

**MONTAGUE COUNTY PROPERTY OWNERS
ASSOCIATION**
and
**UPPER CLEAR CREEK RANGE and WILDLIFE
MANAGEMENT ASSOCIATION**

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Dear Fellow Property Owner and Member:

As the year 2009 draws to a close, I want to take a few minutes of your time and bring you up to date on where we are on a number of items, which are important to all property owners.

The MPCOA was established in July of 2008 after approximately a dozen concerned property owners in the Forestburg and Saint Jo area met on an informal basis and decided that something had to be done to protect their interests from the havoc being caused by the exploration of hydrocarbons on the northernmost edge of the Barnett Shale in Montague County. Most people had the correct vision that they had no choice but to quickly learn what their rights were as surface owners with or without mineral rights and thus came the idea to establish an association and web site devoted solely to property owners interests and problems. A place where one could go and get answers. If one were not able to find the correct answer, at least they were headed in the right direction and were that much closer to contacting someone who could answer their questions and offer some type of guidance.

Since then we have continued to build our web site with important links to all local, county and state agencies that are property, petroleum, environmental and agricultural related. There is much more work to be done and we are not finished. The annual dues and donations that property owners have made to the association have gone solely to pay for meeting places like the Forestburg and Saint Jo civic centers at \$25.00 a meeting and to the computer people to continue to build the web site. Like all associations, we are a work in progress and feel we are making headway, but as you can appreciate it takes time.

In February of 2009 the MCPOA merged with the Upper Clear Creek Range and Wildlife Management Association. If ever there was a merger that made sense, this was the one. Here were two associations, with essentially the same people, interests and concerns that

were frustrated by the circumstances they were being presented with, but could not control. Both associations needed participation and a communication facility. Since the merger, as time has permitted, we have been working to integrate the two associations into one cohesive entity.

In early March we became aware that FENCO Contractors Group, LLC had filed an application with the Railroad Commission of Texas for a permit to operate a Commercial Stationary Treatment Facility in an inactive rock quarry on the north side of state highway 59 three miles west of Saint Jo. This facility, if permitted, would process cuttings from recently completed drilling sites for oil and natural gas wells. On paper it sounds pretty harmless, except that it isn't. Some of these cuttings contain heavy metals that occur naturally in the earth, but after they are mixed with other drilling contaminates they pose a clear and dangerous threat to drinking water. The site location sits above the Trinity Aquifer and the floor of the quarry is only 20 feet above the water level. To add insult to injury, FENCO asked for an environmental exemption under the Resource Conservation and Recovery Act.

It did not take us long to swing into action and begin working with possible area affected property owners, the City of Saint Jo and the Upper Trinity Groundwater Conservation District. Previously the Railroad Commission of Texas had probably not heard too much from Saint Jo, but they have now. Fortunately, to the credit of the RRC, they denied FENCO's application, but that doesn't mean they can't submit a revised application and ask for a hearing before the Commissioners. This is a fight, that if lost, could have tragic consequences. If you hear anything or know anything about this matter, please contact us immediately. The stakes for the possible contamination of the Trinity Aquifer are very high.

In late March the MCPOA purchased a Garmin, NUVI 205 Series GPS unit to locate the longitude and latitude coordinates to register individuals water wells with the Upper Trinity Groundwater Conservation District. If you have a water well and have not registered it with the UTGCD you need to do so. It is for your protection not to have a commercial water well drilled close to you and have your ground water disappear. As you are aware, drilling a water well is expensive. You can have your coordinates identified for you by calling the MCPOA phone number on the web site or sending an email requesting the service. It is free to all members.

No sooner had the solid waste disposal site campaign slowed down than we were contacted by property owners close to and a mile and a half west of the FENCO rock quarry site. A company by the name of Simpson Crushed Stone from Nemo, Texas had filed an application with the Texas Commission on Environmental Quality Air Permitting Division to operate a rock crusher on a 400 acre site on the south side of Highway 59. If the permit is approved the dust created by the new rock crusher will cover the Dye Mound area anytime the wind blows from the north or northwest. This, along with the blasting and other assorted problems with rock crushers, would just add to the list of problems associated with the exploration of hydrocarbons at the northern edge of the Barnett Shale. The TCEQ will in all probability approve this permit because Simpson has answered all the questions ,

crossed all the T's and dotted all the I's. More dirt, dust and noise for surrounding residents and Dye Mound.

The major concern of many of the members who founded the MCPOA and those who have joined since its inception has and always will be the precious natural resource of ground water. It is a resource that no longer can be taken for granted and must be seriously conserved. Individual property owners working with and cooperating with the UTGCD can make it happen. There is no reason that reconstituted water cannot be used for "hydraulic fracturing" of oil and gas wells. The reason it is not used is because the oil companies and others do not want to spend the money to acquire reconstituted water. It is cheaper to draw water from surface and groundwater sources.

The reason the UTGCD was started was because of the water problems caused by over-usage and contamination in Parker and Wise counties. Cooke County east of Montague County has already publicly stated they face severe problems and constraints starting in 2013. If what we hear about EOG Resources intentions for drilling in Montague County is correct, 21 to 25 drilling rigs operating in 2010, our county could easily have the same problems as the three mentioned other counties. Future problems with contamination and overusage can be prevented and should not be allowed to happen. The UTGCD is our best resource for property owner protection at this time and they need everyone's support. Most people are unaware of the fact that city operated wells at Forestburg are at the bottom of the water table and users face rationing in the summertime.

In summation, I would like to thank everyone for their interest and support this past year. We hope to count on your support far into the future. With the problems we see coming, we are going to need it. If you have ideas for guest speakers, our web site or problems concerning property owners, please contact us. We want to hear from our members. We even want to hear constructive criticism. Now that's different!

Tell your friends and neighbors about the MCPOA. There is strength in numbers, and when appropriate, we want to voice our unified opinions about air and water quality, as well as property owners rights to state, county and city officials.

Thank you for your continued support of the MCPOA. I look forward to visiting with and seeing you in 2010.

Sincerely,

Robert E. McKee III
Interim President