

MEMO

To: Kevin Ward
Through Bill Hutchison *WH*
Robert Mace *REM*
From: Rima Petrossian *RP*
Date: 12/10/2010
Re: Management Plan Approval for Rusk County
Groundwater Conservation District (GCD)

Staff recommends that the Rusk County GCD plan be approved as administratively complete.

Rusk County GCD is due for the Executive Administrator's approval by Monday, January 10, 2011.

**Texas Water Development Board
Groundwater Conservation District Management Plan
Review and Approval Tracking**

Reviewers Recommending the Plan for Approval

- 1) Stephen Allen Date 12/8/2010
Stephen Allen, P.G., Geoscientist, Groundwater Technical Assistance
- 2) David Wuerch Date 12/8/2010
David Wuerch, P.G., Geologist, Groundwater Technical Assistance
- 3) Meredith Worthen Date 12/8/2010
Meredith Worthen, Program Specialist, Groundwater Technical Assistance

Recommended for Approval

- 1) Rima Petrossian Date 12/10/2010
Rima Petrossian, P.G., Manager, Groundwater Technical Assistance
- 2) William Hutchison Date 12/13/10
Bill Hutchison, Ph.D., P.G., P.E., Director, Groundwater Resources Division
- 3) Robert E. Mace Date 12/14/10
Robert E. Mace, Ph.D., P.G., Deputy Executive Administrator, Water Science & Conservation

Approval

The groundwater conservation district management plan document submitted by:

Rusk County Groundwater Conservation District

for approval, as administratively complete under the requirements of 31 TAC Ch. 356, has been found by me, to be in fulfillment of said requirements.

J. Kevin Ward Date 12/14/10
J. Kevin Ward, Executive Administrator, Texas Water Development Board

Texas Water Development Board

Groundwater Conservation District Management Plan Checklist

District name: **Rusk County GCD - Official Review**

Official review Prereview

Reviewing staff: **Meredith Worthen**

Date plan received: **by TWDB 11/10/2010; by mew 12/6/2010**

Date plan reviewed: **meeting 12/08/2010**

	Citation of rule	Citation of statute	Present in plan and administratively complete	Citation of source or method	Evidence that best available data was used	Notes
Is a paper hard copy of the plan available?	31 TAC §356.6(a)(1)		Yes			TWDB date stamped 11/10/2010
Is an electronic copy of the plan available?	31 TAC §356.6(a)(1)		Yes			Electronic files included on a CD
1. Is an estimate of the managed available groundwater in the District based on the desired future condition of the aquifer(s) included (if available from the TWDB)?	31 TAC §356.5(a)(5)(A)	TWC §36.1071(e)(3)(A)	N/A	N/A	N/A	Part IV, Section F. - p.9 Table 2 lists the county-specific DFCs Don't have final MAG estimates yet
2. Is an estimate of the <u>amount of groundwater being used</u> within the District on an annual basis for at least the <u>most recent five years</u> , included?	31 TAC §356.5(a)(5)(B); §356.2(2)	TWC §36.1071(e)(3)(B)	Yes	WUS	Yes	Part IV, Section D. - pp. 6-7 Table 1 (p. 7) groundwater only data from Historical Water Use survey
3. Is an estimate of the annual <u>amount of recharge, from precipitation</u> , to the groundwater resources within the District included?	31 TAC §356.5(a)(5)(C)	TWC §36.1071(e)(3)(C)	Yes	GAM Run 09-020	Yes	Part IV, Section G. - pp. 9-10 GAM Results in Table 3 (p. 10)
4. For each aquifer in the district, is an estimate of the annual volume of <u>water that discharges from the aquifer</u> to springs and any surface water bodies, including lakes, streams and rivers, included?	31 TAC §356.5(a)(5)(D)	TWC §36.1071(e)(3)(D)	yes	GAM Run 09-020	yes	Part IV, Section G. - pp. 9-10 GAM Results in Table 3 (p. 10)
5. Is an estimate of the annual volume of flow						
a) <u>into the District</u> within each aquifer,			Yes	GAM Run 09-020	Yes	Part IV, Section G. - pp. 9-10 GAM Results in Table 3 (p. 10)
b) <u>out of the District</u> within each aquifer,	31 TAC §356.5(a)(5)(E)	TWC §36.1071(e)(3)(E)	Yes	GAM Run 09-020	Yes	Part IV, Section G. - pp. 9-10 GAM Results in Table 3 (p. 10)
c) and <u>between aquifers</u> in the District,			Yes	GAM Run 09-020	Yes	Part IV, Section G. - pp. 9-10 GAM Results in Table 3 (p. 10)
if a groundwater availability model is available, included?						
6. Is an estimate of the <u>projected surface water supply</u> within the District according to the most recently adopted state water plan included?	31 TAC §356.5(a)(5)(F)	TWC §36.1071(e)(3)(F)	Yes	2007 SWP	Yes	Part IV, Section H. - p. 13, Table 6 surface water reservoirs also described on pp. 7-8; Total Supply p. 11, Table 4
7. Is an estimate of the <u>projected total demand for water</u> within the District according to the most recently adopted state water plan included?	31 TAC §356.5(a)(5)(G)	TWC §36.1071(e)(3)(G)	Yes	2007 SWP	Yes	Part IV, Section H. - p. 12, Table 5
8. Did the District consider the <u>water supply needs</u> that are included in the adopted state water plan?	31 TAC §356.5(a)(7)	TWC §36.1071(e)(4)	Yes			Part IV, Section I. - p. 14, Table 7
9. Did the District consider the <u>water management strategies</u> that are included in the adopted state water plan?	31 TAC §356.5(a)(7)	TWC §36.1071(e)(4)	Yes			Part IV, Section I. - p. 15, Table 8
10. Are the actions, procedures, performance, and avoidance necessary to effectuate the management plan, including <u>specifications</u> and <u>proposed rules</u> , all specified in as much detail as possible, included in the plan?	31 TAC §356.5(a)(4); §356.6(a)(3)	TWC §36.1071(e)(2)	Yes			Part VI. - p. 17 Plan includes website link; Rules are available on district website
11. Was a <u>certified copy</u> of the District's <u>resolution</u> adopting the plan included?	31 TAC §356.6(a)(2)		Yes			Resolution # 2010-3: adopted 11/8/2010 copy of resolution attached
12. Was <u>evidence</u> that the plan was adopted, <u>after notice and hearing</u> , included?	31 TAC §356.6(a)(5)	TWC §36.1071(a)	Yes			copy of hearing notice (filed with co clerk) and copy of meeting/hearing minutes
13. Was <u>evidence</u> that, following notice and hearing, the District coordinated in the development of its management plan with <u>all surface water management entities</u> , included?	31 TAC §356.6(a)(4)	TWC §36.1071(a)	Yes			letters dated 11/9/10 + certified mail receipts attached (letters sent to ANRA, SRA, cities, WSCs, SUD, and utilities)
14. Has any available <u>site-specific information</u> been provided by the district to the executive administrator for review and comment before being used in the management plan when developing the <u>estimates</u> <u>required in subsection 31 TAC §§356.5(a)(5)(C), (D), and (E)</u> ?	31 TAC §356.5(b)	TWC §36.1071(h)	N/A			used data from GAM Run 09-020

Mark an affirmative response with YES

Mark a negative response with NO

Mark a non-applicable checklist item with N/A

Management goals required to be addressed	Management goal (as applicable) present in plan	Methodology for tracking progress 31TAC §356.5(a)(6)	Management objective(s)	Performance standard(s)	Notes
Providing the most efficient use of groundwater 31 TAC 356.5(a)(1)(A); TWC §36.1071(a)(1)	15) Yes	16) Yes p. 17	17) Yes	18) Yes	Part VIII. Section A. - pp. 18-19
Controlling and preventing waste of groundwater 31 TAC 356.5(a)(1)(B); TWC §36.1071(a)(2)	19) Yes	20) Yes p. 17	21) Yes	22) Yes	Part VIII. Section B. - p. 19
Controlling and preventing subsidence 31 TAC 356.5(a)(1)(C); TWC §36.1071(a)(3)	23) N/A	24) N/A	25) N/A	26) N/A	Part IX. Section A. - p. 23 not applicable
Addressing conjunctive surface water management issues 31 TAC 356.5(a)(1)(D); TWC §36.1071(a)(4)	27) Yes	28) Yes p. 17	29) Yes	30) Yes	Part VIII. Section C. p. 20
Addressing natural resource issues that impact the use and availability of groundwater and which are impacted by the use of groundwater 31 TAC 356.5(a)(1)(E); TWC §36.1071(a)(5)	31) N/A	32) N/A	33) N/A	34) N/A	Part IX. Section B. - p. 23 not applicable
Addressing drought conditions 31 TAC 356.5(a)(1)(F); §36.1071(a)(6)	35) Yes	36) Yes p. 17	37) Yes	38) Yes	Part VIII. Section D. - p. 20
Addressing a) conservation, b) recharge enhancement, c) rainwater harvesting, d) precipitation enhancement, and e) brush control where appropriate and cost effective 31 TAC 356.5(a)(1)(G); TWC §36.1071(a)(7)	39)	40)	41)	42)	
	39a) Yes	40a) Yes p. 17	41a) Yes	42a) Yes	Part VIII. Section E. - p. 21 goal is weak
	39b) N/A	40b) N/A	41b) N/A	42b) N/A	Part IX. Section D. - p. 23 not applicable
	39c) N/A	40c) N/A	41c) N/A	42c) N/A	Part IX. Section C. - p. 23 not applicable
	39d) N/A	40d) N/A	41d) N/A	42d) N/A	Part IX. Section E. - p. 23 not applicable
	39e) N/A	40e) N/A	41e) N/A	42e) N/A	Part IX. Section F. - p. 23 not applicable
Addressing in a quantitative manner the desired future conditions of the groundwater resources in the District (if available from the districts in the groundwater management area) 31 TAC 356.5(a)(1)(H); TWC §36.1071(a)(8)	43) Yes	44) Yes p. 17 & 22	45) Yes	46) Yes	Part VIII. Section F. - pp. 21-22
Does the plan identify the performance standards and management objectives for effecting the plan? 31 TAC §356.5(a)(2)&(3); TWC §36.1071(e)(1)			47) Yes	48) Yes	
Mark required elements that are present in the plan with YES Mark any required elements that are missing from the plan with NO Mark Plan elements that have been indicated as not applicable to the district with (N/A)					

Texas Water Development Board

Groundwater Conservation District Management Plan Checklist

District name: **Rusk County GCD**

Official review Prereview

Reviewing staff: **David Wuerch**

Date plan received: **11/10/10**

Date plan reviewed: **12/6/10**

	Citation of rule	Citation of statute	Present in plan and administratively complete	Citation of source or method	Evidence that best available data was used	Notes
Is a paper hard copy of the plan available?	31 TAC §356.6(a)(1)		Yes			
Is an electronic copy of the plan available?	31 TAC §356.6(a)(1)		Yes			
1. Is an estimate of the managed available groundwater in the District based on the desired future condition of the aquifer(s) included (if available from the TWDB)?	31 TAC §356.5(a)(5)(A)	TWC §36.1071(e)(3)(A)	N/A	N/A	N/A	p.9
2. Is an estimate of the amount of groundwater being used within the District on an annual basis for at least the most recent five years, included?	31 TAC §356.5(a)(5)(B); §356.2(2)	TWC §36.1071(e)(3)(B)	Yes	TWDB WUS	Yes	p.6-7 Table 1
3. Is an estimate of the annual amount of recharge, from precipitation, to the groundwater resources within the District included?	31 TAC §356.5(a)(5)(C)	TWC §36.1071(e)(3)(C)	Yes	GAM 09-20	Yes	p.9-10 Table 3
4. For each aquifer in the district, is an estimate of the annual volume of water that discharges from the aquifer to springs and any surface water bodies, including lakes, streams and rivers, included?	31 TAC §356.5(a)(5)(D)	TWC §36.1071(e)(3)(D)	Yes	GAM 09-20	Yes	p.9-10 Table 3
5. Is an estimate of the annual volume of flow						
a) into the District within each aquifer,			Yes	GAM 09-20	Yes	p.9-10 Table 3
b) out of the District within each aquifer,	31 TAC §356.5(a)(5)(E)	TWC §36.1071(e)(3)(E)	Yes	GAM 09-20	Yes	p.9-10 Table 3
c) and between aquifers in the District,			Yes	GAM 09-20	Yes	p.9-10 Table 3
if a groundwater availability model is available, included?						
6. Is an estimate of the projected surface water supply within the District according to the most recently adopted state water plan included?	31 TAC §356.5(a)(5)(F)	TWC §36.1071(e)(3)(F)	Yes	2007 SWP	Yes	p.12-13 Table 6
7. Is an estimate of the projected total demand for water within the District according to the most recently adopted state water plan included?	31 TAC §356.5(a)(5)(G)	TWC §36.1071(e)(3)(G)	Yes	2007 SWP	Yes	p.11-12 Table 5
8. Did the District consider the water supply needs that are included in the adopted state water plan?	31 TAC §356.5(a)(7)	TWC §36.1071(e)(4)	Yes			p. 14 Table 7
9. Did the District consider the water management strategies that are included in the adopted state water plan?	31 TAC §356.5(a)(7)	TWC §36.1071(e)(4)	Yes			p. 15 Table 8
10. Are the actions, procedures, performance, and avoidance necessary to effectuate the management plan, including specifications and proposed rules, all specified in as much detail as possible, included in the plan?	31 TAC §356.5(a)(4); §356.6(a)(3)	TWC §36.1071(e)(2)	Yes			p.17 web link to rules.
11. Was a certified copy of the District's resolution adopting the plan included?	31 TAC §356.6(a)(2)		Yes			Attached
12. Was evidence that the plan was adopted, after notice and hearing, included?	31 TAC §356.6(a)(5)	TWC §36.1071(a)	Yes	Attached		
13. Was evidence that, following notice and hearing, the District coordinated in the development of its management plan with all surface water management entities, included?	31 TAC §356.6(a)(4)	TWC §36.1071(a)	Yes	Attached		
14. Has any available site-specific information been provided by the district to the executive administrator for review and comment before being used in the management plan when developing the estimates required in subsection 31 TAC §§356.5(a)(5)(C), (D), and (E) ?	31 TAC §356.5(b)	TWC §36.1071(h)	N/A			

Mark an affirmative response with YES
 Mark a negative response with NO
 Mark a non-applicable checklist item with N/A

Management goals required to be addressed	Management goal (as applicable) present in plan	Methodology for tracking progress 31TAC §356.5(a)(6)	Management objective(s)	Performance standard(s)	Notes
Providing the most efficient use of groundwater 31 TAC 356.5(a)(1)(A); TWC §36.1071(a)(1)	15) Yes	16) p.17 Annual Report	17) Yes	18) Yes	p.18-19
Controlling and preventing waste of groundwater 31 TAC 356.5(a)(1)(B); TWC §36.1071(a)(2)	19) Yes	20) p.17 Annual Report	21) Yes	22) Yes	p. 19
Controlling and preventing subsidence 31 TAC 356.5(a)(1)(C); TWC §36.1071(a)(3)	23) N/A	24) N/A	25) N/A	26) N/A	p.23
Addressing conjunctive surface water management issues 31 TAC 356.5(a)(1)(D); TWC §36.1071(a)(4)	27) Yes	28) p.17 Annual Report	29) Yes	30) Yes	p.20
Addressing natural resource issues that impact the use and availability of groundwater and which are impacted by the use of groundwater 31 TAC 356.5(a)(1)(E); TWC §36.1071(a)(5)	31) N/A	32) N/A	33) N/A	34) N/A	p.23
Addressing drought conditions 31 TAC 356.5(a)(1)(F); §36.1071(a)(6)	35) Yes	36) p.17 Annual Report	37) Yes	38) Yes	p.20
Addressing a) conservation, b) recharge enhancement, c) rainwater harvesting, d) precipitation enhancement, and e) brush control where appropriate and cost effective 31 TAC 356.5(a)(1)(G); TWC §36.1071(a)(7)	39)	40)	41)	42)	
	39a) Yes	40a) p.17 Annual Report	41a) Yes	42a) Yes	p.21
	39b) N/A	40b) N/A	41b) N/A	42b) N/A	p.23
	39c) N/A	40c)N/A	41c) N/A	42c) N/A	p.23
	39d) N/A	40d) N/A	41d) N/A	42d) N/A	p.23
	39e) N/A	40e) N/A	41e) N/A	42e) N/A	p.23
Addressing in a quantitative manner the desired future conditions of the groundwater resources in the District (if available from the districts in the groundwater management area) 31 TAC 356.5(a)(1)(H); TWC §36.1071(a)(8)	43) Yes	44)p.17 Annual Report	45) Yes	46) Yes	p.21-22
Does the plan identify the performance standards and management objectives for effecting the plan? 31 TAC §356.5(a)(2)&(3); TWC §36.1071(e)(1)			47) Yes	48) Yes	p.18-23
Mark required elements that are present in the plan with YES Mark any required elements that are missing from the plan with NO Mark Plan elements that have been indicated as not applicable to the district with (N/A)					

Texas Water Development Board

Groundwater Conservation District Management Plan Checklist

District name: **Rusk County GCD**

Official review Prereview

Reviewing staff: **Stephen Allen, DW, MW**

Date plan received: **Nov 10, 2010**

Date plan reviewed: **Dec 8, 2010**

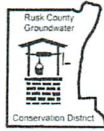
	Citation of rule	Citation of statute	Present in plan and administratively complete	Citation of source or method	Evidence that best available data was used	Notes
Is a paper hard copy of the plan available?	31 TAC §356.6(a)(1)		yes			date stamped 11/10/2010
Is an electronic copy of the plan available?	31 TAC §356.6(a)(1)		yes			cd provided
1. Is an estimate of the managed available groundwater in the District based on the desired future condition of the aquifer(s) included (if available from the TWVDB)?	31 TAC §356.5(a)(5)(A)	TWC §36.1071(e)(3)(A)	n/a	n/a	n/a	p. 9, table 2 (DFCs mentioned)
2. Is an estimate of the amount of groundwater being used within the District on an annual basis for at least the most recent five years, included?	31 TAC §356.5(a)(5)(B); §356.2(2)	TWC §36.1071(e)(3)(B)	yes	WUS	yes	p. 6-7, table 1
3. Is an estimate of the annual amount of recharge, from precipitation, to the groundwater resources within the District included?	31 TAC §356.5(a)(5)(C)	TWC §36.1071(e)(3)(C)	yes	GAM Run 09-020	yes	p. 9-10, table 3
4. For each aquifer in the district, is an estimate of the annual volume of water that discharges from the aquifer to springs and any surface water bodies, including lakes, streams and rivers, included?	31 TAC §356.5(a)(5)(D)	TWC §36.1071(e)(3)(D)	yes	GAM Run 09-020	yes	p. 9-10, table 3
5. Is an estimate of the annual volume of flow						
a) into the District within each aquifer,			yes	GAM Run 09-020	yes	p. 9-10, table 3
b) out of the District within each aquifer,	31 TAC §356.5(a)(5)(E)	TWC §36.1071(e)(3)(E)	yes	GAM Run 09-020	yes	p. 9-10, table 3
c) and between aquifers in the District,			yes	GAM Run 09-020	yes	p. 9-10, table 3
if a groundwater availability model is available, included?						
6. Is an estimate of the projected surface water supply within the District according to the most recently adopted state water plan included?	31 TAC §356.5(a)(5)(F)	TWC §36.1071(e)(3)(F)	yes	SWP 2007	Yes	p. 12-13, table 6
7. Is an estimate of the projected total demand for water within the District according to the most recently adopted state water plan included?	31 TAC §356.5(a)(5)(G)	TWC §36.1071(e)(3)(G)	yes	SWP 2007	yes	p. 11-12, table 5
8. Did the District consider the water supply needs that are included in the adopted state water plan?	31 TAC §356.5(a)(7)	TWC §36.1071(e)(4)	yes			p. 14, table 7
9. Did the District consider the water management strategies that are included in the adopted state water plan?	31 TAC §356.5(a)(7)	TWC §36.1071(e)(4)	yes			p. 15, table 8
10. Are the actions, procedures, performance, and avoidance necessary to effectuate the management plan, including specifications and proposed rules, all specified in as much detail as possible, included in the plan?	31 TAC §356.5(a)(4); §356.6(a)(3)	TWC §36.1071(e)(2)	yes			p. 16-17, link to the rules can be found on page 17. http://www.rcgcd.org
11. Was a certified copy of the District's resolution adopting the plan included?	31 TAC §356.6(a)(2)		yes			attached, adopted 11/08/2010
12. Was evidence that the plan was adopted, after notice and hearing, included?	31 TAC §356.6(a)(5)	TWC §36.1071(a)	yes			attached, county courthouse notice of hearing/ minutes of meeting
13. Was evidence that, following notice and hearing, the District coordinated in the development of its management plan with all surface water management entities, included?	31 TAC §356.6(a)(4)	TWC §36.1071(a)	yes			attached, letters dated 11/09/2010 with certified receipts
14. Has any available site-specific information been provided by the district to the executive administrator for review and comment before being used in the management plan when developing the estimates required in subsection 31 TAC §§356.5(a)(5)(C), (D), and (E) ?	31 TAC §356.5(b)	TWC §36.1071(h)	n/a			

Mark an affirmative response with YES
 Mark a negative response with NO
 Mark a non-applicable checklist item with N/A

Management goals required to be addressed	Management goal (as applicable) present in plan	Methodology for tracking progress 31TAC §356.5(a)(6)	Management objective(s)	Performance standard(s)	Notes
Providing the most efficient use of groundwater 31 TAC 356.5(a)(1)(A); TWC §36.1071(a)(1)	15) YES	16) YES p. 17	17) YES	18) YES	p. 18-19
Controlling and preventing waste of groundwater 31 TAC 356.5(a)(1)(B); TWC §36.1071(a)(2)	19) YES	20) YES p. 17	21) YES	22) YES	p. 19
Controlling and preventing subsidence 31 TAC 356.5(a)(1)(C); TWC §36.1071(a)(3)	23) N/A	24) N/A	25) N/A	26) N/A	p. 23
Addressing conjunctive surface water management issues 31 TAC 356.5(a)(1)(D); TWC §36.1071(a)(4)	27) YES	28) YES p. 17	29) YES	30) YES	p. 20
Addressing natural resource issues that impact the use and availability of groundwater and which are impacted by the use of groundwater 31 TAC 356.5(a)(1)(E); TWC §36.1071(a)(5)	31) N/A	32) N/A	33) N/A	34) N/A	p. 23
Addressing drought conditions 31 TAC 356.5(a)(1)(F); §36.1071(a)(6)	35) YES	36) YES p. 17	37) YES	38) YES	p. 20
Addressing	39) YES	40) YES p. 17	41) YES	42) YES	p. 21
a) conservation,	39a) YES	40a) YES p. 17	41a) YES	42a) YES	p. 21
b) recharge enhancement,	39b) N/A	40b) N/A	41b) N/A	42b) N/A	p. 23
c) rainwater harvesting,	39c) N/A	40c) N/A	41c) N/A	42c) N/A	p. 23
d) precipitation enhancement, and	39d) N/A	40d) N/A	41d) N/A	42d) N/A	p. 23
e) brush control	39e) N/A	40e) N/A	41e) N/A	42e) N/A	p. 23
where appropriate and cost effective 31 TAC 356.5(a)(1)(G); TWC §36.1071(a)(7)					
Addressing in a quantitative manner the desired future conditions of the groundwater resources in the District (if available from the districts in the groundwater management area) 31 TAC 356.5(a)(1)(H); TWC §36.1071(a)(8)	43) YES	44) YES	45) YES	46) YES	p. 21-22
Does the plan identify the performance standards and management objectives for effecting the plan? 31 TAC §356.5(a)(2)&(3); TWC §36.1071(e)(1)			47) YES	48) YES	

Mark required elements that are present in the plan with YES
Mark any required elements that are missing from the plan with NO
Mark Plan elements that have been indicated as not applicable to the district with (N/A)

RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT



**PO BOX 97
HENDERSON, TEXAS 75653
PHONE: 903.657.1900
FAX: 903.657.1922
E-MAIL: rcgcd@suddenlinkmail.com
www.rcgcd.org**



November 9, 2010

Kevin Ward
Executive Director
Texas Water Development Board
P.O. Box 13231
Austin, TX 78711-3231

RECEIVED

NOV 10 2010

TWDB

Re: Submittal of Rusk County GCD's Management Plan

Dear Mr. Ward:

I am submitting the enclosed amended and adopted Management Plan for the Rusk County Groundwater Conservation District for review and approval by the Texas Water Development Board in accordance with Title 31 of the Texas Administrative Code §§ 356.5 and 356.6.

The Rusk County GCD initially adopted its amended Management Plan on August 25, 2010 and submitted it to the Texas Water Development Board staff for preliminary review, prior to official submittal. The District incorporated all revisions requested by TWDB staff and then adopted the revised Management Plan on November 8, 2010, after a new public hearing.

The enclosed documents are:

- (1) one hard copy and one electronic copy of the amended and adopted Management Plan;
- (2) a certified copy of the District's resolution adopting the Management Plan;
- (3) evidence of coordination with all surface water management entities in the District's boundaries;
- (4) evidence that the Management Plan was adopted after notice and hearing;
- (5) meeting minutes of the District's November 8, 2010 Board meeting in which they held a public hearing and approved the Management Plan; and
- (6) the District's Drought Contingency Plan.

A copy of the District's adopted amendment to its Management Plan may also be obtained on the District's website at rcgcd.org and on the enclosed disc.

Please let me know if you have any comments or questions. Thank you for your time and consideration.

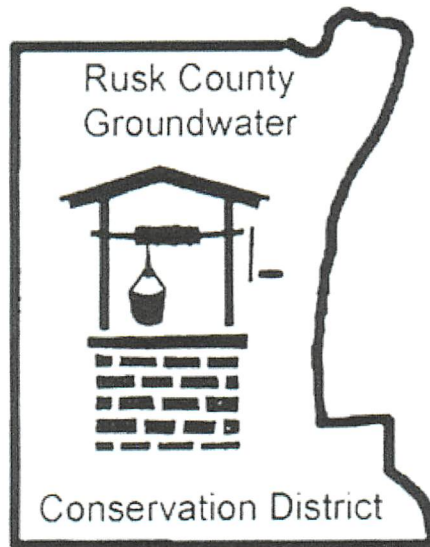
Sincerely,

A handwritten signature in blue ink, appearing to read "Len Luscomb".

Len Luscomb
General Manager

*Rusk County Groundwater
Conservation District*

*District
Management
Plan*



Adopted – August 15, 2005
Amended – March 3, 2008
Amended – July 19, 2010
Amended and Adopted – November 8, 2010

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I. DISTRICT MISSION

The Rusk County Groundwater Conservation District (RCGCD) mission is to develop and implement an efficient, economical and environmentally sound groundwater management program to protect and sustain the groundwater resources of the District.

II. PURPOSE OF THE MANAGEMENT PLAN

Senate Bill 1 (SB 1) enacted by the 75th Texas Legislature in 1997 requires all underground water conservation districts to develop a management plan that defines the water needs and supply within each district and the goals each district will use to manage the underground water in order to meet the water needs of the district.

This groundwater management plan fulfills the requirements of SB 1 and the Texas Water Development Board Rules, specifically Texas Administrative Code, Chapter 356 (31 TAC §356). The plan includes the required planning elements, goals, objectives, performance standards, and tracking methods required by the TWDB.

III. STATEMENT OF GUIDING PRINCIPLES

The District recognizes that the groundwater resources of the region are of vital importance. The preservation of this most valuable resource can be managed in a prudent and cost effective manner through education and cooperation. The greatest threat to prevent the District from achieving the stated mission is inappropriate management, based on a lack of understanding of local conditions. This management document is intended as a tool to focus the thoughts and actions of those given the responsibility for the execution of District activities.

IV. DISTRICT INFORMATION

A. Creation and Background

Creation of the RCGCD was authorized in 2003 by the 78th Texas Legislature under HB 3569. The citizens of Rusk County confirmed creation of the District by an election held on June 5, 2004. This revised plan is being submitted within five years of the initial Management Plan adopted August 15, 2005 as required by Sec. 36.1072 (e) of the Texas Water Code.

The District was formed to protect the underground water resources for the citizens of Rusk County. Beyond its enabling legislation, the District is governed primarily by the provisions of Chapter 36 of The Texas Water Code.

The current members of the Board of Directors are Worth Whitehead - President, David C. Powell - Vice President, R.D. Wittner- Secretary-Treasurer, Amos Standard, Mike Wilhite, Bobby Brown, Wayne Wright, Bob Young, and Kenny Mobbs. The District General Manager is Leonard Luscomb. RCGCD has the same boundaries as Rusk County, Texas (Figure 1). The County has a vibrant economy dominated by the energy (oil, gas, coal, and electricity) and agricultural communities.

The District has the power and authority to undertake various studies; to adopt and amend, as needed, a management plan; to establish a program for the permitting of certain water wells; and to implement structural facilities and non-structural programs to achieve its statutory mandates. The District has rule-making authority to implement its policies and procedures and to help ensure the management of groundwater resources.

B. Location and Extent

Rusk County is located in the piney woods area of East Texas. The County is bordered by Gregg and Harrison counties to the North, Panola and Shelby counties to the East, Nacogdoches County to the South, and Cherokee and Smith counties to the West. Henderson, which is centrally located in the County, is the County seat.

The RCGCD jurisdiction includes all the territory located within Rusk County. This area encompasses approximately 924 square miles. Based on the 2002 Census of Agriculture, approximately 272,400 acres, or 46% of this area, is farmland.

Two aquifers are located under Rusk County, the Carrizo-Wilcox major aquifer (Figure 2) and the Queen City minor aquifer, which underlies portions along the western edge of Rusk County (Figure 3). Public water supply entities in Rusk County utilize groundwater.

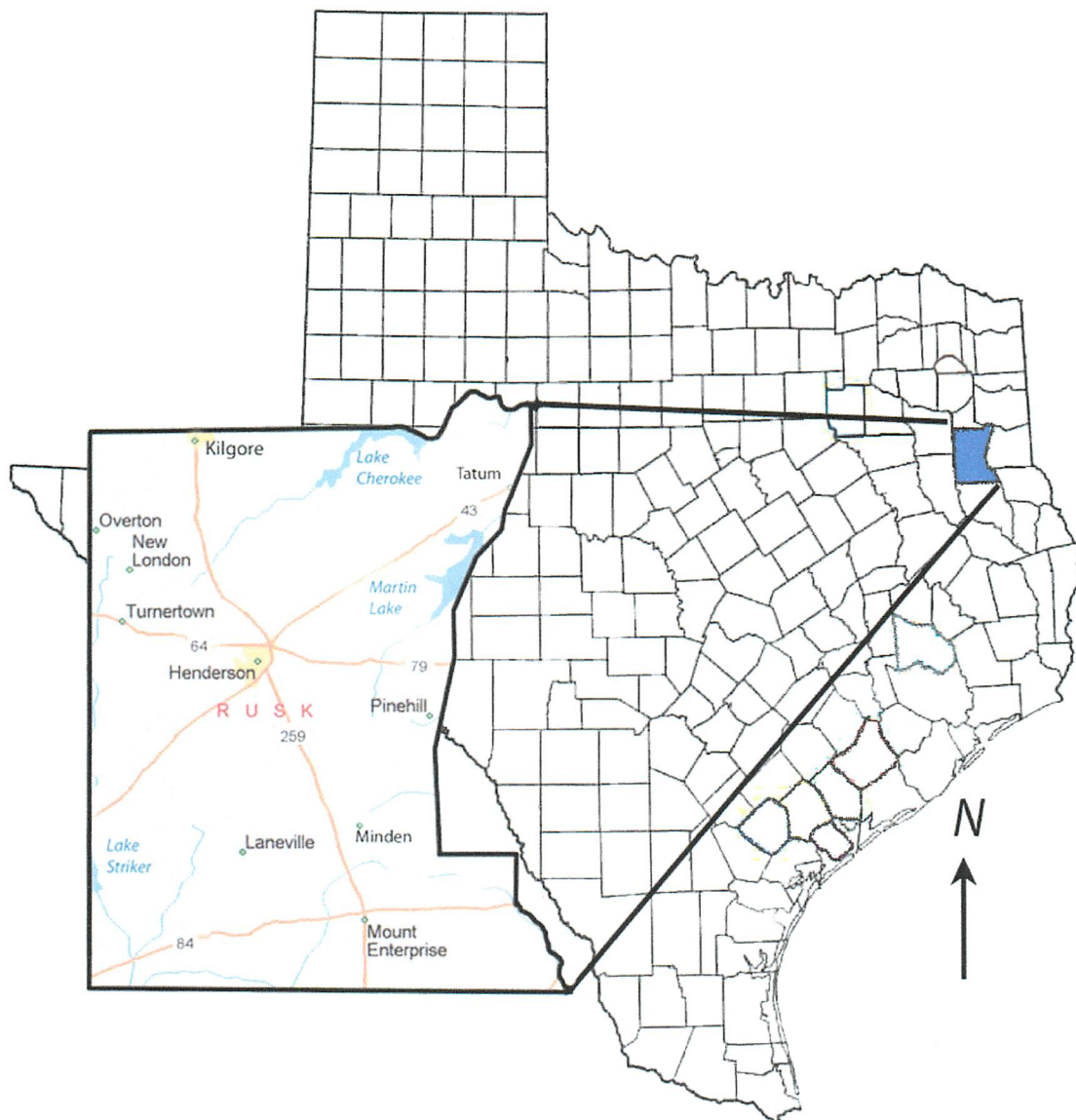


Figure 1. Rusk County Groundwater Conservation District

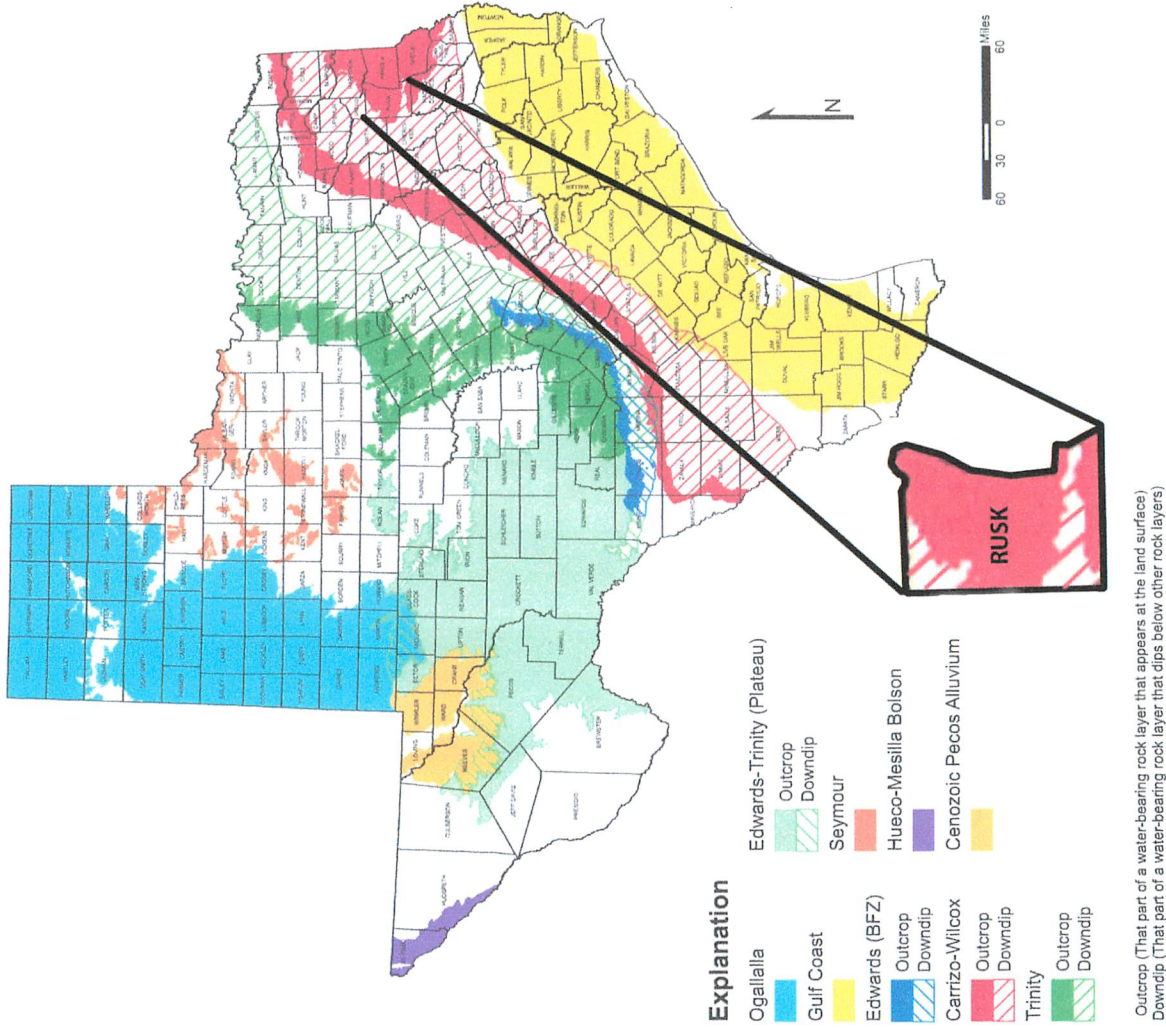


Figure 2. Rusk County Groundwater Conservation District Major Aquifers

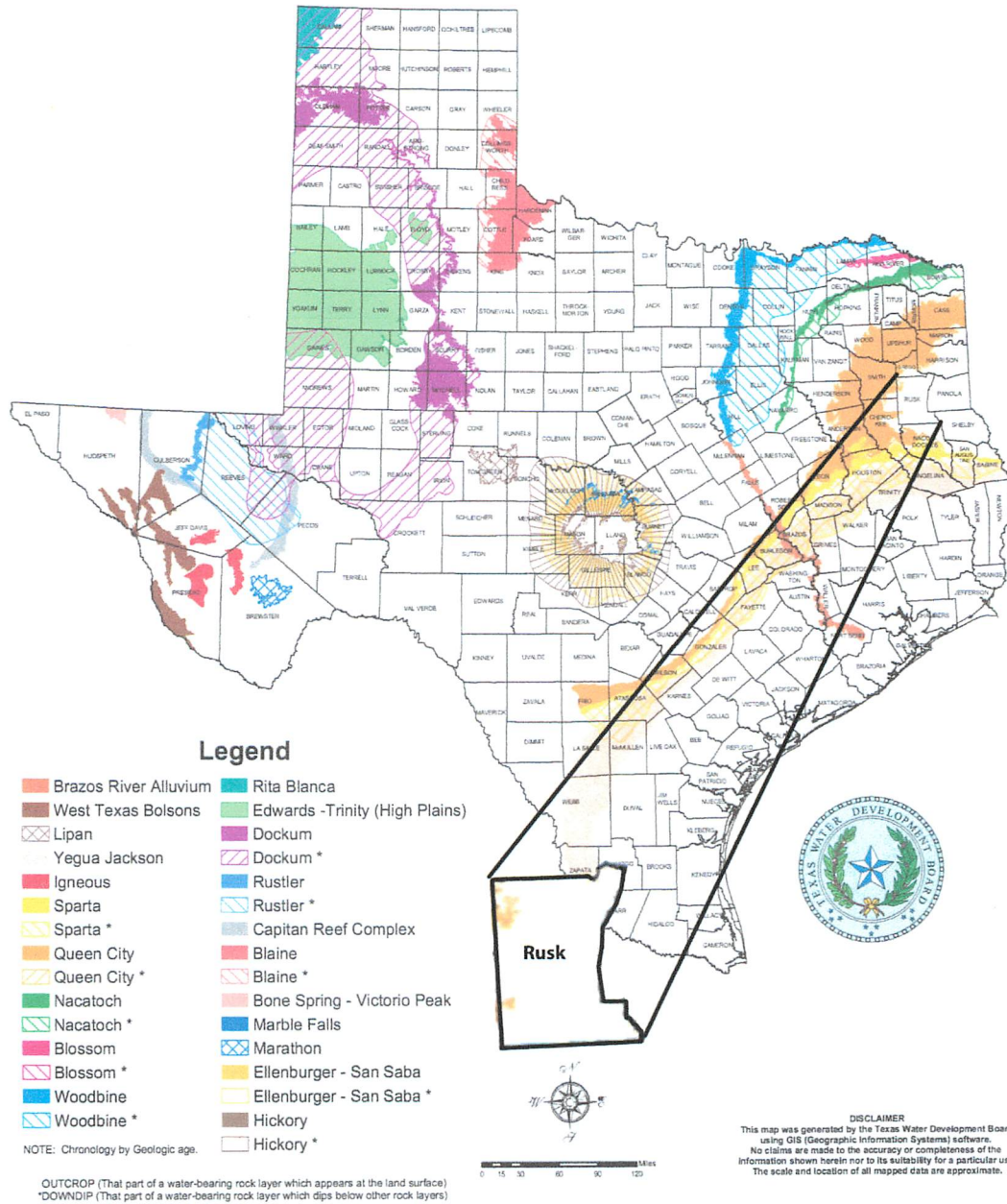


Figure 3. Rusk County Groundwater Conservation District Minor Aquifers

C. Topography and Drainage

Rusk County Groundwater Conservation District is bordered on the northeast by the Sabine River. On the southern boundary, the land is lower in elevation than the rest of the County. The headwaters of the Attoyac River on the southeast corner and the headwaters of the Angelina River become more evident as much of the land becomes wetland.

The elevation of Rusk County reaches 650 to 670 feet above sea level. The majority of the county (89%) is made up of gently sloping to moderately steep rolling hills. Most of this land is of a soil type that is well drained and moderately permeable. Eleven percent of the land is in a nearly level flood plain with some moderately slowly permeable soils.

It should be noted that currently, large quantities of lignite have been mined and the overburden mixed when the land was reclaimed. The lignite belt follows very closely the mapped portion of the Carrizo-Wilcox aquifer.

D. Groundwater Resources of Rusk County

There is one major and one minor aquifer located under Rusk County. The Major aquifer is made up of the Wilcox and Carrizo formations. The Wilcox is overlain by the Carrizo formation and is considered as one major aquifer by the TWDB. It extends from the Rio Grande in South Texas northeast into Arkansas and Louisiana, providing water to most of Rusk County and all or parts of sixty counties in Texas (Figure 2). The aquifer ranges in thickness from approximately 700 feet in northeast Rusk County to over 1,600 feet in the southwest corner of Rusk County. The Carrizo-Wilcox aquifer yields fresh to slightly saline water.

The minor aquifer under the northwest and southwest edge of Rusk County is the Queen City formation (Figure 3). It has a maximum thickness of 700 feet in central Smith County. The TWDB has classified the Queen City as a minor aquifer. It yields groundwater that is generally low in dissolved solids concentrations. It does, however, contain high acidity and excessive iron concentrations. (*Source: East Texas Priority Groundwater Management Area File Report – April 2004*)

Historical groundwater use (as estimated by the TWDB) is shown in Table 1. TWDB water use survey estimates do not break out surface water and groundwater for the years 2005 and 2006, therefore estimates after the year 2004 are not presented in Table 1. Historical groundwater use in the District has averaged 7,923 acre-feet per year from 1984 through 2004. The average historical usage of groundwater in Rusk County between 1984 and 2004 decreased from 8,000 to 9,000 acre-feet per year in the 1980s to less than 7,000 acre-feet per year since the year 2001.

Table 1. Rusk County Historical Groundwater Use in Rusk County (ac-ft per yr)
 (Source: TWDB Water Use Survey Database)

Year	Municipal	Manufacturing	Power	Irrigation	Mining	Livestock	Total
1984	4,958	168	125	33	1,690	566	7,540
1985	5,953	198	11	38	2,492	507	9,199
1986	5,563	207	20	19	2,584	477	8,870
1987	5,539	190	24	19	2,111	455	8,338
1988	5,940	183	16	19	2,020	473	8,651
1989	5,740	175	17	32	1,855	482	8,301
1990	5,861	152	17	27	1,855	507	8,419
1991	5,603	122	18	27	1,241	515	7,526
1992	5,663	103	24	27	1,232	495	7,544
1993	5,902	85	23	149	1,202	507	7,868
1994	5,805	82	18	38	1,173	467	7,583
1995	6,529	80	20	151	1,189	414	8,383
1996	6,671	94	179	149	1,189	353	8,635
1997	6,337	92	14	149	1,201	367	8,160
1998	6,631	74	18	149	1,201	426	8,499
1999	6,076	77	18	149	1,201	460	7,981
2000	6,455	69	10	18	974	462	7,988
2001	5,623	47	13	49	750	236	6,718
2002	5,782	39	12	49	549	231	6,662
2003	5,883	56	6	73	655	215	6,888
2004	5,603	28	6	92	672	221	6,622
Total (ac-ft/yr)	124,117	2,321	609	1,456	29,036	8,836	166,375
Average (ac-ft/yr)	5,910	110	28	69	1,383	421	7,923

E. Surface Water Resources of Rusk County

There are two river basins (Sabine and Angelina) and three reservoirs located partially in Rusk County (Lake Cherokee, Lake Striker, and Martin Lake). The Sabine River Basin covers the North East half of Rusk County. The Angelina River Basin covers the South West half of Rusk County (Figure 4).

Martin Lake is located on the northeast edge of Rusk County. It is not a resource for potable water as it is used as a power plant cooling reservoir and selenium has been detected in the water. Lake Cherokee, operated by Lake Cherokee Water Company, is located on the north edge of Rusk County and the south edge of Gregg County. Currently available water from this 3,987 acre lake is used by the City of Longview Texas.

Lake Striker is a 2,400 acre lake located on the southwest edge of Rusk County. It is operated by the Angelina-Nacogdoches Counties Water Control & Improvement District No.1. It was initially constructed to service a steam generation power plant and paper mill. The paper mill no longer uses the 15 million gallons per day. Water rights for 10 million gallons of this surface water have been purchased by the City of

Henderson to relieve future pressure on the city's groundwater dependence.



Source: TxDOT Rusk County Highway Map

Figure 4. Lakes and Rivers

F. Estimate of Total Managed Available Groundwater in the District

As required by 31 Tex. Admin. Code §356.5(a)(5)(A) and Tex. Water Code §36.1071(e)(3)(A), Groundwater Management Area 11 officially adopted its desired future conditions (DFC) on April 13, 2010 and submitted the DFCs to the TWDB, which is included as Table 2. To date, the TWDB has not provided final managed available groundwater (MAG) estimates back to GMA-11.

Table 2. GMA 11 Desired Future Conditions for Rusk County

Model Layer Defining Aquifer or Confining Unit (CU)								
Sparta	Weches (CU)	Queen City	Reklaw (CU)	Carrizo	Upper Wilcox	Middle Wilcox	Lower Wilcox	Overall
0	-46	-15	-2	6	6	23	21	12

All values are reported as feet of drawdown.
Overall GMA average drawdown = 17 feet.

G. Annual Precipitation, Recharge and Groundwater Flow Budget

The historical annual precipitation from 1968 through 2009 is 45.68 inches per year for Rusk County, as shown in Figure 5.

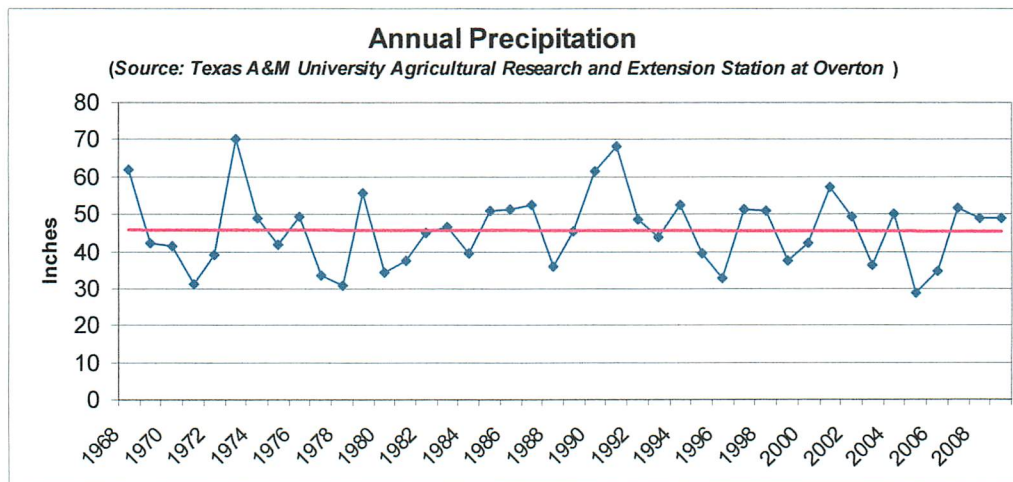


Figure 5. Historical Annual Precipitation: 1968 – 2009

According to GAM Run 09-20, precipitation recharge (the areally distributed recharge sourced from precipitation falling on the outcrop areas of the aquifers (where the aquifer is exposed at land surface) within the District is 75,801 ac-ft per year as detailed in Table 3.

Also estimated from GAM Run 09-20 was the groundwater outflow, or the total water exiting the aquifer (outflow) to surface water features such as streams, reservoirs, and drains (springs). The total discharge from the aquifers to these features is 27,626 ac-ft per year as shown in Table 3.

Table 3. Groundwater Flow Budget for Rusk County (ac-ft per yr)

(Source: GAM Run 09-020, Texas Water Development Board)

Management Plan requirement	Aquifer or confining unit	Results
Estimated annual amount of recharge from precipitation to the district	Sparta Aquifer	0
	Weches Confining Unit	0
	Queen City Aquifer	1,200
	Reklaw Confining Unit	4,237
	Carrizo Aquifer	47,719
	Wilcox (upper) Aquifer	22,609
	Wilcox (middle) Aquifer	36
	Wilcox (lower) Aquifer	0
TOTAL		75,801
Estimated annual volume of water that discharges from the aquifer to springs and any surface water body including lakes, streams, and rivers	Sparta Aquifer	0
	Weches Confining Unit	0
	Queen City Aquifer	227
	Reklaw Confining Unit	1,545
	Carrizo Aquifer	18,080
	Wilcox (upper) Aquifer	7,774
	Wilcox (middle) Aquifer	0
	Wilcox (lower) Aquifer	0
TOTAL		27,626
Estimated annual volume of flow into the district within each aquifer in the district	Sparta Aquifer	0
	Weches Confining Unit	0
	Queen City Aquifer	199
	Reklaw Confining Unit	252
	Carrizo Aquifer	982
	Wilcox (upper) Aquifer	1,244
	Wilcox (middle) Aquifer	1,595
	Wilcox (lower) Aquifer	169
Estimated annual volume of flow out of the district within each aquifer in the district	Sparta Aquifer	0
	Weches Confining Unit	0
	Queen City Aquifer	121
	Reklaw Confining Unit	417
	Carrizo Aquifer	3,484
	Wilcox (upper) Aquifer	5,656
	Wilcox (middle) Aquifer	4,338
	Wilcox (lower) Aquifer	864
Estimated net annual volume of flow between each aquifer in the district	Queen City Aquifer into the Reklaw Confining Unit	1,182
	Reklaw Confining Unit into the Carrizo Aquifer	2,196
	Carrizo Aquifer into the Wilcox (upper) Aquifer	8,081
	Wilcox (upper) Aquifer into the Wilcox (middle) Aquifer	9,623
	Wilcox (middle) Aquifer into the Wilcox (lower) Aquifer	943

3

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H. Projected Water Supply and Demand for Rusk County

The projected water supplies and demands for Rusk County through 2060 are shown in Tables 4 and 5. All estimates are from the 2007 State Water Plan. As shown in Table 4, the total water supply to water user groups (WUGs) in the year 2010 is 41,320 acre-feet and in year 2060 will be 41,325 acre-feet.

Table 4. Rusk County Projected Water Supply by Water User Group (ac-ft per yr)

WUG Name	WUG Basin Name	2010	2020	2030	2040	2050	2060
COUNTY-OTHER	NECHES	1,507	1,507	1,507	1,507	1,507	1,507
COUNTY-OTHER	NECHES	12	12	12	12	12	12
HENDERSON	NECHES	2,432	2,432	2,432	2,432	2,432	2,432
HENDERSON	NECHES	3,055	3,055	3,055	3,055	3,055	3,055
IRRIGATION	NECHES	93	93	93	93	93	93
LIVESTOCK	NECHES	323	323	323	323	323	323
LIVESTOCK	NECHES	386	386	386	386	386	386
LIVESTOCK	NECHES	35	35	35	35	35	35
MANUFACTURING	NECHES	121	121	121	121	121	121
MANUFACTURING	NECHES	2	2	2	2	2	2
MINING	NECHES	1,130	1,130	1,130	1,130	1,130	1,130
MINING	NECHES	124	124	124	124	124	124
MOUNT ENTERPRISE	NECHES	411	411	411	411	411	411
NEW LONDON	NECHES	310	312	311	312	311	311
OVERTON	NECHES	68	68	68	68	68	68
SOUTHERN UTILITIES CO	NECHES	95	95	95	95	95	95
COUNTY-OTHER	SABINE	1,687	1,687	1,687	1,687	1,687	1,687
COUNTY-OTHER	SABINE	13	13	13	13	13	13
EASTON	SABINE	61	83	96	102	120	163
ELDERVILLE WSC	SABINE	107	107	107	107	107	107
ELDERVILLE WSC	SABINE	286	303	320	337	354	369
HENDERSON	SABINE	305	305	305	305	305	305
HENDERSON	SABINE	358	358	358	358	358	358
IRRIGATION	SABINE	96	96	96	96	96	96
IRRIGATION	SABINE	127	127	127	127	127	127
KILGORE	SABINE	460	441	423	404	382	354
KILGORE	SABINE	303	290	278	266	251	233
LIVESTOCK	SABINE	286	286	286	286	286	286
LIVESTOCK	SABINE	308	308	308	308	308	308
MANUFACTURING	SABINE	10	10	10	10	10	10
MINING	SABINE	298	298	298	298	298	298
MINING	SABINE	287	287	287	287	287	287
NEW LONDON	SABINE	287	285	286	285	286	286
OVERTON	SABINE	548	547	548	546	544	543
STEAM ELECTRIC POWER	SABINE	25,000	25,000	25,000	25,000	25,000	25,000
TATUM	SABINE	374	374	374	374	374	374
WEST GREGG WSC	SABINE	15	15	15	15	15	16
TOTAL		41,320	41,326	41,327	41,317	41,313	41,325



Table 5 presents projected total water demand by water user group. According to the 2007 State Water Planning Database, total demand in the year 2010 is 34,537 acre-feet and demand in year 2060 will be 64,034 acre-feet for all Rusk County WUGs. According to Tables 4 and 5, total demand will surpass supply by the year 2030. Table 6 details the surface water portion of future supply, and indicates that approximately 30,200 ac-ft/yr will be provided via surface water resources through year 2060.

Table 5. Rusk County Projected Water Demand by Water User Group (ac-ft per yr)

WUG Name	WUG Basin Name	2010	2020	2030	2040	2050	2060
COUNTY-OTHER	NECHES	1,225	1,258	1,270	1,243	1,283	1,422
HENDERSON	NECHES	2,164	2,145	2,119	2,088	2,077	2,105
IRRIGATION	NECHES	19	19	19	19	19	19
LIVESTOCK	NECHES	655	665	676	689	704	718
MANUFACTURING	NECHES	78	86	93	99	103	111
MINING	NECHES	961	1,048	1,099	1,149	1,199	1,246
MOUNT ENTERPRISE	NECHES	71	71	70	68	69	73
NEW LONDON	NECHES	117	119	120	119	121	129
OVERTON	NECHES	44	46	46	46	48	52
SOUTHERN UTILITIES COMPANY	NECHES	71	74	74	75	77	85
COUNTY-OTHER	SABINE	1,435	1,475	1,489	1,457	1,504	1,666
EASTON	SABINE	8	11	12	13	15	21
ELDERVILLE WSC	SABINE	324	353	369	378	400	456
HENDERSON	SABINE	253	251	248	245	243	246
IRRIGATION	SABINE	107	107	107	107	107	107
KILGORE	SABINE	532	520	512	503	500	500
LIVESTOCK	SABINE	516	523	531	542	553	565
MANUFACTURING	SABINE	4	4	4	4	5	5
MINING	SABINE	579	631	662	692	722	750
NEW LONDON	SABINE	108	109	110	109	111	119
OVERTON	SABINE	369	383	388	386	399	439
STEAM ELECTRIC POWER	SABINE	24,760	27,458	32,102	37,762	44,663	53,074
TATUM	SABINE	122	118	115	112	110	110
WEST GREGG WSC	SABINE	15	15	15	15	15	16
TOTAL		34,537	37,489	42,250	47,920	55,047	64,034



b

Table 6. Rusk County Projected Surface Water Supply by Water User Group (ac-ft per yr)

WUG Name	SRC Type	2010	2020	2030	2040	2050	2060
EASTON	SURFACE WATER	61	83	96	102	120	163
ELDERVILLE WSC	SURFACE WATER	286	303	320	337	354	369
HENDERSON	SURFACE WATER	3,055	3,055	3,055	3,055	3,055	3,055
HENDERSON	SURFACE WATER	358	358	358	358	358	358
IRRIGATION	SURFACE WATER	127	127	127	127	127	127
KILGORE	SURFACE WATER	303	290	278	266	251	233
LIVESTOCK	SURFACE WATER	386	386	386	386	386	386
LIVESTOCK	SURFACE WATER	308	308	308	308	308	308
MANUFACTURING	SURFACE WATER	2	2	2	2	2	2
MINING	SURFACE WATER	287	287	287	287	287	287
STEAM ELECTRIC POWER	SURFACE WATER	25,000	25,000	25,000	25,000	25,000	25,000
TOTAL		30,173	30,199	30,217	30,228	30,248	30,288

Source: 2007 State Water Plan

I. Projected Needs and Recommended Water Management Strategies

Table 7 shows the 2007 State water plan projected surpluses and needs for Rusk County WUGs in ac-ft per year. Rusk County will have a deficit of 2,504 ac-ft per year by the year 2020 and a deficit of 28,239 acre-feet in the year 2060. The specific user groups that are predicted to experience shortages in Rusk County are mining and steam-electric power.

Table 7. Rusk County Projected Needs and Surpluses by Water User Group (ac-ft per yr) (negative numbers reflect a water need)

WUG Name	WUG Basin Name	2010	2020	2030	2040	2050	2060
COUNTY-OTHER	NECHES	294	261	249	276	236	97
HENDERSON	NECHES	3,323	3,342	3,368	3,399	3,410	3,382
IRRIGATION	NECHES	74	74	74	74	74	74
LIVESTOCK	NECHES	89	79	68	55	40	26
MANUFACTURING	NECHES	45	37	30	24	20	12
MINING	NECHES	293	206	155	105	55	8
MOUNT ENTERPRISE	NECHES	340	340	341	343	342	338
NEW LONDON	NECHES	193	193	191	193	190	182
OVERTON	NECHES	24	22	22	22	20	16
SOUTHERN UTILITIES COMPANY	NECHES	24	21	21	20	18	10
COUNTY-OTHER	SABINE	265	225	211	243	196	34
EASTON	SABINE	53	72	84	89	105	142
ELDERVILLE WSC	SABINE	69	57	58	66	61	20
HENDERSON	SABINE	410	412	415	418	420	417
IRRIGATION	SABINE	116	116	116	116	116	116
KILGORE	SABINE	231	211	189	167	133	87
LIVESTOCK	SABINE	78	71	63	52	41	29
MANUFACTURING	SABINE	6	6	6	6	5	5
MINING	SABINE	6	-46	-77	-107	-137	-165
NEW LONDON	SABINE	179	176	176	176	175	167
OVERTON	SABINE	179	164	160	160	145	104
STEAM ELECTRIC POWER	SABINE	240	-2,458	-7,102	-12,762	-19,663	-28,074
TATUM	SABINE	252	256	259	262	264	264
WEST GREGG WSC	SABINE	0	0	0	0	0	0
TOTAL			-2,504	-7,179	-12,869	-19,800	-28,239



The predicted shortages will be satisfied by further development of groundwater and surface water resources. The water management strategies, as given in the 2007 State Water Plan, are included in Table 8.

Table 8. Water Management Strategies

WUG	River Basin	Water Management Strategy	Source Name	Source County	2010	2020	2030	2040	2050	2060
MINING	Sabine	NEW WELLS - CARRIZO WILCOX AQUIFER (INCLUDES TEMPORARY OVERDRAFTS)	CARRIZO-WILCOX AQUIFER	RUSK	0	46	77	165	165	165
STEAM ELECTRIC POWER	Sabine	PURCHASE WATER FROM PROVIDER (2)	FORK LAKE/RESERVOIR	RESERVOIR	0	1,500	1,500	1,500	6,328	12,228
STEAM ELECTRIC POWER	Sabine	PURCHASE WATER FROM PROVIDER (3)	TOLEDO BEND LAKE/RESERVOIR	RESERVOIR	0	1,395	5,602	11,626	13,425	15,846
Total Projected Water Management Strategies (ac-ft/yr)=					0	2,941	7,179	13,291	19,918	28,239



V. MANAGEMENT OF GROUNDWATER SUPPLIES

The District will manage the supply of groundwater within the District in order to conserve the resource while seeking to maintain the economic viability of all resource user groups, public and private. In consideration of the economic and cultural activities occurring within the District, the District will identify and engage in such activities and practices that, if implemented, would result in sustaining the level of groundwater use, while increasing the use of surface water. The existing observation network will be used to monitor changing storage conditions of groundwater supplies within the District. This network is being expanded, utilizing idle oil and gas exploration water wells. Our plan is to add over 100 monitor wells to the existing 15 that have been monitored monthly since 2006. As these added wells are idle and should not show use fluctuation they will be monitored quarterly. The District will make a regular assessment of water supply and groundwater conditions and will report those conditions to the Board and to the public via our District web site (www.rcgcd.org). The District will cooperate with investigations of the groundwater resources within the District and will make the results of investigations available to the public upon adoption by the Board.

The District adopted rules to manage groundwater. The District may deny a water well drilling permit or limit groundwater withdrawals in accordance with the guidelines stated in the rules of the District. In making a determination to deny a permit or limit groundwater withdrawals, the District will consider the public benefit against individual hardship after considering all appropriate testimony. The relevant factors to be considered in making a determination to deny a permit or limit groundwater withdrawals will be consistent with Chapter 36 of the Texas Water Code and the District's Rules.

In pursuit of the District's mission of protecting the resource, the District may require reduction of groundwater withdrawals to amounts that will not cause harm to the aquifer. To achieve this purpose, the District may, at the Board's discretion, amend or revoke any permits after notice and hearing. The determination to seek the amendment or revocation of a permit by the District will be based on aquifer conditions observed by the District and District Rules. The District will enforce the terms and conditions of permits and the rules of the District by injunction or other appropriate relief in a court of competent jurisdiction as provided for in the Texas Water Code (TWC) Section 36.102.

A contingency plan to cope with the effects of water supply deficits due to climatic or other conditions has been developed and adopted by the Board and is attached in the Appendix. In developing the contingency plan, the District considered the economic effect of conservation measures upon all water resource user groups, the local implications of the degree and effect of changes in water storage conditions, the unique hydro geologic conditions of the aquifers within the District, and the appropriate conditions under which to implement the contingency plan. The District will evaluate the resources available within the District and determine the effectiveness of regulatory or conservation measures. A public or private user may appeal to the Board for discretion in enforcement of the provisions of the water supply deficit contingency plan on grounds of adverse economic hardship or unique local conditions. The exercise of said discretion by the Board, shall not be construed as limiting the power of the

Board.

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VI. ACTIONS, PROCEDURES, PERFORMANCE AND AVOIDANCE FOR PLAN IMPLEMENTATION

The District will implement the provisions of this plan and will utilize the provisions of this plan as a guidepost for determining the direction or priority for all District activities. All operations of the District, all agreements entered into by the District, and any additional planning efforts in which the District may participate will be consistent with the provisions of this plan. The District adopted rules relating to the permitting of wells and the production of groundwater. The District rules for permitting are pursuant to TWC 36.113 and the provisions of this plan. All rules will be adhered to and enforced. The promulgation and enforcement of the rules will be based on the best technical/scientific evidence available to the District. The District shall treat all citizens with equality. Citizens may apply to the District for discretion in enforcement of the rules on grounds of adverse economic effect or unique local conditions. In granting of discretion to enforcement of any rule, the Board shall consider the potential for adverse effect on adjacent landowners. The exercise of said discretion by the Board shall not be construed as limiting the power of the Board. The District will seek cooperation in the implementation of this plan and the management of groundwater supplies within the District. All activities of the District will be undertaken in cooperation and coordinated with the appropriate state, regional or local water management entity. The District's rules are available on the District's website: <http://www.rcgcd.org>.

VII. METHODOLOGY FOR TRACKING DISTRICT PROGRESS IN ACHIEVING MANAGEMENT GOALS

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The District staff will prepare and present an annual report to the Board of Directors on District performance in regards to achieving management goals and objectives. The presentation of the report will occur during the first monthly Board meeting each fiscal year. The report will include the number of instances in which each of the activities specified in the District's management objectives was engaged in during the fiscal year. Each activity will be referenced to the estimated expenditure of staff time and budget in accomplishment of the activity. The notations of activity frequency, staff time and budget will be referenced to the appropriate performance standard for each management objective describing the activity, so that the effectiveness and efficiency of the District's operations may be evaluated. The Board will maintain the report on file, for public inspection at the District's offices upon adoption. This methodology will apply to all management goals contained within this plan.

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VIII. GOALS, MANAGEMENT OBJECTIVES and PERFORMANCE STANDARDS

The management goals, objectives, performance standards and tracking methods of the Rusk County Groundwater Conservation District in the emphasis areas defined in 31 TAC §356 are addressed below.

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A. Efficient Use of Groundwater (31TAC 356.5 (a) (1) (A); TWC §36.1071(a)(1))

A.1 **Objective** — The District will require all new exempt or non-exempt wells that are constructed within the boundaries of the District to be registered with the District in accordance with the District rules.

Performance Standard — Issue permits or register within 60 days of administratively complete application, if uncontested.

Tracking Method — Each Year the number of exempt and non-exempt wells registered by the District for the year and a list of any permits that were not issued within 60 days with the cause and corrective action taken, will be incorporated into the Annual Report submitted to the Board of Directors of the District.

A.2 **Objective** - Maintain the Districts Groundwater Database for all water wells in the District. The database shall include information relating to well location, production volume, and other information deemed necessary by the District to enable effective monitoring of groundwater in Rusk County.

Performance Standard – Post all new and existing wells in the Districts database.

Tracking Method – Each Year the number of new and existing groundwater wells added to the database will be presented in the Annual Report submitted to the Board of Directors of the District.

A.3 **Objective**- Provide Public Education Opportunities.

Performance Standard - Disseminate educational information regarding the hydro-geologic cycle and status of aquifers through posting on the District internet website, and as needed responses to public inquiries. The board will also provide to schools in the district educational programs such as the “Major Rivers” program developed by the TWDB.

Tracking Methods - The Annual Report to the Board of Directors of the District will reflect educational achievements through the number of hits on the Districts web site, the number of responses to public inquiries annually, and a listing of the schools that accepted educational programs.

A.4

Objective – Plug or cover all large diameter water wells in the district that are not being used. These wells provide a conduit for contamination of the groundwater and create a safety hazard.

Performance Standard – As these large diameter (hand dug) wells are registered, the district will recommend to the well owner to have the well plugged. If not plugged, the owner will be required to cover the well with a child proof cover. In joint cooperation with the Rusk County Commissioners, the County will fill the well at no cost to the well owner if the well is accessible to equipment needed. Once plugged the landowner will report the well as being plugged and the district will record this information on their database.

Tracking Methods - The Annual Report to the Board of Directors of the District will reflect the number of these wells registered and the number plugged.

B. Control and Prevent the Waste of Groundwater (31TAC§356.5 (a) (1) (B); TWC §36.1071(a)(2))

B.1 **Objective** - Public Education

Performance Standard - The District will provide educational leadership to the citizens of the District concerning this subject through at least one printed publication per year, public speaking at least once per year at service organizations or public schools, and provide “Major Rivers” program from TWDB at no charge to all schools in the district.

Tracking Methods - Each Year the number of publications, speaking appearances, and a listing of the schools that accepted educational programs will be presented in the Annual Report submitted to the Board of Directors of the District

B.2 **Objective** - Identify wasteful practices.

Performance Standard –

- a) Disseminate wasteful practices to the public through the districts web page.
- b) Track Water Quality Issues.
- d) Track and publicize water loss for all water utilities within the district to minimize waste.
- e) Continue to enforce District Rule 9.2.5 requiring inspection and/or plugging of inactive oil/gas support water wells.

Tracking Methods -

- a) Report to the Board water conservation suggestions posted to the Districts web page in the Annual Report.
- b) Report annually to the residents of Rusk County and in the District's Annual Report the results of water quality checks completed by the District and TWDB.
- d) Publicize the leak rates for Rusk County utility districts annually through the districts web page and the Annual Report.

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C. Conjunctive Surface Water Management Issues. (31TAC§356.5 (a) (1) (D); TWC §36.1071(a)(4))

C.1. **Objective** - Coordinate conjunctive surface water issues with the East Texas Regional Water Planning Group and the North East Texas Regional Water Planning Group.

Performance Standard – The District will participate in the regional planning process by attending at least 50% of the East Texas and North East Texas Regional Water Planning Group meetings each year.

Tracking Methods – A report will be made by the board’s representative at each board meeting of the Rusk County Groundwater Conservation District, updating the Board on conjunctive surface water issues being discussed by the ETRWPG and the NETRWPG.

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D. Addressing Drought Conditions (31TAC§356.5 (a) (1) (F); TWC §36.1071(a)(6))

D.1. **Objective** - The District will implement its Drought Contingency Plan adopted in 2005 if conditions meet the criteria listed in the plan. If necessary, the district will update its Drought Contingency Plan when changes are deemed necessary.

Performance Standards - The District will monitor the precipitation monthly at several locations within the district. This data along with the monthly data from the districts monitor wells will be used to initiate the districts Drought Contingency Plan for the Rusk County Groundwater Conservation District. The data collected will be posted on the districts web page and updated monthly. The District will consider the economic effects of conservation measures upon all water resource user groups, the local implications of the degree and effect of changes in water storage conditions, the unique hydro geologic conditions of the aquifer and the appropriate conditions under which to implement the contingency plan.

Tracking Methods –

- a) If conditions warrant the implementation of the Districts Drought Contingency Plan, the District Manager will address the situation with the Board of Directors so they may take appropriate action.
- b) The Annual Report to the Board of Directors of the District will reflect any implementations of the Drought Contingency Plan in that year. The report will include an appraisal of the plans effectiveness and suggestions for revisions to the plan.

E. Addressing Conservation (31TAC§356.5 (a) (1) (G); TWC §36.1071(a)(7))

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- E.1. **Objective** – Public education on groundwater conservation.
Performance Standards - The District will address conservation issues of importance to Rusk County residents on the District internet website.
Tracking Methods – Copies of the postings on the District website regarding groundwater conservation will be included in the Annual Report to the Board of Directors. Each year the number of postings on the District website will be reported in the annual report.

F. Addressing in a Quantitative Manner the Desired Future Conditions (31 TAC §356.5(a)(1)(H); TWC §36.1071(a)(8))

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- F.1. **Objective:** The Desired Future Conditions of the groundwater resources in Rusk County shall be “Near Sustainability,” which is a reasonable and attainable goal for the residents of Rusk and the surrounding counties. Near Sustainability is defined as allowing up to an average drawdown of the aquifer between 2010 and 2060 not to exceed an average of all aquifers of 17 feet that applies throughout GMA 11. This objective is based on the Texas Water Development Board’s (TWDB) Groundwater Availability Models (GAM’s) and the Desired Future Conditions as adopted by GMA-11. The district reserves the right to adjust its Desired Future Conditions of groundwater based on new data, as it is available and addressed by GMA 11. The District’s annual groundwater pumping associated with the adopted Desired Future Conditions are as follows:

County	Queen City	Carrizo-Wilcox
Rusk	58 ac-ft/yr	20,814 ac-ft/yr

By allowing up to an average drawdown of up to 17 feet, the aquifer will sustain increased groundwater withdrawal of up to 20,872 af/yr.

Performance Standards: The RCGCD has increased the number of sites in the aquifer-monitoring program from 15 sites within the county to approximately 115 sites. Aquifer levels will be monitored at least quarterly for all additional sites. Aquifer levels will be evaluated against recorded precipitation within the county. If the average drawdown of the aquifer in Rusk County exceeds 10 feet for more than two consecutive **quarters** the District will implement the Drought Contingency Plan (DCP). The DCP will be lifted after the average aquifer level drawdown is less than 10 feet for two consecutive **quarters**. If the average drawdown of the aquifer in Rusk County exceeds 12 feet for more than two consecutive **quarters**, issuance of non-exempt permits **may** be halted until the average aquifer drawdown is less than 10 feet for two consecutive **quarters**.

Tracking Methods:

- a) Maintain aquifer monitoring database for monitor wells checked both monthly and quarterly.
- b) Publish the monitor well data on the districts web site.
- e) Report average quarterly aquifer levels in the annual report to the Board of Directors.
- f) Report average quarterly aquifer levels to the Groundwater Management Area 11 group at each meeting.

G. Enhancement of Sound Groundwater Science

G.1. Objective – Map the water sands under Rusk County.

Utilizing the Districts “Down Hole” camera, E-Log equipment, and Trimble survey grade GPS.

Performance Standards:

The district will gather data on each well inspected in accordance with District Rule 9.2.5. This data will be utilized by our geology consultants to map the elevation and location of the water sands by aquifer. This project, started in early 2010 will take several years to collect the needed data. Initial results are hoped to be available by the end of 2012.

Tracking Methods –

- a) The number of wells inspected under District Rule 9.2.5 will be reported to the Board of Directors monthly.
- b) Progress on the mapping project by the districts geology consultants will be presented to the board annually.
- c) Once enough data is collected to create a map of the water sands (2013), the mapping will be posted on the districts web site and shared with the TWDB.

IX. SB-1 MANAGEMENT GOALS DETERMINED NOT-APPLICABLE

- A. Control and Prevention of Subsidence 31TAC§356.5 (a) (1) (C)**
The geologic framework of the region precludes significant subsidence from occurring.
- B. Natural Resource Management Issues 31TAC§356.5 (a) (1) (E)**
The District has no documented occurrences of endangered or threatened species dependent upon groundwater resources. However, the District will coordinate with the Texas Commission on Environmental Quality (TCEQ) on water quality issues.
- C. Rainwater Harvesting 31 TAC §356.5(a)(1)(G); TWC §36.1071(a)(7)**
With average annual precipitation in the District about 48 inches, a goal of rainwater harvesting is not applicable at this time.
- D. Recharge Enhancement 31 TAC §356.5(a)(1)(G); TWC §36.1071(a)(7)**
With an average annual precipitation of about 48 inches in Rusk County, this goal is not applicable at this time.
- E. Precipitation Enhancement 31 TAC §356.5(a)(1)(G); TWC §36.1071(a)(7)**
With the high amount of rainfall in the District, precipitation enhancement does not appear needed. Therefore, this goal is not applicable at this time.
- F. Brush Control 31 TAC §356.5(a)(1)(G); TWC §36.1071(a)(7)**
A significant amount of the area of the District is heavily forested with other areas in improved pasture or cultivated land. Brush control as a goal, is not applicable at this time.

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RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT

CERTIFICATE FOR RESOLUTION

Resolution 2010-03



STATE OF TEXAS
COUNTY OF RUSK

I, the undersigned officer of the Board of Directors of the Rusk County Groundwater Conservation District, do hereby certify as follows:

1. The Board of Directors of the Rusk County Groundwater Conservation District convened in public session on the 8th day of November, 2010, inside the boundaries of the District, and the roll was called of the duly constituted officers and member of the Board, to-wit:

- | | |
|-----------------|----------------|
| Worth Whitehead | RD Wittner |
| Wayne Wright | David C Powell |
| Bobby Brown | Bob Young |
| Mike Wilhite | Kenny Mobbs |
| Amos Standard | |

and the following persons were present. Worth Whitehead, RD Wittner, Wayne Wright, David C Powell, Bobby Brown, Amos Standard, and Bob Young, thus constituting a quorum. Whereupon, among other business, the following was transacted at the meeting: a written

**RESOLUTION OF THE
RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT
ADOPTING ITS UPDATED MANAGEMENT PLAN FOR SUBMITTAL
TO THE TEXAS WATER DEVELOPMENT BOARD FOR CERTIFICATION**

WHEREAS, the Rusk County Groundwater Conservation District ("District") is charged by the Texas Legislature with providing for the conservation, preservation, protection, and prevention of waste of groundwater, and of groundwater resources in Rusk County, Texas, under §36.0015, Tex. Water Code;

WHEREAS, the District is authorized to make and enforce fair and impartial rules to manage groundwater resources as scientifically necessary to conserve and protect groundwater resources in the area under §36.101, Tex. Water Code;

WHEREAS, pursuant to §§36.1071 and 36.1072, Tex. Water Code, following notice and hearing, the District developed a comprehensive management plan that addresses the required management goals, as applicable, and shall submit the updated Management Plan to the Texas Water Development Board as provided under §§36.1071, 36.1072, and 36.1073 Tex. Water Code; and

WHEREAS, the District initially submitted its adopted Management Plan to the Texas Water Development Board in July of 2010, made revisions requested by the Texas Water Development Board staff and received their preliminary approval.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT THAT

The District adopts the Rusk County Groundwater Conservation District updated Management Plan and submits it to the Texas Water Development Board for review and approval.

PASSED AND APPROVED this the 8th day of November, 2010

SIGNED AND SEALED the 8th day of November 2010

Worth Whitehead

Worth Whitehead, President

ATTESTED BY: *RD Wittner*

RD Wittner, Secretary/Treasurer



RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT

PO BOX 97

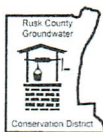
HENDERSON, TEXAS 75653

PHONE: 903.657.1900

FAX: 903.657.1922

E-MAIL: rcgcd@suddenlinkmail.com

www.rcgcd.org



November 9, 2010

Mr. Kelley Holcomb
General Manager
Angelina-Neches River Authority
210 East Lufkin Ave.
Lufkin, Texas 75901

Re: RCGCD District Management Plan Adoption

Dear Mr. Holcomb:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

If you have any questions or need additional information, please contact the District.

Sincerely,

Len Luscomb

Enclosure: RCGCD District Management Plan, adopted 11/8/10

RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT



**PO BOX 97
HENDERSON, TEXAS 75653
PHONE: 903.657.1900
FAX: 903.657.1922
E-MAIL: rcgcd@suddenlinkmail.com
www.rcgcd.org**



13

November 9, 2010

Mr. Rick Hanning
Luminant Power
107 E. Main Street
Henderson, Texas 75652

Re: RCGCD District Management Plan Adoption

Dear Mr. Hanning:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

If you have any questions or need additional information, please contact the District.

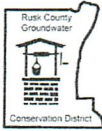
Sincerely,

A handwritten signature in black ink, appearing to read "Len Luscomb", written over a white background.

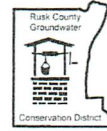
Len Luscomb

Enclosure: RCGCD District Management Plan, adopted 11/8/10

RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT



PO BOX 97
HENDERSON, TEXAS 75653
PHONE: 903.657.1900
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E-MAIL: rcgcd@suddenlinkmail.com
www.rcgcd.org



13

November 9, 2010

Mr. Tony Martin
Cherokee Water Company
NK-20 Lake Cherokee
Longview, Texas 75603

Re: RCGCD District Management Plan

Dear Mr. Martin:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

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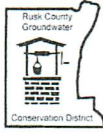
If you have any questions or need additional information, please contact the District.

Sincerely,

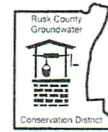
Len Luscomb

Enclosure: RCGCD District Management Plan, adopted 11/8/10

RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT



**PO BOX 97
HENDERSON, TEXAS 75653
PHONE: 903.657.1900
FAX: 903.657.1922
E-MAIL: rcgcd@suddenlinkmail.com
www.rcgcd.org**



November 9, 2010

Mr. Mike Barrow
City of Henderson
400 West Main Street
Henderson, TX 75652

Re: RCGCD District Management Plan Adoption

Dear Mr. Barrow:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

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Len Luscomb

Enclosure: RCGCD District Management Plan, adopted 11/8/10

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RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT

PO BOX 97

HENDERSON, TEXAS 75653

PHONE: 903.657.1900

FAX: 903.657.1922

E-MAIL: rcgcd@suddenlinkmail.com

www.rcgcd.org



November 9, 2010

David Hackley, Water Utilities Superintendent
City of Kilgore
815 N. Kilgore Street
Kilgore, Texas 75662

Re: RCGCD District Management Plan Adoption

Dear Mr. Hackley:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

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Sincerely,

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Len Luscomb

Enclosure: RCGCD District Management Plan, adopted 11/8/10

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RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT

PO BOX 97

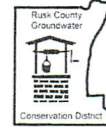
HENDERSON, TEXAS 75653

PHONE: 903.657.1900

FAX: 903.657.1922

E-MAIL: rcgcd@suddenlinkmail.com

www.rcgcd.org



November 9, 2010

Mr. Hugh Sparkman, General Manager
Cross Roads SUD
P.O. Box 1001
Kilgore, TX 75663

Re: RCGCD District Management Plan Adoption

Dear Mr. Sparkman:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

If you have any questions or need additional information, please contact the District.

Sincerely,

Len Luscomb

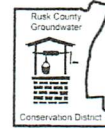
Enclosure: RCGCD District Management Plan, adopted 11/8/10

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RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT



PO BOX 97
HENDERSON, TEXAS 75653
PHONE: 903.657.1900
FAX: 903.657.1922
E-MAIL: rcgcd@suddenlinkmail.com
www.rcgcd.org



November 9, 2010

Mr. Jerry Clark
Executive Vice President and General Manager
Sabine River Authority
P.O. Box 579
Orange, Texas 77631-0579

Re: RCGCD District Management Plan

Dear Mr. Clark:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

If you have any questions or need additional information, please contact the District.

Sincerely,

Len Luscomb

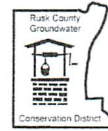
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HENDERSON, TEXAS 75653
PHONE: 903.657.1900
FAX: 903.657.1922
E-MAIL: rcgcd@suddenlinkmail.com
www.rcgcd.org



November 9, 2010

Mr. Royce Wisenbaker
Southern Utilities Company
218 N Broadway Ave,
Tyler, TC 75702

Re: RCGCD District Management Plan Adoption

Dear Mr. Wisenbaker:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

If you have any questions or need additional information, please contact the District.

Sincerely,

A handwritten signature in black ink, appearing to read "Len Luscomb".

Len Luscomb

Enclosure: RCGCD District Management Plan, adopted 11/8/10

13

RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT



PO BOX 97
HENDERSON, TEXAS 75653
PHONE: 903.657.1900
FAX: 903.657.1922
E-MAIL: rcgcd@suddenlinkmail.com
www.rcgcd.org



November 9, 2010

Elderville WSC
PO Box 7344
Longview, Tx 75607

Re: RCGCD District Management Plan Adoption

Dear Elderville WSC:

The Rusk County Groundwater Conservation District adopted its most recent Management Plan on November 8, 2010. After public hearing, the amended Management Plan was adopted by Resolution 2010-03 of the Rusk County Groundwater Conservation District's Board of Directors.

This Management Plan is forwarded for your review and comment in accordance with 31 Texas Administrative Code § 356.6(a)(4). The Management Plan may also be found on the District's website: www.rcgcd.org. We look forward to hearing your comments.

If you have any questions or need additional information, please feel free to contact the District.

Sincerely,

A handwritten signature in black ink, appearing to read "Len Luscomb".

Len Luscomb

Enclosure: RCGCD District Management Plan, adopted 11/8/10

13

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Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.66	

11/09/2010

Sent To: **Kelley Holcombe, Chairman**
 East Texas Reg. Water Planning
 210 Premier Drive
 Jasper, Texas 75951

PS Form 3800, August 2006 See Reverse for Instructions



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Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.66	

11/09/2010

Sent To: **Mr. Mike Barrow**
 City of Henderson
 400 West Main Street
 Henderson, TX 75652

PS Form 3800, August 2006 See Reverse for Instructions

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KILGORE TX 75662

Postage	\$ 1.73	0156 09 Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.83	

11/09/2010

Sent To: **David Hackley, Water Util**
 City of Kilgore
 815 N. Kilgore Street
 Kilgore, Texas 75662

PS Form 3800, August 2006 See Reverse for Instructions

7010 0290 0003 4284 5373

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LONGVIEW TX 75607

Postage	\$ 1.73	0156 09 Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.83	

11/09/2010

Sent To: **Elderville WSC**
 PO Box 7344
 Longview, Tx 75607

PS Form 3800, August 2006 See Reverse for Instructions

7008 1140 0004 2367 0296

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KILGORE TX 75663

Postage	\$ 1.56	0156 09 Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.66	

11/09/2010

Sent To: **Cross Roads SUD**
 P.O. Box 1001
 Kilgore, TX 75663

PS Form 3800, August 2006 See Reverse for Instructions

7010 0290 0003 4284 5355

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ORANGE TX 77631

Postage	\$ 1.56	0156 09 Postmark Here
Certified Fee	\$ 2.80	
Return Receipt Fee (Endorsement Required)	\$ 2.30	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 6.66	

11/09/2010

Sent To: **Mr. Jerry Clark, Gen. Manager**
 Sabine River Authority
 P.O. Box 579
 Orange, Texas 77631-0579

PS Form 3800, August 2006 See Reverse for Instructions

7008 1140 0004 2367 0281

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LONGVIEW TX 75603

OFFICIAL USE

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Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.66	11/09/2010

Sent To
 Mr. Tony Martin
 Cherokee Water Company
 NK-20 Lake Cherokee
 Longview, Texas 75603

Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

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TYLER TX 75702

OFFICIAL USE

Postage	\$ 1.56	0156 09 Postmark Here
Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.66	11/09/2010

Sent To
 Mr. Royce Wisenbaker
 Southern Utilities Company
 218 N Broadway Ave,
 Tyler, TC 75702

Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7008 1140 0004 2367 0274

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HENDERSON TX 75652

OFFICIAL USE

Postage	\$ 1.56	0156 09 Postmark Here
Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.66	11/09/2010

Sent To
 Mr. Rick Hanning
 Luminant Power
 107 E. Main Street
 Henderson, Texas 75652

Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

7008 1140 0004 2367 0267

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For delivery information visit our website at www.usps.com®

LUFKIN TX 75901

OFFICIAL USE

Postage	\$ 1.56	0156 09 Postmark Here
Certified Fee	\$2.80	
Return Receipt Fee (Endorsement Required)	\$2.30	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 6.66	11/09/2010

Sent To
 Mr. Kelley Holcomb, Gen. Manager
 Angelina-Neches River Authority
 210 East Lufkin Ave.
 Lufkin, Texas 75901

Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3800, August 2006 See Reverse for Instructions

RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT

PO BOX 97

HENDERSON, TEXAS 75653

PHONE 903.657.1900



12

A Public Hearing and regular meeting of the Rusk County Groundwater Conservation District Board of Directors will be held on Monday November 8, 2010 at the Rusk County Airport. The meeting will start at 5:00 PM. Matters to be considered by the Board of Directors and on which the Board of Directors may take official action include:

PUBLIC HEARING

A public hearing will be held to gather public input on the proposed revised Management Plan for Rusk County Groundwater Conservation District. A copy of the proposed Management Plan is available at the RCGCD offices located at 204 North Main in Henderson. It is also available on our web site at www.rcgcd.org.

BOARD MEETING

1. Approve minutes of the regular meeting and public hearing held on October 4, 2010.
2. Treasurer's report, Pay bills– (RD Wittner)
3. **Old Business:**
 - a) Review the districts revised Management Plan, and take appropriate action to approve.. – (Len Luscomb)
 - b) Update on annual financial Audit – (Len Luscomb)
 - c) General Managers Report – (Len Luscomb)
 1. Miscellaneous:
 2. Permitting and registration:
 3. Internet connection:
 4. District Management Plan & Goals
 5. District Rules:
 6. Drought Contingency Plan:
 7. Computer Setup:
 8. Office Set-up:
 9. Annual Report
 10. Groundwater Management Area 11:
 11. Monique Norman
 12. Financial tasks:
 13. Board Meeting:
4. **New Business:**
 - a) Report on issues being discussed by the ETRWPG. – (Worth Whitehead)
5. Presentation by citizens: any citizen may make a presentation at this time; however no action will be taken unless provided for on the above agenda. Limit 3 minutes each. Limit of one speaker per issue.
6. Open forum: Board may discuss general issues without taking action.
7. Adjourn.

FILED FOR RECORD
RUSK COUNTY, TEXAS

OCT 25 2010

JOYCE LEWIS-KUGLE
RUSK COUNTY, CLERK

BY JMills DEPUTY

The Board of Directors may meet in closed session, pursuant to the Texas Open Meetings Act, Texas Government Code §§ 551.071-551.076, to:

- (1) consult with an attorney to seek advice about pending or contemplated litigation or a settlement offer;
- (2) deliberate regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (3) deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (4) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee;
- (5) to receive information from employees or question employees, but not deliberate public business or agency policy that affects public business; and
- (6) to deliberate the deployment or specific occasions for implementation of security personnel or devices.

The Board may also meet in open session on these matters as required by the Texas Open Meetings Act, Texas Government Code § 551.102.

*This notice is posted in accordance with the open meeting act.
Date Posted: October 25, 2010 - Posted: Diana Martinez – Office Manager*

RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT

PO BOX 97

HENDERSON, TEXAS 75653

PHONE 903.657.1900



MEETING MINUTES

A Public Hearing and regular meeting of the Board of Directors of the Rusk County Groundwater Conservation District were called to order at the Rusk County Airport by Chairman Worth Whitehead at 5:00 PM on November 8, 2010. Other directors attending were Wayne Wright, Bobby Brown, Bob Young, RD Wittner, Amos Standard, and David Powell constituting a quorum. Board members not present were Kenny Mobbs and Mike Wilhite. Len Luscomb, was also present.

Public Hearing:

No residents were present for the Public Hearing. Worth Whitehead closed the Public Hearing and moved to the Board Meeting.

Board Meeting:

- A motion to approve the minutes of the board meeting held on October 4, 2010 was made by RD Wittner and seconded by Wayne Wright with all approving.
- The treasurer's report for October 2010 was presented by RD Wittner. The balance on hand as of October 31, 2010 was \$359,931.65 consisting of \$90.12 in petty cash, \$5,609.04 in the checking account, \$5,275.00 in the Fee account, and \$348,957.49 in the money market account. The fee rebate liability was reported at \$3,900.00. After discussion a motion was made by Wayne Wright and seconded by Bobby Brown to accept the financial report and pay the bills with all approving.

Under Old Business:

- After review of the final revision of the Districts Management Plan a motion was made by David Powell and seconded by RD Wittner to adopt the updated Management Plan for submittal to the Texas Water Development Board. The motion passed with all present approving. A certificate of resolution (2010-3) was executed by Worth Whitehead and RD Wittner.
- Len updated the board on the status of our annual financial audit. Richard Loughlin has all the files necessary to complete the audit and expects to present it to the board at their January Meeting.
- The board reviewed the General Managers monthly report. During the report, Len highlighted the following items:
 1. After talking with Judge Hodges, we will be asked to move to 500 North High in December. Len and Worth have looked at the house and it will work out fine for our needs with a few issues that need to be resolved. The board concurred that we should use a moving firm to move the office furniture.
 2. Len has contacted Business Computer System to wire the new office for our intranet and they will also review our server equipment to make sure it is up to date.
 3. Len and Jason will be attending the TWDB Groundwater 101 seminar this week in Austin.

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4. After reviewing the cost and concerns over sending out registration letters, it was recommended that we start a semi-annual newsletter to all 18,000 non city landowners in Rusk County. After discussion the board agreed to this approach. The staff will research the most cost effective way to publish the newsletter and report back to the board.
5. Major Rivers programs have all been distributed to county schools.
6. Jason and Len put together a 3D graph of water level averages (MSL) for the past 5 years that shows that a few wells are not in the Carrizo Wilcox aquifer.
7. TWDB installed a real time aquifer monitoring device in Rusk County. An article was written and published in the Henderson newspaper with a plug for the continued registration of private water wells.
8. David Powell will be attending the Texas Water Law Institute meeting in early December.
9. Average precipitation for October was 2.25 inches. We are over 17 inches under last years YTD rainfall. Even with this shortfall the aquifer levels continue to be steady in most areas. Reduced use of the groundwater due to the cooler temperatures should allow the levels to continue to hold.
10. Monique and LBG Guyton have completed their work on the Management Plan and the final plan is ready for board approval and submission to TWDB.
11. Penny Gearheart, district CPA, is set up to electronically deposit our payroll taxes and will start this new process in November.
12. Due to the Christmas Season and the office move, Len suggested that the December board meeting be cancelled. If any unanticipated issues come up during the move, a special meeting of the board will be called by Worth Whitehead.

After discussion by the board on the Managers Report a motion was made by David Powell and Seconded by Wayne Wright to accept the report. The motion passed with all approving.

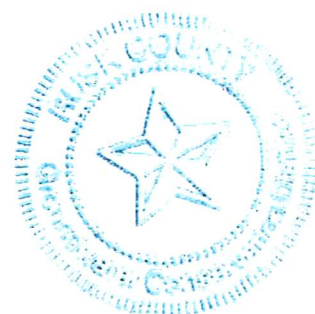
Under New Business:

- Worth Whitehead reported that Region I will meet again on December 8th.
- Neil Osburn, prospective new board member was present, but had no comments at this meeting.
- A motion to adjourn was made by RD Wittner and seconded by Bobby Brown with all voting approval.

The next board meeting will be on January 10, 2011. The location is yet to be determined. If the move is complete, the board meetings may be held at the new district offices.

(An audio record of the November 8, 2010 Public Hearing and board meeting is on file in the RCGCD office.)

Minutes Approved by: Worth Whitehead
Worth Whitehead, - Board President



RUSK COUNTY GROUNDWATER CONSERVATION DISTRICT

PO BOX 97

HENDERSON, TEXAS 75653

PHONE 903.657.1900



A regular meeting of the Rusk County Groundwater Conservation District Board of Directors will be held on Monday November 8, 2010 at the Rusk County Airport. The meeting will start at 5:30 PM. Matters to be considered by the Board of Directors and on which the Board of Directors may take official action include:

BOARD MEETING

1. Approve minutes of the regular meeting and public hearing held on November 8, 2010.
2. Discuss and take possible action on replacement board member. – (Worth Whitehead)
3. Presentation by citizens: any citizen may make a presentation at this time; however no action will be taken unless provided for on the above agenda. Limit 3 minutes each. Limit of one speaker per issue.
4. Open forum: Board may discuss general issues without taking action.
5. Adjourn.

12

The Board of Directors may meet in closed session, pursuant to the Texas Open Meetings Act, Texas Government Code §§ 551.071-551.076, to:

- (1) consult with an attorney to seek advice about pending or contemplated litigation or a settlement offer;
- (2) deliberate regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (3) deliberate a negotiated contract for a prospective gift or donation to the District if deliberation in an open meeting would have a detrimental effect on the position of the District in negotiations with a third person;
- (4) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a Board member or District employee;
- (5) to receive information from employees or question employees, but not deliberate public business or agency policy that affects public business; and
- (6) to deliberate the deployment or specific occasions for implementation of security personnel or devices.

The Board may also meet in open session on these matters as required by the Texas Open Meetings Act, Texas Government Code § 551.102.

This notice is posted in accordance with the open meeting act.

Date Posted: November 3, 2010 - Posted: Diana Martinez – Office Manager

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RUSK COUNTY, TEXAS

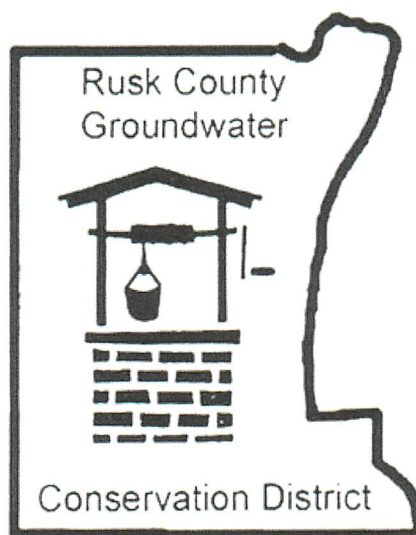
NOV 03 2010

JOYCE LEWIS-KUGLE
RUSK COUNTY CLERK

BY DEPUTY

**Rusk County Groundwater
Conservation District**

**Drought
Contingency
Plan**



Adopted – July 26, 2005

PO. Box 97, Henderson, TX 75653

903.657.1900

Section I: Declaration of Purpose and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, Rusk County Groundwater Conservation District (RCGCD) hereby adopts the following contingency plan for the delivery and consumption of water to minimize the adverse impacts of a water supply shortage in times of drought conditions. This plan takes into account the need to conserve water use for domestic, public health, safety, sanitation, and fire protection.

Recommended conservation of water uses in this contingency plan are considered to be non-essential and continuation of such uses during times of drought are deemed to constitute a waste of water which may adversely affect the public health, welfare, and safety of the residents in Rusk County.

Section II: Public Notification

The RCGCD will provide the public with information regarding initiation and termination of a drought condition. Along with this notification the RCGCD will provide information concerning recommended actions that should be taken to conserve our groundwater supply.

The Board of Directors of the RCGCD will make this notification and information available through some if not all of the following means of communication.

- a) Verbal and Written Notification to Rural and Municipal water supply entities.
- b) Notification through major newspapers serving Rusk County.
- c) Notification by public service announcements on Radio and Television stations serving Rusk County.
- d) Written bulletins issued to schools in Rusk County.
- e) Posting on the Districts web site.

Section III: Public Education

The RCGCD will periodically provide the public with information about the Drought Contingency Plan, including the conditions under which the Plan is to be initiated or terminated. This public education will be conducted through information notices in major area newspapers, bulletins to area schools, the District web site, and mailings to Rural and Municipal water supply entities. This educational information will also be issued to anyone receiving a permit to drill a new well in the district.

Section IV: Initiation and Termination of the Drought Contingency Plan

The Board of Directors of the RCGCD will initiate this drought contingency plan based upon indication of a drought condition caused by minimal area precipitation, the Palmer Drought Index, and low Monitor Well aquifer level. Throughout the drought condition the RCGCD will monitor the area precipitation and Monitor Well aquifer level to insure that the current contingency plan will be terminated as soon as conditions permit.

The RCGCD drought contingency plan DOES NOT supersede drought imposed regulations issued by any Rural or Municipal water supply entities, or State agencies.

Section V: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use, which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants, and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Consumer: any person, company, or organization using groundwater in Rusk County.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation, or for cleaning a residence, business, industry, or institution.

Industrial water use: the use of water in processes designed to convert materials of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks, and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety, and welfare, including:

- (a) irrigation of landscape areas, including parks, athletic fields, and golf courses, except otherwise provided under this Plan;
- (b) use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- (c) use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
- (d) use of water to wash down buildings or structures for purposes other than immediate fire protection;
- (e) flushing gutters or permitting water to run or accumulate in any gutter or street;
- (f) use of water to fill, refill, or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
- (g) use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- (h) failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- (i) use of water from hydrants for construction purposes or any other purposes other than fire fighting.

Section VI: RCGCD Drought Contingency Plan.

The drought contingency plan will provide recommended actions based on the severity of the drought condition as determined by the board of directors of RCGCD. The recommended actions will be issued in three stages.

1. The first stage will be a notification of possible drought conditions. At this stage it is recommended that water consumers in Rusk County initiate voluntary Conservation techniques that would include limiting Aesthetic water use and taking inventory of Non-essential water use.
2. The second stage will be a notification of an existing drought condition. At this stage the RCGCD will recommend:
 - a) Restricting Aesthetic water use
 - b) Limiting Non-essential water use, and Landscape irrigation use.
3. The third stage will be notification of a severe drought condition. At this stage the RCGCD will coordinate with Rural and Municipal water supply entities to assist them with the implementation of mandatory water use restrictions and rationing. The RCGCD will maintain communications with each entity to insure that restrictions and rationing is consistent throughout the County. The restrictions and rationing imposed by the Rural and Municipal water supply entities will be communicated to all water well owners/operators in Rusk County by the Rusk County Groundwater Conservation District.