this firm and the District will be directed towards protecting the District from credit or market risk.

All the sales personnel of this firm dealing with the District's account have been informed and will be routinely informed of the District's investment horizons, limitations, strategy and risk constraints, whenever we are so informed.

This firm pledges due diligence in informing the District through its duly appointed Investment Officer of foreseeable risks associated with financial transactions connected to this firm.

(Firm)	
(Signature of Registered Principal)	<u> </u>
(Name)	
(Title)	
(Date)	

Notification Phone Nos. & Addresses of the District:

Board of Directors

Investment Officer

Red River Groundwater Conservation District PO Box 1214 Sherman, Texas 75091 (800) 256-0935 ??????????

ATTACHMENT 7



RED RIVER GROUNDWATER CONSERVATION DISTRICT AGENDA COMMUNICATION



DATE: MAY 17, 2012

SUBJECT: AGENDA ITEM NO. 7

RECEIVE UPDATE ON WATER WELL GEODATABASE AND WEB-BASED APPLICATION

ISSUE

Establishment of a Water Well Geodatabase and Web-Based Application to provide an opportunity for well owners in Fannin and Grayson County to register wells online

BACKGROUND

In November 2011, the Board engaged the services of Alan Plummer Associates, Inc. to develop a Water Well Geodatabase and Web-Based Application, which has been in development for the last few months. The consultant has provided an update and plans to have the system active next week for review.

OPTIONS/ALTERNATIVES

After the Board reviews the site, the Board can provide recommended changes or express satisfaction with the system.

CONSIDERATIONS

The Board has authorized a contract with Alan Plummer Associates, Inc. for a total cost of \$65,900 plus the cost of the server license and web hosting. If there are any additional changes or supplemental updates needed, the Board will need to consider authorizing the expenditure of additional funds.

STAFF RECOMMENDATIONS

The staff recommends that the Board review the site to determine if the existing work fits within the expectations of the Board.

ATTACHMENTS

Status Update from Alan Plummer Associates, Inc.

PREPARED AND SUBMITTED BY:

Jerry W. Chapman

General Manager



April 2012, Project Update

Red River Groundwater Conservation District Web Geodatabase Contract No. 1722-001-01

Tuesday, May 8, 2012

TO:	Carmen Catterson	FROM:	Adam Rose, PE
	GIS Manager		Alan Plummer Associates, Inc.
1	e-mail: carmenc@gtua.org		e-mail: arose@apaienv.com
	Phone: 903.786.4433		Phone: 817.566.1804

The intent of this update is to enhance our team's communication. The following provides a brief list of our needs from you and upcoming events and issues we consider important. Please call me if you have any questions.

Needs from Client

 None. Received required information about billing vendor direction and billing parameters on Monday (May 7).

Work This Period

- Provided beta version of application and responded to internal and external QC/testing.
- Set up Wells Fargo billing system. This completes the application requirements other than billing information received this week.
- Completed online users help guide.

Upcoming Deliveries to Client/Others

- Launch the RRGCD Well Registration Site
- Create lightweight iPad application for testing
- Draft Project Memorandum

Completed & Upcoming Milestones, Events, and Meetings

Application available for public – Mid May 2012

Outstanding Issues

- We received a few good feature requests that fall beyond the scope of the initial site development. We plan to summarize all of these requests into a Phase 2 scope of work statement.
- The project is currently on budget and behind original schedule. There are two main reasons for the schedule delay are elected changes in application hosting (TCOG to RRGCD) and payment vendor hosting (Wells Fargo to Paypal).

CC:

Jerry Chapman Brain Besier jerryc@gtua.org bjbesier@itnexus.com

file

ATTACHMENT 8



RED RIVER GROUNDWATER CONSERVATION DISTRICT AGENDA COMMUNICATION



DATE:

MAY 11, 0212

SUBJECT:

AGENDA ITEM NO. 8

RECEIVE REPORT FROM BUDGET COMMITTEE AND DISCUSS 2013 BUDGET

ISSUE

The District is required by statute to provide the budget and rates to the water producers at least 60 days before the end of the fiscal year (November 1st). However, most water producers operate on an October through September fiscal year, which means their budget planning occurs by August. Several water producers have requested the District establish a budget and rate earlier in the year to facilitate their budget planning.

BACKGROUND

In April 2012, a budget committee composed of Board Members Henderson, Gattis and Olson was formed to prepare a draft budget for 2013.

OPTIONS/ALTERNATIVES

The staff is available at any time the Budget and Finance Committee wants to begin meeting to prepare the 2013 Proposed Budget.

ATTACHMENTS

2012 Budget

PREPARED AND SUBMITTED BY:

Jerry W. Chapman General Manager

RED RIVER GROUNDWATER CONSERVATION DISTRICT BUDGET YEAR 2012

	Amended Budget 2011	Actual 6/30/2011	PROPOSED Budget 2012
Income	pudget zott	0/30/2011	paaget 2012
	150,000.00	44.020.64	450 000 75
46002 GW Production Cost		44,938.64	450,999.75
Total Income	150,000.00	44,938.64	450,999.75
Gross Profit	150,000.00	44,938.64	450,999.75
Expense			
77010 ADMINISTRATIVE COS	95,888.00	46,084.31	100,000.00
77030 ACCOUNTING	1,692.00	780.00	4,300.00
77033 ADS-LEGAL	1,500.00		1,000.00
77027 AUDITING			5,000.00
77855 CONTRACT SERVICES	31,000.00		260,000.00
77040 DIRECT COST	5,000.00	2,070.55	5,000.00
77450 DUES & SUBSCRIPTIC	1,000.00		1,000.00
77550 EQUIPMENT	570.00		19,150.00
77555 FEES-GMA8	537.50		4,231.25
77035 FIELD PERSON			28,661.50
77610 FUEL			5,000.00
77810 INSURANCE & BONDII	2,312.50		3,907.00
77970 LEGAL	7,500.00		10,000.00
78010 MEETINGS AND CONF	2,000.00	997.62	2,000.00
78750 TELEPHONE	1,000.00	421.35	1,750.00
Total Expense	150,000.00	50,353.83	450,999.75
Net Income	0.00	-5,415.19	0.00

ATTACHMENT 9



RED RIVER GROUNDWATER CONSERVATION DISTRICT AGENDA COMMUNICATION



DATE:

MAY 11, 2012

SUBJECT: AGENDA ITEM NO. 9

CONSIDER AND ACT UPON APPLICATION FOR NON-EXEMPT WELL ON PROPERTY OWNED BY US FISH & WILDLIFE SERVICE AT HAGERMAN RESCUE

Information regarding this agenda item will be provided at the Board meeting.

ATTACHMENT 10



Texas Alliance of Groundwater Districts
PO Box 152169
Austin, Texas 78715
(512) 809-7785
www.texasgroundwater.org

Statement on Groundwater Ownership, Regulation, and Takings

In response to the many questions and claims surrounding groundwater ownership in this state, the Texas Legislature and Texas Supreme Court have recently issued clarifications to provide some guidance for groundwater managers, property owners, and the public. The first of these clarifications, Senate Bill (SB) 332, became effective last year and recognizes that a landowner owns the groundwater below the surface as real property, subject to regulation by groundwater conservation districts (GCDs).

In February, the Texas Supreme Court elaborated further when it issued its long-awaited decision in *Edwards Aquifer Authority v. Day and McDaniel*. At issue in the case was whether a regulatory scheme for groundwater could be so restrictive as to constitute a taking of private property for public use. In its decision, the Court reiterated SB 332's language, holding that a landowner has a property interest in the groundwater under his property, subject to reasonable regulation by a GCD. Further, the Court concluded, *unreasonable* groundwater regulation may constitute a "taking" of private property for public use, as judged by the facts of a particular case.

The Court in *Day* found that the Edwards Aquifer Authority acted in complete accordance with its statemandated regulatory scheme (which is more restrictive than regulations implemented by most other GCDs), but remanded the case to the district court for a determination of whether the implementation of those regulations in fact constituted a taking. It included in its analysis factors that should be considered by the lower court, including economic impacts, investment-backed expectations, and the nature or characteristic of the regulation.

Though the *Day* case is groundbreaking in that it represents the first time Texas courts have held that unreasonable groundwater regulation could constitute a compensable taking, most groundwater experts agree that the practical effects of the case will likely be minor. GCDs work hard to balance private property interests, water supply to meet demand, and management of aquifers for long-term performance and will continue to do so. In this regard, GCDs are no different than counties, municipalities, and other local governmental entities that must balance private and public interests on a regular basis. In fact, the clarifications provided by SB 332 and *Day* are entirely consistent with the statutes governing GCDs and therefore should have no impact on reasonable permitting and management activities.

Because SB 332 and Day leave unanswered questions, however, some unfounded concerns have surfaced regarding the future of groundwater management in Texas. TAGD leadership believes that SB 332 and Day provide no basis for any GCD to hold that groundwater regulation by the GCD is impossible. By their own language, these clarifications do not change the continued important, authorized role of groundwater management by GCDs, as endorsed by the Legislature and the Texas Supreme Court. The alternative – no management – affords no landowner protection and reinstates the unfettered Rule of Capture, where the deepest well and biggest pump prevail.

The Texas Alliance of Groundwater Districts consists of 81 Texas GCDs and 19 groundwater-related consulting firms, law firms, and other businesses. It works to promote and support sound management of groundwater on the basis of local conditions and good science, in large part by providing educational and technical assistance to member GCDs, state officials, and the public.

Findings and Implications

Texas Supreme Court Decision on

Edwards Aquifer Authority v. Day

On February 24, 2012, the Texas Supreme Court issued a long-awaited ruling in **Edwards Aquifer Authority v. Day**, deciding that Texas landowners have a constitutionally protected interest in their groundwater.

Findings

- With respect to government regulations, landowners have a constitutionally protected interest in groundwater beneath their land.
- In statutes establishing the Edwards Aquifer Authority and local groundwater conservation districts, the Texas legislature recognized that landowners have a property interest in groundwater.
- The regulations of the Edwards Aquifer Authority did not automatically deprive landowners of their constitutionally protected interests in groundwater. The Court sent the case back to the trial court to determine if "takings" occurred and if so, whether Day and McDaniel were entitled to financial compensation.



- The Court acknowledged that the Edwards Aquifer Authority correctly applied the law in awarding 14 acre-feet of groundwater per year to Day, based on their use during the statutory 20-year historical use period.
- The constitutionality of the "loser pays" statute was upheld-meaning that, if a landowner does not prevail in a lawsuit against a ground-water district, then the landowner must pay the reasonable attorney fees and court costs of the district.
- The rule of capture still applies in disputes between landowners over well interference from pumping.
- When groundwater flows to the surface from springs or seeps and enters a watercourse, that water belongs to the State and is no longer privately owned.

Implications

- The Court made it clear that its *Day* decision does not stop the Edwards Aquifer Authority nor a groundwater district from restricting groundwater pumping. The Court explicitly recognized that, "in many areas of the state, and certainly in the Edwards Aquifer, demand exceeds supply. Regulation is essential to its conservation and use."
- "Takings" claims are based on the U.S. and Texas constitutions, which prohibit government from acquiring or over-regulating property for public purpose without payment of just compensation. This does not mean that the Edwards





Aquifer Authority and groundwater conservation districts cannot restrict a landowner from pumping; it means that the regulations must be reasonable and not excessive.

- The Texas Supreme Court requires trial courts to consider certain factors in "takings" lawsuits. Compensation is required when:
- government actions result in a permanent physical invasion of landowner property.
- regulations completely deprive an owner of the water's "economically beneficial use."

If these factors do not apply, then regulations to protect the aquifer must be balanced against the severity of the burden imposed on the landowner to determine if compensation is merited.

- Reasonable regulations of groundwater districts, even if they diminish the value of the landowner's property, may not entitle the landowner to compensation.
- Based on the **Day** decision, groundwater conservation districts will probably reexamine their regulations with regard to the "takings" guidelines.

- Further legal scrutiny probably will be given to aquifer management regulations such as "desired future conditions" and the "50/50 Texas Panhandle depletion allowance."
- Desired future conditions are determined by a process to quantify the condition of an aquifer that is desired at a specific time in the future. In most cases, a target is stated that limits the decline (drawdown) in the level of the aquifer. Groundwater district pumping limits must be consistent with desired future conditions to preserve groundwater for future generations.
- The 50/50 depletion rule adopted by the High Plains Underground Water District is the desired future condition for a portion of the Ogallala Aquifer. The rule limits landowner pumping in order to retain 50 percent of the water in the aquifer at the end of 50 years.
- The "loser pay" provision in groundwater district legislation and statutes of limitation may prevent additional test cases against the Edwards Aquifer Authority and other groundwater conservation districts from rising to the number that some predict.
- The rule of capture, often called the rule of the biggest pump, may still apply to landowner disputes over well interference. This legal rule essentially provides that, absent malice, waste or land subsidence, landowners may capture water from under their land and bear no liability to neighboring landowners—even if the pumping deprives the neighbors of water.

These statements are the opinions of the author and may not reflect the opinions of the Texas AgriLife Extension Service. This article is written for informational purposes only and not for the purpose of providing legal advice.

Prepared for the Texas AgriLife Extension Service by

Ronald Kaiser, Professor of Water Law and Policy Chair, Graduate Water Degree Program Professor, Dept. of Recreation, Park and Tourism Science TAMU 2261, Texas A&M University College Station, Texas 77843-2281 E-mail rkaiser@tamu.edu



RAILROAD COMMISSION OF TEXAS

OIL AND GAS DIVISION

April 12, 2012

Red River Groundwater Conservation District Jerry W Chapman P O Box 1214 Sherman TX 75091

Re:

Protest Without Application

Sadler (Penn) Field

North Sadler Penn Unit lease

Well No. 000501

Grayson, County, Texas

Dear Jerry W Chapman
Red River Groundwater Conservation District:

We have received your letter dated April 05, 2012, objecting to the application of Silver Creek Resources LLC for an injection well on the above-referenced lease in Grayson County, Texas. Please be advised that as of this date, the Injection-Storage Permits and Support Section of the Railroad Commission has not yet received the above referenced application for a permanent injection authority per Statewide Rules 9 or 46. Rules 9 and 46 address applications for oil and gas waste disposal well permits and fluid injection (enhanced recovery) well permits.

In order for Silver Creek Resources LLC to submit to submit a complete application to the Railroad Commission, they must attach their signed statement of notifications, the affidavit of publication and a copy of the newspaper clipping to their filing. Therefore, it is not unusual for the public to receive notice prior to the Railroad Commission receiving the application forms.

Your letter will be retained in our files so that your objection can be recorded and the appropriate action taken in the event an application is later filed. This letter will be retained for one year from this date. The notice and publication are only valid for six months, after that time, it will be necessary for Silver Creek Resources LLC to re-notify and re-publish for their application.

If the above-referenced application is received, you will be notified with a copy of the letter to Silver Creek Resources LLC informing them of your protest. If you have any questions, please call Sandra Rogers at 512-463-6816, e-mail sandra.rogers@rrc.state.tx.us or fax 512-463-6780.



Since ely yours

Manager for injection –

Storage Permits and Support

UIC permitting procedures can also be found at http://www.rrc.state.tx.us/divisions/og/uic/manual/HTML/index.html.



RED RIVER GROUNDWATER CONSERVATION DISTRICT FANNIN COUNTY AND GRAYSON COUNTY



April 2, 2012

Sandra Rogers Environmental Services Section Oil and Gas Division Railroad Commission of Texas PO Box 12967 Austin, TX 78711 Nece OF THE ASS

RE: Injection Well Permit Application – Grayson County

18/908

Dear Ms. Rogers:

I spoke with you earlier today regarding a notice published in the Herald Democrat on March 25, 2012 relating to an Application for a Fluid Injection Well Permit by Silver Creek Resources, LL. The application proposes to inject fluids in the Basal Penn North Sadler Penn Unit Lease, Well Number 501. According to the notice, the well is located 8 miles north of Whitesboro in the Sadler (Penn) Field in Grayson County. The Notice states that the fluid will be injected into strata in the subsurface depth from 6810 to 6950 feet. I would appreciate receiving information on this application when it is received. You told me that the application had not been received at the time we spoke on April 2nd. Thank you for your attention to this matter.

Sincerely,

Jerry W Chapman General Manager

JWC/cc



ADJOURN