

A RESOLUTION providing relief to producers  
for line breakage due to drought

WHEREAS, the Summer of 2009 has introduced to the area of the Lost Pines Groundwater Conservation District, hereafter the "District," a period and condition of extreme drought;

WHEREAS, most clays in Texas, at least where the underlying material is Cretaceous age or younger, are montmorillonitic, a type of clay mineral that tends to absorb water into its structure, when it is available and thereby causes the clay to swell, thereby expanding with considerable force, but, during dry conditions the opposite occurs: evapotranspiration causes the clays to lose water and thereby shrink;

WHEREAS, the longer the dry spell, the greater and deeper the water loss occurs, commonly deeper than most utilities are buried;

WHEREAS, where sandier soils are juxtaposed against clayey soils, the clays swell and shrink while the sandier soils are more stable which produces a hinge effect on the utilities and municipalities, which can lead to breakage

WHEREAS, certificated utilities and municipalities in the District are experiencing this problem due to the exceptional drought and the resulting of breaking lines;

WHEREAS, the District finds that it is appropriate to provide financial relief to the certificated utilities and municipalities due to water pumped and lost due to the breakage and delegates to the General Manager the authority to allow such utilities to reduce the amount of production fee payment to the District of the water pumped by not to exceed five (5%) percent of their monthly total quantity of water pumped;

NOW, THEREFORE, BE IT RESOLVED BY THE LOST PINES GROUNDWATER CONSERVATION DISTRICT that

Certificated utilities and municipalities within the boundaries of the District should be and are entitled to relief from the payment of production fees due to line breakage to the extent of not to exceed five (5%) percent of the monthly total pumpage as determined by the General Manager to be effective from date of passage.

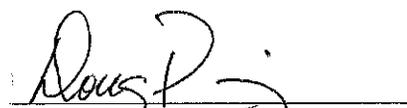
The Secretary of the District shall arrange for notification of this resolution to certificated utilities and municipalities within the District.

PASSED AND APPROVED, this the 16<sup>th</sup> day of September, 2009.

LOST PINES GROUNDWATER  
CONSERVATION DISTRICT

  
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Alice Darnell, President

ATTEST:

  
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Doug Prinz, Secretary