

RESOLUTION

OF

THE REAL EDWARDS CONSERVATION AND RECLAMATION DISTRICT

RESOLUTION REGARDING THE PLACING OF A MORATORIUM ON PERMITS IN THE ALLUVIAL AQUIFERS AND FORMATIONS IN EDWARDS AND REAL COUNTIES -

RESOLUTION # 041509-1

WHEREAS, the Real Edwards Conservation and Reclamation District (the "District") is empowered by Texas State Law to manage and permit groundwater withdrawals within Edwards and Real Counties;

WHEREAS, there is concern regarding the data available relating to the amount of water that remains available for permitting in the alluvial formations in Edwards and Real Counties;

WHEREAS, there are numerous landowners that depend upon the alluvial aquifers and/or formations within Edwards and Real Counties for their sole source of domestic and/or livestock water;

WHEREAS, the District has entered into a contract with LBG-Guyton Associates to assist the District with establishing the Desired Future Conditions of the Aquifers within the District;

WHEREAS, part of that process will be to establish the Managed Available Groundwater (water available for permits and exempt use) within the District including the above referenced aquifer and alluvial formations; and

WHEREAS, the District wishes to preserve flow in Frio, South Llano and Nueces Rivers during normal conditions (non-severe drought).

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board of the Real Edwards Conservation and Reclamation District hereby places a moratorium on accepting "New Operating Permit Applications" for groundwater withdrawals in the alluvial aquifers and/or formations in Edwards and Real Counties. The District staff shall return any application that meets the requirements of this resolution prior to making any determination of administrative completeness or processing the application in any manner.
2. The moratorium on accepting "New Operating Permit Applications" shall remain in place until the completion of the study and report by LBG-Guyton Associates has been filed with and approved by the Board of Directors of the District or until further action of the Board of Directors of the District.
3. This moratorium does not include new operating permit applications filed prior to the effective date of the moratorium.
4. This Resolution shall take effect immediately upon passage.
5. The board officially finds, determines, and declares that this Resolution was reviewed, carefully considered, and adopted at a regular meeting of the board on the date set forth below and that a sufficient written notice of the date, hour, place, and subject of this meeting was posted at a place readily accessible and convenient to the public within the District and on a bulletin board located at a place convenient to the public in the Real and Edwards County Courthouses for the time required by law

preceding this meeting, as required by the Open Meetings Act, Chapter 551, TEXAS GOV'T CODE, and that this meeting had been open to the public as required by law at all times during which this Procedure for Meetings was discussed, considered, and acted upon. The board further ratifies, approves and confirms such written notice and the contents and posting thereof

PASSED AND APPROVED this 15th, day of April 2009

**REAL-EDWARDS CONSERVATION AND
RECLAMATION DISTRICT**

President

ATTEST:

SECRETARY