

**RESOLUTION ADOPTING THE DESIRED FUTURE CONDITIONS  
FOR THE SPARTA, QUEEN CITY, CARRIZO, CALVERT BLUFF,  
SIMSBORO, AND HOOPER AQUIFERS THAT APPLY TO  
THE LOST PINES GROUNDWATER CONSERVATION DISTRICT**

WHEREAS, the Lost Pines Groundwater Conservation District (“Lost Pines”) was created in 1999 by Senate Bill 1911, 76th Texas Legislature, pursuant to Section 59, Article 16 of the Texas Constitution and Article 7880-3c, Texas Civil Statutes (now Chapter 36, Texas Water Code); ratified by the 77th Texas Legislature in 2001; and confirmed by voters in Bastrop and Lee counties in November 2002; and

WHEREAS, pursuant to Texas Water Code § 35.004, the Texas Water Development Board (“TWDB”) has designated groundwater management areas that, together, cover all major and minor aquifers in the state, and, through Title 31 Texas Administrative Code § 356.21, the TWDB has designated the area encompassing Bastrop, Brazos, Burleson, Falls, Fayette, Freestone, Lee, Leon, Limestone, Madison, Milam, Navarro, Robertson and Williamson Counties as Groundwater Management Area No. 12 (“GMA 12”); and

WHEREAS, Lost Pines and four other groundwater conservation districts, Brazos Valley Groundwater Conservation District, Fayette County Groundwater Conservation District, Mid-East Texas Groundwater Conservation District, and Post Oak Savannah Groundwater Conservation District (collectively and herein after the “GMA 12 Districts”) are located wholly or partially within GMA 12; and

WHEREAS, the GMA 12 Districts are authorized by Chapter 36, Texas Water Code, to engage in joint planning activities for the coordinated management of the aquifers located in GMA 12, and in that regard, the GMA 12 Districts are required to establish desired future conditions (“DFCs”) for the relevant aquifers in GMA 12; and

WHEREAS, Section 36.108 of the Texas Water Code requires representatives from the GMA 12 Districts to hold joint planning meetings for the consideration of the DFC options, the proposal of DFCs for adoption, and after the contemplation of comments and suggested revisions provided by the public to the GMA 12 Districts, the adoption of the DFCs for each relevant aquifer in GMA 12 and the submission of an explanatory report to the TWDB for approval of the DFCs adopted; and

WHEREAS, as set forth in the attached Resolution to Adopt Proposed Desired Future Conditions for Aquifers in Groundwater Management Area 12 (the “Resolution”), attached hereto as Attachment A and incorporated by reference for all intents and purposes, the district representatives for GMA 12 have complied with the requirements provided by statute in Section 36.108, Texas Water Code, and on May 25, 2017, the GMA 12 Districts took final action to

adopt DFCs for each relevant aquifer in GMA 12 and to submit the Desired Future Condition Explanatory Report for Groundwater Management Area 12 (the "Explanatory Report") to the TWDB and the GMA 12 Districts as required by Section 36.108(d-3) of the Texas Water Code; and

WHEREAS, The DFCs adopted by the district representatives of GMA 12 are described in terms of average drawdown levels for the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, Hooper, and Yegua-Jackson Aquifers, for each groundwater conservation district located within GMA 12; and

WHEREAS, the proposed DFCs are based on the average drawdown measured from January 2000 through December 2069 for Lost Pines; and

WHEREAS, Section 36.108(d-4) of the Texas Water Code provides that as soon as possible after a district receives the DFCs resolution and explanatory report under Subsection (d-3), the district shall adopt the DFCs in the resolution and report that apply to the district; and

WHEREAS, TWDB rules at Title 31, Texas Administrative Code § 356.34 provide that as soon as possible after a district receives notice from the Executive Administrator of the TWDB that the DFC Submission Package submitted to the TWDB has been determined to be administratively complete, the district shall adopt the DFCs that apply to the district; and

WHEREAS, Lost Pines has received a copy of the Resolution and the Explanatory Report approved by GMA 12, and the Lost Pines Board of Directors ("Board") seeks to adopt the DFCs in the Resolution and the Explanatory Report that apply to Lost Pines; and

WHEREAS, on October 31, 2017, the Executive Administrator of the TWDB determined that the DFC Submission Package submitted to the TWDB was administratively complete, and therefore, it is appropriate for Lost Pines to proceed with the adoption of the DFCs that apply to Lost Pines in accordance with Title 31, Texas Administrative Code § 356.34; and

WHEREAS, the Board finds that the DFCs provided herein for adoption are reasonable and necessary for the effective and prudent management of groundwater resources within Bastrop and Lee counties, and have otherwise been developed in accordance with, and do satisfy the obligations imposed by Chapter 36 of the Texas Water Code and all other applicable laws of the State of Texas; and

WHEREAS, the Board also finds that all notice requirements for a meeting, held this day, to take up and consider the adoption of the DFCs described herein that apply to Lost Pines have been, and are, satisfied;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lost Pines Groundwater Conservation District that:

1. The following DFCs are hereby established for the Sparta, Queen City, Carrizo, Calvert Bluff, Simsboro, Hooper, and Yegua-Jackson Aquifers as the DFCs that apply to Lost Pines:

GCD	Average Aquifer Drawdown (ft) Measured from January 2000 through December 2069					
	Sparta	Queen City	Carrizo	Calvert Bluff	Simsboro	Hooper
Lost Pines GCD	5	15	62	100	240	165

AND IT IS SO ORDERED.

PASSED AND APPROVED ON December 13, 2017.

\_\_\_\_\_  
Mike Talbot, President

ATTEST:

\_\_\_\_\_  
Doug Prinz, Secretary-Treasurer



## ATTACHMENT A

- (2) aquifer uses or conditions within the management area, including conditions that differ substantially from one geographic area to another;
- (3) the water supply needs and water management strategies included in the state water plan;
- (4) hydrological conditions, including for each aquifer in the management area the total estimated recoverable storage as provided by the Texas Water Development Board Executive Administrator and the average annual recharge, inflows, and discharge;
- (5) other environmental impacts, including impacts on spring flow and other interactions between groundwater and surface water;
- (6) the impact of subsidence;
- (7) socioeconomic impacts reasonably expected to occur;
- (8) the impact on the interests and rights in private property, including ownership and the rights of management area landowners and their lessees and assigns in groundwater as recognized under Texas Water Code §36.002;
- (9) the feasibility of achieving the desired future conditions; and
- (10) any other information relevant to the specific desired future conditions;

**WHEREAS**, the proposed desired future conditions provide a balance between the highest practicable level of groundwater production and the conservation, preservation, protection, recharging, and prevention of waste of groundwater in the management area;

**WHEREAS**, after considering the factors listed in 36.108(d), Texas Water Code, the GMA 12 Districts may establish different desired future conditions for: (1) each aquifer, subdivision of an aquifer, or geologic strata located in whole or in part within the boundaries of GMA 12; or (2) each geographic area overlying an aquifer in whole or in part or subdivision of an aquifer within the boundaries of GMA 12;

**WHEREAS**, the GMA 12 Districts recognize that GMA 12 includes a geographically and hydrologically diverse area with a variety of land uses and a diverse mix of water users;

**WHEREAS**, at least two-thirds of the GMA 12 Districts had a voting representative in attendance at the April 15, 2016, meeting in accordance with Section 36.108, Texas Water Code; and the following districts had a voting representative in attendance at the meeting: Brazos Valley Groundwater Conservation District, Fayette County Groundwater Conservation District, Lost Pines Groundwater Conservation District, Mid-East Texas Groundwater Conservation District, and Post Oak Savannah Groundwater Conservation District, and;

**WHEREAS**, it is the intent and purpose of the GMA 12 Districts, by adoption of this resolution, to meet the requirements of Texas Water Code §36.108, and establish proposed "desired future conditions for the relevant aquifers" within GMA 12 for the specific aquifer(s) and desired future conditions described under "Appendix B," attached hereto and incorporated herein for all purposes;

ATTACHMENT A

WHEREAS, at the April 15, 2016, meeting, after a motion was duly made and seconded, the GMA 12 Districts adopt this resolution establishing proposed desired future conditions for the aquifer(s) described under "Appendix B", the motion prevailed by the following vote:

<u>Hooper</u>	<u>5</u> Ayes, <u>0</u> Nays;
<u>Simsboro</u>	<u>5</u> Ayes, <u>0</u> Nays;;
<u>Carrizo</u>	<u>5</u> Ayes, <u>0</u> Nays;
<u>Calvert Bluff</u>	<u>5</u> Ayes, <u>0</u> Nays;
<u>Queen City</u>	<u>5</u> Ayes, <u>0</u> Nays;
<u>Sparta</u>	<u>5</u> Ayes, <u>0</u> Nays;
<u>Yegua-Jackson</u>	<u>5</u> Ayes, <u>0</u> Nays;
<u>Brazos Alluvium</u>	<u>5</u> Ayes, <u>0</u> Nays;

**NOW, THEREFORE, BE IT RESOLVED BY THE AUTHORIZED VOTING REPRESENTATIVES OF THE GMA 12 DISTRICTS AS FOLLOWS:**

1. The above recitals are true and correct.
2. The authorized voting representatives of the GMA 12 Districts hereby establish the proposed desired future conditions of the aquifer(s) as set forth in Appendix B by the vote reflected in the above recitals.
3. The GMA 12 Districts and their agents and representatives, individually and collectively, are further authorized to take any and all actions necessary to implement this resolution.
4. The proposed desired future conditions of the aquifer(s) adopted by the GMA 12 Districts and attached hereto shall be sent to the GMA 12 Districts to commence the public comment and hearing period required by Section 36.108(d-2), Texas Water Code.

ATTACHMENT A

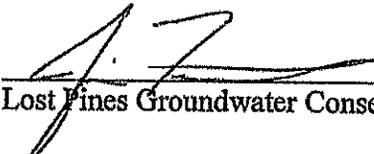
AND IT IS SO ORDERED.

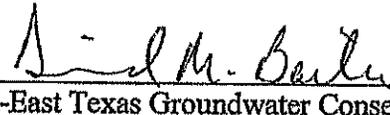
PASSED AND ADOPTED on this 15th day of April, 2016.

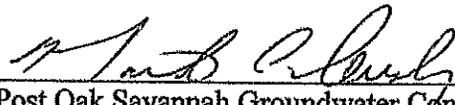
ATTEST:

  
Brazos Valley Groundwater Conservation District

  
Fayette County Groundwater Conservation District

  
Lost Pines Groundwater Conservation District

  
Mid-East Texas Groundwater Conservation District

  
Post Oak Savannah Groundwater Conservation District

ATTACHMENTS

Appendix A: Copies of notices of April 15, 2016, meeting

Appendix B: Proposed Desired Future Conditions