

THE STATE OF TEXAS

IN THE COMMISSIONERS COURT

AUGUST TERM, 2012

COUNTY OF MONTAGUE

REGULAR SESSION

BE IN REMEMBERED, That on this 13th day of August, 2012, Commissioners Court of Montague County, Texas met at a regular meeting with the following present:

Tommie Sappington	County Judge	Jon Kernek	Commissioner Precinct 1
James Gamblin	Commissioner Precinct 2	Rick Lewis	Commissioner Precinct 3
Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

#12-240-APPROVAL OF MINUTES for July 23 and August 6, 2012

Motion by Commissioner Kernek and seconded by Commissioner Gamblin to approve the minutes as presented in open court.

All Voted For

Motion Carried

#12-241-APPROVE MONTHLY REPORTS

Motion by Commissioner Langford and seconded by Commissioner Lewis to approve the monthly reports as presented in open court: Ad Valorem, County Attorney, District Clerk, Sheriff Fees, JP 1, JP 2, Cash Journal, Payroll Report, Indigent Health Care, R&B1, R&B2, R&B3, R&B4, Constable 1, Constable 2, Budget Adjustments, and Journal Entries. Report Audits: None.

All Voted For

Motion Carried

#12-242-PAY CLAIMS

Motion by Commissioner Langford and seconded by Commissioner Kernek to pay the bills as presented in open court.

All Voted For

Motion Carried

#12-243-RANDY DUCKWORTH, MONTAGUE COUNTY VETERAN'S SERVICE OFFICER TO UPDATE COMMISSIONERS COURT OF THE RECENT ACTIVITY IN THE VETERAN'S OFFICE

The Veteran's Officer gave updates to the court.

No Action Taken

#12-244-ANNUAL PRESENTATION OF 4-H YOUTH TO THE COMMISSIONERS COURT

Various 4-H youth presented to the Court their accomplishments and updates.

No Action Taken

#12-245-DISCUSS AND CONSIDER BUDGET ADJUSTMENTS FOR MONTAGUE COUNTY SHERIFF'S OFFICE FROM UNANTICIPATED REVENUE

Motion by Commissioner Langford and seconded by Commissioner Gamblin to approve budget adjustment for Sheriff's Office in the amount of \$6,531, this to be entered into the Sheriff Fuel line.

All Voted For

Motion Carried

#12-246-DISCUSS AND CONSIDER GOING OUT FOR FUEL BIDS

Motion by Commissioner Gamblin and seconded by Commissioner Lewis allow the County to go out for fuel bids.

All Voted For

Motion Carried

AND IT IS SO ORDERED. WITNESS OUR HANDS, THIS THE 13TH DAY OF AUGUST, 2012

Tommie Sappington
 COUNTY JUDGE

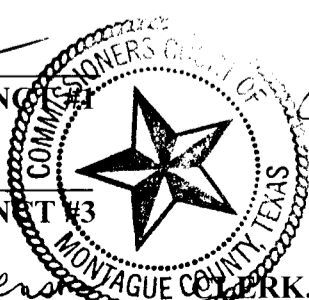
Jon Kernek
 COMMISSIONER, PRECINCT #1

James Gamblin
 COMMISSIONER, PRECINCT #2

[Signature]
 COMMISSIONER, PRECINCT #3

[Signature]
 COMMISSIONER, PRECINCT #4

ATTEST: *Glenda Henson*
 COUNTY CLERK, COUNTY COURT AND EX-OFFICIO
 CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.



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James Gamblin	Commissioner Precinct 2	Rick Lewis	Commissioner Precinct 3
Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

#12-247-DISCUSS AND CONSIDER THE REQUEST OF GABE SPIKES TO ADDRESS ANIMAL CONTROL ISSUES IN THE UNINCORPORATED AREAS OF THE COUNTY

Mr. Spikes spoke about the concerns and problems with animal control issues in the County
No Action Taken

#12-248-SYD NOWELL, COUNTY TAX ASSESSOR/COLLECTOR, TO PRESENT THE CERTIFICATION OF APPRAISED VALUES FOR TAX YEAR 2012

Motion by Commissioner Kernek and seconded by Commissioner Langford accept the certification of appraised values for the tax year 2012, as presented by the County Tax Assr/Collector.

All Voted For

Motion Carried

#12-249-SYD NOWELL, COUNTY TAX ASSESSOR/COLLECTOR TO PRESENT THE EFFECTIVE AND ROLLBACK TAX RATE FOR TAX YEAR 2012

Motion by Commissioner Langford and seconded by Commissioner Gamblin to accept the effective and rollback tax rate for tax year 2012 as presented by the County Tax Assr/Collector.

All Voted For

Motion Carried

#12-250-DISCUSS AND CONSIDER PROPOSED TAX RATE, TAKE RECORD VOTE AND SCHEDULE PUBLIC HEARINGS

Motion by Judge Sappington and seconded by Commissioner Langford to accept the proposed tax rate, and schedule public hearings for such on August 27th at 9:00 a.m., and September 4th at 9:00 a.m., 2012.

Commissioner Kernek
 Commissioner Langford
 Commissioner Lewis
 Commissioner Gamblin
 Judge Sappington
 All Voted For

Motion Carried

#12-251- DISCUSS AND CONSIDER APPROVING FISCAL YEAR 2012-2013 PROPOSED COUNTY BUDGET

Motion by Judge Sappington and seconded by Commissioner Gamblin to approve the 2012-2013 proposed County Budget.

All Voted For

Motion Carried

#12-252-SET PUBLIC HEARING DATE FOR FISCAL YEAR 2012-2013 COUNTY BUDGET

AND IT IS SO ORDERED. WITNESS OUR HANDS, THIS THE 13TH DAY OF AUGUST, 2012

Tommie Sappington
 COUNTY JUDGE

Jon Kernek
 COMMISSIONER, PRECINCT #1

James Gamblin
 COMMISSIONER, PRECINCT #2

Bob Langford
 COMMISSIONER, PRECINCT #4



ATTEST: *Glenda Henson*
 CLERK, COUNTY COURT AND EX-OFFICIO
 CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

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James Gamblin	Commissioner Precinct 2	Rick Lewis	Commissioner Precinct 3
Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

Motion by Commissioner Langford and seconded by Commissioner Gamblin to set the public hearing date for fiscal year 2012-2013 County Budget for September 17th at 9:00 a.m.

All Voted For

Motion Carried

#12-253-DISCUSS AND CONSIDER APPROVING AUTHORIZATION TO MAINTAIN TCDRS PLAN PROVISIONS PLAN YEAR 2013

Motion by Commissioner Langford and seconded by Commissioner Gamblin to approve the TCDRS Plan provisions for the year 2013, giving Judge Sappington authority to sign.

All Voted For

Motion Carried

#12-254-DISCUSS AND CONSIDER ACCEPTING BID FROM DALE WOMACK FOR 9.88 ACRES, RICHARDS SURVEY, ABSTRACT 1656, MONTAGUE COUNTY

Motion by Judge Sappington and seconded by Commissioner Langford to table this item till further assistance from an Attorney.

All Voted For

Motion Tabled

#12-255-DISCUSS AND CONSIDER THE REQUEST OF SHERIFF CUNNINGHAM TO SIGN A MEMORANDUM OF AGREEMENT WITH THE REGIONAL ORGANIZED CRIME INFORMATION CENTER AND APPLICATION FOR MEMBERSHIP

Motion by Commissioner Langford and seconded by Commissioner Lewis to approve the request from the Sheriff to sign a Memorandum of Agreement with the Regional Organized Crime Information Center, the membership to be \$300 annually, giving the Sheriff authorization to sign such.

All Voted For

Motion Carried

#12-256-DISCUSS AND CONSIDER REQUEST OF H2O FASTLINE TO APPROVE A TEMPORARY ROAD CROSSING ON STARKEY ROAD, PCT # 4

Motion by Commissioner Langford and seconded by Commissioner Lewis to allow H2O Fastline to cross Starkey Road in Pct. # 4.

All Voted For

Motion Carried

#12-257-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES TO APPROVE A TEMPORARY ROAD CROSSING ON AVENS ROAD AND STARKEY ROAD IN PCT # 4

Motion by Commissioner Langford and seconded by Commissioner Lewis to allow EOG to cross Avens and Starkey Road in Pct. # 4.

All Voted For

Motion Carried

AND IT IS SO ORDERED. WITNESS OUR HANDS, THIS THE 13TH DAY OF AUGUST, 2012

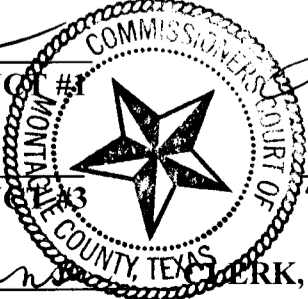
Tommie Sappington
COUNTY JUDGE

Jon Kernek
COMMISSIONER, PRECINCT #1

James Gamblin
COMMISSIONER, PRECINCT #2

Bob Langford
COMMISSIONER, PRECINCT #3

Bob Langford
COMMISSIONER, PRECINCT #4



ATTEST: *Glenda Henson*
CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

THE STATE OF TEXAS

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Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

#12-258-DISCUSS AND CONSIDER REQUEST OF TARGA MIDSTREAM SERVICE, LLC, TO APPROVE ROAD CROSSINGS ON MCMURRAY ROAD AND CATHOLIC CEMETARY ROAD IN PCT. # 1

Motion by Commissioner Kernek and seconded by Commissioner Gamblin to allow Targa Midstream Services, LLC to cross McMurray and Catholic Cemetery Roads in Pct. # 1.

All Voted For

Motion Carried

#12-259-DISCUSS AND CONSIDER REQUEST OF SELECT ENERGY SERVICE TO APPROVE A TEMPORARY ROAD CROSSING ON LAKE VALLEY ROAD IN PCT. # 1

Motion by Commissioner Kernek and seconded by Commissioner Langford to allow Select Energy to cross Lake Valley Road in Pct. # 1.

All Voted For

Motion Carried

#12-260-DISCUSS AND CONSIDER REQUEST OF ENERVEST TO APPROVE A TEMPORARY ROAD CROSSING ON MATHERS ROAD IN PCT. # 1

Motion by Commissioner Kernek and seconded by Commissioner Gamblin to allow EnerVest to cross Mathers Road in Pct. # 1.

All Voted For

Motion Carried

#12-261-DISCUSS AND CONSIDER REQUEST OF SELECT ENERGY SERVICES TO APPROVE A TEMPORARY FRAC LINE ON ROBERTS ROAD IN PCT. # 1

Motion by Commissioner Kernek and seconded by Commissioner Langford to allow Select Energy to cross Roberts Road in Pct. # 1 with a temporary frac line.

All Voted For

Motion Carried

#12-262-DISCUSS AND CONSIDER REQUEST OF PIONEER NATURAL RESOURCES TO APPROVE A ROAD CROSSING ON OLD VASHTI ROAD AND OGLE ROAD IN PCT # 2

Motion by Commissioner Gamblin and seconded by Commissioner Lewis to allow Pioneer Natural Resources to cross Old Vashti and Ogle Roads in Pct. # 2.

All Voted For

Motion Carried

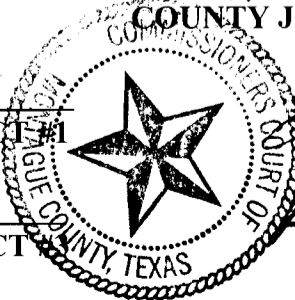
#12-263-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES, INC. TO APPROVE A TEMPORARY FRAC LINE ON LAZY E ROAD IN PCT. # 2

Motion by Commissioner Gamblin and seconded by Commissioner Langford to allow EOG to place a temporary frac line on Lazy E Road in Pct. # 2.

AND IT IS SO ORDERED. WITNESS OUR HANDS, THIS THE 13TH DAY OF AUGUST, 2012

Tommie Sappington
COUNTY JUDGE

Jon Kernek
COMMISSIONER, PRECINCT #1



James Gamblin
COMMISSIONER, PRECINCT #2

Bob Langford
COMMISSIONER, PRECINCT #4

Glenda Henson
COMMISSIONER, PRECINCT #4

ATTEST: *Glenda Henson* CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

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Bob Langford	Commissioner Precinct 4	Glenda Henson	County Clerk

All Voted For

Motion Carried

#12-264-DISCUSS AND CONSIDER REQUEST OF EOG RESOURCES INC. TO APPROVE TEMPORARY ROAD CROSSING ON SMYRNA ROAD AND FRUITLAND ROAD IN PCT. # 2

Motion by Commissioner Gamblin and seconded by Commissioner Langford to allow EOG to cross Smyrna and Fruitland Roads in Pct. # 2.

All Voted For

Motion Carried

#12-265-DISCUSS AND CONSIDER ORDER CREATING COUNTY ELECTIONS ADMINISTRATOR

Motion by Commissioner Langford and seconded by Commissioner Gamblin approve the order creating a County Elections Administrator for the County of Montague.

All Voted For

Motion Carried

#12-266-DISCUSS AND CONSIDER PCT. # 1 SELLING D5 DOZER TO PCT. # 2

Motion by Commissioner Kernek and seconded by Commissioner Gamblin to allow Pct. # 1 to sell a D5 Dozer to Pct. # 2 in the amount of \$1,000.

All Voted For

Motion Carried

#12-267-DISCUSS AND CONSIDER REQUEST OF PIONEER NATURAL RESOURCES TO APPROVE A PERMANENT ROAD CROSSING ON LEONA ROAD IN PCT # 1

Motion by Commissioner Gamblin and seconded by Commissioner Kernek to allow Pioneer to place a permanent road crossing on Leona Road in Pct. # 2.

All Voted For

Motion Carried

#12-268-DISCUSS AND CONSIDER CONTRACT FROM AMERICAN NATIONAL LEASING FOR SHERIFF'S VEHICLES

Motion by Commissioner Kernek and seconded by Commissioner Lewis to allow the Sheriff's Office to accept delivery of vehicles from American National Leasing upon the agreement that payments will not be due until October 2012, giving Judge Sappington authority to sign agreement with the County Attorney's approval.

All Voted For

Motion Carried

Meeting Adjourned.....

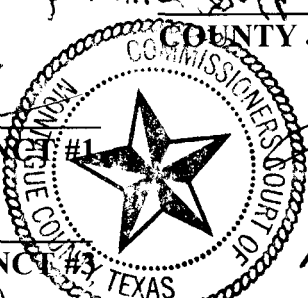
AND IT IS SO ORDERED. WITNESS OUR HANDS, THIS THE 13TH DAY OF AUGUST, 2012

Tommie Sappington
 COUNTY JUDGE

Jon Kernek
 COMMISSIONER, PRECINCT #1

James Gamblin
 COMMISSIONER, PRECINCT #2

Bob Langford
 COMMISSIONER, PRECINCT #4



ATTEST: *Glenda Henson* CLERK, COUNTY COURT AND EX-OFFICIO CLERK OF THE COMMISSIONER'S COURT, MONTAGUE COUNTY, TEXAS.

August 13, 2012

Reports

Ad Valorem
County Attorney
District Clerk
Sheriff Fees
JP 1
JP 2
Cash Journal
Payroll Report
Indigent Health Care
R&B 1
R&B 2
R&B 3
R&B 4
Constable 1
Constable 2
Budget Adjustments
Journal Entries

Report Audits

08/01/2012
TIME:11:21 AM

LISTING OF BUDGET ADJUSTMENTS

PAGE 1
PREPARER:0005

TRANSACTION NUMBER	TYPE OF ADJUSTMENT	EFFECTIVE DATE	ENTRY DATE	EMPL NUMBER	ACCOUNT NUMBER AND TITLE	ADJUSTMENT AMOUNT
0000037310	CURRENT	07/02/2012	07/02/2012	005	10-461-570 MACHINERY & EQUIPMENT	500.00-
0000037311	CURRENT	07/02/2012	07/02/2012	005	10-461-420 COMMUNICATION	500.00
0000037956	CURRENT	07/03/2012	07/03/2012	005	21-370-898 CASH RESERVES	100,000.00
0000037959	CURRENT	07/03/2012	07/03/2012	005	21-612-410 TIRES & TUBES	13,605.00
0000037960	CURRENT	07/03/2012	07/03/2012	005	21-612-411 FUEL	45,000.00
0000037962	CURRENT	07/03/2012	07/03/2012	005	21-612-435 GRAVEL	37,305.00
0000037963	CURRENT	07/03/2012	07/03/2012	005	21-612-449 PAVING	1,356.00
0000037967	CURRENT	07/03/2012	07/03/2012	005	21-612-458 CULVERTS	33.00
0000037968	CURRENT	07/03/2012	07/03/2012	005	21-612-482 INSURANCE	2,701.00
0000037969	CURRENT	07/03/2012	07/03/2012	005	10-510-440 UTILITIES	2,000.00-
0000037972	CURRENT	07/03/2012	07/03/2012	005	10-510-320 JANITORIAL SUPPLIES	2,000.00
0000037974	CURRENT	07/03/2012	07/03/2012	005	10-426-426 JUDGE'S EDUCATION	1,900.00-
0000037977	CURRENT	07/03/2012	07/03/2012	005	10-426-480 LEGAL	1,900.00
0000038164	CURRENT	07/05/2012	07/05/2012	005	24-615-497 SALES TAX	145.00
0000038165	CURRENT	07/05/2012	07/05/2012	005	24-615-570 MACHINERY AND EQUIPMENT	9,993.00
0000038166	CURRENT	07/05/2012	07/05/2012	005	24-615-411 FUEL	10,138.00-
0000038168	CURRENT	07/05/2012	07/05/2012	005	22-613-570 MACHINERY & EQUIPMENT	17,464.00
0000038169	CURRENT	07/05/2012	07/05/2012	005	22-613-497 SALES TAX	495.00
0000038170	CURRENT	07/05/2012	07/05/2012	005	22-613-412 OIL, GREASE	352.00
0000038171	CURRENT	07/05/2012	07/05/2012	005	22-613-449 PAVING	18,311.00-
0000038173	CURRENT	07/05/2012	07/05/2012	005	10-400-414 AUTOPSY	5,000.00
0000038174	CURRENT	07/05/2012	07/05/2012	005	10-400-490 SHERIFF MEDICAL	5,000.00-
0000038271	CURRENT	07/05/2012	07/05/2012	005	24-615-411 FUEL	600.00-
0000038272	CURRENT	07/05/2012	07/05/2012	005	24-615-570 MACHINERY AND EQUIPMENT	600.00
0000038273	CURRENT	07/05/2012	07/05/2012	005	43-370-898 CASH RESERVES	600.00
0000038274	CURRENT	07/05/2012	07/05/2012	005	43-574-160 BOARD & FO EXPENSE	600.00
0000038835	CURRENT	07/10/2012	07/10/2012	005	10-565-450 R & M JAIL	1,000.00-
0000038836	CURRENT	07/10/2012	07/10/2012	005	10-565-151 UNIFORMS	1,000.00
0000038839	CURRENT	07/10/2012	07/10/2012	005	10-552-570 MACHINERY & EQUIPMENT	300.00-
0000038842	CURRENT	07/10/2012	07/10/2012	005	10-552-450 REPAIR & MAINTENANCE	200.00
0000038844	CURRENT	07/10/2012	07/10/2012	005	10-552-420 COMMUNICATION	100.00
0000039675	CURRENT	07/17/2012	07/17/2012	005	10-495-427 TRAINING	50.00
0000039676	CURRENT	07/17/2012	07/17/2012	005	10-495-450 REPAIR & MAINTENANCE	50.00-
0000041284	CURRENT	07/30/2012	07/30/2012	005	10-476-570 MACHINERY & EQUIPMENT	1,000.00-
0000041285	CURRENT	07/30/2012	07/30/2012	005	10-476-425 TRANSPORTATION	1,000.00
0000041290	CURRENT	07/30/2012	07/30/2012	005	10-476-311 SOFTWARE	3,050.00-
0000041292	CURRENT	07/30/2012	07/30/2012	005	10-476-420 COMMUNICATION	3,050.00
0000041295	CURRENT	07/30/2012	07/30/2012	005	10-462-450 R & M	200.00-
0000041296	CURRENT	07/30/2012	07/30/2012	005	10-462-317 PRINTING	50.00-
0000041297	CURRENT	07/30/2012	07/30/2012	005	10-462-440 UTILITIES	250.00
0000041298	CURRENT	07/30/2012	07/30/2012	005	10-462-490 JUROR/BAIL/HEARING	350.00-
0000041299	CURRENT	07/30/2012	07/30/2012	005	10-462-320 JANITORIAL SUPPLIES	50.00-
0000041300	CURRENT	07/30/2012	07/30/2012	005	10-462-452 LAWN MAINTENANCE	50.00-
0000041301	CURRENT	07/30/2012	07/30/2012	005	10-462-310 OFFICE SUPPLIES	400.00-
0000041302	CURRENT	07/30/2012	07/30/2012	005	10-462-317 PRINTING	350.00-
0000041303	CURRENT	07/30/2012	07/30/2012	005	10-462-318 BOOKS	300.00-
0000041304	CURRENT	07/30/2012	07/30/2012	005	10-462-427 TRAINING	300.00-
0000041305	CURRENT	07/30/2012	07/30/2012	005	10-462-425 TRANSPORTATION	1,800.00
0000041306	CURRENT	07/30/2012	07/30/2012	005	10-665-570 MACHINERY & EQUIPMENT	200.00-
0000041307	CURRENT	07/30/2012	07/30/2012	005	10-665-310 OFFICE SUPPLIES	200.00
0000041308	CURRENT	07/30/2012	07/30/2012	005	10-400-490 SHERIFF MEDICAL	5,000.00-
0000041309	CURRENT	07/30/2012	07/30/2012	005	10-400-414 AUTOPSY	5,000.00
0000041310	CURRENT	07/30/2012	07/30/2012	005	10-401-400 DUES AND BONDS	160.00-
0000041311	CURRENT	07/30/2012	07/30/2012	005	10-401-497 SALES TAX	160.00
0000041312	CURRENT	07/30/2012	07/30/2012	005	10-405-427 TRAINING	100.00-
0000041313	CURRENT	07/30/2012	07/30/2012	005	10-405-425 TRANSPORTATION	200.00

08/01/2012
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LISTING OF BUDGET ADJUSTMENTS

PAGE 2
PREPARER:0005

TRANSACTION NUMBER	TYPE OF ADJUSTMENT	EFFECTIVE DATE	ENTRY DATE	EMPL NUMBER	ACCOUNT NUMBER AND TITLE	ADJUSTMENT AMOUNT
0000041314	CURRENT	07/30/2012	07/30/2012	005	10-405-310 OFFICE SUPPLIES	200.00
0000041315	CURRENT	07/30/2012	07/30/2012	005	10-409-310 OFFICE SUPPLIES	1,000.00-
0000041316	CURRENT	07/30/2012	07/30/2012	005	10-409-206 UNEMPLOYMENT INSURANCE	1,000.00
0000041317	CURRENT	07/30/2012	07/30/2012	005	10-415-305 OPERATING EXPENSES	1,400.00-
0000041318	CURRENT	07/30/2012	07/30/2012	005	10-415-570 MACHINERY & EQUIPMENT	1,400.00
0000041319	CURRENT	07/30/2012	07/30/2012	005	10-426-485 VISITING COURT REPORTER	2,000.00-
0000041320	CURRENT	07/30/2012	07/30/2012	005	10-426-480 LEGAL	2,000.00
0000041321	CURRENT	07/30/2012	07/30/2012	005	10-475-450 R & M	30.00-
0000041322	CURRENT	07/30/2012	07/30/2012	005	10-475-450 R & M	55.00-
0000041323	CURRENT	07/30/2012	07/30/2012	005	10-475-420 COMMUNICATION	85.00
0000041324	CURRENT	07/30/2012	07/30/2012	005	10-490-474 ELECTION JUDGES	14,000.00-
0000041325	CURRENT	07/30/2012	07/30/2012	005	10-490-105 PART TIME/ELECTION JUDGES	14,000.00
0000041326	CURRENT	07/30/2012	07/30/2012	005	10-495-318 BOOKS	35.00-
0000041327	CURRENT	07/30/2012	07/30/2012	005	10-495-400 DUES & BONDS	35.00
0000041328	CURRENT	07/30/2012	07/30/2012	005	10-510-450 R & M	6,700.00-
0000041329	CURRENT	07/30/2012	07/30/2012	005	10-510-570 MACHINERY & EQUIPMENT	6,700.00
0000041330	CURRENT	07/30/2012	07/30/2012	005	10-515-480 LEGAL	1,932.00-
0000041331	CURRENT	07/30/2012	07/30/2012	005	10-515-901 OPERATING TRANSFERS OUT	1,932.00
0000041332	CURRENT	07/30/2012	07/30/2012	005	10-566-570 EQUIPMENT	650.00-
0000041333	CURRENT	07/30/2012	07/30/2012	005	10-566-450 R & M	650.00
0000041334	CURRENT	07/30/2012	07/30/2012	005	10-567-425 TRANSPORTATION	400.00-
0000041335	CURRENT	07/30/2012	07/30/2012	005	10-567-320 FIRE EQUIP EXPENSE	400.00
0000041336	CURRENT	07/30/2012	07/30/2012	005	10-665-425 TRANSPORTATION	115.00-
0000041337	CURRENT	07/30/2012	07/30/2012	005	10-665-150 MEAL EXPENSE	115.00
0000041338	CURRENT	07/30/2012	07/30/2012	005	21-612-450 R & M	1,120.00-
0000041339	CURRENT	07/30/2012	07/30/2012	005	21-612-482 INSURANCE	1,120.00
0000041340	CURRENT	07/30/2012	07/30/2012	005	21-612-450 R & M	380.00-
0000041341	CURRENT	07/30/2012	07/30/2012	005	21-612-498 FUEL TAX	380.00
0000041342	CURRENT	07/30/2012	07/30/2012	005	21-612-450 R & M	2,100.00-
0000041343	CURRENT	07/30/2012	07/30/2012	005	21-612-410 TIRES & TUBES	2,100.00
0000041344	CURRENT	07/30/2012	07/30/2012	005	22-613-482 INSURANCE	105.00-
0000041345	CURRENT	07/30/2012	07/30/2012	005	22-613-498 FUEL TAX	105.00
0000041346	CURRENT	07/30/2012	07/30/2012	005	23-614-410 TIRES & TUBES	684.00
0000041347	CURRENT	07/30/2012	07/30/2012	005	23-614-434 SAND, CEMENT	810.00
0000041348	CURRENT	07/30/2012	07/30/2012	005	23-614-497 SALES TAX	1,066.00
0000041349	CURRENT	07/30/2012	07/30/2012	005	23-614-453 BLASTING	2,560.00-
TOTAL BUDGET ADJUSTMENTS						92 201,500.00

08/01/2012
TIME:11:05 AM

LISTING OF JOURNAL ENTRIES

PAGE 1
PREPARER:0005

JOURNAL ENT-NUMBER	ENTRY/ EFF-DATE	EMP SYS	DEBIT-ACCOUNT NUMBER AND TITLE	CREDIT-ACCOUNT NUMBER AND TITLE	
0000005290	07/13/2012	005	10-476-425 TRANSPORTATION		
	07/13/2012	G/L	DESCRIPTION: FUEL EXPENSE TRANSFER JUNE 12		242.31
0000005290	07/13/2012	005	10-510-411 FUEL		
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0000074533	LANGFORD, ROBERT H	C	07-18-2012	07-18-2012	1,454.91
0000074534	MCPHERSON, TOMMY L	C	07-18-2012	07-18-2012	1,025.61
0000074535	HUGHES, CHRISTOPHER B	C	07-18-2012	07-18-2012	630.82

08-01-2012
TIME:10:59 AM

CHECK FILE LISTING

PAGE 5
PREPARER:0005

CHECK	NAME-OF-PAYEE	S	ISS-DT	CHG-DT	AMOUNT
0000074536	BELL, CAROLYN J.	C	07-18-2012	07-18-2012	902.95
0000074537	HANSARD, JUSTIN A	C	07-18-2012	07-18-2012	476.66
0000074538	LACY, ELSIE M	C	07-18-2012	07-18-2012	423.23
0000074539	FIRST NATIONAL, BANK BOWIE	I	07-18-2012	07-18-2012	15,235.78
0000074540	FIRST NATIONAL, BANK BOWIE	I	07-18-2012	07-18-2012	13,875.08
0000074541	FIRST NATIONAL, BANK BOWIE	I	07-18-2012	07-18-2012	4,248.52
0000074542	AFLAC,	I	07-18-2012	07-18-2012	500.12
0000074543	BENEFIT GROUP, SECURITY	I	07-18-2012	07-18-2012	25.00
0000074544	TCDRS,	I	07-18-2012	07-18-2012	63,152.54
0000074545	AFLAC,	I	07-18-2012	07-18-2012	131.50
0000074546	RETIREMENT SOLUTIONS, NATIONWIDE	I	07-18-2012	07-18-2012	29.41
0000074547	PUTNAM INVESTMENTS,	I	07-18-2012	07-18-2012	75.00
0000074548	UNITED STATES TREAS.,	I	07-18-2012	07-18-2012	182.23
0000074549	CINTAS CORP, #628	I	07-18-2012	07-18-2012	620.59
0000074550	TX CHILD SUPPORT SDU, TXCSDU	I	07-18-2012	07-18-2012	181.38
0000074551	TX CHILD SUPPORT DIV, ATTY GENERAL	I	07-18-2012	07-18-2012	148.62
0000074552	TAC-HEBP, BLUE CROSS	I	07-18-2012	07-18-2012	44,060.34
0000074553	TAC-HEBP, BLUE CROSS	I	07-18-2012	07-18-2012	12,481.58
0000074554	TAC-HEBP, BLUE CROSS	I	07-18-2012	07-18-2012	1,389.75
0000074555	TAC-HEBP, BLUE CROSS	I	07-18-2012	07-18-2012	1,738.36
0000074556	SUPERVISION, MONTAGUE COMMUN	I	07-18-2012	07-18-2012	33.90
0000074557	SUPERVISION, MONTAGUE COMMUN	I	07-18-2012	07-18-2012	1,530.66
0000074558	TAC LIFE INSURANCE, TAC HEBP	I	07-18-2012	07-18-2012	474.95
0000074559	UNUM LIFE INS CO,	I	07-18-2012	07-18-2012	535.04
0000074560	FIRST INVESTORS CORP,	I	07-18-2012	07-18-2012	25.00
0000074561	UNITED TEACHER ASSOC, INSURANCE	I	07-18-2012	07-18-2012	268.26
0000074562	LIBERTY NATIONAL, INSURANCE LIFE	I	07-18-2012	07-18-2012	909.80
0000074563	LIBERTY NATIONAL, INSURANCE LIFE	I	07-18-2012	07-18-2012	360.77
REPORT TOTALS			260		425,062.07

CASH JOURNAL FOR JULY 2012													
GENERAL	INDIG HC	GROUP INS	EMP BEN	REC MGMT	CRTH SEC	BVS	DC REC	REC PRES	R&B 1	R&B 2	R&B 3	R&B 4	
10	12	13	14	15	16	17	PRES 18	19	21	22	23	24	
BAL FWD	4,900,275.53	284,215.67	23,571.91	0.00	216,505.31	212,338.80	8,334.72	11,502.94	87,214.13	436,909.88	355,591.71	408,052.57	308,611.64
TRANSFERS													
REVENUES	334,394.65	8,394.78	1.69		6,245.53	2,121.02	94.60	183.33	778.76	45,561.32	43,918.31	42,213.25	42,206.12
PAYROLL	273,440.94				1,240.14					26,424.42	21,393.89	20,312.32	22,050.00
BILLS	428,187.54		2,100.00		249.99	682.20				43,467.76	22,965.49	30,257.70	33,574.34
BALANCE	4,533,041.70	292,610.45	21,473.60	0.00	221,260.71	213,777.62	8,429.32	11,686.27	87,992.89	412,579.02	355,150.64	399,695.80	295,193.42
CKING ACCT	4,533,041.70	292,610.45	21,473.60		221,260.71	213,777.62	8,429.32	11,686.27	87,992.89	412,579.02	355,150.64	399,695.80	295,193.42
TEXPOOL	0.00	0.00			0.00	0.00			0.00	0.00	0.00	0.00	0.00
BAL FWD	4,533,041.70	292,610.45	21,473.60	0.00	221,260.71	213,777.62	8,429.32	11,686.27	87,992.89	412,579.02	355,150.64	399,695.80	295,193.42
MO CO LEAD	NORTEX	CA FORF	VIT	SO FORF	DA FORF	PEND FORF	CA HOT CK	DA STATE	DA SEIZURE	DA HOT CK	ESTRAY	PROBATION	
26	GRANT 29	30	31	32	33	34	35	36	37	38	39	40	
BAL FWD	9,508.30	2,348.04	4,051.01	1,381.91	117.38	153,668.15	71,587.65	17,666.05	-4,683.70	0.00	1,141.97	1,187.51	29,269.08
TRANSFERS													
REVENUES				47.55	0.01	62.32	5.11	334.16	23,155.67		2,174.70	2.10	
PAYROLL						938.34		344.00	3,241.20				
BILLS								310.00				367.50	
BALANCE	9,508.30	2,348.04	4,051.01	1,429.46	117.39	152,792.13	71,592.76	17,346.21	15,230.77	0.00	1,141.97	2,994.71	29,271.18
CKING ACCT	9,508.30	2,348.04	4,051.01	1,429.46	117.39	152,792.13	71,592.76	17,346.21	15,230.77		1,141.97	2,994.71	29,271.18
TEXPOOL													0.00
BAL FWD	9,508.30	2,348.04	4,051.01	1,429.46	117.39	152,792.13	71,592.76	17,346.21	15,230.77	0.00	1,141.97	2,994.71	29,271.18
SP PROB	JUV PROB	CO JUV	DET DIV	IV-E	CCP	JUV CC	JUV PROB F	LIVESTOCK	GRANT H	GRANT C	CRHS DOME	HIST COMM	
41	42	43	44	45	47	48	49	51	52	53	54	55	
BAL FWD	335,959.15	9,733.51	177,991.97	0.00	116,266.94	-24,541.40	0.00	0.00	10,009.07	0.00	-1,450.00	10,104.71	20,347.97
TRANSFERS													
REVENUES	23,909.50	31,573.00	22,135.55		8.34			0.72		1,450.00	0.72	371.01	
PAYROLL	30,180.50		18,067.16			7,429.16							
BILLS	7,195.87	16,740.38	3,581.57										4,727.13
BALANCE	322,492.28	24,566.13	178,478.79	0.00	116,275.28	-31,970.56	0.00	0.00	10,009.79	0.00	0.00	10,105.43	15,991.85
CKING ACCT	322,492.28	24,566.13	178,478.79	0.00	116,275.28	-31,970.56	0.00	0.00	10,009.79	0.00	0.00	10,105.43	15,991.85
TEXPOOL	0.00		0.00		0.00								0.00
BAL FWD	322,492.28	24,566.13	178,478.79	0.00	116,275.28	-31,970.56	0.00	0.00	10,009.79	0.00	0.00	10,105.43	15,991.85
JP CRTH	GRANT X	JAIL SF	ANNEX SF	ANNEX CON	FM-ROW	3-4 OPR	CONST 1	CONST 2	SO LEOSE	DA LEOSE	CO CLERK	DIST CLERK	
SEC 56	59	60	61	62	70	75	LEOSE 81	LEOSE 82	83	84	ARCHIVE 85	ARCHIVE 86	
BAL FWD	9,993.99	0.00	35,398.30	1,956.33	1,886,831.99	57,008.51	752,835.83	78.22	1,265.22	1,305.36	682.40	105,712.10	5,390.00
TRANSFERS													
REVENUES	37.00		9,638.89	0.14		348.09	53.99				6,235.00	155.00	
PAYROLL													
BILLS			5,163.75		2,301.50					508.40		1,375.00	1,650.00
BALANCE	10,030.99	0.00	39,873.44	1,956.47	1,886,530.49	57,356.60	752,889.82	78.22	1,265.22	796.96	682.40	110,572.10	3,895.00
CKING ACCT	10,030.99	0.00	39,873.44	1,956.47	1,886,530.49	57,356.60	752,889.82	78.22	1,265.22	796.96	682.40	110,572.10	3,895.00
TEXPOOL					0.00								
BAL FWD	10,030.99	0.00	39,873.44	1,956.47	1,886,530.49	57,356.60	752,889.82	78.22	1,265.22	796.96	682.40	110,572.10	3,895.00
CO CLERK	DIST CLERK	JP TECH	STATE FEES										
TECH 87	TECH 89	90	92										
BAL FWD	547.08	8,373.86	23,810.28	82,642.66	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,170,622.21
TRANSFERS													0.00
REVENUES	60.04	336.60	659.52	21,992.56									670,860.65
PAYROLL													425,062.07
BILLS		169.95	308.47	69,048.98									674,933.52
BALANCE	607.12	8,540.51	24,161.33	35,586.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,741,487.27
CKING ACCT	607.12	8,540.51	24,161.33	35,586.24									10,741,487.27
TEXPOOL													0.00
BAL FWD	607.12	8,540.51	24,161.33	35,586.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,741,487.27

2012 Property Tax Rates in Montague County

This notice concerns 2012 property tax rates for Montague County. It presents information about three tax rates. Last year's tax rate is the actual rate the taxing unit used to determine property taxes last year. This year's *effective* tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's *rollback* tax rate is the highest tax rate the taxing unit can set before taxpayers can start tax rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per \$100 of property value.

	Farm to Market/Flood Control Fund	Special Road/Bridge Fund	General Fund
Last year's tax rate:			
Last year's operating taxes	\$8,325	\$1,187,633	\$4,155,329
Last year's debt taxes	\$0	\$0	\$233,087
Last year's total taxes	\$8,325	\$1,187,633	\$4,388,416
Last year's tax base	\$1,387,421,887	\$1,387,421,887	\$1,387,421,887
Last year's total tax rate	0.000600/\$100	0.085600/\$100	0.316300/\$100
This year's effective tax rate:			
Last year's adjusted taxes (after subtracting taxes on lost property)	\$10,807	\$1,190,116	\$4,390,898
÷ This year's adjusted tax base (after subtracting value of new property)	\$1,654,868,543	\$1,654,868,543	\$1,654,868,543
= This year's effective tax rate for each fund	0.000600/\$100	0.071900/\$100	0.265300/\$100
Total effective tax rate	0.337800/\$100		
This year's rollback tax rate:			
Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate and/or enhanced indigent health care expenditures)	\$10,797	\$1,190,106	\$4,157,801
÷ This year's adjusted tax base	\$1,654,868,543	\$1,654,868,543	\$1,654,868,543
= This year's effective operating rate	0.000600/\$100	0.071900/\$100	0.251200/\$100
× 1.08 = this year's maximum	0.000600/\$100	0.077600/\$100	0.271200/\$100

operating rate			
+ This year's debt rate	0.000000/\$100	0.000000/\$100	0.013800/\$100
= This year's rollback rate for each fund	0.000600/\$100	0.077600/\$100	0.285000/\$100
This year's total rollback rate	0.363200/\$100		

Statement of Increase/Decrease

If Montague County adopts a 2012 tax rate equal to the effective tax rate of 0.337800 per \$100 of value, taxes would increase compared to 2011 taxes by \$ 9,098.

Schedule A: Unencumbered Fund Balances: General Fund

The following estimated balances will be left in the unit's property tax accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Property Tax Fund	Balance
GENERAL FUND	3,043,539
JAIL DEBT	28,134

Schedule B: 2012 Debt Service: General Fund

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
JAIL	226,866	5,163	28,134	260,163
Total required for 2012 debt service				\$260,163
- Amount (if any) paid from funds listed in Schedule A				\$0
- Amount (if any) paid from other resources				\$0
- Excess collections last year				\$28,134
= Total to be paid from taxes in 2012				\$232,029
+ Amount added in anticipation that the unit will collect only 100.000000% of its taxes in 2012				\$0
= Total Debt Levy				\$232,029

This notice contains a summary of actual effective and rollback tax rates' calculations. You can inspect a copy of the full calculations at 101 E Franklin, Montague, TX 76251.

Name of person preparing this notice: Sydney Nowell

Title: Tax Assessor-Collector

Date prepared: August 10, 2012

Montague County, #268
Authorization to maintain TCDRS plan provisions
Plan Year 2013

With respect to the participation of Montague County in the Texas County & District Retirement System (TCDRS) for the 2013 plan year, the following order was adopted:

1. Montague County makes no change in the plan provisions for non-retirees.
- * 2. With respect to benefit payments being paid to retirees or their beneficiaries, Montague County (**check one box**):
 - does not adopt a cost-of-living adjustment (COLA).
 - adopts a ____% CPI-based COLA.
 - adopts a ____% flat-rate COLA.

- * 3. The required employer contribution rate for Plan Year 2013 will be the following:

(a) Required rate without COLA:	14.73%	
(b) COLA rate:	+	<u>0</u> (enter 0 if not adopting a COLA)
(c) Total required rate (a + b):	=	<u>14.73%</u>

- * 4. Employers may elect to pay a rate greater than the **total required rate** listed above. Montague County adopts for Plan Year 2013 (**check one box**):
 - the **total required rate** listed above.
 - add a new elected rate of _____%.
5. In the event the 2013 total required rate as set out above exceeds 11%, and if a current waiver of that limit is not on file with TCDRS, the Commissioners Court of Montague County hereby waives the 11% limit on the rate of employer contributions and such waiver will remain effective with respect to future plan years until properly revoked by official action.

Certification

I certify that the foregoing authorization concerning the participation of Montague County in TCDRS for Plan Year 2013 truly and accurately reflects the official action taken during a properly posted and noticed meeting on August 13, 2012, by the Commissioners Court of Montague County as such action is recorded in the official minutes.

Tommie Sappington

 Authorized Signature, County Judge of Montague County

Tommie Sappington
 Printed Name

Dated: August 13, 2012

* Please fill in the required information for items 2, 3 and 4 before signing and sending this document to TCDRS.



Regional Organized Crime Information Center
545 Marriott Drive Suite 850 Nashville TN 37214
Toll-Free: 1-800-238-7985
Email: membership@rocic.riss.net
Fax: 615-234-5439
Internet: www.riss.net

MEMORANDUM OF AGREEMENT

	<i>Montague County Sheriff's Office</i>
ROCIC Agency Number	Name of Agency
	<i>Montague TEXAS</i>
	City and State
	<i>Paul Cunningham, Sheriff</i>
	Agency Administrative Head (Please Type or Print)

As members of the **Regional Organized Crime Information Center**, all designated personnel from this Agency shall abide by the Constitution and By-Laws that govern this organization, and follow the policies, procedures and guidelines concerning the use of all services rendered by the **Regional Organized Crime Information Center**.

This Agency also agrees to abide by the principles set forth in 28 CFR Part 23, §23.20. "Each participating agency, as a condition of participation, must accept in writing those principles which govern the submission, maintenance and dissemination of information included as part of the interjurisdictional system." (48454 Federal Register/Vol.58, No. 178, Rules and Regulations 28 CFR Part 23, § 23.30 (d)(2)).

The purpose of regulation 28 CFR Part 23 is to assure that all criminal intelligence systems are utilized in conformance with the privacy and constitutional rights of individuals. Therefore, all information submitted to the **Regional Organized Crime Information Center** shall conform to 28 CFR Part 23, § 23.20 (attached) and will remain the property of the submitting agency.

Donna Williams

Donna Williams, ROCIC Director

Paul Cunningham

Signature of Administrative Head

Date

8-13-12

Date

[Federal Register: December 30, 1998 (Volume 63, Number 250)]
 [Page 71752-71753]
 From the Federal Register Online via GPO Access [wais.access.gpo.gov]

DEPARTMENT OF JUSTICE
 28 CFR Part 23
 [OJP(BJA)-1177B]
 RIN 1121-ZB40

Criminal Intelligence Sharing Systems; Policy Clarification

AGENCY: Bureau of Justice Assistance (BJA), Office of Justice Programs (OJP), Justice.

ACTION: Clarification of policy.

SUMMARY: The current policy governing the entry of identifying information into criminal intelligence sharing systems requires clarification. This policy clarification is to make clear that the entry of individuals, entities and organizations, and locations that do not otherwise meet the requirements of reasonable suspicion is appropriate when it is done solely for the purposes of criminal identification or is germane to the criminal subject's criminal activity. Further, the definition of "criminal intelligence system" is clarified.

EFFECTIVE DATE: This clarification is effective December 30, 1998.

FOR FURTHER INFORMATION CONTACT: Paul Kendall, General Counsel, Office of Justice Programs, 810 7th Street N.W., Washington, DC 20531, (202) 307-6235.

SUPPLEMENTARY INFORMATION: The operation of criminal intelligence information systems is governed by 28 CFR Part 23. This regulation was written to both protect the privacy rights of individuals and to encourage and expedite the exchange of criminal intelligence information between and among law enforcement agencies of different jurisdictions. Frequent interpretations of the regulation, in the form of policy guidance and correspondence, have been the primary method of ensuring that advances in technology did not hamper its effectiveness.

Comments

The clarification was opened to public comment. Comments expressing unreserved support for the clarification were received from two Regional Intelligence Sharing Systems (RISS) and five states. A comment from the Chairperson of a RISS, relating to the use of identifying information to begin new investigations, has been incorporated. A single negative comment was received, but was not addressed to the subject of this clarification.

Use of Identifying Information

28 CFR 23.3(b)(3) states that criminal intelligence information that can be put into a criminal intelligence sharing system is "information relevant to the identification of and the criminal activity engaged in by an individual who or organization which is reasonably suspected of involvement in criminal activity, and *** [m]eets criminal intelligence system submission criteria." Further, 28 CFR 23.20(a) states that a system shall only collect information on an individual if "there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity." 28 CFR 23.20(b) extends that limitation to

[[Page 71753]]

collecting information on groups and corporate entities.

In an effort to protect individuals and organizations from the possible taint of having their names in intelligence systems (as defined at 28 C.F.R. Sec. 23.3(b)(1)), the Office of Justice Programs has previously interpreted this section to allow information to be placed in a system only if that information independently meets the requirements of the regulation. Information that might be vital to identifying potential criminals, such as favored locations and companions, or names of family members, has been excluded from the systems. This policy has hampered the effectiveness of many criminal intelligence sharing systems.

Given the swiftly changing nature of modern technology and the expansion of the size and complexity of criminal organizations, the Bureau of Justice Assistance (BJA) has determined that it is necessary to clarify this element of 28 CFR Part 23. Many criminal intelligence databases are now employing "Comment" or "Modus Operandi" fields whose

value would be greatly enhanced by the ability to store more detailed and wide-ranging identifying information. This may include names and limited data about people and organizations that are not suspected of any criminal activity or involvement, but merely aid in the identification and investigation of a criminal suspect who independently satisfies the reasonable suspicion standard.

Therefore, BJA issues the following clarification to the rules applying to the use of identifying information. Information that is relevant to the identification of a criminal suspect or to the criminal activity in which the suspect is engaged may be placed in a criminal intelligence database, provided that (1) appropriate disclaimers accompany the information noting that is strictly identifying information, carrying no criminal connotations; (2) identifying information may not be used as an independent basis to meet the requirement of reasonable suspicion of involvement in criminal activity necessary to create a record or file in a criminal intelligence system; and (3) the individual who is the criminal suspect identified by this information otherwise meets all requirements of 28 CFR Part 23. This information may be a searchable field in the intelligence system.

For example: A person reasonably suspected of being a drug dealer is known to conduct his criminal activities at the fictional "Northwest Market." An agency may wish to note this information in a criminal intelligence database, as it may be important to future identification of the suspect. Under the previous interpretation of the regulation, the entry of "Northwest Market" would not be permitted, because there was no reasonable suspicion that the "Northwest Market" was a criminal organization. Given the current clarification of the regulation, this will be permissible, provided that the information regarding the "Northwest Market" was clearly noted to be non-criminal in nature. For example, the data field in which "Northwest Market" was entered could be marked "Non-Criminal Identifying Information," or the words "Northwest Market" could be followed by a parenthetical comment such as "This organization has been entered into the system for identification purposes only—it is not suspected of any criminal activity or involvement." A criminal intelligence system record or file could not be created for "Northwest Market" solely on the basis of information provided, for example, in a comment field on the suspected drug dealer. Independent information would have to be obtained as a basis for the opening of a new criminal intelligence file or record based on reasonable suspicion on "Northwest Market." Further, the fact that other individuals frequent "Northwest Market" would not necessarily establish reasonable suspicion for those other individuals, as it relates to criminal intelligence systems.

The Definition of a "Criminal Intelligence System"

The definition of a "criminal intelligence system" is given in 28 CFR 23.3(b)(1) as the "arrangements, equipment, facilities, and procedures used for the receipt, storage, interagency exchange or dissemination, and analysis of criminal intelligence information ***." Given the fact that cross-database searching techniques are now common-place, and given the fact that multiple databases may be contained on the same computer system, BJA has determined that this definition needs clarification, specifically to differentiate between criminal intelligence systems and non-intelligence systems.

The comments to the 1993 revision of 28 CFR Part 23 noted that "[t]he term 'intelligence system' is redefined to clarify the fact that historical telephone toll files, analytical information, and work products that are not either retained, stored, or exchanged and criminal history record information or identification (fingerprint) systems are excluded from the definition, and hence are not covered by the regulation ***." 58 FR 48448-48449 (Sept. 16, 1993.) The comments further noted that materials that "may assist an agency to produce investigative or other information for an intelligence system ****" do not necessarily fall under the regulation. Id.

The above rationale for the exclusion of non-intelligence information sources from the definition of "criminal intelligence system," suggests now that, given the availability of more modern non-intelligence information sources such as the Internet, newspapers, motor vehicle administration records, and other public record information on-line, such sources shall not be considered part of criminal intelligence systems, and shall not be covered by this regulation, even if criminal intelligence systems access such sources during searches on criminal suspects. Therefore, criminal intelligence systems may conduct searches across the spectrum of non-intelligence systems without those systems being brought under 28 CFR Part 23. There is also no limitation on such non-intelligence information being stored on the same computer system as criminal intelligence information, provided that sufficient precautions are in place to separate the two types of information and to make it clear to operators and users of the information that two different types of information are being accessed.

Such precautions should be consistent with the above clarification of the rule governing the use of identifying information. This could be accomplished, for example, through the use of multiple windows, differing colors of data or clear labeling of the nature of information displayed.

Additional guidelines will be issued to provide details of the above clarifications as needed.

Dated: December 22, 1998.

Nancy Gist
Director, Bureau of Justice Assistance

[FR Doc. 98-34547 Filed 12-29-98; 8:45 am]
BILLING CODE 4410-18-P

AGENCY: Office of Justice Programs, Justice.

ACTION: Final Rule

SUMMARY: The regulation governing criminal intelligence systems operating through support under Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, is being revised to update basic authority citations and nomenclature, to clarify the applicability of the regulation, to define terms, and to modify a number of the regulation's operating policies and funding guidelines.

EFFECTIVE DATE: September 16, 1993

FOR FURTHER INFORMATION CONTACT: Paul Kendall, Esquire, General Counsel, Office of Justice Programs, 633 Indiana Ave., NW., Suite 1245-E, Washington, DC 20531, Telephone (202) 307-6235.

SUPPLEMENTARY INFORMATION: The rule which this rule supersedes had been in effect and unchanged since September 17, 1980. A notice of proposed rulemaking for 28 CFR part 23, was published in the Federal Register on February 27, 1992, (57 FR 6691).

The statutory authorities for this regulation are section 801(a) and section 812(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, (the Act), 42 U.S.C. 3782(a) and 3789g(c). 42 U.S.C. 3789g (c) and (d) provide as follows:

Confidentiality of Information

Sec. 812....

(c) All criminal intelligence systems operating through support under this title shall collect, maintain, and disseminate criminal intelligence information in conformance with policy standards which are prescribed by the Office of Justice Programs and which are written to assure that the funding and operation of these systems furthers the purpose of this title and to assure that such systems are not utilized in violation of the privacy and constitutional rights of individuals.

(d) Any person violating the provisions of this section, or of any rule, regulation, or order issued thereunder, shall be fined not to exceed \$10,000, in addition to any other penalty imposed by law.

This statutory provision and its implementing regulation apply to intelligence systems funded under title I of the Act, whether the system is operated by a single law enforcement agency, is an interjurisdictional intelligence system, is funded with discretionary grant funds, or is funded by a State with formula grant funds awarded under the Act's Drug Control and System Improvement Grant Program pursuant to part E, subpart 1 of the Act, 42 U.S.C. 3751-3759.

The need for change to 28 CFR part 23 grew out of the program experience of the Office of Justice Programs (OJP) and its component agency, the Bureau of Justice Assistance (BJA), with the regulation and the changing and expanding law enforcement agency need to respond to criminal mobility, the National drug program, the increased complexity of criminal networks and conspiracies, and the limited funding available to State and local law enforcement agencies. In addition, law enforcement's capability to perform intelligence data base and analytical functions has been enhanced by technological advancements and sophisticated analytical techniques.

28 CFR part 23 governs the basic requirements of the intelligence system process. The process includes-

1. Information submission or collection
2. Secure storage
3. Inquiry and search capability
4. Controlled dissemination, and
5. Purge and review process

Information systems that receive, store and disseminate information on individuals or organizations based on reasonable suspicion of their involvement in criminal activity are criminal intelligence systems under the regulation. The definition includes both systems that store detailed intelligence or investigative information on the suspected criminal activities of subjects and those which store only information designed to identify individuals or organizations that are the subject of an inquiry or analysis (a so-called "pointer system"). It does not include criminal history record information or identification (fingerprint) systems.

There are nine significant areas of change to the regulation:

- (1) Nomenclature changes (authority citations, organizational names) are included to bring the regulation up to date.
- (2) Definitions of terms (28 CFR 23.3(b)) are modified or added as appropriate. The term "intelligence system" is redefined to clarify the fact that historical telephone toll files, analytical information, and work products that are not either retained, stored, or exchanged and criminal history record information or identification (fingerprint) systems are excluded from the definition, and hence are not covered by the regulation; the terms "interjurisdictional intelligence system", "criminal intelligence information", "participating agency", "intelligence project", and "validation of information" are key terms that are defined in the regulation for the first time.
- (3) The operating principles for intelligence systems (28 CFR 23.20) are modified to define the term "reasonable suspicion" or "criminal predicate". The finding of reasonable suspicion is a threshold requirement for entering intelligence information on an individual or organization into an intelligence data base (28 CFR 23.20(c)). This determination, as well as determinations that information was legally obtained (28 CFR 23.20(d)) and that a recipient of the information has a need to know and a right to know the information in the performance of a law enforcement function (28 CFR 23.20(e)), are established as the responsibility of the project for an interjurisdictional intelligence system. However, the regulation permits these responsibilities to be delegated to a properly trained participating agency which is subject to project inspection and audit (28 CFR 23.20(c),(d),(g)).
- (4) Security requirements are established to protect the integrity of the intelligence data base and the information stored in the data base (28 CFR 23.20(g)(1)(i)-(vi)).
- (5) The regulation provides that information retained in the system must be reviewed and validated for continuing compliance with system submission criteria within a 5-year retention period. Any information not validated within that period must be purged from the system (28 CFR 23.20(h)).
- (6) Another change continues the general prohibition of direct remote terminal access to intelligence information in a funded intelligence system but provides an exception for systems which obtain express OJP approval based on a determination that the system has adequate policies and procedures in place to insure that access to system intelligence information is limited to authorized system users (28 CFR 23.20(i)(1)). OJP will carefully review all requests for exception to assure that a need exists and that system integrity will be provided and maintained (28 CFR 23.20(i)(1)).
- (7) The regulation requires participating agencies to maintain back-up files for information submitted to an interjurisdictional intelligence system and provide for inspection and audit by project staff (28 CFR 23.20(h)).
- (8) The final rule also includes a provision allowing the Attorney General or the Attorney General's designee to authorize a departure from the specific requirements of this part, in those cases where it is clearly shown that such waiver would promote the purposes and effectiveness of a criminal intelligence system while at the same time ensuring compliance with all applicable laws and protection for the privacy and constitutional rights of individuals. The Department recognizes that other provisions of federal law may be applicable to (or may be adopted in the future with respect to) certain submitters or users of information in criminal intelligence systems. Moreover, as technological developments unfold over time in this area, experience may show that particular aspects of the requirements in this part may no longer be needed to serve their intended purpose or may even prevent desirable technological advances. Accordingly, this provision grants the flexibility to make such beneficial adaptations in particular cases or classes without the necessity to undertake a new rulemaking process. This waiver authority could only be exercised by the Attorney General or designee, in writing, upon a clear and convincing showing (28 CFR 23.20 (o)).
- (9) The funding guidelines (28 CFR 23.30) are revised to permit funded intelligence systems to collect information either on organized criminal activity that represents a significant and recognized threat to the population or on criminal activity that is multi-jurisdictional in nature.

Rulemaking History

On February 27, 1992, the Department of Justice, Office of Justice Programs, published a notice of proposed rulemaking in the Federal Register (57 FR 6691).

The Office of Justice Programs received a total of eleven comments on the proposed regulation, seven from State agencies, two from Regional Information Sharing Systems (RISS) program fund recipients, one from a Federal agency, and one from the RISS Project Directors Association. Comments will be discussed in the order in which they address the substance of the proposed regulation.

Discussion of Comments

Title - Part 23

Comment: One commentator suggested reinserting the word "Operating" in the title of the regulation to read "Criminal Intelligence Systems Operating Policies" to reflect that the regulation applies only to policies governing system operations.

Response: Agreed. The title has been changed.

APPLICABILITY - SECTION 23.3(a)

Comment: A question was raised by one respondent as to whether the applicability of the regulation under Section 23.3(a) to systems "operating through support" under the Crime Control Act included agencies receiving any assistance funds and who operated an intelligence system or only those who received assistance funds for the specific purpose of funding the operation of an intelligence system.

Response: The regulation applies to grantees and subgrantees who receive and use Crime Control Act funds to fund the operation of an intelligence system.

Comment: Another commentator asked whether the purchase of software, office equipment, or the payment of staff salaries for a criminal intelligence system would constitute "operating through support" under the Crime Control Act.

Response: Any direct Crime Control Act fund support that contributes to the operation of a criminal intelligence system would subject the system to the operation of the policy standards during the period of fund support.

Comment: A third commentator inquired whether an agency's purchase of a telephone pen register or computer equipment to store and analyze pen register information would subject the agency or its information systems to the regulation.

Response: No, neither a pen register nor equipment to analyze telephone toll information fall under the definition of a criminal intelligence system even though they may assist an agency to produce investigative or other information for an intelligence system.

APPLICABILITY - SECTION 23.3(b)

Comment: Several commentators questioned whether information systems that are designed to collect information on criminal suspects for purposes of inquiry and analysis, and which provide for dissemination of such information, qualify as "criminal intelligence systems." One pointed out that the information qualifying for system submission could not be "unconfirmed" or "soft" intelligence. Rather, it would generally have to be investigative file-based information to meet the "reasonable suspicion" test.

Response: The character of an information system as a criminal intelligence system does not depend upon the source or categorization of the underlying information as "raw" or "soft" intelligence, preliminary investigation information, or investigative information, findings or determinations. It depends upon the purpose for which the information system exists and the type of information it contains. If the purpose of the system is to collect and share information with other law enforcement agencies on individuals reasonably suspected of involvement in criminal activity, and the information is identifying or descriptive information about the individual and the suspected criminal activity, then the system is a criminal intelligence system for purposes of the regulation. Only those criminal intelligence systems that receive, store and provide for the interagency exchange and analysis of criminal intelligence information in a manner consistent with this regulation are eligible for funding support with Crime Control Act funds.

Comment: One respondent asked whether the definition of criminal intelligence system covered criminal history record information (CHRI) systems, fugitive files, or other want or warrant based information systems.

Response: No. A CHRI system contains information collected on arrests, detention, indictments, informations or other charges, dispositions, sentencing, correctional supervision, and release. It encompasses systems designed to collect, process, preserve, or disseminate such information.

CHRI is factual, historical and objective information which provides a criminal justice system "profile" of an individual's past and present involvement in the criminal justice system. A fugitive file is designed to provide factual information to assist in the arrest of individuals for whom there is an outstanding want or warrant. Criminal intelligence information, by contrast, is both factual and conjectural (reasonable suspicion), current and subjective. It is intended for law enforcement use only, to provide law enforcement officers and agencies with useful information on criminal suspects and to foster interagency coordination and cooperation. A criminal intelligence system can have criminal history record information in it as an identifier but a CHRI system would not contain the suspected criminal activity information contained in a criminal intelligence system.

This distinction provides the basis for the limitations on criminal intelligence systems set forth in the operating policies. Because criminal intelligence information is both conjectural and subjective in nature, may be widely disseminated through the interagency exchange of information and cannot be accessed by criminal suspects to verify that the information is accurate and complete, the protections and limitations set forth in the regulation are necessary to protect the privacy interests of the subjects and potential subjects of a criminal intelligence system.

Comment: Another commenter asked whether a law enforcement agency's criminal intelligence information unit, located at headquarters, which authorizes no outside access to information in its intelligence system, would be subject to the regulation.

Response: No. The sharing of investigative or general file information on criminal subjects within an agency is a practice that takes place on a daily basis and is necessary for the efficient and effective operation of a law enforcement agency. Consequently, whether such a system is described as a case management or intelligence system, the regulation is not intended to apply to the exchange or sharing of such information when it takes place within a single law enforcement agency or organizational entity. For these purposes, an operational multi-jurisdictional task force would be considered a single organizational entity provided that it is established by and operates under a written memorandum of understanding or interagency agreement. The definition of "Criminal Intelligence System" has been modified to clarify this point. However, if a single agency or entity system provides access to system information to outside agencies on an inquiry or request basis, as a matter of either policy or practice, the system would qualify as a criminal intelligence system and be subject to the regulation.

Comment: A commenter questioned whether the proposed exclusion of "analytical information and work products" from the definition of "Intelligence System" was intended to exclude all dissemination of analytical results from coverage under the regulation.

Response: No. The exceptions in the proposed definition of "Intelligence System" of modus operandi files, historical telephone toll files and analytical information and work products are potentially confusing. The exceptions reflect types of data that may or may not qualify as "Criminal Intelligence Information" depending on particular facts and circumstances. Consequently, these exceptions have been deleted from the definition of "Intelligence System" in the final rule. For example, analytical information and work products that are derived from unevaluated or bulk data (i.e. information that has not been tested to determine that it meets intelligence system submission criteria) are not intelligence information if they are returned to the submitting agency. This information and its products cannot be retained, stored, or made available for dissemination in an intelligence system unless and until the information has been evaluated and determined to meet system submission criteria. The proposed definition of "Analytical Information and Work Products" in Section 23.3(b) has also been deleted.

To address the above issues, the definition of "Intelligence System" has been modified to define a "Criminal Intelligence System or Intelligence System" to mean "the arrangements, equipment, facilities, and procedures used for the receipt, storage, interagency exchange or dissemination, and analysis of criminal intelligence information."

Comment: Several commentors raised questions regarding the concept of "evaluated data" in the definition of "Criminal Intelligence Information", requesting guidance on what criteria to use in evaluating data. Another questioned whether there needed to be an active investigation as the basis for information to fall within the definition and whether information on an individual who or organization which is not the primary subject or target of an investigation or other data source, e.g. a criminal associate or co-conspirator, can qualify as "Criminal Intelligence Information."

Response: The definition of "Criminal Intelligence Information" has been revised to reflect that data is evaluated for two purposes related to criminal intelligence system submissions: (1) to determine that it is relevant in identifying a criminal suspect and the criminal activity involved; and (2) to determine that the data meets criminal intelligence system submission criteria, including reasonable suspicion of involvement in criminal activity. As rewritten, there is no requirement that an "active investigation" is necessary. Further, the revised language makes it clear that individuals or organizations who are not primary subjects or targets can be identified in the criminal intelligence information, provided that they independently meet system submission criteria.

Comment: One commenter requested clarification of the role of the "Project" in the operation of an intelligence system, i.e. is the project required to have physical control (possession) of the information in an intelligence system or will authority over the system (operational control) suffice?

Response: Operational control over an intelligence system's intelligence information is sufficient. The regulation seeks to establish a single locus of authority and responsibility for system information. Once that principle is established, the regulation permits, for example, the establishment of remote (off premises) data bases that meet applicable security requirements.

OPERATING PRINCIPLES - SECTION 23.20(c)

Comment: One respondent took the position that "Reasonable Suspicion", as defined in Section 23.20 (c), is not necessary to the protection of individual privacy and Constitutional rights, suggesting instead that information in a funded intelligence system need only be "necessary and relevant to an agency's lawful purposes."

Response: While it is agreed that the standard suggested is appropriate for investigative or other information files maintained for use by or within an agency, the potential for national dissemination of information in intelligence information systems, coupled with the lack of access by subjects to challenge the information, justifies the reasonable suspicion standard as well as other operating principle restrictions set forth in this regulation. Also, the quality and utility of "hits" in an information system is enhanced by the reasonable suspicion requirement. Scarce resources are not wasted by

agencies in coordinating information on subjects for whom information is vague, incomplete and conjectural.

Comment: The prior commentor also criticized the proposed definition of reasonable suspicion for its specific reference to an "investigative file" as the source of intelligence system information, the potential inconsistency between the concepts of "infer" and "conclude" as standards for determining whether reasonable suspicion is justified by the information available, and the use of "reasonable possibility" rather than "articulable" or "sufficient" facts as the operative standard to conclude that reasonable suspicion exists.

Response: The reference to an "investigative file" as the information source has been broadened to encompass any information source. The information available must provide a basis for the submitter to "believe" there is a reasonable possibility of the subject's involvement in the criminal activity or enterprise. The concept of a "basis to believe" requires reasoning and logic coupled with sound judgment based on experience in law enforcement rather than a mere hunch, whim, or guess. The belief that is formed, that there is a "reasonable possibility" of criminal involvement, has been retained because the proposed standard is appropriately less restrictive than that which is required to establish probable cause.

OPERATING PRINCIPLES - SECTION 23.20(d)

Comment: Section 23.20(d) prohibits the inclusion in an intelligence system of information obtained in violation of Federal, State, or local law or ordinance. Would a project be potentially liable for accepting, maintaining and disseminating such information even if it did not know that the information was illegally obtained?

Response: In addition to protecting the rights of individuals and organizations that may be subjects in a criminal intelligence system, this prohibition serves to protect a project from liability for disseminating illegally obtained information. A clear project policy that prohibits the submission of illegally obtained information, coupled with an examination of supporting information to determine that the information was obtained legally or the delegation of such authority to a properly trained participating agency, and the establishment and performance of routine inspection and audit of participating agency records, should be sufficient to shield a project from potential liability based on negligence in the performance of its intelligence information screening function.

OPERATING PRINCIPLES - SECTION 23.20(h)

Comment: One commentor requested clarification of the "periodic review" requirement in Section 23.20(h) and what constitutes an "explanation of decision to retain" information.

Response: The periodic review requirement is designed to insure that system information is accurate and as up-to-date as reasonably possible. When a review has occurred, the record is appropriately updated and notated. The explanation of decision to retain can be a variety of reasons including "active investigation", "preliminary review in progress", "subject believed still active in jurisdiction", and the like. When information that has been reviewed or updated and a determination made that it continues to meet system submission criteria, the information has been "validated" and begins a new retention period. The regulation limits the retention period to a maximum of five years without a review and validation of the information.

OPERATING PRINCIPLES - SECTION 23.20(i)

Comment: One commentor requested a definition of "remote terminal" and asked how OJP would determine whether "adequate policies and procedures" are in place to insure the continued integrity of a criminal intelligence system.

Response: A "remote terminal" is hardware that enables a participating agency to input into or access information from a project's criminal intelligence data base without the intervention of project staff. While the security requirements set forth in Section 23.20(g)(1)-(5) should minimize the threat to system integrity from unauthorized access to and the use of system information, special measures are called for when direct remote terminal access is authorized.

The Office of Justice Programs will expect any request for approval of remote terminal access to include information on the following system protection measures:

1. Procedures for identification of authorized remote terminals and security of terminals;
2. Authorized access officer (remote terminal operator) identification and verification procedures;
3. Provisions for the levels of dissemination of information as directed by the submitting agency;
4. Provisions for the rejection of submissions unless critical data fields are completed;
5. Technological safeguards on system access, use, dissemination, and review and purge;
6. Physical security of the system;
7. Training and certification of system-participating agency personnel;

8. Provisions for the audit of system-participating agencies, to include: file data supporting submissions to the system; security of access terminals; and policy and procedure compliance; and

9. Documentation for audit trails of the entire system operation.

Moreover, a waiver provision has been added to ensure flexibility in adapting quickly to technological and legal changes which may impact any of the requirements contained in this regulation. See Section 23.20 (o).

Comment: Related to the above discussion, another commentator asked whether restrictions on direct remote terminal access would prohibit remote access to an "index" of information in the system.

Response: Yes. The ability to obtain all information directly from a criminal intelligence system through the use of hardware based outside the system constitutes direct remote terminal access contrary to the provisions of Section 23.20(i)(1), except as specifically approved by OJP. Thus, a hit/no hit response, if gleaned from an index, would bring a remote terminal within the scope of the requirement for OJP approval of direct remote terminal access.

Comment: One commentator pointed out that the requirement for prior OJP approval of "modifications to system design" was overly broad and could be read to require that even minor changes be submitted for approval. The commentator proposed a substitute which would limit the requirement to those modifications "that alter the system's identified goals in a way contrary to the requirements of (this regulation)."

Response: While it is agreed that the language is broad, the proposed limitation is too restrictive. The intent was that "modifications to system design" refer to "major" changes to the system, such as the nature of the information collected, the place or method of information storage, the authorized uses of information in the system, and provisions for access to system information by authorized participating agencies. This clarification has been incorporated in the regulation. In order to decentralize responsibility for approval of system design modifications, the proposed regulation has been revised to provide for approval of such modifications by the grantor agency rather than OJP. A similar change has been made to Section 23.20(j).

OPERATING PRINCIPLES - SECTION 23.20(n)

Comment: Several commentators expressed concern with the verification procedures set forth in Section 23.20(n). One suggested that file information cannot "verify" the correctness of submissions but instead serves to "document" or "substantiate" its correctness. Another proposed deleting the requirements that (1) files maintained by participating agencies to support system submissions be subject to the operating principles, and (2) participating agencies are authorized to maintain such files separately from other agency files. The first requirement conflicts with the normal investigative procedures of a law enforcement agency in that all information in agency source files cannot meet the operating principles, particularly the reasonable suspicion and relevancy requirements. The important principle is that the information which is gleaned from an agency's source files and submitted to the system meet the operating principles. The second requirement has no practical value. At most, it results in the creation of duplicative files or in submission information being segregated from source files.

Response: OJP agrees with both comments. The word "documents" has been substituted for "verifies" and the provisions subjecting participating agency source files to the operating principles and authorizing maintenance of separate files have been deleted. Projects should use their audit and inspection access to agency source files to document the correctness of participating agency submissions on a sample basis.

FUNDING GUIDELINES - SECTION 23.30(b)

Comment: One commentator asked: "Who defines the areas of criminal activity that "represent a significant and recognized threat to the population?"

Response: The determination of areas of criminal activity focus and priority are matters for projects, project policy boards and member agencies to determine, provided that the additional regulatory requirements set forth in Section 23.30(b) are met.

MONITORING AND AUDITING OF GRANTS - SECTION 23.40(a)

Comment: One commentator asked: "Who is responsible for developing the specialized monitoring and audit of awards for intelligence systems to insure compliance with the operating principles?"

Response: The grantor agency (the agency awarding a sub-grant to support an intelligence system) shall establish and approve a plan for specialized monitoring and audit of sub-awards prior to award. For the BJA Formula Grant Program, the State agency receiving the award from BJA is the grantor agency. Technical assistance and support in establishing a monitoring and audit plan is available through BJA.

INFORMATION ON JUVENILES

Comment: Can intelligence information pertaining to a juvenile who otherwise meets criminal intelligence system submission criteria be entered into an intelligence data base?

Response: There is no limitation or restriction on entering intelligence information on juvenile subjects set forth in Federal law or regulation. However, State law may restrict or prohibit the maintenance or dissemination of such information by its law enforcement agencies. Therefore, State laws should be carefully reviewed to determine their impact on this practice and appropriate project policies adopted.

Executive Order 12291

These regulations are not a "major rule" as defined by section 1(b) of Executive Order No. 12291, 3 CFR part 127 (1981), because they do not result in: (a) An effect on the economy of \$100 million or more, (b) a major increase in any costs or prices, or (c) adverse effects on competition, employment, investment, productivity, or innovation among American enterprises.

Regulatory Flexibility Act

These regulations are not a rule within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601-612. These regulations, if promulgated, will not have a "significant" economic impact on a substantial number of small "entities," as defined by the Regulatory Flexibility Act.

Paperwork Reduction Act

There are no collection of information requirements contained in the proposed regulation.

List of Subjects in 28 CFR Part 23

Administrative practice and procedure, Grant programs, Intelligence, Law Enforcement.

For the reasons set out in the preamble, title 28, part 23 of the Code of Federal Regulations is revised to read as follows:

PART 23--CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES Sec.

1. Purpose.
2. Background.
3. Applicability.
4. Operating principles.
5. Funding guidelines.
6. Monitoring and auditing of grants for the funding of intelligence systems.

Authority: 42 U.S.C. 3782(a); 42 U.S.C. 3789g(c).

§ 23.1 Purpose.

The purpose of this regulation is to assure that all criminal intelligence systems operating through support under the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, et seq., as amended (Pub. L. 90-351, as amended by Pub. L. 91-644, Pub. L. 93-83, Pub. L. 93-415, Pub. L. 94-430, Pub. L. 94-503, Pub. L. 95-115, Pub. L. 96-157, Pub. L. 98-473, Pub. L. 99-570, Pub. L. 100-690, and Pub. L. 101-647), are utilized in conformance with the privacy and constitutional rights of individuals.

§ 23.2 Background.

It is recognized that certain criminal activities including but not limited to loan sharking, drug trafficking, trafficking in stolen property, gambling, extortion, smuggling, bribery, and corruption of public officials often involve some degree of regular coordination and permanent organization involving a large number of participants over a broad geographical area. The exposure of such ongoing networks of criminal activity can be aided by the pooling of information about such activities. However, because the collection and exchange of intelligence data necessary to support control of serious criminal activity may represent potential threats to the privacy of individuals to whom such data relates, policy guidelines for Federally funded projects are required.

§ 23.3 Applicability.

(a) These policy standards are applicable to all criminal intelligence systems operating through support under the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, et seq., as amended (Pub. L. 90-351, as amended by Pub. L. 91-644, Pub. L. 93-83, Pub. L. 93-415, Pub. L. 94-430, Pub. L. 94-503, Pub. L. 95-115, Pub. L. 96-157, Pub. L. 98-473, Pub. L. 99-570, Pub. L. 100-690, and Pub. L. 101-647).

(b) As used in these policies: (1) Criminal Intelligence System or Intelligence System means the arrangements, equipment, facilities, and procedures used for the receipt, storage, interagency exchange or dissemination, and analysis of criminal intelligence information; (2) Interjurisdictional Intelligence System means an intelligence system which involves two or more participating agencies representing different governmental units or jurisdictions; (3) Criminal Intelligence Information means data which has been evaluated to determine that it: (i) is relevant to the identification of and the criminal activity engaged in by an individual who or organization which is reasonably suspected of involvement in criminal activity, and (ii) meets criminal intelligence system submission criteria; (4) Participating Agency means an agency of local, county, State, Federal, or other governmental unit which exercises law enforcement or criminal investigation authority and which is authorized to submit and receive criminal intelligence information through an interjurisdictional intelligence

system. A participating agency may be a member or a nonmember of an interjurisdictional intelligence system; (5) Intelligence Project or Project means the organizational unit which operates an intelligence system on behalf of and for the benefit of a single agency or the organization which operates an interjurisdictional intelligence system on behalf of a group of participating agencies; and (6) Validation of Information means the procedures governing the periodic review of criminal intelligence information to assure its continuing compliance with system submission criteria established by regulation or program policy.

§ 23.20 Operating principles.

(a) A project shall collect and maintain criminal intelligence information concerning an individual only if there is reasonable suspicion that the individual is involved in criminal conduct or activity and the information is relevant to that criminal conduct or activity.

(b) A project shall not collect or maintain criminal intelligence information about the political, religious or social views, associations, or activities of any individual or any group, association, corporation, business, partnership, or other organization unless such information directly relates to criminal conduct or activity and there is reasonable suspicion that the subject of the information is or may be involved in criminal conduct or activity.

(c) Reasonable Suspicion or Criminal Predicate is established when information exists which establishes sufficient facts to give a trained law enforcement or criminal investigative agency officer, investigator, or employee a basis to believe that there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise. In an interjurisdictional intelligence system, the project is responsible for establishing the existence of reasonable suspicion of criminal activity either through examination of supporting information submitted by a participating agency or by delegation of this responsibility to a properly trained participating agency which is subject to routine inspection and audit procedures established by the project.

(d) A project shall not include in any criminal intelligence system information which has been obtained in violation of any applicable Federal, State, or local law or ordinance. In an interjurisdictional intelligence system, the project is responsible for establishing that no information is entered in violation of Federal, State, or local laws, either through examination of supporting information submitted by a participating agency or by delegation of this responsibility to a properly trained participating agency which is subject to routine inspection and audit procedures established by the project.

(e) A project or authorized recipient shall disseminate criminal intelligence information only where there is a need to know and a right to know the information in the performance of a law enforcement activity.

(f) (1) Except as noted in paragraph (f) (2) of this section, a project shall disseminate criminal intelligence information only to law enforcement authorities who shall agree to follow procedures regarding information receipt, maintenance, security, and dissemination which are consistent with these principles.

(2) Paragraph (f) (1) of this section shall not limit the dissemination of an assessment of criminal intelligence information to a government official or to any other individual, when necessary, to avoid imminent danger to life or property.

(g) A project maintaining criminal intelligence information shall ensure that administrative, technical, and physical safeguards (including audit trails) are adopted to insure against unauthorized access and against intentional or unintentional damage. A record indicating who has been given information, the reason for release of the information, and the date of each dissemination outside the project shall be kept. Information shall be labeled to indicate levels of sensitivity, levels of confidence, and the identity of submitting agencies and control officials. Each project must establish written definitions for the need to know and right to know standards for dissemination to other agencies as provided in paragraph (e) of this section. The project is responsible for establishing the existence of an inquirer's need to know and right to know the information being requested either through inquiry or by delegation of this responsibility to a properly trained participating agency which is subject to routine inspection and audit procedures established by the project. Each intelligence project shall assure that the following security requirements are implemented:

(1) Where appropriate, projects must adopt effective and technologically advanced computer software and hardware designs to prevent unauthorized access to the information contained in the system;

(2) The project must restrict access to its facilities, operating environment and documentation to organizations and personnel authorized by the project;

(3) The project must store information in the system in a manner such that it cannot be modified, destroyed, accessed, or purged without authorization;

(4) The project must institute procedures to protect criminal intelligence information from unauthorized access, theft, sabotage, fire, flood, or other natural or manmade disaster;

(5) The project must promulgate rules and regulations based on good cause for implementing its authority to screen, reject for employment, transfer, or remove personnel authorized to have direct access to the system; and

(6) A project may authorize and utilize remote (off-premises) system data bases to the extent that they comply with these security requirements.

(h) All projects shall adopt procedures to assure that all information which is retained by a project has relevancy and importance. Such procedures shall provide for the periodic review of information and the destruction of any information which is misleading, obsolete or otherwise unreliable and shall require that any recipient agencies be advised of such changes which involve errors or corrections. All information retained as a result of this review must reflect the name of the reviewer, date of review and explanation of decision to retain. Information retained in the system must be reviewed and validated for continuing compliance with system submission criteria before the expiration of its retention period, which in no event shall be longer than five (5) years.

(i) If funds awarded under the Act are used to support the operation of an intelligence system, then:

(1) No project shall make direct remote terminal access to intelligence information available to system participants, except as specifically approved by the Office of Justice Programs (OJP) based on a determination that the system has adequate policies and procedures in place to insure that it is accessible only to authorized systems users; and

(2) A project shall undertake no major modifications to system design without prior grantor agency approval.

(j) A project shall notify the grantor agency prior to initiation of formal information exchange procedures with any Federal, State, regional, or other information systems not indicated in the grant documents as initially approved at time of award.

(k) A project shall make assurances that there will be no purchase or use in the course of the project of any electronic, mechanical, or other device for surveillance purposes that is in violation of the provisions of the Electronic Communications Privacy Act of 1986, Public Law 99-508, 18 U.S.C. 2510-2520, 2701-2709 and 3121-3125, or any applicable State statute related to wiretapping and surveillance.

(l) A project shall make assurances that there will be no harassment or interference with any lawful political activities as part of the intelligence operation.

(m) A project shall adopt sanctions for unauthorized access, utilization, or disclosure of information contained in the system.

(n) A participating agency of an Interjurisdictional intelligence system must maintain in its agency files information which documents each submission to the system and supports compliance with project entry criteria. Participating agency files supporting system submissions must be made available for reasonable audit and inspection by project representatives. Project representatives will conduct participating agency inspection and audit in such a manner so as to protect the confidentiality and sensitivity of participating agency intelligence records.

(o) The Attorney General or designee may waive, in whole or in part, the applicability of a particular requirement or requirements contained in this part with respect to a criminal intelligence system, or for a class of submitters or users of such system, upon a clear and convincing showing that such waiver would enhance the collection, maintenance or dissemination of information in the criminal intelligence system, while ensuring that such system would not be utilized in violation of the privacy and constitutional rights of individuals or any applicable state or federal law.

§ 23.30 Funding guidelines.

The following funding guidelines shall apply to all Crime Control Act funded discretionary assistance awards and Bureau of Justice Assistance (BJA) formula grant program subgrants, a purpose of which is to support the operation of an intelligence system. Intelligence systems shall only be funded where a grantee/subgrantee agrees to adhere to the principles set forth above and the project meets the following criteria:

(a) The proposed collection and exchange of criminal intelligence information has been coordinated with and will support ongoing or proposed investigatory or prosecutorial activities relating to specific areas of criminal activity.

(b) The areas of criminal activity for which intelligence information is to be utilized represent a significant and recognized threat to the population and:

(1) Are either undertaken for the purpose of seeking illegal power or profits or pose a threat to the life and property of citizens; and

(2) Involve a significant degree of permanent criminal organization; or

(3) Are not limited to one jurisdiction.

(c) The head of a government agency or an individual with general policy making authority who has been expressly delegated such control and supervision by the head of the agency will retain control and supervision of information collection and dissemination for the criminal intelligence system. This official shall certify in writing that he or she takes full responsibility and will be accountable for the information maintained by and disseminated from the system and that the operation of the system will be in compliance with the principles set forth in § 23.20.

(d) Where the system is an interjurisdictional criminal intelligence system, the governmental agency which exercises control and supervision over the operation of the system shall require that the head of that agency or an individual with general policymaking authority who has been expressly delegated such control and supervision by the head of the agency:

1. assume official responsibility and accountability for actions taken in the name of the joint entity, and
- (2) certify in writing that the official takes full responsibility and will be accountable for insuring that the information transmitted to the interjurisdictional system or to participating agencies will be in compliance with the principles set forth in § 23.20.

The principles set forth in § 23.20 shall be made part of the by-laws or operating procedures for that system. Each participating agency, as a condition of participation, must accept in writing those principles which govern the submission, maintenance and dissemination of information included as part of the interjurisdictional system.

(e) Intelligence information will be collected, maintained and disseminated primarily for State and local law enforcement efforts, including efforts involving Federal participation.

§ 23.40 Monitoring and auditing of grants for the funding of intelligence systems.

(a) Awards for the funding of intelligence systems will receive specialized monitoring and audit in accordance with a plan designed to insure compliance with operating principles as set forth in § 23.20. The plan shall be approved prior to award of funds.

(b) All such awards shall be subject to a special condition requiring compliance with the principles set forth in § 23.20.

(c) An annual notice will be published by OJP which will indicate the existence and the objective of all systems for the continuing interjurisdictional exchange of criminal intelligence information which are subject to the 28 CFR Part 23 Criminal Intelligence Systems Policies.

Laurie Robinson
Acting Assistant Attorney General
Office of Justice Programs
(FR Doc. 93-22614 Filed 9-15-93; 8:45 am)

ROCIC

The Regional Organized Crime Information Center (ROCIC) has been funded by the U. S. Department of Justice since 1973. ROCIC is one of six Regional Information Sharing System (RISS) Projects in the United States. Every State is under the umbrella of RISS. ROCIC has over 200 member agencies in Texas alone and over 2100 member agencies in our 14 state region.

ROCIC/RISS provides many services to member Law Enforcement Agencies:

1. Secure access to a criminal database. ROCIC's Database alone has over 750,000 criminal suspects in it. Each RISS Project has its own database, however when you check one, you check them all. The database serves as a "pointer system" for investigators. For instance, if you're working on John Doe for narcotics you can run him through the database. If another officer (from anywhere in the U.S.) has put John Doe in the database we'll put the two officers together over the phone. They were working on the same suspect but just didn't know it;
2. ROCIC subscribes to over 20 online search databases such as:

Experian Credit Header; Full Accurint/LexisNexis Comprehensive Report; DL info; JusticExchange Booking/DOC and Social Networks. This allows member agencies to find out information on suspects they are working on such as location, address, vehicles, business ownership, etc., but can search over 100 sites;
3. ROCIC has an Equipment Section and loans surveillance equipment such as body mics, Auto Trackers (bird dogs), night vision, etc.;
4. ROCIC has an Analytical Section. We prepare charts for courtroom presentations, case analysis, crime scene charts, telephone toll analysis, etc. This section also does Audio/Video enhancement and Computer Forensics;

5. ROCIC also has a Training Section and a Publication Section that can be better explained in person.

To become a member of ROCIC a Law Enforcement Agency must meet three qualifications. They are as follows;

1. Must have arrest powers;
2. Must be sponsored by a member agency;
3. Must undergo a background check.

Membership fee is set by our Board of Directors and is currently \$300.00 annually, \$150.00 for federal agencies. Your agency can use the above listed services unlimited for the annual fee.

ROCIC Board of Directors is one Police Officer from each State in our region. The current Texas Board Member is Chief Joe Costa of the Desoto Police Department.

If you have any further questions I can be contacted through the below information.

Thank you,

Dale Stanley
ROCIC/RISS
Law Enforcement Coordinator - North Texas Region
1-800-238-7985 ext. 579
615.715.4855 (Cell/Blackberry)
dstanley@rocic.riss.net

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

TRC
#8139
DFerroglio

DATE: 8-3-12

NAME: H2O Fast Lane

ADDRESS: 1210 clay

CONTACT PERSON: Donna Fenoglio TELEPHONE NO. 940-841-0505

ROAD NAME: Starkey COMMISSIONER PCT. 1 2 3 (4)

GPS Coordinates: Latitude _____ Longitude _____
(GPS Coordinates for Road Crossings)

TEMPORARY _____ PERMANENT _____ PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

1 1/2 miles N/W on Starkey rd From Hwy 59
3" poly pipe for pumping water

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: COY Mosely

Well Site Physical Address: Harvill Lesse UTGCD ID#: _____

Type of Water Used:

Surface Water	<u>100%</u>	Percentage
Ground Water	_____	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 8/3/12 _____

SIGNATURE  _____

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 07/26/2012

TRC

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: STARKEY ROAD COMMISSIONER PCT. 4

GPS Coordinates: Latitude _____ Longitude _____

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

48" CULVERT FOR 10" ALUMINUM FRAC LINES CROSSING UNDER STARKEY RD.

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 4443

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	<input checked="" type="checkbox"/>	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ N/A _____ Longitude _____ N/A _____

Meter Serial Number: _____ N/A _____

Beginning Meter Reading (as displayed on meter): _____ N/A _____

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

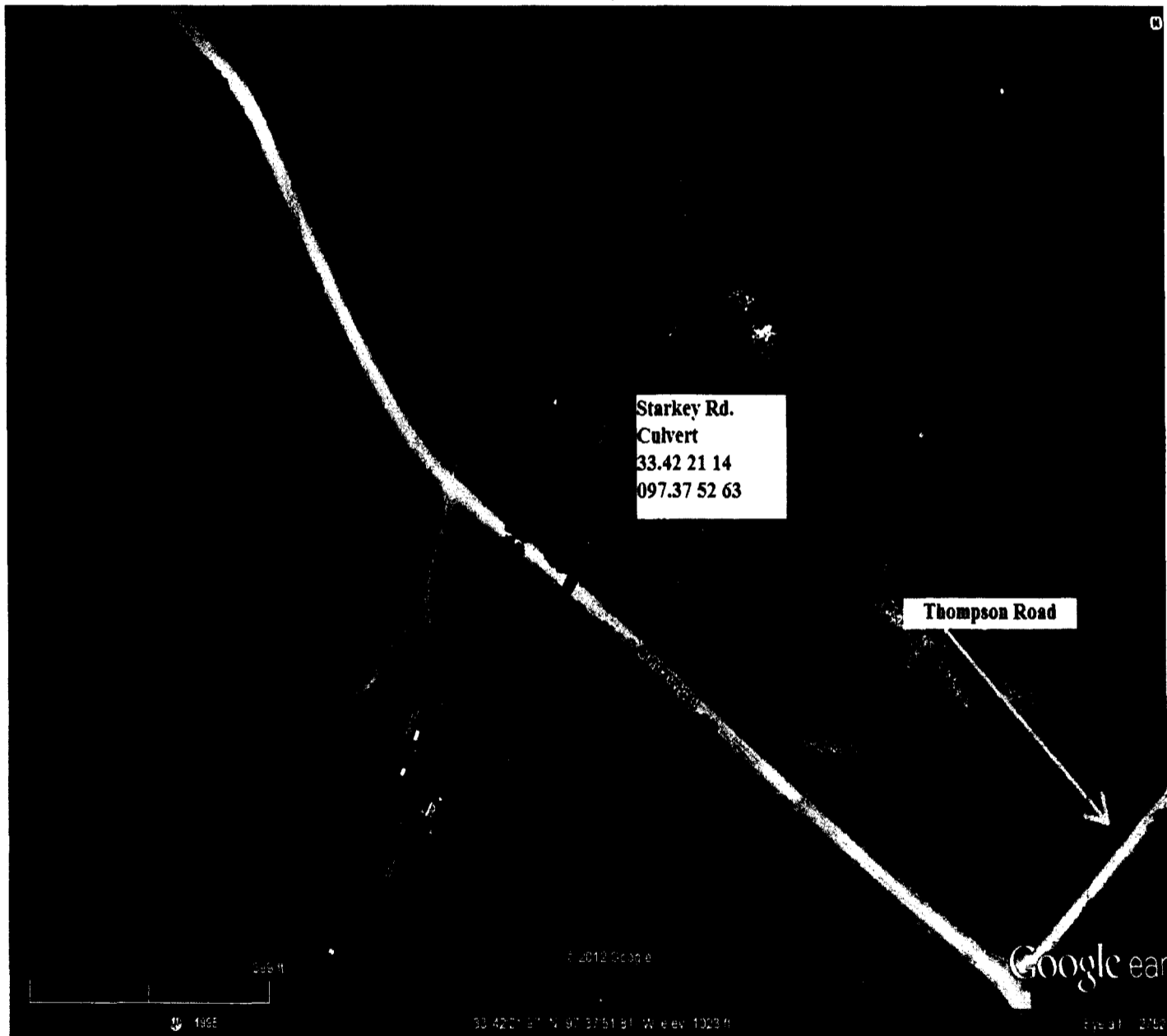
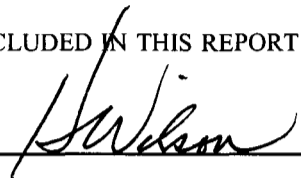
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 07/26/2012

SIGNATURE _____



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 08/01/2012

TRC

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: AVENS ROAD

COMMISSIONER PCT. 4

GPS Coordinates: Latitude N 33.41 48 33 Longitude W 097 38 32 73

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

INSTALL CULVERT ON AVENS ROAD

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 4443

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	<input checked="" type="checkbox"/>	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ N/A _____ Longitude _____ N/A _____

Meter Serial Number: _____ N/A _____

Beginning Meter Reading (as displayed on meter): _____ N/A _____

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

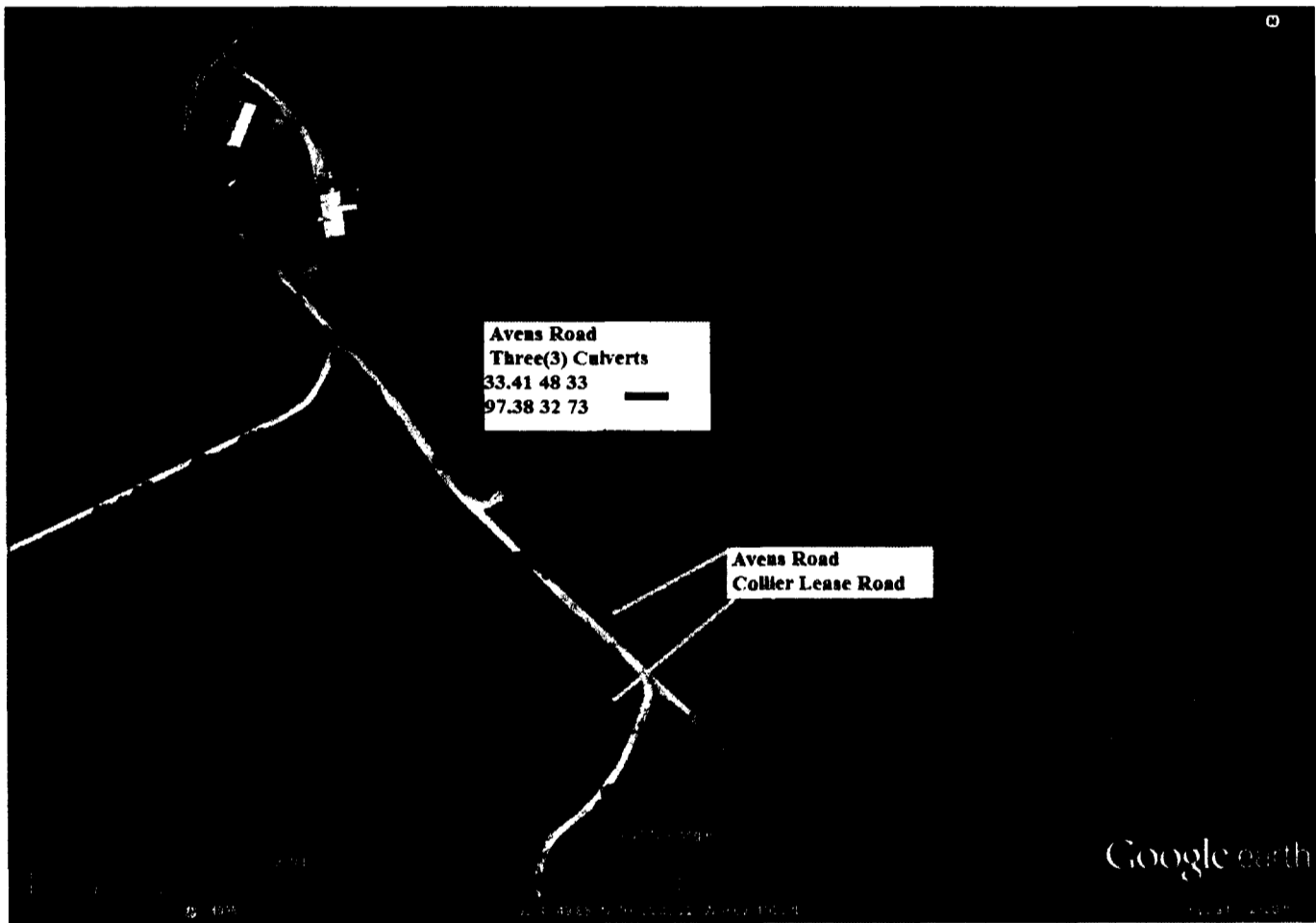
Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 08/01/2012 SIGNATURE *[Signature]*

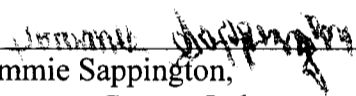


ORDER GRANTING PERMIT AND RIGHT-OF-WAY
TO CONSTRUCT GAS PIPELINE

STATE OF TEXAS X TARGA MIDSTREAM SERVICES LLC
X
COUNTY OF MONTAGUE X

Now, on this the 13TH day AUGUST, 2012, at a Regular Term and Session of the Commissioner's Court of Montague County, Texas, can on to be considered the application of TARGA MIDSTREAM SERVICES LLC., for a permit and right-of-way to lay, construct, maintain, operate a road crossing, on McMURRAY ROAD, located in Precinct #1 of the County of Montague, State of Texas, and the court having considered such application which was filed on the 6TH day of AUGUST, 2012, and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such pipeline should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to TARGA MIDSTREAM SERVICES LLC., to lay, construct, maintain, operate a PIPELINE along, over, across or under the public roads, streets, alleyways of the County of Montague, State of Texas.
2. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public. Said pipeline shall be buried 3 feet below bar ditches.
3. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to TARGA MIDSTREAM SERVICES LLC.
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said TARGA MIDSTREAM SERVICES LLC, its successors and assigns, without further grant or procedure.

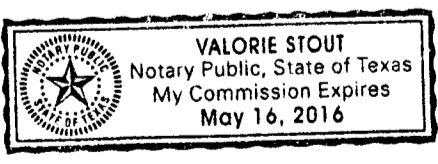

Tommie Sappington,
Montague County Judge

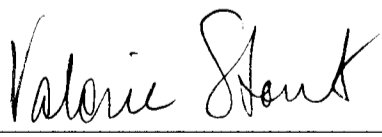
STATE OF TEXAS X TARGA MIDSTREAM SERVICES LLC
X
COUNTY OF MONTAGUE X

Before me, the undersigned authority, on this personally appeared Tommie Sappington, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 13TH day of AUGUST, 2012.

My commission expires:




Notary Public in and for Montague
County, Texas

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: July 24, 2012

Bore

NAME: Targa Midstream Services LLC
ADDRESS: 4401 North I-35, Suite 303, Denton, Texas 76207

CONTACT PERSON: Theresa Endsley TELEPHONE NO. 940-484-9753

ROAD NAME: McMurray Road COMMISSIONER PCT. (1) 2 3 4

GPS Coordinates: Latitude 33.63757 Longitude 97.60163
(GPS Coordinates for Road Crossings)

 TEMPORARY X PERMANENT X PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done: Targa will be crossing McMurray Road approximately 0.34 miles northwest of its intersection of FM 3206 with a six inch poly pipeline in-order to connect new well in the area into our existing system.

bore under road.

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: _____

Well Site Physical Address: _____ UTGCD ID#: _____

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	_____	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

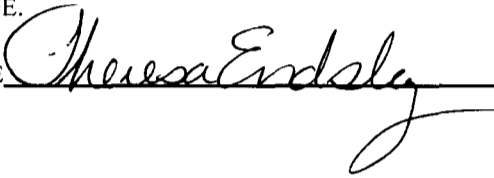
Location of the use of the water: _____ County: _____

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

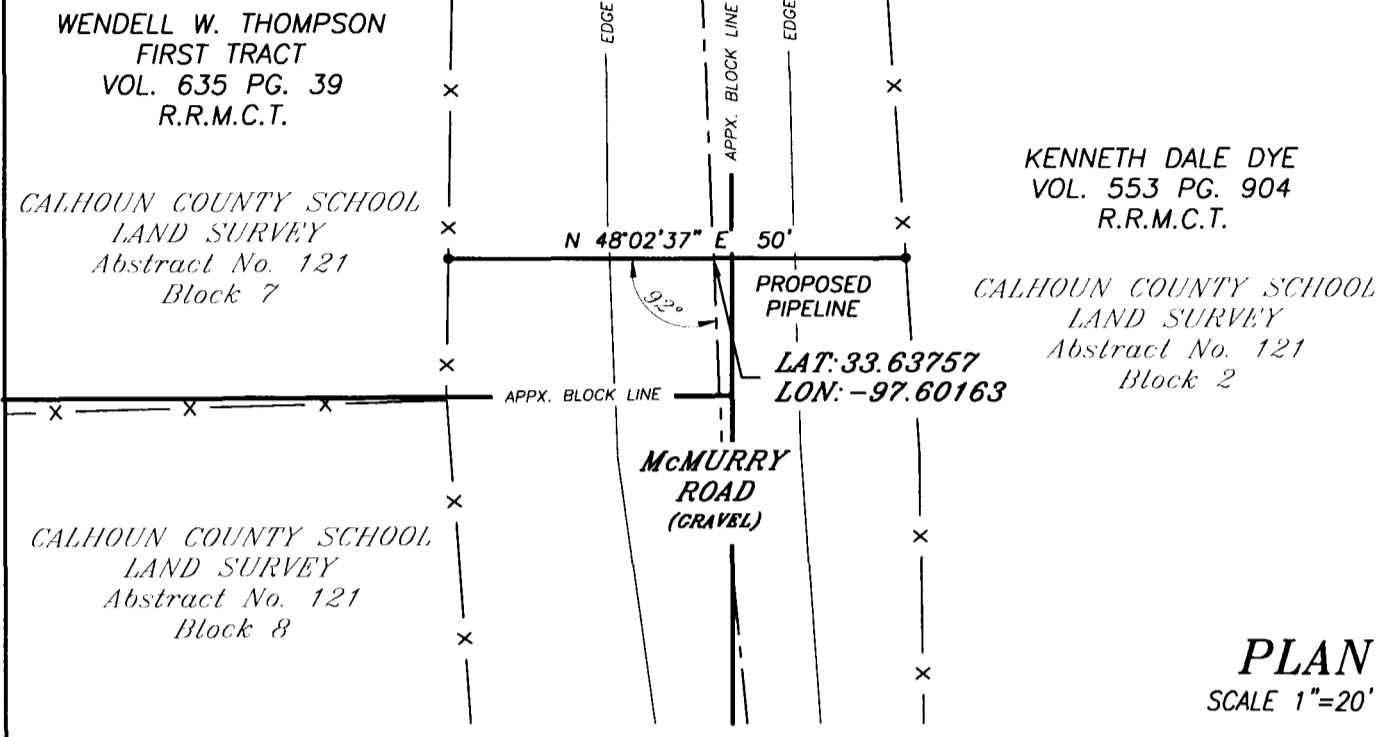
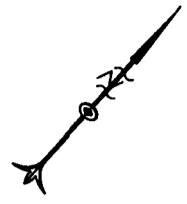
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE July 24, 2012 SIGNATURE 

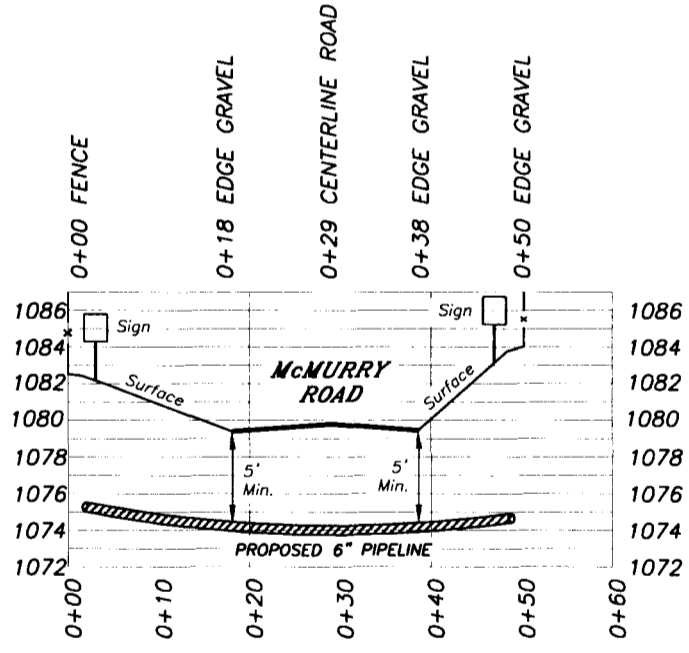
NOTES:
 1. UTILITIES SHOWN HEREON ARE APPROXIMATE AND DETERMINED FROM ABOVE GROUND OBSERVATION. IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT DIGTESS OR OTHER APPROVED LOCATING SERVICES FOR ACCURATE LOCATION OF UTILITIES BEFORE EXCAVATING.
 2. NO BORE PITS SHALL BE EXCAVATED WITHIN THE LIMITS OF HIGHWAY RIGHT-OF-WAY.



PLAN
 SCALE 1"=20'

PROFILE

SCALE:
 HOR. 1" = 20'
 VERT. 1" = 10'



PROFILE SHOWING PROPOSED TARGA PIPELINE CROSSING McMURRY ROAD
 (LAT. 33.63757, LONG. -97.60163) NAD83 DATUM
 APPROXIMATELY 0.34 MILES NORTHWEST OF ITS INTERSECTION WITH FARM-TO-MARKET ROAD 3206 IN MONTAGUE COUNTY, TEXAS

TARGA MIDSTREAM SERVICES LLC

McMURRY ROAD PROFILE
 NEWARK ENERGY - McDONALD PIPELINE
 PROJECT No. 51488
 CALHOUN COUNTY SCHOOL LAND SURVEY A-121
 BLOCK 2 & BLOCK 7
 MONTAGUE COUNTY, TEXAS

JOB: NEWARK ENERGY - McDONALD PL DRAWN BY: CEC DATE: 07/17/2012

Crossway Surveying
 6421 CAMP BOWIE BLVD., SUITE 418
 FORT WORTH, TEXAS 76116 (817) 550-8026

P:\Targa\Newark Energy Skidmore & McDonald Pipelines\Road Profiles\Profile McMurry Rd.dwg

TOTAL LENGTH: 50'
 RODS: 3.03



© 2012 Google
33° 37' 47.67" N 97° 36' 36.26" W elev 1086 ft

ORDER GRANTING PERMIT AND RIGHT-OF-WAY
TO CONSTRUCT GAS PIPELINE

STATE OF TEXAS X TARGA MIDSTREAM SERVICES LLC
X
COUNTY OF MONTAGUE X

Now, on this the 13TH day AUGUST, 2012, at a Regular Term and Session of the Commissioner's Court of Montague County, Texas, can on to be considered the application of TARGA MIDSTREAM SERVICES LLC., for a permit and right-of-way to lay, construct, maintain, operate a road crossing, on CATHOLIC CEMETERY ROAD, located in Precinct #1 of the County of Montague, State of Texas, and the court having considered such application which was filed on the 6TH day of AUGUST, 2012, and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such pipeline should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to TARGA MIDSTREAM SERVICES LLC., to lay, construct, maintain, operate a PIPELINE along, over, across or under the public roads, streets, alleyways of the County of Montague, State of Texas.
2. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public. Said pipeline shall be buried 3 feet below bar ditches.
3. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to TARGA MIDSTREAM SERVICES LLC.
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said TARGA MIDSTREAM SERVICES LLC, its successors and assigns, without further grant or procedure.

Tommie Sappington

Tommie Sappington,
Montague County Judge

STATE OF TEXAS X TARGA MIDSTREAM SERVICES LLC
X
COUNTY OF MONTAGUE X

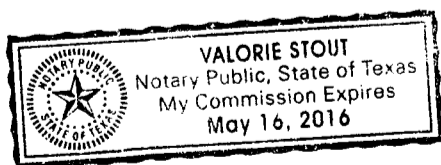
Before me, the undersigned authority, on this personally appeared Tommie Sappington, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 13TH day of AUGUST, 2012.

My commission expires:

Valorie Stout

Notary Public in and for Montague
County, Texas



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

Bore

DATE: July 24, 2012

NAME: Targa Midstream Services LLC
ADDRESS: 4401 North I-35, Suite 303, Denton, Texas 76207

CONTACT PERSON: Theresa Endsley TELEPHONE NO. 940-484-9753

ROAD NAME: Catholic Cemetery Road COMMISSIONER PCT. (1) 2 3 4

GPS Coordinates: Latitude 33.62580 Longitude 97.62375
(GPS Coordinates for Road Crossings)

 TEMPORARY X PERMANENT X PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done: Targa will be crossing Catholic Cemetery Road approximately 0.48 miles northwest of its intersection with FM 3206 with a six inch poly pipeline in-order to connect new well in the area into our existing system.

bore under road

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: _____

Well Site Physical Address: _____ UTGCD ID#: _____

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	_____	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

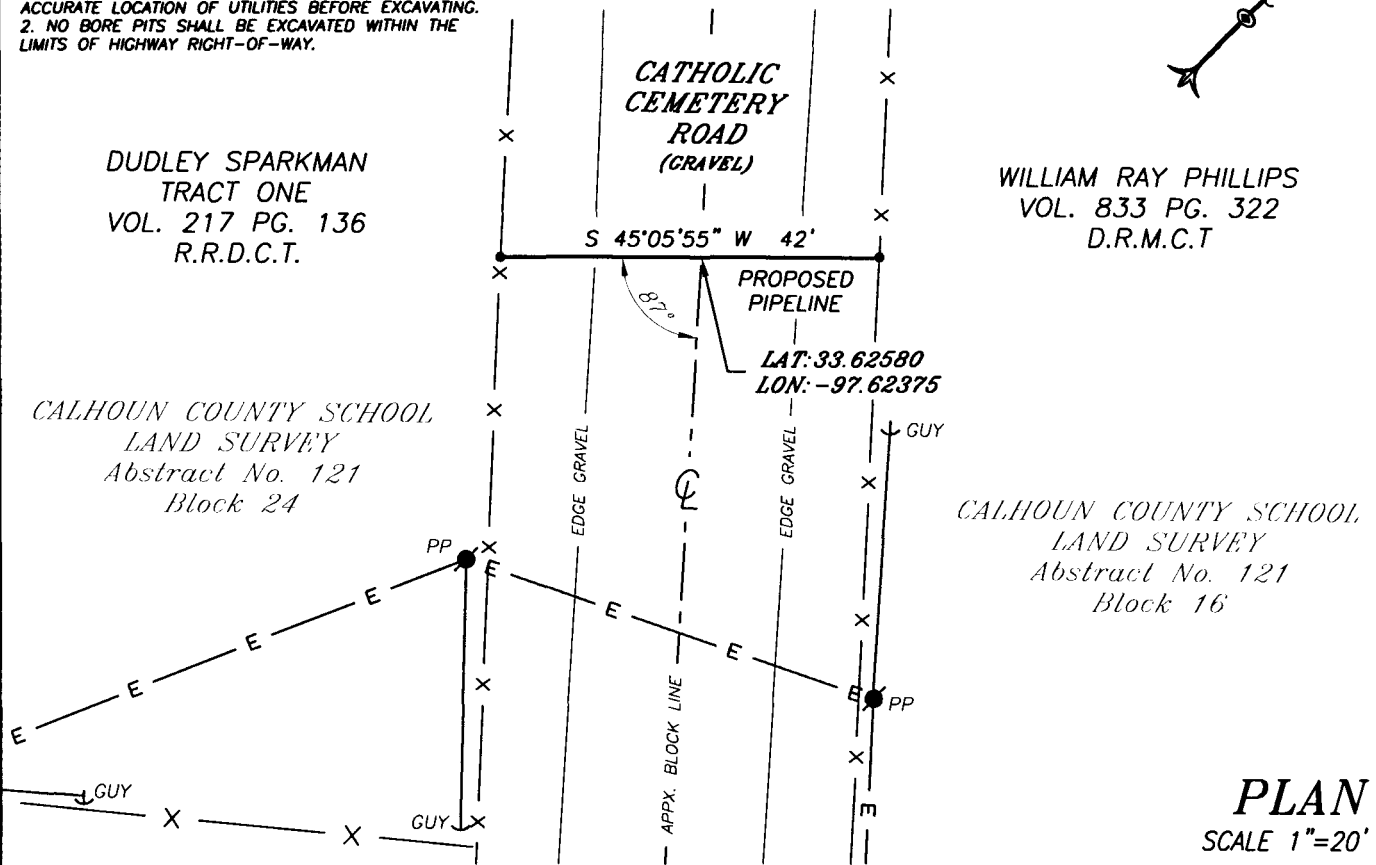
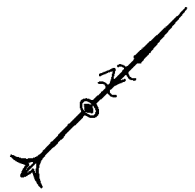
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE July 24, 2012 SIGNATURE Theresa Endsley

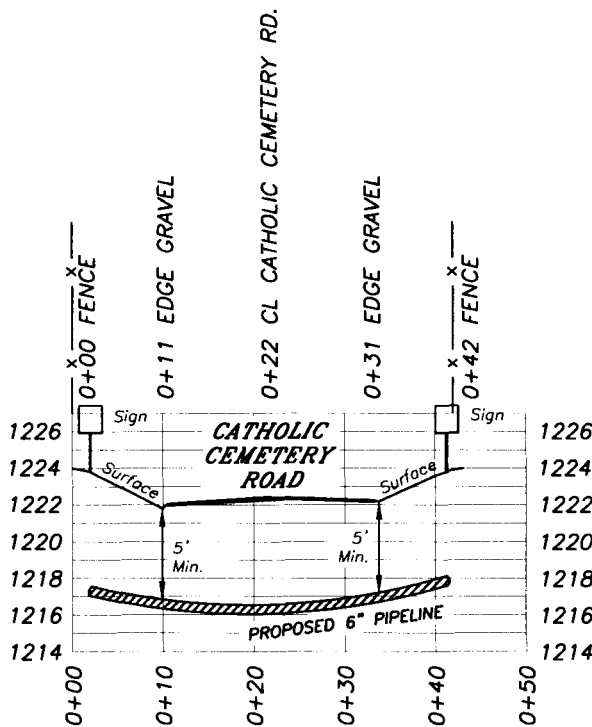
NOTES:
 1. UTILITIES SHOWN HEREON ARE APPROXIMATE AND DETERMINED FROM ABOVE GROUND OBSERVATION. IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT DIGTESS OR OTHER APPROVED LOCATING SERVICES FOR ACCURATE LOCATION OF UTILITIES BEFORE EXCAVATING.
 2. NO BORE PITS SHALL BE EXCAVATED WITHIN THE LIMITS OF HIGHWAY RIGHT-OF-WAY.



PLAN
 SCALE 1"=20'

PROFILE

SCALE:
 HOR. 1" = 20'
 VERT. 1" = 10'



PROFILE SHOWING PROPOSED TARGA PIPELINE CROSSING CATHOLIC CEMETERY ROAD (LAT. 33.62580, LONG. -97.62375) NAD83 DATUM APPROXIMATELY 0.48 MILES NORTHWEST OF ITS INTERSECTION WITH FARM-TO-MARKET ROAD 3206 IN MONTAGUE COUNTY, TEXAS

TARGA MIDSTREAM SERVICES LLC

**CATHOLIC CEMETERY ROAD PROFILE
 NEWARK ENERGY - McDONALD PIPELINE
 PROJECT No. 51488**

CALHOUN COUNTY SCHOOL LAND SURVEY A-121
 SECTION 24 AND SECTION 16
 MONTAGUE COUNTY, TEXAS

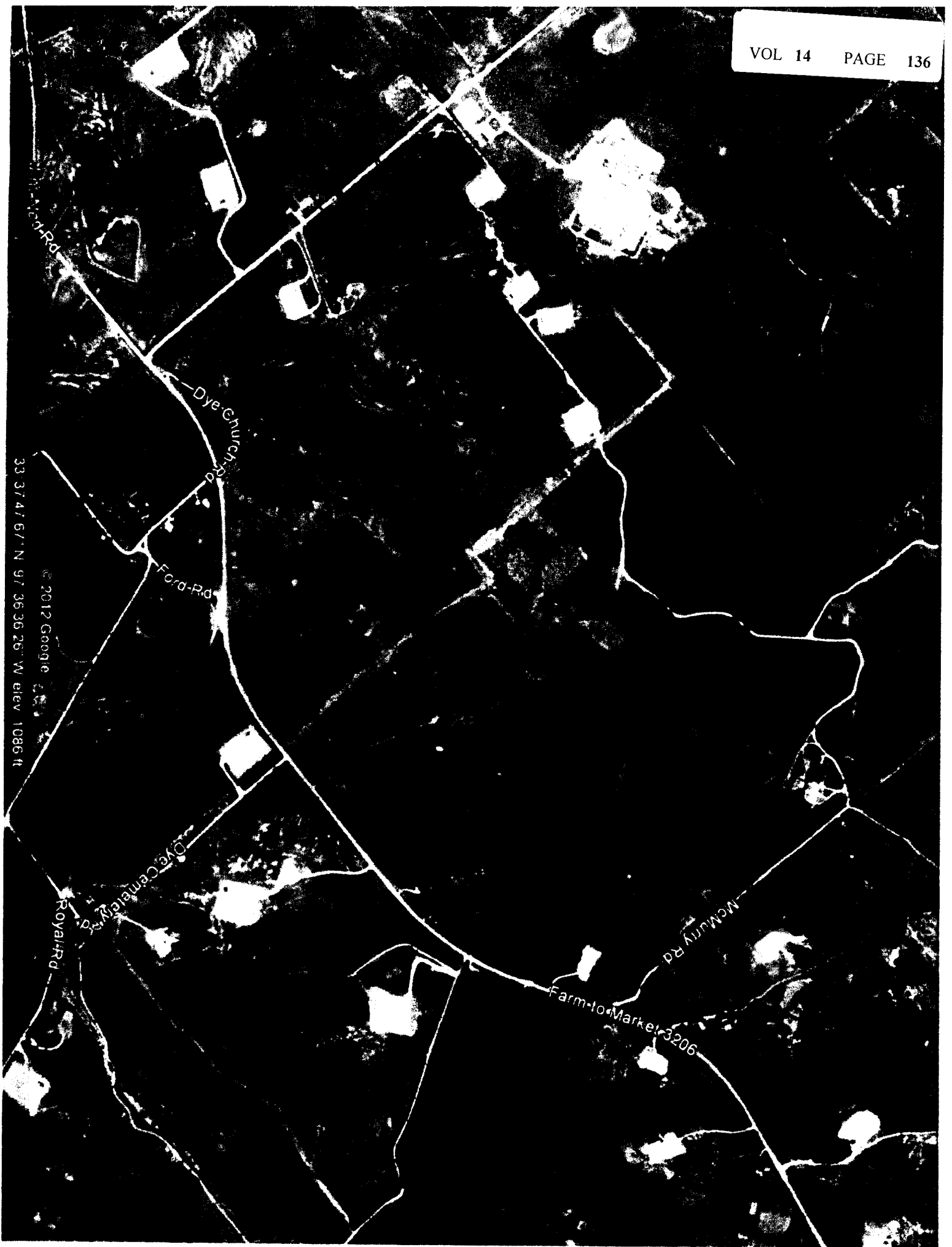
JOB: NEWARK ENERGY - McDONALD PL DRAWN BY: CEC DATE: 07/11/2012

Crossway Surveying

6421 CAMP BOWIE BLVD., SUITE 418
 FORT WORTH, TEXAS 76116 (817) 550-8026

P:\Targa\Newark Energy Skidmore & McDonald Pipelines\Road Profiles\Profile Catholic Cemetery Rd.dwg

TOTAL LENGTH: 42'
 RODS: 2.55



33 37 47 67 N 97 36 36 25 W elev 1086 ft

© 2012 Google

TRC #1003

MONTAGUE COUNTY APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 8-1-12

NAME: Select Energy Service

ADDRESS: 3593 Hwy 51 S, Decatur TX 76234

CONTACT PERSON: Shane Burleson TELEPHONE NO (940) 366-1723

ROAD NAME: Lake Valley Rd COMMISSIONER PCT. 1 2 3 4

GPS Coordinates: Latitude 33°27'3.71"N Longitude 97°42'10.77"W (GPS Coordinates for Road Crossings)

TEMPORARY PERMANENT PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

Going To lay a 10" Temporary water line atnd Set Road Crossing on Lake Valley Rd. The water line will go down North Side of Lake Valley Rd. For About 600 feet Then cross The Road and Jump into Pasture.

Crossing GPS: Lat. - 33°26'59.33"N Long. 97°42'5.73"W

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

- 1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: Maurice Jackson 3599 Fm 1749 Sunset TX 76

Well Site Physical Address: UTGCD ID#:

Type of Water Used:

Surface Water 100 Percentage
Ground Water Percentage
Both Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

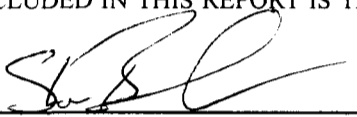
Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

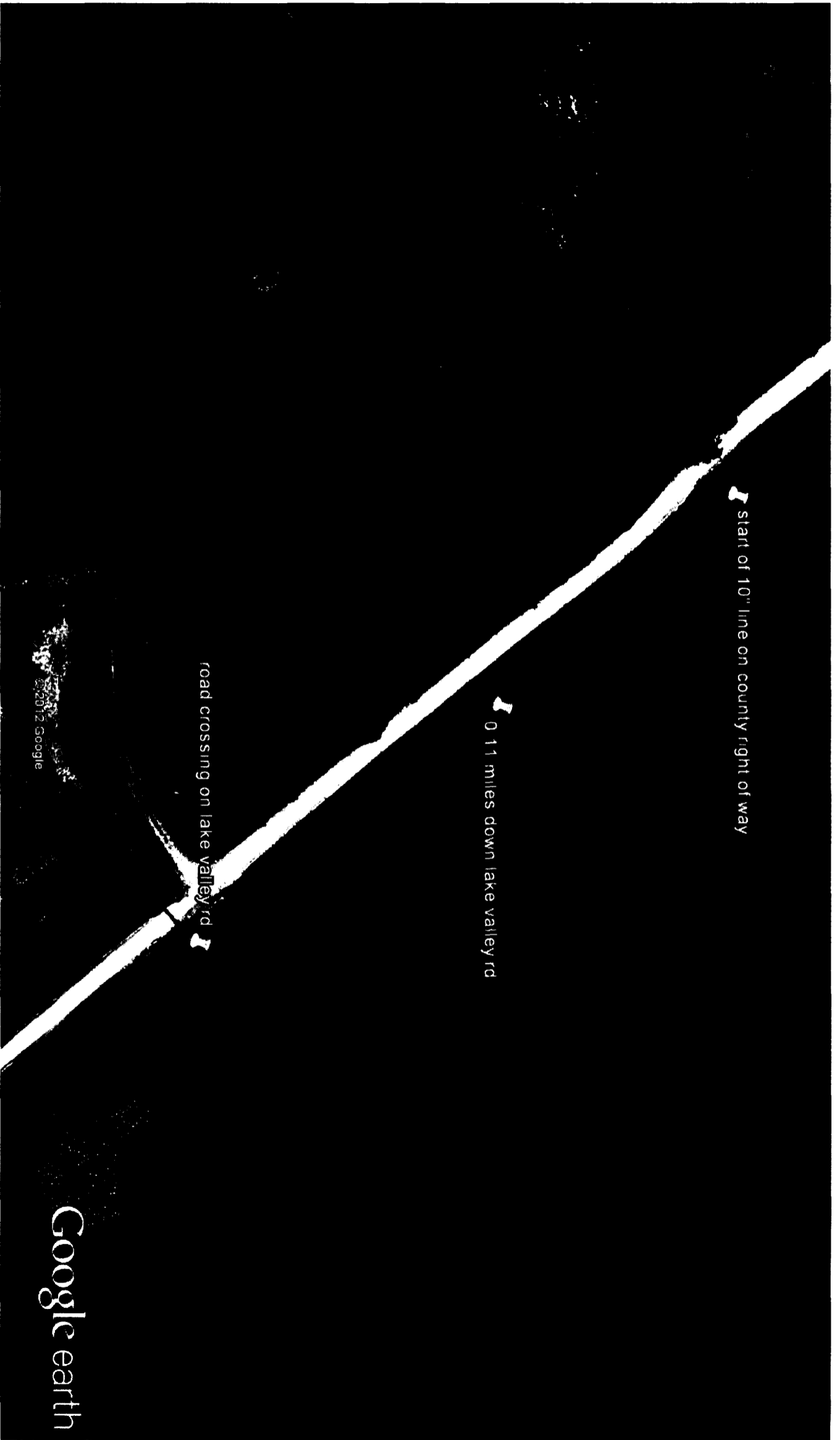
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 8-1-12

SIGNATURE 



Google earth

feet
meters



200

800

Google earth



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

TRC
1088

DATE: July 31, 2012

NAME: EnerVest

ADDRESS: _____

CONTACT PERSON: Todd West TELEPHONE NO. (940) 210-0188

ROAD NAME: Mathers Rd COMMISSIONER PCT (1) 2 3 4

GPS Coordinates: Latitude _____ Longitude _____
(GPS Coordinates for Road Crossings)

TEMPORARY PERMANENT PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

need to trench 16' across Co. Rd
to bury a 3" water line for drill water
for Felderhoff Rig 18
2.1 miles ~~from~~ ^{North of} 1655 on Mathers Rd.

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: Helen Joyce

Well Site Physical Address: 2.1mi from 1655 on Mathers Rd UTGCD ID#: _____

Type of Water Used:

Surface Water	<u>100%</u>	Percentage
Ground Water	_____	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

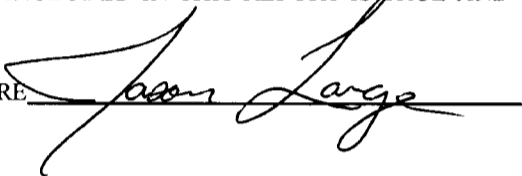
Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE July 31, 2012

SIGNATURE 

ORDER GRANTING
TEMPORARY (FOUR WEEK ONLY) PERMIT AND RIGHT-OF-WAY
TO CONSTRUCT 10" ALUMINUM FRAC LINE

STATE OF TEXAS X SELECT ENERGY SERVICES
X
COUNTY OF MONTAGUE X

Now, on this the 13th day of AUGUST, 2012, at a Regular Term and Session of the Commissioner Court of Montague County, Texas, can on to be considered the application of for a permit and right-of-way to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, and across or under the County Right-of-way, of ROBERTS ROAD, PCT. #1, the County of Montague, State of Texas, and the court having considered such application which was filed on 8TH DAY of AUGUST, 2012, and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such TEMPORARY 10" ALUMINUM FRAC LINE should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to **SELECT ENERGY SERVICES**, to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, across, beside or under the County Right-a-way of **ROBERTS ROAD, PCT. #1**, the County of Montague, State of Texas as described as a four week permit only.
2. That such TEMPORARY 10" ALUMINUM FRAC LINE shall be maintained as not to interfere with the use and occupancy of such roads by public.
3. That any adjustments of said TEMPORARY 10" ALUMINUM FRAC LINE , required for any County Right-of-way or any other improved County Road would be at 100 per cent cost to **SELECT ENERGY SERVICES**
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said **SELECT ENERGY SERVICES**, its successors and assigns, without further grant or procedure.
5. That Montague County **DOES NOT ALLOW** any above ground lines to be laid on or beside roadways that are used to transfer Oil, Gas, or Salt Water Products.

Tommie Sappington

Tommie Sappington, Montague Co. Judge

STATE OF TEXAS X SELECT ENERGY SERVICES
X
COUNTY OF MONTAGUE X

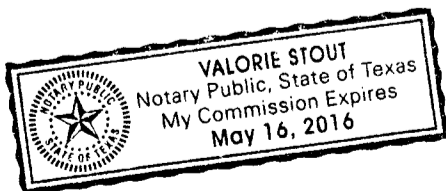
Before me, the undersigned authority, on this day personally appeared TOMMIE SAPPINGTON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 13TH Day of AUGUST, 2012.

My commission expires:

Valorie Stout

Notary Public in and for Montague County, Texas.



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

TFL
CR#
14000062

DATE: 8-3-12

NAME: Select Energy Services

ADDRESS: 3593 F.M. 51 S.

CONTACT PERSON: Shane Burlison TELEPHONE NO (940) 366-1723

ROAD NAME: Roberts Rd. COMMISSIONER PCT. (1) 2 3 4

GPS Coordinates: Latitude 33° 26' 13.32" N Longitude 97° 36' 49.64" W
(GPS Coordinates for Road Crossings)

TEMPORARY PERMANENT PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

One 10" Line going Down Roberts Rd. for 1500 Ft. Ending into
Wise County.

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: Maurice Jackson 8599 F.M. 1749

Well Site Physical Address: Czewski Location UTGCD ID#: _____

Type of Water Used:

Surface Water	<u>100</u>	Percentage
Ground Water	_____	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

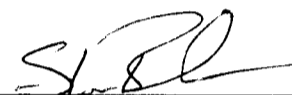
Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

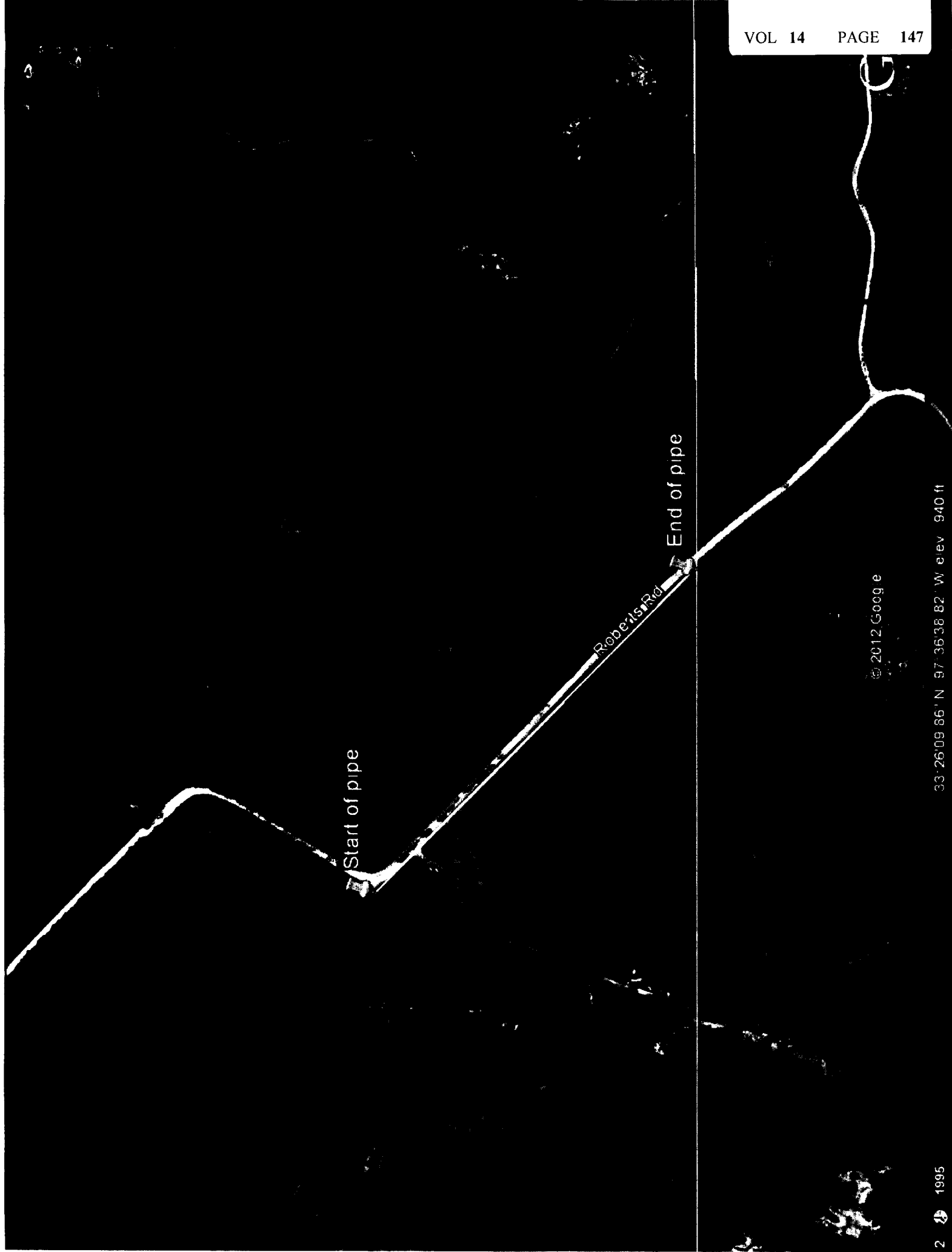
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 3-3-12

SIGNATURE 



Start of pipe

Roberts Rd

End of pipe

© 2012 Google

33°26'09.86" N 97°35'38.82" W elev 940 ft

ORDER GRANTING PERMIT AND RIGHT-OF-WAY
TO CONSTRUCT GAS PIPELINE

STATE OF TEXAS X PIONEER NATURAL RESOURCES
X
COUNTY OF MONTAGUE X

Now, on this the 13th day AUGUST, 2012, at a regular Term and Session of the Commissioner's Court of Montague County, Texas, can on to be considered the application of PIONEER NATURAL RESOURCES USA, INC. for a permit and right-of-way to lay, construct, maintain, operate a ROAD CROSSING on OGLE ROAD located in Precinct #2 of the County of Montague, State of Texas, and the court having considered such application which was filed on the 9th day of AUGUST, 2012, and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such pipeline should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to PIONEER NATURAL RESOURCES USA, INC., to lay, construct, maintain, operate a pipeline along, over, across or under the public roads, streets, alleyways of the County of Montague, State of Texas.
2. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public. Said pipeline shall be buried 3 feet below bar ditches.
3. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to PIONEER NATURAL RESOURCES USA, INC.
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said PIONEER NATURAL RESOURCES USA, INC., its successors and assigns, without further grant or procedure.

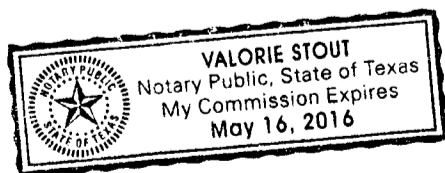

Tommie Sappington, County Judge


STATE OF TEXAS X PIONEER NATURAL RESOURCES
X
COUNTY OF MONTAGUE X

Before me, the undersigned authority, on this personally appeared Tommie Sappington, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 13TH day of AUGUST, 2012.

My commission expires:




Notary Public in and for
Montague County, Texas

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

EC
#1237

DATE: 7/23/12

NAME: Pioneer Natural Resources

ADDRESS: 5205 North O'Connor Blvd., Suite 200, Irving, TX 75039

CONTACT PERSON: Dale Cox TELEPHONE NO. 940-841-2454

ROAD NAME: Ogle Road COMMISSIONER PCT. 1 (2) 3 4

GPS Coordinates: Latitude 33.560342 Longitude -97.893737

(GPS Coordinates for Road Crossings)

 TEMPORARY XX PERMANENT XX PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done: Open Cut Road Crossing at Ogle Road, Bowie, Montague County, Texas.

The ten-inch (10") diameter Poly Water Supply crossing Ogle Road will be located approximately 1,883 ft. North of its intersection with Old Vashti Road and 1,708 ft. South of its intersection with County Road #148 (Cattle Pen Road).

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner:

Well Site Physical Address: _____ UTGCD ID#: _____

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	_____	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 7/23/82

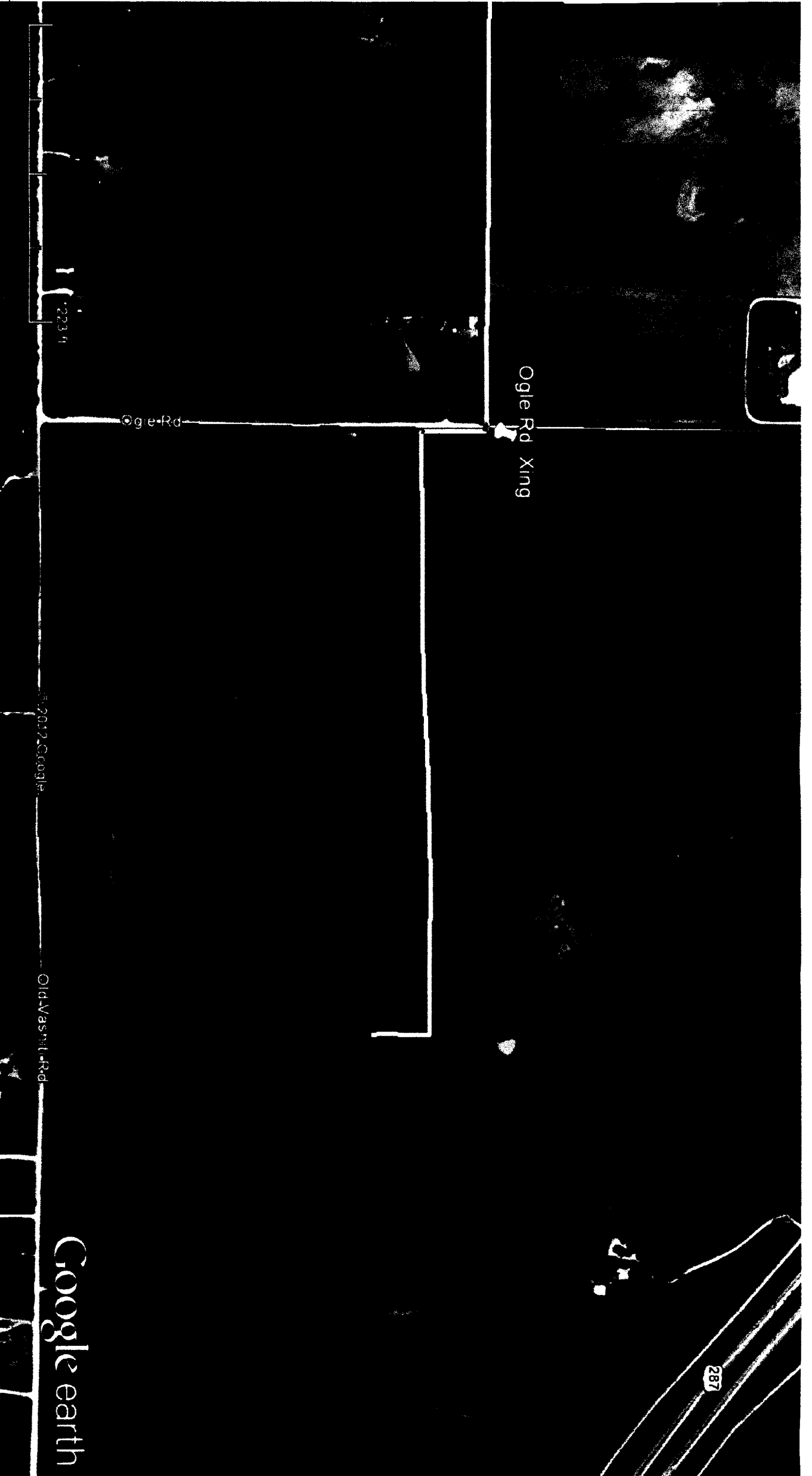
SIGNATURE *[Handwritten Signature]*

Google earth

feet
km



4000



Google earth

ORDER GRANTING PERMIT AND RIGHT-OF-WAY TO CONSTRUCT GAS PIPELINE

STATE OF TEXAS X PIONEER NATURAL RESOURCES
COUNTY OF MONTAGUE X

Now, on this the 13th day AUGUST, 2012, at a regular Term and Session of the Commissioner's Court of Montague County, Texas, can on to be considered the application of PIONEER NATURAL RESOURCES USA, INC. for a permit and right-of-way to lay, construct, maintain, operate a ROAD CROSSING on OLD VASHTI ROAD located in Precinct #2 of the County of Montague, State of Texas, and the court having considered such application which was filed on the 9th day of AUGUST, 2012, and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such pipeline should be granted, it is accordingly ordered by the Court:

- 1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to PIONEER NATURAL RESOURCES USA, INC., to lay, construct, maintain, operate a pipeline along, over, across or under the public roads, streets, alleyways of the County of Montague, State of Texas.
2. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public. Said pipeline shall be buried 3 feet below bar ditches.
3. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to PIONEER NATURAL RESOURCES USA, INC.
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said PIONEER NATURAL RESOURCES USA, INC., its successors and assigns, without further grant or procedure.

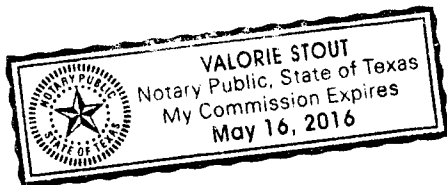
Tommie Sappington, County Judge

STATE OF TEXAS X PIONEER NATURAL RESOURCES
COUNTY OF MONTAGUE X

Before me, the undersigned authority, on this personally appeared Tommie Sappington, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 13th day of AUGUST, 2012.

My commission expires:



Valorie Stout
Notary Public in and for Montague County, Texas

PC #1237

MONTAGUE COUNTY APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 7/23/2012

NAME: Pioneer Natural Resources

ADDRESS: 5205 North O'Connor Blvd., Suite 200, Irving, TX 75039

CONTACT PERSON: Dale Cox TELEPHONE NO. 940-841-2454

ROAD NAME: Old Vashti Road COMMISSIONER PCT. 1 (2) 3 4

GPS Coordinates: Latitude 33.555032 Longitude -97.874631

(GPS Coordinates for Road Crossings)

TEMPORARY XX PERMANENT XX PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done: Open Cut Road Crossing at Old Vashti Road, Bowie, Montague, Texas.

The ten-inch (10") diameter Poly Water Supply Line crossing Old Vashti Road will be located approximately 2,009 ft. West of its intersection of Service Road of State Highway No. 287 and 5,852 ft. East of its intersection of Ogle Road.

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

- 1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner:

Well Site Physical Address: UTGCD ID#:

Type of Water Used:

Surface Water Percentage
Ground Water Percentage
Both Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

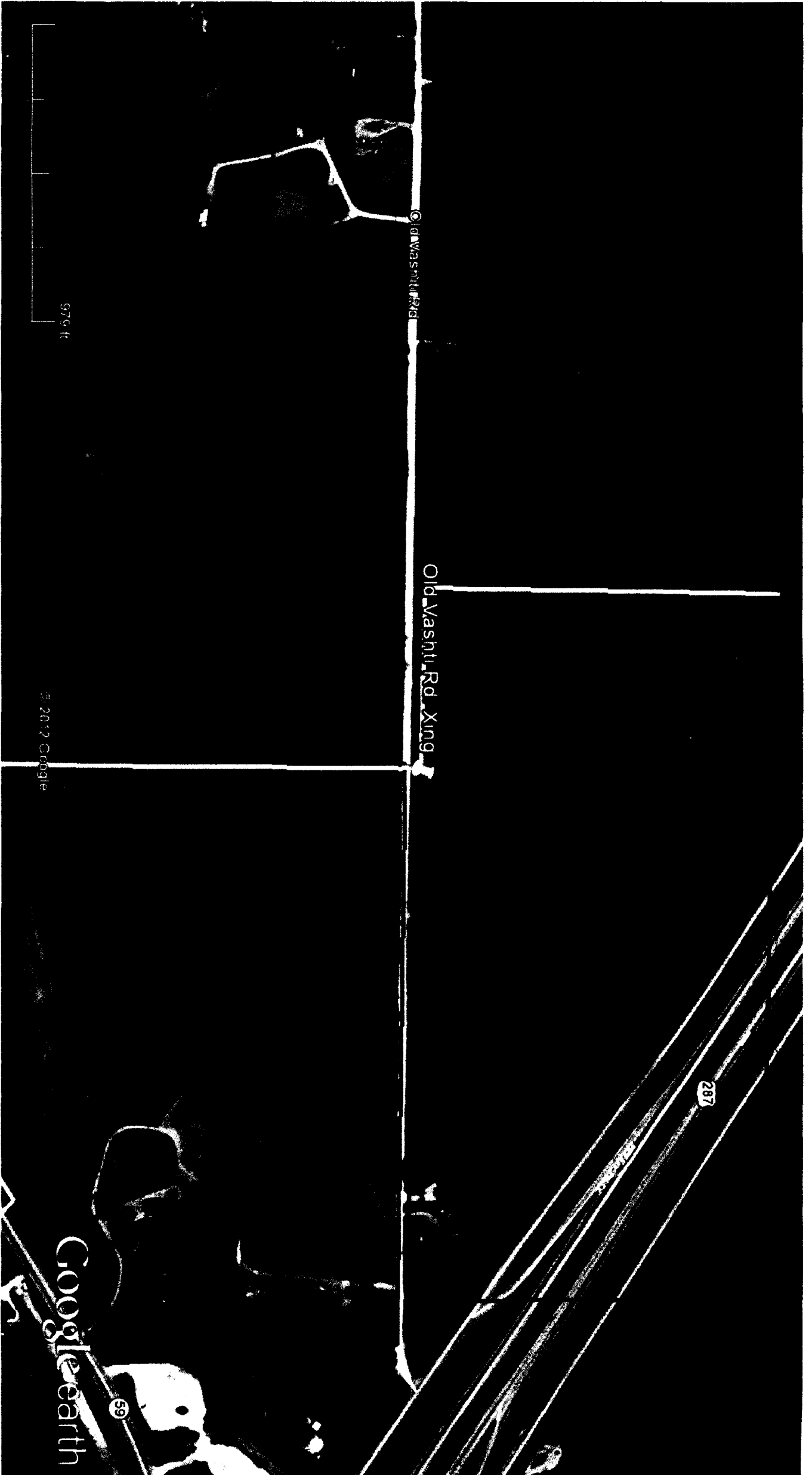
I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 3/23/12

SIGNATURE *[Handwritten Signature]*

Google earth

feet
km



Google earth

ORDER GRANTING
TEMPORARY (FOUR WEEK ONLY) PERMIT AND RIGHT-OF-WAY
TO CONSTRUCT 10" ALUMINUM FRAC LINE

STATE OF TEXAS X EOG RESOURCES, INC.
X
COUNTY OF MONTAGUE X

Now, on this the 13th day of AUGUST, 2012, at a Regular Term and Session of the Commissioner Court of Montague County, Texas, can on to be considered the application of for a permit and right-of-way to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, and across or under the County Right-of-way, of LAZY E ROAD, PCT. #1, the County of Montague, State of Texas, and the court having considered such application which was filed on 6TH DAY of AUGUST, 2012, and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such TEMPORARY 10" ALUMINUM FRAC LINE should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to **EOG RESOURCES, INC.**, to lay, construct, maintain, and operate a TEMPORARY 10" ALUMINUM FRAC LINE , along, over, across, beside or under the County Right-a-way of LAZY E ROAD, PCT. #1, the County of Montague, State of Texas as described as a four week permit only.
2. That such TEMPORARY 10" ALUMINUM FRAC LINE shall be maintained as not to interfere with the use and occupancy of such roads by public.
3. That any adjustments of said TEMPORARY 10" ALUMINUM FRAC LINE , required for any County Right-of-way or any other improved County Road would be at 100 per cent cost to **EOG RESOURCES, INC.**
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said **EOG RESOURCES, INC.**, its successors and assigns, without further grant or procedure.
5. That Montague County **DOES NOT ALLOW** any above ground lines to be laid on or beside roadways that are used to transfer Oil, Gas, or Salt Water Products.

Tommie Sappington

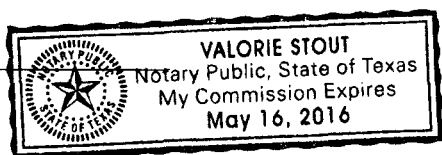
Tommie Sappington, Montague Co. Judge

STATE OF TEXAS X EOG RESOURCES, INC.
X
COUNTY OF MONTAGUE X

Before me, the undersigned authority, on this day personally appeared TOMMIE SAPPINGTON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 13TH Day of AUGUST, 2012.

My commission expires:



Valorie Stout

Notary Public in and for Montague County, Texas.

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 07/25/2012

NAME: EOG RESOURCES, INC.

TFL

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: LAZY E ROAD COMMISSIONER PCT. X 1

GPS Coordinates: Latitude _____ Longitude _____

X TEMPORARY _____ PERMANENT X PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

ALUMINUM FRAC LINES LAZY E ROAD APPRO. 300 FEET

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 1831

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	<u>X</u>	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ N/A _____ Longitude _____ N/A _____

Meter Serial Number: _____ N/A _____

Beginning Meter Reading (as displayed on meter): _____ N/A _____

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

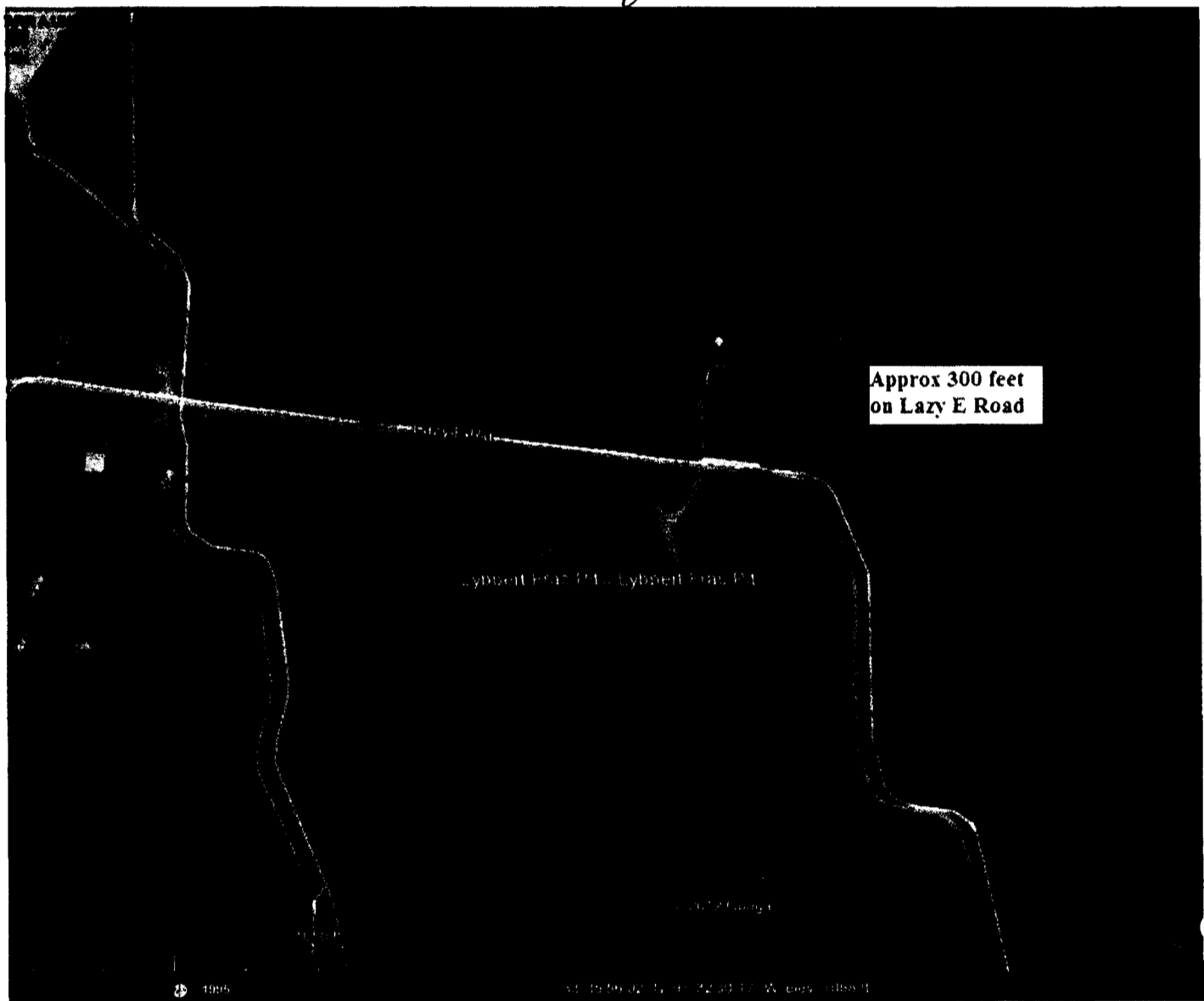
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 07/25/2012

SIGNATURE *[Handwritten Signature]*



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 08/01/2012

TRC

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: SMYRNA ROAD

COMMISSIONER PCT. 2

GPS Coordinates: Latitude N 33.29 59 65 Longitude W 097 45 39 27

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

INSTALL CULVERT ON SMYRNA ROAD

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 2295

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	<input checked="" type="checkbox"/>	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ N/A _____ Longitude _____ N/A _____

Meter Serial Number: _____ N/A _____

Beginning Meter Reading (as displayed on meter): _____ N/A _____

Ending Meter Reading (as displayed on meter): _____ N/A _____

Location of the use of the water N/A County: N/A

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)? Yes No N/A

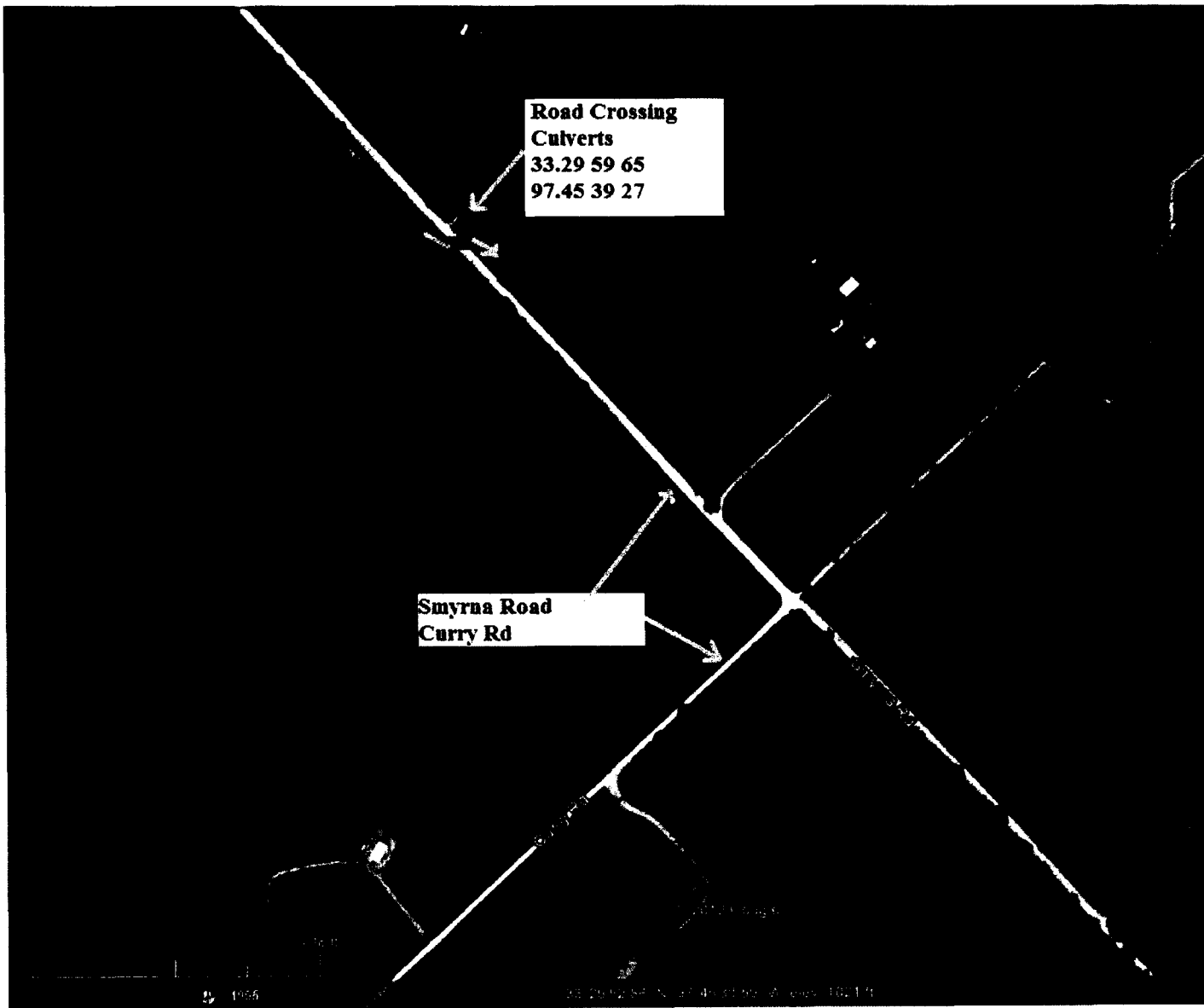
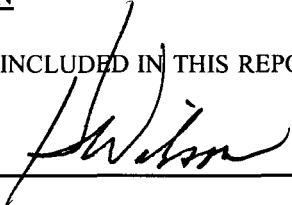
If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 08/01/2012

SIGNATURE



MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

DATE: 08/01/2012

TRC

NAME: EOG RESOURCES, INC.

ADDRESS: 1451 W BUSINESS 380 COMP #3 DECATUR, TEXAS 76234

CONTACT PERSON: HERMAN WILSON TELEPHONE NO. 940-867-3252

ROAD NAME: FRUITLAND ROAD

COMMISSIONER PCT. 2

GPS Coordinates: Latitude N 30.41 16 79 Longitude W 097 46 25 75

TEMPORARY PERMANENT PLAT

ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

INSTALL CULVERT ON FRUITLAND ROAD

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: EOG Resources, Inc.

Well Site Physical Address: _____ UTGCD ID: 2295

Type of Water Used:

Surface Water	_____	Percentage
Ground Water	<input checked="" type="checkbox"/>	Percentage
Both	_____	Percentage

GPS Coordinates: Latitude _____ N/A _____ Longitude _____ N/A _____

Meter Serial Number: _____ N/A _____

Beginning Meter Reading (as displayed on meter): _____ N/A _____

Ending Meter Reading (as displayed on meter): N/A

Location of the use of the water N/A County: N/A

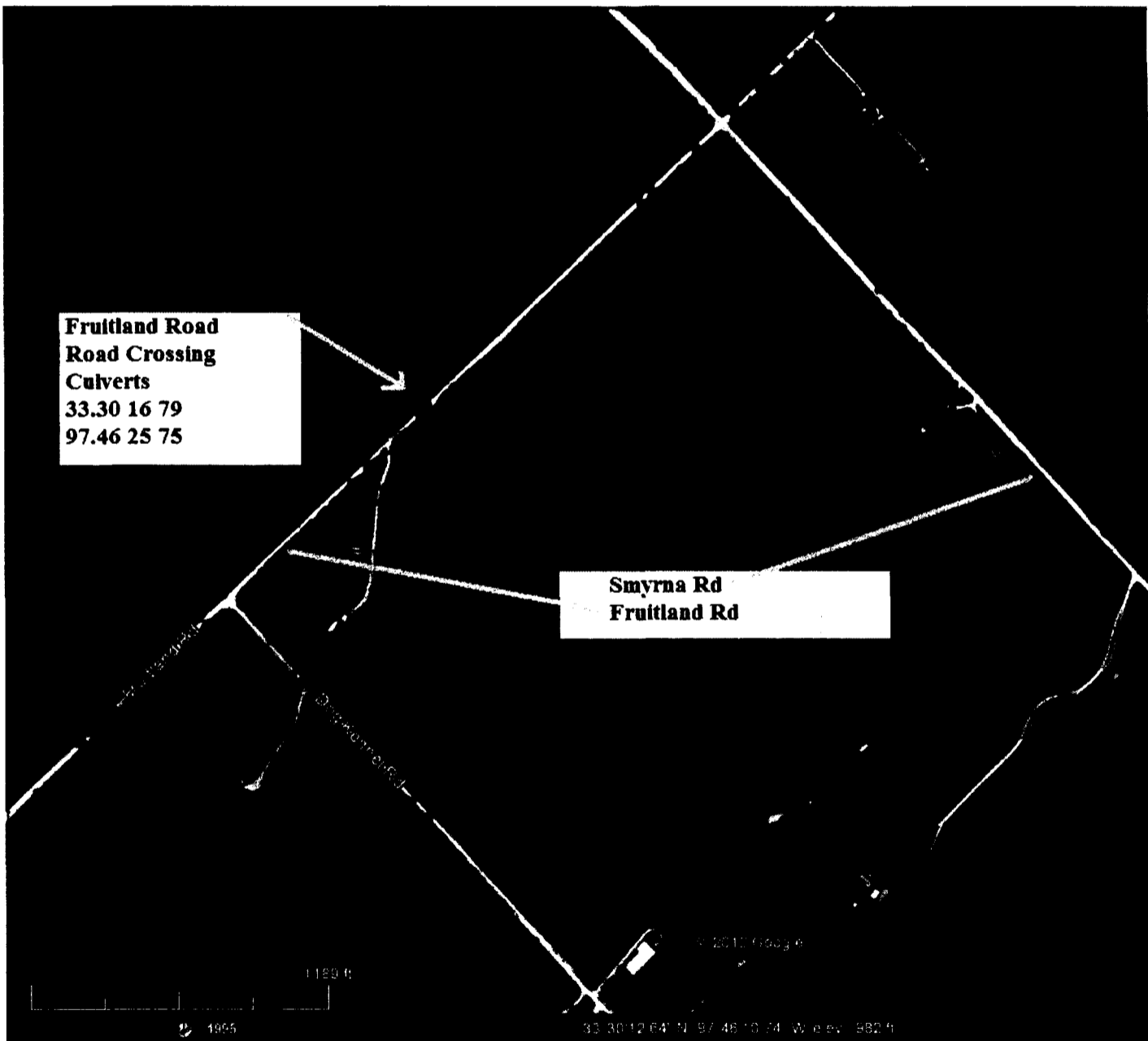
Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)?
Yes No N/A

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 08/01/2012 SIGNATURE [Signature]

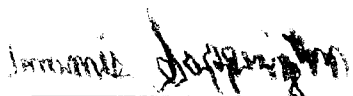


ORDER GRANTING PERMIT AND RIGHT-OF-WAY
TO CONSTRUCT GAS PIPELINE

STATE OF TEXAS	X	PIONEER NATURAL RESOURCES
	X	
COUNTY OF MONTAGUE	X	

Now, on this the 13th day AUGUST, 2012, at a regular Term and Session of the Commissioner's Court of Montague County, Texas, can on to be considered the application of PIONEER NATURAL RESOURCES USA, INC. for a permit and right-of-way to lay, construct, maintain, operate a ROAD CROSSING on LEONA ROAD located in Precinct #2 of the County of Montague, State of Texas, and the court having considered such application which was filed on the 9TH day of AUGUST, 2012, and is here referred to and made a part hereof, and having determined that the permit and right-of-way for such pipeline should be granted, it is accordingly ordered by the Court:

1. That the County of Montague, State of Texas, does hereby grant the right, privilege and right-of-way to PIONEER NATURAL RESOURCES USA, INC., to lay, construct, maintain, operate a pipeline along, over, across or under the public roads, streets, alleyways of the County of Montague, State of Texas.
2. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public. Said pipeline shall be buried 3 feet below bar ditches.
3. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to PIONEER NATURAL RESOURCES USA, INC.
4. That all the rights, privileges and right-of-way herein above mentioned are by this order duly vested in said PIONEER NATURAL RESOURCES USA, INC., its successors and assigns, without further grant or procedure.



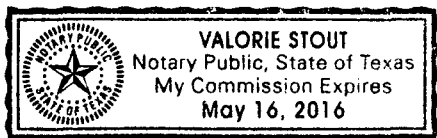
Tommie Sappington, County Judge


STATE OF TEXAS	X	PIONEER NATURAL RESOURCES
	X	
COUNTY OF MONTAGUE	X	

Before me, the undersigned authority, on this personally appeared Tommie Sappington, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this 13TH day of AUGUST, 2012.

My commission expires:





Notary Public in and for
Montague County, Texas

MONTAGUE COUNTY
APPLICATION FOR A PERMIT AND RIGHT-OF-WAY

*EC
4871
TR ROW Assoc*

DATE: 8/07/2012
NAME: Pioneer Natural Resources USA Inc.
ADDRESS: 925 University Drive, Fort Worth, Texas, 76107
CONTACT PERSON: Elizabeth Turner TELEPHONE NO. 214-926-1818
ROAD NAME: Leona Road COMMISSIONER PCT. 1 (2) 3 4
GPS Coordinates: Latitude 33°33'54.9370" Longitude 97°57'18.0934"
(GPS Coordinates for Road Crossings)
 TEMPORARY PERMANENT PLAT ATTACHED

This document is an application for a permit and right-of-way. Please give a descriptive explanation of the work to be done:

Pioneer Natural Resources is proposing to install a natural gas pipeline (PPL50) under Leona Road as depicted on attached location drawing.

If your application for the permit and right-of-way is approved by the Montague County Commissioners Court and an Order to grant the permit and right-of-way for such pipeline should be granted, the following is understood:

1. That such pipeline shall be so buried, cased, covered, constructed and maintained as not to interfere with the use and occupancy of such roads by public.
2. That any adjustments of said pipeline required for any State Farm to Market Road or any other improved road would be at 100 per cent cost to the applicant.
3. That all the rights, privileges and right-of-ways will be vested in said Applicant and its successors and assigns, without further grant or procedure.
4. Fees may or may not apply. If fees apply, fees need to accompany the application.
5. Notice of all applications will be sent to the Upper Trinity Groundwater Conservation District.

Source of the water:

Full Name and Address of Property Owner: _____

Well Site Physical Address: _____ UTGCD ID#: _____

Type of Water Used:

Surface Water _____ Percentage
Ground Water _____ Percentage
Both _____ Percentage

GPS Coordinates: Latitude _____ Longitude _____

Meter Serial Number: _____

Beginning Meter Reading (as displayed on meter): _____

Ending Meter Reading (as displayed on meter): _____

Location of the use of the water: _____ County: _____

Will any of this water be transported for use outside of the District (Montague, Parker, Wise, and Hood Counties)?
Yes No

If yes, explain how the water was measured and include amount transported. _____

AFFIRMATION

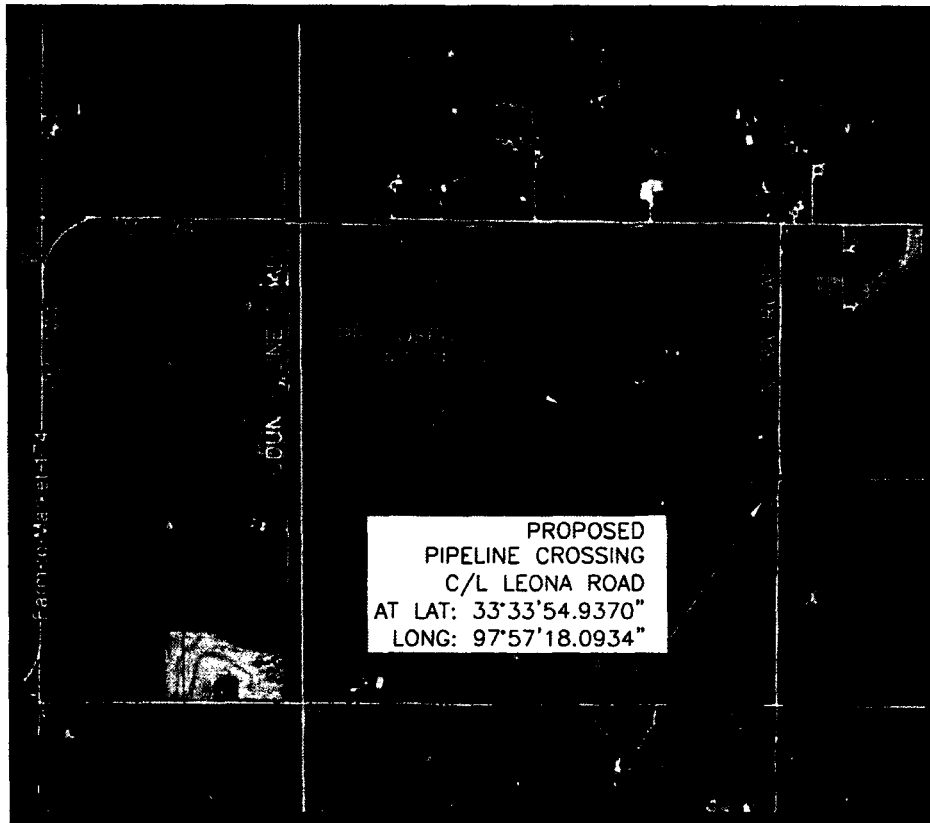
I HEREBY SWEAR OR AFFIRM THAT THE INFORMATION INCLUDED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATE 8/7/2012

SIGNATURE *Elizabeth Turner*

MONTAGUE COUNTY, TEXAS

T.E. & L. CO. SURVEY NO. 2864, A-792



LOCATION MAP
N.T.S.

★ Tova 811
Know what's below.
Call before you dig.

TRWA INC. | **TEXAS RIGHT OF WAY ASSOCIATES**
925 UNIVERSITY DRIVE | MAPPING DIVISION
FORT WORTH, TEXAS 76107 | LICENSE NO. 1013890
817-361-8839 | COPYRIGHT © 2012

PROPOSED PIPELINE LOCATION
PIONEER NATURAL RESOURCES USA, INC.
CROSSING COUNTY ROAD
LEONA ROAD
T.E. & L. CO. SURVEY NO. 2864, A-792
MONTAGUE COUNTY, TEXAS

DRAWN BY: B.L.	DATE: 08/06/12	PP50 3.0_ LEONA ROAD
CHECKED BY: E.S.H.	DATE: 08/06/12	
SCALE: N.T.S.	PAGE: 1 OF 1	

FILED
2012 AUG 16 PM 2:56
MONTAGUE CNTY CLERK
MONTAGUE, TX

ORDER CREATING COUNTY ELECTIONS ADMINISTRATOR

We the undersigned, being the membership of the Commissioners Court for Montague County do hereby order that the position of County Elections Administrator be created for said county effective on October 1, 2012.

The County Clerk is hereby instructed to send a copy of this order to each member of the County Elections Commission, the Secretary of State, and Comptroller of Public Accounts.

Done this the _____ day of AUG 13 2012, 2012.

Dommie Dappington
County Judge

Jon Kernek
Commissioner, Pct. 1

[Signature]
Commissioner, Pct. 3

[Signature]
Commissioner, Pct. 2

[Signature]
Commissioner, Pct. 4

The State of Texas
County of Montague

Denda Henson County Clerk of Montague County do hereby certify that the above is a true and correct copy of the order by the Commissioners Court creating the Office of the County Elections Administrator.

Witness my hand and seal of the office this the 13th day of August 2012.

Denda Henson
County Clerk

Montague
County