MINUTES OF THE SEPTEMBER 18, 2012
BOARD OF DIRECTORS MEETING OF
NORTH PLAINS GROUNDWATER CONSERVATION DISTRICT

The Board of Directors of North Plains Groundwater Conservation District met in regular session September 18, 2012, at 9:00 a.m. in the Board Room of the District office at 603 East First Street in Dumas, Texas 79029. The following persons were present:

Members Present:

Gene Born;
Daniel L. Krienke;
Bob Zimmer;
Phil Haaland;
Brian Bezner; and,
Wesley Spurlock.

Staff Present during part or all of the meeting:

Steve Walthour, General Manager;
Dale Hallmark, Assistant General Manager/District Hydrologist; and,
Kristen Alwan, Executive Assistant.

Others present during part or all of the meeting:

Sabrina Leven;
George Ozuna;
Monti Haynie;
Amy Benssink;
Mark Howard;
C.C. Sysombath;
Claud Drinnen;
David Groeneneld – Hydrobio;
Bridget Adams – Hydrobio;
Barrett Mooney – Hydrobio;
Karlyle Haaland;
Amy Haschke;
Sasha Brothers;
F. Keith Good, Attorney; and,
Ellen Orr, Paralegal.

President Born declared a quorum present and called the meeting to order at 9:04 a.m.

Wesley Spurlock gave the invocation and President Born led the pledge.

President Born asked if there were persons present who desired to make public comment. No public comment was made.

Phil Haaland moved to approve items 2a through 2c of the Consent Agenda, consisting of the approval of the Minutes of the August 7, 2012 Board of Directors Meeting; the approval of the Minutes of the August 27, 2012 Board of Directors meeting; the approval of un-audited District expenditures from August 1, 2012, through August 31, 2012, including the General Manager's Expense and Activity Report; and, the approval of payment of professional services and out-of-pocket expenses to Lemon, Shearer, Phillips & Good, P.C. in the amount of $9,593.79 for August 1, 2012, through August 31, 2012. Wesley Spurlock seconded the motion and it was unanimously approved by the Board.

The general manager reported on the District's stakeholder meetings in Texline on September 4th and Dalhart on September 5th regarding the implementation of the District's conservation programs and rules in the areas newly ordered into the District by the Texas Commission on Environmental Quality. The general manager and the executive staff presented the District's rules and conservation programs to each of the groups. Mr. Walthour reported to the Board that during the presentation in Texline, stakeholders provided input and asked questions regarding the District's Conservation Reserve Program, the 1600 acre pooling limitations, well density, and production limitations. Mr. Walthour also stated that in Dalhart the discussion was focused primarily on the 1600 acre pooling limitation and the constitutionality of the statute which permitted the Texas Commission on Environmental Quality to order the areas into the District; whether or not the District could charge production fees in one portion of the District without charging production fees throughout the District; and whether the District could assess a production fee in an area that elected not to pay a proportional share of the District's operating costs through ad valorem taxes. The general manager reported that the District's staff and general counsel have been working Dallam County to hold the tax election during the November 6th general election.

Dale Hallmark presented a 2012 Hydrology and Groundwater Resources Report that summarized information collected by the District and other agencies related to the hydrology and groundwater resources within the District's jurisdiction. Mr. Hallmark reported that the District's staff has prepared maps showing the District boundaries; estimated depth to water; estimated average yearly water level declines; estimated aquifer thickness; and maps showing District monitor well locations. Mr. Hallmark's report summarized the number of active and inactive wells; the number of new wells drilled; measured annual groundwater production; and general water quality.

In 2011, the Board entered into a joint funding agreement with the United States Geological Survey (USGS) to use its personnel, experience and equipment to perform a District-wide high quality overview survey of the groundwater quality of the Ogallala aquifer. The survey, as proposed by the USGS will collect groundwater samples from approximately 24 to 32 District wells and perform analysis for major inorganic constituents (bromide, calcium, chloride, fluoride, etc.), trace elements (aluminum, antimony, arsenic, etc.), and nutrients (ammonia, nitrogen, nitrite, nitrate, phosphorus). A sub-set of wells (approximately 6 - 8 wells) will be further sampled for other constituents including pesticides and pesticide degradates. All of the samples will be analyzed for field parameters (water temperature, pH, specific conductance and dissolved oxygen) and alkalinity. Sampling will be split over two years and the project will run for three. Approximately 12-16 wells will be sampled in year 1 (and sub-set of 3-4 wells for pesticides), and the remaining 12-16 wells (sub-set of 3-4 wells for pesticides) will be sampled in year two. George Ozuna, Monti Haynie, and Amy Beussink of USGS presented the USGS report findings to the Board for the first year of the program.

In April, Hydrobio Advanced Remote Sensing provided a white paper to the District regarding Targeted Irrigation Management. Hydrobio suggested that Targeted Irrigation ManagementTM (TIMTM) has been developed as a service to the irrigation industry, initially for center pivot systems. Rather than being a standalone service, TIMTM is offered through existing pivot monitoring and control technology companies, for example PivoTrac Monitoring of Dalhart, Texas, that serves the Panhandle region. Hydrobio suggested that the District is the ideal location for beta testing and enhancement of TIMTM because of the District's mission to achieve water conservation in irrigation, because they are proactive in tracking irrigation and are leaders in the study and application of water conservation in irrigation. TIMTM uses weather data and remote sensing of Earth observation satellite data (EOS) to estimate the water requirement of crops on an individual field basis. TIMTM provides standardization, automation and data mining techniques to enhance irrigation conservation on a regional basis. TIMTM has been developed specifically to answer the critical need for water and energy conservation in irrigation, particularly center pivot irrigation because of its capability for controlling water application to the field and its subparts. Kurt Mooney and Bridget Adams of Hydrobio discussed the advanced remote sensing services which Hydrobio can provide regarding targeted irrigation management with the Board. Hydrobio would report on project results; introduce the concepts that enable TIMTM on a large scale; prescribe

irrigation; ensure adequate yields, and achieve water and energy conservation for the District.

The general manager provided an update regarding the District's 200-12 Project for corn. Four meetings highlighting three North Plains Groundwater Conservation District funded primary corn irrigation projects were held in August which were sponsored by Texas AgriLife Extension Service, Texas AgriLife Research and the North Plains Groundwater Conservation District. The dates and locations were:

Aug. 21:	Hutchinson County Corn Irrigation Conference, Morse Community Building, Morse.
Aug. 22:	Ochiltree Corn Irrigation Conference, Perryton Expo Center, Perryton.
Aug. 23:	Etter Corn Irrigation Field Day, North Plains Research Field, Etter.
Aug. 24:	Stratford Corn Irrigation Conference, Sherman County Barn, Stratford.

On August 28 through 30th, the District sponsored a booth to provide educational material regarding the conservation demonstrations and conservation tillage at the Texas Groundwater Summit in Austin. It was reported that in addition to these field demonstrations and educational conferences, the District is holding cooperator field trips on September 18th and September 20th.

In September, the District paid its first invoice from Texas Tech regarding the High Plains Initiative.

Danny Krienke moved that the District move forward to incorporate Hydrobio's program into the 2012-2013 budget for the District's 200-12 Demonstration Program, subject to District representatives negotiating the cost of such a program and reporting back to the Board regarding the same. Phil Haaland seconded the motion and it was unanimously approved by the Board.

By consensus of the Board, Action Agenda item 3b was moved to the Board's October meeting agenda.

The board recessed at 11:06 a.m. and reconvened at 11:16 a.m.

The Board next considered Action Agenda item 3c. There were several questions raised by various Board members concerning many of the well permits which were presented to the Board for approval. The general manager recommended that all of the well permits be removed from the Board's agenda and be placed on the Board's October Agenda. By consensus of the Board, Action Agenda item 3c was placed on the Board's October meeting agenda.

The general manager reported to the Board that in 2008, the North Plains Groundwater Conservation District revised or updated its Groundwater Management Plan. The plan took effect immediately and is still in effect today. According to Texas Water Code 36.1072, a district may review the plan annually and must review and readopt the plan with or without revisions at least once every five years. The district shall provide the readopted plan to the executive administrator not later than the 60th day after the date on which the plan was readopted. Approval of the preceding management plan remains in effect until:

(1) the district fails to timely readopt a management plan;

(2) the district fails to timely submit the district's readopted management plan to the executive administrator; or

(3) the executive administrator determines that the readopted management plan does not meet the requirements for approval, and the district has exhausted all appeals to the Texas Water Development Board or appropriate court.

Following notice and hearing, the district shall, in coordination with surface water management entities on a regional basis, develop a management plan that addresses the following management goals, as applicable:

(1) providing the most efficient use of groundwater;

(2) controlling and preventing waste of groundwater;

(3) controlling and preventing subsidence;

(4) addressing conjunctive surface water management issues;

(5) addressing natural resource issues;

(6) addressing drought conditions;

(7) addressing conservation, recharge enhancement, rainwater harvesting, precipitation enhancement, or brush control, where appropriate and cost-effective; and

(8) addressing the desired future conditions adopted by the district under Section 36.108.

The general manager provided a draft Management Plan to the Board for its review and commentary. The general manager recommended that the proposed Management Plan be distributed for public input. The general manager also recommended that the Board place this matter on its October meeting agenda so that it could begin the process to consider adopting the proposed Plan.

Wesley Spurlock moved to propose the draft Management Plan to the public for public comment. Brian Bezner seconded the motion and it was unanimously approved by the Board.

The Board recessed for lunch at 12:14 p.m. and reconvened at 1:12 p.m.

The general manager reported that as the District ends its fiscal year, he has reviewed the District 2011 – 2012 Budget. To cover costs in the Administrative and Conservation Demonstration Project categories, the General Manager requested that the Board amend the 2011-2012 budget as follows:

- Administrative from 209,500.00 to 215,500.00 representing an increase of 6,000.00;
- Repairs Maintenance and Supplies from $90,000.00 to $80,000.00 representing a decrease of $10,000;
- Capital Outlay from $44,000.00 to $43,000.00 representing a decrease of $1000.00; and
- Conservation Demo Project from $285,350.00 to$290,350 representing an increase of $5,000.

These amendments allow movement of funds without increasing the District's overall budget.

Phil Haaland moved that the Board amend the District's 2011-2012 budget as follows:

- Administrative from 209,500.00 to 215,500.00 representing an increase of 6,000.00;

- Repairs Maintenance and Supplies from $90,000.00 to $80,000.00 representing a decrease of $10,000;

- Capital Outlay from $44,000.00 to $43,000.00 representing a decrease of $1000.00; and

- Conservation Demo Project from $285,350.00 to$290,350.00 representing an increase of $5,000.

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

The general manager reported to the Board that at the end of each fiscal year, the Board requires that the District's Auditor perform a financial audit of the District's operations. As a result of the audit and in consultation with the Auditor, the District may be compelled to amend its books pursuant to fiscal policy, state and/or local law. The general manager requested the Board direct the General Manager to amend the 2011-2012 Budget if necessary, based on consultation with the Auditor, and report any changes to the Board for review.

Bob Zimmer moved that the Board direct the General Manager to amend the 2011-2012 Budget if necessary, based on consultation with the Auditor, and report any changes to the Board for review. Brian Bezner seconded the motion and it was unanimously approved by the Board.

Steve Walthour stated that in 2012, the Texas Water Development Board requested qualifications for proposals related to improving the High Plains Aquifer System Model (HPAS) that would include both the Dockum and Ogallala aquifers within the District. The TWDB will spend approximately $500,000 on recalibrating the HPAS model and tying the models for the Northern Ogallala aquifer and Southern Ogallala aquifer as well as the northern and southern portions of the Dockum aquifer. After review of the project proposal, the consultant for the High Plains Underground Water District and the Panhandle Groundwater Conservation District proposed an expanded scope for the project to further focus on: aquifer hydrostratigraphy, aquifer recharge, groundwater production/water in storage, and stakeholder communication.

Aquifer hydrostratigraphy: The original project includes defining structure with a geophysical log density of 20 logs per average size county. The expanded project includes defining structure with a geophysical log density of 50 logs per average size county, or more than double the resolution. Benefits include twice the resolution for definition of redbed surface and a commensurate increase in accuracy of storage estimates and predictions in storage change.

Recharge: The original project includes resolving differences in existing recharge models between northern and southern Ogallala GAMs. The expanded project includes developing a consistent recharge methodology based upon land use and land change and constrained by the decades of data collected by the BEG and the Districts in the region. Benefit includes consistent implementation framework for defining recharge both spatially and temporally across the Texas High Plains.

Groundwater Production and Water in Storage: As one of the methods of estimating historical production, the original project includes making change in storage calculations based on change in water levels. This calculation would be made one time for existing historical data. The expanded project includes development of a tool in ArcGIS that will be delivered to the Districts (and TWDB), that can be used by District staff in future years to easily calculate change in storage based on their monitoring network data. Benefit includes allowing easy in-house estimates of storage change be made by District staff for comparison/checking with other production estimates (such as meter results).

Stakeholder Communication: Original project includes delivery of report, data, figures to TWDB standards, suitable primarily for technical personnel. Expanded project includes development of 3D visualizations of the base of aquifer and water level at a several county scale, showing the GAM simulated evolution of the water in storage through time. Benefit includes improved tools for communication of findings between District staff and interested stakeholders. The HPAS GAM will provide regionally correlated structure based on geophysical logs, which is a complementary effort to the more local scale DBS work that is based on the driller log interpretations. So the local-scale DBS work will be integrated, where possible, into the more regional effort.

In terms of the visualization/stakeholder communication, the 3D visualizations produced as part of the expanded HPAS project will also be based on these regional surfaces, both for structure and water levels. We will rely on input from the Districts and TWDB staff on what the final scale of the visualizations would be in order to most effectively demonstrate project results, but they could range from aquifer-wide to district-wide to the scale of several counties. So again, this is a product that could complement the more local-scale DBS visualizations.

The total cost of the project is $300,000 over the next three years. High Plains Underground Water Conservation District has approved support for the project and Panhandle Groundwater Conservation District General Manager has said that his district will participate. Providing that the work can be folded into the District's visual stratigraphic modeling that Daniel B. Stephens completed in Lipscomb County and modeling that is scheduled to begin in Ochiltree County, the General Manager requested that the board support this modeling effort because the modeling performed will potentially affect the District's modeled available groundwater amounts.

Wesley Spurlock moved that the Board support expansion of the High Plains Aquifer Model Development for the next three years not to exceed $100,000.00 subject to review and approval of the final contract. Phil Haaland seconded the motion and it was unanimously approved by the Board.

The General Manager presented a draft of the proposed budget to the Budget and Finance Committee before the Board meeting on July 30th. After the Board's approved of the budget amendments recommended in Item 3e, the proposed budget for 2012-2013 represents a $297,782.00 increase in operating expenses based on the programs adopted by the Board and proposed by the General Manager. Below are tables that provide a summary of the estimated income and proposed expense budget for 2012-2013 and a projected 2011-2012 end of year balance. The General Manager estimated that the total 2011-2012 income from all sources may exceed the original beginning of year estimates by approximately $200,000.00.

Income	Estimated 2011-2012 EOY	2011-2012 Budget	Proposed 2012-2013
Taxes	1,782,352.18	1,657,333.37	1,792,767.00
Tax Penalty & Interest	7,421.55	7,412.87	8,005.00
Delinquent Taxes	12,953.46	12,953.46	13,988.00
Texas A&M Lease - NPRF	8,800.00	8,800.00	8,800.00
Refunds	2,525.54	4,000.00	2,525.00
Fees for District Services	245,000.00	200,000.00	200,000.00
Other Income	50,000.00	36,053.19	36,000.00
TWDB Grant	121,587.17	80,000.00	80,000.00
Investment Income	12,232.75	6,847.08	12,000.00
CIG Grant	166,000.00	166,000.00	166,000.00
Resale	304.90	0.00	0.00
	2,409,177.55	**2,179,399.97**	**2,320,085.00**

Assuming all budgeted funds are expended for 2012-2013, the District will use $178,265.00 from its reserves.

The General Manager reviewed the proposed	2011-2012 Budget	Proposed 2012-2013 Budget	Proposed Increase/ Decrease	Explanation
Director's Expense	$81,000.00	$81,000.00	$0.00	
Personnel	$858,868.01	$974,000.00	$115,132.00	Proposed Change in Retirement Plan to be presented in October, Total Salary for an additional employee added this spring, two interns and part time employees. The personnel should be sufficient to address District operations in the PGMA area added to the District as well as continue the other District programs.
Administrative	$209,600.00	$128,000.00	($81,600.00)	Add 10,000 for Rentals, Moved 41,000 (Legal Notices and Educational Supplies) to Public Outreach, Moved 55,100 (Equipment Network Repair and Maintenance) to Technology, Communications and Utilities.
Contracted Services	$96,750.00	$86,000.00	($10,750.00)	Move 3,500 (Depletion) to Professional Fees Reduced remaining budget by $7000 to cover an election and less Intergovernmental budget.
Professional Fees	$401,000.00	$216,000.00	($185,000.00)	Add 3,500 (from Contracted Services), add 15,000 for legislative session, Move $100,000 (Conservation Education and Research) to Conservation Outreach, Move 100,000 (Water Quality Sampling) to Observation Well Network
Technology, Communications, Utilities	$20,000.00	$110,000.00	$90,000.00	55,100 from Administrative(Network and Repairs), add 35,000 for Database development and repair
Repairs, Maintenance & Supplies	$90,000.00	$85,000.00	($5,000.00)	Reduced based on 2011-2012 Actual
Capital Outlay	$44,000.00	$75,000.00	$31,000.00	Two Trucks and an ATV
Observation Well Network & Hydrology	$114,000.00	$320,000.00	$206,000.00	Add 36,000 for Drilling Costs, Moved 100,000 from Professional Services (Water Quality Sampling), add 70,000 for Ochiltree Stratigraphic Model
Conservation Outreach	$0.00	$141,000.00	$141,000.00	Moved 41,000 from Administrative (Legal Notices and Educational Supplies), Moved 100,000 from Professional Fees (Conservation Education and Research)
Conservation Demonstration Project	$285,350.00	$282,350.00	($3,000.00)	
Total	**$2,200,568.01**	**$2,498,350.00**	**$297,782.00**	

The general manager recommended that the board adopt the budget for 2012-2013 Fiscal Year as follows:

Category	**Proposed 2012-2013 Budget**
Director's Expense	$81,000.00
Personnel	$974,000.00
Administrative	$128,000.00
Contracted Services	$86,000.00
Professional Fees	$216,000.00
Technology, Communications, Utilities	$110,000.00
Repairs, Maintenance & Supplies	$85,000.00
Capital Outlay	$75,000.00
Observation Well Network & Hydrology	$320,000.00
Conservation Outreach	$141,000.00
Conservation Demonstration Project	$282,350.00
Total	**$2,498,350.00**

Phil Haaland moved to adopt the 2012-2013 budget as follows:

Category	2012-2013 Budget
Director's Expense	$81,000.00
Personnel	$974,000.00
Administrative	$128,000.00
Contracted Services	$86,000.00
Professional Fees	$216,000.00
Technology, Communications, Utilities	$110,000.00
Repairs, Maintenance & Supplies	$85,000.00
Capital Outlay	$75,000.00
Observation Well Network & Hydrology	$320,000.00
Conservation Outreach	$141,000.00
Conservation Demonstration Project	$282,350.00
Total	**$2,498,350.00**

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

Steve Walthour reported to the Board that in March 2011 Texas Tech University Center for Geospatial Technology (CGST) developed a Geographic Information System (GIS) property layer for the District that we use today. In December of that year, CGST met with District staff to perform a user-needs assessment for the purpose of re-developing a SQL database design for our well permit and production database. The effort builds on the database design project to support development of a new desktop application. The desktop application will manage data entry for well permitting, well production, well registration, record retrieval, editing, and reporting. The desktop application will also be integrated with the existing GIS.

The principal tasks in this proposal includes 1) developing well permit and well production management applications, 2) identifying data quality issues for correction, 3) integrating an application with the existing GIS database, 4) documentation and 5) installation, testing and acceptance. This project is a continuation of the previous project approved by the District. The tasks in this proposal will be initiated upon acceptance of the Scope of Work by the Board. Originally this effort was expected to take place over a period of seven (7) month period with the prototyping phase anticipated to be substantially completed by the end of the fall 2012 semester. The final application is anticipated to be delivered in early to mid-spring 2013 after District testing.

The application development will occur incrementally as the tables, reports and forms are developed in accordance with the database design. Incremental application prototypes will be available for viewing and testing by the District as needed. Further development of this application will assist well owners by streamlining the District's production reporting review process and permitting process by reducing the number of data entry mistakes, providing reports and information back to the owners on a timelier basis, and further connecting the SQL database with the District's GIS.

The general manager recommended that the Board approve scope of work and contract presented to the Board for this project.

Phil Haaland moved that the Board approve the Scope of Work and Contract attached hereto as Exhibit "A" and incorporated herein for all purposes, not to exceed $30,000.00, for this project. Brian Bezner seconded the motion and it was unanimously approved by the Board.

Steve Walthour reported that Bob Zimmer was elected Secretary for GMA-1.

General Counsel informed the Board that eminent domain is a power possessed by the state to claim private property within the state, in exchange for fair and reasonable compensation, for public use, safety and, in some cases, economic development. Public uses include the running of power, water, gas or utility lines. Texas eminent domain statutes are outlined in Chapter 21 of the Texas Property Code.

Senate Bill 18, enacted by the 82nd Legislature, requires all public and private entities authorized to exercise the power of eminent domain in Texas to submit a letter (Texas Comptroller of Public Accounts Form 50-802) to the Comptroller of Public Accounts (via certified mail) detailing their legal authority to exercise this power. An entity's eminent domain authority expires on September 1, 2013, unless the form has been submitted by the December 31, 2012, deadline.

The general manager recommended that the Board maintain its power of eminent domain by authorizing the President of the Board to execute Texas Comptroller of Public Accounts Form 50-802 to evidence the District's authority to exercise the power of eminent domain in Texas and submit it to the Comptroller of Public Accounts (via certified mail) before December 31, 2012.

Bob Zimmer moved that the Board authorize the President of the Board to execute Texas Comptroller of Public Accounts Form 50-802 to evidence the District's authority to exercise the power of eminent domain in Texas and submit it to the Comptroller of Public Accounts (via certified mail) before December 31, 2012. Wesley Spurlock seconded the motion and it was unanimously approved by the Board.

Brian Bezner moved to go into Executive Session in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, §§551.071 and 551.072, to obtain legal advice from its attorney regarding pending compliance matters, and for the Board to deliberate regarding the purchase, exchange, lease, or value of real property. Wesley Spurlock seconded the motion and it was unanimously approved by the Board.

Executive Session: At 1:36 p.m., the Board went into Executive Session to seek legal advice from its attorney and to deliberate regarding the purchase, exchange, lease, or value of real property. At 2:40 p.m., Director Brian Bezner moved that the Board reconvene into regular session. Wesley Spurlock seconded the motion and it was unanimously approved by the Board.

At 2:41 p.m. the Board reconvened into regular session.

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

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

By consensus, the Board set its next regular Board meeting for October 9, 2012 at 9:30 a.m. in the District office.

Phil Haaland moved to adjourn the meeting. Bob Zimmer seconded the motion and it was unanimously approved by the Board. President Born declared the meeting adjourned at 2:55 p.m.

Gene Born, President

Bob Zimmer, Secretary

Contract Agreement

Part 1. Project Summary and Cover Page

Institution/Organization ("SPONSOR")	Institution/Organization ("COLLABORATOR")
Name: **North Plains Groundwater** Address: **Conservation District** **PO Box 795** **Dumas, TX 79029** Phone **806-935-6401** Fax **806-935-6633** Email **swalthour@npwd.org**	Name: **Texas Tech University** Address: **Center for Geospatial Technology** **P.O. Box 43132 118 Exp Sci Bldg** **Lubbock, TX 79409-3132** Phone **806-742-3722 x242** Fax **806-742-3788** Email **lucia.barbato@ttu.edu**
EIN No.: **75-6004604**	EIN No.: **75-6002622**
	Award/Subcontract No. **NPGCD/CGST 062512**
	Award Period of Performance Start Date **10/1/2012**
	Award Period of Performance End Date **06/30/2013**
Project Title: Well Permit & Production Software Application Development	
Primary Investigator for Sponsor **Dale Hallmark**	Primary Investigator for Collaborator **Lucia Barbato**
Amount funded this action: **$28,316.25**	Estimated total funding (if incremental) **not applicable**
Type of Agreement: **Cost-Type Contract**	Amount of any cost sharing required of collaborator: **$0**

Collaborator agrees to furnish and deliver all items or perform all services set forth or otherwise identified in this agreement and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this agreement shall be subject to and governed by the following documents: (a) this agreement, (b) the project solicitation or announcement (if any), and (c) such provisions, representations, certifications and specifications as are attached or incorporated by reference herein.

Name and Title of Authorized Organizational Representative for Sponsor	Name and Title of Authorized Organizational Representative for Collaborator
Steven D. Walthour **General Manager**	**Kevin R. Mulligan** **Director**
Signature of Authorized Organizational Representative / Date	Signature of Authorized Organizational Representative / Date

List of Contacts	
Sponsor Contacts	Collaborator Contacts
Administrative Contact Name: Steven D. Walthour, General Manager Address: North Plains GCD, PO Box 795, Dumas Texas 79029 Telephone: 806-935-6401 Fax: 806-935-6633 Email: swalthour@npwd.org	Administrative Contact Name: Lucia S. Barbato Center for Geospatial Technology Address: Texas Tech University P. O. Box 43132 118 Exp Sci Bld Lubbock, TX 79409-3132 Telephone: 806-742-3722 x242 Fax: 806-742-3788 Email: lucia.barbato@ttu.edu
Principal Investigator Name: Dale Hallmark, Assistant General Manager Address: North Plains GCD, PO Box 795, Dumas Texas 79029 Telephone: 806-935-6401 Fax: 806-935-6633 Email: hallmark@npwd.org	Project Director Name: Lucia Barbato Address: Center for Geospatial Technology Texas Tech University Box 43132 Lubbock, TX 79409-zzzz Telephone: 806-742-3722 x242 Fax: 806-742-3788 Email: lucia.barbato@ttu.edu
Financial Contact Name: Pauletta Rhoades Finance and Administrative Coordinator Address: North Plains GCD, PO Box 795, Dumas Texas 79029 Telephone: 806-935-6401 Fax: 806-935-6633 Email: rhoadesp@npwd.org	Financial Contact Name: Jessica Hoffman, Admin Asst Center for Geospatial Technology Address: P. O. Box 43132 – 118 Exp Sci Bld Lubbock, TX 79409-3132 Telephone: 806-742-3722 x241 Fax: 806-742-3788 Email: jessica.hoffman@ttu.edu
Authorized Official Name: Steven D. Walthour, General Manager Address: North Plains GCD, PO Box 795, Dumas Texas 79029 Telephone: 806-935-6401 Fax: 806-935-6633 Email: swalthour@npwd.org	Authorized Official Name: Kevin Mulligan Address: Center for Geospatial Technology Texas Tech University Box 43132 Lubbock, TX 79409-zzzz Telephone: 806-742-3722 x242 Fax: 806-742-3788 Email: kevin.mulligan@ttu.edu

Part 2. Standard Declarations

a. Matters of a technical nature, having to do with the statement of work or project deliverables, may be directed to the Primary Investigator for Sponsor. Sponsor's Primary Investigator is not authorized to make any financial commitments on behalf of Sponsor or to make changes in the terms and conditions of this agreement.
b. No diversion or replacement of Collaborator's Primary Investigator shall be made without prior written consent of Sponsor.
c. Matters concerning the request or negotiation of any changes in the terms, conditions, or amounts cited in this agreement, and any changes requiring prior approval, should be directed to the appropriate party's Administrative Contact, as shown in the List of Contacts. Any such changes made to this award agreement require the written approval of each party's Authorized Official.
d. If a subrecipient agreement, this Agreement is subject to the terms and conditions of the Prime Award/Contract and other special terms and conditions, attached hereto.
e. Collaborator shall be an independent entity and not an employee or agent of Sponsor.
f. Invoices must include both reimbursable and shared expenditures, if applicable, must include Collaborator's employer identification number, must present expenditures by category as outlined in Collaborator's budget, must show current and cumulative amounts and must certify that outlays are for the purposes set forth in this agreement.

   All invoices must contain the following certification (or applicable statement pre-printed on Collaborator's invoice providing essentially the same certification):

   I certify that to the best of my knowledge and belief the data on this billing are correct and that all outlays were made in accordance with the terms of the agreement and that payment is due and has not been previously requested.

g. TTU will submit three invoices to NPGCD. Upon contract initiation TTU will submit an invoice to NPGCD for 25% of the total project cost. Payment of the first invoice must be submitted to CGST not later than thirty (30) days after award start date. Payment of subsequent invoices must be submitted to CGST not later than thirty (30) days after invoice date. Invoices will be emailed to NPGCD. Upon delivery and acceptance of Task 1 TTU will submit an invoice for 25% of the total project cost. Upon delivery and acceptance of Task 2 TTU will submit a final invoice for the remaining 50% of the total project cost.
h. All payments shall be considered provisional and subject to adjustment within the total estimated cost in the event such adjustment is necessary as a result of an adverse audit finding against the Collaborator.
i. Each party shall be responsible for its negligent acts or omissions and the negligent acts or omissions of its employees, officers, or directors, to the extent allowed by law.
j. Either party may terminate this agreement with thirty days written notice to the appropriate party's Administrative Contact, as shown in the List of Contacts. Sponsor shall pay Collaborator for termination costs as allowable under terms and conditions of the prime contract or agreement.

Part 3. Standard Certifications: Lobbying, Debarment, and Audit

By signing this Agreement, the authorized official of Collaborator certifies, to the best of his/her knowledge and belief, that:

Debarment, Suspension, and Other Responsibility Matters

Collaborator certifies by signing this Agreement that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.

Audit Assurance

Collaborator assures Sponsor that it complies with audit requirements applicable to this agreement and that it will notify Sponsor of completion of required audits and of any adverse findings which impact this award.

Part 3. Statement of Work and Budget (Attached)