

Hays Trinity Groundwater
 Conservation District,
 Hays County, Texas

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Minutes of Open Meeting of the Hays Trinity Groundwater Conservation District

A meeting of the Hays Trinity Groundwater Conservation District was held:
 Thursday, February 19, 2008; Time: 8:30am
 Place: Woodcreek City Hall
 Located at: 41 Champions Circle, Wimberley, TX 78676

08:30am: Regular Meeting Does not open (no quorum)
Present: Mark P. Hemingway (Secretary/Treasurer)
Absent: Douglas A. Wierman (Vice President), Joe C. Day

The following subjects were considered for discussion and/or action at said meeting:

- **Consider approval of prior meeting Minutes:** Not discussed
- **General Manager’s Report of Activities:** provided but Not discussed
- **Report from District Geologist, Alex S. Broun , P.G. 4845:** Not in attendance
- **Board & Staff Announcements:** MPH announced that he presented HTGCD Drought Information to DS City Hall on 2/10/09. DS Council Members inquired about status of Keller’s property and the status of the lake and ponds.
- **Public Comments:** No comment
- **Report on GMA #9 Efforts towards establishing a “desired future condition” of the Trinity Aquifer:** Not discussed

09:00am: Andrew H. Backus (President) arrives
09:30am: Jack A. Hollon arrives

09:00am: Board Hearing Opens
10:00am: Board Hearing Closes

Following their Hearings, the Board considered and acted on the following non-exempt well production permits, with the following allocations and motion:

Hays Water Control & Improvement District #1 (Belterra)	75	Rooster Springs L.P. (4 Golf Course Wells @ Polo Club)	0
Howard Ranch (posted and postponed until April)	postponed	Cielo Azul Ranch	6
R. B. Hall's Dripping Springs Driving Range	2.7	Headwater of Barton Creek West	2.3
Wimberley Springs Partners	postponed	The Salt Lick	17
Whit Hanks - Creek Road Ranch	7.5	El Rancho Cima – Boy Scouts Ranch (2 yr permit/waived reporting)	2

10:03 Board Meeting Opens:

JAH makes a motion to accept staff recommendation on permit allocations and conditions for eight accounts above. MPH seconds the motions. All in favor.

MPH makes a modification to the motion: To go with staff recommendation on eight of the permits acre feet allocations(see above) with a condition of permit for Rooster Springs, L.P. requiring: WL data, obtaining water chemistry data, and well construction evaluation to identify any construction that may allow for comingling that would be addressed with corrective action. **JAH seconds the motion. All in favor**

The Board will consider and act on the following:

- 1) **Adoption of Drought Management, Trigger, and Contingency Plan(s), following Hearing on February 19, 2009: MPH makes a motion to:** Adopt the Drought Plan presented on 12/16/08 and the secondary triggers as listed on the document. **JAH seconds the motion. All in favor.**
- 2) **Proposed legislation to be introduced in the 81st Legislature, Regular Session so that the HTGCD may at least achieve the full authority of Chapter 36 of the Texas Water Code:** Not discussed

3) **Review of pond and lake filling complaints received at HTGCD office:**

- MPH announced he presented to DS City Council HTGCD's position on Drought at the 2/10/09 City Council Meeting. DS City Council inquired about the status of the Keller Property and the lakes and ponds there.
- JAH read the definition of "Waste" under the HTGCD Rules
- AHB gave an overview of his and John L. Anderson's tour of the Keller property with Keller and his attorneys and the Wildlife Exemption he is attempting to achieve.
- DRC handed out and read the "Wildlife Management Tax Code – Section 23.51. Definition
- Winton Porterfield spoke on behalf of Sec. 1 Wimberley Springs regarding TCEQ and the Water Quality Pond and Hays County's involvement.
- AHB recommends sending a Notice of Violation to Keller regarding his use of water.
- MPH recommends inviting Keller to a Board Meeting to talk with the Board about his Wildlife Exemption status prior to issuing an NOV.
- AHB will provide a copy of Keller's Wild Life Exemption plan to the rest of the Board and to HTGCD management.
- DRC will invite County and TPWD to speak at our 3/12/09 Board Meeting, regarding Wildlife Exemptions.
- MPH recommended developing a letter with Boiler Plate Language to spearhead Water Quality Pond issues prior to construction.
- Winton Porterfield recommended we address the Water Quality Pond issue at the County level first since the plans have already been drawn by the time they get to TCEQ.

MPH made a motion: to send a letter of alleged violations to the:
Dunworth, Pickwell, and Leal pond owners, whom we have received complaints on.

JAH seconded the motion, All in favor.

4) **Review and processing of TCEQ notifications received at HTGCD office:**

- MPH recommended developing a letter with Boiler Plate Language to spearhead Water Quality Pond issues prior to construction.
- DRC will follow up with TCEQ and the City of Austin regarding speaking at our 3/12/09 Board Meeting.

5) **Review of Wildlife Exemption Requirements:**

- DRC handed out and read the "Wildlife Management Tax Code – Section 23.51. Definition
- AHB will provide a copy of Keller's Wild Life Exemption plan to the rest of the Board and to HTGCD management.

6) **May 9, 2009 HTGCD Election Date for Single Member District Position 2 and Single Member District Position 4:** Not discussed

11:35am Adjourn

Approved: _____, Andrew H. Backus, President

Date: _____, 2009

Attested: _____, Mark P. Hemingway, Secretary/Treasurer

Date: _____, 2009