

**MINUTES OF THE FEBRUARY 14, 2012
BOARD OF DIRECTORS MEETING OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**

The Board of Directors of North Plains Groundwater Conservation District met in regular session February 14, 2012 at 9:00 a.m. in in the Board Room of the District office at 603 East First Street in Dumas, Texas 79029. The following persons were present. The following persons were present:

Members Present:

Daniel L. Krienke;
Bob Zimmer;
Gene Born;
Phil Haaland;
Brian Bezner; and,
Harold Grall.

Staff Present during part or all of the meeting:

Steve Walthour, General Manager;
Dale Hallmark, Assistant General Manager/District Hydrologist;
Kirk Welch, Assistant General Manager
Kristen Alwan, Executive Assistant; and,
Karen Mannis, Permitting Specialist.

Others present during part or all of the meeting:

Angie Weaver;
C. C. Sysombath;
Sabrina Leven;
Louis Leven;
Donald Kerns;
Cory West;
David Ford;
Ricky Reed
William Durham;
Brandt Underwood;
Kristy Synastchk;
Bob Williams;
Nichole Kenny;
Amy Haschke;
Claire Y. Walsh, Attorney; and
Ellen Orr, Paralegal.

President Zimmer declared a quorum present and called the meeting to order at 9:07 a.m.

President Zimmer gave the invocation and led the pledge.

President Zimmer asked if there were persons present who desired to make Public Comment. Sabrina Leven, commented to the Board that she desired for the Board to clarify how the Conservation Reserve will be handled in the new Rules;

David Ford and Bobby Williams each addressed the Board and were concerned with the number of wells being drilled in the aquifer. Mr. Ford and Mr. Williams stated that the maximum number wells per section that the District should allow is four (4) wells.

Bobby Williams also stated that he appreciated what the District Board is doing – it is much better to be right than popular.

At 9:53 a.m., President Zimmer closed Public Comments.

Gene Born moved to approve items 2a through 2c of the Consent Agenda, consisting of the approval of the Minutes of the January 17, 2012 Board of Directors Meeting and the Certified Agenda for the January 17, 2012 Board of Directors Executive Session; the approval of un-audited District expenditures from January 1, 2012 through January 31, 2012, including the General Manager's Expense and Activity Report; and, the approval of payment of professional services and out of pocket expenses to Lemon, Shearer, Phillips & Good, P.C. in the amount of \$4,049.10 for January 1, 2012 through January 31, 2012. Brian Bezner seconded the motion and it was unanimously approved by the Board.

On November 8, 2011, the board proposed repeal of certain district rules and proposed revision of certain rules. The board set a public hearing for January 17, 2012 and for February 14, 2012. The public hearing was to provide interested members of the public opportunity to appear and provide oral or written comment regarding the proposed rule change. The notice of the public hearing was published on December 20 and December 26, 2011; and again on January 20 and January 23, 2012 in the *Amarillo Globe News*, a newspaper of general district-wide circulation. The district posted notice in a place readily accessible to the public at the district office on January 20, 2012 and with all of the county clerks located within the boundaries of the District on the same date.

Additionally, the Board reviewed the new statutory requirements set forth in Section 36.101 of the Water Code. Before the Board may adopt a rule, it must consider all groundwater uses and needs; develop rules that are fair and impartial; consider the groundwater ownership and rights described by Section 36.002; consider the public interest in conservation, preservation, protection, recharging, and prevention of waste of groundwater, and of groundwater reservoirs or their subdivisions, and in controlling subsidence caused by withdrawal of groundwater from those groundwater reservoirs or their subdivisions, consistent with the objectives of Section 59, Article XVI, Texas Constitution; consider the goals developed as part of the district's management plan under Section 36.1071; and, not discriminate between land that is irrigated for production and land that was irrigated for production and enrolled or participating in a federal conservation program.

The following analysis was presented by District staff and General Counsel of the District pursuant to Section 36.101 of the Water Code:

Current Rules:

Proposed Rules:

The Proposed Rule 3.4 amends the existing rule of the same reference to permit an Owner to apply the Property's Conservation Reserve, not to exceed 0.50 acre-feet per acre per Year, to increase the Property's Allowable Annual Production within a five-year period following the Reserve Year. If the Reserve is not utilized within the five-year period following the Reserve Year, any accumulated Conservation Reserve terminates for the Reserve Year. The complete text of the Proposed Rule is as follows:

Because, the current and proposed rules provide a voluntary conservation incentive to leave water in the ground, groundwater levels should be positively affected extending the life of the aquifer and allowing for future use for permitted well owners, all other well owners and property owners in the area and in the district.

The proposed rule directly applies to all permitted groundwater uses and needs by providing an incentive to conserve and indirectly affects all wells and properties by keeping water in the ground for future use and positively influencing groundwater levels.

The proposed rule is fair and impartial because it applies to all new and existing permitted wells allowing all owners of permitted wells to participate in the groundwater conservation reserve.

The rule provides additional value to groundwater saved, positively affecting all groundwater ownership and rights.

The rule assists in protecting the public interest in conservation, preservation, protection, recharging, and prevention of waste of groundwater by providing an incentive for users to voluntarily implement water saving methods, technologies and ordinances that produce water conservation savings and reduce waste.

The rule positively affects water levels and aquifer volumes by leaving water in the ground and therefore positively affects the goals that will be developed as part of the district's management plan under Section 36.1071.

The rule does not discriminate between land that is irrigated for production and land that was irrigated for production and enrolled or participating in a federal conservation program because any landowner that has a permitted well may participate in the program by metering or using an alternative water measuring method and reporting their groundwater use.

Further, General Counsel confirmed to the District that it had complied with the following requirements of Section 36.101:

(a) The board compiled its rule and made it available for use and inspection at the District's principal office.

(b) 20 days before the date of a rulemaking hearing, the general manager or board shall:

(1) posted notice in a place readily accessible to the public at the district office;

General Counsel further advised the Board that the Notice of the Rulemaking Hearing provided by the District conformed to all of the requirements under Subsection (d) of Section 36.101 of the Water Code. Further, the General Counsel of the District stated that it had reviewed the Analysis prepared by District Staff and was in total agreement therewith and that if the District desired to adopt Proposed District Rule 3.4 that it had satisfied all of the statutory requirements to do so.

Gene Born moved that the Board adopt the following Rule 3.4 effective as of 10:42 a.m., February 14, 2012:

Rule 3.4 Groundwater Conservation Reserve: *An Owner may accumulate a Groundwater Conservation Reserve ("Reserve") by reserving all, or a portion of, the current year's (Reserve Year) Allowable Annual Production on a Property. Thereafter, the Owner may apply the Property's Reserve, not to exceed 0.50 acre-feet per acre per Year, to increase the Property's Allowable Annual Production. If the Reserve is not utilized within the five-year period following the Reserve Year, any accumulated Reserve terminates for the Reserve Year. The Reserve may only be used on the Property on which the Allowable Annual Production was reserved. The Property must be developed for a beneficial use for a calendar year before it is eligible for the Conservation Reserve. If a Property is developed for Groundwater production on or before January 1 of a calendar year, the Property shall be eligible for the Reserve for that calendar year. An Owner may not draw from a future year's Allowable Annual Production to increase the current year's Allowable Annual Production. The Reserve shall only be available to an Owner if Annual Production Reports for the Property have been timely filed. Any Reserve may only be applied after the Property's Allowable Annual Production for the current year has been depleted. The Reserve shall automatically terminate as to any portion of the Property sold to a third party. Property passing by gift or inheritance shall not be considered as being "Property sold to a third party."*

Brian Bezner stated that he did not oppose the extension of the Conservation Reserve Period to a five-year period following the Reserve Year, but he opposed the language "*The Reserve may only be used on the Property on which the Allowable Annual Production was reserved.*", because if a property has a Reserve and it is re-pooled, the Reserve would be lost.

Harold Grall seconded the motion and it was approved by a majority vote of the Board, with Brian Bezner opposing the motion because of the language "*The Reserve may only be used on the Property on which the Allowable Annual Production was reserved.*"

The Board recessed at 10:44 a.m. and reconvened at 10:56 a.m.

Steve Walthour reviewed and discussed the District's Groundwater Management Plan with the Board. Mr. Walthour proposed to begin the process of editing, and updating the District's Management Plan. The General Manager proposed to add sections dealing with Desired Future Conditions (DFC), Managed Available Groundwater (MAG) and incorporating changes to the District's Water Quality Program and add sections addressing the 200/12 Project. The General Manager and District staff will review all sections and make proposals on how the Plan may be updated to reflect changing District programs and incorporate new programs. District staff anticipates proposing changes to the text, format, and appearance and to alter required deliverables so that Reports and Presentations to the Board, News Releases, Newsletters, Board Minutes and District Publications become the primary venues of verification for internal and outside auditing

COUNTY	OWNER	WELL	CL	MAX	QTR	SEC	BLK	SUR	YARDS N S	YARDS E W
DALLAM	LARSEN FARMS LLC	DA3971	C	800	SE	21	5	CSS	310S	572E
DALLAM	LARSEN FARMS LLC	DA4224	C	800	SW	52	5	CSS	797S	152W
DALLAM	LARSEN FARMS LLC	DA4226	C	800	SE	52	5	CSS	780S	744E
DALLAM	LARSEN FARMS LLC	DA4334	B	400	SW	53	5	CSS	228S	857W
HARTLEY	RANDY LENZ	HA3689	B	400	NE	95	4	CSS	267N	483E
HARTLEY	LARSEN FARMS LLC	HA4009	C	800	NW	17	5	CSS	477N	321W
HARTLEY	FOUR STAR MIDDLEWATER LTD	HA4044	C	800	SW	28	12	CSS	446S	456W
HARTLEY	LARSEN FARMS LLC	HA4072	C	800	SE	18	5	CSS	873S	706E
HARTLEY	LARSEN FARMS LLC	HA4080	C	800	NE	25	12	CSS	410N	465E
HARTLEY	LARSEN FARMS LLC	HA4081	C	800	NW	26	12	CSS	441N	432W
HARTLEY	LARSEN FARMS LLC	HA4084	C	800	SW	25	12	CSS	455S	451W
HARTLEY	LARSEN FARMS LLC	HA4086	C	800	SW	26	12	CSS	452S	428W
HARTLEY	LARSEN FARMS LLC	HA4142	B	400	NW	26	12	CSS	733N	102W
HARTLEY	LARSEN FARMS LLC	HA4143	B	400	NE	26	12	CSS	159N	100E
HARTLEY	LARSEN FARMS LLC	HA4145	B	400	SW	26	12	CSS	182S	813W
HARTLEY	LARSEN FARMS LLC	HA4170	B	400	NW	27	12	CSS	795N	132W
HARTLEY	LARSEN FARMS LLC	HA4174	B	400	SE	26	12	CSS	35S	690E
HARTLEY	LARSEN FARMS LLC	HA4327	C	800	SE	21	5	CSS	21S	799E
HARTLEY	GRIFFIN DRISCOLL FARM CORP	HA4349	C	800	NW	126	44	H&TC	455N	103W
HARTLEY	DON OPPLIGER FARMS	HA4373	C	800	NW	2	12	CSS	537N	813W
HARTLEY	DON OPPLIGER FARMS	HA4386	C	800	NE	14	12	CSS	193N	221E
HARTLEY	DON OPPLIGER FARMS	HA4409	C	800	SE	8	12	CSS	474S	456E
HARTLEY	DON OPPLIGER FARMS	HA4414	C	800	SE	110	4	CSS	294S	332E
HUTCHINS ON	CLAY REID	HU3868	D	1200	SE	106	5T	T&NO	130S	436E
HUTCHINS ON	CLAY REID	HU3869	D	1200	SE	107	5T	T&NO	110S	278E
HUTCHINS ON	JACK TOLLESON	HU4187	C	800	SW	71	5T	T&NO	131S	132W
MOORE	HARRIS FARMS INC	MO4643	C	800	NE	438	44	H&TC	360N	882E
MOORE	WAYLAND BAPTIST UNIVERSITY	MO4320	C	800	SE	24	2T	T&NO	25S	126E
SHERMAN	KENT CARTRITE	SH3888	C	800	NE	7	3T	T&NO	409N	195E
SHERMAN	KENT CARTRITE	SH3889	C	800	SW	8	3T	T&NO	125S	359W
SHERMAN	JOHN EWERS	SH4482	B	400	NW	270	1T	T&NO	829N	886W

Phil Haaland seconded the motion and the motion was unanimously approved by the Board.

Gene Born moved to approve Well Permit DA-4419 because the well is properly equipped and otherwise complies with District Rules. Harold Grall seconded the motion and the motion passed by the majority vote of the Board, with Brian Bezner abstaining from the vote.

The District entered into a contract with USGS to sample 32 wells for water quality over the next two years. As part of developing the District's observation wells for a water quality sampling program, the wells require...

Diamond M Water Well Service out of Gruver submitted a bid of \$85/hour. Etter Water Well Service out of Etter submitted a bid of \$1220 per well site. The Assistant General Manager/District Hydrologist recommended that the Board authorize the General Manager to enter into a contract with Diamond M Water Well Service to purge the wells.

Danny Krienke moved that the board authorize the General Manager to enter into a contract with Diamond M Water Well Service to purge the District's Observation Wells. Phil Haaland seconded the motion and it was unanimously approved by the Board.

The District's Director Election date is May 12, 2012. Directors serving in Hutchinson, Hansford, Ochiltree and Lipscomb Counties will be up for election. Some publications and deadlines for the election will need to be met before the next Regular Board Meeting.

A May 12, 2012 Election Calendar is set forth below:

First Day to File for Place on Ballot	No first date to file because the District is a political subdivision other than a city or county
Last day to post Notice of Filing Period for a political subdivision that does not have a first day to file	February 4, 2012 (30 th day before the last day on which a candidate may file the application)
Last Day to File for Place on Ballot	March 5, 2012
Last Day to Order General Election and deadline for write-in candidates to file declarations of write-in candidacy	March 5, 2012
Deliver Notice to County Clerk and Voter Registrar/Elections Administration of each county in which the political sub-division is located	Not later than March 13, 2012
First day to apply for applications for early voting ballots by mail	March 13, 2012
Recommended date to mail overseas and military ballots	March 28, 2012
Last day to post notice of election in each election precinct and to publish notice at least once between Thursday April 12, 2012 through Wednesday May 2, 2012	April 23, 2012
First Day of Early Voting – early voting location must be open 8 hours each day from April 30, 2012 through May 8, 2012	April 30, 2012
Last day to receive a ballot for voting by mail	May 4, 2012
Last day of early voting by personal appearance	May 8, 2012
7:00 a.m. to 7:00 p.m. – General Election	May 12, 2012

Harold Grall moved that the Board issue the following Order of Election and that the Board authorize the General Manager to post and/or publish notices, news releases.

**ORDER OF ELECTION FOR
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT**
(ORDEN DE ELECCIÓN PARA EL DISTRITO DE PRESERVACIÓN DEL AGUA SUBTERRÁNEA DE LLANOS DEL NORTE)

An election is hereby ordered to be held on **Saturday, May 12, 2012** for the purpose of electing Board of Directors of the North Plains Groundwater Conservation District for Precincts Five (5), Six (6), and Seven (7). Applications for a place on the ballot shall be filed by March 5, 2012. Early voting by personal appearance will be conducted each weekday at: *(Por este medio se ha ordenado una elección que se llevará a cabo el 12 de mayo del 2012 con el propósito de elegir a los Directores de la Junta Directiva del Distrito de Preservación del Agua Subterránea de Llanos del Norte para Recintos Cinco (5), Seis (6) y Siete (7); que elecciones anticipadas por aparición personal serán organizadas cada día laboral en)*

There will be no other early voting locations in Hansford, Hutchinson, Ochiltree or Lipscomb Counties, Texas.

(No habrá otras ubicaciones para las votaciones tempranas en los condados Hansford, Hutchinson, Ochiltree, o Lipscomb, Texas)

Applications for ballot by mail shall be mailed to: *(Las solicitudes de votación por correo deben ser enviadas a.)*

Pauletta Rhoades, Finance and Administration Coordinator
North Plains Groundwater Conservation District
P.O. Box 795
Dumas, Texas 79029-0795.

Applications for ballot by mail must be received no later than the close of business on Friday, May 4, 2012.

(Solicitudes por votación por correo deben ser recibidas a mas tardar de la hora de cerrar la oficina el viernes, 04 de mayo del 2012.)

Issued this 14th day of February, 2012. *(Expedido este 14 de febrero del 2012)*

Bob Zimmer, President *(Presidente)*

Brian Bezner seconded the motion and it was unanimously approved by the Board.

Danny Krienke moved that the District issue a Show Cause Order to Don Oppliger d/b/a Don Oppliger Farms for 9:00 a.m. on March 20, 2012. Brian Bezner seconded the motion and it was unanimously approved by the Board.

Texas Water Code § 36.155 requires the Board to name one or more banks to serve as depository for the District funds. Currently, the District uses Perryton National Bank (PNB) as its primary depository and uses the following for secondary depositories and certificates of deposit (CDs):

Bank Name	City	Relationship	Insured Max Amount	Current Amount Deposited
Follett National Bank	Follett	CD	\$250,000	\$ 125,000
First Bank Southwest	Perryton	CD	\$250,000	\$ 100,000
First National Bank	Spearman	CD	\$250,000	\$ 200,000
First State Bank	Dumas	CD-Safe deposit box	\$250,000 plus pledged securities	\$ 150,000
Happy State Bank	Dumas	CD	\$250,000	\$ 100,000
Dalhart Federal Savings	Dumas	CD	\$250,000	\$ 200,000

Gene Bom moved that the primary depository and secondary depositories for the District remain the same. Danny Krienke seconded the motion and it was unanimously approved by the Board.

According to the District's Public Funds Investment Policy the Board shall:

- a) Annually review its Investment Policy and investment strategies not less than annually; and
- b) Annually review the terms and conditions of each banking or depository relationship with the District to confirm compliance with this Investment Policy and assure that each such banking or depository relationship is in the best interests of the District.

Gene Bom moved that the Board approve the proposed Public Funds Investment Policy with the recommended amendments. Harold Grall seconded the motion and it was unanimously approved by the Board.

By consensus of the Board, item 3h was withdrawn from the Agenda.

The North Plains Groundwater Conservation District funded Texas Agrilife Extension Service's Efficient Profitable Irrigation in Corn (EPIC demonstration effort. The funding amount for 2011 Crop year was \$32,950.00. The foundation of EPIC is the principle of managing irrigation water for maximized profitability as a means for making optimal economic and agronomic use of the water resource, namely the Ogallala aquifer. EPIC targets grain corn producers who historically employ efficient irrigation systems and solid agricultural practices in a production strategy focusing on maximized yields (revenue). EPIC is designed to be a multi-year, staged project that helps high-yield grain corn producers maximize their on-farm production potential and reduce applied irrigation water. Potential regional water savings under partial adoption of this practice is estimated to exceed 37,500 acre-feet or 12 billion gallons annually.

EPIC's in-field, scientific approach utilized two side-by-side field plots (separate fields or split fields), maintaining one plot as a control and management of irrigation on the experimental plot to meet two objectives; 1) maintain or improve yield as compared to the control and 2) reduce pumped irrigation water by one to four inches. In the inaugural season, 2011, five (5) irrigated producers in the Texas North Plains became EPIC cooperators, contributing field-scale control and experimental plots, all farm operations, and all production costs with no monetary compensation from the project provided Pivotrak monitoring (where applicable) with producer access and AquaSpy soil probes and AquaPlanner crop modeling without producer access in order to maintain the validity of the control plot. The control plot was titled the "Legacy" plot and was managed according to the specific producer's standard practice and the "EPIC" plot was managed with Texas AgriLife inputs based on best management practices and information from management tools.

Nick Kenney of Texas AgriLife Extension made an EPIC presentation to the board

management systems that use conservation practices to improve soil health. The committee requested that Mr. Durham prepare proposal for consideration as part of the District's 200-12 program or other conservation programs.

His proposal to NPGCD is as follows:

The Texas High Plains Initiative for Strategic and Innovative Irrigation Management and Conservation is designed to demonstrate strategic irrigation and crop system management technologies and practices, resulting in water savings across the region and best practices that are applicable nationwide in regions facing similar resource concerns. The primary objective is to quantify water savings that can be realized from strategic irrigation management.

The Reduced Irrigation on Corn Project (200 bushels/ 12inches) should result in the application of a Resource Management System that will reduce erosion and water usage for improved sustainability in the over-pumped Ogallala Aquifer, and improve future water educational programs, grower practices and management policy using timely technology transfer.

What is needed is a practical approach to improve Soil Health that will meet some of the key objectives of the project. Soil health is the capacity of the soil to function. It is an understanding of how key practices work to influence the chemical, physical and biological aspect of the soil. It includes increasing the following soil dynamic properties such as soil organic matter, soil infiltration, soil biological activity, nutrient recycling, cation exchange capacity and available water holding capacity, while decreasing agricultural inputs such as supplemental irrigation, tillage and fertilizer use. A properly functioning soil, will infiltrate water and cycle nutrients to water and feed growing plants.

Our partnership should concentrate on outreach to growers on the benefits of Resource Management Systems that utilize conservation practices that improve soil health. Key conservation practices that must be implemented simultaneously include 328 Conservation Crop Rotation, 329 Residue Management – No-Till/Strip-till/Direct Seed, 340 Cover Crop, 590 Nutrient Management and 449 Irrigation Water Management. One key soil health factor to grasp is that soil carbon is related to many soil functions. As carbon increases in the soil, biological activity and physical structure changes lead to increased aggregation and infiltration; Water holding capacity is increased; Nutrient retention is increased as carbon and organic matter increases. As these soil dynamic properties change, productivity increases often follow with a reduction in agricultural inputs. This is a process that will take time but we are positive with respect to soil dynamic properties that will change. Outreach and training on soil health will be provided by myself and National NRCS Soil Health Team Members at project demonstrations or field days.

In time as conservation practices are implemented, soil dynamic properties on the land will change. The changes that can be measured include Aggregation, Bulk Density, soil strength, infiltration rate and soil organic matter (carbon). These soil dynamic properties can be measured by our NRCS Soil Scientists. Our State NRCS Soil Scientist, Dennis Williamson is very interested in measuring and collecting data on the same soil types under different management systems. NRCS Soil Survey personnel can measure the

are working with a system that concentrates on building the biological side of the soil. I will explain how this process works in my Soil Health Demonstration. The soil test methods needed have been developed by Dr. Rick Haney, ARS Blacklands in Temple, Texas. Dr. Haney along with others are developing an internet application, the Soil Quality Adjustment Tool (SQAT), which determines what the soil needs to acquire a healthy balance. SQAT relies on information gleaned from newly developed soil-testing methods geared toward soil microbial activity and the readily available substrate that they act upon. The measurements include water extractable organic carbon, water extractable nitrogen, water extractable organic nitrogen, the C:N ratio of the two, the Solvita microbial activity test, inorganic N and P, plus H3A extractable aluminum, iron and phosphate. SQAT is very useful in tracking management inputs and allow users to tailor their soil fertility program with a focus on achieving a healthy, balanced soil. Soil Tests on demonstration plots can be duplicated with samples being sent to Dr. Rick Haney, ARS in Temple, Texas for analysis with these new soil test methods. Dr. Haney can also perform the required soil analysis that are needed for fertilizer recommendations, with those recommendations being adjusted to account for contributions coming from organic N,P and K.

One other key factor is monitoring water use of crops, as well as water use by Cover Crops as soil dynamic properties will affect both. It will be very important to monitor water use of Mixed Species Cover adapted to the area versus the common practice of fallowing the ground. Here we would ask that moisture sensors currently installed on Demonstration Plots be used to monitor water use on Mixed Species Cover Crops. We have found in other states, that use of mixed species cover does not use water as mono-species cover do. Use of mixed –species Cover Crops will be critical part of a Resource Management System which will assist growers to build Soil Organic Matter, which ultimately leads to improvement of overall Soil Health. This process will be explained in a NRCS Soil Health Demonstration.

Harold Grall moved that District staff work with Dr. Rick Haney of NRCS to designate sites, as recommended by the Ag Committee, for this project. Danny Krienke seconded the motion and it was unanimously approved by the Board.

On January 6, 2012, the Board of Directors of North Plains Groundwater Conservation District named former USDA-Natural Resources Conservation Service, Texas State Conservationist, Don Gohmert, as the district's 2011 Conservationist of the Year. Gohmert served as the state conservationist until 2010 when he retired from the NRCS after a 40-year career in natural resource conservation. The board chose Gohmert to receive the honor based on his encouragement and support during the beginning stages and throughout the development of the district's irrigation conservation demonstrations known as the "200-12 Project."

"Don saw the vision of how the board wanted to be leaders in agricultural conservation, not just regulators," said Danny Krienke, North Plains GCD board member and president of the board when the "200-12 Project" was started. "Don agreed that this was exactly the kind of work that a groundwater conservation district should be doing and he encouraged us to seek funding through the NRCS Conservation Innovation Grant (CIG) program," said Bob Zimmer, North Plains GCD board president.

approach with statewide, even worldwide implications," said Gohmert. "I wouldn't be surprised if this project ends up being one of the best CIG grants ever awarded by NRCS," he added.

Dr. Leon New presented a report to the Board of the 2011 growing season results for the 200-12 Project.

Danny Krienke moved that the Board approve the 2011 growing season 200-12 report presented by Dr. Leon New, subject to editorial modification. Phil Haaland seconded the motion and it was unanimously approved by the Board

President Zimmer appointed the Budget Committee to review District employee benefits, including, health insurance and retirement, and provide a report to the Board.

Brian Bezner moved to go into Executive Session in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, §551.074 to deliberate the purchase, exchange, lease or value of real property with a third-party. Danny Krienke seconded the motion and it was unanimously approved by the Board.

Executive Session: At 12:22 p.m. the Board went into Executive Session to deliberate the purchase exchange lease or value of real property with a third party. At 12:44 p.m., Director Harold Grall moved that the Board reconvene into regular session. Gene Born seconded the motion and it was unanimously approved by the Board.

At 12:44 p.m. the Board reconvened into regular session and recessed for lunch at 12:45 p.m. The Board reconvened at 1:00 p.m.

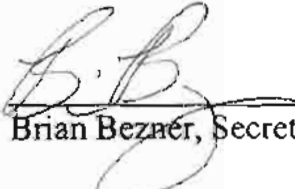
Steve Walthour presented the General Manager's Report, including information concerning upcoming meetings and conferences; the General Manager's activity summary; and the District activity summary.

By consensus, the Board set its next regular Board meeting for March 20, 2012 at 9:00 a.m.

District Directors reported to the Board regarding meetings and/or seminars attended, weather conditions and economic development in each Director's precinct.

Phil Haaland moved to adjourn the meeting. Gene Born seconded the motion and it was unanimously approved by the Board. President Zimmer declared the meeting adjourned at 1:18 p.m.


Bob B. Zimmer, President


Brian Bezner, Secretary

**CERTIFIED AGENDA OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT
BOARD OF DIRECTORS' EXECUTIVE SESSION**

Under penalty of perjury, the undersigned presiding officer certifies the following facts are true and correct and the following topics, and none other, were deliberated, discussed or reviewed in an Executive Session of the North Plains Groundwater Conservation District Directors which was convened on February 14, 2012:

Persons Present:

Bob Zimmer, President
Brian Bezner, Secretary
Gene Born, Director
Danny Krienke, Director
Brian Bezner, Director
Harold Grall, Director
Steven D. Walthour, General Manager of the District
Kirk Welch, Assistant General Manager of the District
Claire Y. Walsh, Attorney
Ellen Orr, Paralegal

Beginning Time: 12.22 p.m.

Ending Time: 12.44 p.m.

Topics Deliberated and Applicable Exception to the Texas Open Meetings Act:

1. Deliberation by the Board regarding the purchase, exchange, lease, or value of real property because deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person.

Exempt from the Open Meetings Act pursuant to Texas Government Code Section 551.074.



Bob Zimmer, Presiding Officer